



# CITY OF CUPERTINO

## AGENDA

### CITY COUNCIL

10350 Torre Avenue, Council Chamber

Tuesday, August 6, 2019

5:30 PM

Televised Special Meeting Study Session (5:30) and 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, August 6, 2019, commencing at 5:30 p.m. in Community Hall Council Chamber, 10350 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

#### STUDY SESSION

1. Subject: Study session regarding policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.

Recommended Action: Provide direction on policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.

Staff Report

A - Tobacco Free Communities Policies in Santa Clara County

B - Healthy Cities Program 2018 Cupertino Dashboard

C - American Lung Association Report Card

D - Letter to Cupertino City Council from FUHSD

E - FUHSD Resolution 1819-21

F - Matrix of 35 Local Ordinances Restricting Flavored Tobacco

G - Healthy Stores for a Healthy Community 2016 Survey

H - Tough Questions on Flavored Tobacco Products

#### ADJOURNMENT

## REGULAR MEETING

### PLEDGE OF ALLEGIANCE - 6:45 PM

### ROLL CALL

### CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Presentation from the Cupertino Youth Climate Action Team regarding climate solutions  
Recommended Action: Receive presentation from the Cupertino Youth Climate Action Team regarding climate solutions
2. Subject: Presentation of a new report on the status of seniors in Cupertino  
Recommended Action: Receive presentation of a new report on the status of seniors in Cupertino

### POSTPONEMENTS

3. Subject: Continue Item No. 16 for consideration of Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide to a date to be determined. This item will be re-noticed.  
Recommended Action: Continue Item No. 16 for consideration of Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide to a date to be determined. This item will be re-noticed.

### 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.*

### STUDY SESSION

4. Subject: Study Session regarding Application and Review Procedures for Projects Proposed Pursuant to Senate Bill 35. (Application No(s): CP-2019-04; Applicant(s): City of Cupertino; Location: Citywide)

Recommended Action: That the City Council conduct the study session, receive this report and provide direction regarding the proposed Application and Review Procedures and draft Application Package for Projects Proposed Pursuant to Senate Bill 35.

[Staff Report](#)

[A - Draft Resolution with redlines](#)

[B - Draft SB 35 Application Package with redlines](#)

[C - Senate Bill SB 35, as Amended](#)

[D - Final SB 35 Guidelines](#)

## REPORTS BY COUNCIL AND STAFF (10 minutes)

5. 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.*

6. Subject: Approve the July 8 City Council minutes  
Recommended Action: Approve the July 8 City Council minutes  
[A - Draft Minutes](#)
7. Subject: Approve the July 16 City Council minutes  
Recommended Action: Approve the July 16 City Council minutes  
[A - Draft Minutes](#)
8. Subject: Accept Accounts Payable for the period ending May 3, 2019  
Recommended Action: Adopt Resolution No. 19-099 accepting Accounts Payable for the period ending May 3, 2019  
[A – Draft Resolution](#)  
[B – AP Report](#)
9. Subject: Accept Accounts Payable for the period ending May 10, 2019  
Recommended Action: Adopt Resolution No. 19-100 accepting Accounts Payable for the period ending May 10, 2019  
[A – Draft Resolution](#)  
[B – AP Report](#)
10. Subject: Accept Accounts Payable for the period ending May 17, 2019  
Recommended Action: Adopt Resolution No. 19-101 accepting Accounts Payable for the period ending May 17, 2019

[A – Draft Resolution](#)  
[B – AP Report](#)  
[C – AP Report - MISC](#)

11. Subject: Accept Accounts Payable for the period ending May 24, 2019  
Recommended Action: Adopt Resolution No. 19-102 accepting Accounts Payable for the period ending May 24, 2019  
[A – Draft Resolution](#)  
[B – AP Report](#)
12. Subject: Accept Accounts Payable for the period ending May 31, 2019  
Recommended Action: Adopt Resolution No. 19-103 accepting Accounts Payable for the period ending May 31, 2019  
[A – Draft Resolution](#)  
[B – AP Report](#)
13. Subject: Authorization of Resolution declaring interest for the participation by the City of Cupertino in the initial planning for potential future use of the Sunnyvale SMaRT Station  
Recommended Action: Adopt Resolution No. 19-104 Declaring Interest for the Participation by the City of Cupertino in the Initial Planning for Potential Future Use of the Sunnyvale SMaRT Station  
[Staff Report](#)  
[A - Draft Resolution](#)  
[B - Letter from Sunnyvale City Manager 10-9-18](#)
14. Subject: Accept offer of dedication and waiver of future reimbursement at 10475 Byrne Avenue related to the Byrne Avenue Sidewalk Improvements Project  
Recommended Action: Adopt Resolution No. 19-105 accepting the offer of dedication at 10475 Byrne Avenue and waiver of future reimbursement from the property owner for the construction of the Byrne Avenue Sidewalk Improvement Project  
[Staff Report](#)  
[A - Draft Resolution](#)
15. Subject: Authority to increase the construction contingency budget for the McClellan Road Separated Bikeways-Phase 1A Project  
Recommended Action: Authorize an increase in the construction contingency budget from \$182,183 (10% of construction amount) to \$291,493 (16%) of construction amount) for the McClellan Road Separated Bikeways-Phase 1A Project  
[Staff Report](#)

## SECOND READING OF ORDINANCES



## PUBLIC HEARINGS

16. Subject: Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide was continued to a date to be determined. This item will be re-noticed.
- Recommended Action: Under Postponements, Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide was continued to a date to be determined. This item will be re-noticed.

## ORDINANCES AND ACTION ITEMS

17. Subject: Hearing to approve lien assessment and collection of fees on private parcels resulting from abatement of public nuisance (weeds and/or brush) for the annual Weed and Brush Abatement Programs.
- Recommended Action: Conduct a hearing to consider objections from any property owners listed on the assessment report; and adopt Resolution No. 19-106 approving the lien assessment and collection of fees on private parcels for the annual Weed and Brush Abatement Programs to allow the County to recover the cost of abatement.
- [Staff Report](#)  
[A - Draft Resolution and Exhibit A1 \(Assessment Report\)](#)  
[B - Assessment Report](#)  
[C - Adopted Resolution Ordering Abatement](#)  
[D - City Mailed Hearing Notice](#)
18. Subject: Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.
- Recommended Action: Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.
- [Staff Report](#)  
[A - Proposed Town Hall Work Program Item for FY 2019-20](#)
19. Subject: Designate a voting delegate and up to two alternates in order to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16 - 18 in Long Beach.
- Recommended Action: Designate a voting delegate and up to two alternates in order to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16 - 18 in Long Beach.
- [Staff Report](#)  
[A - Conference Information](#)

20. Subject: Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.

Recommended Action: Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.

[Staff Report](#)

## 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.*



# CITY OF CUPERTINO

## Agenda Item

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**19-5701**

**Agenda Date: 8/6/2019**  
**Agenda #: 1.**

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Subject: Study session regarding policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.

Provide direction on policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.



## CITY MANAGER'S OFFICE

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## CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

### Subject

Study session regarding policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.

### Recommended Action

Provide direction on policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.

### Background

Tobacco use remains the number one preventable cause of death and disease in California, causing nearly 40,000 deaths in California every year. In Santa Clara County, one in eight deaths annually is attributed to smoking-related illness or diseases, such as cancer, heart disease, and respiratory diseases. More than one in ten youth in the County currently use tobacco products, including electronic smoking devices.

The Santa Clara County's Healthy Cities Program seeks to address these tobacco-related health concerns by promoting policies and practices to provide tobacco-free and smoke-free communities. Currently, Cupertino has adopted four out of 14 recommended tobacco prevention strategies in the Healthy Cities Program (Attachment B). Although the City prohibits smoking in many outdoor areas, it does not require a local tobacco retailer license, prohibit the sale of flavored tobacco products, or place limits on where tobacco retailers may locate. The American Lung Association provides an evaluation of local tobacco control policies through a State of Tobacco Control Report (Attachment C). Cupertino currently has an overall "D" grade on this report, including an "F" grade in the category of reducing sales of tobacco products.

The Santa Clara County Public Health Department (PHD) has provided funding to cities to support tobacco prevention strategies known to have the highest impact on reducing tobacco-related disparities and inequities. As part of this funding, the City of Cupertino received a \$48,608 grant from the PHD to:

1. Explore restricting the sale of flavored tobacco products, including menthol cigarettes.
2. Decrease youth access to tobacco products, such as by prohibiting new businesses from selling tobacco near schools.

### 3. Explore policies to reduce the density of tobacco retailers.

These tobacco prevention policies have been shown to reduce youth access and exposure to tobacco products. As part of the current grant, the PHD is also providing technical assistance to help Cupertino explore and implement these policies.

The grant from the PHD will enable Cupertino to potentially prevent youth access and exposure to flavored tobacco products and reduce the number of tobacco retailers, while improving the City's tobacco control "grade". Exploring these tobacco control policies is also part of the current City Work Program.

#### Support from Local Schools

In March, the Fremont Union High School District sent a letter to the City Council requesting that the City pass an ordinance to prohibit retailers near schools from selling e-cigarettes (Attachment D). In May, the Fremont Union High School District (FUHSD) Board of Trustees passed a resolution indicating that they support and encourage local cities to restrict the sale of tobacco products in order to prevent youth access and use (Attachment E). The resolution specifically encourages prohibiting the sale of flavored tobacco products and reducing the concentration and density of tobacco retailers, particularly near schools and other youth-sensitive areas.

#### Discussion

To reduce youth access to tobacco products, staff is exploring the following best practices:

1. Prohibiting the sale of flavored tobacco products, including menthol cigarettes, throughout the City
2. Reducing the availability of tobacco by:
  - Prohibiting new tobacco retailers from locating within a certain distance from schools or other youth-sensitive areas (e.g. 1,000 feet).
  - Prohibiting new tobacco retailers from locating within a certain distance from existing tobacco retailers (e.g. 500 feet) or capping the total number of tobacco retailers by population.
  - Prohibiting the sale of tobacco products at pharmacies.

These options are discussed in more detail below with information regarding health impacts, existing laws in other jurisdictions, potential arguments from opposing viewpoints, and options for implementation and enforcement. It is worth noting that some jurisdictions have recently passed more comprehensive restrictions on the sale of tobacco products. In June 2019, Beverly Hills voted to prohibit the sale of all tobacco products (with an exception for hotels and high-end cigar clubs/lounges). In San Francisco and Livermore, the sale of all e-cigarettes will be prohibited in 2020, not just flavored products. While these more restrictive options are available, the focus of this report will be on the options outlined above which are more common and are endorsed by the PHD's Healthy Cities campaign.

## 1. Prohibiting the Sale of Flavored Tobacco Products

The most comprehensive approach to addressing the availability of flavored tobacco and nicotine products is to prohibit the sale of such products in the City. Such a prohibition would apply to flavored e-cigarettes, e-liquids, flavored cigars, little cigars, flavored hookah, and menthol cigarettes. E-liquids are nicotine solutions that are used with e-cigarettes. These liquid solutions are available in dozens of flavors that are attractive to youth, such as gummy bear and cotton candy.

As of May 2019, 35 communities in California have passed laws to restrict the sale of flavored tobacco products (Attachment F). Most of the recently-adopted laws include a complete prohibition on the sale of flavored tobacco products, including menthol cigarettes. In Santa Clara County, Los Gatos, Palo Alto, Saratoga, and the unincorporated County prohibit the sale of flavored tobacco products. Morgan Hill and Sunnyvale have received funding from the Santa Clara County Department of Public Health to consider flavored tobacco bans during the next two years. However, some local governments have adopted less comprehensive laws, making concessions that limit the impact of the laws (Attachment F). These exceptions include:

- Exempting menthol cigarettes.
- Exempting tobacco stores that do not allow minors.
- Grandfathering existing retailers.
- Limiting the restriction on flavored tobacco products to areas around youth-oriented locations, such as schools are parks.

In Santa Clara County, Los Gatos, Palo Alto, and the unincorporated County exempt tobacco stores that do not allow minors. In Saratoga, menthol cigarettes are exempted. From a public health perspective, none of these less comprehensive options are recommended for various reasons. In particular:

- Menthol cigarettes are widely used by youth and young adults and are considered a “starter” product for minors.
- Exempting tobacco stores that do not allow minors creates an uneven playing field for retailers. Data indicates that specialty tobacco stores illegally sell to minors at rates higher than other types of retailers.
- Grandfathering existing tobacco retailers undermines the effectiveness of the policy since it would not address the current availability of flavored tobacco products in the City.
- Limiting flavored tobacco restrictions to stores around schools also creates an uneven playing field for retailers and does not account for the reality that minors live and spend time throughout the community, not just near schools.

As mentioned above, recent laws passed by California communities typically include a complete prohibition on the sale of flavored tobacco products in the jurisdiction.

Flavored tobacco products are considered “starter” products for youth who begin to use tobacco, establishing tobacco habits that can lead to long-term addiction. Nearly 81% of youth ages 12 to 17 who use tobacco products report that the first product they used was flavored.

Although federal law prohibits the sale of candy- and fruit-flavored cigarettes, this law does not prohibit the sale of menthol cigarettes or flavored, non-cigarette tobacco products, such as cigars, little cigars, smokeless tobacco, hookah tobacco, electronic smoking devices, and the e-liquid used in these devices.

In Santa Clara County, 93% of tobacco retailers sell menthol cigarettes and nearly 80% of tobacco retailers (including those near schools) sell flavored, non-cigarette tobacco products. In a 2016 survey, 62% of Santa Clara residents surveyed would support banning the sale of flavored tobacco products such as menthol cigarettes and fruit-flavored little cigars (Attachment G).

## 2. Reducing the Availability of Tobacco Products

Many communities are looking for strategies to reduce the availability of tobacco products in order to reduce youth access to such products. These restrictions can also help target enforcement of tobacco control laws and reduce perceptions that tobacco use is normal. The City could apply one or more strategies to gradually reduce the number of licensed tobacco retailers.

### A. Limiting Tobacco Retailer Density

One of the strategies is to limit tobacco retailer density. This can be done by prohibiting new tobacco retailers within a certain distance of schools or other youth-oriented facilities. For example, a potential regulation could be that tobacco retailers may not locate within 1,000 feet of schools or playgrounds. Another option is to prohibit new tobacco retailers within a certain distance of existing tobacco retailers. A limit could be placed on the total number of tobacco retailers either as a citywide cap or according to population size. For example, a potential regulation could be that no more than one tobacco retailer per 2,500 people is allowed.

As of September 2016, 51 local governments in California restrict the location of tobacco retailers within a certain distance of schools. The most common buffer zone in such laws is 1,000 feet. However, some communities have customized the policy by choosing a different buffer zone and/or adding additional youth-oriented locations, such as childcare facilities, youth centers, libraries, playgrounds, parks, and recreational facilities. In Santa Clara County, Gilroy, Los Gatos, Palo Alto, Saratoga, and the unincorporated County restrict the location of new tobacco retailers. All of these jurisdictions require that tobacco retailers have a 1,000-foot buffer from schools. Saratoga extends the 1,000-foot buffer to City-owned parks as well. With the exception of Gilroy, these jurisdictions also require that new tobacco retailers must be at least 500 feet away from other tobacco retailers.



Research has shown that the density of tobacco retailers is associated with increased youth smoking rates, particularly in neighborhoods around schools. Tobacco retailers near schools with high smoking rates have also been shown to have lower cigarette prices and more in-store promotions. A high density of tobacco retailers has been associated with increased smoking rates, particularly among youth. A study of California neighborhoods found that the density and proximity of tobacco retailers influenced smoking behaviors, including number of cigarettes smoked per day. Excessive tobacco retailer density may exacerbate disparities in tobacco use and tobacco-related harm. Research also shows that the presence of tobacco in retail settings normalizes the use of tobacco products and triggers smoking urges among former smokers and those attempting to quit.

A 2016 survey of Santa Clara County residents found that nearly 88% of respondents would support a policy to prevent stores near schools from selling tobacco products, including e-cigarettes, and that 75% would support a limit on where tobacco retailers can be located (e.g., at least 500 feet from existing tobacco retailers) (Attachment G).

#### B. Prohibiting Tobacco Sales in Pharmacies

Another strategy to reduce the availability of tobacco products is to prohibit the sale of tobacco products by a certain type of retailer, such as pharmacies. Twenty-three communities across the state prohibit the sale of tobacco in pharmacies. In Santa Clara County, Los Gatos, Palo Alto, Saratoga, and the unincorporated County prohibit the sale of tobacco products in pharmacies. Notably, CVS discontinued the sale of tobacco in pharmacies in 2014. Research has shown that cigarette purchases declined nationally after CVS implemented its policy change and that smokers who had previously purchased their cigarettes exclusively at CVS were more likely to stop buying cigarettes entirely.

Sales of tobacco products in pharmacies may present an inherent conflict of interest and send mixed messages about the health risks posed by tobacco. By selling tobacco products, pharmacies reinforce positive social perceptions of smoking, convey implied approval of tobacco use, and may send a message that it is safe to smoke. The Tobacco Education and Research Oversight Committee for California, the American Pharmacists Association, the California Pharmacists Association, and the California Medical Association have called for the adoption of state and local prohibitions of tobacco sales in drug stores and pharmacies.

Research has shown that more than 95% of consumers have said they would continue shopping at drugstores that became tobacco-free much or more often. A 2016 survey found that 80% of Santa Clara residents would support a ban on the sale of tobacco products in pharmacies (Attachment G). Communities that have adopted policies prohibiting tobacco sales in pharmacies have experienced up to three times greater reduction in tobacco retailer density compared with communities without such policies, even after controlling for the presence of policies restricting tobacco density and location.

### Legal Authority

California local governments have the legal authority to prohibit the sale of flavored tobacco products, restrict the location of tobacco retailers, and prohibit the sale of tobacco products in pharmacies.

Three communities outside of California were sued after adopting laws to prohibit the sale of flavored tobacco products: Providence, Rhode Island; New York, New York; and Chicago, Illinois. Courts in all three of these cases upheld local laws, finding that the laws were not preempted by the Family Smoking Prevention and Tobacco Control Act. No communities in California have been sued over a flavored tobacco product restriction. After the City and County of San Francisco adopted a prohibition on the sale of flavored tobacco products, the tobacco industry sponsored a ballot initiative requiring voters to ratify and uphold the law. This initiative was approved by voters in June 2018 and San Francisco's law is currently in effect.

In California, there have been three legal challenges to laws prohibiting the sale of tobacco products in pharmacies. In 2009, the City and County of San Francisco was sued by both Philip Morris and Walgreens after adopting a tobacco pharmacy law that contained an exemption for grocery stores and big box stores. The Philip Morris lawsuit, which claimed that a prohibition on tobacco sales in pharmacies violated their freedom of speech, was dismissed. In the Walgreens lawsuit, the court agreed that the law's exemptions violated the Equal Protection clause of the U.S. Constitution. After the court's decision, San Francisco amended its law to include grocery and big box stores in the pharmacy ban. Following this amendment, Safeway filed a lawsuit against San Francisco under the Due Process Clause of the Fourteenth Amendment, arguing that the City's prohibition on the sale of tobacco products in all pharmacies deprived Safeway from property rights by forcing its pharmacy business to discontinue tobacco sales. However, the court determined that San Francisco's ordinance was a permissible use of the City's police power and did not violate the Fourteenth Amendment. There have been no subsequent legal challenges to local bans on tobacco sales in pharmacies. Similarly, the City is not aware of any legal challenges to local laws restricting the location of tobacco retailers.

### Potential Opposition Arguments

The tobacco control policies being considered by Cupertino are part of a comprehensive tobacco control strategy recommended by the PHD and adopted by dozens of other cities and counties across California. Although some communities have received opposition to proposed policies, elected officials ultimately adopted the laws in order to protect public health and, in particular, to protect youth from the trends of vaping and e-cigarettes.

Three of the most common opposition arguments to these policies are listed below, along with potential responses.

1. Argument: Additional government regulation is not needed in this area.

- Response: Despite existing state and federal laws, there is an epidemic of youth e-cigarette use. Schools are seeing the effects of e-cigarette use by teenagers and calling on the City to take action.
2. Argument: E-cigarettes are an important tool to help adults quit smoking.  
Response:
- The proposed policies are limited to the sale of flavored tobacco products. While flavors can appeal to people of all ages, children and adolescents have a higher preference for sweet flavors and use flavored e-cigarettes more than adults.
  - E-cigarettes are not approved by the Food and Drug Administration (FDA) as a smoking cessation device and no manufacturer of e-cigarettes has applied to be an approved and effective smoking cessation treatment.
  - Adult e-cigarette users will still have access to non-flavored e-liquids, and those wishing to quit have a range of FDA-approved cessation therapies to choose from.
3. Argument: The proposed policies would hurt local businesses  
Response:
- Retailers in permissible areas will still be able to sell tobacco products, just not the flavored tobacco products that have been proven to appeal to youth.
  - Existing retailers located within the restricted buffer zones around schools, etc., would be allowed to continue to operate (although such stores would no longer be able to sell flavored tobacco products, as mentioned above).

For additional information on these and other topics, see Tough Questions on Flavored Tobacco Products from the Center for Tobacco Policy and Organizing (Attachment H).

### Proposed Outreach

The City will solicit input from local school districts, residents, and businesses on the proposed tobacco control policy options. All of the outreach will be funded by the grant from the PHD. The following methods of outreach are recommended to inform the public and to solicit feedback on the proposed policy options:

1. Teen Commission and Public Safety Commission
  - Staff will present the various policy options to the Teen Commission and the Public Safety Commission to receive input. Once proposed regulations are developed, staff will return to these Commissions for a recommendation to Council.

2. Online Survey
  - A survey about potential policy options will be created and posted using Open City Hall. The survey will ask about support for the proposed tobacco control policy options as well as whether respondents believe that flavored tobacco products are easy for youth to obtain.
  - The survey will be open for 30-60 days.
  - The survey will be advertised through the City's website, Next Door, the City's social media accounts, and a mailer to all City residents and businesses (including tobacco retailers). The City will work with local school districts to distribute the survey to their students and parent communities as well.
3. Community Forums
  - Two or more community forums will be held to solicit input from residents, visitors, employees, and business owners on the proposed tobacco control policy options.
  - The City will work with local school districts to conduct some of these forums at school sites to better engage students and parents.
  - These forums will be advertised through methods similar to the online survey (see above).
4. Mailers: The City will send two Citywide mailers to all residents and businesses:
  - The first mailer will notify residents and businesses of the potential policies under consideration and will provide information on the online survey, the dates of the community outreach meetings (as available), and information on how to sign up to receive updates on the topic.
  - If the Council adopts new tobacco control policies, a second mailer will be sent informing residents and businesses of the new law.

#### Implementation and Enforcement

Typically, communities adopt a restriction on the sale of flavored tobacco products and on the location and type of tobacco retailers as a condition of a local tobacco retailer license (TRL). Although the State of California requires a license to sell tobacco products, more than 150 cities and counties also require a local TRL. A local TRL is generally adopted to:

- Create more comprehensive restrictions than State law on the sale or marketing of tobacco products in the retail environment;
- Allow for meaningful penalties for violation of tobacco control laws, such as license suspension; and
- Help fund local enforcement of tobacco control laws through the local licensing fee.

Cupertino does not currently require a TRL. Although it is possible to adopt a prohibition on the sale of flavored tobacco products without a local TRL, the City would not have a dedicated source

of funding to monitor compliance with the flavored tobacco restrictions. Currently, all but two of the 35 California communities that restrict the sale of flavored tobacco products also require a tobacco retailer license.

Restrictions on the location of tobacco retailers may be adopted as a component of a local tobacco retailer license or as independent requirements, such as amendments to the zoning code. New retailers within prohibited areas (e.g. 1,000 feet of schools) would be ineligible for a tobacco retailer license. Attrition would be required to reduce the number of existing tobacco retailers based on location or density. As existing businesses close or change the nature of their business, new businesses in those locations would not be eligible for a license.

A prohibition on the sale of tobacco products in pharmacies could also be included as a condition of a local tobacco retailer license or as a stand-alone requirement. Existing pharmacies would be given a grace period to discontinue the sale of tobacco products.

Most communities that have adopted a restriction on the sale of flavored tobacco products delay the effective date of the ordinance by approximately six months. This grace period gives the cities an opportunity to educate retailers and to allow retailers to sell their existing inventory of flavored tobacco products. As of the ordinance's effective date, retailers would no longer be able to sell flavored tobacco products. A violation of the law would also constitute a violation of the retailer's tobacco license, if a local license is required.

Santa Clara County is willing to partner with the City of Cupertino to administer, implement, and monitor its tobacco retailer licensing law if the City adopts a TRL that mirrors the County's requirements below. To cover the costs of the program, the County typically collects a \$425 license fee paid by tobacco retailers. The cost of the license in Cupertino would be calculated to reflect the costs to administer and enforce the program. To participate, Cupertino's TRL ordinance must include the following:

1. Require retailers to obtain and annually renew a tobacco retailer license.
2. Require retailers to post a notice saying that the sale of tobacco products to anyone under 21 years of age is illegal and subject to penalties.
3. Require retailers to check the identification for any purchaser who appears to be under 30 years of age
4. Prohibit the sale of tobacco products from a vending machine.
5. Prohibit retailers from covering more than 15% of windows and clear doors with any type of ads or signs.
6. Prohibit the sale of flavored tobacco products, including menthol cigarettes
7. Prohibit new tobacco retailers from locating within 1,000 feet of a school (existing retailers within this radius may continue to sell tobacco products assuming they are operating lawfully, renew their TRL on time, and do not transfer ownership).

8. Prohibit new tobacco retailers from locating within 500 feet of another tobacco retailer (existing retailers in these locations may continue to sell tobacco products assuming they are operating lawfully, renew their TRL on time, and do not transfer ownership).
9. Prohibit the sale of tobacco products from pharmacies.
10. Prohibit mobile tobacco retailing or tobacco retailing at a temporary event.

### Conclusion

The City has the opportunity to help prevent youth from using tobacco by prohibiting the sale of flavored tobacco products and reducing the availability of tobacco in the City. These policies would demonstrate the City's commitment to protecting the health of its residents, and would improve the City's performance on the County's Healthy Cities Initiative and the American Lung Association's State of Tobacco Control grades.

### Sustainability Impact

No impact.

### Fiscal Impact

The City has been awarded \$48,608 to cover the costs of developing the proposed regulations and conducting the associated outreach. No additional funding is requested at this time. There may be additional funding requirements for implementation and enforcement depending which policy options the Council chooses. Additional allocation of resources will be proposed based on Council's preference for a specific program, if needed. If the City adopts the County's regulations, the County will implement and enforce the City's program at no cost to the City. The County would recover costs through charging a fee of approximately \$425 for the Tobacco Retailer License.

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Prepared by: Leslie Zellers, JD, Consultant, Santa Clara County Department of Public Health  
Katy Nomura, Assistant to the City Manager

Reviewed by: Dianne Thompson, Interim Assistant City Manager

Approved for Submission by: Deborah Feng, City Manager

### Attachments:

- A – Tobacco Free Communities Policies in Santa Clara County
- B – Healthy Cities Program 2018 Cupertino Dashboard
- C – American Lung Association Report Card
- D – Letter to Cupertino City Council from FUHSD
- E – FUHSD Resolution 1819-21
- F – Matrix of 35 Local Ordinances Restricting Flavored Tobacco
- G – Healthy Stores for a Healthy Community 2016 Survey
- H – Tough Questions on Flavored Tobacco Products

## Tobacco-Free Communities Policies: Santa Clara County

Jurisdiction	Require a tobacco retailer license <sup>1</sup>	Restrict sale of flavored tobacco products	Limit tobacco sales near schools	Limit retailer density or proximity	Prohibit tobacco sales in pharmacies
County of Santa Clara	Yes	Yes <sup>2</sup>	Yes (1,000 foot limit)	Yes (500 foot limit from existing tobacco retailers)	Yes
Campbell	Yes				
Cupertino					
Gilroy	Yes		Yes (1,000 foot limit)		
Los Altos					
Los Altos Hills					
Los Gatos	Yes	Yes <sup>3</sup>	Yes (1,000 foot limit)	Yes (500 foot limit from existing tobacco retailers)	Yes
Milpitas					
Monte Sereno					
Morgan Hill	Yes				
Mountain View					
Palo Alto	Yes	Yes <sup>4</sup>	Yes (1,000 foot limit)	Yes (500 foot limit from existing tobacco retailers)	Yes
San Jose					
Santa Clara					
Saratoga	Yes	Yes (exempts menthol cigarettes)	Yes (1,000 foot limit from schools and City parks)	Yes (500 foot limit from existing tobacco retailers)	Yes
Sunnyvale					

<sup>1</sup> The tobacco retailer licensing laws in Los Gatos and Palo Alto are enforced by the Santa Clara County Department of Environmental Health. These cities adopted a licensing law that mirrors the county's law and, in return, the county entered into an agreement to implement and enforce the cities' tobacco retailer licensing laws.

<sup>2</sup> The county exempts retailers that primarily sell tobacco products, which specifically requires that the store: generates more than 60% of annual gross revenues from the sale of tobacco products; does not permit anyone under the age of 21 to enter and posts a sign outside the premises indicated the age restrictions/requirements; and does not sell alcohol or food for consumption on the premises.

<sup>3</sup> Los Gatos provides the same exemption as Santa Clara County and Palo Alto for retailers that primarily sell tobacco products. See note 2 for more detail.

<sup>4</sup> Palo Alto provides the same exemption as Santa Clara County and Los Gatos for retailers that primarily sell tobacco products. See note 2 for more detail.

# Healthy Cities Program, 2018 Dashboard

## Cupertino

### Active & Safe Communities

Total Strategies Achieved

**11 of 13**

#### Promote Healthy Recreation & Transportation

- ☐ Vision Zero Plan
- ☒ Complete Streets
- ☒ Endorse NACTO Street Design Guidelines
- ☒ Bike/Ped/Trails Master Plan
- ☐ Parks and Rec Master Plan
- ☒ Achieve Bike and/or Walk Friendly Designation
- ☒ Safe Routes to School Resolution
- ☒ Multi-Disciplinary SRTS Collaborative/Task Force
- ☒ Dedicated SRTS and/or Bike/Ped Coordinator
- ☒ Conduct Annual Assessment of Student Travel Mode

#### Support Healthy Commutes

- ☒ Incentives for Use of Public Transit and Ridesharing
- ☒ Incentives for Walking and/or Biking
- ☒ Transportation Demand Management Policies

### Healthy Food & Beverage Environments

Total Strategies Achieved

**3 of 9**

#### Increase Healthy Food & Water Access

- ☒ Procurement Standards for City-Sponsored Meetings and Celebrations
- ☒ Procurement Standards for City-Sponsored Events
- ☐ Procurement Standards for Vending on City Properties
- ☐ Procurement Standards for City-Sponsored Programming
- ☐ Procurement Standards for City-Run Food Establishments
- ☐ Water Access Policy
- ☒ Maintain Community Gardens on City Property/Parks

#### Reduce Exposure to Sugary Drinks

- ☐ Require Warning Labels on Sugary Drink Advertisements
- ☐ Resolution to Decline Funding from the Beverage Industry

### Tobacco-Free Communities

Total Strategies Achieved

**4 of 14**

#### Reduce Exposure to Secondhand Smoke

- ☐ Smoke-Free Multi-Unit Housing
- ☒ Smoke-Free Parks, Trails, and Recreation Areas
- ☒ Smoke-Free Outdoor Dining Areas
- ☒ Smoke-Free Entryways
- ☐ Smoke-Free Service Lines and Areas
- ☐ Smoke-Free Public Events

#### Reduce Youth Access to Tobacco

- ☐ Adopt and Implement a Tobacco Retail License
- ☐ Reduce Density of Tobacco Outlets
- ☐ Limit Sales of Tobacco Near Schools
- ☐ Flavored Tobacco Restrictions (Including Menthol Cigarettes)
- ☐ Prohibit Sale of Tobacco in Pharmacies
- ☐ Price-Discounting Restrictions
- ☐ Limit Tobacco Sales to Adult Tobacco Stores Only
- ☒ Conduct Enforcement to Verify Retailers Are Not Selling Tobacco to Minors

### Cross-Cutting Strategies

Total Strategies Achieved

**4 of 4**

#### Support Healthy Environments

- ☒ Health Language in General Plan
- ☒ Climate Action Plan
- ☒ Workplace Wellness Policies
- ☒ Achieve Age-Friendly Designation

#### City Spotlight

Cupertino is developing a Parks and Recreation Master Plan. Major goals for the plan have been developed based on community input, supported by objectives and specific actions. The plan emphasizes elements that support a healthy community, such as connectivity, nature experience, youth and teen empowerment, and embracing cultural diversity. Adoption is expected in 2019.

#### Legend

- ☒ Strategy not applicable to jurisdiction
- ☐ Strategy not achieved
- ☐ Strategy not achieved, model possible
- ☒ Strategy achieved
- ☒ Strategy achieved but model possible
- ☒ Model strategy achieved







## Santa Clara County

	Campbell	Cupertino	Gilroy	Los Altos	Los Altos Hills	Los Gatos	Milpitas	Monte Sereno	Morgan Hill	Mountain View	Palo Alto	San Jose	Santa Clara	Saratoga	Sunnyvale	Santa Clara County Unincorporated
<b>Overall Tobacco Control Grade</b>	<b>B</b>	<b>D</b>	<b>C</b>	<b>D</b>	<b>F</b>	<b>A</b>	<b>D</b>	<b>n/a</b>	<b>C</b>	<b>D</b>	<b>A</b>	<b>B</b>	<b>F</b>	<b>A</b>	<b>B</b>	<b>A</b>
<b>TOTAL POINTS</b>	<b>8</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>0</b>	<b>12</b>	<b>2</b>		<b>7</b>	<b>2</b>	<b>13</b>	<b>8</b>	<b>1</b>	<b>11</b>	<b>8</b>	<b>13</b>
<b>Smokefree Outdoor Air</b>	<b>A</b>	<b>C</b>	<b>D</b>	<b>A</b>	<b>F</b>	<b>A</b>	<b>C</b>	<b>n/a</b>	<b>B</b>	<b>C</b>	<b>A</b>	<b>B</b>	<b>F</b>	<b>A</b>	<b>A</b>	<b>A</b>
Dining	4	4	2	4	0	4	4		2	4	4	4	0	4	4	4
Entryways	4	4	0	2	0	4	0		4	4	4	2	0	4	4	4
Public Events	4	0	0	4	0	4	0		3	2	4	2	0	2	4	2
Recreation Areas	4	4	2	4	0	4	4		3	2	4	4	0	4	4	4
Service Areas	4	0	0	4	0	4	0		4	0	4	4	0	4	4	4
Sidewalks	0	0	0	1	0	1	0		0	0	1	0	0	0	1	0
Worksites	0	0	0	0	0	1	0		0	0	1	0	0	1	0	1
<b>TOTAL POINTS</b>	<b>20</b>	<b>12</b>	<b>4</b>	<b>19</b>	<b>0</b>	<b>22</b>	<b>8</b>		<b>16</b>	<b>12</b>	<b>22</b>	<b>16</b>	<b>0</b>	<b>19</b>	<b>21</b>	<b>19</b>
<b>Smokefree Housing</b>	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>	<b>B</b>	<b>F</b>	<b>n/a</b>	<b>F</b>	<b>F</b>	<b>A</b>	<b>C</b>	<b>D</b>	<b>C</b>	<b>A</b>	<b>A</b>
Nonsmoking Apartments	0	0	0	0	0	4	0		0	0	4	0	0	1	4	4
Nonsmoking Condominiums	0	0	0	0	0	0	0		0	0	4	0	0	0	4	4
Nonsmoking Common Areas	0	0	0	0	0	4	0		0	0	4	4	2	4	4	4
<b>TOTAL POINTS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>12</b>	<b>12</b>
<b>Reducing Sales of Tobacco Products</b>	<b>A</b>	<b>F</b>	<b>A</b>	<b>F</b>	<b>n/a</b>	<b>A</b>	<b>F</b>	<b>n/a</b>	<b>A</b>	<b>F</b>	<b>A</b>	<b>B</b>	<b>F</b>	<b>A</b>	<b>F</b>	<b>A</b>
Tobacco Retailer Licensing	4	0	4	0		4	0		4	0	4	3	0	4	0	4
<b>TOTAL POINTS</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>0</b>		<b>4</b>	<b>0</b>		<b>4</b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>4</b>
<b>Emerging Issues Bonus Points</b>																
Emerging Products Definition - <i>Secondhand Smoke</i>	1	1	0	1	0	1	1		1	1	1	0	1	1	1	1
Emerging Products Definition - <i>Licensing</i>	1	0	1	0	0	1	0		1	0	1	0	0	1	0	1
Retailer Location Restrictions	0	0	1	0	0	1	0		0	1	1	0	0	1	0	1
Sale of Tobacco Products in Pharmacies	0	0	0	0	0	1	0		0	0	1	0	0	1	0	1
Flavored Tobacco Products	0	0	0	0	0	1	0		0	0	1	0	0	1	0	1
Minimum Pack Size of Cigars	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0
<b>TOTAL POINTS</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>1</b>		<b>2</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>5</b>

Overall Tobacco Control Grade  
A: 11-12 D: 2-4  
B: 8-10 F: 0-1  
C: 5-7

Determined by grades and points from other three categories  
A: 4 C: 2 F: 0  
B: 3 D: 1

Smokefree Outdoor Air Grade  
A: 18+ D: 3-7  
B: 13-17 F: 0-2  
C: 8-12

Smokefree Housing Grade  
A: 10+ D: 1-3  
B: 7-9 F: 0  
C: 4-6

Reducing Sales of Tobacco Products Grade  
A: 4 D: 1  
B: 3 F: 0  
C: 2





## FREMONT UNION HIGH SCHOOL DISTRICT

Cupertino High School | Fremont High School | Homestead High School | Lynbrook High School | Monta Vista High School | Adult School

March 19, 2019

Dear Honorable Cupertino Councilmembers,

Thank you so much for all your services, which make Cupertino a great city for our students and families.

Recently, we heard that parents are becoming increasingly concerned about the significant rise in e-cigarette usage by teenagers. Our district has hosted workshops at our school sites to inform parents about this issue. At one such workshop, we heard that parents are particularly concerned about retailers located close to our school sites that sell e-cigarettes, which might encourage students to become more interested in using tobacco and other nicotine delivery products.

We would like to request that the City of Cupertino consider passing an ordinance to prohibit retailers near schools from selling e-cigarettes. We hope that you take this under consideration, as we feel strongly that it will benefit our students and keep them from developing habits and behavior that may be harmful to their health.

As an example of the communications we are having with our families, please see the attached message that Fremont High School sent to all parents regarding the use of e-cigarettes.

Thank you in advance for your consideration. Please do not hesitate to contact us should you have any questions.

Best regards,

Polly Bove  
Superintendent

Roy Rocklin  
Board President

## RESOLUTION NO. 1819-21

### FREMONT UNION HIGH SCHOOL DISTRICT BOARD OF TRUSTEES RESOLUTION IN SUPPORT OF LOCAL GOVERNMENT ACTION TO PREVENT AND REDUCE YOUTH TOBACCO USE THROUGH TOBACCO SALES RESTRICTIONS, INCLUDING SALES OF FLAVORED TOBACCO PRODUCTS & REDUCING DENSITY OF TOBACCO STORES

**WHEREAS**, the Fremont Union High School District Board of Trustees, the Santa Clara County Public Health Department and the Tobacco Free Coalition of Santa Clara County have aligned beliefs that schools and communities need to work symbiotically to ensure that the conditions in which students learn and live, support optimal health and equitable achievement at the highest levels; and

**WHEREAS**, Smoking is the leading preventable cause of death and disease. Within Santa Clara County, direct health care costs and indirect costs (such as lost productivity) due to smoking, accounts for costs of \$700 million dollars annually within the County;<sup>1</sup> and

**WHEREAS**, as its customers succumb to tobacco-related illness and death, the tobacco industry continually adapts to changing regulatory and market environments, innovating around electronic smoking devices and flavored tobacco products to create a new, younger generation of customers; and,

**WHEREAS**, the Tobacco Industry targets young people and vulnerable communities with the marketing of tobacco products that mask the harsh taste of tobacco with flavors highly appealing to youth and with advertising designed to attract young people; and

**WHEREAS**, in Santa Clara County, more than 1 in 10 (approximately 10.9%)<sup>2</sup> youth use tobacco products, including electronic smoking devices, and almost 40% of youth who smoke; stated that they acquired their cigarettes from a store;<sup>3</sup> and

**WHEREAS**, from 2017 to 2018, current e-cigarette use by high school students increased 78 percent, from 11.7 to 20.8 percent, accounting for a troubling 3.05 million American high school students using e-cigarettes in 2018. In addition, the proportion of current e-cigarette users in high school who reported use on 20 days or more in the past 30-day period increased from 20 percent to 27.7 percent between 2017 and 2018;<sup>4</sup>

**WHEREAS**, there are more than 1200 stores that sell tobacco products in Santa Clara County and more than a quarter (26.8%) are located within 2 blocks of a school;<sup>5</sup> and

**WHEREAS**, the tobacco industry purposely markets flavored (including menthol) tobacco products to lure the youth, which is evident by the fact that 80% of youth who ever used a tobacco product, started with a flavored product;<sup>6</sup> and

**WHEREAS**, flavors in tobacco products are problematic, as they can be very appealing to youth, and are frequently listed as one of the top three reasons this population uses e-cigarettes. Additionally, kids whose first tobacco product was flavored are more likely to become current tobacco users than those whose first product was tobacco-flavored; and

**WHEREAS**, Tobacco use rates are affected by where tobacco retailers are located and how concentrated, or dense, they are in a given area. Increased availability of tobacco products is associated with increases in both youth and adult smoking rates,<sup>7,8</sup> even when other neighborhood factors like racial composition

and socioeconomic status are taken into consideration.<sup>9</sup> In particular, studies have consistently shown that children are more likely to smoke when they live or go to school in neighborhoods with a high density of tobacco retailers;<sup>10,11,12,13</sup> and


**WHEREAS**, local jurisdictions in California have the authority to enact regulations on the sale of tobacco products through local tobacco retail licensing in an effort to decrease availability and use of tobacco products by youth, including restrictions on the sale of flavored tobacco products (including electronic smoking devices and menthol cigarettes), establishing maximum thresholds of tobacco retailer densities, establishing distance requirements near schools and other youth-sensitive areas; and

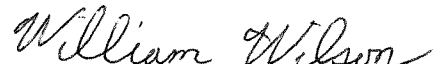
**WHEREAS**, an increased awareness about the public health impact of flavored tobacco products, including electronic smoking devices and menthol cigarettes, is imperative to close loopholes in existing law, the Fremont Union High School District Board of Trustees finds it is in the best interests of the health, safety and welfare of youth and vulnerable populations of Cupertino, San Jose, Santa Clara and Sunnyvale.

**NOW, THEREFORE BE IT RESOLVED** that the Fremont Union High School District Board of Trustees:

- Supports and encourages action by local cities, under their regulatory authority, to restrict the sale of tobacco products in order to prevent youth access and use, including prohibiting the sale of flavored tobacco products and reducing the concentration and density of tobacco stores, particularly near schools and other youth sensitive areas.

**PASSED AND ADOPTED** by the Fremont Union High School District Board of Trustees, this 21<sup>st</sup> day of May 2019.

  
\_\_\_\_\_  
Roy Rocklin  
President, FUHSD Board of Trustees

  
\_\_\_\_\_  
Bill Wilson  
Clerk, FUHSD Board of Trustees

<sup>1</sup> Max et al., University of California, San Francisco, Institute for Health & Aging, School of Nursing, The Cost of Smoking in California, 2009, available at: <http://www.trdrp.org/files/cost-smoking-ca-final-report.pdf>.

<sup>2</sup> California Student Tobacco Survey, 2016

<sup>3</sup> California Healthy Kids Survey, 2008-9.

<sup>4</sup> Cullen KA, Ambrose BK, Gentzke AS, Apelberg BJ, Jamal A, King BA. Notes from the Field: Increase in use of electronic cigarettes and any tobacco product among middle and high school students — United States, 2011–2018. MMWR Morbid Mortal Wkly Rep. 2018;67(45).

<sup>5</sup> California Board of Equalization, 2017

<sup>6</sup> Ambrose, B.K., et al., Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. JAMA, 2015.

<sup>7</sup> Lipperman-Kreda S, Grube JW, Friend KB, Mair C. Tobacco outlet density, retailer cigarette sales without ID checks and enforcement of underage tobacco laws: Associations with youths' cigarette smoking and beliefs. Addiction. 2016; 111(3).

<sup>8</sup> Chuang YC, Cubbin C, Ahn D, Winkleby MA. Effects of neighbourhood socioeconomic status and convenience store concentration on individual level smoking. J Epidemiol Community Health. 2005; 59(7): 568-73.

<sup>9</sup> Novak SP, Reardon SF, Raudenbush SW, Buka SL. Retail tobacco outlet density and youth cigarette smoking: A propensity-modeling approach. Am J Public Health. 2006; 96(4): 670-76.

<sup>10</sup> Henriksen L, Feighery EC, Schleicher NC, Cowling DW, Kline RS, Fortmann SP. Is adolescent smoking related to the density and proximity of tobacco outlets and retail cigarette advertising near schools? Prev Med. 2008; 47(2): 210-4.

<sup>11</sup> Leatherdale ST, Strath JM. Tobacco retailer density surrounding schools and cigarette access behaviors among underage smoking students. Ann Behav. Med. 2007; 33(1): 105-11.

<sup>12</sup> West JH, Blumberg EJ, Kelley NJ, et al. Does proximity to retailers influence alcohol and tobacco use among Latino adolescents? J Immigr Minor Health. 2010; 12(5): 626-33.

<sup>13</sup> Chan WC, Leatherdale ST. Tobacco retailer density surrounding schools and youth smoking behaviour: a multi-level analysis. Tob Induc Dis. 2011; 9(1):9.



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## MAY 2019

The tobacco industry has a long history of using flavored tobacco to target youth and communities of color. The majority of youth who start experimenting with tobacco begin with flavored tobacco.<sup>1</sup> These products come in a variety of candy-like flavors including bubble gum, grape, menthol and cotton candy and include e-cigarettes, hookah tobacco, cigars, smokeless tobacco, and even flavored accessories such as blunt wraps.

Since 2009, the United States Food and Drug Administration (FDA) has banned flavored cigarettes nationwide. However, this ban included an exemption for menthol flavored cigarettes and doesn't extend to non-cigarette tobacco products. There are currently no state laws in California restricting the sale of flavored tobacco products. It is up to local communities to take action to protect their youth from the lure of enticing flavored tobacco.

The first community to restrict the sale of flavored tobacco in California was Santa Clara County in 2010. Since then, thirty-five communities have passed similar policies.

### What products may be included?

- 1. E-Cigarettes** – Restricts the sale of flavored electronic cigarettes.
- 2. Menthol** – Restricts the sale of tobacco products labelled as menthol, including cigarettes, smokeless tobacco, little cigars, etc.
- 3. Little Cigars** – Restricts the sale of flavored little cigars, which are small, usually filtered cigars wrapped in brown paper containing tobacco leaf. Little cigars became a popular alternative following the FDA's ban on flavored cigarettes.
- 4. Smokeless Tobacco** – Restricts the sale of flavored smokeless tobacco such as chewing tobacco, dip, snus and snuff.

**5. Components & Accessories** – Restricts the sale of flavored accessory products such as blunt wraps and e-juice additives. These products cannot be smoked alone and serve as a delivery system for smoked products.

**6. Products Marketed as Flavored** – Tobacco companies sometimes try to circumvent flavor restrictions by marketing products as flavored without directly labelling them as such. This policy option allows communities to broaden the definition of flavored tobacco to include these products.

### What exemptions are allowed?

- 1. Adult-Only Stores Exempted** – Adult-only retailers are limited to customers who are 21 and over. This limits sales of flavored tobacco to stores that youth do not have access to.
- 2. Grandfathered Retailers Exempted** – Allows retailers that were in operation prior to a specified date to continue selling flavored tobacco products.
- 3. Limited to Youth-Populated Areas** – Retailers are required to be a certain distance away from schools, parks, or other youth-oriented locations. Since many flavored tobacco products target youth, including buffer zones is a way to limit their access to flavored products.

## Resources

The Center has additional resources on tobacco retailer licensing ordinances, plug-in policies, and ordinances restricting menthol tobacco available at: <http://center4tobaccopolicy.org/tobacco-policy/tobacco-retail-environment/>. ChangeLab Solutions has model ordinance language available for ordinances restricting flavored tobacco at: <http://changelabsolutions.org>.

City/County Date Passed	Products Included						Exemptions		
	E-Cigs	Menthol	Little Cigars	Smokeless	Components & Accessories	Products marketed as flavored	Adult-Only Stores Exempted	Grandfathered Retailers Exempted?	Limited to Youth-Populated Areas?
San Carlos April 2019	X	X	X	X	X	X			
Larkspur April 2019	X	X	X	X	X	X			
Sacramento April 2019	X	X	X	X	X	X			
Albany April 2019	X	X	X	X	X	X			
Corte Madera March 2019	X	X	X	X	X	X			
Hermosa Beach Jan 2019	X	X	X	X	X	X	X		
San Pablo Dec 2018	X	X	X	X	X	X			
Alameda Nov 2018	X	X	X	X	X	X			
Santa Cruz Nov 2018	X	X	X	X	X	X			
Marin County Nov 2018	X	X	X	X	X	X			
Saratoga Oct 2018	X		X	X	X	X			
Half Moon Bay Oct 2018	X	X	X	X	X	X			
Portola Valley Sep 2018	X	X	X	X	X	X			
Beverly Hills August 2018	X	X	X	X	X	X			
Richmond July 2018	X	X	X	X	X	X			
Sausalito July 2018	X	X	X	X	X				
San Mateo County June 2018	X	X	X	X	X	X			
San Francisco June 2018	X	X	X	X	X	X			
Mono County July 2018	X								
Windsor March 2018	X		X**	X	X	X			



City/County Date Passed	Products Included						Exemptions		
	E-Cigs	Menthol	Little Cigars	Smokeless	Components & Accessories	Products marketed as flavored	Adult-Only Stores Exempted	Grandfathered Retailers Exempted?	Limited to Youth-Populated Areas?
Cloverdale Dec 2017	X		X	X		X			
Fairfax Dec 2017	X		X**	X	X	X			
San Leandro Oct 2017	X		X	X	X	X			
Palo Alto Oct 2017	X	X	X	X	X	X	X		
Oakland Sep 2017	X	X	X	X	X	X	X		
Contra Costa County July 2017	X	X	X	X	X	X			X 1000 ft
Los Gatos May 2017	X	X	X	X	X	X	X		
Novato Jan 2017	X		X**	X	X	X			
Santa Clara County Oct 2016	X	X	X	X	X	X	X		
Yolo County Oct 2016	X	X	X	X	X				
Manhattan Beach Dec 2015	X		X	X	X	X	X		
El Cerrito Oct 2015	X	X*	X	X	X	X			
Berkeley Sep 2015	X	X	X	X	X	X			X 600 ft
Sonoma June 2015	X		X**	X	X	X			
Hayward July 2014	X	X*	X	X	X	X		X	X 500 ft

<sup>1</sup> Ambrose, B.K., et al., Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. JAMA, 2015; p.1-3.

\*Does not include menthol cigarettes

\*\*Exempts packages of at least 5 or more

\*\*\*Doesn't apply to pipe tobacco

# Healthy Stores for a Healthy Community

## 2016 Data Findings for Santa Clara County



Public Opinion Poll Data Findings - Santa Clara County (SCC) <sup>i</sup>		Easy		Difficult		Don't know	
Availability of products		2013	2016	2013	2016	2013	2016
Cigarettes		84.1%	93.1%	6.9%	4.3%	9.1%	2.6%
E-cigarettes		44.1%	63.8%	22.9%	21.0%	33.1%	15.1%
Cigarillos		57.5%	71.9%	15.3%	13.7%	27.2%	14.4%
Chewing tobacco		61.8%	51.3%	15.8%	29.8%	22.4%	18.9%
Flavored tobacco		42.5%	54.1%	20.1%	30.0%	37.5%	15.9%
Beer		85.9%	94.6%	10.1%	4.3%	4.1%	1.2%
Malt liquor		77.0%	71.6%	13.0%	17.3%	10.1%	11.1%
Alcopops		61.5%	80.9%	17.2%	11.4%	21.3%	7.8%
Novelty alcoholic beverages		n/a	38.1%	n/a	40.4%	n/a	21.5%
Water		n/a	99.3%	n/a	0.7%	n/a	0.0%
Sugary drinks		98.8%	99.8%	0.7%	0.2%	0.5%	0.0%
Sports drinks		97.1%	97.2%	0.7%	2.4%	2.2%	0.5%
Energy drinks		96.2%	97.2%	0.7%	1.0%	3.1%	1.9%
Non-fat/low-fat milk		94.5%	78.3%	4.8%	20.8%	0.7%	1.0%
100% juice		77.8%	68.8%	18.7%	30.5%	3.6%	0.7%
Whole grain products		86.6%	74.9%	10.8%	24.8%	2.6%	0.2%
Fresh fruit		89.2%	91.0%	10.3%	9.0%	0.5%	0.0%
Fresh vegetables		89.2%	86.3%	10.8%	13.5%	0.0%	0.2%
Canned or frozen fruit		90.1%	93.6%	7.5%	4.7%	2.4%	1.7%
Canned or frozen vegetables		92.3%	94.3%	6.8%	4.3%	1.0%	1.4%

*n/a = not asked in 2013*

Product Types	Always allowed		Allowed only on the inside of the store		Allowed only on the outside of the store		Allowed, but only in places that are hard for children to see		Not allowed at all		Don't know	
	2013	2016	2013	2016	2013	2016	2013	2016	2013	2016	2013	2016
Tobacco	12.5%	5.7%	16.3%	22.7%	1.7%	0.7%	36.9%	34.5%	30.7%	35.9%	1.9%	0.5%
Alcohol	13.0%	9.0%	21.8%	28.4%	1.9%	0.5%	41.5%	39.2%	20.4%	22.9%	1.4%	0.0%
Sugary drinks	34.3%	29.6%	23.0%	30.5%	2.9%	2.8%	23.5%	20.8%	14.4%	15.6%	1.9%	0.7%
Junk food	30.6%	27.7%	24.8%	32.2%	2.9%	2.8%	22.1%	19.9%	18.2%	17.0%	1.5%	0.5%



# Healthy Stores for a Healthy Community

## 2016 Data Findings for Santa Clara County

Public Opinion Poll Data Findings - Santa Clara County <sup>1</sup> Policy	Support		Oppose		Don't know	
	2013	2016	2013	2016	2013	2016
Ban pharmacies from selling tobacco	n/a	80.4%	n/a	18.2%	n/a	1.4%
Ban price discounts on tobacco products such as two packages for the price of one	56.7%	67.4%	33.3%	30.5%	10.0%	2.1%
Requiring storeowners to buy a local license to sell tobacco products including e-cigarettes.	71.7%	87.7%	17.7%	11.4%	10.7%	1.0%
Ban the sale of flavored tobacco products like menthol cigarettes and fruit flavored little cigars.	51.1%	62.0%	33.6%	33.1%	15.3%	5.0%
Prevent stores near schools from selling tobacco products including e-cigarettes.	84.7%	87.9%	11.9%	10.2%	3.4%	1.9%
Only allow the sale of tobacco products in adult-only tobacco stores.	n/a	82.7%	n/a	15.6%	n/a	1.7%
Illegal to sell small amounts of tobacco like single cigarillos or other tobacco products in packs of one.	n/a	61.2%	n/a	34.8%	n/a	4.0%
Limits where stores that sell tobacco can be located within a community (ex. within 500 ft. from existing tobacco retailers).	73.0%	74.5%	20.0%	19.9%	7.1%	5.7%
Ban marketing of unhealthy products in stores to children	74.3%	75.7%	20.8%	21.0%	4.9%	3.3%
Incentivize stores that adopt healthy changes such as reducing the number of unhealthy products and increasing health products.	78.3%	85.3%	11.9%	12.5%	9.7%	2.1%
Require a government safety warning label to be placed on beverages with added sugars?	n/a	91.7%	n/a	7.3%	n/a	1.0%

*n/a = not asked in 2013*

If a government safety warning label was included on all sugary drinks would you purchase fewer of those beverages?	Definitely yes	Probably yes	Probably no	Definitely no	Don't know
2013	n/a	n/a	n/a	n/a	n/a
2016	28.6%	49.2%	18.0%	3.1%	1.2%

*n/a = not asked in 2013*

If stores were rated for instance by giving 5 stars to the healthiest stores and 0 stars to the unhealthiest stores would you be more likely to shop at a store with a high rating?	Yes, I would be more likely to shop there	No, I would not be more likely to shop there	I am not sure if I would pay attention
2013	65.3%	8.1%	26.7%
2016	61.2%	8.8%	30.0%

<sup>1</sup> Only Santa Clara County residents participated in the survey. Surveys were collected in public places throughout Santa Clara County which included shopping plazas, libraries, and parks.

# Answering Tough Questions on Flavored Tobacco Products



@ 2019 California Department of Public Health

May 2019

As California communities take the lead on restricting the sale of flavored tobacco products, they are facing significant skepticism and opposition. The tobacco industry, along with the retail industry groups they frequently fund, is actively engaged in local-level opposition to policies, especially when the policies seek to restrict menthol products along with other flavors. Below are some common questions and beliefs, which have arisen during local flavored tobacco campaigns. The suggested answers are meant to help effectively address opponents' arguments against prohibiting the sale of flavored tobacco products. Coupling these responses with personal stories from community members is the most effective way to counter these arguments. The Center has additional resources on prohibiting flavored tobacco product sales and tobacco retailers licensing ordinances available at [www.Center4TobaccoPolicy.org](http://www.Center4TobaccoPolicy.org).

## Prohibiting the sale of flavored tobacco products is not effective and will not keep tobacco out of the hands of minors.

- More than 80% of youth who have used a tobacco product started with a flavored tobacco product. 82% of teens report flavors as being the reason they use electronic cigarettes.<sup>1</sup>
- Flavors, including menthol, reduce or mask the natural harshness and taste of tobacco, making it easier for youth to initiate and sustain tobacco use.<sup>2</sup>
- Menthol users in the U.S. that are below 18 years of age have already indicated that 66% of them would stop using these products if a ban was placed.<sup>3</sup>
- In 2013, New York City adopted a ban on the sale of flavored tobacco products that showed positive results. After the policy went into effect, a study found that teens in the city had lower odds of trying a flavored tobacco product and of using any type of tobacco product.<sup>4</sup>

## Flavors are not just for kids; adults also like flavors in electronic cigarettes and it helps adults quit smoking cigarettes.

- E-cigarettes are not approved by the Federal Food and Drug Administration as a smoking cessation device and not a single company that manufactures e-cigarettes has applied to be an approved and effective smoking cessation treatment.<sup>4</sup>
- The 2016 Surgeon General Report on e-cigarettes concluded that flavors are among the most commonly cited reasons for using e-cigarettes among youth and young adults.<sup>4</sup>
- While flavors can appeal to people of all ages, children and adolescents have a higher preference for sweet flavors and use flavored e-cigarettes more than adults.<sup>5</sup>
- Studies show that candy, fruit, and menthol flavored e-cigarettes appeal to adolescents more than tobacco flavored or alcohol flavored e-cigarettes.<sup>6</sup>

- 80% of youth in middle and high school who have used flavored tobacco products ended up using tobacco later in life.<sup>7</sup>
- Allowing harmful flavored tobacco products, which are proven to encourage initiation of youth tobacco use, to stay on the market in the hope that adults will use them to quit smoking cigarettes is not a defensible public health strategy.
- Adult e-cigarette users will still have access to non-flavored e-liquids, and those wishing to quit have a range of FDA-approved cessation therapies to choose.<sup>7</sup>

**There are already laws in place that prevent youth from having access to tobacco products, such as the statewide law that increased the minimum sale age to 21 and local laws that prohibited tobacco sales near schools. We do not need to ban more products; we just need to do a better job enforcing existing laws.**

- Our existing laws are effective; however, public health threats are far-reaching and entrenched, as tobacco prevention requires using multiple approaches to save lives.<sup>8</sup>
- While raising the age to purchase tobacco is expected to significantly reduce youth access to tobacco, the reality is that enforcement varies and can be particularly difficult in the low-income urban and rural areas where youth tobacco use is highest.<sup>8</sup>
- Enforcement is difficult to measure. It is widely reported that youth purchase surveys underestimate youth access because retailers will sell to youth they personally know, which shows that the minimum sales age is not enough enforcement.<sup>8</sup>
- Data from the county-level tobacco youth purchase surveys shows that illegal tobacco sales to minors still occurs at high rates.<sup>8</sup>
- The restriction of sales in menthol and flavored tobacco in conjunction with other tobacco control policies is the best approach to save lives.

**Many of these convenience stores only sell snacks to the youth; the adults are mostly the ones buying tobacco products.**

- The best way for local communities to reduce underage purchases of flavored and e-cigarette products is to specifically include these products in retail licensing ordinances.

- 152 cities and counties throughout the state have taken steps to regulate these products through local tobacco retail law. These jurisdictions have seen reductions in youth purchase rates as high as 58%.<sup>12</sup>
- For example, many African American and low-income neighborhoods tend to have more tobacco retailers. A 2010 research study even found that there were more tobacco stores near schools, attracting youth to experiment with tobacco.<sup>8</sup>
- The 2015 rate of illegal sales to minors across the state was 14.8% at tobacco-only stores. Convenience stores that sell gasoline sold to minors 8.8% of the time and convenience stores without gasoline sold tobacco to minors nearly 10% of the time. These are numbers we can change.<sup>8</sup>
- The best way for local communities to reduce underage purchases of flavored tobacco products is to specifically include these products in their local retail licensing ordinances.

**Youth are more likely to access tobacco products through a “social source” or the internet instead of at local stores.**

- The tobacco industry has a history of shifting the attention from retailers profiting off sales to youth by framing the issue of youth access as a “social” problem of youth sharing tobacco products, careless parents, and unconcerned bystanders buying cigarettes for minors.<sup>9</sup>
- Many of these tobacco products are now being promoted on social media and shared among friends, increasing the use of these e-cigarettes.<sup>9</sup>
- By restricting the sale of flavored tobacco products, this makes these products less enticing to youth and fewer youth will be interested in purchasing these products. Illegal sales to minors are not the only source minors use to obtain tobacco, but are still the highest—this is a public health issue, and tobacco retailers can be a part of the solution.

**Flavored tobacco users will simply order products online or visit neighboring communities that have not prohibited the sale of flavored tobacco.**

- Online sales are only a part of the issue, and we have to start by fixing these issues in our own backyard.
- Although many users have accessibility to making

e-cigarette purchases online, the 2018 National Youth Tobacco Survey states that, 14.8% of middle and high school e-cigarette users under 18 report obtaining e-cigarettes from a vape shop in the past month and 8.4% from a gas station or convenience store.<sup>10</sup>

### **Clerks should not be punished if they sell to minors.**

- Storeowners claim that mistakes are made because clerks are busy and cannot check everyone's ID. This is an argument that would be unacceptable for illegal alcohol or gun sales and should be just as unacceptable for illegal tobacco sales.<sup>10</sup>
- The fact is that storeowners, not clerks, are responsible for what happens in their stores. Everybody is accountable for selling to underage patrons and storeowners must train clerks to ask for ID and must enforce minimum age requirements, even during busy times. By limiting product access, it limits the opportunity for youth to attain these products.<sup>10</sup>
- Clerks must have the proper training to ensure they do not sell to minors.

### **Tobacco products, especially flavored tobacco products, are a key source of income for many convenience stores who risk going out of business if they lose this revenue.**

- According to the National Association of Convenience Stores, sale from tobacco accounted for the highest percentage of sales, but the products only accounted for a small percentage of actual profits compared to other products.<sup>11</sup>
- Foodservice accounted for 33.9% of gross profits, which show that these retailers do not have rely entirely on tobacco.<sup>11</sup>
- While tobacco products were 34.1% of instore sales, they only account for 17.1% of gross profit.<sup>11</sup>
- Many of these purchases made in-store are for food and drinks, and more than 65% of the food bought is consumed right after purchase.<sup>11</sup>
- Tobacco retailers and communities should work together to build partnerships that support healthy retail environments from relying on harmful tobacco products as well as properly enforcing the minimum age for acquiring tobacco products.<sup>11</sup>

### **Banning flavors is really a federal or state issue and should be left up to the FDA or the State Legislature.**

- The federal government cannot regulate the manufacturing of tobacco products, but the states and local governments can govern tobacco retail practices.
- Local elected officials can and should take action to reduce sales of these deadly products.
- In 2009, the FDA banned flavored cigarettes, excluding menthol, which still left a large number of flavored products on the market, such as cigarillos and e-cigarettes. Now, nine years later, the FDA announced intentions to take further steps in reducing the death and disease caused by flavored tobacco use in our nation. Many cities and counties in California have already taken initiative in adopting flavor bans due to a strong need and other places should follow to ensure safety for minors and others.<sup>12</sup>
- It took the legislature 20 years and dozens of attempts before it was able to move any significant tobacco control legislation prior to 2016. We cannot wait, as more youth get addicted to tobacco, for the legislature to act.<sup>12</sup>

### **People have the right to use these products regardless of their health impacts, and it should not be up to the government to tell people what to do. If someone wants to kill themselves by using these products, that is their right.**

- According to the 2014 Surgeon General Report, over 90% of smokers started smoking before the age of 21.<sup>4</sup> We are not talking about adults; we are talking about youth who may not fully recognize the consequences of their actions.
- The industry uses deceptive marketing to lure new users, especially youth, to use these products.

### **It should be left up to parents, not stores and storeowners, to ensure that kids are not accessing these products. Where are parents in all of this?**

- In 2016, the tobacco industry spent \$9.5 billion dollars marketing their products.<sup>13</sup> Parents are doing the best they can, but they cannot single handedly push back against a billion dollar industry that seeks to hook their kids.



## If the sale of flavored tobacco products is prohibited, local black markets will emerge to fulfill demand via illegal sales of flavored tobacco.

- There is no evidence of black markets forming in communities that have adopted these policies.
- The argument that black markets will form is one that is consistently used against tobacco control policies, but is often very overstated. History shows us that this just doesn't pan out.<sup>14</sup>
- Evidence shows that smuggling and other tax evasion only reduces the total amount of net new additional revenues the state receives from cigarette tax increases—they do not come close to eliminating revenue gains or making tax increases unproductive.<sup>14</sup>
- The National Research Council and Institute of Medicine's (NRC-IOM) 2015 report found that the vast majority of states with lower actual or proposed cigarette tax rates have little to worry with smuggling infrastructures or tax evasions patterns.<sup>14</sup>

## African American tobacco users overwhelmingly prefer menthol. Prohibiting these products unfairly singles out African American tobacco users.

- The tobacco industry has been using menthol to target the African American community for decades. They sponsor events, lower tobacco prices, and increase point of sale advertising in communities with larger African American populations.<sup>15</sup>
- Many African American smokers are addicted to menthol products, which have been associated with increased health risks and a greater difficulty quitting.<sup>15</sup>
- Support for prohibition of menthol products is strongest among the populations who used menthol the most.<sup>16</sup>
- Tobacco companies have also used these tactics to target other communities such as the Lesbian, Gay, Bisexual, Transgender and Queer Hispanic/Latino, and Asian Pacific Islander communities.<sup>16</sup>

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# CITY OF CUPERTINO

## Agenda Item

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**19-5914**

**Agenda Date: 8/6/2019**  
**Agenda #: 1.**

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Subject: Presentation from the Cupertino Youth Climate Action Team regarding climate solutions

Receive presentation from the Cupertino Youth Climate Action Team regarding climate solutions



# CITY OF CUPERTINO

## Agenda Item

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**19-5913**

**Agenda Date: 8/6/2019**  
**Agenda #: 2.**

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Subject: Presentation of a new report on the status of seniors in Cupertino

Receive presentation of a new report on the status of seniors in Cupertino



# CITY OF CUPERTINO

## Agenda Item

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**19-5850**

**Agenda Date: 8/6/2019**  
**Agenda #: 3.**

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Subject: Continue Item No. 16 for consideration of Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 - Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide to a date to be determined. This item will be re-noticed.

Continue Item No. 16 for consideration of Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide to a date to be determined. This item will be re-noticed.





# CITY OF CUPERTINO

## Agenda Item

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**19-5820**

**Agenda Date: 8/6/2019**  
**Agenda #: 4.**

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Subject: Study Session regarding Application and Review Procedures for Projects Proposed Pursuant to Senate Bill 35. (Application No(s): CP-2019-04; Applicant(s): City of Cupertino; Location: Citywide)

That the City Council conduct the study session, receive this report and provide direction regarding the proposed Application and Review Procedures and draft Application Package for Projects Proposed Pursuant to Senate Bill 35.



**COMMUNITY DEVELOPMENT DEPARTMENT  
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**CITY COUNCIL STAFF REPORT**

Meeting: August 6, 2019

Subject

Study Session regarding Application and Review Procedures for Projects Proposed Pursuant to Senate Bill 35 (Application No(s): CP-2019-04; Applicant(s): City of Cupertino; Location: Citywide)

Recommended Action

That the City Council conduct the study session, receive this report and provide direction regarding the proposed Application and Review Procedures (Attachment A) and draft Application Package (Attachment B) for Projects Proposed Pursuant to Senate Bill 35.

Discussion

I. Background

Senate Bill 35 (SB 35) became effective on January 1, 2018. It enacted Government Code section 65913.4 which requires cities and counties to use a streamlined ministerial review process for qualifying multifamily housing developments that comply with the jurisdiction's objective planning standards, provide specified levels of affordable housing, and meet other specific requirements. Note that there were amendments made to SB 35 in 2018. (The text of SB 35, as amended is included as Attachment C). In addition, the California Department of Housing and Community Development (HCD) issued Guidelines for implementing SB 35, Streamlined Ministerial Approval Process Guidelines ("Guidelines"), on November 29, 2018, which took effect on January 1, 2019. These Guidelines direct a local jurisdiction to provide information about its process for applying and receiving ministerial approval under SB 35. Guidelines § 300(a). (see Attachment D.) The Draft Resolution and draft application materials are being prepared to specify the City's procedures and requirements for processing and approving SB 35 applications. This also implements an item on the City's Fiscal Year 2019/2020 Work Program to "develop procedures for mandated streamlined project approvals."

It should be noted that the City received an SB 35 application for a multifamily housing development encompassing 50.82 acres within the Vallco Shopping District Special Area on March 27, 2018. This was processed within the timelines allowed pursuant to SB 35 and approved on September 21, 2018. The project is currently the subject of a lawsuit. The Guidelines were not in effect at the time the City approved the project and, additionally, the Legislature has made amendments to SB 35 since that time. The proposed City Procedures would not apply to the approved Vallco SB 35 project.

### Planning Commission Study Session

The Planning Commission met at a special meeting on July 30, 2019 to consider the proposed procedures and application package to provide input. Four members of the public spoke at the meeting with comments ranging from concerns about the SB 35 statute, past approvals pursuant to SB 35, density bonus law, and concerns about Commissioner Moore's decision to recuse herself from discussions related to this subject. The Planning Commission discussed both the proposed resolution and the draft application package. Their comments are presented later in this report.

## II. Analysis:

Under SB 35, the City is required to review qualifying projects using a ministerial review process, which means that the City cannot require an applicant to obtain discretionary permits that would typically be required (e.g., development permit). Instead, the City is required to process applications within the timeframes specified in Government Code section 65913.4(c),<sup>1</sup> applying only those objective zoning and design review standards contained the City's general plan, municipal code, and other adopted land use plans in effect at the time the project application was submitted and specific parking standards identified in SB 35. The review process must also be streamlined because the project is not subject to environmental review under the California Environmental Quality Act (CEQA).

- A. Processing Procedures: SB 35 allows a City's Planning Commission or City Council to conduct public oversight of the development application. It requires oversight focused on assessing compliance with criteria required for streamlined projects, which includes a local government's objective land use standards, as well as any reasonable objective design standards published before submission of an application. The statute defines objective standards to mean "standards that involve no personal

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<sup>1</sup> Once an application is submitted, within 60 days for a project with 150 or fewer units, and within 90 days for a project more than 150 units, the City must provide the development proponent with written documentation ("Consistency Letter") of any objective planning standard that the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard. If the City fails to provide that information within the time period, the development will be deemed consistent with the objective planning standards.

or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal.” Public oversight must be completed within the timelines specified in the statute for project approval (90 days for projects of 150 units or fewer and 180 days for larger projects) and cannot inhibit, chill or preclude the ministerial approval provided for by SB 35.

The Draft Review Procedures would be adopted by resolution and are included in Attachment A. The Draft Review Procedures also include an eligibility checklist, based on SB 35, the Guidelines, and the City’s laws and policy, that specify the requirements for a project to be eligible for streamlined approval under SB 35. Initial changes made to the Draft Review Procedures since publication of the Planning Commission agenda packet and meeting are shown in redlines in Attachment A.

The Draft Procedures require a Joint Planning Commission and City Council meeting for oversight and consistency review, prior to issuance of a Consistency Letter<sup>2</sup> for that project. This would be an open meeting, noticed to the public and neighbors in advance, including an opportunity for public and applicant comments. The oversight meeting is proposed to be held at least five business days prior to the consistency determination for the project. For projects that include a Tentative Map or Parcel Map application, this map application will be considered by the Planning Commission and City Council during the oversight and consistency review meeting.

If after the Oversight and Consistency Meeting, a project is determined to be ineligible for streamlined and ministerial review by the City Manager, the application will be rejected and the applicant must make a new submittal which will be subject to the timelines for new applications specified in SB 35. If after the Oversight and Consistency Meeting, an application is determined to be eligible for SB 35 streamlined and ministerial review by the City Manager, the final approval documents and standard conditions of approval will be prepared and issued.

Planning Commission comments: The following is a summary of comments and concerns from Planning Commissioners regarding the proposed Draft Review Procedures :

- Concerns that the Joint Oversight meeting may be perceived as an “approval” meeting while the resolution is clear that the final determination is made by the City Manager.

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<sup>2</sup> See Footnote no. 1

- Concerns about disapproving an incomplete application without an opportunity for the applicant to correct minor deficiencies.
- Concerns about whether five business days would be adequate time to determine whether a project is complete.
- Consider whether it would be possible to disallow applicants from applying for concurrent review of a streamlined, ministerial project and a discretionary project.
- Concerns that one joint Planning Commission and City Council meeting, prior to determination of SB 35 eligibility of a project, would not be enough public oversight.
- Requiring plans that indicate density bonus baseline for the site when a density bonus application is submitted – suggestion for a future update to the Municipal Code.

B. Application Package: HCD Guidelines also direct local jurisdictions to provide information about the materials required for an application. Attachment B, is a draft application package, that would be provided to an applicant interested in making an application for a streamlined project. Initial changes to the draft application package since publication of the Planning Commission agenda packet and meeting are indicated in redlines.

This package includes:

1. An application form;
2. A form certifying compliance with the eligibility requirements of SB 35 (based on SB 35 requirements related to affordability, prevailing wages requirements, skilled and trained workforce requirements etc.); and
3. An application checklist indicating all the items required for a complete application (based on information necessary to determine the application's compliance with objective General Plan and Municipal Code standards)

Planning Commission comments: The following is a summary of comments and concerns from Planning Commissioners regarding the draft application package:

- Prefer not to use the word “listed” contaminants in item #13 of the Project Checklist in the Application Form.
- Recommend that plans include design specifications for density bonus units in addition to BMR units to address item #20 of the Project Checklist in the Application Form.

- Recommending that specifications for density bonus units not be required to be included in the initial application and a request to research law to determine whether this is lawful.
- Two commissioners recommended that a public hearing be required on Density Bonus incentives/benefits while another suggested that this could be done as part of the Oversight and Consistency meeting if it is done objectively.

#### Next Steps

Staff and the City Attorney's Office are still reviewing the Planning Commission's comments and expect additional changes to address those and the City Council's study session comments. The final draft resolution will be presented to Council to be considered and adopted at a subsequent meeting. The City Council's decision will be in effect immediately upon adoption of the resolution. Upon the Council's decision, the application package will be updated to ensure consistency with the adopted Procedures and published on the City's website and will be available at the public counter for applicants.

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Prepared by: Caitlin Brown, City Attorney's Office

Reviewed by: Benjamin Fu, Director of Community Development

Heather Minner, City Attorney

Approved by: Deborah Feng, City Manager

#### Attachments:

- A. Draft Resolution Adopting the Process for Applying and Receiving Ministerial Approval Under Senate Bill 35 with redlines
- B. Draft SB 35 Application Package with redlines
- C. SB 35 Statute, as Amended
- D. HCD Guidelines – Streamlined Ministerial Approval Process

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL  
ADOPTING THE PROCESS FOR APPLYING FOR AND RECEIVING MINISTERIAL  
APPROVAL UNDER SENATE BILL 35**

**WHEREAS**, Senate Bill 35 added Government Code Section 65913.4 providing for the ministerial approval of infill affordable housing projects.

**WHEREAS**, the California Division of Housing Development issued Guidelines for implementing SB 35, Streamlined Ministerial Approval Process Guidelines (“Guidelines”) on November 29, 2018.

**WHEREAS**, these Guidelines direct local jurisdictions to provide information about their process for applying and receiving ministerial approval.

**WHEREAS**, the City Council now provides that information about its process by this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby adopt the following:

**Process for Applying for and Receiving Ministerial Approval  
Under Senate Bill 35**

SECTION 1. **Overview.** Senate Bill 35 (SB 35) enacted Government Code section 65913.4, which requires certain cities and counties to use a streamlined ministerial review process for qualifying multifamily housing developments that comply with the jurisdiction’s objective planning standards, provide specified levels of affordable housing, and meet other specific requirements. The California Department of Housing and Community Development (HCD) determined that Cupertino is subject to SB 35.<sup>1</sup> The HCD issued guidelines for implementing SB 35, *Streamlined Ministerial Approval Process Guidelines* (Guidelines), on November 29, 2018, which took effect on January 1, 2019. These Guidelines direct a local jurisdiction to provide information about its process for applying and receiving ministerial approval under SB 35. Guidelines § 300(a).

Under SB 35, the City is required to review qualifying projects using a ministerial review process, which means that the City cannot require an applicant to obtain discretionary permits that would typically be required (e.g., development permit or conditional use

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<sup>1</sup> As of January 31, 2018, HCD determined that Cupertino is subject to SB 35 streamlining for eligible projects. Cupertino remained subject to SB 35 streamlining under HCD’s December 2018 Statewide Determination Summary.

permit). Guidelines § 301(a)(1). Instead, the City is required to process applications within the timeframes specified in Government Code section 65913.4, applying only those objective standards contained the City's General Plan, municipal code, and other adopted land use plans in effect at the time the project application was submitted. Guidelines § 300. The review process is also to be streamlined because the project is not subject to environmental review under the California Environmental Quality Act (CEQA). Guidelines § 301(a)(6).

This Resolution establishes the City of Cupertino's SB 35 application and review processes. It is not intended to supersede or waive any requirements from SB 35 or the Guidelines not explicitly discussed in this document. This Resolution shall be interpreted to incorporate and be consistent with Government Code section 65913.4 and the Guidelines, as they be amended from time to time.

**SECTION 2. Eligibility Criteria.** To be eligible for a streamlined review process, an application must meet the objective planning standards required by SB 35, including all applicable City objective land use standards, as described in Exhibit 1, the SB 35 Eligibility Checklist. These eligibility criteria are collectively referred to as the required "objective planning standards."

**SECTION 3. Procedures for processing SB 35 Applications.** To apply for a project that qualifies under SB 35, an applicant must follow the procedures below:

1. Submit an SB 35 Application and a Certificate for Compliance with Eligibility Requirements on forms provided by the Community Development Director to the Planning Division. The application must be submitted along with all of the material identified in an SB 35 Application Checklist provided by the Community Development Director. The SB 35 Application Checklist shall require sufficient information for a reasonable person to determine whether the development is consistent with the required objective planning standards.

SB 35 applications will be subject to a Staff Hourly Rate fee for applicable staff time and materials to process the project application, based on the rates set in the adopted Fee Schedule.

2. The City shall post all application materials on the City's webpage within two business days after the application has been submitted, and keep the project webpage updated including posting any additional submittals from the applicant, initial and final City consistency determinations, and any project approval or denial.

**SECTION 4. Completeness Determination.** Once the application is submitted, staff will determine within 5 business days whether the application is complete. Applications shall be complete if they contain all documents and other information required by the City, as specified in the SB 35 Application Checklist provided by the Department of Community



Development. *See* Guidelines § 301(b)(1). All of the information in the SB 35 Application Checklist is necessary to determine whether the development is consistent, compliant, or in conformity with the objective planning standards. If the application is incomplete, staff will deny the project, unless doing so would be an invalid basis to deny the project under the Guidelines. *See* Guidelines § 301(b)(1). An applicant may submit a revised application for a previously denied project at any time. The City will process the revised application as a new application under these procedures and the timeframes for consistency determinations and project approval shall commence on the date of resubmittal. Guidelines § 301(a)(4).

## SECTION 5.

(a) **Timeframe for Consistency Determination.** If the application is complete, within 60 days of the initial application submittal for a project with 150 or fewer units, and within 90 days for a project more than 150 units, the City will determine whether the project conflicts with any of the required objective planning standards. Guidelines § 301(b).

(b) **Initial Determination.** The Department of Community Development will make an initial written determination of the proposed project's consistency with applicable objective planning standards. The application may be routed to other City department staff for review, if deemed necessary. The Community Development Director shall submit the department's initial consistency determination to the Planning Commission and the City Council for consideration at the Oversight and Consistency Review Meeting.

(c) **Oversight and Consistency Review Meeting.** At least five days before a final consistency determination is made, the Planning Commission and the City Council shall hold a joint oversight meeting to assess the proposed project's compliance with required objective planning standards.

If the project includes an application for a tentative or parcel map, this application will also be considered during the meeting, and the Council and Planning Commission will assess the application's consistency with objective subdivision standards. Gov. Code § 65913.4(c)(2).

The Planning Commission and City Council's oversight shall be objective, involving little or no personal judgement as to the wisdom or manner of carrying out the project, and be strictly focused on compliance with required objective planning standards. *See* Guidelines § 102(n), 301(a)(2). The oversight shall not in any way inhibit, chill, stall, delay, or preclude the ministerial approval. Guidelines § 300(a)(2).

The Oversight Meeting shall be a noticed, open, and public meeting in compliance with the Ralph M. Brown Act. The applicant and members of the public shall have an opportunity to speak as they would at other Planning Commission and City Council meetings.

In addition, the noticing requirements of Municipal Code section 19.12.110A for Development Permits shall apply to the Oversight and Consistency Review Meeting.

**(d) City Manager action following Oversight and Consistency Review Meeting.** Following the Council and Planning Commission's Oversight and Consistency Review Meeting and before the expiration of the timeframe for a consistency determination, the City Manager will send the applicant either (1) a letter documenting which standard or standards the development conflicts with and an explanation for the reason or reasons the development conflicts with that standard or standards, or (2) a letter stating that the project is consistent with all required objective planning standards and an explanation for reasons the development is consistent with those standards. *See* Guidelines § 301(a)(3).

**SECTION 6. Procedure if project is consistent with all objective planning standards.** If the proposed development is consistent with all required objective planning standards, the City Manager will prepare final approval documents and standard conditions of approval. *See* Guidelines § 301(a)(5). Within 90 days from the initial project application's submittal for a project with 150 or fewer units, and within 180 days for a project with more than 150 units, the City Manager will provide the project applicant with the final approval documents and standard conditions of approval. Guidelines § 301(b)(3).

**SECTION 7. Procedure if application is ineligible for streamlined review.** If the City determines that a project conflicts with any required objective planning standard, it will deny the application for streamlined processing under SB 35. The City will not continue to process the application while allowing the applicant to correct any deficiencies. The denial of an application for streamlined processing does not preclude the applicant from correcting any deficiencies and resubmitting a new application for streamlined review or for review under standard City procedures. If the applicant submits a corrected or revised application, the timeframes specified in these procedures shall commence on the date of resubmittal. Guidelines § 301(a).

**SECTION 8. Exhibit.** The Exhibit to this document may be updated periodically by Planning Division staff in order to respond to changes to the Cupertino Municipal Code or to state law. Staff shall not weaken or remove any requirements unless required to do so by changes in the law.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino  
this \_\_\_day of \_\_\_\_\_, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED:  _____ Steven Scharf, Mayor City of Cupertino	  _____ Date
ATTEST:  _____ Grace Schmidt, City Clerk	  _____ Date

## Exhibit 1: Senate Bill 35 Eligibility Checklist

To be eligible for a streamlined review process under SB 35, an application must meet the objective planning standards required by SB 35, including all applicable City objective land use standards, as described below.

1. **NUMBER AND DENSITY OF UNITS.** The project must comply with the minimum and maximum residential density range permitted for the site, plus any applicable density bonus. Guidelines § 300(c)(1). If the zoning code's density designation for the site conflicts with the density allowed in the general plan's land use designation, the density in the general plan's land use designation prevails. Gov. Code § 65913.4(a)(5). The project, if eligible, may request a density bonus and/or waivers and/or concessions under the Density Bonus Law (Gov. Code § 65915). Guidelines § 300(b)(3). Any increase in density granted under the Density Bonus Law is considered consistent with maximum allowable densities. Guidelines § 300(b)(3).

In addition:

- (a) The project must propose at least two multifamily residential units. Guidelines §§ 102(o), 400(a).
- (b) If the project is mixed-use, at least two-thirds of the proposed development's square footage must be designated for residential use. Guidelines § 400(b).
  - i. The two-thirds calculation is based upon the proportion of gross square footage of residential space and related facilities to gross development building square footage for an unrelated use, such as commercial or office uses. Structures utilized by both residential and non-residential uses shall be credited proportionally to intended use. Guidelines § 400(b).
  - ii. Related residential facilities are defined as any manager's units and any and all common area spaces that are included within the physical boundaries of the housing development, including, but not limited to, common area space, walkways, balconies, patios, clubhouse space, meeting rooms, laundry facilities, and parking areas that are exclusively available to residential users, except any portions of the overall development that are specifically commercial space. Guidelines § 102(u).
  - iii. Additional density, floor area, or units granted pursuant to Density Bonus Law are excluded from this calculation. Guidelines § 400(b).
- (c) If the development project qualifies for a density bonus under Government Code section 65915, the applicant must submit detailed plans clearly showing location and the square footage of:
  - i. Affordable units that qualify the project for a density bonus,
  - ii. Additional density, floor area, or units granted pursuant to Density Bonus law,

~~ii.iii.~~ The related facilities or proportion of related facilities that serve the Density Bonus law additions.

The plans must be of sufficient detail to verify the square footage of the residential units, related residential facilities, and additional bonus units, floor area, or density granted pursuant to Density Bonus Law and to determine the two-thirds residential requirement. Plans for a “pre-density bonus project” will not be used to calculate the two-thirds requirement. The applicant must also comply with all objective standards relating to density bonus applications found in CMC section 19.56.060.

- (d) Both residential and non-residential components of a qualified mixed-use development are eligible for the streamlined approval process. Guidelines § 400(b)(2). Additional or subsequent permitting requirements pertaining to the individual businesses located in the commercial component (e.g. late night activity, live music or child care use permits) are subject to the City’s General Plan and Development Code requirements. Guidelines § 400(b)(3).

2. **AFFORDABILITY.** The project must provide affordable housing as specified under Government Code section 65913.4(a)(3)(A) and (a)(4)(B) and under Cupertino’s Below Market Rate Housing Program inclusionary zoning ordinance specifically:

- (a) SB 35 projects must reserve at least 50% of their total units as affordable to households making below 80 percent of the area median income in Santa Clara County.<sup>2</sup> Guidelines § 402(a)(2); *see* § 402(e). As a subset of the SB 35 affordable units, Cupertino’s inclusionary zoning ordinance requires either payment of an Affordable Housing Mitigation Fee or that 15% of the base number of units (total units minus any density bonus units) in a project be reserved as follows:
  - i. For developments that offer rental housing: very low-income and low-income households at a 60:40 ratio.
  - ii. For developments that offer ownership housing: median and moderate income households at a 50:50 ratio. Because SB 35 requires ownership units be made available to households making 80 percent of the area median income, if the project applicant wants to take credit for both SB 35 units and the BMR Program, then the most restrictive requirement would apply and these ownership units

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<sup>2</sup> When jurisdictions have insufficient progress toward their Lower income RHNA (Very Low and Low income) but have had sufficient progress toward their Above Moderate income RHNA, they are subject to the streamlined ministerial approval process for proposed developments with at least 50 percent affordability. Gov. Code § 65913.4(a)(4)(B)(ii). Cupertino has had sufficient progress toward the Above Moderate income RHNA, but not toward the Lower income RHNA, and is therefore subject to streamlining of projects offering at least 50 percent affordability under SB 35 according to the most recent SB 35 Determination Summary, available at [http://www.hcd.ca.gov/community-development/housing-element/docs/SB35\\_StatewideDeterminationSummary.pdf](http://www.hcd.ca.gov/community-development/housing-element/docs/SB35_StatewideDeterminationSummary.pdf).

must be made available to households making 80 percent of the area median income rather than median and moderate income households.

- iii. The objective standards in Cupertino's inclusionary zoning ordinance shall apply to the BMR Program subset of the units of the project's affordable units.
  - iv. Alternatively, if the project applicant does not wish to provide units subject to Cupertino's BMR Program, it may instead pay the Affordable Housing Mitigation Fee and provide affordable units subject only to SB 35's restrictions.
- (b) The applicant must record a land use restriction or covenant providing that the lower income housing units shall remain available at affordable housing costs or rent to persons and families of lower-income (or very low income, as applicable) for no less than the following periods of time, as applicable:
- i. For the units subject to Cupertino's inclusionary zoning ordinance:
    - 99 years or
    - 55 years (if a project financed with low-income housing tax credits (LIHTC))
  - ii. For the units subject to SB 35 affordability requirements in excess of Cupertino's inclusionary zoning ordinance:
    - 55 years for rental units
    - 45 years for ownership units
3. **URBAN INFILL.** The project must be located on a legal parcel or parcels within the incorporated City limits. Guidelines § 401(a). At least 75 percent of the perimeter of the site must adjoin parcels that are developed with urban uses. Guidelines §§ 102(j), 400(a). For purposes of SB 35, "urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Guidelines § 102(z). Parcels that are only separated by a street or highway shall be considered adjoined. Guidelines § 102(j).
4. **ZONED OR PLANNED RESIDENTIAL USES.** The project must be located on a site that is either zoned or has a General Plan designation for residential or residential mixed-use development, including sites where residential uses are permitted as a conditional use. Guidelines § 401(a).
5. **CONSISTENT WITH OBJECTIVE STANDARDS.** The project must meet all objective general plan, zoning, design review, and other objective land use standards in effect at the time the application is submitted. Gov. Code § 65913.4(a)(5).
- (a) If the project is consistent with the minimum and maximum density range allowed within the General Plan land use designation, it is consistent with housing density standards. Guidelines § 300(c).
  - (b) Modifications to otherwise-applicable standards under density bonus law do not affect a project's ability to qualify for SB 35. Guidelines § 300(c)(3).

- (c) Objective standards are those that require no personal or subjective judgment and must be verifiable by reference to an external and uniform source available prior to submittal. Guidelines § 102(p). Sources of objective standards include, without limitation:
  - i. General Plan.
  - ii. Municipal Code, including, without limitation, the Zoning, Subdivisions, and Building Codes
  - iii. Heart of the City Specific Plan
  - iv. Monta Vista Design Guidelines
  - v. North De Anza Conceptual Zoning Plan
  - vi. South De Anza Conceptual Plan
  - vii. Saratoga-Sunnyvale Conceptual Plan
  - viii. BMR Housing Mitigation Procedural Manual

6. **PARKING.** The project must provide at least one parking space per unit; however, no parking is required if the project meets any of the following criteria. Guidelines § 300(d):
- (a) The project is located within one-half mile of public transit.
  - (b) The project is located within an architecturally and historically significant historic district.
  - (c) On-street parking permits are required but not offered to the occupants of the project.
  - (d) The project is located within one block of a car share vehicle station.

However, if any parking is provided, it must meet the City's objective standards from Chapter 19.124 of the Municipal Code and Public Works Standards. Guidelines § 300(d)(2).

7. **LOCATION.** The project must be located on a property that is outside each of the following areas (*see* Guidelines § 401(b)):
- (a) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by Cupertino's voters.<sup>3</sup>
  - (b) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

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<sup>3</sup> As of July 1, 2019, no properties in Cupertino fall within this category. Prior to submitting an application for streamlined review, applicants should confirm with the Planning Division if the listed exclusion is applicable.

- (c) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This does not apply to sites excluded from the specified hazard zones by the City, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
- (d) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed-use.
- (e) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- (f) A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. This restriction does not apply if the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the City or if the applicant can demonstrate that the site will be able to meet the minimum flood plain management criteria of the National Flood Insurance Program.
- (g) A regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
- (h) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
- (i) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3



of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

- (j) Lands under conservation easement.
- (k) A site that would require demolition of housing that is:
  - i. Subject to recorded restrictions or law that limits rent to levels affordable to moderate, low, or very-low income households.
  - ii. Subject to rent control.
  - iii. Or has been occupied by tenants within the past 10 years.
- (l) A site that previously contained housing occupied by tenants that was demolished within the past 10 years.
- (m) A property that contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.
- (n) A parcel of land or site governed by the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.<sup>4</sup>
- (o) A site that would require demolition of an historic structure that is on a local, state, or federal register.

8. **SUBDIVISIONS.** The project does not involve an application to create separately transferable parcels under the Subdivision Map Act. Guidelines § 401(d). However, a subdivision is permitted if the development is consistent with all objective subdivision standards in the subdivision ordinance, and either of the following apply (Guidelines § 401(d)):

- (a) The project is financed with low-income housing tax credits (LIHTC) and satisfies the prevailing wage requirements identified in item 9 of this Eligibility Checklist.
- (b) The project satisfies the prevailing wage and skilled and trained workforce requirements identified in items 9 and 10 of this Eligibility Checklist.

9. **PREVAILING WAGE.** The project proponent must certify that at least one of the following is true (Guidelines § 403):

- (a) The entirety of the project is a public work as defined in Government Code section 65913.4(8)(A)(i).
- (b) The project is not in its entirety a public work and all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.

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<sup>4</sup> As of June 2019, no properties in Cupertino fall within this category. Prior to submitting an application for streamlined review, applicants should confirm with the Planning Division if the listed exclusion is applicable.”

- (c) The project includes 10 or fewer units AND is not a public work AND does not require subdivision.

**10. SKILLED AND TRAINED WORKFORCE.** If the project consists of 75 or more units that are not 100 percent subsidized affordable housing, the project proponent must certify that it will use a skilled and trained workforce, as defined in Government Code section 65913.4(8)(B)(ii).<sup>5</sup> Guidelines § 403.

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<sup>5</sup> Beginning January 1, 2022, the skilled and trained workforce requirement is reduced to apply to projects of 50 units or more that are not 100 percent subsidized affordable housing.



## COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA  
95014-3255 TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333  
CUPERTINO.ORG

### DRAFT SENATE BILL 35 APPLICATION FORM

**SUBMITTAL REQUIREMENTS.** The following information and materials listed on the attached SB 35 Application Checklist are required for a complete application in order to determine if a project qualifies under Senate Bill 35. Please review this checklist with City's Planning Division staff to confirm specific requirements and to determine if other applications are required.

#### **Project Information to be filled in by Applicant and/or Property Owner:**

<b>Applicant's Contact Information:</b>	<b>Property Owner's Contact Information:</b>
Name: _____	Name: _____
Address: _____	Address: _____
City, State: _____ ZIP: _____	City, State: _____ ZIP: _____
Email: _____	Email: _____
Phone: _____	Phone: _____

<b>Project Site / Address(es):</b>	
<b>Assessor's Parcel Number(s):</b>	
<b>General Plan and Zoning Designations:</b>	
<b>Proposed Unit Count:</b>	<b>Proposed Non-Residential Square Footage:</b>
<b>Proposed Residential Square Footage without Density Bonus:</b>	<b>Proposed Residential Square Footage with Density Bonus (if applicable):</b>

	YES	NO	N/A
<b>1. Type of Multifamily Housing Development Proposed:</b>			
a. Multifamily rental; residential only with no proposed subdivision.			
b. Multifamily residential with proposed subdivision (must qualify for exception to subdivision exclusion)			
c. Mixed-use: at least 2/3 of <u>gross</u> square footage (excluding <u>additional density, floor area, or units granted pursuant to Density Bonus Law</u> <del>residential square footage devoted to density bonus units</del> ) must be designated for residential use. If a subdivision is included, the development must qualify for exception to subdivision exclusion.)			
<b>2. Number of Parking Spaces Proposed: -</b>			
a. Is the site within one-half mile of public transit?			
b. Is the site within an architecturally and historically significant historic district?			
c. Are on-street parking permits required but not offered to the occupants of the project?			
d. Is the site within one block of a car share vehicle station?			
<b>3. Does the project propose 2 or more residential units?</b>			
a. Has the applicant certified compliance with affordability requirements?			
<b>4. Does the project include more than 10 units?</b>			
<b>5. Is the project a public work?</b>			
a. Has the development proponent certified to the City that the entirety of the development is a public work?			
b. Has the applicant certified compliance with prevailing wage requirements?			
<b>6. Does the project propose 75 units or more?</b>			
a. Has the applicant certified compliance with skilled and trained workforce requirements?			
<b>7. Does the project involve a subdivision of land?</b>			
a. Is the development consistent with all objective standards in the subdivision ordinance?			
b. Is the project financed with low-income housing tax credits?			
c. Has the applicant certified compliance with prevailing wage requirements?			

	YES	NO	N/A
d. Has the applicant certified compliance with skilled and trained workforce requirements?			
<b>8. Would the development require demolition of any of the following types of housing?</b>			
a. Housing subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.			
b. Housing that is subject to any form of rent or price control.			
c. Housing that has been occupied by tenants within the past 10 years.			
<b>9. Was the site previously used for housing that was occupied by tenants that was demolished within 10 years before the application was submitted?</b>			
<b>10. Does the property contain housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property?</b>			
<b>11. Would the development require demolition of a historic structure that was placed on a national, state, or local historic register?</b>			
<b>12. Is the project site within a very high fire hazard severity zone?</b>			
a. Are there adopted fire hazard mitigation measures applicable to the development?			
<b>13. Is the project site a hazardous waste site that is listed pursuant to Government Code section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code section 25356 of the Health and Safety Code?</b>			
a. If the site has been so listed, has the applicant provided evidence that the site has received the required clearance for development as a residential use or residential mixed-use?			
<b>14. Is the project site within a delineated earthquake fault zone?</b>			
a. Does the development comply with applicable seismic protection building code standards?			
<b>15. Is the project site habitat for protected species, identified in an adopted natural community conservation plan, or under a conservation easement?</b>			

	YES	NO	N/A
<b>16. Does the project site contain wetlands?</b>			
<b>17. Is the project site within a special flood hazard area?</b>			
a. Has the site been subject to a Letter of Map Revision or does the site meet Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria?			
<b>18. Is the project site within a regulatory floodway?</b>			
a. Has the project received a no-rise certification?			
<b>19. Is the project site located on lands under a conservation easement?</b>			
<b>20. Is the project seeking a density bonus and/or any incentive, concession, waiver, or reduction of parking standards under state Density Bonus Law?</b>			
<b>21. Does the project proponent demonstrate how the requested concession, waiver or reduction of standards is the least amount necessary to develop the proposed affordable housing?</b>			

X _____		
Property Owner Signature(s)	Print Property Owner's Name	Date

<b>FOR STAFF USE ONLY:</b>
Application accepted on _____ by _____
Application Type: _____



**COMMUNITY DEVELOPMENT DEPARTMENT**

CITY HALL  
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CUPERTINO.ORG

**Certificate for Compliance with Eligibility Requirements**

I, \_\_\_\_\_, do hereby certify and declare as follows:

(a) The subject property is located at:

\_\_\_\_\_  
*Address(es)*

\_\_\_\_\_  
*Assessor's Parcel Number(s)*

- (b) I am a duly authorized officer or owner of the subject property.
- (c) The property owner agrees to comply with the applicable affordable housing dedication requirements established under Government Code section 65913.4(a)(4).
- (d) The property owner agrees to comply with the applicable prevailing wage requirements established under Government Code section 65913.4(a)(8)(A).
- (e) The property owner agrees to comply with the applicable skilled and trained workforce requirements established under Government Code section 65913.4(a)(8)(B).
- (f) The property owner certifies that the project site has not contained any housing occupied by tenants within 10 years prior to the date written above.

**I declare under penalty of perjury under the laws of the State of California that the foregoing and all submitted material is true and correct.**

Executed on this day in:

\_\_\_\_\_  
*Location*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name (Print), Title*



## COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA  
95014-3255 TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333  
CUPERTINO.ORG

### SENATE BILL 35 APPLICATION CHECKLIST

**SUBMITTAL REQUIREMENTS.** The following materials are required for a complete application in order for the City to determine eligibility for streamlining under SB 35. Please review this checklist with City of Cupertino Planning and Public Works Divisions.

- ☐ **APPLICATION FORM.** Include signature and contact information for the legal property owner, applicant or authorized agent and contact information for the Civil Engineer, Architect, Landscape Architect, and all other consultants involved with the application on another sheet if necessary.
- ☐ **FILING FEE.** (See the City's Fee Schedule for current year. Note: Depending on the project, it could be subject to the City's hourly staff rate and the cost of contracts plus any administrative charges).
- ☐ **CERTIFICATE FOR COMPLIANCE WITH ELIGIBILITY REQUIREMENTS.** The property owner or the owner's authorized agent must certify under penalty of perjury that certain threshold eligibility criteria are satisfied.
- ☐ **POWER OF ATTORNEY.** Provide evidence of power of attorney, if the application is being by a person other than the property owner.
- ☐ **TITLE REPORT.** Prepared within the past three months (three copies). The title report must include a legal description of the property and a listing of all easements, rights-of-way, and owners shall be supplied.
- ☐ **ARBORIST REPORT.** Prepared within the last year by an ISA Certified Arborist for the removal or disturbance of any Protected Tree on the site or on an adjacent property which could be impacted by the proposed development. Describe the condition of all Protected trees to be removed/disturbed and provide a statement of specific reasons for the proposed removal. Provide three copies.



- ❑ **PHASE I REPORT.** A Phase 1 report shall be provided with the application. If the Phase 1 report indicates that a Phase 2 report is recommended, a Phase 2 report must accompany the application.
- ❑ **PROJECT DESCRIPTION.** A narrative project description that summarizes the proposed project and its purpose must be provided. Please include a discussion of the project site context, including what existing uses, if any, adjoin the project site and whether the location is eligible for Streamlined Housing Development processing.
- ❑ **AFFORDABLE HOUSING PLAN.** Provide an Affordable Housing Plan describing how a development project will comply with the City's Below Market Rate (BMR) Program requirements set forth in the BMR Housing Mitigation Program Procedural Manual.
- ❑ **STATEMENT OF CONSISTENCY WITH OBJECTIVE STANDARDS.** Explain how the proposed project is consistent with all objective zoning, subdivision (if applicable), and design review standards applicable to the project site, including those standards included in the General Plan, Cupertino Municipal Code, Heart of the City Specific Plan, Monta Vista Design Guidelines, North De Anza Boulevard Conceptual Plan, South De Anza Conceptual Plan, Saratoga-Sunnyvale Conceptual Zoning Plan, South Vallco Connectivity Plan and other applicable City documents. Particular details shall be provided to define how the project complies with use requirements, floor area standards, density, setbacks, height standards, lot coverage ratios, landscaping standards, creek setbacks, tree preservation and protection standards, water efficient landscaping requirements, stormwater requirements, and common open space, private useable open space, and public open space requirements.
- ❑ **STATEMENT OF DESIGN INTENT.** Describe the design program, the designer's approach, and how the architectural, landscape and other elements have been integrated in compliance with the City's objective standards. The relationship of the project to adjacent properties and to the adjacent streets should be expressed in design terms. Define the site, building design, and landscape concepts in terms of site design goals and objectives, pedestrian circulation, outdoor-use areas, visual screening and enhancements, conservation of natural resources, mitigation of negative site characteristics, and off-site influences.

*[Continued on next page.]*

- ☐ **DEVELOPMENT PLAN SETS.** The following plans shall comprise the development plan set:

**REQUIREMENTS FOR ALL DEVELOPMENT PLANS.** If the application is filed in conjunction with other applications, submittal requirements from all applicable checklists shall be incorporated into one set of plans. All plans shall:

- \_\_\_ Be prepared, signed and stamped by licensed professionals.
- \_\_\_ Include the date of preparation and dates of each revision.
- \_\_\_ Be fully dimensioned and drawn to scale on the same size sheets, with a consistent scale (as noted) throughout all plan sheets.
- \_\_\_ Be submitted in collated sets and folded to 8-1/2" x 11".
- \_\_\_ Be numbered in proper sequence.

A set of plans shall be submitted on a CD or USB flash drive in pdf format and the following numbers of plan sets are required:

- \_\_\_ 8 sets full size 24" x 36"
- \_\_\_ 15 sets reduced to 11" x 17"

Additional plan sets may be requested if necessary.

- ☐ **TITLE SHEET** Including project name, location, assessor's parcel numbers, prior development approvals, and table of contents listing all the plan sheets with content, page numbers, and date prepared. Include a Vicinity map showing north arrow, the location and boundary of the project, major cross streets and the existing street pattern in the vicinity with the following information: General Plan and Zoning designations.

- ☐ **DEVELOPMENT PROGRAM.** The development plans shall clearly include the following in a tabular format:

- ☐ Size of property including gross and net lot area (square feet and acres).
- ☐ For mixed use projects, total square footage of residential space and related residential facilities (as defined in the City's Eligibility Checklist), square footage of non-residential uses, and square footage utilized by both residential and non-residential uses. A calculation of how the project meets the eligibility criteria to qualify for streamlined and ministerial review pursuant to SB 35. Detailed breakdowns, to scale, with dimensions, shall be shown on Floor Plan submittals as indicated below.

- ☐ For residential development, include the floor area for each unit type, the number of bedrooms, the number of units by type, the number of units per building, the total number of units, and net density. Include the amount of private open space provided for each unit. Identify unit type, size, number of bedrooms, number of units in each building and total number of units by affordability level and tenure (rental or ownership).
- ☐ For commercial development, total floor area in each building (including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building) and total building area, including non-residential garages.
- ☐ Percent lot coverage, percent of net lot area covered by buildings (total ground floor area of all buildings divided by net lot area).
- ☐ Percentage of net lot area devoted to landscaping, common open space and private useable open space.
- ☐ Parking requirements under Government Code section 65913.4(d) and tabulation of the number of parking spaces proposed by type (universal and ADA compliant) and proposed parking ratios.
- ☐ Bicycle parking (required and proposed) under City of Cupertino Municipal Code Chapter 19.124.040.
- ☐ **SITE PLAN.** Prepared by a licensed Civil Engineer, drawn at 1"= 20' scale, with scale noted, a graphic bar scale, and north arrow. The plan shall include the following:
  - ☐ ~~Vicinity map showing north arrow, the location and boundary of the project, major cross streets and the existing street pattern in the vicinity with the following information: General Plan and Zoning designations.~~
  - ☐ ~~Size of property including gross and net lot area (square feet and acres).~~
  - ☐ ~~For mixed use projects, total square footage of residential space and related residential facilities (as defined in the City's Eligibility Checklist), square footage of non-residential uses, and square footage utilized by both residential and non-residential uses. Detailed breakdowns, to scale, with dimensions, shall be shown on Floor Plan submittals as indicated below.~~
  - ☐ ~~For residential development, include the floor area for each unit type, the number of bedrooms, the number of units by type, the number of units per building, the total number of units, and net density. Include the amount of private open space provided for each unit.~~

- ☐ ~~For commercial development, total floor area in each building (including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building) and total building area, including non-residential garages.~~
- ☐ ~~Percent lot coverage, percent of net lot area covered by buildings (total ground floor area of all buildings divided by net lot area).~~
- ☐ ~~Percentage of net lot area devoted to landscaping, common open space and private useable open space.~~
- ☐ ~~Parking requirements under Government Code section 65913.4(d) and tabulation of the number of parking spaces proposed by type (universal and ADA compliant) and proposed parking ratios.~~
- ☐ ~~Bicycle parking (required and proposed) under City of Cupertino Municipal Code Chapter 19.124.040.~~
- ☐ Existing and proposed property lines with dimensions, bearings, radii and arc lengths, easements, and net & gross lot area for existing and proposed parcels. Benchmark based on USGS NAVD 88 vertical.
- ☐ Location and dimensions of all existing and proposed structures extending 50 feet beyond the property. If adjacent to a street, show the entire width of street to the next property line, including driveways. Clearly identify all existing and proposed structures such as fencing, walls, all building features including decks and porches, all accessory structures including garages and sheds, mailboxes, and trash enclosures. Label all structures and indicate the structures to remain and the structures to be removed.
- ☐ Dimensions of setbacks from property lines and between structures.
- ☐ Location, dimension and purpose (i.e. water, sewer, access, etc.) of all easements including sufficient recording data to identify the conveyance (book and page of official records).
- ☐ Location and dimensions for all adjacent streets (public and private) and proposed streets showing both sides of streets, street names, street width, striping, centerlines, centerline radii of all curves, median and landscape strips, bike lanes, pedestrian ways, trails, bridges, curb, gutters, sidewalks, driveways, and edge of right-of-way including any proposed or required right-of-way dedication. Show all existing and proposed improvements including traffic signal poles and traffic signs. Show line of sight for all intersections and driveways based on current City of Cupertino standards.

- ☐ Existing topography and proposed grading extending 50 feet beyond the property at 2 foot contour intervals for slopes up to 10% and less than 5 feet in height; and contour intervals of 5 feet for slopes over 10% or greater than 5 feet in height. Include spot elevations, pad elevations, and show all retaining walls with TOW/BOW elevations.
- ☐ Drainage information showing spot elevations, pad elevations, existing catch basins, and direction of proposed drainage, including approximate street grade and existing and proposed storm drain locations.
- ☐ Location and dimensions of existing and proposed utilities including water supply system, sanitary sewers and laterals, drainage facilities, wells, septic tanks, underground and overhead electrical lines, utility poles, utility vaults, cabinets and meters, transformers, electroliers, street lights, lighting fixtures, underground irrigation and drainage lines, backflow prevention and reduced pressure devices, traffic signal poles, underground conduit for signals and interconnect, and traffic signal pull boxes, signal cabinets, service cabinets, and other related facilities.
- ☐ Location and dimensions of parking spaces, back-up, loading areas, and circulation patterns.
- ☐ Survey of all existing trees on the site and adjacent to the site, at 1"=20' scale, indicating species, diameter at breast height (DBH) as defined in Chapter 14.18 of the Cupertino Municipal Code, and base elevation. Trunk locations and the drip line shall be accurately plotted. Identify all protected trees as defined in Chapter 14.18 of the Cupertino Municipal Code.
- ☐ Location of all natural features such as creeks, ponds, drainage swales, wetlands (as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)), etc., extending 50 feet beyond the property line to show the relationship with the proposed development.
- ☐ Location on the site of any prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by Cupertino's voters.
- ☐ If any parcel is within a FEMA defined 100-year floodplain or floodway:
  - ☐ Identify the floodplain or floodway on all plan sheets depicting the existing and proposed site, with the base flood elevation (BFE) and

flood zone type clearly labeled. In addition, show the existing site topography and finish floor elevations for all existing and proposed structures. If FEMA has not defined a BFE, a site specific hydraulic analysis will be required to determine the BFE prior to deeming the application complete (CMC Sec. 34-32.b2).

- ☐ Flood zone boundaries and floodwater surface elevation. If the property proposed to be developed is within or adjacent to the 100 year flood zone (Zone A or AE) or the National Flood Insurance Program, Flood Insurance Rate Map, the extent of Zone A or AE shall be clearly drawn on the tentative map and the 100 year flood water surface elevation shall be shown. The map shall show the approximate location of the Floodway Boundary as shown on the latest edition of the "Flood Boundary and Floodway Map" published by the Federal Emergency Management Agency.
- ☐ **CONTEXTUAL PLAN.** Use topographic or aerial map as base. Show the relationship of the project to the building and site features within 50 feet of the property line. The plan shall include:
  - ☐ Building footprints, pad elevations and building height. Land use and zoning designation on all lots.
  - ☐ Property lines and dimensions of the subject site and adjacent properties showing all easements.
  - ☐ Location of streets, medians, curb cuts, sidewalks, driveways, and parking areas.
  - ☐ Location of all creeks, waterways and trees.
  - ☐ Vicinity map indicating site in relation to major streets.
- ☐ **DENSITY BONUS.** In addition to the other submittal requirements, projects requesting a density bonus or concessions are required to submit plans ~~for the project~~ that clearly indicate the location and square footage of:
  - ☐ Affordable units that qualify the project for a density bonus,
  - ☐ Additional density, floor area, or units granted pursuant to Density Bonus law,
  - ☐ The related facilities or proportion of related facilities that serve the Density Bonus law additions.
  - ☐ ~~which units are the density bonus units.~~

- ☐ **BUILDING ELEVATIONS.** Plans shall be drawn by a licensed Architect at  $1/8'' = 1'$  minimum scale; dimensioned vertically and horizontally with sample representations at  $1/4'' = 1'$  scale for detail areas. Elevations should not include superimposed landscaping and trees that hide the buildings. Height is measured from natural grade established at subdivision. The plans shall include:
  - ☐ Fully dimensioned elevations for buildings identifying materials, details and features include visible plumbing, electrical meters and method of concealment.
  - ☐ All four sides of all buildings.
  - ☐ Vertical dimensions from all points above natural, existing and finished grade on all elevations.
  - ☐ Topography with natural, existing, and proposed grades accurately represented to show building height to show the relationship of the building to the site and adjacent properties.
  - ☐ Location, height and design of rooftop mechanical equipment and proposed screening. Provide a section detail showing height of equipment in relation to the height of the proposed screen structure.
  - ☐ Elevations and dimensions for existing structures to remain. Location and type of building mounted exterior lighting.
  - ☐ Detailed building sections showing depth of reveals, projections, recesses, etc.
  - ☐ Details of vents, gutters, downspouts, scuppers, external air conditioning equipment, etc.
  - ☐ Details including materials and dimensions of door and window treatments, railings, stairways, handicap ramps, trim, fascia, soffits, columns, fences, and other elements which affect the building. Provide wall sections at  $1/2'' = 1'$  scale to clarify detailing as appropriate.
- ☐ **FLOOR PLANS.** Plan shall be drawn by a licensed Architect at  $1/8'' = 1'$  or larger scale.
  - ☐ Floor area diagrams must be provided with dimensions and tabulations of each area of each floor.
  - ☐ Floor plans shall clearly indicate areas attributed to residential, non-residential, and shared use and should show garages, parking areas, and amenity spaces.

- ☐ Floor plans shall include the square footage of residential space and related residential facilities, non-residential uses, and structures uses by both residential and non-residential uses.
- ☐ Floor plans shall clearly identify affordable units (City BMR and SB 35 units)
- ☐ **ROOF PLAN.** Plan shall be drawn by a licensed Architect at 1/8"= 1' or larger scale. The plan shall include property lines, outline of building footprint, ridgelines, valleys, flat roof areas, roof pitch and rooftop mechanical equipment, and screening. Plans shall show existing roof forms and roof forms to be added or changed.
- ☐ **TRUE CROSS-SECTIONS.** A minimum of two cross-sections (more as needed to showing varying site conditions) drawn at 1:1 scale (same scale used for both vertical and horizontal axis), 1"=20' minimum scale, with scale noted, and a graphic bar scale, through critical portions of the site extending 50 feet beyond the property line onto adjacent properties or to the property lines on the opposite side of adjacent streets. Sections shall include existing topography, slope lines, final grades, location and height of existing and proposed structures, fences, walls, roadways, parking areas, landscaping, trees, and property lines. Section locations shall be identified on the Site Plan.
- ☐ **COLOR AND MATERIALS BOARD.** Samples of materials and color palette representative of actual materials/colors for all buildings and structures. Identify the name of manufacturer, product, style, identification numbers and other pertinent information on the display. Displays should be no larger than 24" by 36", except where actual material samples are presented.
- ☐ **LANDSCAPE PLANS.** Plan shall be drawn at 1" = 20' or larger scale by a licensed Landscape Architect. The plan shall incorporate the proposed Grading and Utility Plan, showing the location of existing and proposed utility lines and utility structures screened back, but legible, and shall include the following:
  - ☐ Final planting plan showing proposed trees, shrubs and shrub groupings, lawn, and groundcover areas, existing trees to be saved, stormwater treatment areas, special paving, hardscape, and site furnishings. Include a landscape legend with a list of proposed plant materials (indicate both Latin and common name), including size, spacing, total quantities, ultimate height, and spread of materials. Trees shall be a minimum of 24 gallon size and shrubs a minimum of 5 gallon size. Accent or sub-shrubs may be 1-gallon in size. Larger trees may be required depending on project location, size, or other conditions.



- ☐ Size, species, trunk location, and canopy of all existing trees (6" in diameter or larger) on-site and on abutting property that could be affected by the project. Identify which trees will remain and trees to be removed. Any tree proposed as mitigation for the removal of a protected tree shall be identified as a replacement tree.
- ☐ Show accurate representation of plant materials within three years.
- ☐ Identify the location and screening of all above ground utilities and bio-swales or other stormwater treatment areas with 1:10 scale cross sections showing the planting within the bio-swales and screening of the utilities.
- ☐ Provide enlarged details (minimum of 1:10 scale) for focal points and accent areas.
- ☐ Location and details and/or manufacturers catalogue cuts of walls, fences, paving, decorative planters, trellises, arbors, and other related site improvements.
- ☐ Landscape plans with more than two sheets shall show the plant legend with symbols for each species on every sheet.
- ☐ Statement indicating that a fully automatic irrigation system will be provided.
- ☐ Color and materials submittal for all special paving, hardscape treatment, walls, landscape lighting, and site furnishings.
- ☐ The Landscape plan shall be coordinated and consistent with the Stormwater Plan.
- ☐ Note signed and dated by project Landscape Architect that plans are in compliance with all City standards.
- ☐ Provide information on landscaping used as screening for utility equipment.
- ☐ **TREE SURVEY.** Prepared by an ISA Certified Arborist, drawn at 1"=20' scale, showing accurate trunk location and drip line for all existing trees on the site and adjacent to the site. For each tree, specify the species, diameter breast height (DBH) as defined in Chapter 14.18.020, and base elevation and clearly indicate if it is to be preserved or to be removed. Identify all Protected Trees as defined in Chapter 14.18.020. Identify existing trees or plant materials on abutting properties that could influence site design or be impacted by the project.

- ☐ **FENCE PLAN.** Drawn at 1"=20' scale showing the location, height and type of all fences and walls.
- ☐ **LIGHTING PLAN.** Location and type of exterior lighting, both fixed to the building and freestanding, any and all lights for circulation, security, landscaping, building accent or other purpose.
- ☐ **PHOTOMETRIC PLAN.** Indicate compliance with no lighting glare. Photometric plan must indicate that lighting levels do not spill into adjacent properties.
- ☐ **PHOTO-SIMULATIONS.** Digital photo-simulations of the site with and without the project, taken from various points off-site with the best visibility of the project. Include a key map showing the location where each photo was taken.
- ☐ **GRADING PLAN.** Use the grading plans approved with any past subdivision to indicate the natural grade and how the proposed project meets height requirements based on this. If a subdivision is proposed, please indicate the new proposed natural grade. The natural grade should not be modified to a great extent unless necessary to meet engineering standards and specifications. Show the relationship of the project to the building and site features within 50 feet. The plan shall include:
  - ☐ Proposed building footprints, pad elevations and building height
  - ☐ Existing and proposed contours which can be easily differentiated (2ft intervals if slope is 10% or less, 5 ft intervals for slopes greater than 10%)
  - ☐ Spot elevations of survey points
  - ☐ Source and date of the contour and spot elevation information
  - ☐ Limits of cut and fill
  - ☐ Grading Quantities (Cut and Fill Cubic Yards)
  - ☐ Cross-sections of the areas of greatest cut and greatest fill to scale
  - ☐ Topography and elevation of adjoining parcels (for a minimum of 50')
  - ☐ Slope ratio
  - ☐ Show all existing and proposed retaining walls with TOW/BOW elevations.

- ☐ **SUBDIVISION PLAN.** Provide a subdivision plan, if applicable. Please indicate compliance with the objective zoning and subdivision development standards. The plan shall comply with the City's subdivision ordinance and shall include:
  - ☐ Existing Assessor's Parcel Numbers
  - ☐ A title which shall contain the subdivision number, name and type of subdivision.
  - ☐ Name and address of legal owner, subdivider and person preparing the map (include professional license number)
  - ☐ Date, north arrow, scale and contour interval
  - ☐ Land Use (existing and proposed)
  - ☐ Vicinity Map showing roads, adjoining subdivisions, Cities, creeks, railroads, and other data sufficient to locate the proposed subdivision and show its relation to the community.
  - ☐ Existing Trees, type, diameter at breast height (DBH) and indicate drip line/canopy. Any trees proposed to be removed shall be clearly indicated.
  - ☐ Existing structures, approximate location and outline identified by type. Buildings to be removed shall be clearly indicated.
  - ☐ Lot area with density per gross acre for each parcel (net square footage)
  - ☐ Existing and proposed lot line dimensions (bearings and distances)
  - ☐ Exhibits indicating compliance with objective zoning standards (e.g. minimum lot sizes, lot widths etc.)
  - ☐ Areas subject to inundation or storm water overflow. Width and direction of flow for each water course should be shown with approximate location.
  - ☐ Existing easements with widths, locations, type and sufficient recording data to identify the conveyance (book and page of official records).
  - ☐ Proposed infrastructure including utilities and surface/street improvements (both private and public). Show location and size of utilities. Show proposed slopes and elevations of utilities and surface hardscape improvements.
  - ☐ Accompanying data and reports to be supplied with Subdivision Plan:
    - ☐ Geologic and Geotechnical Report – A preliminary geotechnical report is required by Section 16.12 of the Cupertino Municipal Code and shall verify if there is a presence of critically expansive soils or other soil problems, which, if not corrected, would lead to structural defects or

differential settlement of infrastructure, and shall provide recommendations for necessary corrective action. The report shall show all geological hazard zones identified in the General Plan and which are known or portrayed in other geological studies for the area. It shall also include descriptions and physical characteristics on all geological formations, anomalies, and earthquake characteristics. Mitigation measures shall be identified for any geological hazard or concern.

- ☐ **UTILITY PLAN.** Prepared by a licensed Civil Engineer and drawn at 1"= 20' scale, with scale noted, showing the location and dimensions of existing and proposed utilities including water supply system, sanitary sewers and laterals, drainage facilities/storm drainage system, wells, septic tanks, underground and overhead electrical lines, utility poles, utility vaults, cabinets and meters, transformers, underground irrigation and drainage lines, backflow prevention and reduced pressure devices, electroliers, lighting fixtures, street lights, traffic signal poles, traffic signal pull boxes, signal cabinets. Provide details on screening utility equipment. Indicate compliance with Chapter 14.24.
- ☐ **STORMWATER CONTROL PLAN.** See Stormwater Control Plan Application Checklist. All Stormwater Plans shall be coordinated and consistent with all Site, Grading, Utility, and Landscape Plans. If the project creates or replaces more than 10,000 sq. ft. of impervious area, a Stormwater Control Plan is required, and shall meet the standards and regulations established for the Municipal Regional Stormwater NPDES Permit. Provide the following information to determine if the project meets this threshold:
  - ☐ Site size in sq. ft.
  - ☐ Existing impervious surface area (all land covered by buildings, sheds, patios, parking lots, streets, paved walkways, driveways, etc.) in sq. ft.
  - ☐ Impervious surface area created, added or replaced in sq. ft. Total impervious surface area in sq. ft.
  - ☐ Percent increase/replacement of impervious surface area (new impervious surface area in sq. ft./existing impervious surface area in sq. ft. multiplied by 100).
  - ☐ Estimated area in sq. ft. of land disturbance during construction (including clearing, grading or excavating).

1146193.1

**State of California**

**GOVERNMENT CODE**

**Section 65913.4**

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65913.4. (a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and is not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

(1) The development is a multifamily housing development that contains two or more residential units.

(2) The development is located on a site that satisfies all of the following:

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

(C) A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.

(3) (A) The development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower income housing units required pursuant to subparagraph (B) of paragraph (4) shall remain available at affordable housing costs or rent to persons and families of lower income for no less than the following periods of time:

(i) Fifty-five years for units that are rented.

(ii) Forty-five years for units that are owned.

(B) The city or county shall require the recording of covenants or restrictions implementing this paragraph for each parcel or unit of real property included in the development.

(4) The development satisfies both of the following:

(A) Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department's determination for the next reporting period.

(B) The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:

(i) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing issued building permits than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that local ordinance applies.

(ii) The locality's latest production report reflects that there were fewer units of housing issued building permits affordable to either very low income or low-income households by income category than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that local ordinance applies.

(iii) The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to both income levels described in clauses (i) and (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).

(5) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any

specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

(C) The amendments to this subdivision made by the act adding this subparagraph do not constitute a change in, but are declaratory of, existing law.

(6) The development is not located on a site that is any of the following:

(A) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(C) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(G) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny

the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.

(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(H) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.

(I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(K) Lands under conservation easement.

(7) The development is not located on a site where any of the following apply:

(A) The development would require the demolition of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) Housing that has been occupied by tenants within the past 10 years.

(B) The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.



(C) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(D) The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

(8) The development proponent has done both of the following, as applicable:

(A) Certified to the locality that either of the following is true, as applicable:

(i) The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(ii) If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.

(IV) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(V) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has

the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(VI) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(B) (i) For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:

(I) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(II) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(III) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(IV) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(V) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(ii) For purposes of this section, "skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(iii) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

(I) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.

(III) Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(C) Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:

(i) The project includes 10 or fewer units.

(ii) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(9) The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:

(A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).

(B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

(10) The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational

Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

(b) (1) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards specified in subdivision (a), it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, as follows:

(A) Within 60 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the objective planning standards specified in subdivision (a).

(c) (1) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(A) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the development is consistent with the requirements of subparagraph (A) or (B) of paragraph (9) of subdivision (a) and is consistent with all objective subdivision standards in the local subdivision ordinance, an application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and shall be subject to the public oversight timelines set forth in paragraph (1).

(d) (1) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing automobile parking requirements in multifamily developments, shall not impose automobile parking standards for a streamlined

development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

(2) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose automobile parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.

(e) (1) If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire if the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making below 80 percent of the area median income.

(2) If a local government approves a development pursuant to this section and the project does not include 50 percent of the units affordable to households making below 80 percent of the area median income, that approval shall automatically expire after three years except that a project may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.

(3) If a local government approves a development pursuant to this section, that approval shall remain valid for three years from the date of the final action establishing that approval and shall remain valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Additionally, the development proponent may request, and the local government shall have discretion to grant, an additional one-year extension to the original three-year period. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.

(f) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval pursuant to this section.

(g) This section shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including the provisions of subdivision (i) of Section 65583.2.

(h) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to actions taken by a state agency or local government to lease, convey, or encumber land owned by the local government or to facilitate the lease, conveyance, or encumbrance of land owned by the local government, or to provide financial assistance to a development that

receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code.

(i) For purposes of this section, the following terms have the following meanings:

(1) “Affordable housing cost” has the same meaning as set forth in Section 50052.5 of the Health and Safety Code.

(2) “Affordable rent” has the same meaning as set forth in Section 50053 of the Health and Safety Code.

(3) “Department” means the Department of Housing and Community Development.

(4) “Development proponent” means the developer who submits an application for streamlined approval pursuant to this section.

(5) “Completed entitlements” means a housing development which has received all the required land use approvals or entitlements necessary for the issuance of a building permit.

(6) “Locality” or “local government” means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.

(7) “Production report” means the information reported pursuant to subparagraph (H) of paragraph (2) of subdivision (a) of Section 65400.

(8) “State agency” includes every state office, officer, department, division, bureau, board, and commission, but does not include the California State University or the University of California.

(9) “Subsidized” means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code.

(10) “Reporting period” means either of the following:

(A) The first half of the regional housing needs assessment cycle.

(B) The last half of the regional housing needs assessment cycle.

(11) “Urban uses” means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

(j) The department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(k) The determination of whether an application for a development is subject to the streamlined ministerial approval process provided by subdivision (b) is not a “project” as defined in Section 21065 of the Public Resources Code.

(l) It is the policy of the state that this section be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply.

(m) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended by Stats. 2018, Ch. 840, Sec. 2. (SB 765) Effective January 1, 2019. Repealed as of January 1, 2026, by its own provisions. )

# **Streamlined Ministerial Approval Process (Chapter 366, Statutes of 2017) Guidelines**



**State of California  
Governor Edmund G. Brown Jr.**

**Alexis Podesta, Secretary  
Business, Consumer Services and Housing Agency**

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**November 29, 2018**



The matters set forth herein are regulatory mandates, and are adopted in accordance with the authorities set forth below:

Quasi-legislative regulations ... have the dignity of statutes ... [and]... delegation of legislative authority includes the power to elaborate the meaning of key statutory terms...

*Ramirez v. Yosemite Water Co.*, 20 Cal. 4th 785, 800 (1999)

The Department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

Government Code section 65913.4, subdivision (j)

Government Code section 65913.4 relates to the resolution of a statewide concern and is narrowly tailored to limit any incursion into any legitimate municipal interests, and therefore the provisions of Government Code section 65913.4, as supplemented and clarified by these Guidelines, are constitutional in all respects and preempt any and all inconsistent laws, ordinances, regulations, policies or other legal requirements imposed by any locality.

# **Streamlined Ministerial Approval Process Development Approval Process**

## **Program Guidelines**

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## INTRODUCTION

Chapter 366, Statutes of 2017 (SB 35, Wiener) was part of a 15 bill housing package aimed at addressing the state's housing shortage and high housing costs. Specifically, it requires the availability of a Streamlined Ministerial Approval Process for developments in localities that have not yet made sufficient progress towards their allocation of the regional housing need. Eligible developments must include a specified level of affordability, be on an infill site, comply with existing residential and mixed use general plan or zoning provisions, and comply with other requirements such as locational and demolition restrictions. The intent of the legislation is to facilitate and expedite the construction of housing. In addition, as part of the legislation, the Legislature found ensuring access to affordable housing is a matter of statewide concern and declared that the provisions of SB 35 would apply to all cities and counties, including a charter city, a charter county, or a charter city and county. Please note, the Department of Housing and Community Development (Department) may take action in cases where these guidelines are not adhered to under its existing accountability and enforcement authority.

Guidelines for the Streamlined Ministerial Approval Process are organized into five Articles, as follows:

Article I. General Provisions: This article includes information on the purpose of the guidelines, applicability, and definitions used throughout the document.

Article II. Determination Methodology: This article describes the methodology for which the Department shall determine which localities are subject to the Streamlined Ministerial Approval Process.

Article III. Approval Process: This article describes the parameters of the approval process, including local government responsibilities, approval processes, and general provisions.

- 1) Local Government Responsibility – This section specifies the types of requirements localities can require a development to adhere to in order to determine consistency with general plan and zoning standards, including objective standards, controlling planning documents, and parking.
- 2) Development Review and Approval – This section details the types of hearings and review allowed under the Streamlined Ministerial Approval Process, timing provisions for processing and approving an application, denial requirements, and timeframes related to the longevity of the approval.

Article IV. Development Eligibility: This article describes the requirements for developments in order to apply for streamlining including type of housing, site requirements, affordability provisions, and labor provisions.

Article V. Reporting: This article describes reporting requirements specific to the Streamlined Ministerial Approval Process in the locality's annual progress report on the general plan.

## **ARTICLE I. GENERAL PROVISIONS**

### **Section 100. Purpose and Scope**

- (a) These Guidelines (hereinafter “Guidelines”) implement, interpret, and make specific the Chapter 366, Statutes of 2017 (SB 35, Wiener), and subsequent amendments (hereinafter “Streamlined Ministerial Approval Process”) as authorized by Government Code section 65913.4.
- (b) These Guidelines establish terms, conditions and procedures for a development proponent to submit an application for a development to a locality that is subject to the Streamlined Ministerial Approval Process provided by Government Code section 65913.4.
- (c) It is the intent of the Legislature to provide reforms and incentives to facilitate and expedite the construction of affordable housing. Therefore these Guidelines shall be interpreted and implemented in a manner to afford the fullest possible weight to the interest of increasing housing supply.
- (d) These Guidelines shall remain in effect until January 1, 2026, and as of that date are repealed.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65582.1 and 65913.4(l) and (m).

### **Section 101. Applicability**

- (a) The provisions of Government Code section 65913.4 are effective as of January 1, 2018.
- (b) These Guidelines are applicable to applications submitted on or after January 1, 2019. Nothing in these Guidelines may be used to invalidate or require a modification to a development approved through the Streamlined Ministerial Approval Process prior to the effective date.
- (c) These Guidelines are applicable to both general law and charter cities, including a charter city and county.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(i)(6).

### **Section 102. Definitions**

All terms not defined below shall, unless their context suggests otherwise, be interpreted in accordance with the meaning of terms described in Government Code section 65913.4

- (a) “Annual Progress Report (APR)” means the housing element annual progress report required by Government Code section 65400 and due to the Department April 1 of each year reporting on the prior calendar year’s permitting activities and implementation of the programs in a local government’s housing element.

- (b) "Application" means a submission containing such information necessary for the locality to determine whether the development complies with the criteria outlined in Article IV of these Guidelines. This may include a checklist or other application documents generated by the local government pursuant to Section 300(a) that specifies in detail the information required to be included in an application, provided that the information is only that required to determine compliance with objective standards and criteria outlined in article IV of these Guidelines.
- (c) "Area Median Income (AMI)" means the median family income of a geographic area of the state, as published annually by the Department within the State Income Limits:  
<http://www.hcd.ca.gov/grants-funding/income-limits/index.shtml>.
- (d) "Car share vehicle" is an automobile rental model where people rent cars from a car-sharing network for roundtrip or one-way where vehicles are returned to a dedicated or reserved parking location. An example of such a service is Zipcar.
- (e) "Density Bonus" means the same as Government Code section 65915.
- (f) "Department" means the Department of Housing and Community Development.
- (g) "Determination" means the published identification, periodically updated, by the Department of those local governments that are required to make the Streamlined Ministerial Approval Process available per these Guidelines.
- (h) "Development proponent or applicant" means the owner of the property, or person or entity with the written authority of the owner, that submits an application for streamlined approval..
- (i) "Fifth housing element planning period" means the five- or eight-year time period between the due date for the fifth revision of the housing element and the due date for the sixth revision of the housing element pursuant to Government Code section 65588(f)..
- (j) "Infill" means at least 75 percent of the linear measurement of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this definition, parcels that are only separated by a street or highway shall be considered to be adjoined.
- (k) "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.
- (l) "Low-Income" means households earning 50 to 80 percent of AMI.
- (m) "Lower-income" means households earning 80 percent or less of AMI pursuant to Health and Safety Code section 50079.5.
- (n) "Ministerial processing or approval" means a process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the "objective zoning standards," "objective subdivision standards," and "objective

design review standards" in effect at the time that the application is submitted to the local government, but uses no special discretion or judgment in reaching a decision.

- (o) "Multifamily" means a housing development with two or more attached residential units. The definition does not include accessory dwelling units unless the project is for new construction of a single-family home with an attached accessory dwelling units in a zone that allows for multifamily. Please note, accessory dwelling units have a separate permitting process pursuant to Government Code section 65852.2
- (p) "Objective zoning standard", "objective subdivision standard", and "objective design review standard" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. "Objective design review standards" means only objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, which are broadly applicable to development within the jurisdiction.
- (q) "Project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- (r) "Public transit" means a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines.
- (s) "Public works project" means developments which meet the criteria of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (t) "Regional housing need" means the local government's share of the regional housing need allocation as determined by Article 10.6 of the Government Code.
- (u) "Related facilities" means any manager's units and any and all common area spaces that are included within the physical boundaries of the housing development, including, but not limited to, common area space, walkways, balconies, patios, clubhouse space, meeting rooms, laundry facilities, and parking areas that are exclusively available to residential users, except any portions of the overall development that are specifically commercial space.
- (v) "Reporting period" means the timeframe for which APRs are utilized to create the determination for which a locality is subject to the Streamlined Ministerial Approval Process. The timeframes are calculated in relationship to the planning period of the housing element pursuant to Government Code section 65588 and are cumulative through the most recent calendar year.
- (w) "Skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

- (x) “Subsidized” means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code. For the purposes of these Guidelines, the word “permanently” has the same meaning described in Section 402(b).
- (y) “Tenant” means a person who occupies land or property rented or leased for use as a residence.
- (z) “Urban uses” means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.
- (aa) “Very low-income” means households earning less than 50 percent or less of AMI pursuant to Health and Safety Code section 50105.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4.

## **ARTICLE II. STREAMLINED MINISTERIAL APPROVAL PROCESS DETERMINATION**

### **Section 200. Methodology**

- (a) The Department will calculate the determination, as defined in Section 102(g), based on permit data received through APRs at the mid-point of the housing element planning period pursuant to Government Code section 65488 and at the end point of the planning period.
  - (1) APRs, as defined in Section 102(a), report on calendar years, while housing element planning periods may begin and end at various times throughout the year. When a planning period begins after July, the APR for that year is attributed to the prior housing element planning period. When the planning period ends before July 1, the APR for that year will be attributed to the following housing element planning period.
- (b) The determination is based on permitting progress toward a pro-rata share of the regional housing need for the reporting period.
  - (1) Determinations calculated at the mid-point of the planning period are based upon permitting progress toward a pro-rata share of half (50 percent), of the regional housing need, while determinations calculated at the end of the planning period are based upon permitting progress towards the entirety (100 percent) of the regional housing need.
  - (2) For localities, as defined in Section 102(k), on a 5-year planning period, the mid-point determination is based upon a pro-rata share of the regional housing need for the first three years in the planning period, and 60 percent of the regional housing need.

- (3) The determination applies to all localities beginning January 1, 2018, regardless of whether a locality has reached the mid-point of the fifth housing element planning period. For those local governments that have achieved the mid-point of the fifth housing element planning period, the reporting period includes the start of the planning period until the mid-point, and the next determination reporting period includes the start of the planning period until the end point of the planning period. In the interim period between the effective date of the Streamlined Ministerial Approval Process, until a locality reaches the mid-point in the fifth housing element planning period, the Department will calculate the determination yearly. This formula is based upon the permitting progress towards a pro-rata share of the regional housing need, dependent on how far the locality is in the planning period, until the mid-point of the fifth housing element planning period is reached. See example below.

Example Calculation
For a locality two years into the reporting period, the determination is calculated at two out of eight years of the planning period and will be based upon a pro-rata share of two-eighths, or 25 percent, of the regional housing need, and the following year, for the same locality, the determination will be calculated at three out of eight years of the planning period based upon a pro-rata share of three-eighths, or 37.5 percent, of the regional housing need, and the following year for the same locality the determination will be calculated at four out of eight years of the planning period based upon a pro-rata share of four-eighths, or 50 percent, of the regional housing need. At that point, the locality will reach its mid-point of the planning period and the determination, the pro-rata share, and the permitting progress toward the pro-rata share will hold until the locality reaches the end-point of the planning period.

- (c) To determine if a locality is subject to the Streamlined Ministerial Approval Process for developments with 10 percent of units affordable to lower-income households, the Department shall compare the permit data received through the APR to the pro-rata share of their above-moderate income regional housing need for the current housing element planning period. If a local government has permitted less than the pro-rata share of their above-moderate income regional housing need, then the jurisdiction will be subject to the Streamlined Ministerial Approval Process for developments with 10 percent affordability.
- (d) Local governments that do not submit their latest required APR prior to the Department's determination are subject to the Streamlined Ministerial Approval Process for developments with 10 percent of units affordable to lower-income households.
- (e) To determine if a locality is subject to the Streamlined Ministerial Approval Process for developments with 50 percent of units affordable to lower-income households, the Department shall compare the permit data received through the APR to the pro-rata share of their independent very-low and low-income regional housing need for the current housing element planning period. If a local government has permitted the pro-rata share of their above-moderate income regional housing need, and submitted their latest required APR, but has permitted less than the pro-rata share of their very-low and lower income regional housing need, they will be subject to the Streamlined Ministerial Approval



Process for developments with 50 percent affordability. For purposes of these Guidelines, as the definition of lower-income is inclusive of very low-income units. Very low-income units permitted in excess of the very low-income need can be applied to demonstrate progress towards the lower-income need. However, as the definition of very low-income units does not include low-income units. Low-income units permitted in excess of the low-income need cannot be applied to demonstrate progress towards the very low-income need.

- (f) To determine if a locality is not subject to the Streamlined Ministerial Approval Process, the permit data from the APR shall demonstrate that the locality has permitted the entirety of the pro-rata share of units for the above moderate-, low-, and very low- income categories of the regional housing need for the relevant reporting period, and has submitted the latest APR.
- (g) The Department's determination will be in effect until the Department calculates the determination for the next reporting period unless updated pursuant to Section 201. A locality's status on the date the application is submitted determines whether an application is subject to the Streamlined Ministerial Approval Process, and also determines which level of affordability (10 or 50 percent) an applicant must provide to be eligible for streamlined ministerial permitting.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a)(4).

## **Section 201. Timing and Publication Requirements**

The Department shall publish the determination by June 30 of each year, accounting for the APR due April 1 of each year, though this determination may be updated more frequently based on the availability of data, data corrections, or the receipt of new information. The Department shall publish the determination on the Department's website.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a)(4).

## **ARTICLE III. APPROVAL PROCESS**

### **Section 300. Local Government Responsibility**

- (a) A local government that has been designated as subject to the Streamlined Ministerial Approval Process by the Department shall provide information, in a manner readily accessible to the general public, about the locality's process for applying and receiving ministerial approval, materials required for an application as defined in Section 102(b), and relevant objective standards to be used to evaluate the application. The information provided may include reference documents and lists of other information needed to enable the local government to determine if the application is consistent with objective standards, consistent with Section 102(b). This can be through the use of checklists, maps, diagrams, flow charts, or other formats. The locality's process and application requirements shall not in any way inhibit, chill, or preclude the ministerial approval

process, which must be strictly focused on assessing compliance with the criteria required for streamlined projects in Article IV of these guidelines.

(b) Determination of consistency

- (1) When determining consistency with objective zoning, subdivision, or design review standards, the local government can only use those standards that meet the definition referenced in Section 102(p). For example, design review standards that require subjective decision-making, such as consistency with “neighborhood character”, cannot be applied as an objective standard unless “neighborhood character” is defined in such a manner that is non-discretionary.

Example Design Review
Objective design review could include use of specific materials or styles, such as Spanish-style tile roofs or roof pitches with a slope of 1:5. Architectural design requirements such as “craftsman style architecture” could be used so long as the elements of “craftsman style architecture” are clearly defined (e.g., “porches with thick round or square columns and low-pitched roofs with wide eaves), ideally with illustrations.

- (2) General plan or zoning ordinance requirements for a specific plan or another discretionary permit do not necessarily constitute objective zoning standard. A locality may not require a development proponent to meet any standard for which the locality typically exercises subjective discretion, on a case-by-case basis, about whether to impose that standard on similarly situated development proposals.
- (3) Modifications to objective standards granted as part of a density bonus concession, incentive, parking reduction, or waiver of development standards pursuant to Density Bonus Law Government Code section 65915,<sup>1</sup> or a local density bonus ordinance, shall be considered consistent with objective standards.
- (4) Project eligibility for a density bonus concession, incentive, parking reduction, or waiver of development standards shall be determined consistent with Density Bonus Law.
- (5) Objective standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, the general plan, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.
- (6) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective standards pursuant to Section 400(c) of these Guidelines if the development is consistent with the standards set forth in the general plan.

<sup>1</sup> Amended 1/9/19 -Grammatical correction

- (7) Developments are only subject to objective zoning standards, objective subdivision standards, and objective design review standards enacted and in effect at the time that the application is submitted to the local government.
- (8) Determination of consistency with objective standards shall be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply. For example, design review standards or other objective standards that serve to inhibit, chill, or preclude the development of housing under the Streamlined Ministerial Approval Process are inconsistent with the application of state law.

(c) Density calculation

- (1) When determining consistency with density requirements, a development that is compliant with up to the maximum density allowed within the land use element designation of the parcel in the general plan is considered consistent with objective standards. For example, a development on a parcel that has a multifamily land use designation allowing up to 45 units per acre is allowed up to 45 units per acre regardless of the density allowed pursuant to the zoning code. In addition, the development may request a density of greater than 45 units per acre if eligible for a density bonus under Density Bonus Law.
- (2) Growth, unit, or other caps that restrict the number of units allowed in the proposed development or that expressly restricts the timing of development can be applied only to the extent that those caps do not inhibit the development's ability to achieve the maximum density allowed by the land use designation and any density bonus the project is eligible for and do not restrict the issuance of building permits for the project.
- (3) Additional density, floor area, or units granted as density bonus shall be considered consistent with maximum allowable densities.
- (4) Development applications are only subject to the density standards in effect at the time that the development is submitted to the local government.

(d) Parking requirements

- (1) Automobile parking standards shall not be imposed on a development that meets any of the following criteria:
  - (A) The development is located where any part of the parcel or parcels on which the development is located is within one-half mile of public transit, as defined by Section 102(r) of these Guidelines.
  - (B) The development is located within a district designated as architecturally or historically significant under local, state, or federal standards.
  - (C) When on-street parking permits are required, but not made available to the occupants of the development.
  - (D) When there is a car share vehicle, (i.e. a designated location to pick up or drop off a car share vehicle as defined by Section 102(d),) within one block of the

development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.

- (2) For all other developments, the local government shall not impose automobile parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.
- (e) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive streamlined processing.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a),(d), and (l).

### **Section 301. Development Review and Approval**

- (a) Ministerial processing
  - (1) Ministerial approval, as defined in Section 102(n), of a project that complies with Article IV of these guidelines shall be non-discretionary and cannot require a conditional use permit or other discretionary local government review or approval.
  - (2) Any ministerial design review or public oversight of the application may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate.
    - (A) Design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local government before submission of the development application, and shall be broadly applicable to development within the locality.
    - (B) Design review or public oversight shall not in any way inhibit, chill, stall, delay, or preclude the ministerial approval provided by these Guidelines or its effect.
  - (3) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards, it shall provide the development proponent, as defined in Section 102(h), written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, within the timeframe specified in Section 301(b)(2) below. The local government may elect to allow the development proponent to correct any deficiencies within the timeframes for project approval specified in Section 301(b)(3) below.
  - (4) The denial of an application for streamlined processing does not preclude the development proponent from correcting any deficiencies and resubmitting an application for streamline review, or from applying for the project under other local

government processes. If the application is denied and the development proponent elects to resubmit an application for streamlined review, the timeframes specified in Section 301(b) below shall commence on the date of resubmittal.

- (5) Approval of ministerial processing does not preclude imposed standard conditions of approval as long as those conditions are objective and broadly applicable to development within the locality regardless of streamline approval. This includes any objective process requirements related to the issuance of a building permit. However, any further approvals, such as demolition, grading and building period or, if required, final map, on a ministerial basis is subject to the objective standards.
  - (A) Notwithstanding Paragraph (5), standard conditions that specifically implement the provisions of these Guidelines such as commitment for recording covenant and restrictions and provision of prevailing wage can be included in the conditions of approval.
- (6) The California Environmental Quality Act (Division 13 (commencing with section 21000) of the Public Resources Code) does not apply to the following in connection with projects qualifying for the Streamlined Ministerial Approval Process :
  - (A) Actions taken by a state agency or local government to lease, convey, or encumber land or to facilitate the lease, conveyance, or encumbrance of land owned by the local government.
  - (B) Actions taken by a state agency or local government to provide financial assistance to a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income.
  - (C) The determination of whether an application for a development is subject to the Streamlined Ministerial Approval Process.
- (b) Upon a receipt of application, the local government shall adhere to the following:
  - (1) An application submitted hereunder shall be reviewed by the agency whether or not it contains all materials required by the agency for the proposed project, and it is not a basis to deny the project if either:
    - (A) The application contains sufficient information for a reasonable person to determine whether the development is consistent, compliant, or in conformity with the requisite objective standards (outlined in Article IV of these Guidelines); or
    - (B) The application contains all documents and other information required by the local government as referenced in section 300(a) of these Guidelines.
  - (2) Local governments shall make a determination of consistency, as described in Section 301(a)(3), as follows:

- (A) Within 60 calendar days of submittal of the application to the local government pursuant to this section if the development contains 150 or fewer housing units.
  - (B) Within 90 calendar days of submittal of the application to the local government pursuant to this section if the development contains more than 150 housing units.
  - (C) Documentation of inconsistencies with objective standards must be provided to the development proponent within these timeframes. If the local government fails to provide the required documentation determining consistency within these timeframes, the development shall be deemed to satisfy the objective planning standards.
- (3) Any design review or public oversight, as described in Section 301(a)(2), including resulting final approval shall be completed as follows:
- (A) Within 90 calendar days of submittal of the application to the local government pursuant to this section if the development contains 150 or fewer housing units.
  - (B) Within 180 calendar days of submittal of the application to the local government pursuant to this section if the development contains more than 150 housing units.
  - (C) Although design review may occur in parallel with or as part of the consistency determination set forth in paragraphs (1) and (2) above, failure to meet subjective design review standards or obtain design review approval from the oversight board shall not itself prevent or otherwise preclude a project from being approved for development pursuant to this Section if objective design review standards are met.
- (c) Modifications to the development subsequent to the approval of the ministerial review but prior to issuance of a building permit can be granted in the following circumstances:
- 1) For modification initiated by the development proponent.
    - A) Following approval of an application under the Streamlined Ministerial Review Process, but prior to issuance of a building permit for the development, an applicant may submit written request to modify the development. The modification must conform with the following:
      - i. The change is consistent with the Streamlined Ministerial Approval Process Guidelines.
      - ii. The change will not modify the project's consistency with objective development standards considered as part of the project's review.
      - iii. The change will not conflict with a plan, ordinance or policy addressing community health and safety.
      - iv. The change will not result in modifications to the concessions, incentives or waivers to development standards approved pursuant to density bonus law.

- B) Upon receipt of the request, the local agency shall determine if the requested modification is consistent with the local agency's objective development standards in effect when the development was approved. Approval of the modification request must be completed within 60 days of submittal of the modification or 90 days if design review is required.
- 2) For modification initiated by the local agency
- A) Following approval of an application under the Streamlined Ministerial Review Process, but prior to issuance of a building permit for the development, a local agency may require one-time changes to the development that are necessary to comply with the local agency's objective uniform construction codes (including, without limitation building, plumbing, electrical, fire, and grading codes), to comply with federal or state laws, or to mitigate a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without modifying the development. A "specific, adverse impact" has the meaning defined in Government Code section 65589.5(d)(2).
  - B) A determination that a change is required is a ministerial action. If a revised application is required to address these modifications, the application shall be reviewed as a ministerial approval within 60 days of re-submittal of the application.
- (d) If a local government approves a development under the Streamlined Ministerial Approval Process, notwithstanding any other law, the following expiration of approval timeframes apply:
- (1) If the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the AMI, then that approval shall not expire.
  - (2) If the project does not include public investment in housing affordability (including local, state, or federal government assistance), beyond tax credits and at least 50 percent of the units are not affordable to households making at or below 80 percent of the AMI, that approval shall automatically expire after three years.
    - (A) That development may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.
    - (B) Approval shall remain valid for a development so long as vertical construction of the development has begun and is in progress.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a),(b), (c), (e), (h), and (k).

## **ARTICLE IV. DEVELOPMENT ELIGIBILITY**

### **Section 400. Housing Type Requirements**

To qualify to apply for the Streamlined Ministerial Approval Process, the development proponent shall demonstrate the development meets the following criteria:

- (a) Is a multifamily housing development. The development can offer units for rental or for-sale.
- (b) At least two-thirds of the square footage of the development shall be designated for residential use:
  - (1) For purposes of these Guidelines, the two-thirds calculation is based upon the proportion of gross square footage of residential space and related facilities as defined in Section 102(u), to gross development building square footage for an unrelated use such as commercial. Structures utilized by both residential and non-residential uses shall be credited proportionally to intended use. Additional density, floor area, or units granted pursuant to Density Bonus Law are excluded from this calculation.
  - (2) Both residential and non-residential components of a qualified mixed-use development are eligible for the Streamlined Ministerial Approval Process. Additional permitting requirements pertaining to the individual business located in the commercial component (e.g. alcohol use permit or adult business permit) are subject to local government processes.
  - (3) When the commercial component is not part of a vertical mixed-use structure, construction of the residential component of a mixed-use development shall be completed prior to, or concurrent with, the commercial component. .
- (c) The development is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time of the development application submittal per Section 300 of these Guidelines, provided that any modifications to density or other concessions, incentives, or waivers granted pursuant to the Density Bonus Law shall be considered consistent with such objective zoning standards, objective subdivision standards, and objective design review standards.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a).

### **Section 401. Site Requirements**

- (a) The development proponent shall demonstrate in the application that, as of the date the application is submitted, the proposed development is located on a site that meets the following criteria:
  - (1) The site is a legal parcel, or parcels, located in either:



- (A) A city where the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or
  - (B) An unincorporated area where the area boundaries are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.
- (2) The site meets the definition of infill as defined by Section 102(j) of these Guidelines.
- (3) The site must be zoned for residential use or residential mixed-use development, or have a general plan designation that allows residential use or a mix of residential and nonresidential uses.
- (A) To qualify for the Streamlined Ministerial Approval Process, the site's zoning designation, applicable specific plan or master plan designation, or general plan designation must permit residential or a mix of residential and nonresidential uses by right or with a use permit.
- (b) The development proponent shall demonstrate that, as of the date the application is submitted, the development is not located on a legal parcel(s) that is any of the following:
- (1) Within a coastal zone, as defined in Division 20 (commencing with section 30000) of the Public Resources Code.
  - (2) Prime farmland or farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that locality.
  - (3) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
  - (4) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Public Resources Code section 4202.
- (A) This restriction does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to Government Code section 51179(b), or sites that are subject to adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

- (B) This restriction does not apply to sites that have been locally identified as fire hazard areas, but are not identified by the Department of Forestry and Fire Protection pursuant to Government Code section 51178 or Public Resources Code section 4202.
- (5) A hazardous waste site that is currently listed pursuant to Government Code section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code section 25356.
  - (A) This restriction does not apply to sites the Department of Toxic Substances Control has cleared for residential use or residential mixed uses.
- (6) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist.
  - (A) This restriction does not apply if the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- (7) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
  - (A) This restriction does not apply if the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local government.
  - (B) This restriction does not apply if the development proponent can demonstrate that they will be able to meet the minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.
    - i. If the development proponent demonstrates that the development satisfies either subsection (A) or (B) above and that the development is otherwise eligible for the Streamlined Ministerial Approval Process, the local government shall not deny the application for the development on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site related to special floor hazard areas.
    - ii. If the development proponent is seeking a floodplain development permit from the local government, the development proponent must describe in detail in the application for the Streamlined Ministerial Approval Process how the development will satisfy the applicable federal qualifying criteria

necessary to obtain the floodplain development permit. Construction plans demonstrating these details shall be provided to the locality before the time of building permit issuance, however construction plans shall not be required for the local jurisdiction to take action on the application under the Streamlined Ministerial Approval Process.

- (8) Within a regulatory floodway, as determined by the Federal Emergency Management Agency, in any official maps published by the Federal Emergency Management Agency.
  - (A) This restriction does not apply if the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
  - (B) If the development proponent demonstrates that the development satisfies subsection (A) above and that the development is otherwise eligible for the Streamlined Ministerial Approval Process, the local government shall not deny the application for development on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site related to regulatory floodways.
- (9) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), a habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or another adopted natural resource protection plan.
- (10) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
  - (A) The identification of habitat for protected species discussed above may be based upon information identified in underlying environmental review documents for the general plan, zoning ordinance, specific plan, or other planning documents associated with that parcel that require environmental review pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- (11) Lands under conservation easement.
- (12) An existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13

of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

- (c) The development proponent shall demonstrate that, as of the date the application is submitted, the development is not located on a site where any of the following apply:
  - (1) The development would require the demolition of the following types of housing:
    - (A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
    - (B) Housing that is subject to any form of rent or price control through a locality's valid exercise of its police power.
    - (C) Housing that has been occupied by tenants, as defined by Section 102(y), within the past ten years.
  - (2) The site was previously used for housing that was occupied by tenants that was demolished within ten years before the development proponent submits an application under the Streamlined Ministerial Approval Process.
    - (A) When property with a building that was demolished in the past ten years has been zoned for exclusively residential use, there is a presumption that it was occupied by tenants, unless the development proponent can provide verifiable documentary evidence from a government or independent third party source to rebut the presumption for each of the ten years prior to the application date.
    - (B) When property with a building that was demolished in the past ten years has been zoned to allow residential use in addition to other uses, the developer proponent shall include in its application a description of the previous use and verification it was not occupied by residential tenants.
  - (3) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.
  - (4) The property contains housing units that are occupied by tenants and the development would require a subdivision.
- (d) A development that involves a subdivision of a parcel that is, or, notwithstanding the Streamlined Ministerial Approval Process, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land is not eligible for the Streamlined Ministerial Approval Process.
  - (1) Subdivision (d) does not apply if the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:

- (A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to Section 403 of these Guidelines.
  - (B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used.
- (2) An application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) for a development that meets the provisions in (1) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). Such an application shall be subject to a ministerial process as part of the Streamlined Ministerial Approval Process.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a) and (c).

## **Section 402. Affordability Provisions**

- (a) A development shall be subject to a requirement mandating a minimum percentage of units be affordable to households making at or below 80 percent AMI, based on one of the following categories:
- (1) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (c), the development shall dedicate a minimum of 10 percent of the total number of units prior to calculating any density bonus to housing affordable to households making at or below 80 percent of the area median income.
    - (A) Developments of ten units or less are not subject to the 10 percent affordability provision.
    - (B) If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the AMI, that local affordable housing requirement applies.
  - (2) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (e), the development shall dedicate a minimum of 50 percent of the total number of units prior to calculating any density bonus to housing affordable to households making at or below 80 percent of the AMI.
    - (A) If the locality has adopted a local ordinance that requires greater than 50 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the AMI, that local affordable housing requirement applies.

- (3) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (d), the development shall dedicate a minimum of 10 percent of the total number of units to housing affordable to households making at or below 80 percent of the AMI.
  - (A) If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the AMI, that local affordable housing requirement applies.
- (b) A covenant or restriction shall be recorded against the development dedicating the minimum percentage of units to housing affordable to households making at or below 80 percent of the AMI pursuant to Section 402 (a)(1-3).
  - (1) The recorded covenant or restriction shall remain an encumbrance on the development for a minimum of either:
    - (A) 55 years for rental developments or
    - (B) 45 years for owner-occupied properties
  - (2) The development proponent shall commit to record a covenant or restriction dedicating the required minimum percentage of units to below market housing prior to the issuance of the first building permit.
- (c) The percentage of units affordable to households making at or below 80 percent of the area median income per this section is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus.
- (d) The percentage of units affordable to households making at or below 80 percent of the area median income per this section shall be built on-site as part of the development.
- (e) If the locality has adopted an inclusionary ordinance, the objective standards contained in that ordinance apply to the development under the Streamlined Ministerial Approval Process. For example, if the locality's adopted ordinance requires a certain percentage of the units in the development to be affordable to very low-income units, the development would need to provide that percentage of very low-income units to be eligible to use the Streamlined Ministerial Approval Process.
- (f) All affordability calculations resulting in fractional units shall be rounded up to the next whole number. Affordable units shall be distributed throughout the development and shall be of comparable size, both in terms of the square footage and the number of bedrooms, and quality to the market rate units with access to the same common areas and amenities.
- (g) Affordability of units to households at or below<sup>2</sup> 80 percent of the area median income per the section is calculated based on the following:

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<sup>2</sup> Amended 1/19/19 – Grammatical Correction

- 1) For owner-occupied units, affordable housing cost is calculated pursuant to Health and Safety Code Section 50052.5.
- 2) For rental units, affordable rent is calculated pursuant to Health and Safety Code Section 50053.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a).

### **Section 403. Labor Provisions**

The Labor Provisions in the Streamlined Ministerial Approval Process, located in paragraph (8) of subdivision (a) of Government Code section 65913.4, contain requirements regarding payment of prevailing wages and use of a skilled and trained workforce in the construction of the development.

The development proponent shall certify both of the following to the locality to which the development application is submitted:

- (a) The entirety of the development is a public work project, as defined in Section 102(s) above, or if the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.
  - (1) The Department of Industrial Relations posts on its website letters and decisions on administrative appeal issued by the Department in response to requests to determine whether a specific project or type of work is a “public work” covered under the state’s Prevailing Wage Laws. These coverage determinations, which are advisory only, are indexed by date and project and available at:  
<https://www.dir.ca.gov/OPRL/pwdecision.asp>
  - (2) The general prevailing rate is determined by the Department of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code. General prevailing wage rate determinations are posted on the Department of Industrial Relations’ website at:  
<https://www.dir.ca.gov/oprl/DPreWageDetermination.htm>.
  - (3) Apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. To find out if an apprentice is registered in an approved program, please consult the Division of Apprenticeship Standards’ “Apprenticeship Status and Safety Training Certification” database at  
<https://www.dir.ca.gov/das/appcertpw/appcertsearch.asp>.
  - (4) To find the apprentice prevailing wage rates, please visit the Department of Industrial Relations’ website at:  
<https://www.dir.ca.gov/OPRL/PWAppWage/PWAppWageStart.asp>. If you are interested in requesting an apprentice, a list of approved programs is available at:  
<https://www.dir.ca.gov/databases/das/aigstart.asp>. General information regarding the state’s Prevailing Wage Laws is available in the Department of Industrial Relations’ Public Works website (<https://www.dir.ca.gov/Public->

[Works/PublicWorks.html](#)) and the Division of Labor Standards Enforcement Public Works Manual (<https://www.dir.ca.gov/dlse/PWManualCombined.pdf>).

- (5) For those portions of the development that are not a public work, all of the following shall apply:
- (A) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
  - (B) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.
  - (C) All contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.
    - i. The obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
    - ii. The payroll record and Labor Commissioner enforcement provisions in (C) and (C)(i), above, shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement, as defined in Section 102(q) above, that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure.
  - (D) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Sections 511 or 514 of the Labor Code.



- (b) For developments for which any of the following conditions in the charts below apply, that a skilled and trained workforce, as defined in Section 102(w) above, shall be used to complete the development if the application is approved.

Developments Located in Coastal or Bay Counties

Date	Population of Locality to which Development Submitted pursuant to the last Centennial Census	Number of Housing Units in Development
January 1, 2018, until December 31, 2021	225,000 or more	75 or more
January 1, 2022, until December 31, 2025	225,000 or more	50 or more

Developments Located in Non-Coastal or Non-Bay Counties

Date	Population of Locality to which Development Submitted pursuant to the last Centennial Census	Number of Housing Units in Development
January 1, 2018, until December 31, 2019	Fewer than 550,000	75 or more
January 1, 2020, until December 31, 2021	Fewer than 550,000	More than 50
January 1, 2022, until December 31, 2025	Fewer than 550,000	More than 25

- (1) Coastal and Bay Counties include: Alameda, Contra Costa, Del Norte, Humboldt, Los Angeles, Marin, Mendocino, Monterey, Napa, Orange, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma and Ventura.
- (2) Non-Coastal and Non-Bay Counties include: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba.
- (3) The skilled and trained workforce requirement in this subparagraph is not applicable to developments with a residential component that is 100 percent subsidized affordable housing.
- (4) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

- (A) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
- (B) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
- (C) The applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
  - i. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided.
  - ii. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.
  - iii. The requirements in (C), (C)(i), and (C)(ii), above, do not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure.
- (c) Notwithstanding subsections (a) and (b) A development is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:
  - (1) The project includes ten or fewer housing units.
  - (2) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (d) Offsite fabrication is not subject to this Section if it takes place at a permanent, offsite manufacturing facility and the location and existence of that facility is determined wholly without regard to the particular development. However, offsite fabrication performed at a temporary facility that is dedicated to the development is subject to Section 403.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a), Subdivision (d) of Section 2601 of the Public Contract Code, *Sheet Metal Workers' International Association, Local 104, v. John C. Duncan* (2014) 229 Cal.App.4th 192 [176 Cal.Rptr.3d 634].

#### **Section 404. Additional Provisions**

- (a) A local government subject to the Streamlined Ministerial Approval Process shall allow for a development proponent's use of this process. However, the ability for a development proponent to apply for the Streamlined Ministerial Approval Process shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including, but not limited to, the use by right provisions of housing element law Government Code section 65583.2(i), local overlays, or ministerial provisions associated with specific housing types.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(g).

### **ARTICLE V. REPORTING**

#### **Section 500. Reporting Requirements**

As part of the APR due April 1 of each year, local governments shall include the following information. This information shall be reported on the forms provided by the Department. For forms and more specific information on how to report the following, please refer to the Department's Annual Progress Report Guidelines.

- (a) Number of applications submitted under the Streamlined Ministerial Approval Process.
- (b) Location and number of developments approved using the Streamlined Ministerial Approval Process.
- (c) Total number of building permits issued using the Streamlined Ministerial Approval Process.
- (d) Total number of units constructed using the Streamlined Ministerial Approval Process by tenure (renter and owner) and income category.

NOTE: Authority cited: Government Code section 65400(a)(2)(B). Reference cited: Government Code section 65400(a)(2)(E).



# CITY OF CUPERTINO

## Agenda Item

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**19-5165**

**Agenda Date: 8/6/2019**  
**Agenda #: 5.**

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Subject: Report on Committee assignments

Report on Committee assignments



# CITY OF CUPERTINO

## Agenda Item

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**19-5794**

**Agenda Date: 8/6/2019**  
**Agenda #: 6.**

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Subject: Approve the July 8 City Council minutes

Approve the July 8 City Council minutes



DRAFT MINUTES  
CUPERTINO CITY COUNCIL  
Monday, July 8, 2019

SPECIAL CITY COUNCIL MEETING

At 5:30 p.m. Mayor Steven Scharf called the Special City Council meeting to order in the City Hall Conference Room A, 10300 Torre Avenue.

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul, Rod Sinks, and Jon Robert Willey. Absent: None.

CLOSED SESSION

Council went into closed session and reconvened in open session at 6:45 p.m. in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue.

Before Council went into closed session, the following individual spoke:

Caryl Gorska (Cupertino resident), on behalf of Friends of Better Cupertino.

1. Subject: Conference with Legal Counsel pursuant to Government Code section 54956.9(d)(1); Re: Pending Litigation; Friends of Better Cupertino, et al. v. City of Cupertino; Santa Clara County Superior Court, Case No. 18CV330190 (SB 35 Vallco Project)

In open session Mayor Scharf reported that the Council discussed with legal counsel this pending litigation for which discussion in open session would prejudice the City in the litigation. No reportable action was taken.

Mayor Scharf also reported out for the June 21, 2019 Closed Session:

1. Subject: Conference with Labor Negotiator (Government Code Section 54957.6); City designated representatives: Director of Administrative Services Kristina Alfaro, City Manager Deborah Feng, and Richard Bolanos with Liebert Cassidy Whitmore; Employee organizations: Operating Engineers Local No. 3 Union; Cupertino Employees' Association; Unrepresented (Management and Confidential) Employees' Compensation Program.

Mayor Scharf reported that no reportable action was taken.

2. Subject: Conference with Real Property Negotiators pursuant to Government Code Section 54956.8. Properties: APN 375-21-001 & 375-22-001, Lawrence Expressway at Mitty Avenue. Agency Negotiators: Chad Mosley and Deborah Miller. Negotiating Parties: County Roads and Airports. Under Negotiation: Price and terms of payment.

Mayor Scharf reported that Council further considered a proposed purchase and sale agreement from the County for the County's sale of the Lawrence Mitty property to the City. Council provided direction to its negotiators regarding potential price and terms. No reportable action was taken.

3. Subject: Conference with Legal Counsel - Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1), conference with Legal Counsel regarding existing litigation: Huang Family v. City of Cupertino, Santa Clara County Superior Court Case No. 19CV347316.

Mayor Scharf reported that Council considered a lawsuit against the City filed by the "Huang Family" seeking to vacate code enforcement fines for the unpermitted construction of a two-story structure that violates the City's height and setback limits. Council authorized the City Attorney to defend the litigation by a unanimous vote of all councilmembers.

## OPEN SESSION

### PLEDGE OF ALLEGIANCE

At 6:49 p.m. Mayor Steven Scharf reconvened the Special City Council meeting to order in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue and led the Pledge of Allegiance.

### ROLL CALL

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul, Rod Sinks, and Jon Robert Willey. Absent: None.

POSTPONEMENTS - None

### ORAL COMMUNICATIONS

Lisa Warren talked about tree maintenance at the Vallco site and a financial spreadsheet related to the Vallco Specific Plan.

John Geis (Cupertino resident) talked about Planning Commission Chair R “Ray” Wang’s recent comments on social media.

Alejandro Marti presented a video on behalf of Richard Mehlinger regarding Planning Commission Chair Ray Wang’s comments on social media.

Charlene Lee (Cupertino resident) talked about her arrest at Monta Vista High School and the information contained in the police report.

## CONSENT CALENDAR

Item numbers 2 and 3 on the Consent Calendar were pulled for discussion.

2. Subject: Settlement Agreement between the City of Cupertino and its former City Attorney, Randolph Hom.  
Recommended Action: Approve and authorize the City Manager to execute a Settlement Agreement and Mutual General Release between the City of Cupertino and Randolph Hom.

Written communications for this item included emails to Council.

Finance Manager Zach Korach reviewed the staff report.

Mayor Scharf opened public comment and the following individuals spoke:

Jean Bedord (Cupertino resident)  
Lisa Warren

Mayor Scharf closed public comment.

Paul moved and Willey seconded to approve and authorize the City Manager to execute a Settlement Agreement and Mutual General Release between the City of Cupertino and Randolph Hom. The motion carried with Sinks voting no.

3. Subject: Community Hall license agreement with Santa Clara County Library District  
Recommended Action: Authorize the City Manager to execute a Temporary Use Agreement and License with Santa Clara County Library Joint Powers Authority for



library use of Cupertino Community Hall (10350 Torre Avenue)

City Engineer and Acting Assistant Director of Public Works Chad Mosely reviewed the staff report.

Mayor Scharf opened public comment and the following individuals spoke:

Robert McKibbin, Friends of the Cupertino Library President

Kathy Stakey (Cupertino resident), on behalf of Friends of the Cupertino Library

Mayor Scharf closed public comment.

Cupertino Librarian Clare Varesio answered questions from Council.

Paul moved and Willey seconded to authorize the City Manager to execute a Temporary Use Agreement and License with Santa Clara County Library Joint Powers Authority for library use of Cupertino Community Hall (10350 Torre Avenue) and that Council authorize a permanent ongoing fee waiver for the Friends of the Cupertino Library (the "Friends") for the use of Community Hall for the Friends' three weekend book sales per year. The motion carried unanimously.

## ADJOURNMENT

At 8:08 p.m. Mayor Scharf adjourned the meeting.

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Kirsten Squarcia, Deputy City Clerk



# CITY OF CUPERTINO

## Agenda Item

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**19-5177**

**Agenda Date: 8/6/2019**  
**Agenda #: 7.**

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Subject: Approve the July 16 City Council minutes

Approve the July 16 City Council minutes



DRAFT MINUTES  
CUPERTINO CITY COUNCIL  
Tuesday, July 16, 2019

SPECIAL CITY COUNCIL MEETING

At 5:35 p.m. Mayor Steven Scharf called the Special City Council meeting to order in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue.

ROLL CALL

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul (5:40), Rod Sinks, and Jon Robert Willey. Absent: None.

STUDY SESSION

1. Subject: Study session and demonstration regarding options for unofficial transcription of City Council and commission/committee minutes  
Recommended Action: Conduct study session and demonstration regarding options for unofficial transcription of City Council and commission/committee minutes and provide any direction to staff

City Clerk Grace Schmidt and Chief Technology Officer Bill Mitchell showed a demonstration of the free YouTube transcription service.

Staff answered questions from Council.

Council comments included: Comments by members of the public were available in City Council minutes until 2015.

Council viewed the demonstration of the free YouTube transcription service.

2. Subject: Study session regarding improving communications with and effectiveness of advisory commissions and committees  
Recommended Action: Conduct study session regarding improving communication with and effectiveness of advisory commissions and committees, receive public input on subcommittee recommendations, and provide direction to staff

Written communications for this item included an amended subcommittee report and emails to Council.

Councilmember Paul and Vice Mayor Chao reviewed the subcommittee report.

Mayor Scharf opened public comment and the following individuals spoke:

David Fung (Cupertino resident)

Jean Bedord (Cupertino resident)

Kitty Moore (Cupertino resident) - distributed written comments

Jennifer Griffin

Connie Cunningham (Cupertino resident)

Rob McCoy (Cupertino resident) on behalf of the Cupertino Public Safety Commission

Mayor Scharf closed public comment.

Council comments included: Need to have a mutual understanding of what commissioners can expect from staff and vice versa; need to further clarify staff liaison role; time for input is when work is being done and since work has already been done, the public cannot participate in the process; need to solicit input all along the process; list all concerns of the public and respond as part of the process; resident input important; thanks to the subcommittee and all comments from the public will be taken to heart; like the subcommittee format; appreciate written feedback and need to address all feedback.

Subcommittee comments and next steps: When publish materials after the meeting, note the subcommittee membership and authors of the subcommittee report including that it was reviewed by the City Manager and City Attorney; have the City Attorney look into how to change the scope of a commission or committee; post the commission feedback report (removing names) in the materials after the meeting and in the agenda materials for the next time comes back to Council; consolidate suggestions from this study session and come back to Council at a future date along with a recommended Code of Ethics from the City Manager and City Attorney.

## ADJOURNMENT

### REGULAR CITY COUNCIL MEETING

## PLEDGE OF ALLEGIANCE

At 6:50 p.m. Mayor Steven Scharf called the Regular City Council meeting to order in the

Cupertino Community Hall Council Chambers, 10350 Torre Avenue and led the Pledge of Allegiance.

## ROLL CALL

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul, Rod Sinks (6:52), and Jon Robert Willey. Absent: None.

## CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Presentation on Green Stormwater Infrastructure (GSI) and the City's Municipal Regional Permit (MRP) requirement to consider future adoption of a long-term GSI Plan.  
Recommended Action: Receive presentation and provide any input.

Written communications for this item included a presentation.

Director of Public Works Roger Lee introduced Jill Bicknell from EOA who reviewed the presentation.

Mayor Scharf opened public comment and the following individual spoke:

Rhoda Fry

Mayor Scharf closed public comment.

Staff answered questions from Council.

Council comments included: Bring the GSI to the Planning and Sustainability Commissions to consider; look at what kind of vegetation to put in medians and at City facilities in the future.

Council received the presentation.

2. Subject: Study Session on Small Cell Facilities within the Public Right of Way  
Recommended Action: For the City Council to conduct a study session on legal requirements related to installation of small cellular facilities on City street light poles in the public right of way, and related City of Cupertino guidelines and procedures, and provide any input

Written communication for this item included a presentation, an amended staff report, and attachment C (“Guidelines for Encroachment Permit Submittals for Wireless Communications Facilities on City Owned Poles”).

Director of Public Works Roger Lee introduced the item.

City Engineer Chad Mosely reviewed the presentation.

Mayor Scharf opened public comment and the following individuals spoke:

Karen and Henry Chang (Cupertino residents) – distributed written comments

Nori

Radha Sharma

Eric Swanson (Pittsburgh resident) on behalf of CTIA

Fariba (Cupertino resident)

Lisa Warren

Paul Albritton

Mayor Scharf closed public comment.

Staff and Verizon representatives answered questions from Council.

Council comments included: Be mindful moving forward; what’s the best we can do for our residents; listen to our residents; aesthetics important; obligation to notify residents as much as we can; increase radius notice to further than 300 feet; do more outreach to wider community; notify residents of all small cell sites; list all small cell site applications on City’s website; send e-notification to residents who have signed up when new small cell applications come in; streamline facilities on light poles for better aesthetics.

Direction to staff included:

- Look for aesthetic designs that may be used to remove or reduce the size of base enclosure designs
- Look into increasing the radius of notification to something greater than 300 feet
- List or show all small cell site applications on City’s website
- Create an e-notification sign up in order to notify interested citizens of new small cell applications

POSTPONEMENTS - None

## ORAL COMMUNICATIONS

AJ on behalf of the Cupertino Climate Action Team talked about fossil fuel divestment for Cupertino.

Jennifer Griffin talked about future planning for housing.

Jean Bedord (Cupertino resident) talked about the upcoming draft agenda items.

Rhoda Fry talked about Lehigh Cement.

Charlene Lee (Cupertino resident) talked about talked about her arrest at Monta Vista High School and the information contained in the police report.

Lisa Warren talked about various topics: written communications columns on the agenda webpage; need for more comprehensive minutes; concern about trees planted in the City; types of trees on the list especially in R1 areas; planning ahead on housing; and Accessory Dwelling Units (ADU's).

Connie Cunningham talked about Regnart Creek and bicycle and pedestrian safety.

Anjali Kausar on behalf of the Cupertino Chamber of Commerce talked about an upcoming Cupertino Night Market event at Memorial Park.

Scott Fitinghoff (Cupertino resident) talked about Regnart Creek Trail.

Ashok Natesan (Cupertino resident) talked about Regnart Creek Trail (distributed written comments).

Wil Fluewelling (Cupertino resident) talked about multi-use trails in Cupertino.

Ilango Ganga (Cupertino resident) talked about Regnart Creek Trail.

Genevieve Kolar talked about a Youth Climate Summit hosted at De Anza College and divesting from fossil fuels in Cupertino.

Rahul Vasanth talked about Regnart Creek Trail and accessibility.

REPORTS BY COUNCIL AND STAFF (10 minutes)

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

Councilmembers highlighted the activities of their committees and various community events.

## CONSENT CALENDAR

Sinks moved and Scharf seconded to approve the items on the Consent Calendar as presented with the exception of item numbers 16 and 20 which were pulled for discussion. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

4. Subject: Approve the June 18 City Council minutes  
Recommended Action: Approve the June 18 City Council minutes
5. Subject: Accept Accounts Payable for the period ending March 15, 2019  
Recommended Action: Adopt Resolution No. 19-077 accepting Accounts Payable for the period ending March 15, 2019
6. Subject: Accept Accounts Payable for the period ending March 22, 2019  
Recommended Action: Adopt Resolution No. 19-078 accepting Accounts Payable for the period ending March 22, 2019
7. Subject: Accept Accounts Payable for the period ending March 29, 2019  
Recommended Action: Adopt Resolution No. 19-079 accepting Accounts Payable for the period ending March 29, 2019
8. Subject: Accept Accounts Payable for the period ending April 5, 2019  
Recommended Action: Adopt Resolution No. 19-080 accepting Accounts Payable for the period ending April 5, 2019
9. Subject: Accept Accounts Payable for the period ending April 12, 2019  
Recommended Action: Adopt Resolution No. 19-081 accepting Accounts Payable for the period ending April 12, 2019
10. Subject: Accept Accounts Payable for the period ending April 19, 2019  
Recommended Action: Adopt Resolution No. 19-082 accepting Accounts Payable for the period ending April 19, 2019
11. Subject: Accept Accounts Payable for the period ending April 26, 2019



Recommended Action: Adopt Resolution No. 19-083 accepting Accounts Payable for the period ending April 26, 2019

12. Subject: Approve the July 1, 2019 through June 30, 2022 terms and conditions of employment for the Cupertino City Employees' Association (CEA)  
Recommended Action: 1) Adopt Resolution No. 19-084 amending the Memorandum of Understanding (MOU) for the Cupertino City Employees' Association (CEA) based on the attached tentative agreements; and 2) Authorize staff to make the necessary budget adjustments to ensure that there are sufficient budget appropriations to cover the costs associated with the negotiated contract.
13. Subject: Approve the July 1, 2019 through June 30, 2022 terms and conditions of employment for the Operating Engineers Local Union No. 3, AFL-CIO (OE3).  
Recommended Action: 1) Adopt Resolution No. 19-085 amending the Memorandum of Understanding for Operating Engineers Local Union No. 3, AFL-CIO (OE3) based on the attached tentative agreements; and 2) Authorize staff to make the necessary budget adjustments to ensure that there are sufficient budget appropriations to cover the costs associated with the negotiated contract.
14. Subject: Terms and conditions of employment for the Unrepresented (Management and Confidential) Employees, Appointed Employees, and Elected Officials.  
Recommended Action: 1) Adopt Resolution No. 19-086 amending the Compensation Program for the Unrepresented (Management and Confidential) Employees; and 2) Adopt Resolution No. 19-087 amending the Compensation Program for the Appointed Employees; and 3) Adopt Resolution No. 19-088 amending the Compensation Program for the Elected Officials; and 4) Authorize staff to make the necessary budget adjustments to ensure that there are sufficient budget appropriations to cover the costs related to changes to the compensation programs.

Written communications for this item included an amended Compensation Program for Resolution No. 19-086.

15. Subject: Teen Commission Fiscal Year (FY) 2019-20 Work Program  
Recommended Action: Approve the Teen Commission FY 2019-20 Work Program.
16. Subject: Parks and Recreation Commission Fiscal Year (FY) 2019-20 Work Program  
Recommended Action: Approve the Parks and Recreation Commission FY 2019-20 Work Program

Director of Parks and Recreation Jeff Milkes reviewed the staff report.

Mayor Scharf opened public comment and the following individuals spoke:

Jennifer Griffin  
Rahul Vajank

Mayor Scharf closed public comment.

Sinks moved and Scharf seconded to approve the Parks and Recreation Commission FY 2019-20 Work Program with amendments to include looking at extending the community gardens in other parks across the City and with input from Planning staff using current data to look at options for Blackberry Farm Golf Course. The motion carried unanimously.

17. Subject: Facility fee waiver request from the Cupertino Senior Coordinating Council  
Recommended Action: Approve fee waiver request for approximately \$17,750 in facility use fees, for the use of the Senior Center Reception Hall on selected Fridays, for a period of five years, with a retroactive start date of July 5, 2019 and ending June 28, 2024 for Bingo.
18. Subject: Execute a contract with Dan Gertmenian for the Math Olympiad education program for the period of August 1, 2019 - July 31, 2021.  
Recommended Action: Authorize the City Manager to execute a contract with Dan Gertmenian for the Math Olympiad youth education program for the two-year period of August 1, 2019 - July 31, 2021.
19. Subject: FY 2019-22 Below Market Rate Program Administration Contract  
Recommended Action: 1. Authorize the City Manager to award a contract to Hello Housing, in the amount of \$235,000 for Below Market Rate Program Administration. 2. Approve the additional Housing Development Special Revenue Fund appropriations of \$60,000 in FY 2019-20.

Written communications for this item included an amended contract.

20. Subject: Support of the development of a complete streets and transit efficiency study for the Stevens Creek Boulevard corridor. Support of ongoing discussions regarding a high-capacity transit service in the Stevens Creek Boulevard/I-280 Corridor in collaboration with the Santa Clara Valley Transportation Authority (VTA) and the Cities of Santa Clara and San Jose  
Recommended Action: Adopt Resolution No. 19-089 to: (1) Support the development of a complete streets and transit efficiency study for the Stevens Creek Boulevard corridor; and (2) Support ongoing discussions regarding a high-capacity transit service in the Stevens Creek Boulevard/I-280 Corridor in collaboration with the Santa Clara Valley

Transportation Authority (VTA) and the Cities of Santa Clara and San Jose; and (3) Authorize the City Manager or designee to assess resources needed to develop these projects and report findings to the City Council

Mayor Scharf opened public comment and Jennifer Griffin spoke.

Mayor Scharf closed public comment.

Staff answered questions from Council.

Paul moved and Sinks seconded to adopt Resolution No. 19-089 to: (1) Support the development of a complete streets and transit efficiency study for the Stevens Creek Boulevard corridor; and (2) Support ongoing discussions regarding a high-capacity transit service in the Stevens Creek Boulevard/I-280 Corridor in collaboration with the Santa Clara Valley Transportation Authority (VTA) and the Cities of Santa Clara and San Jose; and (3) Authorize the City Manager or designee to assess resources needed to develop these projects and report findings to the City Council. The motion carried unanimously.

## SECOND READING OF ORDINANCES

21. Subject: Second reading of Municipal Code Amendment to consider changing the composition of the Housing Commission to eliminate the requirement that one member be a representative from a Cupertino financial institution; (Application No.: MCA-2019-01; Applicant: City of Cupertino; Location: Citywide).  
Recommended Action: Conduct the second reading and enactment of Ordinance 19-2185 "An Ordinance of the City Council of the City of Cupertino amending Title 2, Administration and Personnel, of the Cupertino Municipal Code Chapter 2.86 (Housing Commission), to eliminate the requirement that one member be a representative from a Cupertino financial institution." Note: The first reading was conducted on June 18 and there were no changes to the ordinance.

City Clerk Grace Schmidt read the title of the ordinance.

Paul moved and Sinks seconded to read Ordinance No. 19-2185 by title only and that the City Clerk's reading would constitute the second reading thereof. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

Paul moved and Sinks seconded to enact Ordinance No. 19-2185. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

## PUBLIC HEARINGS

22. Subject: Consider approving a new 185 room 5-story hotel (24-hour operations) with underground parking, event meeting rooms, a restaurant with a separate bar and rooftop lounge with a separate bar at the Cupertino Village Shopping Center by demolishing two commercial buildings with an area of 13,429 sq. ft. and the removal of 41 trees. City Actions would include a General Plan Amendment to consider increasing the development allocation of hotel rooms to 185 hotel rooms in the North Vallco Special Area; Other permits include: Development, Architectural and Site Approval, Tree Removal, and Use Permits. A Development Agreement is also proposed; (Application No(s): GPA-2017-05, DP-2018-04, ASA-2017-09, DA-2017-01, TR-2017-46, U-2018-03, EA-2017-06; Applicant(s): Kimco Realty (Michael Strahs); Location: 10801 and 10805 North Wolfe Road; APN #316-45-017, 316-05-056

Recommended Action: The Planning Commission recommends that the City Council conduct the Public Hearing, and; 1) Adopt Resolution No. 19-090 approving the Mitigated Negative Declaration; and 2) Adopt Resolution No. 19-091 approving the General Plan Amendment; and 3) Adopt Resolution No. 19-092 approving the Development Permit; and 4) Adopt Resolution No. 19-093 approving the Architectural and Site application; and 5) Adopt Resolution No. 19-094 approving the Tree Removal Permit; and 6) Adopt Resolution No. 19-095 approving the Use Permit; and 7) Conduct the first reading of Ordinance No.19-2186: "An Ordinance of the City Council of the City of Cupertino approving a Development Agreement for the development of a new 5-story, 185 room hotel with associated site and landscaping improvements located at 10801 and 10805 North Wolfe Road (APN: 316-45-017 and 316-05-56)

Written communications for this item included a presentation, amended resolutions 19-092 (DP-2018-04), 19-093 (ASA-2017-09), 19-094 (TR-2017-46), 19-095 (U-2018-03), and an email to Council.

Associate Planner Erick Serrano reviewed the presentation.

City Attorney Heather Minner noted the amendments to four resolutions as per the desk items and also noted the need to delete reference to an Exception Permit in the recitals of Sections F and G in the Development Agreement.

Applicant Michael Strauss from Kimco Realty gave a presentation about the project.

Mayor Scharf opened the public hearing and the following individuals spoke:

Jennifer Griffin

Rhoda Fry (distributed written comments)  
Barry Chang (Cupertino resident)  
Anjali Kausar on behalf of the Cupertino Chamber of Commerce  
Eric Brewer (Saratoga resident)  
Peggy Griffin (Cupertino resident)  
Hung Wei (Cupertino resident)

Mayor Scharf closed the public hearing.

Staff and the applicant answered questions from Council.

Sinks moved and Scharf seconded to adopt Resolution No. 19-090 approving the Mitigated Negative Declaration (Application No. EA-2017-06). The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-091 approving the General Plan Amendment (Application No. GPA-2017-05). The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-092 approving the Development Permit (Application No. DP-2018-04) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-093 approving the Architectural and Site application (Application No. ASA-2017-09) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-094 approving the Tree Removal Permit (Application No. TR-2017-46) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-095 approving the Use Permit (Application No. U-2018-03) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

City Clerk Grace Schmidt read the title of the ordinance.

Sinks moved and Scharf seconded to read Ordinance No. 19-2186 by title only and that the City Clerk's reading would constitute the first reading thereof as amended to delete reference to an Exception Permit in the recitals of Sections F and G in the Development Agreement. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

## ORDINANCES AND ACTION ITEMS

23. Subject: Announce the results of the tabulation of ballots submitted for the proposed 2019 Clean Water and Storm Protection Fee; and: 1) Consider a resolution accepting the tabulation results for the proposed 2019 Clean Water and Storm Protection Fee, a property-related fee conforming to Article XIII D, Section 6 of the California Constitution, and ordering the levy of the fee for fiscal year 2019-20; and 2) Conduct the second reading of Ordinance No. 19-2183 adding Chapter 3.38 of the Municipal Code to Establish the Clean Water and Storm Protection Fee and enact the Ordinance 3) Consider a resolution amending the FY19-20 Annual Operating Budget to convert one part-time Maintenance Worker I level position to a full-time position

Recommended Action: 1) Receive the City Clerk's announcement of the tabulation results; and 2) Adopt Resolution No. 19-096 accepting the tabulation results for the proposed 2019 Clean Water and Storm Protection Fee, a property-related fee conforming to Article XIII D, Section 6 of the California Constitution and ordering the levy of the fee for fiscal year 2019-20; and 3) Conduct the second reading and enact Ordinance No. 19-2183: "An Ordinance of the City Council of the City of Cupertino Adding Chapter 3.38 of the Municipal Code to Establish the Clean Water and Storm Protection Fee"; and 4) Adopt Resolution No. 19-097 amending the FY 19-20 Annual Operating Budget to convert one part-time Maintenance Worker I level position at a current cost of \$29,830 per year to one full-time Maintenance Worker I level position at a starting cost of \$99,840 per year

Written communications for this item included a staff presentation and amended resolution 19-096.

Director of Public Works Roger Lee reviewed the presentation.

Mayor Scharf opened public comment and Peggy Griffin spoke.

Mayor Scharf closed public comment.

City Clerk Grace Schmidt announced the tabulation of results as follows: 51.15% of YES votes and 48.85% of NO votes which is enough votes to pass the fee.

Sinks moved and Scharf seconded to adopt Resolution No. 19-096 accepting the tabulation results for the proposed 2019 Clean Water and Storm Protection Fee, a property-related fee conforming to Article XIII D, Section 6 of the California Constitution and ordering the levy of the fee for fiscal year 2019-20 as amended with text revisions as provided in dais materials to be made available on the City's website as written communications from staff. The motion carried unanimously.

City Clerk Grace Schmidt read the title of the ordinance.

Sinks moved and Scharf seconded to read Ordinance No. 19-2183 by title only and that the City Clerk's reading would constitute the second reading thereof. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

Sinks moved and Scharf seconded to enact Ordinance No. 19-2183. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

Sinks moved and Scharf seconded to adopt Resolution No. 19-097 amending the FY 19-20 Annual Operating Budget to convert one part-time Maintenance Worker I level position at a current cost of \$29,830 per year to one full-time Maintenance Worker I level position at a starting cost of \$99,840 per year. The motion carried unanimously.

24. Subject: Updates to the Policies and Guidelines on Sister Cities, Friendship Cities, and International Delegations.

Recommended Action: Approve updates to the City of Cupertino's Policies and Guidelines on Sister Cities, Friendship Cities, and International Delegations, which includes proposed changes to the Sister City travel expenses language and a cap on total Friendship City relationships.

Written communications for this item included a presentation.

Public Information Officer Brian Babcock reviewed the presentation.

Council comments included: Determine number of Friendship Cities by country and not by total number; put staff time into the current four Sister Cities and have local committees work with the Friendship Cities; keep everything the same as it is already budgeted; suggestion to increase cap on Friendship Cities by five with seven to come from one jurisdiction; allocate dollars in Sister City travel policy to each Councilmember equally rather than put into Mayor's fund directly; Ten Friendship Cities is plenty; suggestion to fund trips at 100% and limit number of trips to two per year for Councilmembers; leave

policy as is and bring requests to Council on an individual basis; table item for now and bring it back to Council separating out Friendship City cap and policy.

Council took no action on this item.

25. Subject: Renewal and Establishment of Friendship City Relationships

Recommended Action: Approve renewal of two Friendship City relationships, including Jilin, China, and Tongxiang, China; and establishment of a new relationship with Xianning, China.

Mayor Scharf opened public comment and the following individuals spoke:

Barry Chang (Cupertino resident) also spoke on behalf of Min Song and Susan Giu (Cupertino resident) representing the three Friendship Cities.

Scharf moved and Chao seconded to approve renewal of two Friendship City relationships, including Jilin, China, and Tongxiang, China; and establishment of a new relationship with Xianning, China. The motion carried unanimously.

Sinks moved and Willey seconded to continue item numbers 27 and 28 to a future meeting. The motion carried unanimously.

26. Subject: Presentation of FY 2019/20 Bicycle and Pedestrian Capital Improvement Program Projects (NOT INCLUDING REGNART CREEK TRAIL) and amendment of FY 2019/20 Capital Improvement Program budget

Recommended Action: 1) Receive presentation and update on prioritized project lists of the adopted 2016 Bicycle Transportation Plan and adopted 2018 Pedestrian Transportation Plans; and 2) Adopt Resolution 19-098 amending the FY 2019/20 Capital Improvement Program budget to include additional funding for bicycle and pedestrian projects as follows: a. Approve an additional \$1,275,438 for the Orange & Byrne Ave Sidewalk project; b. Approve an additional \$242,941 for the McClellan Road Bike Corridor: Byrne to Torre; c. Approve an additional \$65,000 for the Bicycle Wayfinding Project; d. Approve a new amount of \$595,500 for the Linda Vista Trail project

Written communications for this item included a presentation, an amended staff report, and an amended attachment D.

Director of Public Works Roger Lee and Transportation Manager David Stillman reviewed the presentation.



Staff answered questions from Council.

Mayor Scharf opened public comment and the following individuals spoke:

Subra Kumarswamy (Cupertino resident) – support trail

Andrea Stawitkce (Sunnyvale resident) - support trail and distributed written comments

Larry Dean (Cupertino resident) - support trail

Tim Oey (Sunnyvale resident) on behalf of Friends of Stevens Creek Trail - support trail

Samuel Feldman (Cupertino resident) - support trail

Luis Buhler (Cupertino resident) - support trail and distributed signed petition

Hung Wei (Cupertino resident) - support trail

Anne Ng (Cupertino resident) - support trail

Steve Garrity (Sunnyvale resident) - support trail

Jennifer Fan (Cupertino resident) - support trail

Council comments included: Generally supportive of Linda Vista Trail allocation; supportive of future improvement as needed; concern that Cupertino invested dollars in McClellan Ranch area and not in funding for bike boulevard projects for school routes; support bike and pedestrian trails in general; need to prioritize intersection of Stevens Creek and Stelling and De Anza and Stevens Creek; need Council discussion of how projects are prioritized; support extending Stevens Creek Trail (Linda Vista Trail); take current crosswalk and move to align with new trail segment into parking lot rather than adding new crosswalk and support extra allocation of \$20,000.

Chao moved to add additional funding of \$300,000 for bike boulevard project estimates for Phases 1 and 2 and have community help with fundraising. Councilmember Paul suggested adding an item to a future agenda to discuss a proposal and also examine priority of all bike projects. Vice Mayor Chao agreed and withdrew her motion.

Sinks moved and Paul seconded to 1) Receive presentation and update on prioritized project lists of the adopted 2016 Bicycle Transportation Plan and adopted 2018 Pedestrian Transportation Plans; and 2) adopt Resolution 19-098 amending the FY 2019/20 Capital Improvement Program budget to include additional funding for bicycle and pedestrian projects as follows: a. Approve an additional \$1,275,438 for the Orange & Byrne Ave Sidewalk project; b. Approve an additional \$242,941 for the McClellan Road Bike Corridor: Byrne to Torre; c. Approve an additional \$65,000 for the Bicycle Wayfinding Project; d. Approve a new amount of \$595,500 for the Linda Vista Trail project plus an additional \$20,000 for a total of \$615,500 subject to engineering staff review to improve the McClellan Road crossing for the Linda Vista Trail project. The motion carried unanimously.

27. Subject: Discuss options for unofficial transcription of City Council minutes  
Recommended Action: Discuss options for unofficial transcription of City Council minutes and provide direction to staff to: a. Provide an unofficial transcript of City Council minutes using the free YouTube Live auto-captioning feature; and b. Continue the policy of providing action minutes as the official record of the legislative actions of the City Council along with the webcast video for City Council meetings

This item was continued to a future meeting.

28. Subject: Discuss timeline for early posting of staff reports and/or background materials for certain City Council agenda items.  
Recommended Action: Discuss current timeline for posting of staff reports and background materials for City Council agenda items and provide direction to staff to: a. Post staff reports or materials of higher interest earlier than the current timeline; or b. Keep status quo of posting City Council agenda packets 6 days before a regular meeting

Written communications for this item included an email to Council.

This item was continued to a future meeting.

#### ORAL COMMUNICATIONS - CONTINUED (As necessary)

#### COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS

Add to future agenda a study session on the timeline and budget/funding for the three phases of the bike boulevard project; and study session on how 2016 Bicycle Plan and/or 2018 Pedestrian Plan projects have been brought to Council for consideration in the past. This includes explanation of why some 2016 Bicycle Plan and/or 2018 Pedestrian Plan projects have been acted upon differently than prioritized in the 2016 Bicycle Plan and/or 2018 Pedestrian Plan. Recommendation of procedural processes for staff to follow when projects recommended for action are prioritized differently than listed in the 2016 Bicycle plan and/or 2018 Pedestrian Plan (Chao/Paul).

Add to future agenda a study session on adding a new City Work Program item to amend the Cupertino Municipal Code to increase the radius for noticing development applications and to increase the time period for noticing public hearings (Chao/Willy).

Add to future agenda a presentation on the process to review development applications and determine consistency with the General Plan policies and Zoning Code regulations; discussion of potential voluntary community benefits that would advance General Plan policies (Chao/Paul).

When item number 28 comes back to Council add consideration of including presentations in City Council agenda packets (Scharf/Paul).

## ADJOURNMENT

29. Subject: Adjourn in memory of former Cupertino City Manager Dave Knapp (years of service 2000-2012)

Recommended Action: Adjourn in memory of former Cupertino City Manager Dave Knapp

At 2:40 a.m. on Wednesday, July 17, 2019, Mayor Scharf adjourned the meeting in memory of former Cupertino City Manager Dave Knapp.

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Grace Schmidt, City Clerk



# CITY OF CUPERTINO

## Agenda Item

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**19-5844**

**Agenda Date: 8/6/2019**  
**Agenda #: 8.**

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Subject: Accept Accounts Payable for the period ending May 3, 2019

Adopt Resolution No. 19-099 accepting Accounts Payable for the period ending May 3, 2019

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CUPERTINO ALLOWING CERTAIN CLAIMS AND DEMANDS PAYABLE IN  
THE AMOUNTS AND FROM THE FUNDS AS HEREINAFTER DESCRIBED  
FOR GENERAL AND MISCELLANEOUS EXPENDITURES FOR THE PERIOD  
ENDING

May 3, 2019

WHEREAS, the Director of Administrative Services or her designated representative has certified to accuracy of the following claims and demands and to the availability of funds for payment hereof; and

WHEREAS, the said claims and demands have been audited as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby allows the following claims and demands in the amounts and from the funds as hereinafter set forth in the attached Payment Register.

CERTIFIED:   
Zach Korach, Finance Manager

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6<sup>th</sup> day of August, 2019, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
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AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. \_\_\_\_\_

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<b>SIGNED:</b> _____ Steven Scharf, Mayor City of Cupertino	_____ Date
<b>ATTEST:</b> _____ Grace Schmidt, City Clerk	_____ Date

# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Main Account - Main Checking Account									
<u>Check</u>									
720331	05/03/2019	Open			Accounts Payable	3M	\$3,479.61		
	Invoice		Date	Description		Amount			
	9404042228		04/12/2019	Streets: Street Sign Markers		\$2,188.61			
	9404136073		04/23/2019	Streets: Sign markings		\$1,291.00			
720332	05/03/2019	Open			Accounts Payable	ABOLI JAYDEEP RANADE	\$175.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$175.00			
720333	05/03/2019	Open			Accounts Payable	ADAMO & ASSOCIATES INC	\$420.00		
	Invoice		Date	Description		Amount			
	14694		04/25/2019	Project 19011 21750 Rainbow Dr Plan Review		\$420.00			
720334	05/03/2019	Open			Accounts Payable	ADVANCED CHEMICAL TRANSPORT, INC.	\$1,954.40		
	Invoice		Date	Description		Amount			
	220761		01/31/2019	Streets: Non Haz Materials		\$1,954.40			
720335	05/03/2019	Open			Accounts Payable	ADVANTAGE GRAFIX	\$321.55		
	Invoice		Date	Description		Amount			
	43389		04/19/2019	Walk & Roll to School post cards - 1,000		\$321.55			
720336	05/03/2019	Open			Accounts Payable	ALAMO WORLD TRAVEL AND TOURS	\$2,295.00		
	Invoice		Date	Description		Amount			
	ACPM2019 Johnsen		04/16/2019	Deposit and Insurance Johnson Laguna Arts Festival		\$675.00			
	ACFF2019 Weisler		04/25/2019	Deposit, Insurance, and Air Weisler Classic Fall Foliage		\$1,620.00			
720337	05/03/2019	Open			Accounts Payable	ANDY BADAL	\$55.00		
	Invoice		Date	Description		Amount			
	AndyB05012019		05/01/2019	Cell Phone Reimbursement April 2019		\$55.00			
720338	05/03/2019	Open			Accounts Payable	AT&T	\$455.58		
	Invoice		Date	Description		Amount			
	8001-032519		03/25/2019	911 Emergency Phone Lines		\$41.42			
	1001-032119		03/21/2019	911 Emergency Phone Lines		\$41.38			
	7001-032119		03/21/2019	911 Emergency Phone Lines		\$41.42			
	6001-032119		03/21/2019	911 Emergency Phone Lines		\$41.42			
	9001-032119		03/21/2019	911 Emergency Phone Lines		\$41.42			
	8001-032119		03/21/2019	911 Emergency Phone Lines		\$41.42			
	5001-031819		03/18/2019	911 Emergency Phone Lines		\$41.42			
	1001-031819		03/18/2019	911 Emergency Phone Lines		\$41.42			
	6001-031819		03/18/2019	911 Emergency Phone Lines		\$41.42			
	7001-031819		03/18/2019	911 Emergency Phone Lines		\$41.42			
	0001-032119		03/21/2019	911 Emergency Phone Lines		\$41.42			
720339	05/03/2019	Open			Accounts Payable	B&H PHOTO VIDEO	\$1,973.05		
	Invoice		Date	Description		Amount			
	156767040		04/10/2019	QCC Main Lobby Monitor Replacement		\$1,973.05			

# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720340	05/03/2019	Open			Accounts Payable	BAY AREA AIR QUALITY MGMT DIST	\$1,200.00		
	Invoice		Date	Description		Amount			
	4FJ07		03/26/2019	Facilities Annual Permit Renewal Chipper		\$1,200.00			
720341	05/03/2019	Open			Accounts Payable	BRIGHTVIEW TREE COMPANY	\$801.15		
	Invoice		Date	Description		Amount			
	6277218		04/19/2019	Trees & ROW: Street Trees		\$801.15			
720342	05/03/2019	Open			Accounts Payable	BUSINESS FURNITURE SOLUTION, INC.	\$10,672.89		
	Invoice		Date	Description		Amount			
	99162		01/29/2019	Plan Checker and Permit Tech workstation remodel		\$10,672.89			
720343	05/03/2019	Open			Accounts Payable	BUSINESS ORIENTED SOFTWARE SOLUTIONS, INC	\$10,008.00		
	Invoice		Date	Description		Amount			
	BDKSUB19043246		04/23/2019	Service Desk and Asset Management software		\$10,008.00			
720344	05/03/2019	Open			Accounts Payable	CALIFORNIA WATER SERVICE	\$4,503.54		
	Invoice		Date	Description		Amount			
	3333-041819		04/18/2019	5926633333 03/20-4/17/19		\$4,503.54			
720345	05/03/2019	Open			Accounts Payable	CATHOLIC CHARITIES OF S C COUNTY	\$3,148.15		
	Invoice		Date	Description		Amount			
	CCLTCOPQ3FY1819		04/10/2019	GF HSG LTCOP Q3 FY 18-19		\$3,148.15			
720346	05/03/2019	Open			Accounts Payable	CDW-G	\$547.20		
	Invoice		Date	Description		Amount			
	RVQ8197		04/11/2019	Apple 10.5-inch iPad Air Wi-Fi		\$547.20			
720347	05/03/2019	Open			Accounts Payable	CHEMSEARCHFE	\$253.09		
	Invoice		Date	Description		Amount			
	3513300		04/17/2019	Streets: Bug Repellent		\$253.09			
720348	05/03/2019	Open			Accounts Payable	CINTAS CORPORATION	\$573.04		
	Invoice		Date	Description		Amount			
	630643000		04/30/2019	Uniforms/Safety Apparel		\$573.04			
720349	05/03/2019	Open			Accounts Payable	Colonial Life & Accident Insurance	\$76.47		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	Colonial Products pp 4/13/19-4/26/19		\$76.47			
720350	05/03/2019	Open			Accounts Payable	Community Health Charities of California	\$267.50		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	Community Health Charities pp 4/13/19-4/26/19		\$267.50			
720351	05/03/2019	Open			Accounts Payable	COMPUTER SOFTWARE INC	\$2,600.00		
	Invoice		Date	Description		Amount			
	57718		09/14/2018	Data Extraction from Magnet to Avocette		\$2,600.00			
720352	05/03/2019	Open			Accounts Payable	CSI SOFTWARE INC	\$1,240.47		
	Invoice		Date	Description		Amount			
	48928		03/01/2019	Spectrum Software Fee - March 2019		\$1,240.47			



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720353	05/03/2019	Open			Accounts Payable	CUPERTINO SUPPLY INC	\$41.78		
	Invoice		Date	Description			Amount		
	197338		04/08/2019	Streets: PVC Pipes			\$41.78		
720354	05/03/2019	Open			Accounts Payable	DRAKE WELDING, INC.	\$15,323.00		
	Invoice		Date	Description			Amount		
	126190		04/25/2019	De Anza Blvd Median Arbor Modifications			\$15,323.00		
720355	05/03/2019	Open			Accounts Payable	GLORIA LEE	\$743.60		
	Invoice		Date	Description			Amount		
	GLeeW2019		05/01/2019	Gloria Yee - Winter 2019 Payment			\$743.60		
720356	05/03/2019	Open			Accounts Payable	GOSS, LIAN (KAREN)	\$1,332.50		
	Invoice		Date	Description			Amount		
	KarengoASA2019		04/22/2019	ASA Conference 2019			\$1,332.50		
720357	05/03/2019	Open			Accounts Payable	GRAINGER INC	\$589.07		
	Invoice		Date	Description			Amount		
	9151690311		04/19/2019	Streets: Bird Repellent Net			\$589.07		
720358	05/03/2019	Open			Accounts Payable	GRANICUS INC	\$1,336.73		
	Invoice		Date	Description			Amount		
	112660		05/26/2019	Govt. Transparency, Metg. Efficiency, and Open Platform Suite			\$1,336.73		
720359	05/03/2019	Open			Accounts Payable	GRASSROOTS ECOLOGY	\$16,601.46		
	Invoice		Date	Description			Amount		
	CUST0319		03/31/2019	Quarterly payment for McClellan/Stockmeir Restoration Project			\$16,601.46		
720360	05/03/2019	Open			Accounts Payable	GWLAND ASSOCIATES	\$39,390.00		
	Invoice		Date	Description			Amount		
	2018-0008		04/22/2019	2015-19 McClellan Rd Sidewalk Improvements Task 3			\$270.00		
	2019-BY-002		04/22/2019	Byrne Avenue Sidewalks Task #2			\$37,425.00		
	2019-OR-002		04/22/2019	Orange Avenue Sidewalk Improve Task #2			\$1,695.00		
720361	05/03/2019	Open			Accounts Payable	HU, POLLY	\$2,826.95		
	Invoice		Date	Description			Amount		
	42219		04/22/2019	April payment			\$294.00		
	042919		04/29/2019	Chair X,Zumba G,Yoga50+ (3.4,5,11-4.29,29,30)			\$2,457.35		
	050119		05/01/2019	37,18,14 Students			\$75.60		
				21 Flex Passes					
720362	05/03/2019	Open			Accounts Payable	IFPTE LOCAL 21	\$2,062.23		
	Invoice		Date	Description			Amount		
	04262019		04/26/2019	Association Dues - CEA pp 4/13/19-4/26/19			\$2,062.23		
720363	05/03/2019	Open			Accounts Payable	IMPERIAL SPRINKLER SUPPLY	\$546.18		
	Invoice		Date	Description			Amount		
	3712286-00		04/23/2019	Trees ROW: Overpasses & Medians Irr Improvement Supplies			\$215.36		
	3712286-01		04/24/2019	Streets ROW: Overpasses & Medians Irrigation Supplies			\$330.82		

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720364	05/03/2019	Open			Accounts Payable	INSIGHT CONSULTING SERVICES LLC	\$407,722.00		
	Invoice		Date	Description		Amount			
	2018Q4		05/01/2019	2018Q4 Tax Sharing		\$407,722.00			
720365	05/03/2019	Open			Accounts Payable	INT'L SOC. OF ARBORICULTURE (ISA)	\$555.00		
	Invoice		Date	Description		Amount			
	ISA042619		04/26/2019	Trees & ROW: ISA Memberships		\$555.00			
720366	05/03/2019	Open			Accounts Payable	INTERSTATE TRAFFIC CONTROL PRODUCTS	\$1,782.96		
	Invoice		Date	Description		Amount			
	230143		02/26/2019	Streets: Plastic Mark		\$1,782.96			
720367	05/03/2019	Open			Accounts Payable	IQRAAM NABI	\$138.83		
	Invoice		Date	Description		Amount			
	IqraamN04172019		04/17/2019	Aruba Atmosphere Conference 2019- Travel Reimbursement		\$138.83			
720368	05/03/2019	Open			Accounts Payable	JAIN, ARCHANA	\$185.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$185.00			
720369	05/03/2019	Open			Accounts Payable	JAM SERVICES INC	\$6,561.80		
	Invoice		Date	Description		Amount			
	118116		04/18/2019	Streets: J Bolts		\$130.80			
	117259		03/27/2019	Streets: Street lights		\$6,431.00			
720370	05/03/2019	Open			Accounts Payable	JARVIS, FAY & GIBSON, LLP	\$180.00		
	Invoice		Date	Description		Amount			
	12937		03/31/2019	Legal Services		\$180.00			
720371	05/03/2019	Open			Accounts Payable	JOHN STIEHR	\$22.46		
	Invoice		Date	Description		Amount			
	JohnS042419		04/24/2019	Reimbursement for food on Earth Day		\$22.46			
720372	05/03/2019	Open			Accounts Payable	Keith Day Company, Inc.	\$1,200.00		
	Invoice		Date	Description		Amount			
	20643		04/18/2019	compost delivered to compost site		\$300.00			
	20710		04/22/2019	compost delivered to compost site		\$300.00			
	20792		04/24/2019	compost delivered to compost site		\$600.00			
720373	05/03/2019	Open			Accounts Payable	KELLY-MOORE PAINT CO INC	\$305.12		
	Invoice		Date	Description		Amount			
	808-00000724881		04/18/2019	Grounds: Paint		\$305.12			
720374	05/03/2019	Open			Accounts Payable	KIMBALL-MIDWEST	\$233.16		
	Invoice		Date	Description		Amount			
	7086555		04/24/2019	Fleet: Misc Parts for VEH & EQP		\$233.16			
720375	05/03/2019	Open			Accounts Payable	KMVT COMMUNITY TELEVISION	\$666.40		
	Invoice		Date	Description		Amount			
	KMVT-SP19 Camp		04/29/2019	KMVT-SP19 Camp		\$666.40			

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720376	05/03/2019	Open			Accounts Payable	LEAGUE OF CALIFORNIA CITIES	\$19,662.00		
	Invoice		Date	Description		Amount			
	189210		02/28/2019	League of California Cities 2019 Membership Dues		\$19,662.00			
720377	05/03/2019	Open			Accounts Payable	LIN, LI FEN	\$140.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$140.00			
720378	05/03/2019	Open			Accounts Payable	Little Medical School	\$1,460.00		
	Invoice		Date	Description		Amount			
	LMS-SP19		04/29/2019	LMS-SP19		\$1,460.00			
720379	05/03/2019	Open			Accounts Payable	MAITRI INC	\$6,204.12		
	Invoice		Date	Description		Amount			
	MTHQ3FY1819		04/15/2019	Q3 Maitri HSG FY 18-19		\$6,204.12			
720380	05/03/2019	Open			Accounts Payable	MAY SHEI	\$506.00		
	Invoice		Date	Description		Amount			
	042919		04/29/2019	Painting w/ May Shei (3.14-4.25) 11 Students		\$506.00			
720381	05/03/2019	Open			Accounts Payable	Mersich, Misty	\$84.57		
	Invoice		Date	Description		Amount			
	MistyM04292019		04/29/2019	Reimbursement - Green Cities CA 4/3 - 4/4		\$84.57			
720382	05/03/2019	Open			Accounts Payable	MICHELE WESTLAKEN	\$399.40		
	Invoice		Date	Description		Amount			
	042919		04/29/2019	Feldenkrais Instruction (3.12-4.30) 11 Students + 4 Flex		\$399.40			
720383	05/03/2019	Open			Accounts Payable	MING FEN LEE	\$510.00		
	Invoice		Date	Description		Amount			
	042919		04/29/2019	Chinese Brush Painting 6pm (3.13-5.1) 10 Students		\$510.00			
720384	05/03/2019	Open			Accounts Payable	MOLARO, LISA	\$5,276.65		
	Invoice		Date	Description		Amount			
	MolaroW2019-2		05/01/2019	Molaro - Winter 2019 Payment 2		\$5,276.65			
720385	05/03/2019	Open			Accounts Payable	MONTGOMERY, KAE	\$168.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$168.00			
720386	05/03/2019	Open			Accounts Payable	NARAYANAN, RUPA	\$136.80		
	Invoice		Date	Description		Amount			
	050119		05/01/2019	Yoga Foundations Instruction (3.5-4.30) 3 Students + 6 FLEX		\$136.80			
720387	05/03/2019	Open			Accounts Payable	NIDHI MATHUR	\$98.12		
	Invoice		Date	Description		Amount			
	NidhiM04172019		04/17/2019	Cell Phone Reimbursement 12/19/18 - 03/18/2019		\$98.12			
720388	05/03/2019	Open			Accounts Payable	O'REILLY AUTO PARTS	\$547.58		
	Invoice		Date	Description		Amount			
	2591-400226		04/25/2019	Fleet: Wiper Blade		\$60.04			
	2591-400381		04/26/2019	Fleet: Invisible Glass & Micro Cloth		\$47.03			
	2591-401213		04/30/2019	Fleet: Misc Auto Parts & Supplies		\$440.51			

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720389	05/03/2019	Open			Accounts Payable	OFFICE DEPOT	\$289.02		
	Invoice		Date	Description		Amount			
	301946701001		04/12/2019	Meeting Supplies - Paper Pads		\$18.97			
	305932117001		04/23/2019	Kitchen Supplies and Copy Paper		\$270.05			
720390	05/03/2019	Open			Accounts Payable	OLSON HAGEL & FISHBURN, LLP	\$30,925.31		
	Invoice		Date	Description		Amount			
	321370		02/28/2019	Legal Services		\$27,038.31			
	322804		03/31/2019	Legal Services		\$3,887.00			
720391	05/03/2019	Open			Accounts Payable	Operating Engineer #3	\$1,477.00		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	Union Dues pp 4/13/19-4/26/19		\$1,477.00			
720392	05/03/2019	Open			Accounts Payable	Pacific Media Technologies	\$32.70		
	Invoice		Date	Description		Amount			
	1504		04/02/2019	PB80 Yoke Assembly for Light Fixture		\$32.70			
720393	05/03/2019	Open			Accounts Payable	PACIFIC TELEMAGEMENT SVCS	\$543.00		
	Invoice		Date	Description		Amount			
	2017253		04/11/2019	payphone svcs 05/01-05/31/2019		\$543.00			
720394	05/03/2019	Open			Accounts Payable	PERS Long Term Care Program	\$30.28		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	PERS Long Term Care pp 4/13/19-4/26/19		\$30.28			
720395	05/03/2019	Open			Accounts Payable	PG&E	\$30,546.77		
	Invoice		Date	Description		Amount			
	Import - 68059		04/02/2019	116367001 -E27H4 Wolfe and Rte 280 NB Loc A		\$42.42			
	Import - 68060		04/02/2019	116367013 -1486 S Stelling Rd, Irrigation Control		\$9.53			
	Import - 68061		04/02/2019	116367025 -De Anza and Lazaneo, Traffic Signal		\$59.35			
	Import - 68062		04/02/2019	116367026 -Behind 10343 N Wolfe, Fountain Pump		\$42.85			
	Import - 68063		04/02/2019	116367035 -De Anza Blvd and Mariani, Traffic		\$67.24			
	Import - 68065		04/02/2019	Signal/Safety Lts		\$34.88			
	Import - 68066		04/02/2019	116367044 - 10555 Mary Ave NEM		\$63.94			
	Import - 68067		04/02/2019	116367045 -De Anza Blvd and Hwy 280 S/Ramp,		\$65.51			
	Import - 68068		04/02/2019	Traffic Signal		\$50.39			
	Import - 68069		04/02/2019	116367050 -NW Corner Stevens Crk, Traffic Signals		\$77.25			
	Import - 68070		04/02/2019	116367055 -Saich Wy and Stevens Crk NE Corner,		\$9.92			
	Import - 68071		04/02/2019	Traffic Signal		\$77.97			
	Import - 68072		04/02/2019	116367060 -E37R0 Stevens Creek and De Anza Blvd,		\$73.00			
	Import - 68073		04/02/2019	Traffic Signal		\$19.57			
	Import - 68074		04/02/2019	116367065 -Stevens Creek Blvd E/Saich Wy, Sprinkler		\$53.14			
	Import - 68075		04/02/2019	Control		\$77.25			
	Import - 68076		04/02/2019	116367067 -Stonydale Dr and Varian Park, walkway					
				lighting and Ir					
				116367070 -Stevens Creek and Blaney Ave., Traffic					
				Signal					
				116367071 -Linda Vista Dr / Hillside Park, Hillside Park					
				116367075 -Vallco Pkwy and Perimeter Rd., Traffic					
				Signals					
				116367090 -Wolfe and Vallco Pkwy, Traffic Signals					

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Import - 68077			04/02/2019		116367100 -E37H3 Wolfe and 280 SB Loc B, Traffic Signal		\$68.95		
Import - 68078			04/02/2019		116367105 -Stevens Crk and Wolfe Rd, Traffic Signals		\$64.42		
Import - 68079			04/02/2019		116367110 -SW Cor Stevens Crk and Portal, Traffic Signal		\$62.78		
Import - 68080			04/02/2019		116367113 -Miller E/S 100N off Calle De Barcelona		\$54.97		
Import - 68081			04/02/2019		116367115 -Stevens Crk and Perimeter Rd, Traffic Control Signal		\$63.35		
Import - 68082			04/02/2019		116367120 -Vallco Prky/Tantau Ave, Traffic Signal		\$74.93		
Import - 68083			04/02/2019		116367125 -Stevens Crk and Tantau, Traffic Signals		\$61.20		
Import - 68084			04/02/2019		116367130 -NW Corner Steven Crk and Torre, Traffic Signal		\$59.76		
Import - 68085			04/02/2019		116367145 -10300 Torre Ave, City Hall		\$6,620.92		
Import - 68086			04/02/2019		116367150 -Homestead and Wolfe Road, Sunnyvale		\$67.35		
Import - 68087			04/02/2019		116367154 -22601 Voss Ave		\$743.65		
Import - 68088			04/02/2019		116367155 -Homestead and Blaney, Cupertino Traffic Signal, Sunny		\$42.67		
Import - 68089			04/02/2019		116367165 -S/E Wolfe-Pruneridge, Sprinkler Control and Traffic S		\$70.83		
Import - 68090			04/02/2019		116367170 -Tantau Ave and Tandem D/W, Traffic Signal		\$63.04		
Import - 68091			04/02/2019		116367171 -10155 Barbara Ln, Irrigation and Scoreboard		\$13.98		
Import - 68092			04/02/2019		116367175 -S/E Corner Pruneridge and Tantau, Traffic Controller		\$59.71		
Import - 68093			04/02/2019		116367180 -Finch and Stevens Creek, Traffic Signals		\$60.73		
Import - 68096			04/02/2019		116367185 -Wolfe Rd 500 Ft S/O Homestead, City/Sign Lighting		\$24.13		
Import - 68097			04/02/2019		116367195 -Corner Miller and Phil Ln, Traffic Signal		\$53.02		
Import - 68098			04/02/2019		116367200 -Homestead and De Anza Blvd, Traffic Signal/Dept Pub W		\$63.82		
Import - 68099			04/02/2019		116367205 -Homestead Rd and Franco Ct, Traffic Signals		\$42.08		
Import - 68100			04/02/2019		116367215 -N/Ramp De Anza Blvd, Traffic Signal		\$53.41		
Import - 68101			04/02/2019		116367220 -Homestead Rd and Bluejay Rd, Traffic Signals		\$50.66		
Import - 68102			04/02/2019		116367225 -WS Portal Btw Amhurst-Wheaton , Portal Prk Ltg, Prk L		\$128.56		
Import - 68103			04/02/2019		116367236 -Stelling Rd Median 450' S/O Stevens Crk, Landscape Ir		\$10.66		
Import - 68104			04/02/2019		116367245 -Stevens Creek Blvd and Janice Ave, Sprinkler Control		\$14.00		
Import - 68105			04/02/2019		116367255 -Lucille and Villa De Anza, Sprinkler Control		\$200.00		
Import - 68106			04/02/2019		116367269 -Cor/Lucille and Randy Ln, Sprinkler System		\$10.58		
Import - 68107			04/02/2019		116367274 -1170 Yorkshire Dr.		\$9.53		
Import - 68108			04/02/2019		116367275 -Homestead and Tantau, Cupertino Traffic Signal, Sunny		\$66.48		
Import - 68109			04/02/2019		116367280 -Stevens Creek Blvd and Fwy 85 East Ramp, Traffic Sign		\$69.02		
Import - 68110			04/02/2019		116367285 -21111 Stevens Creek Blvd, Sports Center		\$4,156.85		

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Import - 68111			04/02/2019	116367285	-21111 Stevens Creek Blvd, Teen Center		\$375.00		
Import - 68112			04/02/2019	116367290	-Stevens Creek and Mary Ave, Traffic Signals		\$65.89		
Import - 68116			04/02/2019	116367325	-21975 San Fernando Ave, Picnic Area		\$1,869.78		
Import - 68117			04/02/2019	116367332	-821 Bubb Rd #B/Building Concession		\$86.36		
Import - 68119			04/02/2019	116367343	-Foothill Blvd 150' N/O Alpine E/S, Irrigation Control		\$9.58		
Import - 68120			04/02/2019	116367357	-N De Anza 188 FT N/Valley Green Dr, Irrig Controller		\$13.60		
Import - 68121			04/02/2019	116367359	-Homestead and Heron, traffic control svc		\$50.98		
Import - 68122			04/02/2019	116367360	-10300 Aninworth Dr, Ball Park Stevens Creek SV		\$10.51		
Import - 68123			04/02/2019	116367370	-Stevens Creek Blvd and Fwy 85 West Ramp, Traffic Sign		\$9.53		
Import - 68124			04/02/2019	116367375	-10710 Stokes Ave, Somerset Park		\$36.05		
Import - 68125			04/02/2019	116367380	-NE Corner Peninsula and Stevens Creek, Traffic Signal		\$66.89		
Import - 68126			04/02/2019	116367385	-End/Stokes W/Wilson Crt, Sprinkler Control		\$10.73		
Import - 68127			04/02/2019	116367395	-N/E corner Foothill and Starling Dr, Traffic Signals		\$46.48		
Import - 68128			04/02/2019	116367401	-Miller W/S N of Greenwood		\$12.43		
Import - 68129			04/02/2019	116367408	-Stevens Creek Bl and Mary Avenue, Memorial Park Pump		\$47.36		
Import - 68132			04/02/2019	116367437	-10455 Miller Ave, Creekside Park		\$466.99		
Import - 68134			04/02/2019	116367447	-Stelling Rd Median 500' S/O Peppertree Ln, Landscape		\$10.99		
Import - 68135			04/02/2019	116367449	-10350 Torre Ave, Community Hall		\$1,689.11		
Import - 68136			04/02/2019	116367455	-E37R9 Rodriguez and De Anza Blvd, Traffic Signal		\$65.02		
Import - 68137			04/02/2019	116367465	-De Anza Blvd and Scofield Dr, Sprinkler Controller		\$10.52		
Import - 68139			04/02/2019	116367474	-10500 Ann Arbor Ave, Field-Garden Gate		\$13.65		
Import - 68140			04/02/2019	116367475	-Foothill and Stevens Creek, Traffic Signal		\$56.26		
Import - 68141			04/02/2019	116367476	-Salem Ave and Foothill Blvd, Irrigation Control		\$9.53		
Import - 68142			04/02/2019	116367477	-21121 Stevens Creek Blvd, Memorial Park		\$1,135.18		
Import - 68143			04/02/2019	116367484	-20220 Suisun Dr, Parks and Rec Free Standing Panel		\$13.45		
Import - 68144			04/02/2019	116367493	-Dumas Dr/Jollyman Park, Jollyman Park Restroom		\$182.85		
Import - 68145			04/02/2019	116367505	-Stevens Crk and Stelling, Signal		\$39.19		
Import - 68146			04/02/2019	116367510	-Bubb Rd and Results Wy, Traffic Signal		\$44.17		
Import - 68147			04/02/2019	116367515	-Bubb Rd and McClellan Intersection, Traffic Signal		\$63.44		
Import - 68148			04/02/2019	116367520	-Stelling Rd and Peppertree, Traffic Signal		\$44.75		
Import - 68149			04/02/2019	116367525	-Stelling and McClellan, Signals		\$56.82		
Import - 68150			04/02/2019	116367527	-Foothill Blvd 200' N/O Stevens Creek W/S, Irrigation		\$9.53		
Import - 68151			04/02/2019	116367530	-Orange Ave and Stevens Creek N/E corner, Traffic Cont		\$43.48		

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	Import - 68152		04/02/2019		116367536 -Senior Center		\$2,499.81		
	Import - 68153		04/02/2019		116367545 -Saratoga-Sunnyvale Rd, Traffic Signal		\$58.19		
	Import - 68154		04/02/2019		116367550 -W/S Saratoga-Sunnyvale Rd @ RT85, Traffic Signal		\$49.65		
	Import - 68155		04/02/2019		116367559 -21011 Prospect Rd, Irrigation Control		\$9.53		
	Import - 68156		04/02/2019		116367560 -S/E corner De Anza and Pacifica, Traffic Signal		\$61.14		
	Import - 68157		04/02/2019		116367568 -CORP YARD NEM		\$19.52		
	Import - 68158		04/02/2019		116367570 -De Anza Blvd, Sprinkler Controller *		\$10.54		
	Import - 68159		04/02/2019		116367585 -Rainbow and Stelling, Traffic Signal		\$60.81		
	Import - 68160		04/02/2019		116367587 -10430 S De Anza Blvd, Holiday Lighting		\$35.02		
	Import - 68161		04/02/2019		116367590 -Saratoga Sunnyvale Rd and Hwy 85, Traffic Signal		\$51.77		
	Import - 68162		04/02/2019		116367605 -E37C1 Prospect and Rte 85, Traffic Signal		\$63.75		
	Import - 68163		04/02/2019		116367610 -E37R6 Kentwood/S. De Anza Blvd, Traffic Signal		\$62.21		
	Import - 68164		04/02/2019		116367615 -Fallenleaf Ln and S De Anza Blvd, Traffic Signal		\$59.04		
	Import - 68165		04/02/2019		116367620 -S De Anza Blvd and Sharon Dr , Irrigation Controller		\$14.42		
	Import - 68166		04/02/2019		116367625 -Stevens Creek Blvd Orange S/W Cor, Irrigation Control		\$9.53		
	Import - 68167		04/02/2019		116367628 -N/W corner Alpine Dr and Foothill Blvd, Irrigation Co		\$9.53		
	Import - 68168		04/02/2019		116367630 -22100 Stevens Creek Blvd, Golf Pro Shop		\$148.77		
	Import - 68169		04/02/2019		116367648 -Linda Vista Park/Linda Vista Dr, Irrigation Control		\$114.61		
	Import - 68170		04/02/2019		116367656 -Scofield and De Anza, 100HP		\$10.76		
	Import - 68171		04/02/2019		116367677 -De Anza and Lazaneo, Sprinkler System		\$9.53		
	Import - 68172		04/02/2019		116367685 -Ruppell Pl and Moltzen Dr, Sprinkler Control		\$71.03		
	Import - 68173		04/02/2019		116367740 -Carmen Rd and Stevens Creek S/E corner, Irrigation Co		\$9.53		
	Import - 68175		04/02/2019		116367763 -10630 S De Anza Blvd, Holiday Lighting		\$40.89		
	Import - 68176		04/02/2019		116367782 -N/S Stevens Creek Blvd in front of 20301, Irrigation		\$9.53		
	Import - 68177		04/02/2019		116367793 -101 Skyport Dr, DG A, San Jose, PGandE-Owned St/Highw		\$693.86		
	Import - 68178		04/02/2019		116367815 -19784 Wintergreen Dr		\$438.41		
	Import - 68180		04/02/2019		116367836 -De Anza Blvd E/S S/O Lazaneo, Sprinkler Control		\$9.53		
	Import - 68181		04/02/2019		116367840 -community ctr -NEW		\$4,975.53		
	Import - 68182		04/02/2019		116367902 -10246 Parkside Ln, Wilson Pk Sprinklers,Snack Shack,l		\$141.09		
	Import - 68183		04/02/2019		116367907 -S/W Corner Stelling and Green leaf, Traffic Signal		\$58.96		
	Import - 68185		04/02/2019		116367925 -22601 Voss Ave, Outdoor Lighting-MV Park		\$15.06		
	Import - 68186		04/02/2019		116367941 -7548 Donegal Dr, Irrigation Control /Hoover Park		\$9.58		



# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	Import - 68187		04/02/2019		110659172 -N De Anza 455FT S/O Mariani Dr, Irrig Control		\$9.76		
	Import - 68188		04/02/2019		116367988 -21710 McClellan Rd, Playground Reception Area		\$9.53		
720396	05/03/2019	Open			Accounts Payable	PINE PRESS	\$866.55		
	Invoice		Date		Description		Amount		
	00050724		04/17/2019		2500 Copies May/June 50+ Scene Newsletter		\$866.55		
720397	05/03/2019	Open			Accounts Payable	PLACEWORKS, INC	\$20,167.97		
	Invoice		Date		Description		Amount		
	67944		01/31/2019		enviro study De Anza Hotel project		\$16,354.44		
	68489		03/31/2019		enviro study De Anza Hotel project		\$3,813.53		
720398	05/03/2019	Open			Accounts Payable	PLAY-WELL TEKNOLOGIES	\$1,125.00		
	Invoice		Date		Description		Amount		
	Play-Well Sp19		04/29/2019		Play-Well Sp19		\$1,125.00		
720399	05/03/2019	Open			Accounts Payable	RANES-GOLDBERG, MONICA	\$760.00		
	Invoice		Date		Description		Amount		
	42219		04/22/2019		April payment		\$760.00		
720400	05/03/2019	Open			Accounts Payable	RAO, GEETHA	\$350.00		
	Invoice		Date		Description		Amount		
	42219		04/22/2019		April payment		\$350.00		
720401	05/03/2019	Open			Accounts Payable	RUBY CHEN	\$333.00		
	Invoice		Date		Description		Amount		
	42219		04/22/2019		April payment		\$333.00		
720402	05/03/2019	Open			Accounts Payable	SANDY KUO	\$35.00		
	Invoice		Date		Description		Amount		
	42219		04/22/2019		April payment		\$35.00		
720403	05/03/2019	Open			Accounts Payable	SANTA CLARA CNTY CLERK/RECORDER	\$50.00		
	Invoice		Date		Description		Amount		
	RM-2019-01		04/29/2019		exempt filing		\$50.00		
720404	05/03/2019	Open			Accounts Payable	SANTA CLARA CO DEPT ENVIRON HEALTH	\$372.00		
	Invoice		Date		Description		Amount		
	IN1171436		05/01/2019		Streets: Haz Mat Permits		\$372.00		
720405	05/03/2019	Open			Accounts Payable	SANTA CLARA COUNTY SHERIFF DEPT	\$21,923.86		
	Invoice		Date		Description		Amount		
	1800067501		04/05/2019		Supplemental Law Enforcement Service March 19		\$21,923.86		
720406	05/03/2019	Open			Accounts Payable	SANTA CLARA COUNTY VECTOR CTRL	\$221.03		
	Invoice		Date		Description		Amount		
	SV10033-041019		04/10/2019		SV10033 07/1/18-06/30/18 VECTOR CONTROL		\$221.03		
720407	05/03/2019	Open			Accounts Payable	SANTA CLARA CTY SHERIFF (FINGERPR.)	\$120.00		
	Invoice		Date		Description		Amount		
	1800067650		04/10/2019		Live Scan Services- March 2019		\$120.00		



# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720408	05/03/2019	Open			Accounts Payable	Sapudar, Lauren	\$110.00		
	Invoice		Date	Description		Amount			
	LaurenS04292019		04/29/2019	Call Phone Reimbursement		\$110.00			
720409	05/03/2019	Open			Accounts Payable	SENIOR ADULTS LEGAL ASSISTANCE	\$2,752.40		
	Invoice		Date	Description		Amount			
	HSG SALA Q3 FY18		04/05/2019	HSG SALA Q3 FY 18-19		\$2,752.40			
720410	05/03/2019	Open			Accounts Payable	SHAW HR CONSULTING, INC.	\$4,361.00		
	Invoice		Date	Description		Amount			
	13699		04/08/2019	April 4 2019 Supervisor and HR Training Session		\$4,361.00			
720411	05/03/2019	Open			Accounts Payable	STAPLES BUSINESS ADVANTAGE	\$37.41		
	Invoice		Date	Description		Amount			
	3411382414		04/19/2019	Card Stock for Transportation Division		\$37.41			
720412	05/03/2019	Open			Accounts Payable	State Disbursement Unit	\$276.92		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	Child Support pp 4/13/19-4/26/19		\$276.92			
720413	05/03/2019	Open			Accounts Payable	SUE AND KATHY LINE DANCE	\$1,060.80		
	Invoice		Date	Description		Amount			
	042919		04/29/2019	Line Dance beg/int (3.12-4.30) 26 Students		\$1,060.80			
720414	05/03/2019	Open			Accounts Payable	TOWN OF LOS GATOS	\$1,669.20		
	Invoice		Date	Description		Amount			
	6100000012		04/16/2019	Streets: Vac Truck Rental		\$1,669.20			
720415	05/03/2019	Open			Accounts Payable	TRAFFIC DATA SERVICE LLC	\$750.00		
	Invoice		Date	Description		Amount			
	19038		04/19/2019	3-Day Machine Traffic Speed Count		\$750.00			
720416	05/03/2019	Open			Accounts Payable	TURF & INDUSTRIAL EQUIPMENT CO	\$426.62		
	Invoice		Date	Description		Amount			
	IV30331		04/29/2019	Fleet: Misc Equipment Parts		\$70.00			
	IV30369		04/26/2019	Fleet: Arms (Equipment Parts)		(\$1,290.41)			
	IV30327		04/26/2019	Fleet: Arms (Equipment Parts)		\$1,647.03			
720417	05/03/2019	Open			Accounts Payable	UNITED SITE SERVICES INC.	\$297.88		
	Invoice		Date	Description		Amount			
	114-8310718		04/15/2019	portable toilet at compost site		\$297.88			
720418	05/03/2019	Open			Accounts Payable	United Way Silicon Valley	\$5.00		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	United Way pp 4/13/19-4/26/19		\$5.00			
720419	05/03/2019	Voided	Incorrect Amount on Invoice(s)	05/03/2019	Accounts Payable	US BANK-PURCHASING CARD PROGRAM	\$3,271.55		
	Invoice		Date	Description		Amount			
	043019-Recon		04/15/2019	US BANK Reconciliation		\$3,271.55			
720420	05/03/2019	Open			Accounts Payable	WEST VALLEY COMMUNITY SVCS AGENCY	\$77,129.46		
	Invoice		Date	Description		Amount			
	WVCS VV Q3FY1819		04/23/2019	Villa Village Renovation Q3 FY 18-19		\$65,517.74			

# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	HH Q3 FY1819		04/15/2019		Haven to Home Q3 18-19		\$11,611.72		
720421	05/03/2019	Open			Accounts Payable	WORLD JOURNAL SF LLC	\$450.00		
	Invoice		Date	Description		Amount			
	2556424		04/04/2019	Notice - Housing Commission		\$225.00			
	2561786		04/24/2019	Notice - Teen Commission		\$225.00			
720422	05/03/2019	Open			Accounts Payable	YEE, ANITA	\$78.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$78.00			
720423	05/03/2019	Open			Accounts Payable	Investment LLC, Bretave	\$4,456.00		
	Invoice		Date	Description		Amount			
	220062		05/01/2019	10176 Bret Ave, Encroachment Bond, Permit Fee, 22062		\$4,456.00			
720424	05/03/2019	Open			Accounts Payable	Kwok, Angela	\$200.00		
	Invoice		Date	Description		Amount			
	2000587.030		04/11/2019	Ceramic Party 6.8.19 Deposit, CRCS cancelled booking		\$200.00			
720425	05/03/2019	Open			Accounts Payable	Kwok, Angela	\$229.00		
	Invoice		Date	Description		Amount			
	2000588.030		04/11/2019	Ceramic Party 6.8.19 Fees, CRCS cancelled booking		\$229.00			
720426	05/03/2019	Open			Accounts Payable	Martha, Kang	\$1,000.00		
	Invoice		Date	Description		Amount			
	BS27009		04/25/2019	21815 Lomita, Refundable Deposit, BS27009		\$1,000.00			
720427	05/03/2019	Open			Accounts Payable	Prakas, Nair	\$1,210.00		
	Invoice		Date	Description		Amount			
	BS7084		04/25/2019	10514 Felton Way, Refundable Deposit, BS7084		\$1,210.00			
720428	05/03/2019	Open			Accounts Payable	Shen, Jingyang	\$10,007.00		
	Invoice		Date	Description		Amount			
	BS29047		05/01/2019	937 Cottonwood Drive, Refundable Deposit and Fees, BS29047		\$10,007.00			
720429	05/03/2019	Open			Accounts Payable	Lei, Rebecca, W.	\$23,034.50		
	Invoice		Date	Description		Amount			
	BS25514		03/28/2019	10236 Lockwood Drive, 100% L&M, BS25514		\$23,034.50			
Type Check Totals:									
EFT									
28496	04/30/2019	Open			Accounts Payable	STATE BOARD OF EQUALIZATION	\$2,429.00		
	Invoice		Date	Description		Amount			
	QTR1- 2019		04/01/2019	SR GH 026-818149 Sales/Use Tax Jan'19 - March' 19		\$2,429.00			
28497	05/03/2019	Open			Accounts Payable	Employment Development	\$1,485.70		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	SDI - State Disability Insurance pp 4/13/19-4/26/19		\$1,485.70			
28498	05/03/2019	Open			Accounts Payable	PERS-457K	\$6,630.69		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	PERS Deferred Comp pp 4/13/19-4/26/19		\$6,630.69			

# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
28499	05/03/2019	Open			Accounts Payable	ACENAS, ALEX	\$55.00		
	Invoice		Date	Description		Amount			
	AlexA041319		04/13/2019	Reimburse Cell Phone 3/14/19 - 4/13/19		\$55.00			
28500	05/03/2019	Open			Accounts Payable	ANGELA TSUI	\$785.96		
	Invoice		Date	Description		Amount			
	AngelaT04292019		04/29/2019	Reimbursement - 4/29/19		\$785.96			
28501	05/03/2019	Open			Accounts Payable	AYYAGARI, BHUVNA	\$410.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$410.00			
28502	05/03/2019	Open			Accounts Payable	CHERI DONNELLY	\$261.90		
	Invoice		Date	Description		Amount			
	CheriD010819		01/08/2019	Reimbursement for work lunch		\$46.79			
	CheriD040419		04/30/2019	Reimbursement for travel expenses - GreenCities Conf.		\$215.11			
28503	05/03/2019	Open			Accounts Payable	CP6CPC, LLC	\$5,846.34		
	Invoice		Date	Description		Amount			
	05.01.2019		05/01/2019	Rent May 2019		\$5,846.34			
28504	05/03/2019	Open			Accounts Payable	CRUZ, RAYCHEL	\$4,284.50		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$4,284.50			
28505	05/03/2019	Open			Accounts Payable	Eflex Group, Inc	\$4,662.12		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	FSA Employee Health pp 4/13/19-4/26/19		\$4,662.12			
28506	05/03/2019	Open			Accounts Payable	GRACE DUVAL	\$200.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$200.00			
28507	05/03/2019	Open			Accounts Payable	HALL, DEBORAH KAY	\$327.25		
	Invoice		Date	Description		Amount			
	042619		04/29/2019	Beading + Kumihimo Instruction (4.4-4.25) 5+6 students		\$327.25			
28508	05/03/2019	Open			Accounts Payable	HILL, JENNIFER	\$178.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$178.00			
28509	05/03/2019	Open			Accounts Payable	ICMA Retirement Trust-457	\$7,850.02		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	ICMA Deferred Comp pp 4/13/19-4/26/19		\$7,850.02			
28510	05/03/2019	Open			Accounts Payable	KONGBOON, SA-AD	\$126.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$126.00			
28511	05/03/2019	Open			Accounts Payable	LIFETIME TENNIS INC	\$183,311.94		
	Invoice		Date	Description		Amount			
	43019		04/30/2019	Payment 6		\$183,311.94			
28512	05/03/2019	Open			Accounts Payable	MERCHANT, TEJAL	\$164.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$164.00			

# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
28513	05/03/2019	Open			Accounts Payable	National Deferred (ROTH)	\$4,875.77		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	Nationwide Roth pp 4/13/19-4/26/19		\$4,875.77			
28514	05/03/2019	Open			Accounts Payable	National Deferred Compensatin	\$29,837.28		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	Nationwide Deferred Comp pp 4/13/19-4/26/19		\$29,837.28			
28515	05/03/2019	Open			Accounts Payable	OH, JENNIFER	\$100.00		
	Invoice		Date	Description		Amount			
	042919		04/29/2019	Nutrition Made Easy (4.26) 5 Students		\$100.00			
28516	05/03/2019	Open			Accounts Payable	PARS/City of Cupertino	\$4,583.78		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	PARS Employee pp 4/13/19-4/26/19		\$4,583.78			
28517	05/03/2019	Open			Accounts Payable	Raaymakers , John	\$55.00		
	Invoice		Date	Description		Amount			
	JohnR031919		03/19/2019	Reimburse Cell Phone 2/20/19 - 3/19/19		\$55.00			
28518	05/03/2019	Open			Accounts Payable	REBUILDING TOGETHER SILICON VALLEY	\$19,981.46		
	Invoice		Date	Description		Amount			
	RSTVQ3FY1819		04/19/2019	CDBG Capital Housing Repair Q3 FY 18-19		\$19,981.46			
28519	05/03/2019	Open			Accounts Payable	SWICK, MELISSA	\$1,128.00		
	Invoice		Date	Description		Amount			
	42219		04/22/2019	April payment		\$1,128.00			

Type EFT Totals:  
Main Account - Main Checking Account Totals

24 Transactions

\$279,569.71

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	98	\$822,269.84	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$3,271.55	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	99	\$825,541.39	\$0.00
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	24	\$279,569.71	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	24	\$279,569.71	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount
	Open	122	\$1,101,839.55	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$3,271.55	\$0.00
	Stopped	0	\$0.00	\$0.00

*Approved: Beth G. Viagar*  
*05.06.19*

# Payment Register

From Payment Date: 4/27/2019 - To Payment Date: 5/3/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Grand Totals:					Total	123	\$1,105,111.10	\$0.00	
		<b>Checks</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	98			\$822,269.84	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	1			\$3,271.55	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			<b>Total</b>	<b>99</b>			<b>\$825,541.39</b>	<b>\$0.00</b>	
		<b>EFTs</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	24			\$279,569.71	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			<b>Total</b>	<b>24</b>			<b>\$279,569.71</b>	<b>\$0.00</b>	
		<b>All</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	122			\$1,101,839.55	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	1			\$3,271.55	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			<b>Total</b>	<b>123</b>			<b>\$1,105,111.10</b>	<b>\$0.00</b>	



# CITY OF CUPERTINO

## Agenda Item

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**19-5845**

**Agenda Date: 8/6/2019**  
**Agenda #: 9.**

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Subject: Accept Accounts Payable for the period ending May 10, 2019

Adopt Resolution No. 19-100 accepting Accounts Payable for the period ending May 10, 2019

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CUPERTINO ALLOWING CERTAIN CLAIMS AND DEMANDS PAYABLE IN  
THE AMOUNTS AND FROM THE FUNDS AS HEREINAFTER DESCRIBED  
FOR GENERAL AND MISCELLANEOUS EXPENDITURES FOR THE PERIOD  
ENDING

May 10, 2019

WHEREAS, the Director of Administrative Services or her designated representative has certified to accuracy of the following claims and demands and to the availability of funds for payment hereof; and

WHEREAS, the said claims and demands have been audited as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby allows the following claims and demands in the amounts and from the funds as hereinafter set forth in the attached Payment Register.

CERTIFIED:   
Zach Korach, Finance Manager

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6<sup>th</sup> day of August, 2019, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
-------------	------------------------------------

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. \_\_\_\_\_

Page 2

<b>SIGNED:</b> _____ Steven Scharf, Mayor City of Cupertino	_____ Date
<b>ATTEST:</b> _____ Grace Schmidt, City Clerk	_____ Date



# Payment Register

From Payment Date: 5/4/2019 - To Payment Date: 5/10/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Main Account - Main Checking Account									
<u>Check</u>									
720430	05/10/2019	Open			Accounts Payable	3M	\$4,705.25		
	Invoice		Date	Description		Amount			
	9404170430		04/26/2019	Streets: Reflective Sheeting		\$2,516.64			
	9404197841		04/30/2019	Streets: Two-Way Marker Ylw		\$2,188.61			
720431	05/10/2019	Open			Accounts Payable	4 PAWS GOOSE CONTROL	\$1,850.00		
	Invoice		Date	Description		Amount			
	1287		05/02/2019	Grounds: Goose Control Services at Memorial Park		\$1,850.00			
720432	05/10/2019	Open			Accounts Payable	ABAG POWER PURCHASING POOL (GAS)	\$5,110.78		
	Invoice		Date	Description		Amount			
	AR020096		05/01/2019	CUPACPC001 May 2019		\$5,110.78			
720433	05/10/2019	Open			Accounts Payable	ADASTRAGOV, INC.	\$28,500.00		
	Invoice		Date	Description		Amount			
	Adastragov042319		04/23/2019	Labor Costing Software		\$28,500.00			
720434	05/10/2019	Open			Accounts Payable	AdTaxi   Bay Area News Group	\$3,567.00		
	Invoice		Date	Description		Amount			
	0001183391		03/31/2019	Legal Advertising		\$2,260.00			
	0001189006		04/30/2019	Legal Advertising		\$1,307.00			
720435	05/10/2019	Open			Accounts Payable	ADVANTAGE GRAFIX	\$320.46		
	Invoice		Date	Description		Amount			
	43442		05/02/2019	TICC Business Cards- Mohanty, de Leon, Ganga, Bollineni, Raj		\$267.05			
	43441		05/02/2019	Business Cards - Chris Corrao		\$53.41			
720436	05/10/2019	Open			Accounts Payable	AIRGAS USA LLC	\$403.90		
	Invoice		Date	Description		Amount			
	9961829823		04/30/2019	Streets: Cylinder Rental		\$121.35			
	9961829822		04/30/2019	Streets: Cylinder Rental		\$57.75			
	1601534788		04/30/2019	Streets: Late Charge		\$3.28			
	9084305379		01/10/2019	Trees & ROW: Hand Sanitizer		\$221.52			
720437	05/10/2019	Open			Accounts Payable	ALHAMBRA & SIERRA SPRINGS	\$180.27		
	Invoice		Date	Description		Amount			
	4984902 042019		04/20/2019	water		\$180.27			
720438	05/10/2019	Open			Accounts Payable	ALL CITY MANAGEMENT SERVICES	\$7,293.34		
	Invoice		Date	Description		Amount			
	61126		04/24/2019	School Crossing Guard Services 4/7/19-4/20/19		\$7,293.34			
720439	05/10/2019	Open			Accounts Payable	ALVERNAZ CONSTRUCTION	\$14,000.00		
	Invoice		Date	Description		Amount			
	5219		05/03/2019	Grounds: Concrete Pad for Bike Lockers-Sport Center		\$14,000.00			
720440	05/10/2019	Open			Accounts Payable	AMAZON WEB SERVICES INC	\$306.57		
	Invoice		Date	Description		Amount			
	209410693		05/03/2019	Amazon Web Services - April 2019		\$306.57			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720441	05/10/2019	Open			Accounts Payable	ANYA KROTH	\$133.90		
	Invoice		Date	Description			Amount		
	Spring #1		05/08/2019	1st Spring Payment			\$133.90		
720442	05/10/2019	Open			Accounts Payable	ARB/PERP	\$805.00		
	Invoice		Date	Description			Amount		
	P-052334-041919		04/19/2019	Fleet: Portable Equip Reg Program (PERP)			\$805.00		
720443	05/10/2019	Open			Accounts Payable	AT&T	\$5,274.32		
	Invoice		Date	Description			Amount		
	000012835468		04/01/2019	9391023220 (408-252-2405) 03/01/19-03/31/19			\$21.82		
	000012453434-0		01/12/2019	93910667581001 Jollyman DrJollyman Park Unknown			\$29.74		
	000012453434-1		01/12/2019	93910667581001 Jollyman DrJollyman Park Unknown			\$29.74		
	000012453434-2		01/12/2019	93910667581001 Jollyman DrJollyman Park Unknown			\$29.74		
	000012453434-3		01/12/2019	93910667581001 Jollyman DrJollyman Park Unknown			\$29.74		
	000012453434-4		01/12/2019	93910667581001 Jollyman DrJollyman Park Unknown			\$29.74		
	000012453434-5		01/12/2019	93910667581001 Jollyman DrJollyman Park Unknown			\$29.74		
	000012453434-6		01/12/2019	939106675810185 N StellingSecure Fax			\$29.74		
	000012453434-7		01/12/2019	939106675810185 N StellingSheriff			\$29.74		
	000012453434-8		01/12/2019	939106675810185 N StellingServo Modem			\$29.74		
	000012453434-9		01/12/2019	939106675810185 N StellingServo Rm.			\$29.74		
	000012453434-10		01/12/2019	939106675810185 N StellingLine			\$29.74		
	000012453434-11		01/12/2019	939106675810185 N StellingMelanie Modem			\$29.74		
	000012453434-12		01/12/2019	939106675810185 N StellingMuseum Spare			\$29.74		
	000012453434-13		01/12/2019	939106675810185 N StellingFax			\$29.74		
	000012453434-14		01/12/2019	939106675810185 N StellingSheriff			\$29.80		
	000012453434-15		01/12/2019	939106675810185 N StellingMuseum Spare			\$29.80		
	000012453434-16		01/12/2019	939106675810185 N StellingLine			\$29.87		
	000012453434-17		01/12/2019	939106675810185 N StellingSummer offc desk			\$29.88		
	000012453434-18		01/12/2019	939106675810185 N StellingPark & Rec			\$30.02		
	000012453434-19		01/12/2019	939106675810300 TorreFax Finance			\$29.74		
	000012453434-20		01/12/2019	939106675810300 TorreAlarm - Community Hall			\$29.74		
	000012453434-21		01/12/2019	939106675810300 TorreFire Alarm - Community Hall			\$29.74		
	000012453434-22		01/12/2019	939106675810300 TorreFire Alarm - Community Hall			\$29.74		
	000012453434-23		01/12/2019	939106675810300 TorreFax			\$29.73		
	000012453434-24		01/12/2019	939106675810300 TorreCredit Card Lower Floor			\$29.73		
	000012453434-25		01/12/2019	939106675810300 TorreAngela Tsui			\$29.87		
	000012453434-26		01/12/2019	939106675810300 TorrePG&E Meter			\$29.88		
	000012453434-27		01/12/2019	939106675810300 TorreServer Room			\$29.88		
	000012453434-28		01/12/2019	939106675810300 TorreFinance Credit Card Reader			\$29.88		
	000012453434-29		01/12/2019	939106675810300 TorreFax - Lower Floor			\$29.88		
	000012453434-30		01/12/2019	939106675810300 TorreFax - Clerk/EOC			\$29.88		
	000012453434-31		01/12/2019	939106675810300 TorreMisty M.			\$30.02		
	000012453434-52		01/12/2019	939106675810555 MaryAlarm Service Center			\$29.74		
	000012453434-53		01/12/2019	939106675810555 MaryAlarm Service Center			\$29.74		
	000012453434-54		01/12/2019	939106675810555 MaryFax Mechanic			\$29.74		
	000012453434-55		01/12/2019	939106675810555 MarySpare Service Center			\$29.74		
	000012453434-56		01/12/2019	939106675810555 MaryLine			\$29.74		
	000012453434-57		01/12/2019	939106675810555 MaryLine			\$29.73		
	000012453434-58		01/12/2019	939106675810555 MaryLine			\$29.73		
	000012453434-59		01/12/2019	939106675810555 MarySpare			\$29.73		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
000012453434-60			01/12/2019	939106675810555	MarySpare		\$29.73		
000012453434-61			01/12/2019	939106675810555	MaryFax		\$29.73		
000012453434-62			01/12/2019	939106675810555	MarySports Weather		\$29.87		
000012453434-63			01/12/2019	939106675810555	MaryJason/Kelly L		\$30.17		
000012453434-64			01/12/2019	939106675810555	MaryLine		\$30.23		
000012453434-65			01/12/2019	939106675810555	MaryDisconnected Line		\$44.14		
000012453434-66			01/12/2019	939106675810555	MaryHandshake - Wilson Park		\$51.08		
000012453434-67			01/12/2019	939106675810981	Franco CtFax Traffic Yard		\$29.74		
000012453434-68			01/12/2019	939106675819500	Calle De BarcelonaCreekside Park		\$29.74		
000012453434-69			01/12/2019	939106675820410	Town CenterCity Attorney		\$29.74		
000012453434-70			01/12/2019	939106675820410	Town CenterCity Attorney		\$29.74		
000012453434-71			01/12/2019	939106675820410	Town CenterFax		\$29.73		
000012453434-72			01/12/2019	939106675821111	Stevens CreekFire Alarm Sports Center		\$29.74		
000012453434-73			01/12/2019	939106675821111	Stevens CreekFire Alarm Sports Center		\$29.74		
000012453434-74			01/12/2019	939106675821111	Stevens CreekSpare Sports Center		\$29.74		
000012453434-75			01/12/2019	939106675821111	Stevens CreekHVAC Sports Center		\$29.88		
000012453434-76			01/12/2019	939106675821111	Stevens CreekFax - Sports Center		\$29.88		
000012453434-77			01/12/2019	939106675821111	Stevens CreekElevator - Sports Center		\$29.88		
000012453434-78			01/12/2019	939106675821111	Stevens CreekDisconnected Line		\$44.14		
000012453434-79			01/12/2019	939106675821111	Stevens CreekDisconnected Line Busy		\$44.14		
000012453434-80			01/12/2019	939106675821251	Stevens CreekFax Karen		\$29.74		
000012453434-81			01/12/2019	939106675821251	Stevens CreekFax - Work Room		\$29.74		
000012453434-82			01/12/2019	939106675821251	Stevens CreekAlarm - Snack Shack		\$29.74		
000012453434-83			01/12/2019	939106675821251	Stevens CreekLine		\$29.74		
000012453434-84			01/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$29.74		
000012453434-85			01/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$29.74		
000012453434-86			01/12/2019	939106675821251	Stevens CreekFax - Adriana		\$29.74		
000012453434-87			01/12/2019	939106675821251	Stevens CreekAlarm - Senior Center		\$29.74		
000012453434-88			01/12/2019	939106675821251	Stevens CreekAlarm - Senior Center		\$29.74		
000012453434-89			01/12/2019	939106675821251	Stevens CreekTrane Modem		\$29.73		
000012453434-90			01/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$29.73		
000012453434-91			01/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$29.73		
000012453434-92			01/12/2019	939106675821251	Stevens CreekLine		\$29.88		
000012453434-93			01/12/2019	939106675821251	Stevens CreekDisconnected Line		\$44.14		
000012453434-94			01/12/2019	939106675821251	Stevens CreekDisconnected Line Busy		\$44.14		
000012453434-95			01/12/2019	939106675821975	San FernandoAlarm - Retreat		\$29.74		
000012453434-96			01/12/2019	939106675821975	San FernandoAlarm - Snack Shack		\$29.74		
000012453434-97			01/12/2019	939106675821975	San FernandoGolf Shed		\$29.87		
000012453434-98			01/12/2019	939106675821975	San FernandoAlarm - Golf Shed		\$29.88		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
000012453434-99			01/12/2019	939106675821975	San Fernando	Pool Shed	\$29.88		
000012453434-100			01/12/2019	939106675821975	San Fernando	Fax	\$29.88		
000012453434-101			01/12/2019	939106675821975	San Fernando	Alarm Kiosk	\$30.23		
000012453434-102			01/12/2019	939106675822221	MC Clellan	Handshare - Ranch Rec	\$29.73		
000012453434-103			01/12/2019	939106675822221	MC Clellan	Ranch Rec	\$29.87		
000012595035-0			02/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$14.68		
000012595035-1			02/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$14.68		
000012595035-2			02/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$14.77		
000012595035-3			02/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$14.68		
000012595035-4			02/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$14.68		
000012595035-5			02/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$14.68		
000012595035-6			02/12/2019	939106675810185	N Stelling	Secure Fax	\$14.68		
000012595035-7			02/12/2019	939106675810185	N Stelling	Sheriff	\$14.68		
000012595035-8			02/12/2019	939106675810185	N Stelling	Servo Modem	\$14.68		
000012595035-9			02/12/2019	939106675810185	N Stelling	Servo Rm.	\$14.68		
000012595035-10			02/12/2019	939106675810185	N Stelling	Line	\$14.68		
000012595035-11			02/12/2019	939106675810185	N Stelling	Melanie Modem	\$14.68		
000012595035-12			02/12/2019	939106675810185	N Stelling	Museum Spare	\$14.68		
000012595035-13			02/12/2019	939106675810185	N Stelling	Fax	\$14.68		
000012595035-14			02/12/2019	939106675810185	N Stelling	Sheriff	\$14.71		
000012595035-15			02/12/2019	939106675810185	N Stelling	Museum Spare	\$14.71		
000012595035-16			02/12/2019	939106675810185	N Stelling	Line	\$14.74		
000012595035-17			02/12/2019	939106675810185	N Stelling	Summer offc desk	\$14.75		
000012595035-18			02/12/2019	939106675810185	N Stelling	Park & Rec	\$14.68		
000012595035-19			02/12/2019	939106675810300	TorreFax	Finance	\$14.68		
000012595035-20			02/12/2019	939106675810300	TorreAlarm	- Community Hall	\$14.68		
000012595035-21			02/12/2019	939106675810300	TorreFire	Alarm - Community Hall	\$14.68		
000012595035-22			02/12/2019	939106675810300	TorreFire	Alarm - Community Hall	\$14.68		
000012595035-23			02/12/2019	939106675810300	TorreFax		\$14.67		
000012595035-24			02/12/2019	939106675810300	TorreCredit	Card Lower Floor	\$14.67		
000012595035-25			02/12/2019	939106675810300	TorreAngela	Tsui	\$14.74		
000012595035-26			02/12/2019	939106675810300	TorrePG&E	Meter	\$14.75		
000012595035-27			02/12/2019	939106675810300	TorreServer	Room	\$14.75		
000012595035-28			02/12/2019	939106675810300	TorreFinance	Credit Card Reader	\$14.75		
000012595035-29			02/12/2019	939106675810300	TorreFax	- Lower Floor	\$14.75		
000012595035-30			02/12/2019	939106675810300	TorreFax	- Clerk/EOC	\$14.75		
000012595035-31			02/12/2019	939106675810300	TorreMisty	M.	\$14.82		
000012595035-52			02/12/2019	939106675810555	MaryAlarm	Service Center	\$14.68		
000012595035-53			02/12/2019	939106675810555	MaryAlarm	Service Center	\$14.68		
000012595035-54			02/12/2019	939106675810555	MaryFax	Mechanic	\$14.68		
000012595035-55			02/12/2019	939106675810555	MarySpare	Service Center	\$14.68		
000012595035-56			02/12/2019	939106675810555	MaryLine		\$14.68		
000012595035-57			02/12/2019	939106675810555	MaryLine		\$14.67		
000012595035-58			02/12/2019	939106675810555	MaryLine		\$14.67		
000012595035-59			02/12/2019	939106675810555	MarySpare		\$14.67		
000012595035-60			02/12/2019	939106675810555	MarySpare		\$14.67		
000012595035-61			02/12/2019	939106675810555	MaryFax		\$14.67		
000012595035-62			02/12/2019	939106675810555	MarySports	Weather	\$14.74		
000012595035-63			02/12/2019	939106675810555	MaryJason/Kelly	L	\$14.89		
000012595035-64			02/12/2019	939106675810555	MaryLine		\$14.92		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
000012595035-65			02/12/2019	939106675810555	MaryDisconnected Line		\$21.78		
000012595035-66			02/12/2019	939106675810555	MaryHandshake - Wilson Park		\$25.21		
000012595035-67			02/12/2019	939106675810981	Franco CtFax Traffic Yard		\$14.68		
000012595035-68			02/12/2019	939106675819500	Calle De BarcelonaCreekside Park		\$14.68		
000012595035-69			02/12/2019	939106675820410	Town CenterCity Attorney		\$14.68		
000012595035-70			02/12/2019	939106675820410	Town CenterCity Attorney		\$14.68		
000012595035-71			02/12/2019	939106675820410	Town CenterFax		\$14.67		
000012595035-72			02/12/2019	939106675821111	Stevens CreekFire Alarm Sports Center		\$14.68		
000012595035-73			02/12/2019	939106675821111	Stevens CreekFire Alarm Sports Center		\$14.68		
000012595035-74			02/12/2019	939106675821111	Stevens CreekSpare Sports Center		\$14.68		
000012595035-75			02/12/2019	939106675821111	Stevens CreekHVAC Sports Center		\$14.75		
000012595035-76			02/12/2019	939106675821111	Stevens CreekFax - Sports Center		\$14.75		
000012595035-77			02/12/2019	939106675821111	Stevens CreekElevator - Sports Center		\$14.75		
000012595035-78			02/12/2019	939106675821111	Stevens CreekDisconnected Line		\$21.78		
000012595035-79			02/12/2019	939106675821111	Stevens CreekDisconnected Line Busy		\$21.78		
000012595035-80			02/12/2019	939106675821251	Stevens CreekFax Karen		\$14.68		
000012595035-81			02/12/2019	939106675821251	Stevens CreekFax - Work Room		\$14.68		
000012595035-82			02/12/2019	939106675821251	Stevens CreekAlarm - Snack Shack		\$14.68		
000012595035-83			02/12/2019	939106675821251	Stevens CreekLine		\$14.68		
000012595035-84			02/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$14.68		
000012595035-85			02/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$14.68		
000012595035-86			02/12/2019	939106675821251	Stevens CreekFax - Adriana		\$14.68		
000012595035-87			02/12/2019	939106675821251	Stevens CreekAlarm - Senior Center		\$14.68		
000012595035-88			02/12/2019	939106675821251	Stevens CreekAlarm - Senior Center		\$14.68		
000012595035-89			02/12/2019	939106675821251	Stevens CreekTrane Modem		\$14.67		
000012595035-90			02/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$14.67		
000012595035-91			02/12/2019	939106675821251	Stevens CreekSenior Center Credit Card Reader		\$14.67		
000012595035-92			02/12/2019	939106675821251	Stevens CreekLine		\$14.67		
000012595035-93			02/12/2019	939106675821251	Stevens CreekDisconnected Line		\$21.78		
000012595035-94			02/12/2019	939106675821251	Stevens CreekDisconnected Line Busy		\$21.78		
000012595035-95			02/12/2019	939106675821975	San FernandoAlarm - Retreat		\$14.68		
000012595035-96			02/12/2019	939106675821975	San FernandoAlarm - Snack Shack		\$14.68		
000012595035-97			02/12/2019	939106675821975	San FernandoGolf Shed		\$14.74		
000012595035-98			02/12/2019	939106675821975	San FernandoAlarm - Golf Shed		\$14.75		
000012595035-99			02/12/2019	939106675821975	San FernandoPool Shed		\$14.75		
000012595035-100			02/12/2019	939106675821975	San FernandoFax		\$14.75		
000012595035-101			02/12/2019	939106675821975	San FernandoAlarm Kiosk		\$14.92		
000012595035-102			02/12/2019	939106675822221	MC ClellanHandshare - Ranch Rec		\$14.67		
000012595035-103			02/12/2019	939106675822221	MC ClellanRanch Rec		\$14.74		



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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
000012740548-0			03/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$15.66		
000012740548-1			03/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$15.66		
000012740548-2			03/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$15.83		
000012740548-3			03/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$15.76		
000012740548-4			03/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$15.76		
000012740548-5			03/12/2019	93910667581001	Jollyman Dr	Jollyman Park Unknown	\$15.76		
000012740548-6			03/12/2019	939106675810185	N Stelling	Secure Fax	\$15.76		
000012740548-7			03/12/2019	939106675810185	N Stelling	Sheriff	\$15.76		
000012740548-8			03/12/2019	939106675810185	N Stelling	Servo Modem	\$15.76		
000012740548-9			03/12/2019	939106675810185	N Stelling	Servo Rm.	\$15.76		
000012740548-10			03/12/2019	939106675810185	N Stelling	Line	\$15.76		
000012740548-11			03/12/2019	939106675810185	N Stelling	Melanie Modem	\$15.76		
000012740548-12			03/12/2019	939106675810185	N Stelling	Museum Spare	\$15.76		
000012740548-13			03/12/2019	939106675810185	N Stelling	Fax	\$15.76		
000012740548-14			03/12/2019	939106675810185	N Stelling	Sheriff	\$15.79		
000012740548-15			03/12/2019	939106675810185	N Stelling	Museum Spare	\$15.79		
000012740548-16			03/12/2019	939106675810185	N Stelling	Line	\$15.83		
000012740548-17			03/12/2019	939106675810185	N Stelling	Summer offc desk	\$15.83		
000012740548-18			03/12/2019	939106675810185	N Stelling	Park & Rec	\$15.91		
000012740548-19			03/12/2019	939106675810300	Torre	Fax Finance	\$15.76		
000012740548-20			03/12/2019	939106675810300	Torre	Alarm - Community Hall	\$15.76		
000012740548-21			03/12/2019	939106675810300	Torre	Fire Alarm - Community Hall	\$15.76		
000012740548-22			03/12/2019	939106675810300	Torre	Fire Alarm - Community Hall	\$15.76		
000012740548-23			03/12/2019	939106675810300	Torre	Fax	\$15.75		
000012740548-24			03/12/2019	939106675810300	Torre	Credit Card Lower Floor	\$15.75		
000012740548-25			03/12/2019	939106675810300	Torre	Angela Tsui	\$15.83		
000012740548-26			03/12/2019	939106675810300	Torre	PG&E Meter	\$15.83		
000012740548-27			03/12/2019	939106675810300	Torre	Server Room	\$15.83		
000012740548-28			03/12/2019	939106675810300	Torre	Finance Credit Card Reader	\$15.83		
000012740548-29			03/12/2019	939106675810300	Torre	Fax - Lower Floor	\$15.83		
000012740548-30			03/12/2019	939106675810300	Torre	Fax - Clerk/EOC	\$15.83		
000012740548-31			03/12/2019	939106675810300	Torre	Misty M.	\$15.91		
000012740548-52			03/12/2019	939106675810555	Mary	Alarm Service Center	\$15.76		
000012740548-53			03/12/2019	939106675810555	Mary	Alarm Service Center	\$15.76		
000012740548-54			03/12/2019	939106675810555	Mary	Fax Mechanic	\$15.76		
000012740548-55			03/12/2019	939106675810555	Mary	Spare Service Center	\$15.76		
000012740548-56			03/12/2019	939106675810555	Mary	Line	\$15.76		
000012740548-57			03/12/2019	939106675810555	Mary	Line	\$15.75		
000012740548-58			03/12/2019	939106675810555	Mary	Line	\$15.75		
000012740548-59			03/12/2019	939106675810555	Mary	Spare	\$15.75		
000012740548-60			03/12/2019	939106675810555	Mary	Spare	\$15.75		
000012740548-61			03/12/2019	939106675810555	Mary	Fax	\$15.75		
000012740548-62			03/12/2019	939106675810555	Mary	Sports Weather	\$15.83		
000012740548-63			03/12/2019	939106675810555	Mary	Jason/Kelly L	\$15.99		
000012740548-64			03/12/2019	939106675810555	Mary	Line	\$16.02		
000012740548-65			03/12/2019	939106675810555	Mary	Disconnected Line	\$23.39		
000012740548-66			03/12/2019	939106675810555	Mary	Handshake - Wilson Park	\$27.06		
000012740548-67			03/12/2019	939106675810981	Franco Ct	Fax Traffic Yard	\$15.76		
000012740548-68			03/12/2019	939106675819500	Calle De Barcelona	Creekside Park	\$15.76		
000012740548-69			03/12/2019	939106675820410	Town Center	City Attorney	\$15.76		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	000012740548-70		03/12/2019	939106675820410	Town Center	City Attorney	\$15.76		
	000012740548-71		03/12/2019	939106675820410	Town Center	Fax	\$15.76		
	000012740548-72		03/12/2019	939106675821111	Stevens Creek	Fire Alarm Sports Center	\$15.76		
	000012740548-73		03/12/2019	939106675821111	Stevens Creek	Fire Alarm Sports Center	\$15.76		
	000012740548-74		03/12/2019	939106675821111	Stevens Creek	Spare Sports Center	\$15.76		
	000012740548-75		03/12/2019	939106675821111	Stevens Creek	HVAC Sports Center	\$15.83		
	000012740548-76		03/12/2019	939106675821111	Stevens Creek	Fax - Sports Center	\$15.83		
	000012740548-77		03/12/2019	939106675821111	Stevens Creek	Elevator - Sports Center	\$15.83		
	000012740548-78		03/12/2019	939106675821111	Stevens Creek	Disconnected Line	\$23.39		
	000012740548-79		03/12/2019	939106675821111	Stevens Creek	Disconnected Line Busy	\$23.39		
	000012740548-80		03/12/2019	939106675821251	Stevens Creek	Fax Karen	\$15.76		
	000012740548-81		03/12/2019	939106675821251	Stevens Creek	Fax - Work Room	\$15.76		
	000012740548-82		03/12/2019	939106675821251	Stevens Creek	Alarm - Snack Shack	\$15.76		
	000012740548-83		03/12/2019	939106675821251	Stevens Creek	Line	\$15.76		
	000012740548-84		03/12/2019	939106675821251	Stevens Creek	Senior Center Credit Card Reader	\$15.76		
	000012740548-85		03/12/2019	939106675821251	Stevens Creek	Senior Center Credit Card Reader	\$15.76		
	000012740548-86		03/12/2019	939106675821251	Stevens Creek	Fax - Adriana	\$15.76		
	000012740548-87		03/12/2019	939106675821251	Stevens Creek	Alarm - Senior Center	\$15.76		
	000012740548-88		03/12/2019	939106675821251	Stevens Creek	Alarm - Senior Center	\$15.76		
	000012740548-89		03/12/2019	939106675821251	Stevens Creek	Trane Modem	\$15.75		
	000012740548-90		03/12/2019	939106675821251	Stevens Creek	Senior Center Credit Card Reader	\$15.75		
	000012740548-91		03/12/2019	939106675821251	Stevens Creek	Senior Center Credit Card Reader	\$15.75		
	000012740548-92		03/12/2019	939106675821251	Stevens Creek	Line	\$15.83		
	000012740548-93		03/12/2019	939106675821251	Stevens Creek	Disconnected Line	\$23.39		
	000012740548-94		03/12/2019	939106675821251	Stevens Creek	Disconnected Line Busy	\$23.39		
	000012740548-95		03/12/2019	939106675821975	San Fernando	Alarm - Retreat	\$15.76		
	000012740548-96		03/12/2019	939106675821975	San Fernando	Alarm - Snack Shack	\$15.76		
	000012740548-97		03/12/2019	939106675821975	San Fernando	Golf Shed	\$15.83		
	000012740548-98		03/12/2019	939106675821975	San Fernando	Alarm - Golf Shed	\$15.83		
	000012740548-99		03/12/2019	939106675821975	San Fernando	Pool Shed	\$15.83		
	000012740548-100		03/12/2019	939106675821975	San Fernando	Fax	\$15.83		
	000012740548-101		03/12/2019	939106675821975	San Fernando	Alarm Kiosk	\$16.02		
	000012740548-102		03/12/2019	939106675822221	MC Clellan	Handshare - Ranch Rec	\$15.75		
	000012740548-103		03/12/2019	939106675822221	MC Clellan	Ranch Rec	\$15.83		
720444	05/10/2019	Open			Accounts Payable	BLUE COTTON	\$1,142.26		
	Invoice		Date	Description			Amount		
	348262		04/09/2019	hack cupertino 2019 t shirts			\$1,142.26		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720445	05/10/2019	Open			Accounts Payable	BURR PLUMBING AND PUMPING INC	\$15,245.57		
	Invoice		Date	Description		Amount			
	99350		04/18/2019	Facilities: Civic Center Fountain Repair		\$15,245.57			
720446	05/10/2019	Open			Accounts Payable	BUSINESS FURNITURE SOLUTION, INC.	\$2,723.88		
	Invoice		Date	Description		Amount			
	99852		04/29/2019	Office furniture for PW Admin Area (Kinst)		\$2,723.88			
720447	05/10/2019	Open			Accounts Payable	CASH	\$446.71		
	Invoice		Date	Description		Amount			
	05072019 - Cash		05/08/2019	Petty Cash Request		\$446.71			
720448	05/10/2019	Open			Accounts Payable	CASH	\$80.00		
	Invoice		Date	Description		Amount			
	05062019A		05/06/2019	May Driver Tips		\$80.00			
720449	05/10/2019	Open			Accounts Payable	CASH	\$87.00		
	Invoice		Date	Description		Amount			
	05062019B		05/06/2019	Benecia Capitol Admission		\$87.00			
720450	05/10/2019	Open			Accounts Payable	CHAO YONG CHEN	\$360.00		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$360.00			
720451	05/10/2019	Open			Accounts Payable	CINTAS CORPORATION	\$498.81		
	Invoice		Date	Description		Amount			
	630646463		05/07/2019	Uniforms/Safety Apparel		\$498.81			
720452	05/10/2019	Open			Accounts Payable	CITY OF SAN JOSE	\$57,126.66		
	Invoice		Date	Description		Amount			
	1167608		04/25/2019	Animal services 2019/03 -05		\$57,126.66			
720453	05/10/2019	Open			Accounts Payable	CLEARBLU ENVIRONMENTAL	\$638.59		
	Invoice		Date	Description		Amount			
	20648		04/29/2019	Streets: Haz Mat April Service		\$638.59			
720454	05/10/2019	Open			Accounts Payable	COMCAST	\$751.64		
	Invoice		Date	Description		Amount			
	3310-04072019		04/07/2019	8155400650183310		\$751.64			
720455	05/10/2019	Open			Accounts Payable	COMCAST	\$218.43		
	Invoice		Date	Description		Amount			
	1155-041519		04/15/2019	8155100050381155 04/20/19-05/19/19		\$218.43			
720456	05/10/2019	Open			Accounts Payable	COMCAST	\$284.81		
	Invoice		Date	Description		Amount			
	1232-042319		04/23/2019	8155100050011232 05/01/19-05/31/19		\$284.81			
720457	05/10/2019	Open			Accounts Payable	COMCAST	\$251.20		
	Invoice		Date	Description		Amount			
	9917-041919		04/19/2019	8155100050719917 04/24/19-05/23/19		\$251.20			



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720458	05/10/2019	Open			Accounts Payable	COMCAST BUSINESS COMMUNICATIONS, LLC	\$1,229.20		
	Invoice		Date	Description		Amount			
	79056386		04/01/2019	Business Class Internet - Mary, Stevens Creek, Town Center, Voss		\$1,229.20			
720459	05/10/2019	Open			Accounts Payable	COMMUNICATION STRATEGIES	\$1,657.50		
	Invoice		Date	Description		Amount			
	1835		04/30/2019	Project Coordination Hours - Packet Fusion weekly meeting		\$1,657.50			
720460	05/10/2019	Open			Accounts Payable	COMPUTER SOFTWARE INC	\$20,372.66		
	Invoice		Date	Description		Amount			
	57735		01/01/2019	MAGNET Maintenance Contract - Year 3 01/01/2019 - 03/31/2019		\$10,186.33			
	57748		04/23/2019	MAGNET Maintenance Contract - Year 3 04/01/19 - 06/30/19		\$10,186.33			
720461	05/10/2019	Open			Accounts Payable	CPS HR CONSULTING	\$1,322.50		
	Invoice		Date	Description		Amount			
	SOP48844		04/29/2019	Maintenance Workers Exams		\$1,322.50			
720462	05/10/2019	Open			Accounts Payable	CRITERION PICTURES USA	\$275.00		
	Invoice		Date	Description		Amount			
	436434		09/10/2018	Movie License-Neighborhood Events		\$275.00			
720463	05/10/2019	Open			Accounts Payable	CUPERTINO SUPPLY INC	\$520.68		
	Invoice		Date	Description		Amount			
	198483		04/22/2019	Grounds: Supplies		\$110.64			
	198273		04/18/2019	Grounds: Copper Pipe +Supplies		\$410.04			
720464	05/10/2019	Open			Accounts Payable	DAHL'S EQUIPMENT RENTALS INC	\$215.48		
	Invoice		Date	Description		Amount			
	DE634071		04/30/2019	Fleet: Handle, Scraper, Freight Rental		\$215.48			
720465	05/10/2019	Open			Accounts Payable	DANCE FORCE LLC	\$1,266.85		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$1,266.85			
720466	05/10/2019	Open			Accounts Payable	DASHER TECHNOLOGIES, INC	\$8,640.00		
	Invoice		Date	Description		Amount			
	345932		04/30/2019	Dasher Technologies Professional Services and Project Management		\$8,640.00			
720467	05/10/2019	Open			Accounts Payable	DEPT OF CONSUMER AFFAIRS	\$115.00		
	Invoice		Date	Description		Amount			
	042019		04/20/2019	Professional Engineer License Renewal - Winnie Pagan		\$115.00			
720468	05/10/2019	Open			Accounts Payable	DOGGIE WALK BAGS INC	\$5,150.25		
	Invoice		Date	Description		Amount			
	0078700-IN		05/01/2019	Grounds: Doggie Walk Bags		\$5,150.25			
720469	05/10/2019	Open			Accounts Payable	DOLPHIN DESIGN INC	\$2,160.00		
	Invoice		Date	Description		Amount			
	30992		04/01/2019	Facilities: Aquarium Service for April 2019		\$2,160.00			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720470	05/10/2019	Open			Accounts Payable	EOA, INC.	\$2,972.07		
	Invoice		Date	Description			Amount		
	CT01-0319		04/18/2019	assistance with prep of GSI Plan			\$2,972.07		
720471	05/10/2019	Open			Accounts Payable	EPAC TECHNOLOGIES INC	\$496.43		
	Invoice		Date	Description			Amount		
	E316928		04/10/2019	COC #10 ENVELOPE			\$496.43		
720472	05/10/2019	Open			Accounts Payable	EWING IRRIGATION	\$1,838.59		
	Invoice		Date	Description			Amount		
	9896758-A-2		05/06/2019	Grounds: WC 20oz Ewing Aero & ABS Western Scoop 48inch Handle			\$1,838.59		
720473	05/10/2019	Open			Accounts Payable	FARELLA BRAUN & MARTEL LLP	\$50,943.88		
	Invoice		Date	Description			Amount		
	329585		02/20/2019	Legal Services through January 31, 2019			\$34,260.33		
	331977		04/23/2019	Legal Services through March 31, 2019			\$16,683.55		
720474	05/10/2019	Open			Accounts Payable	FEDEX	\$198.70		
	Invoice		Date	Description			Amount		
	6-526-51755		04/19/2019	FedEx Express Services			\$198.70		
720475	05/10/2019	Open			Accounts Payable	FILOLI	\$589.00		
	Invoice		Date	Description			Amount		
	05222019		05/09/2019	Admission and Docent Fees for Filoli and Scratch trip 05/22/2019			\$589.00		
720476	05/10/2019	Open			Accounts Payable	FRANK, RIMERMAN + CO. LLP	\$37,500.00		
	Invoice		Date	Description			Amount		
	204661		04/30/2019	Data Analysis- Internal Control			\$37,500.00		
720477	05/10/2019	Open			Accounts Payable	Friends of Vision Literacy	\$140.00		
	Invoice		Date	Description			Amount		
	050619		05/06/2019	ESL Basic and Easy Instruction (3.18-5.6) 7 Students			\$140.00		
720478	05/10/2019	Open			Accounts Payable	GENE CHOY	\$44.20		
	Invoice		Date	Description			Amount		
	Spring #1		05/08/2019	1st Spring Payment			\$44.20		
720479	05/10/2019	Open			Accounts Payable	GILBANE BUILDING COMPANY	\$25,260.00		
	Invoice		Date	Description			Amount		
	7 2018-13		05/01/2019	CTYCU001_J05934.200_201904-J435			\$18,360.00		
	5 2018-13		03/01/2019	CTYCU001_J05934.200_201903_J151			\$6,900.00		
720480	05/10/2019	Open			Accounts Payable	GRAINGER INC	\$75.21		
	Invoice		Date	Description			Amount		
	9149326606		04/17/2019	Grounds: Relay and Relay sockets			\$75.21		
720481	05/10/2019	Open			Accounts Payable	GRIFFIN PAINTING INC	\$24,900.00		
	Invoice		Date	Description			Amount		
	83		04/26/2019	Facilities: Pressure Wash Using a Wood Cleaner and Brightener.			\$24,900.00		
720482	05/10/2019	Open			Accounts Payable	GYM PRECISION INC	\$390.00		
	Invoice		Date	Description			Amount		
	9627		04/22/2019	April PM			\$195.00		
	9536		04/08/2019	March PM			\$195.00		

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720483	05/10/2019	Open			Accounts Payable	HDL COREN & CONE	\$4,081.25		
	Invoice		Date	Description		Amount			
	0026642-IN		04/26/2019	Contract Services Property Tax April- June 2019		\$4,081.25			
720484	05/10/2019	Open			Accounts Payable	HE, JUAN	\$520.65		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$520.65			
720485	05/10/2019	Open			Accounts Payable	HOME DEPOT CREDIT SERVICES	\$1,447.87		
	Invoice		Date	Description		Amount			
	6021711		03/28/2019	PETER ARNST		\$24.56			
	6034483		03/28/2019	RICARDO ALVAREZ		\$22.59			
	6034487		03/28/2019	JOHN STIEHR		\$84.07			
	6360930		03/28/2019	ANDREW SCHMIDT		\$160.14			
	2022096		04/01/2019	CLIFF MABUTAS		\$21.93			
	9022517		04/04/2019	VILLA FRANK		\$41.61			
	4371380		04/09/2019	CLIFF MABUSTAS		\$220.62			
	3371388		04/10/2019	CLIFF MABUTAS		\$220.11			
	2324834		04/11/2019	VILLA FRANK		\$14.98			
	2023274		04/11/2019	RICARDO ALVAREZ		\$7.41			
	1371413		04/12/2019	CLIFF MABUTAS		\$220.43			
	6092225		04/17/2019	VILLA FRANK		\$168.17			
	4011122		04/19/2019	BRAD ALEXANDER		\$37.04			
	320871		04/23/2019	CLIFF MABUTAS		\$96.65			
	635064		04/23/2019	VILLA FRANK		\$13.65			
	9371622		04/24/2019	JOHN STIEHR		\$84.60			
	8604196		04/25/2019	VILLA FRANK		\$9.31			
720486	05/10/2019	Open			Accounts Payable	HU, POLLY	\$1,234.00		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$1,234.00			
720487	05/10/2019	Open			Accounts Payable	HUICHEN LIN	\$160.00		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$160.00			
720488	05/10/2019	Open			Accounts Payable	Hyde Middle School	\$500.00		
	Invoice		Date	Description		Amount			
	Hyde050319		05/03/2019	Hyde Middle School Micro-grant Design Contest		\$500.00			
720489	05/10/2019	Open			Accounts Payable	IMPEC GROUP (CLEAN INNOVATION)	\$70,636.78		
	Invoice		Date	Description		Amount			
	1905105		05/01/2019	Facilities: May 2019 Janitorial Services		\$66,878.53			
	1904212		04/30/2019	Facilities: Black Berry Farm Deep Cleaning		\$672.50			
	1905106		05/01/2019	May 2019 Janitorial Service - Library Weekend Day Porter		\$3,085.75			
720490	05/10/2019	Open			Accounts Payable	IMPERIAL SPRINKLER SUPPLY	\$246.30		
	Invoice		Date	Description		Amount			
	3715741-00		04/25/2019	Grounds: Cement, PVC Primer		\$143.37			
	3716342-00		04/25/2019	Grounds: Gasket Kit, Face Gasket		\$102.93			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720491	05/10/2019	Open			Accounts Payable	INTERSTATE BATTERY SYSTEM OF SAN JOSE INC.	\$88.27		
	Invoice		Date	Description		Amount			
	10284874		04/30/2019	Fleet: Batteries		\$88.27			
720492	05/10/2019	Open			Accounts Payable	J.MAREZ / OCEAN PLUMBING CONSTRUCTION	\$15,115.00		
	Invoice		Date	Description		Amount			
	0130		04/26/2019	Facilities: Linda Vista Sinks & Fountains		\$15,115.00			
720493	05/10/2019	Open			Accounts Payable	JAM SERVICES INC	\$10,491.25		
	Invoice		Date	Description		Amount			
	118537		04/29/2019	Streets: Streetlight Pole Base Covers and Hardware		\$10,491.25			
720494	05/10/2019	Open			Accounts Payable	JANICE WRIGHT	\$574.00		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$574.00			
720495	05/10/2019	Open			Accounts Payable	JARVIS, FAY & GIBSON, LLP	\$100.50		
	Invoice		Date	Description		Amount			
	12938		03/31/2019	Legal Services 3/1/19-3/31/19		\$100.50			
720496	05/10/2019	Open			Accounts Payable	JIA THOMPSON	\$1,543.75		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$1,543.75			
720497	05/10/2019	Open			Accounts Payable	JILL HAFF	\$1,069.69		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$1,069.69			
720498	05/10/2019	Open			Accounts Payable	JOE'S TRACTOR SERVICE	\$4,000.00		
	Invoice		Date	Description		Amount			
	2019-1047		04/25/2019	Grounds: McClellan Ranch Preserve Mowing		\$4,000.00			
720499	05/10/2019	Open			Accounts Payable	JOHN RAMOS	\$55.00		
	Invoice		Date	Description		Amount			
	JohnR041319		04/13/2019	Cell Phone Reimbursement 03.14.19 - 04.13.19		\$55.00			
720500	05/10/2019	Open			Accounts Payable	KAISER FOUNDATION HEALTH PLAN	\$325.00		
	Invoice		Date	Description		Amount			
	8567-04/09/19		04/09/2019	Occ Health and Safety Serv		\$325.00			
720501	05/10/2019	Open			Accounts Payable	Keith Day Company, Inc.	\$300.00		
	Invoice		Date	Description		Amount			
	21027		05/01/2019	compost delivered to compost site		\$300.00			
720502	05/10/2019	Open			Accounts Payable	KENYATTA ALI	\$681.20		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$681.20			
720503	05/10/2019	Open			Accounts Payable	KIMBALL-MIDWEST	\$174.38		
	Invoice		Date	Description		Amount			
	7099377		04/30/2019	Streets: Shop Towels		\$174.38			
720504	05/10/2019	Open			Accounts Payable	KOFF AND ASSOCIATES	\$9,380.00		
	Invoice		Date	Description		Amount			
	5304		05/03/2019	Compensation Data Collection & Analysis		\$9,380.00			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720505	05/10/2019	Open			Accounts Payable	LIVE OAK ADULT DAY SERVICES	\$5,164.95		
	Invoice		Date	Description			Amount		
	LiveOak CDBGQ3FY		04/03/2019	Live Oak Q3 CDBG Public Services			\$5,164.95		
720506	05/10/2019	Open			Accounts Payable	LOGO LOCKER L.L.C.	\$3,277.63		
	Invoice		Date	Description			Amount		
	15599		04/22/2019	Uniforms for BBF Park			\$3,277.63		
720507	05/10/2019	Open			Accounts Payable	LOU THURMAN	\$78.00		
	Invoice		Date	Description			Amount		
	Spring #1		05/08/2019	1st Spring Payment			\$78.00		
720508	05/10/2019	Open			Accounts Payable	MALLIKA M THOPPAY	\$160.00		
	Invoice		Date	Description			Amount		
	Spring #1		05/08/2019	1st Spring Payment			\$160.00		
720509	05/10/2019	Open			Accounts Payable	MARIELA RODRIGUEZ	\$186.00		
	Invoice		Date	Description			Amount		
	MarielaTyler2019		05/07/2019	Reimbursement- 2019 Tyler Connect Conf.			\$186.00		
720510	05/10/2019	Open			Accounts Payable	MAU TRUONG	\$347.75		
	Invoice		Date	Description			Amount		
	Spring #1		05/08/2019	1st Spring Payment			\$347.75		
720511	05/10/2019	Open			Accounts Payable	MIG INC	\$1,564.00		
	Invoice		Date	Description			Amount		
	0054541-2		07/27/2018	Payment #22, Complete Payment June 2018 for Parks MP			\$1,564.00		
720512	05/10/2019	Open			Accounts Payable	MOMAR, INC.	\$195.03		
	Invoice		Date	Description			Amount		
	PSI286142		04/26/2019	Fleet: Ratchet Set and Freight			\$195.03		
720513	05/10/2019	Open			Accounts Payable	MOOD MEDIA	\$98.84		
	Invoice		Date	Description			Amount		
	54618413		05/01/2019	Music			\$98.84		
720514	05/10/2019	Open			Accounts Payable	MOUNTAIN VIEW GARDEN CENTER	\$106.15		
	Invoice		Date	Description			Amount		
	98563		04/08/2019	Grounds: Topsoil			\$63.69		
720515	05/10/2019	Open			Accounts Payable	NAPA Auto Parts	\$168.22		
	Invoice		Date	Description			Amount		
	575660		05/06/2019	Fleet: Syn Bay Box			\$168.22		
720516	05/10/2019	Open			Accounts Payable	National Business Furniture	\$5,311.18		
	Invoice		Date	Description			Amount		
	MK521676		03/20/2019	12 High-back Faux Leather Chairs for Community Hall			\$4,863.19		
720517	05/10/2019	Open			Accounts Payable	NORTH AMERICAN YOUTH ACTIVITIES LLC	\$400.00		
	Invoice		Date	Description			Amount		
	KLS-CupPreschool		04/25/2019	KLS-CupPreschoolVisit			\$400.00		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720518	05/10/2019	Open			Accounts Payable	Northern CA's Emergency Vehicle Installations	\$659.48		
	Invoice		Date	Description		Amount			
	401		05/02/2019	Fleet: Coax Kit Connector for New VEH 401		\$659.48			
720519	05/10/2019	Open			Accounts Payable	O'REILLY AUTO PARTS	\$191.69		
	Invoice		Date	Description		Amount			
	2591-402408		05/06/2019	Fleet: Air Filter, Threadlocker, 36m ThreadLock		\$191.69			
720520	05/10/2019	Open			Accounts Payable	OFFICE DEPOT	\$1,672.31		
	Invoice		Date	Description		Amount			
	297669534001		04/03/2019	office supplies		\$370.03			
	301373789001		04/11/2019	Toner for Adrianna and copy paper for Nancy		\$249.76			
	305149939001		04/19/2019	box of white copy paper and hot chocolate		\$371.67			
	301978260001		04/12/2019	Post It Notes and Collapsible Cart		\$80.32			
	303028478001		04/16/2019	Chair Mat- Leslie, Tray Keyboard		\$143.28			
	298098862001		04/04/2019	Letter Openers		\$9.03			
	294516412001		03/28/2019	Post It Notes and Dusters		\$30.54			
	298099207001		04/04/2019	Pencil Holder- Min		\$1.83			
	306548043001		04/25/2019	Office Supplies - Copy Paper & Post-it		\$317.30			
	308382194001		05/01/2019	Code Enforcement Kitchen supplies and Office Supplies		\$98.55			
720521	05/10/2019	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$15,398.61		
	Invoice		Date	Description		Amount			
	1715-042319		04/23/2019	4993063171-5 03/19/19-04/17/19		\$15,398.61			
720522	05/10/2019	Open			Accounts Payable	PACIFIC OFFICE AUTOMATION, INC	\$98.00		
	Invoice		Date	Description		Amount			
	979478		04/12/2019	Clerk1 Printer Staples		\$98.00			
720523	05/10/2019	Open			Accounts Payable	PAUL SAPUDAR	\$110.00		
	Invoice		Date	Description		Amount			
	PaulS031419		03/14/2019	Cell Ph Svc Reimburs. 02.15.19-03.14.19		\$55.00			
	PaulS041419		04/14/2019	Cell Ph. Svc Reimburs. 03.15.19-04.14.19		\$55.00			
720524	05/10/2019	Open			Accounts Payable	PG&E	\$433.72		
	Invoice		Date	Description		Amount			
	0349-042919		04/29/2019	3042033034-9 03/22/19-04/22/19		\$168.86			
	7100-041619		04/16/2019	7166121710-0 03/11/19 - 04/08/19		\$59.54			
	9785-043019		04/30/2019	2016881978-5 03/22/19-04/22/19		\$96.06			
	4212-043019		04/30/2019	3535370421-2 03/23/19-04/23/19		\$62.52			
	5875-042319		04/23/2019	2012160587-5 03/22/19-04/22/19		\$46.74			
720525	05/10/2019	Open			Accounts Payable	QUINTON ADAMS	\$560.29		
	Invoice		Date	Description		Amount			
	QuintonA05072019		05/07/2019	Aruba Atmosphere 2019 Conference - Las Vegas, NV		\$560.29			
720526	05/10/2019	Open			Accounts Payable	REBECCA MCCORMICK	\$538.70		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$538.70			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720527	05/10/2019	Open			Accounts Payable	ROGER LEE	\$50.00		
	Invoice		Date	Description			Amount		
	RogerL041719		04/17/2019	Reimbursement APWA Luncheon Guest - Lisa Maletis-Massey			\$50.00		
720528	05/10/2019	Open			Accounts Payable	RONALD D OLDS	\$536.50		
	Invoice		Date	Description			Amount		
	5254		05/04/2019	Conf. Room C audio wiring; XLR cable repair, Kona video cabling			\$536.50		
720529	05/10/2019	Open			Accounts Payable	RUBY CHEN	\$200.00		
	Invoice		Date	Description			Amount		
	Spring #1		05/08/2019	1st Spring Payment			\$200.00		
720530	05/10/2019	Open			Accounts Payable	SABRO COMMUNICATIONS, INC.	\$1,835.00		
	Invoice		Date	Description			Amount		
	2284-C		05/02/2019	Labor and Materials provided for Aruba AP Cabling at CH			\$1,835.00		
720531	05/10/2019	Open			Accounts Payable	SAN JOSE WATER COMPANY	\$23,935.79		
	Invoice		Date	Description			Amount		
	Import - 68193		04/26/2019	0068410000-1 - 22221 McClellan 8302			\$347.17		
	Import - 68194		04/26/2019	0134100000-6 - 8303 Memorial Park			\$483.34		
	Import - 68197		04/26/2019	0345710000-0 - Alderbrook Ln.FS			\$111.35		
	Import - 68198		04/25/2019	0573900000-7 - 22120 Stevens Creek Blvd			\$46.61		
	Import - 68199		04/26/2019	0677310000-0 - 10300 Torre Ave LS (Comm.Hall)			\$318.60		
	Import - 68201		04/26/2019	1198300000-8 - 21979 San Fernando Ave. 6620			\$374.39		
	Import - 68202		04/26/2019	1250520000-1 - 6620 Blackberry/Snack			\$292.69		
	Import - 68203		04/26/2019	1332100000-5 - Hyde Avenue			\$1,027.50		
	Import - 68204		04/26/2019	1393820000-6 - Irrig SC/Stelling LS (Stev Crk Blvd)			\$41.18		
	Import - 68205		04/26/2019	1444810000-9 - Hyannisport Dr. LS			\$1,192.52		
	Import - 68209		04/26/2019	1735700000-3 - 8303 Memorial Park Restroom			\$151.04		
	Import - 68210		04/26/2019	1787904559-3 - 22221 McClellan 8302			\$86.64		
	Import - 68211		04/26/2019	1832500000-0 - Ruppell PL LS			\$307.68		
	Import - 68212		04/26/2019	1836700000-9 - 8322 Mary Mini Park			\$134.69		
	Import - 68213		04/26/2019	1987700000-0 - Alderbrook Ln LS			\$1,923.26		
	Import - 68214		04/26/2019	2228610000-7 - 21111 Stevens Crk LS			\$151.04		
	Import - 68215		04/26/2019	2243500000-9 - 10300 Ainsworth Dr.LS			\$281.78		
	Import - 68216		04/26/2019	2286120000-8 - 21251 Stevens Creek Blvd			\$48.84		
	Import - 68217		04/26/2019	2288800000-1 - 8306 Somerset Park			\$134.69		
	Import - 68219		04/26/2019	2649300000-9 - 10300 Torre Ave. FS (Comm.Hall)			\$111.35		
	Import - 68220		04/26/2019	2892070144-9 - 22221 McClellan 8320			\$97.69		
	Import - 68221		04/26/2019	2958510000-0 - 10555 Mary Ave.			\$101.07		
	Import - 68222		04/26/2019	2974010000-2 - 21251 Stevens Creek Blvd			\$260.00		
	Import - 68223		04/26/2019	2984810000-3 - 8504 Alves and Stelling			\$238.21		
	Import - 68225		04/26/2019	3207400000-4 - 21710 McClellan 8312			\$140.14		
	Import - 68226		04/26/2019	3296700000-4 - Irrig SC/Stelling LS (Stev Crk Blvd)			\$41.18		
	Import - 68229		04/26/2019	3530520000-4 - 21111 Stev.Crk Blvd 8510			\$352.61		
	Import - 68230		04/26/2019	3612707315-7 - Stocklmeir Ct			\$151.04		
	Import - 68231		04/26/2019	3673220000-5 - Stev.Crk/Cupertino Rd.			\$41.18		
	Import - 68232		04/25/2019	3688120000-4 - Mary Ave Footbridge			\$76.09		
	Import - 68234		04/26/2019	3746710000-6 - 21111 Stev.Crk BL FS			\$73.28		
	Import - 68235		04/26/2019	3841010000-2 - 8507 Monta Vista Park			\$172.84		



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	Import - 68236		04/26/2019	3856110000-9	- 8322 Stella Estates		\$41.18		
	Import - 68237		04/26/2019	3857710000-1	- 8322 Foothill/Cupertino Rd		\$81.24		
	Import - 68238		04/25/2019	3872100000-8	- Park Canyon Oak Wy		\$149.94		
	Import - 68239		04/26/2019	3900520000-9	- 10300 Torre Ave		\$559.96		
	Import - 68240		04/26/2019	4012210000-7	- 22601 Voss Av 8304		\$535.54		
	Import - 68241		04/26/2019	4103020000-4	- 6620 Blackberry/Snack		\$412.52		
	Import - 68242		04/26/2019	4227520000-6	- 8303 Memorial Park		\$363.49		
	Import - 68245		04/25/2019	5022148584-5	- 10301 Byrne Ave		\$51.56		
	Import - 68246		04/26/2019	5122900000-8	- Portable Meter		\$266.41		
	Import - 68247		04/26/2019	5237400000-9	- Dumas Dr, LS		\$1,585.16		
	Import - 68249		04/26/2019	5356310000-6	- 8322 Stev.Crk/Median		\$40.31		
	Import - 68253		04/26/2019	5778910000-5	- 8504 Quinlan Ln.FS		\$48.84		
	Import - 68254		04/26/2019	5835000000-4	- 8322 Stelling/Alves		\$81.24		
	Import - 68256		04/26/2019	5948100000-4	- Emerg Irrig/Golf		\$2,291.76		
	Import - 68257		04/26/2019	5986710000-6	- 10300 Torre Ave. FS (Comm.Hall)		\$423.64		
	Import - 68258		04/29/2019	5997110000-9	- 7555 Barnhart Pl		\$1,127.09		
	Import - 68259		04/26/2019	6292600000-1	- 10800 Torre Ave LS		\$1,219.80		
	Import - 68260		04/26/2019	6296810000-8	- 8322 Stev.Crk BI median		\$41.18		
	Import - 68261		04/26/2019	6405210000-1	- 8506 McClellan Ranch		\$73.82		
	Import - 68262		04/26/2019	6578520000-0	- 8322 Foothill/Alpine LS		\$81.24		
	Import - 68263		04/26/2019	6730700000-9	- 21975 San Fernando Av		\$52.03		
	Import - 68265		04/26/2019	6788620000-4	- 10555 Mary Ave. 8503		\$172.84		
	Import - 68266		04/25/2019	6875120000-4	- 21979 San Fernando Av		\$96.04		
	Import - 68267		04/26/2019	6907100000-9	- Alderbrook Ln		\$211.26		
	Import - 68268		04/26/2019	6935200000-9	- 8303 Memorial Park		\$690.33		
	Import - 68269		04/26/2019	6973320000-5	- 8301 Linda Vista PK1		\$151.04		
	Import - 68270		04/26/2019	7036000000-7	- 85 Stev.Crk/Mary LS		\$81.24		
	Import - 68272		04/26/2019	7054200000-8	- 8322 Phar Lap LS		\$25.19		
	Import - 68273		04/25/2019	7112900000-7	- Oak Valley Rd		\$76.09		
	Import - 68274		04/26/2019	7495200000-3	- 10300 Torre Ave FS		\$111.35		
	Import - 68275		04/25/2019	7523510000-7	- Oak Valley Road LS		\$119.64		
	Import - 68276		04/26/2019	7630410000-1	- Salem Av.LS		\$266.42		
	Import - 68279		04/26/2019	7930000000-1	- 8322 Stelling/Christensen Dr.		\$113.88		
	Import - 68280		04/26/2019	8006810000-9	- 10450 Mann Dr		\$25.19		
	Import - 68281		04/26/2019	8065700000-8	- Peninsula and Fitzgerald Is		\$30.59		
	Import - 68283		04/26/2019	8270010000-9	- Janice Ave.LS		\$194.61		
	Import - 68284		04/26/2019	8287220000-9	- 8322 Stevens Cr/San Antonio Ls		\$41.18		
	Import - 68285		04/26/2019	8427420000-9	- 8322 Foothill/Vista Knoll		\$81.24		
	Import - 68286		04/26/2019	8549600000-2	- Bubb Rd.LS		\$1,034.39		
	Import - 68287		04/26/2019	8605220000-2	- Stev.Crk/Orange LS		\$41.18		
	Import - 68288		04/26/2019	8647520000-1	- 10555 Mary Ave/Corp Yard FS		\$122.12		
	Import - 68289		04/26/2019	8755010000-9	- 10455 Miller Ave/Creekside		\$401.84		
	Import - 68290		04/26/2019	8879620000-9	- 8504 Christensen Dr		\$227.30		
	Import - 68291		04/26/2019	8886800000-6	- 8301 Linda Vista PK2		\$129.29		
	Import - 68292		04/25/2019	9118810000-1	- 21121 Stevens Ck BI Ls		\$204.39		
	Import - 68294		04/26/2019	9377600000-7	- 8307 Varian Park		\$178.27		
	Import - 68297		04/25/2019	9584020000-0	- Byrne Ave - Irrigation		\$125.07		
	Import - 68300		04/26/2019	9785210000-3	- 8322 Stev.Crk BL median		\$41.18		
	Import - 68301		04/26/2019	9824500000-9	- 8322 Irrig SC/Stelling		\$102.99		



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720532	05/10/2019	Open			Accounts Payable	SHAW HR CONSULTING, INC.	\$870.00		
	Invoice		Date	Description					
	13757		04/24/2019	Milkes/DIP			\$870.00		
720533	05/10/2019	Open			Accounts Payable	SKYHAWKS SPORTS ACADEMY	\$202.40		
	Invoice		Date	Description					
	050319		05/03/2019	Winter Payment			\$202.40		
720534	05/10/2019	Open			Accounts Payable	SLOAN SAKAI YEUNG & WONG LLP	\$976.50		
	Invoice		Date	Description					
	40189		03/31/2019	2019 Personnel Advice			\$976.50		
720535	05/10/2019	Open			Accounts Payable	SSA LANDSCAPE ARCHITECTS INC	\$3,816.22		
	Invoice		Date	Description					
	6468		04/26/2019	MRW Parking Lot 3/26/19-4/25/19 Ph 7 Amend 4 Project 160021.00			\$3,816.22		
720536	05/10/2019	Open			Accounts Payable	STAPLES BUSINESS ADVANTAGE	\$590.28		
	Invoice		Date	Description					
	3411308303		04/18/2019	Avery Labels. Tape dispenser			\$24.86		
	3411082365		04/14/2019	desk top dry erase board. coffee cups			\$68.31		
	3410543890		04/06/2019	post it, tea, hilite, tissue, creamer, envelop, spoon, fork,			\$293.25		
	3410596122		04/09/2019	plastic envelopes with tie string			\$9.15		
	3411956867		04/26/2019	Sorter, File Holder			\$101.24		
	3411382411		04/19/2019	Building Office Supplies - Lead Refill			\$2.45		
	3411382410		04/19/2019	Building Office Supplies - Lead Refill			(\$2.45)		
	3411238096		04/17/2019	Building Office Supplies - Lead Refill			\$0.82		
	3411382413		04/19/2019	Kitchen Supplies - Creamer, Tea, Sugar			\$48.05		
	3411082364		04/14/2019	Office Supplies			\$44.60		
720537	05/10/2019	Open			Accounts Payable	STARBIRD CONSULTING LLC	\$3,645.00		
	Invoice		Date	Description					
	0042		04/23/2019	Regnart Rd Payment 3 through 3/31/19			\$3,645.00		
720538	05/10/2019	Open			Accounts Payable	SUE AND KATHY LINE DANCE	\$1,101.60		
	Invoice		Date	Description					
	050619		05/06/2019	Line Dance Begin. Instruction (3.14-5.2) 27 Students			\$1,101.60		
720539	05/10/2019	Open			Accounts Payable	SUNNYVALE FORD	\$285.98		
	Invoice		Date	Description					
	147501		04/30/2019	Fleet: Lamps for Vehicle			\$285.98		
720540	05/10/2019	Open			Accounts Payable	SUPERCO SPECIALTY PRODUCTS	\$522.75		
	Invoice		Date	Description					
	PSI286054		04/25/2019	Fleet: Misc General Supplies			\$522.75		
720541	05/10/2019	Open			Accounts Payable	SUZANNE MARIE BESLER	\$48.75		
	Invoice		Date	Description					
	Spring #1		05/08/2019	1st Spring Payment			\$48.75		
720542	05/10/2019	Open			Accounts Payable	SWATI SAVALÉ	\$101.40		
	Invoice		Date	Description					
	Spring #1		05/08/2019	1st Spring Payment			\$101.40		

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720543	05/10/2019	Open			Accounts Payable	SYSKO FOOD SERVICES OF SF	\$9,480.05		
	Invoice		Date	Description		Amount			
	250910586		05/03/2019	First food order for BBF Cafe		\$8,342.25			
720544	250842733		04/04/2019	Coffee order and supplies for BDB social		\$1,137.80			
	05/10/2019	Open			Accounts Payable	T & T PAVEMENT MARKINGS AND	\$3,040.29		
	Invoice		Date	Description		Amount			
720545	2019178		05/03/2019	Streets: Ultra Lok Buckles, UL's		\$3,040.29			
	05/10/2019	Open			Accounts Payable	TANASE, KEN	\$194.17		
	Invoice		Date	Description		Amount			
720546	KenT120718		12/07/2018	Cell Ph Svc Reimbursement: 11.08.18-12.07.18		\$39.51			
	KenT010719		01/07/2019	Cell Ph Svc Rmbrs: 12.08.18-01.07.19		\$38.66			
	KenT020719		02/07/2019	Cell Ph Svc Rmbrs: 01.08.19-02.07.19		\$38.66			
	KenT030719		03/07/2019	Cell Ph Svc Rmbrs: 02.08.19-03.07.19		\$38.69			
	KenT040719		04/07/2019	Cell Ph Svc Rmbrs: 03.08.19-04.07.19		\$38.65			
	05/10/2019	Open			Accounts Payable	THE CALIFORNIA CHANNEL	\$253.34		
720547	Invoice		Date	Description		Amount			
	525		05/01/2019	California Channel (May 2019)		\$253.34			
	05/10/2019	Open			Accounts Payable	TIM COLVIN	\$2,500.00		
720548	Invoice		Date	Description		Amount			
	2019-4		05/05/2019	Test System w/ Tesira; zoom room routing; mitto testing		\$2,500.00			
	05/10/2019	Open			Accounts Payable	TSAI , JENNY	\$320.00		
720549	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$320.00			
	05/10/2019	Open			Accounts Payable	TURF & INDUSTRIAL EQUIPMENT CO	\$51.22		
720550	Invoice		Date	Description		Amount			
	IV30405		04/30/2019	Fleet: King Pin and Thrust		\$2.09			
	IV30388		05/06/2019	Fleet: Oil Pump, Worm, Pin		\$49.13			
720551	05/10/2019	Open			Accounts Payable	U S HEALTHWORKS MEDICAL GROUP PC	\$354.00		
	Invoice		Date	Description		Amount			
	3493723-CA		04/26/2019	TB SKIN Test		\$88.50			
	3489531-CA		04/02/2019	TB SKIN TEST		\$29.50			
	3491916-CA		04/12/2019	TB SKIN TEST		\$59.00			
	3490958-CA		04/05/2019	TB SKIN TEST		\$59.00			
720552	3492970-CA		04/19/2019	TB SKIN TEST		\$118.00			
	05/10/2019	Open			Accounts Payable	UNITED SITE SERVICES INC.	\$1,456.60		
	Invoice		Date	Description		Amount			
720552	114-8378662		04/24/2019	Portable Restrooms for the Big Bunny 5K		\$1,456.60			
	05/10/2019	Open			Accounts Payable	URBAN FUTURES INC.	\$29,637.50		
	Invoice		Date	Description		Amount			
720552	0319-010		05/02/2019	Financial Modeling		\$29,637.50			

# Payment Register

From Payment Date: 5/4/2019 - To Payment Date: 5/10/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720553	05/10/2019	Open			Accounts Payable	US BANK-PURCHASING CARD PROGRAM	\$80,802.39		
Invoice		Date	Description		Amount				
	JeffO041519	04/15/2019	0459 CC Charges		\$3,611.75				
	BarbaraB041519	04/15/2019	CCC8712		\$435.69				
	KimC041519	04/15/2019	8696 CC Charges		\$1,352.63				
	ChristineH041519	04/15/2019	5957 CC Charges		\$1,188.00				
	BethE041519	04/15/2019	CC charges 5593		\$1,351.84				
	DonnaH041519	04/15/2019	8766 CC Charges		\$46.00				
	CesarG041519	04/15/2019	9076 CC Charges		\$143.46				
	AndrewS041519	04/15/2019	9993 CC Charges		\$767.62				
	RachelleS041519	04/15/2019	4371 CC Charges		\$453.88				
	CyrahC04152019	04/15/2019	2655 CC Charges		\$2,166.68				
	BradA041519	04/15/2019	6013 CC Charges		\$175.92				
	JasonF041519	04/15/2019	0161 CC Charges		\$1,087.74				
	JonathanF041519	04/15/2019	3969 CC Charges		\$1,252.33				
	LisaMM041519	04/15/2019	4642 CC Charges		\$1,127.99				
	BrantonC041519	04/15/2019	5320 CC Charges		\$929.67				
	JeffM041519	04/15/2019	4203 CC Charges		\$29.99				
	KevinK041519	04/15/2019	8746 CC Charges		\$207.82				
	BennyH04152019	04/15/2019	1015 CC Charges		\$7,203.15				
	ReiD041519	04/15/2019	9254CCCharges		\$3,947.68				
	BrianG041519	04/15/2019	6202 CC Charges		\$42.61				
	MarcL041519	04/15/2019	0138 CC Charges		\$119.42				
	ShawnT041519	04/15/2019	0179 CC Charges		\$498.32				
	CliffM041519	04/15/2019	0112 CC Charges		\$609.00				
	MariluM041519	04/15/2019	6256CCCharges		\$754.47				
	karengo041519	04/15/2019	0882 cc charges		\$441.10				
	PeggyF041519	04/15/2019	0924 CC Charges		\$668.98				
	RudyL041519	04/15/2019	8736 CC Charges		\$2,884.73				
	BillB041519	04/15/2019	5247 CC Charges		\$1,606.37				
	RobertG041519	04/15/2019	6980 CC Charges		\$597.40				
	TimmB04152019	04/15/2019	0362 CC Charges		\$1,057.00				
	CarlV041519	04/15/2019	6520 CC Charges		\$25.00				
	JindyG041519	04/15/2019	0175 CC Charges		\$614.57				
	MarilynM04152019	04/15/2019	6763 CC Charges		\$1,095.69				
	ColleenF041519	04/15/2019	cccharges0798		\$286.85				
	KennethE04152019	04/15/2019	5954 CC Charges		\$691.29				
	ClareF04152019	04/15/2019	0078 CC Charges		\$17.54				
	MollyJ041519	04/15/2019	5546 CC Charges		\$1,511.17				
	KeithW041519	04/15/2019	8803 CC Charges		\$32.10				
	IsaacP041519	04/15/2019	0125 CC Charges		\$58.36				
	JasonG 041519	04/15/2019	2795 CC Charges		\$463.81				
	DomingoS041519	04/15/2019	7167 CC Charges		\$542.36				
	KimF041519	04/15/2019	6867 CC Charges		\$631.54				
	TyB041519	04/15/2019	3195 CC Charges		\$3,529.98				
	AdriannaS041519	04/15/2019	0890 CC Charges		\$152.09				
	BillM04152019	04/15/2019	6500 CC Charges		\$8,150.37				
	AlbertS041519	04/15/2019	7270 CC Charges		\$1,839.58				
	GailS041519	04/15/2019	3235 CC Charges		\$31.49				

# Payment Register

From Payment Date: 5/4/2019 - To Payment Date: 5/10/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	UrsulaS041519		04/15/2019	2512 CC Charges			\$2,071.48		
	SundariP041519		04/15/2019	9702 CC Charges			\$4,873.88		
	AlexC041519		04/15/2019	0400CCCharges			\$4,860.50		
	LaurenS04152019		04/15/2019	0578 CC Charges			(\$756.10)		
	LauraL041519		04/15/2019	8688 CC Charges			\$127.45		
	MarielaV041519		04/15/2019	8337 CC Charges			\$4,408.31		
	BrianB041519		04/15/2019	4195 CC Charges			\$2,731.17		
	TimC041519		04/15/2019	6518CCCharges			\$253.45		
	JeffP041519		04/15/2019	3990CCCharges			\$82.82		
	AmandaH041519		04/15/2019	9326 CC Charges			\$2,317.90		
	DanielM041519		04/15/2019	9167 CC Charges			\$2,944.31		
	EmmaS041519		04/15/2019	1986 CC Charges			\$454.19		
720554	05/10/2019	Open			Accounts Payable	US BANK-PURCHASING CARD PROGRAM	\$3,258.10		
	Invoice		Date	Description		Amount			
	041519-Recon		04/15/2019	US BANK Reconciliation		\$3,258.10			
720555	05/10/2019	Open			Accounts Payable	USWIRED INCORPORATED	\$389.25		
	Invoice		Date	Description		Amount			
	333499		04/24/2019	Ink from Bay Area Printer for QCC		\$122.25			
	333523		04/26/2019	toner replacement/refill		\$267.00			
720556	05/10/2019	Open			Accounts Payable	VASANTHI BHAT	\$377.60		
	Invoice		Date	Description		Amount			
	050619		05/06/2019	Hatha Yoga Instruction (3.14-5.2) 8 Students + 16 Flex		\$377.60			
720557	05/10/2019	Open			Accounts Payable	WILLIAM RASSIEUR	\$400.00		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$400.00			
720558	05/10/2019	Open			Accounts Payable	WINGFOOT COMMERCIAL TIRE	\$4,635.25		
	Invoice		Date	Description		Amount			
	189-1100880		03/13/2019	Fleet: Tires 235/65R16 , Waste Tire, Fuel Surcharge		\$1,001.94			
	189-1101082		04/10/2019	Fleet: Tires, Waste Tire Fee, Fuel Surcharge		\$1,137.63			
	189-1101036		04/02/2019	Fleet: Tires, Waste Tire Fee, Fuel Surcharge		\$1,385.18			
	189-1101142		04/19/2019	Fleet: Tires, Waste Tire Fee, Fuel Surcharge		\$352.07			
	189-1101192		04/26/2019	Fleet: Tires, Waste Tire Fee, Fuel Surcharge		\$758.43			
720559	05/10/2019	Open			Accounts Payable	WOWzy Creation Corp	\$452.96		
	Invoice		Date	Description		Amount			
	92494		05/06/2019	CREST Awards for 2019 Recipients		\$452.96			
720560	05/10/2019	Open			Accounts Payable	YORK INSURANCE SERVICES GROUP INC	\$4,416.34		
	Invoice		Date	Description		Amount			
	500018524		03/01/2019	Workers Comp. Claims Admin 03/10 -03/31/19		\$2,208.17			
	500018635		04/01/2019	Workers Comp. Claims Admin 04/01-04/31/19		\$2,208.17			
720561	05/10/2019	Open			Accounts Payable	Baig, Tony	\$1,945.96		
	Invoice		Date	Description		Amount			
	BS1631		05/07/2019	10150 Calvert Dr, Encroachment Release, BS1631		\$1,945.96			

# Payment Register

From Payment Date: 5/4/2019 - To Payment Date: 5/10/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720562	05/10/2019	Open			Accounts Payable	Bhatnagar, Neena	\$500.00		
	Invoice		Date	Description			Amount		
	#R16652		05/08/2019	Sr. Center Rental Deposit refund			\$500.00		
720563	05/10/2019	Open			Accounts Payable	Chaung, Yung-Ho	\$3,160.00		
	Invoice		Date	Description			Amount		
	BS29166		05/08/2019	10734 S. Stelling Rd, 10% FP, Dev Maint, BS29166			\$3,160.00		
720564	05/10/2019	Open			Accounts Payable	Company, Gridley	\$500.00		
	Invoice		Date	Description			Amount		
	8142		05/07/2019	20357 Clay St, Encroachment Release, 8142			\$500.00		
720565	05/10/2019	Open			Accounts Payable	Cupertino Sister City Inc.	\$1,000.00		
	Invoice		Date	Description			Amount		
	237-042719		05/01/2019	QCC- 5.01.19- Memorial Park Field Rental 04.27 & 04.28.19			\$1,000.00		
720566	05/10/2019	Open			Accounts Payable	Danel Roofing Inc	\$276.00		
	Invoice		Date	Description			Amount		
	RefundB2019-0343		05/08/2019	Refund 10363 Bret Ave B-2019-0343 Permit Withdrawn			\$276.00		
720567	05/10/2019	Open			Accounts Payable	GUPTA, SHIMPY	\$246.00		
	Invoice		Date	Description			Amount		
	2000657.030		05/03/2019	requested refund after transfer, only able to refund by check.			\$246.00		
720568	05/10/2019	Open			Accounts Payable	Hsu, Tracy	\$15,000.00		
	Invoice		Date	Description			Amount		
	212911		05/02/2019	10161 Lebanon, 100% LM, 212911			\$15,000.00		
720569	05/10/2019	Open			Accounts Payable	IQV Construction Inc	\$276.07		
	Invoice		Date	Description			Amount		
	RefundB2019-0158		05/08/2019	Refund 22201 Bitter Oak St, B-2019-0158 Permit, Withdrawn			\$276.07		
720570	05/10/2019	Open			Accounts Payable	Lowy, Janet	\$500.00		
	Invoice		Date	Description			Amount		
	20132		05/08/2019	10362 Bret Avenue, Encroachment Release, 20132			\$500.00		
720571	05/10/2019	Open			Accounts Payable	LPC CUPERTINO INVESTMENT CORP	\$193.67		
	Invoice		Date	Description			Amount		
	8151		05/09/2019	LPC CUPERTINO invoice #8151 Refund			\$193.67		
720572	05/10/2019	Open			Accounts Payable	Quota of Cupertino	\$500.00		
	Invoice		Date	Description			Amount		
	2086-42519		05/01/2019	QCC- 5.01.19- Cupertino Room rental 4.25.19			\$500.00		
720573	05/10/2019	Open			Accounts Payable	STATE ROOFING	\$150.00		
	Invoice		Date	Description			Amount		
	8190		05/09/2019	STATE ROOFING Inv#8190 Refund			\$150.00		
720574	05/10/2019	Open			Accounts Payable	Tan, Alice	\$8,688.00		
	Invoice		Date	Description			Amount		
	BS1969		05/07/2019	20896 Elenda Dr, Encroachment Release, BS1969			\$8,688.00		

# Payment Register

From Payment Date: 5/4/2019 - To Payment Date: 5/10/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720575	05/10/2019	Open			Accounts Payable	Zhu, Wei	\$270.00		
	Invoice		Date	Description		Amount			
	2000644.030		04/30/2019	Refund for Cancelled course #6161.		\$270.00			
720576	05/10/2019	Open			Accounts Payable	MOLARO, LISA	\$4,714.05		
	Invoice		Date	Description		Amount			
	MolaroWinter19-1		04/10/2019	Lisa Molaro Winter 2019 Payment 1		\$4,714.05			
Type Check Totals:							147 Transactions	\$718,681.97	
EFT									
28520	05/06/2019	Open			Accounts Payable	EMPLOYMENT DEVEL DEPT	\$33,435.09		
	Invoice		Date	Description		Amount			
	04262019		05/02/2019	CA State Tax pp 4/13-4/26/19		\$33,435.09			
28521	05/06/2019	Open			Accounts Payable	IRS	\$112,416.24		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	Federal Tax pp 4/13-4/26/19		\$112,416.24			
28522	05/07/2019	Open			Accounts Payable	EMPLOYMENT DEVEL DEPT	\$5.74		
	Invoice		Date	Description		Amount			
	05062019		05/06/2019	CA State Tax - D'Miles S.		\$5.74			
28523	05/07/2019	Open			Accounts Payable	IRS	\$67.49		
	Invoice		Date	Description		Amount			
	05062019		05/06/2019	Federal Tax - D'Miles S.		\$67.49			
28524	05/09/2019	Open			Accounts Payable	P E R S	\$357,015.35		
	Invoice		Date	Description		Amount			
	04262019		04/26/2019	CalPERS pp 4/13-4/26/19		\$357,015.35			
28525	05/09/2019	Open			Accounts Payable	P E R S	\$173.20		
	Invoice		Date	Description		Amount			
	05062019		05/06/2019	CalPERS D'Miles S.		\$173.20			
28526	05/09/2019	Open			Accounts Payable	California Public Employees' Retirement System	\$318,357.47		
	Invoice		Date	Description		Amount			
	7158-04/15/19		05/08/2019	Health Premiums		\$318,357.47			
28527	05/10/2019	Open			Accounts Payable	AUSTIN, NATASHA	\$1,262.10		
	Invoice		Date	Description		Amount			
	AustinSp19P1		05/08/2019	AustinSp19P1		\$1,262.10			
28528	05/10/2019	Open			Accounts Payable	BRIAN GATHERS	\$55.00		
	Invoice		Date	Description		Amount			
	BrianG050419		05/04/2019	Cell Ph Svc Reimburse. 04.05.19-05.04.19		\$55.00			
28529	05/10/2019	Open			Accounts Payable	CLIFF MABUTAS	\$55.00		
	Invoice		Date	Description		Amount			
	CliffM041219		04/12/2019	Cell Phone Reimbursement 3.13.19-4.12.19		\$55.00			
28530	05/10/2019	Open			Accounts Payable	COLLEEN FERRIS	\$52.03		
	Invoice		Date	Description		Amount			
	ColleenF41119		04/11/2019	cell phone reimbursement		\$52.03			
28531	05/10/2019	Open			Accounts Payable	GRACE DUVAL	\$660.00		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$660.00			

# Payment Register

From Payment Date: 5/4/2019 - To Payment Date: 5/10/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
28532	05/10/2019	Open			Accounts Payable	KONGBOON, SA-AD	\$467.35		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$467.35			
28533	05/10/2019	Open			Accounts Payable	LINDA RIOS	\$5,000.00		
	Invoice		Date	Description		Amount			
	1265		05/01/2019	Youth Outreach Services		\$5,000.00			
28534	05/10/2019	Open			Accounts Payable	M-GROUP	\$2,500.00		
	Invoice		Date	Description		Amount			
	1000964		02/28/2019	Professional Services Through 02/28/2019		\$2,500.00			
28535	05/10/2019	Open			Accounts Payable	MONA AHUJA	\$257.40		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$257.40			
28536	05/10/2019	Open			Accounts Payable	NESSIA STARR	\$234.65		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$234.65			
28537	05/10/2019	Open			Accounts Payable	O'GRADY PAVING INC	\$8,352.77		
	Invoice		Date	Description		Amount			
	3423		05/07/2019	Final Payment 2018 Minor Asphalt Repairs Project		\$8,352.77			
28538	05/10/2019	Open			Accounts Payable	OH, JENNIFER	\$117.00		
	Invoice		Date	Description		Amount			
	Spring #1		05/08/2019	1st Spring Payment		\$117.00			
28539	05/10/2019	Open			Accounts Payable	SMART & FINAL	\$552.97		
	Invoice		Date	Description		Amount			
	SFinal041319		04/13/2019	4.13.19 Smart and Final Food Run (hack)		\$300.86			
	SFinal042419		04/24/2019	Food Run - 4.24.19		\$252.11			
Type EFT Totals:							\$841,036.85		
Main Account - Main Checking Account Totals									

20 Transactions

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	147	\$718,681.97	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	147	\$718,681.97	\$0.00
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	20	\$841,036.85	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	20	\$841,036.85	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount
	Open	167	\$1,559,718.82	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00



# Payment Register

From Payment Date: 5/4/2019 - To Payment Date: 5/10/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					Total	167	\$1,559,718.82	\$0.00	
Grand Totals:									
		Checks	Status	Count			Transaction Amount	Reconciled Amount	
			Open	147			\$718,681.97	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			Total	147			\$718,681.97	\$0.00	
		EFTs	Status	Count			Transaction Amount	Reconciled Amount	
			Open	20			\$841,036.85	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			Total	20			\$841,036.85	\$0.00	
		All	Status	Count			Transaction Amount	Reconciled Amount	
			Open	167			\$1,559,718.82	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			Total	167			\$1,559,718.82	\$0.00	

Approved: Beth J. Viajar

05.13.19





# CITY OF CUPERTINO

## Agenda Item

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**19-5846**

**Agenda Date: 8/6/2019**  
**Agenda #: 10.**

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Subject: Accept Accounts Payable for the period ending May 17, 2019

Adopt Resolution No. 19-101 accepting Accounts Payable for the period ending May 17, 2019

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CUPERTINO ALLOWING CERTAIN CLAIMS AND DEMANDS PAYABLE IN  
THE AMOUNTS AND FROM THE FUNDS AS HEREINAFTER DESCRIBED  
FOR GENERAL AND MISCELLANEOUS EXPENDITURES FOR THE PERIOD  
ENDING

May 17, 2019

WHEREAS, the Director of Administrative Services or her designated representative has certified to accuracy of the following claims and demands and to the availability of funds for payment hereof; and

WHEREAS, the said claims and demands have been audited as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby allows the following claims and demands in the amounts and from the funds as hereinafter set forth in the attached Payment Register.

CERTIFIED:   
Zach Korach, Finance Manager

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6<sup>th</sup> day of August, 2019, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
-------------	------------------------------------

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. \_\_\_\_\_

Page 2

<b>SIGNED:</b> _____ Steven Scharf, Mayor City of Cupertino	_____ Date
<b>ATTEST:</b> _____ Grace Schmidt, City Clerk	_____ Date

# Payment Register

From Payment Date: 5/11/2019 - To Payment Date: 5/17/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Main Account - Main Checking Account									
<u>Check</u>									
720577	05/14/2019	Open			Accounts Payable	WARREN E. HYDE MIDDLE SCHOOL PTSA	\$500.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	050319		05/03/2019		Hyde Middle School Micro Grant Student Banner Design Contest		\$500.00		
720587	05/17/2019	Open			Accounts Payable	A T & T	\$121.04		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	5558-042819		04/28/2019		960 731-7142 555 8 04/28/19-05/27/19		\$121.04		
720588	05/17/2019	Open			Accounts Payable	ADVANTAGE GRAFIX	\$95.92		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	43474		05/06/2019		2 full color 18x24 posters on foam core		\$95.92		
720589	05/17/2019	Open			Accounts Payable	ALLIANT INSURANCE SERVICES INC	\$2,947.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	1071695		05/02/2019		Liability Insurance for Cupertino Volunteer Fair 2019		\$2,947.00		
720590	05/17/2019	Open			Accounts Payable	ANDERSON'S TREE CARE SPECIALISTS	\$1,430.00		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	12078		05/08/2019		Trees&Row: Stump Grinding		\$1,430.00		
720591	05/17/2019	Open			Accounts Payable	AT&T	\$23,243.57		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	000012855990		03/12/2019		Current Land lines		\$20,554.43		
	000012873148		04/10/2019		9391051384 03/10/19-04/09/19		\$1,952.85		
	000012881531		04/12/2019		9391023225 (408-777-8204) 03/12/19-04/11/19		\$20.80		
	000012881533		04/12/2019		9391023227 (408-996-9248) 03/12/19-04/11/19		\$19.09		
	000012881623		04/12/2019		9391023218 (238-371-7141) 03/12/19-04/11/19		\$69.52		
	000012881525		04/12/2019		9391023219 (408-252-1118) 03/12/19-04/11/19		\$100.72		
	000012881528		04/12/2019		9391023222 (408-517-0211) 03/12/19-04/11/19		\$20.72		
	000012881527		04/12/2019		9391023221 (408-253-9200) 03/12/19-04/11/19		\$87.16		
	000012881529		04/12/2019		9391023223 03/12/19-04/11/19		\$99.83		
	000012881624		04/12/2019		9391023217 (237-361-8095) 03/12/19-04/11/19		\$88.27		
	000012881626		04/12/2019		9391023215 (233-281-4421) 03/12/19-04/11/19		\$109.77		
	000012881625		04/12/2019		9391023216 (233-281-5494) 03/12/19-04/11/19		\$98.81		
	000012975343		05/01/2019		9391023220 (408-252-2405) 040119-043019		\$21.60		
720592	05/17/2019	Open			Accounts Payable	AT&T	\$451.11		
	<u>Invoice</u>		<u>Date</u>		<u>Description</u>		<u>Amount</u>		
	7001-041819		04/18/2019		911 Emergency Phone Lines		\$41.01		
	6001-042119		04/21/2019		911 Emergency Phone Lines		\$41.01		
	7001-042119		04/21/2019		911 Emergency Phone Lines		\$41.01		
	8001-042119		04/21/2019		911 Emergency Phone Lines		\$41.01		
	9001-042119		04/21/2019		911 Emergency Phone Lines		\$41.01		
	0001-042119		04/21/2019		911 Emergency Phone Lines		\$41.01		
	1001-042119		04/21/2019		911 Emergency Phone Lines		\$41.01		
	5001-041819		04/18/2019		911 Emergency Phone Lines		\$41.01		
	1001-041819		04/18/2019		911 Emergency Phone Lines		\$41.01		
	8001-042519		04/25/2019		911 Emergency Phone Lines		\$41.01		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	6001-041819		04/18/2019		911 Emergency Phone Lines		\$41.01		
720593	05/17/2019	Open			Accounts Payable	AUDIO NETWORK US, INC.	\$5,000.00		
	Invoice		Date	Description		Amount			
	101408834		05/02/2019		Audio Network Music Yearly Renewal 2019-20		\$5,000.00		
720594	05/17/2019	Open			Accounts Payable	BEAUDRY, EILEEN	\$25,078.00		
	Invoice		Date	Description		Amount			
	SCCLA2018		05/15/2019		Final Invoice for Eileen Beaudry 2018 SCCLA		\$25,078.00		
720595	05/17/2019	Open			Accounts Payable	BRUCE E BIORDI	\$625.00		
	Invoice		Date	Description		Amount			
	1901		05/01/2019		2019-06 SO#1 Sr Ctr ADA Sidewalk, SO#2 De Anza Median Landscape		\$625.00		
720596	05/17/2019	Open			Accounts Payable	BURR PLUMBING AND PUMPING INC	\$472.50		
	Invoice		Date	Description		Amount			
	99493		05/06/2019		Grounds: Snaking Services		\$472.50		
720597	05/17/2019	Open			Accounts Payable	California Resource Recovery Association (CRR)	\$1,750.00		
	Invoice		Date	Description		Amount			
	07362		05/13/2019		membership renewal and conference reg		\$1,750.00		
720598	05/17/2019	Open			Accounts Payable	CHRIS CARNEGHI, MAI	\$9,900.00		
	Invoice		Date	Description		Amount			
	19-BHC-30-1 May		05/01/2019		Legal Services		\$9,900.00		
720599	05/17/2019	Open			Accounts Payable	CINTAS CORPORATION	\$506.31		
	Invoice		Date	Description		Amount			
	630649949		05/14/2019		Uniforms/Safety Apparel		\$506.31		
720600	05/17/2019	Open			Accounts Payable	Colonial Life & Accident Insurance	\$76.47		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019		Colonial Products pp 4/27-5/10/19		\$76.47		
720601	05/17/2019	Open			Accounts Payable	COMCAST BUSINESS COMMUNICATIONS, LLC	\$1,229.20		
	Invoice		Date	Description		Amount			
	80483014		05/01/2019		Business Class Internet - Mary, Stevens Creek, Town Center, Voss		\$1,229.20		
720602	05/17/2019	Open			Accounts Payable	Community Health Charities of California	\$267.50		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019		Community Health Charities pp 4/27-5/10/19		\$267.50		
720603	05/17/2019	Open			Accounts Payable	Cresco Equipment Rentals & Affiliates	\$77.94		
	Invoice		Date	Description		Amount			
	4904020-0001		05/08/2019		Fleet: Air Hose for Air Compressor on Equipment		\$77.94		
720604	05/17/2019	Open			Accounts Payable	CUPERTINO SUPPLY INC	\$48.98		
	Invoice		Date	Description		Amount			
	199387		05/01/2019		Facilities: Misc Parts & Supplies for Community Hall		\$48.98		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720605	05/17/2019	Open			Accounts Payable	CUSD	\$613.27		
	Invoice		Date	Description		Amount			
	AT19-00056		05/09/2019	3rd grade creek ed busing Garden Gate and Regnart		\$613.27			
720606	05/17/2019	Open			Accounts Payable	DEPARTMENT OF JUSTICE	\$480.00		
	Invoice		Date	Description		Amount			
	371156		05/03/2019	Finger Print Apps- April 2019		\$480.00			
720607	05/17/2019	Open			Accounts Payable	DEX SYSTEMS ENGINEERING	\$1,050.00		
	Invoice		Date	Description		Amount			
	1314		05/09/2019	Change SP Control Settings; Extron Firmware update		\$1,050.00			
720608	05/17/2019	Open			Accounts Payable	DISH NETWORK	\$58.35		
	Invoice		Date	Description		Amount			
	0187 - 04252019		04/25/2019	Dish Network (5/5 - 6/4 2019)		\$58.35			
720609	05/17/2019	Open			Accounts Payable	DOLPHIN DESIGN INC	\$2,160.00		
	Invoice		Date	Description		Amount			
	30818		02/01/2019	Facilities: Aquarium Service for February 2019		\$2,160.00			
720610	05/17/2019	Open			Accounts Payable	ENVIRONMENTAL CONSULTING SERVICES	\$375.00		
	Invoice		Date	Description		Amount			
	19-AGPMCPT-2		04/05/2019	noise study 10505 Miller Ave		\$375.00			
720611	05/17/2019	Open			Accounts Payable	EPOCH EYEWEAR	\$224.11		
	Invoice		Date	Description		Amount			
	SO-112737		05/02/2019	Sunglasses for Resale		\$224.11			
720612	05/17/2019	Open			Accounts Payable	ERGO VERA	\$330.00		
	Invoice		Date	Description		Amount			
	2967		04/22/2019	Ergonomic Evaluation - Cyrah Caburian		\$330.00			
720613	05/17/2019	Open			Accounts Payable	EWING IRRIGATION	\$1,838.59		
	Invoice		Date	Description		Amount			
	7384458		05/08/2019	Grounds: Wht Pnt		\$1,838.59			
720614	05/17/2019	Open			Accounts Payable	FOLGER GRAPHICS INC	\$3,370.00		
	Invoice		Date	Description		Amount			
	122926		04/30/2019	Scene Printing for May 2019		\$3,370.00			
720615	05/17/2019	Open			Accounts Payable	FOSTER BROS SECURITY SYSTEMS INC	\$1,053.44		
	Invoice		Date	Description		Amount			
	309985		05/07/2019	Facilities: Door Closer (Materials Only)		\$828.40			
	SO105510		05/08/2019	Facilities: Misc Key Cuts & Supplies		\$225.04			
720616	05/17/2019	Open			Accounts Payable	GOVERNMENT FINANCE OFFICERS ASSOC.	\$150.00		
	Invoice		Date	Description		Amount			
	0131186		04/03/2019	Giang Dinh- Accountant II Renewal		\$150.00			
720617	05/17/2019	Open			Accounts Payable	GRAINGER INC	\$746.55		
	Invoice		Date	Description		Amount			
	9157144149		04/25/2019	Fleet: Ear Plugs & Dispenser		\$289.77			
	9158034711		04/26/2019	Trees/ROW: Cleaning Fluid		\$515.35			
	9161653549		04/30/2019	Fleet CREDIT:Ear Plugs		(\$92.40)			

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	9161653531		04/30/2019		Fleet: Ear Plugs		\$33.83		
720618	05/17/2019	Open			Accounts Payable	HEIDI MERRY HENN-ECKER	\$160.00		
	Invoice		Date	Description		Amount			
	HeidiSp19P2		05/14/2019	HeidiSp19P2		\$160.00			
720619	05/17/2019	Open			Accounts Payable	HEXAGON TRANSPORTATION CONSULTANTS	\$2,000.00		
	Invoice		Date	Description		Amount			
	12647		03/07/2019	traffic study - 10505 Miller Ave		\$2,000.00			
720620	05/17/2019	Open			Accounts Payable	HOME DEPOT U.S.A., INC. DBA THE HOME DEPOT PRO	\$858.38		
	Invoice		Date	Description		Amount			
	489766089		04/30/2019	Facilities: Park Restroom Supplies		\$858.38			
720621	05/17/2019	Open			Accounts Payable	IFPTE LOCAL 21	\$1,979.99		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	Association Dues - CEA pp 4/27-5/10/19		\$1,979.99			
720622	05/17/2019	Open			Accounts Payable	IMPERIAL SPRINKLER SUPPLY	\$3,753.24		
	Invoice		Date	Description		Amount			
	3718355-00		04/26/2019	Trees/ROW: Cinch Ties & Tire Tree Strap		\$140.04			
	3717455-00		05/02/2019	Trees&ROW: Rainbird 12 Station Controller		\$3,119.59			
	3724189-00		05/01/2019	Grounds: PVC, PVC Cement, Gasket Kits, Flange Kits		\$92.50			
	3724321-00		05/01/2019	Grounds: PVC, Zinc Kits, Gaskets		\$89.15			
	3717455-01		05/06/2019	Trees&ROW: Rainbird 12 Station Controller		\$311.96			
720623	05/17/2019	Open			Accounts Payable	IRON MOUNTAIN RECORDS MGMNT	\$2,108.27		
	Invoice		Date	Description		Amount			
	APTR733		04/30/2019	City Clerk Office Storage 5/1 - 5/31		\$2,108.27			
720624	05/17/2019	Open			Accounts Payable	J.J.R. CONSTRUCTION INC	\$65,035.42		
	Invoice		Date	Description		Amount			
	Retention 5/8/19		05/08/2019	2018/19 Reconstruction of Curbs, Gutters and Sidewalks		\$65,035.42			
720625	05/17/2019	Open			Accounts Payable	Keith Day Company, Inc.	\$300.00		
	Invoice		Date	Description		Amount			
	21204		05/08/2019	compost delivered to compost site		\$300.00			
720626	05/17/2019	Open			Accounts Payable	KELLY-MOORE PAINT CO INC	\$1,200.66		
	Invoice		Date	Description		Amount			
	805-00000738936		05/07/2019	Facilities: G-Force Paint for Truck		\$1,200.66			
720627	05/17/2019	Open			Accounts Payable	KMVT COMMUNITY TELEVISION	\$5,277.53		
	Invoice		Date	Description		Amount			
	7405A		04/30/2019	Community Access TV April 2019		\$5,277.53			
720628	05/17/2019	Open			Accounts Payable	LETTIRE, COLLEEN	\$110.00		
	Invoice		Date	Description		Amount			
	ColleenL051419		05/14/2019	Cell Phone Reimbursement 3/7/19-4/6/19 & 4/7/19- 5/6/19		\$110.00			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720629	05/17/2019	Open			Accounts Payable	LSA ASSOCIATES INC	\$12,923.20		
	Invoice		Date	Description		Amount			
	164442		02/20/2019	enviro services - Public Storage		\$12,923.20			
720630	05/17/2019	Open			Accounts Payable	MAHAN AND SONS INC	\$1,400.00		
	Invoice		Date	Description		Amount			
	1690		05/03/2019	Grounds: Varian Park Orchard Maint. for April		\$1,400.00			
720631	05/17/2019	Open			Accounts Payable	MEIR, ERIKA	\$268.80		
	Invoice		Date	Description		Amount			
	051519		05/15/2019	Yoga Foundations Int (3.21-5.9) 7 Students		\$268.80			
720632	05/17/2019	Open			Accounts Payable	MOUNTAIN VIEW GARDEN CENTER	\$70.80		
	Invoice		Date	Description		Amount			
	98986		05/09/2019	Grounds: Pea Gravel		\$32.70			
	98913		05/03/2019	Grounds: D-Comp		\$38.10			
720633	05/17/2019	Open			Accounts Payable	O'REILLY AUTO PARTS	\$13.06		
	Invoice		Date	Description		Amount			
	2591-402802		05/08/2019	Fleet: Upholstery		\$13.06			
720634	05/17/2019	Open			Accounts Payable	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA, A MEDIC	\$59.00		
	Invoice		Date	Description		Amount			
	64253220		05/06/2019	TB SKIN TEST		\$59.00			
720635	05/17/2019	Open			Accounts Payable	OFFICE DEPOT	\$1,318.98		
	Invoice		Date	Description		Amount			
	307484953001		04/26/2019	Marilyn - Ergo Keyboard		\$157.93			
	307710731001		04/26/2019	Admin Gen Supplies - AA Batteries		\$9.77			
	307982068001		04/29/2019	Gen Supplies - Kleenex Tissues		\$69.52			
	300484399001		04/10/2019	MM - Left-handed mouse		\$37.27			
	304135737001		04/18/2019	MM - Keyboard (returned)		\$76.11			
	301376212001		04/11/2019	IT Dept. Purell Hand Sanitizers		\$42.77			
	312096013001		05/08/2019	Pens for PW staff		\$5.33			
	310491518001		05/03/2019	Pens for Engineering Division		\$18.02			
	310600026001		05/03/2019	Plotter Paper for CIP		\$195.72			
	312267262001		05/07/2019	Service Center: Office and Kitchen Supplies		\$254.80			
	306789673001		04/24/2019	copier paper - color		\$92.02			
	306471766001		04/25/2019	Office Supplies		\$115.97			
	306477478001		04/25/2019	Office Supplies		\$24.08			
	308902451001		04/30/2019	Office Supplies		\$29.08			
	309576226001		05/01/2019	Office Supplies- Binders		\$32.48			
	304354767001		04/18/2019	Office Supplies- Kitchen Supplies		\$129.78			
	306099789001		04/23/2019	Office Supplies		\$28.33			
720636	05/17/2019	Open			Accounts Payable	OLM Recycling Services	\$50.00		
	Invoice		Date	Description		Amount			
	2262		05/14/2019	Streets: Haz Mat		\$50.00			
720637	05/17/2019	Open			Accounts Payable	Operating Engineer #3	\$1,477.00		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	Union Dues pp 4/27-5/10/19		\$1,477.00			



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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720638	05/17/2019	Open			Accounts Payable	PACKET FUSION, INC	\$65,356.83		
	Invoice		Date	Description		Amount			
	PB12484		05/07/2019	SHORETEL/MITEL CONNECT INSTALL		\$65,356.83			
720639	05/17/2019	Open			Accounts Payable	PERS Long Term Care Program	\$30.28		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	PERS Long Term Care pp 4/27-5/10/19		\$30.28			
720640	05/17/2019	Open			Accounts Payable	PG&E	\$821.26		
	Invoice		Date	Description		Amount			
	6408-050219		05/02/2019	5587684648-0 032719-042519		\$821.26			
720641	05/17/2019	Open			Accounts Payable	PLACEWORKS, INC	\$7,229.37		
	Invoice		Date	Description		Amount			
	68699		04/30/2019	enviro services - Cupertino Village Hotel		\$7,229.37			
720642	05/17/2019	Open			Accounts Payable	R & B Company	\$1,743.68		
	Invoice		Date	Description		Amount			
	S1835346.001		04/29/2019	Rubber Parts, Repair Kits		\$1,743.68			
720643	05/17/2019	Open			Accounts Payable	REDGWICK CONSTRUCTION CO	\$27,668.75		
	Invoice		Date	Description		Amount			
	3-2017-01.04		05/14/2019	Payment 3 McClellan Road Separated Bikeways-Ph 1a		\$27,668.75			
720644	05/17/2019	Open			Accounts Payable	REUSER INC.	\$3,003.17		
	Invoice		Date	Description		Amount			
	12387		05/01/2019	Trees&Row: Wood Chips		\$3,003.17			
720645	05/17/2019	Open			Accounts Payable	RONALD D OLDS	\$481.00		
	Invoice		Date	Description		Amount			
	5255		05/13/2019	Omni Ligth Repair; XLR Cable Repair; VTR 7 - 8 maintenance		\$481.00			
720646	05/17/2019	Open			Accounts Payable	SAN FRANCISCO MUSEUM OF MODERN ART	\$533.00		
	Invoice		Date	Description		Amount			
	311100		04/10/2019	Deposit for Tour and admission Andy Warhol at SFMOMA 07/11/2019		\$533.00			
720647	05/17/2019	Open			Accounts Payable	SANTA CLARA CNTY CLERK/RECORDER	\$150.00		
	Invoice		Date	Description		Amount			
	R-2018-28		05/14/2019	exempt filing		\$50.00			
	INT-2019-01		05/14/2019	exempt filing		\$50.00			
	TR-2018-53		05/14/2019	exempt filing		\$50.00			
720648	05/17/2019	Open			Accounts Payable	SCRATCH	\$542.56		
	Invoice		Date	Description		Amount			
	30006		05/10/2019	Group Meal Filoli and Scratch trip 05/22/2019		\$542.56			
720649	05/17/2019	Open			Accounts Payable	SOPHORA MANDARIN LEARNING	\$224.00		
	Invoice		Date	Description		Amount			
	051519		05/15/2019	Mandarin Level 3 (3.21-5.9) 7 Students		\$224.00			
720650	05/17/2019	Open			Accounts Payable	SRIXON	\$2,807.65		
	Invoice		Date	Description		Amount			
	5513632SO		10/23/2018	Putters for Resale		\$294.50			
	5513631SO		10/23/2018	Golf Balls for Resale (204 Dozen)		\$2,228.64			

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	5512495SO		10/22/2018		Golf Clubs (wedges) for resale		\$284.51		
720651	05/17/2019	Open			Accounts Payable	STAPLES BUSINESS ADVANTAGE	\$148.89		
	Invoice		Date	Description		Amount			
	3410596123		04/09/2019	plastic envelope with tie string Letter size		\$13.72			
	3412783913		05/03/2019	Kitchen & Office Supplies - Creamer and Handwash		\$77.42			
	3411382412		04/19/2019	paper for poster printer		\$57.75			
720652	05/17/2019	Open			Accounts Payable	State Disbursement Unit	\$276.92		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	Child Support pp 4/27-5/10/19		\$276.92			
720653	05/17/2019	Open			Accounts Payable	Strategic Economics Inc	\$6,451.25		
	Invoice		Date	Description		Amount			
	1816.09		04/30/2019	economic study Inclusionary Housing		\$6,451.25			
720654	05/17/2019	Open			Accounts Payable	STUDIOS ARCHITECTURE	\$200.00		
	Invoice		Date	Description		Amount			
	0112796		12/31/2018	design services 10425 S De Anza Blvd		\$200.00			
720655	05/17/2019	Open			Accounts Payable	TOMOKO TERRY	\$571.90		
	Invoice		Date	Description		Amount			
	051519		05/15/2019	Japanese Beg & Int (3.19-5.19) 5 & 14 Students		\$571.90			
720656	05/17/2019	Open			Accounts Payable	Tripepi, Smith and Associates, Inc	\$1,665.00		
	Invoice		Date	Description		Amount			
	4079		04/30/2019	Cupertino Scene May 2019		\$1,665.00			
720657	05/17/2019	Open			Accounts Payable	United Way Silicon Valley	\$5.00		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	United Way pp 4/27-5/10/19		\$5.00			
720658	05/17/2019	Open			Accounts Payable	USWIRED INCORPORATED	\$561.30		
	Invoice		Date	Description		Amount			
	332774		01/30/2019	Clerk2 Printer - Cyan Toner		\$147.15			
	333272		03/29/2019	Clerk1 Printer - yellow, Black, and magenta Toners		\$368.43			
	333521		04/26/2019	copier toner		\$45.72			
720659	05/17/2019	Open			Accounts Payable	VALLEY OIL COMPANY	\$9,097.92		
	Invoice		Date	Description		Amount			
	973040		05/08/2019	Fleet: Fuel		\$9,097.92			
720660	05/17/2019	Open			Accounts Payable	VMI INC	\$74.64		
	Invoice		Date	Description		Amount			
	300270		04/30/2019	Extron -Two Contact Closure Switch – Momentary, Single Pole)		\$74.64			
720661	05/17/2019	Open			Accounts Payable	WEST VALLEY COMMUNITY SVCS AGENCY	\$9,810.54		
	Invoice		Date	Description		Amount			
	CARE Q3 FY1819		05/02/2019	CDBG Expenditures		\$9,810.54			
720662	05/17/2019	Open			Accounts Payable	Chin, Gillian	\$1,000.00		
	Invoice		Date	Description		Amount			
	BS2226		05/15/2019	921 Ferngrove, Development Bond, BS2226		\$1,000.00			

# Payment Register

From Payment Date: 5/11/2019 - To Payment Date: 5/17/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720663	05/17/2019	Open			Accounts Payable	Deng, Jun	\$3,000.00		
	Invoice		Date	Description		Amount			
	216029		05/14/2019	20318 Clay St, Encroachment, 216029		\$3,000.00			
720664	05/17/2019	Open			Accounts Payable	Domus Construction	\$5,000.00		
	Invoice		Date	Description		Amount			
	RefundB2017-2027		05/14/2019	Refund 20687 Craig Ct B-2017-2027 TCO Bond		\$5,000.00			
720665	05/17/2019	Open			Accounts Payable	Fung, David	\$953.47		
	Invoice		Date	Description		Amount			
	3/6-3/8/2019		04/23/2019	Planning Commission Academy 2019		\$953.47			
720666	05/17/2019	Open			Accounts Payable	Gatineau, Julien	\$86.25		
	Invoice		Date	Description		Amount			
	2000502.030		04/08/2019	Refund for #5346 Soccer 2, rain outs		\$86.25			
720667	05/17/2019	Open			Accounts Payable	Heusler, Kerri	\$943.13		
	Invoice		Date	Description		Amount			
	4/15-4/17/2019		04/25/2019	#HousingCa2019		\$943.13			
720668	05/17/2019	Open			Accounts Payable	KAMMELA, SWAPNA	\$300.00		
	Invoice		Date	Description		Amount			
	2000618.030		05/01/2019	5844social rm cancelation for 5.26.19. refund deposit		\$300.00			
720669	05/17/2019	Open			Accounts Payable	Nexus Energy Systems	\$429.34		
	Invoice		Date	Description		Amount			
	RefundB2019-0619		05/14/2019	Refund 10466 Anson Ave B-2019-0619 Permit Withdrawn		\$429.34			
720670	05/17/2019	Open			Accounts Payable	Qiao, Yantao	\$252.00		
	Invoice		Date	Description		Amount			
	2000756.030		05/13/2019	Customer cancelled #6714,unable to refund full amt. to orig. CC		\$252.00			
720671	05/17/2019	Open			Accounts Payable	Qiao, Yantao	\$259.00		
	Invoice		Date	Description		Amount			
	2000757.030		05/13/2019	Customer cancelled #7000,unable to refund to orig. CC		\$259.00			
720672	05/17/2019	Open			Accounts Payable	Reaves, David	\$111.00		
	Invoice		Date	Description		Amount			
	2000134.032		05/13/2019	Duarte Garage Trip cancelled due to low enrollment		\$111.00			
720673	05/17/2019	Open			Accounts Payable	Robert Barr	\$256.00		
	Invoice		Date	Description		Amount			
	RefundB2019-0567		05/14/2019	Refund 21831 Lomita Ave B-2019-0567 Permit Overcharged		\$256.00			
720674	05/17/2019	Open			Accounts Payable	Xia, Han Ma Yi	\$576.00		
	Invoice		Date	Description		Amount			
	220268		03/07/2019	withdrawn RM-2019-04		\$576.00			
720675	05/17/2019	Open			Accounts Payable	Tammie Pereira Insurance Services, Inc.	\$500.00		
	Invoice		Date	Description		Amount			
	10755-031419		03/21/2019	QCC- 3.21.19- Cupertino Room rental 3.14.19		\$500.00			
Type Check Totals:							\$339,755.28		
90 Transactions									

# Payment Register

From Payment Date: 5/11/2019 - To Payment Date: 5/17/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
EFT									
28541	05/17/2019	Open			Accounts Payable	Employment Development	\$1,463.37		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	State Disability Insurance pp 4/27-5/10/19		\$1,463.37			
28542	05/17/2019	Open			Accounts Payable	PERS-457K	\$6,630.69		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	PERS Deferred Comp pp 4/27-5/10/19		\$6,630.69			
28543	05/17/2019	Open			Accounts Payable	Eflex Group, Inc	\$4,723.88		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	FSA Employee Health pp 4/27-5/10/19		\$4,723.88			
28544	05/17/2019	Open			Accounts Payable	GOLDFARB & LIPMAN	\$3,276.00		
	Invoice		Date	Description		Amount			
	130994		04/30/2019	Housing Legal Fees 2019/03		\$3,276.00			
28545	05/17/2019	Open			Accounts Payable	GRACE DUVAL	\$338.40		
	Invoice		Date	Description		Amount			
	051519		05/15/2019	Zumba Gold (3.15-5.10) 9 Students + 20 Flex		\$338.40			
28546	05/17/2019	Open			Accounts Payable	ICMA Retirement Trust-457	\$3,562.02		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	ICMA Deferred Comp pp 4/27-5/10/19		\$3,562.02			
28547	05/17/2019	Open			Accounts Payable	JASON FAUTH	\$55.00		
	Invoice		Date	Description		Amount			
	JasonF041919		04/19/2019	Cell Ph Svc Reimbursement; 03.20.19-.04.19.19		\$55.00			
28548	05/17/2019	Open			Accounts Payable	LAW OFFICES OF BURKE, WILLIAMS & SORENSEN	\$1,104.00		
	Invoice		Date	Description		Amount			
	240135		04/30/2019	legal services Marina Plaza		\$172.50			
	240137		04/30/2019	legal services Cupertino Village Hotel		\$931.50			
28549	05/17/2019	Open			Accounts Payable	National Deferred (ROTH)	\$4,875.77		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	Nationwide Roth pp 4/27-5/10/19		\$4,875.77			
28550	05/17/2019	Open			Accounts Payable	National Deferred Compensatin	\$29,837.28		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	Nationwide Deferred Comp pp 4/27-5/10/19		\$29,837.28			
28551	05/17/2019	Open			Accounts Payable	PARS/City of Cupertino	\$6,259.75		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	PARS Employee pp 4/27-5/10/19		\$6,259.75			
28552	05/17/2019	Open			Accounts Payable	SHUTE, MIHALY & WEINBERGER LLP	\$12,399.90		
	Invoice		Date	Description		Amount			
	259348		03/26/2019	legal services Westport Shopping Center		\$76.70			
	259638		04/25/2019	legal services Cupertino Inn project		\$1,762.50			
	259640		04/25/2019	legal services Westport Shopping Center		\$8,893.97			
	259347		03/26/2019	legal services Cupertino Village Hotel		\$915.13			
	259639		04/25/2019	legal services Cupertino Village Hotel		\$751.60			

# Payment Register

From Payment Date: 5/11/2019 - To Payment Date: 5/17/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
28553	05/17/2019	Open			Accounts Payable	TERI GERHARDT	\$199.40		
	Invoice		Date	Description		Amount			
	TeriG05132019		05/13/2019	Teri - Cell Reimbursement 12/16/18 - 4/15/19		\$199.40			
Type EFT Totals:							\$74,725.46		
Main Account - Main Checking Account Totals									

13 Transactions									
Checks	Status	Count	Transaction Amount	Reconciled Amount					
	Open	90	\$339,755.28	\$0.00					
	Reconciled	0	\$0.00	\$0.00					
	Voided	0	\$0.00	\$0.00					
	Stopped	0	\$0.00	\$0.00					
	Total	90	\$339,755.28	\$0.00					
EFTs	Status	Count	Transaction Amount	Reconciled Amount					
	Open	13	\$74,725.46	\$0.00					
	Reconciled	0	\$0.00	\$0.00					
	Voided	0	\$0.00	\$0.00					
	Total	13	\$74,725.46	\$0.00					
All	Status	Count	Transaction Amount	Reconciled Amount					
	Open	103	\$414,480.74	\$0.00					
	Reconciled	0	\$0.00	\$0.00					
	Voided	0	\$0.00	\$0.00					
	Stopped	0	\$0.00	\$0.00					
	Total	103	\$414,480.74	\$0.00					
Checks	Status	Count	Transaction Amount	Reconciled Amount					
	Open	90	\$339,755.28	\$0.00					
	Reconciled	0	\$0.00	\$0.00					
	Voided	0	\$0.00	\$0.00					
	Stopped	0	\$0.00	\$0.00					
	Total	90	\$339,755.28	\$0.00					
EFTs	Status	Count	Transaction Amount	Reconciled Amount					
	Open	13	\$74,725.46	\$0.00					
	Reconciled	0	\$0.00	\$0.00					
	Voided	0	\$0.00	\$0.00					
	Total	13	\$74,725.46	\$0.00					
All	Status	Count	Transaction Amount	Reconciled Amount					
	Open	103	\$414,480.74	\$0.00					
	Reconciled	0	\$0.00	\$0.00					
	Voided	0	\$0.00	\$0.00					
	Stopped	0	\$0.00	\$0.00					
	Total	103	\$414,480.74	\$0.00					

Grand Totals:

Approved: Beth G. Viajar  
05.20.19

# Payment Register

From Payment Date: 5/11/2019 - To Payment Date: 5/17/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Main Account - Main Checking Account									
<u>Check</u>									
720578	05/17/2019	Open			Miscellaneous Billing Refund	10721 Santa Lucia Rd- Yang	\$1,000.73		
720579	05/17/2019	Open			Miscellaneous Billing Refund	10159 S BLANEY AVE-LAKE BILTMORE APARTMENTS	\$575.00		
720580	05/17/2019	Open			Miscellaneous Billing Refund	11550 Lake Spring Ct - Satyanaray Dasari	\$754.57		
720581	05/17/2019	Open			Miscellaneous Billing Refund	10100 Mary Ave-Acco Management	\$192.40		
720582	05/17/2019	Open			Miscellaneous Billing Refund	20803 Stevens Creek Blvd-Saich Way	\$6,967.00		
720583	05/17/2019	Open			Miscellaneous Billing Refund	10290 Sterling Blvd - Welkin International	\$1,758.09		
720584	05/17/2019	Open			Miscellaneous Billing Refund	10121 N Foothill Blvd - Foothill Blvd Live/Work	\$20,783.67		
720585	05/17/2019	Open			Miscellaneous Billing Refund	20400 Stevens Creek Blvd	\$105.00		

*Approved: Beth G. Viajar*  
*05.20.19*

# Payment Register

From Payment Date: 5/11/2019 - To Payment Date: 5/17/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720586	05/17/2019	Open			Miscellaneous Billing Refund	19409 Stevens Creek Blvd-Pieology	\$100.00		
							\$32,236.46		

Type Check Totals:  
Main Account - Main Checking Account Totals

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	9	\$32,236.46	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	9	\$32,236.46	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	0	\$0.00	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	0	\$0.00	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	9	\$32,236.46	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	9	\$32,236.46	\$0.00

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	9	\$32,236.46	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	9	\$32,236.46	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	0	\$0.00	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	0	\$0.00	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	9	\$32,236.46	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	9	\$32,236.46	\$0.00



# CITY OF CUPERTINO

## Agenda Item

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**19-5847**

**Agenda Date: 8/6/2019**  
**Agenda #: 11.**

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Subject: Accept Accounts Payable for the period ending May 24, 2019

Adopt Resolution No. 19-102 accepting Accounts Payable for the period ending May 24, 2019



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CUPERTINO ALLOWING CERTAIN CLAIMS AND DEMANDS PAYABLE IN  
THE AMOUNTS AND FROM THE FUNDS AS HEREINAFTER DESCRIBED  
FOR GENERAL AND MISCELLANEOUS EXPENDITURES FOR THE PERIOD  
ENDING

May 24, 2019

WHEREAS, the Director of Administrative Services or her designated representative has certified to accuracy of the following claims and demands and to the availability of funds for payment hereof; and

WHEREAS, the said claims and demands have been audited as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby allows the following claims and demands in the amounts and from the funds as hereinafter set forth in the attached Payment Register.

CERTIFIED:   
Zach Korach, Finance Manager

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6<sup>th</sup> day of August, 2019, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
-------------	------------------------------------

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. \_\_\_\_\_

Page 2

<b>SIGNED:</b> _____ Steven Scharf, Mayor City of Cupertino	_____ Date
<b>ATTEST:</b> _____ Grace Schmidt, City Clerk	_____ Date

# Payment Register

From Payment Date: 5/18/2019 - To Payment Date: 5/24/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Main Account - Main Checking Account									
<u>Check</u>									
720676	05/24/2019	Open			Accounts Payable	ADVANTAGE GRAFIX	\$490.61		
	Invoice		Date	Description		Amount			
	43496		05/10/2019	Poster for McClellan Rd Separated Bikeway		\$377.53			
	43530		05/17/2019	SR2S maps for Faria		\$113.08			
720677	05/24/2019	Open			Accounts Payable	ALAMO WORLD TRAVEL AND TOURS	\$32,260.00		
	Invoice		Date	Description		Amount			
	ACPM2019 Final		05/21/2019	Final payment for group Laguna Arts Festival Trip 08/2019		\$32,260.00			
720678	05/24/2019	Open			Accounts Payable	ALHAMBRA & SIERRA SPRINGS	\$68.94		
	Invoice		Date	Description		Amount			
	4950379051119		05/11/2019	HR Water Delivery		\$68.94			
720679	05/24/2019	Open			Accounts Payable	ALL CITY MANAGEMENT SERVICES	\$14,586.68		
	Invoice		Date	Description		Amount			
	61450		05/09/2019	School Crossing Guard Services, 4/21/19-5/4/19		\$14,586.68			
720680	05/24/2019	Open			Accounts Payable	ALLIANT INSURANCE SERVICES INC	\$2,548.00		
	Invoice		Date	Description		Amount			
	1078483		05/13/2019	Insurance Premium for Summer Concerts 2019		\$643.00			
	1085675		05/21/2019	Insurance Premium for Summer Events 2019		\$1,905.00			
720681	05/24/2019	Open			Accounts Payable	ANDERSON'S TREE CARE SPECIALISTS	\$3,560.00		
	Invoice		Date	Description		Amount			
	12282		05/17/2019	Trees&ROW: Disposal of Oak Tree debris		\$3,560.00			
720682	05/24/2019	Open			Accounts Payable	ARCTIC WOLF	\$51,467.40		
	Invoice		Date	Description		Amount			
	INV008520		04/13/2019	CyberSOC Licenses		\$51,467.40			
720683	05/24/2019	Open			Accounts Payable	BARTOS ARCHITECTURE	\$14,065.00		
	Invoice		Date	Description		Amount			
	5157		02/28/2019	Interim City Hall Study, Services through Feb 2019		\$14,065.00			
720684	05/24/2019	Open			Accounts Payable	BAY AREA SELF STORAGE	\$586.00		
	Invoice		Date	Description		Amount			
	8036		05/17/2019	Rental of Storage Units: G33 & G3; 06.01.19-06.30.19		\$586.00			
720685	05/24/2019	Open			Accounts Payable	BKF ENGINEERS	\$2,977.50		
	Invoice		Date	Description		Amount			
	19051075		05/16/2019	SCB & Phar Lap Crosswalk Improv, services 4/1/19- 4/28-19		\$2,977.50			
720686	05/24/2019	Open			Accounts Payable	BRAD ALEXANDER	\$43.38		
	Invoice		Date	Description		Amount			
	BradA050419		05/04/2019	Cell Ph. Svc. Reimbursement; 04.05.19-05.04.19		\$43.38			

# Payment Register

From Payment Date: 5/18/2019 - To Payment Date: 5/24/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720687	05/24/2019	Open			Accounts Payable	California Consulting, LLC	\$660.87		
	Invoice		Date	Description			Amount		
	2897		04/30/2019	SO #1 Needs Assessment & Grant Research thru 4/5/19			\$660.87		
720688	05/24/2019	Open			Accounts Payable	CARL JECH	\$280.00		
	Invoice		Date	Description			Amount		
	052119		05/21/2019	Humanities (4.2-5.21) 8 Students			\$280.00		
720689	05/24/2019	Open			Accounts Payable	CENTURYLINK	\$22.18		
	Invoice		Date	Description			Amount		
	05072019		05/07/2019	Clare Phone Service 5/7 - 6/6			\$22.18		
720690	05/24/2019	Open			Accounts Payable	CINTAS CORPORATION	\$500.31		
	Invoice		Date	Description			Amount		
	630653481		05/21/2019	Uniforms/Safety Apparel			\$500.31		
720691	05/24/2019	Open			Accounts Payable	CITIES ASSOCIATION OF SANTA CLARA	\$80.00		
	Invoice		Date	Description			Amount		
	1041		05/13/2019	2019 General Membership Meeting (Liang)			\$80.00		
720692	05/24/2019	Open			Accounts Payable	CLEARBLU ENVIRONMENTAL	\$632.71		
	Invoice		Date	Description			Amount		
	20221		02/21/2019	Streets: Haz Mat			\$632.71		
720693	05/24/2019	Open			Accounts Payable	COMCAST	\$301.21		
	Invoice		Date	Description			Amount		
	2330-050119		05/01/2019	8155 10 005 0182330 05/10/19-06/09/19			\$301.21		
720694	05/24/2019	Open			Accounts Payable	COMCAST	\$118.43		
	Invoice		Date	Description			Amount		
	6411-050319		05/03/2019	8155100050376411 05-06-19 -06-05-19			\$118.43		
720695	05/24/2019	Open			Accounts Payable	COURTESY TOW	\$100.00		
	Invoice		Date	Description			Amount		
	150895		05/10/2019	Fleet: Fork Lift Tow to Service Center			\$100.00		
720696	05/24/2019	Open			Accounts Payable	Cresco Equipment Rentals & Affiliates	\$22,325.54		
	Invoice		Date	Description			Amount		
	4902991-0001		05/07/2019	Genie Quick Picker QSP-4665			\$22,325.54		
720697	05/24/2019	Open			Accounts Payable	CSG CONSULTANTS INC	\$8,600.00		
	Invoice		Date	Description			Amount		
	24737		05/13/2019	SO #2 McClellan Rd Separated Bikeways Ph 1a, 3/30/19-4/26/19			\$8,600.00		
720698	05/24/2019	Open			Accounts Payable	CSI SOFTWARE INC	\$480.24		
	Invoice		Date	Description			Amount		
	54167		05/01/2019	Spectrum NG Software fee			\$480.24		
720699	05/24/2019	Open			Accounts Payable	CUPERTINO CHAMBER OF COMMERCE	\$600.00		
	Invoice		Date	Description			Amount		
	10929		04/01/2019	Food Truck Coordination through Chamber of Commerce			\$600.00		

# Payment Register

From Payment Date: 5/18/2019 - To Payment Date: 5/24/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720700	05/24/2019	Open			Accounts Payable	CUPERTINO SUPPLY INC	\$217.25		
	Invoice		Date	Description		Amount			
	199981		05/08/2019	Facilities: Glue, Primer, Ratchet Cutter		\$89.69			
	199977		05/08/2019	Facilities: Misc PVC Supplies		\$127.56			
720701	05/24/2019	Open			Accounts Payable	DAVID CARROLL ASSOCIATES, INC	\$25,445.77		
	Invoice		Date	Description		Amount			
	3367		05/02/2019	System Intergration for Conf. Room (Payment-1)		\$25,445.77			
720702	05/24/2019	Open			Accounts Payable	DCSE, INC	\$2,030.00		
	Invoice		Date	Description		Amount			
	10		05/21/2019	DCSE Basemap updates		\$2,030.00			
720703	05/24/2019	Open			Accounts Payable	DISPENSING TECHNOLOGY CORP	\$2,099.21		
	Invoice		Date	Description		Amount			
	12148		05/10/2019	Streets: Henry Dot Sticks		\$2,099.21			
720704	05/24/2019	Open			Accounts Payable	ELCOR ELECTRIC	\$7,478.00		
	Invoice		Date	Description		Amount			
	3119		04/30/2019	Facilities: Misc Electrical Work		\$4,331.00			
	3049		04/24/2019	Install 30a Receptable		\$3,147.00			
720705	05/24/2019	Open			Accounts Payable	EWING IRRIGATION	\$307.90		
	Invoice		Date	Description		Amount			
	7403623		05/10/2019	Grounds: Topper		\$307.90			
720706	05/24/2019	Open			Accounts Payable	Fire Protection Management Inc	\$2,875.00		
	Invoice		Date	Description		Amount			
	111507		03/01/2019	Facilities: Annual Fire Sprinkler Inspections		\$2,875.00			
720707	05/24/2019	Open			Accounts Payable	Friends of Vision Literacy	\$180.00		
	Invoice		Date	Description		Amount			
	052119		05/21/2019	ESL-Adv (3.28-5.16) 9 Students		\$180.00			
720708	05/24/2019	Open			Accounts Payable	GRAINGER INC	\$432.54		
	Invoice		Date	Description		Amount			
	9162050984		04/30/2019	Facilities: Portable Lockout Kit, Lockout Station, Tactical Glove		\$374.47			
	9163002042		05/01/2019	Facilities: Rappelling Glove		\$58.07			
720709	05/24/2019	Open			Accounts Payable	Guerra Construction Group	\$57,004.75		
	Invoice		Date	Description		Amount			
	4, 2015-19		04/30/2019	McClellan Rd Sidewalk Improv Ph 2, services through 4/30/19		\$57,004.75			
720710	05/24/2019	Open			Accounts Payable	HARRY L MURPHY INC	\$16,542.00		
	Invoice		Date	Description		Amount			
	24494CP		03/20/2019	Facilities: Teen Center Carpet Replacement		\$16,542.00			
720711	05/24/2019	Open			Accounts Payable	Hartford Life Insurance	\$10,735.20		
	Invoice		Date	Description		Amount			
	653178765255		05/22/2019	May 2019 Life and AD&D Benefit		\$10,735.20			
720712	05/24/2019	Open			Accounts Payable	Hartford-Priority Accts	\$447.04		
	Invoice		Date	Description		Amount			
	758465934235		05/22/2019	MAY 2019		\$447.04			

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720713	05/24/2019	Open			Accounts Payable	Health Care Dental Trust	\$29,539.74		
	Invoice		Date	Description		Amount			
	DentalMay2019		05/22/2019	MAY 2019 DENTAL BENEFIT		\$29,539.74			
720714	05/24/2019	Open			Accounts Payable	HMH ENGINEERS INC	\$19,033.90		
	Invoice		Date	Description		Amount			
	36159		05/14/2019	MA 4991.00 Cupertino Bridge Maintenance Payment 10 thru 5/4/19		\$19,033.90			
720715	05/24/2019	Open			Accounts Payable	IKA PAULI	\$79.00		
	Invoice		Date	Description		Amount			
	IkaP052019		05/20/2019	Facilities: ASE Certification		\$79.00			
720716	05/24/2019	Open			Accounts Payable	IMPERIAL SPRINKLER SUPPLY	\$1,559.79		
	Invoice		Date	Description		Amount			
	3736111-00		05/15/2019	Trees&ROW: 12 Station Controller		\$1,559.79			
720717	05/24/2019	Open			Accounts Payable	INSERV COMPANY	\$767.36		
	Invoice		Date	Description		Amount			
	60936		05/01/2019	Facilities: Water Treatment Product Agreement (May 2019)		\$767.36			
720718	05/24/2019	Open			Accounts Payable	John Cahalan Landscape Architect	\$3,150.00		
	Invoice		Date	Description		Amount			
	2, 2016-03		05/01/2019	Senior Center ADA Sidewalk Improv, 10/25/19-4/30/19		\$3,150.00			
720719	05/24/2019	Open			Accounts Payable	JOINT VENTURE SILICON VALLEY NETWK	\$6,050.00		
	Invoice		Date	Description		Amount			
	411NETcup		05/02/2019	Public Investment, Fiscal Year 2019-2020		\$6,050.00			
720720	05/24/2019	Open			Accounts Payable	KAISER FOUNDATION HEALTH PLAN	\$590.00		
	Invoice		Date	Description		Amount			
	8567-050919		05/09/2019	Physical Exams		\$590.00			
720721	05/24/2019	Open			Accounts Payable	KAIZEN INFOSOURCE LLC	\$14,467.53		
	Invoice		Date	Description		Amount			
	CUPERTINO 201904		04/02/2019	Contract Services March 2019		\$14,467.53			
720722	05/24/2019	Open			Accounts Payable	KEITH BRYAN HIGGINS	\$352.29		
	Invoice		Date	Description		Amount			
	18.065.03		05/11/2019	Speed Survey Services,		\$352.29			
720723	05/24/2019	Open			Accounts Payable	Keith Day Company, Inc.	\$300.00		
	Invoice		Date	Description		Amount			
	21379		05/15/2019	compost delivered to compost site		\$300.00			
720724	05/24/2019	Open			Accounts Payable	KIMBALL-MIDWEST	\$1,147.42		
	Invoice		Date	Description		Amount			
	7118302		05/07/2019	Fleet: Misc Parts for Vehicles and Equipment		\$697.71			
	7135070		05/14/2019	Fleet: Misc Supplies		\$449.71			
720725	05/24/2019	Open			Accounts Payable	KNORR SYSTEMS INC	\$1,179.07		
	Invoice		Date	Description		Amount			
	SI211484		04/26/2019	Facilities: Pool Chemicals for BFF		\$1,179.07			

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720726	05/24/2019	Open			Accounts Payable	LIEBERT CASSIDY WHITMORE	\$4,995.00		
	Invoice		Date	Description		Amount			
	1477484		04/30/2019	CU060-00027 Professional Services Rendered 4/30/19		\$1,850.00			
720727	1477485		04/30/2019	CU060-00028 Professional Services Rendered 4/30/19		\$3,145.00			
	05/24/2019	Open			Accounts Payable	Life Insurance Company of North America	\$13,271.96		
	Invoice		Date	Description		Amount			
720728	191213-052219		05/22/2019	MAY 2019 CIGNA		\$13,271.96			
	05/24/2019	Open			Accounts Payable	LUX BUS AMERICA CO.	\$1,330.00		
	Invoice		Date	Description		Amount			
720729	34909		05/22/2019	Charter #34909 Carmen trip 06/02/2019		\$1,330.00			
	05/24/2019	Open			Accounts Payable	MAKAI SOLUTIONS	\$425.00		
	Invoice		Date	Description		Amount			
720730	1127		05/17/2019	Fleet: Service Call plus Lift Inspection/Additional Lifts		\$425.00			
	05/24/2019	Open			Accounts Payable	Managed Health Network Inc	\$773.30		
	Invoice		Date	Description		Amount			
720731	PRM-037999		05/22/2019	MAY 2019 EAP Benefit		\$773.30			
	05/24/2019	Open			Accounts Payable	MARC LABRIE	\$55.00		
	Invoice		Date	Description		Amount			
720732	MarcL041919		04/19/2019	Cell Ph Svc Reimbursement-3.20.19-4.19.19		\$55.00			
	05/24/2019	Open			Accounts Payable	MAY SUI	\$169.00		
	Invoice		Date	Description		Amount			
720733	TYLER2019		05/15/2019	Reimbursement- 2019 Tyler Connect Conf.		\$169.00			
	05/24/2019	Open			Accounts Payable	Milkes, Jeff	\$130.00		
	Invoice		Date	Description		Amount			
720734	JeffM051718		05/17/2019	Reimbursement for MetroPCS Phone Services 01/01-05/31/19		\$130.00			
	05/24/2019	Open			Accounts Payable	MOUNTAIN VIEW GARDEN CENTER	\$65.32		
	Invoice		Date	Description		Amount			
720735	99047		05/14/2019	Grounds: Wood Chips		\$65.32			
	05/24/2019	Open			Accounts Payable	N1 CRITICAL TECHNOLOGIES, INC.	\$3,117.99		
	Invoice		Date	Description		Amount			
720736	6117		05/20/2019	25% down payment on Wall Mount Bracket		\$3,117.99			
	05/24/2019	Open			Accounts Payable	NEWMAN TRAFFIC SIGNS	\$1,672.50		
	Invoice		Date	Description		Amount			
720737	TRFINV011434		05/10/2019	Streets: Post Std Punch		\$1,672.50			
	05/24/2019	Open			Accounts Payable	NI GOVERNMENT SERVICES INC	\$79.04		
	Invoice		Date	Description		Amount			
720738	9041292516		05/01/2019	CM Satellite Services 4/1 - 4/30		\$79.04			
	05/24/2019	Open			Accounts Payable	Northern CA's Emergency Vehicle Installations	\$746.65		
	Invoice		Date	Description		Amount			
	470		05/13/2019	Fleet: Antenna Kit for Vehicle 465		\$746.65			

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720739	05/24/2019	Open			Accounts Payable	NOSSAMAN, LLP	\$200.00		
	Invoice		Date	Description		Amount			
	494706		04/18/2019	Professional Services Rendered through		\$200.00			
720740	05/24/2019	Open			Accounts Payable	O'REILLY AUTO PARTS	\$871.41		
	Invoice		Date	Description		Amount			
	2591-403250		05/10/2019	Fleet: Oil Filter and Gloves		\$205.67			
	2591-404434		05/16/2019	Fleet: Oil, Air & Fuel Filters		\$257.49			
	2591-404207		05/15/2019	Fleet: Gloves & Glass Cleaner		\$408.25			
720741	05/24/2019	Open			Accounts Payable	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA, A MEDIC	\$442.50		
	Invoice		Date	Description		Amount			
	64305148		05/15/2019	TB SKIN TEST		\$442.50			
720742	05/24/2019	Open			Accounts Payable	OFFICE DEPOT	\$317.66		
	Invoice		Date	Description		Amount			
	310853361001		05/03/2019	Marilyn - Office Supplies (Doc Holder & Routing Folders)		\$106.97			
	315817250001		05/15/2019	Calculator with tape for Donna H.		\$20.70			
	305916207001		04/23/2019	Supplies Office		\$189.99			
720743	05/24/2019	Open			Accounts Payable	PACIFIC TELEMAGEMENT SVCS	\$543.00		
	Invoice		Date	Description		Amount			
	2019072		05/09/2019	payphone svcs 06/01 -06/30/19		\$543.00			
720744	05/24/2019	Open			Accounts Payable	PACKET FUSION, INC	\$2,133.08		
	Invoice		Date	Description		Amount			
	SLSI-1005001		05/14/2019	6 License bundle Essentials & 7 Mailbox only Licenses		\$2,133.08			
720745	05/24/2019	Open			Accounts Payable	PERKINS EASTMAN ARCHITECTS, DPC	\$17,000.00		
	Invoice		Date	Description		Amount			
	7		05/09/2019	Sport Center Ph 2 Design, services through April 30, 2019		\$17,000.00			
720746	05/24/2019	Open			Accounts Payable	PG&E	\$34,320.25		
	Invoice		Date	Description		Amount			
	Import - 856840		05/02/2019	116367001 -E27H4 Wolfe and Rte 280 NB Loc A		\$46.62			
	Import - 856841		05/02/2019	116367013 -1486 S Stelling Rd, Irrigation Control		\$10.51			
	Import - 856842		05/02/2019	116367025 -De Anza and Lazaneo, Traffic Signal		\$65.55			
	Import - 856843		05/02/2019	116367026 -Behind 10343 N Wolfe, Fountain Pump Pub Works		\$47.20			
	Import - 856844		05/02/2019	116367035 -De Anza Blvd and Mariani, Traffic Signal/Safety Lts		\$61.39			
	Import - 856846		05/02/2019	116367044 - 10555 Mary Ave NEM		\$189.09			
	Import - 856847		05/02/2019	116367045 -De Anza Blvd and Hwy 280 S/Ramp, Traffic Signal		\$58.50			
	Import - 856848		05/02/2019	116367050 -NW Corner Stevens Crk, Traffic Signals		\$60.45			
	Import - 856849		05/02/2019	116367055 -Saich Wy and Stevens Crk NE Corner, Traffic Signal		\$56.37			
	Import - 856850		05/02/2019	116367060 -E37R0 Stevens Creek and De Anza Blvd, Traffic Signal		\$85.64			



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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Import - 856851			05/02/2019		116367065 -Stevens Creek Blvd E/Saich Wy, Sprinkler Control		\$10.92		
Import - 856852			05/02/2019		116367067 -Stonydale Dr and Varian Park, walkway lighting and Ir		\$78.50		
Import - 856853			05/02/2019		116367070 -Stevens Creek and Blaney Ave., Traffic Signal		\$67.05		
Import - 856854			05/02/2019		116367071 -Linda Vista Dr / Hillside Park, Hillside Park		\$21.75		
Import - 856855			05/02/2019		116367075 -Vallco Pkwy and Perimeter Rd., Traffic Signals		\$48.31		
Import - 856857			05/02/2019		116367090 -Wolfe and Vallco Pkwy, Traffic Signals		\$70.54		
Import - 856858			05/02/2019		116367100 -E37H3 Wolfe and 280 SB Loc B, Traffic Signal		\$62.95		
Import - 856859			05/02/2019		116367105 -Stevens Crk and Wolfe Rd, Traffic Signals		\$71.78		
Import - 856860			05/02/2019		116367110 -SW Cor Stevens Crk and Portal, Traffic Signal		\$57.28		
Import - 856861			05/02/2019		116367113 -Miller E/S 100N off Calle De Barcelona		\$57.50		
Import - 856862			05/02/2019		116367115 -Stevens Crk and Perimeter Rd, Traffic Control Signal		\$57.66		
Import - 856863			05/02/2019		116367120 -Vallco Prky/Tantau Ave, Traffic Signal		\$68.42		
Import - 856864			05/02/2019		116367125 -Stevens Crk and Tantau, Traffic Signals		\$64.31		
Import - 856865			05/02/2019		116367130 -NW Corner Steven Crk and Torre, Traffic Signal		\$66.93		
Import - 856866			05/02/2019		116367145 -10300 Torre Ave, City Hall		\$7,316.43		
Import - 856867			05/02/2019		116367150 -Homestead and Wolfe Road, Sunnyvale		\$75.11		
Import - 856868			05/02/2019		116367154 -22601 Voss Ave		\$822.57		
Import - 856869			05/02/2019		116367155 -Homestead and Blaney, Cupertino Traffic Signal, Sunny		\$44.60		
Import - 856870			05/02/2019		116367165 -S/E Wolfe-Pruneridge, Sprinkler Control and Traffic S		\$80.01		
Import - 856871			05/02/2019		116367170 -Tantau Ave and Tandem D/W, Traffic Signal		\$70.61		
Import - 856872			05/02/2019		116367171 -10155 Barbara Ln, Irrigation and Scoreboard		\$50.31		
Import - 856873			05/02/2019		116367175 -S/E Corner Pruneridge and Tantau, Traffic Controller		\$54.15		
Import - 856874			05/02/2019		116367180 -Finch and Stevens Creek, Traffic Signals		\$68.29		
Import - 856877			05/02/2019		116367185 -Wolfe Rd 500 Ft S/O Homestead, City/Sign Lighting		\$25.17		
Import - 856878			05/02/2019		116367195 -Corner Miller and Phil Ln, Traffic Signal		\$55.34		
Import - 856879			05/02/2019		116367200 -Homestead and De Anza Blvd, Traffic Signal/Dept Pub W		\$72.00		
Import - 856880			05/02/2019		116367205 -Homestead Rd and Franco Ct, Traffic Signals		\$44.41		
Import - 856881			05/02/2019		116367215 -N/Ramp De Anza Blvd, Traffic Signal		\$56.32		
Import - 856882			05/02/2019		116367220 -Homestead Rd and Bluejay Rd, Traffic Signals		\$53.21		
Import - 856883			05/02/2019		116367225 -WS Portal Btw Amhurst-Wheaton , Portal Prk Ltg, Prk L		\$146.91		
Import - 856884			05/02/2019		116367236 -Stelling Rd Median 450' S/O Stevens Crk, Landscape Ir		\$11.77		
Import - 856885			05/02/2019		116367245 -Stevens Creek Blvd and Janice Ave, Sprinkler Control		\$15.00		

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Import - 856886			05/02/2019		116367255 -Lucille and Villa De Anza, Sprinkler Control		\$201.84		
Import - 856887			05/02/2019		116367269 -Cor/Lucille and Randy Ln, Sprinkler System		\$11.69		
Import - 856888			05/02/2019		116367274 -1170 Yorkshire Dr.		\$10.51		
Import - 856889			05/02/2019		116367275 -Homestead and Tantau, Cupertino Traffic Signal, Sunny		\$68.60		
Import - 856890			05/02/2019		116367280 -Stevens Creek Blvd and Fwy 85 East Ramp, Traffic Sign		\$67.25		
Import - 856891			05/02/2019		116367285 -21111 Stevens Creek Blvd, Sports Center		\$4,860.25		
Import - 856892			05/02/2019		116367285 -21111 Stevens Creek Blvd, Teen Center		\$375.00		
Import - 856893			05/02/2019		116367290 -Stevens Creek and Mary Ave, Traffic Signals		\$64.90		
Import - 856897			05/02/2019		116367325 -21975 San Fernando Ave, Picnic Area		\$2,198.48		
Import - 856898			05/02/2019		116367332 -821 Bubb Rd #B/Building Concession		\$98.40		
Import - 856900			05/02/2019		116367343 -Foothill Blvd 150' N/O Alpine E/S, Irrigation Control		\$10.51		
Import - 856901			05/02/2019		116367357 -N De Anza 188 FT N/Valley Green Dr, Irrig Controller		\$14.99		
Import - 856902			05/02/2019		116367359 -Homestead and Heron, traffic control svc		\$49.34		
Import - 856903			05/02/2019		116367360 -10300 Aninworth Dr, Ball Park Stevens Creek SV		\$9.53		
Import - 856904			05/02/2019		116367370 -Stevens Creek Blvd and Fwy 85 West Ramp, Traffic Sign		\$10.51		
Import - 856905			05/02/2019		116367375 -10710 Stokes Ave, Somerset Park		\$30.49		
Import - 856906			05/02/2019		116367380 -NE Corner Peninsula and Stevens Creek, Traffic Signal		\$60.67		
Import - 856907			05/02/2019		116367385 -End/Stokes W/Wilson Crt, Sprinkler Control		\$11.75		
Import - 856908			05/02/2019		116367395 -N/E corner Foothill and Starling Dr, Traffic Signals		\$54.82		
Import - 856909			05/02/2019		116367401 -Miller W/S N of Greenwood		\$13.85		
Import - 856910			05/02/2019		116367408 -Stevens Creek Bl and Mary Avenue, Memorial Park Pump		\$52.28		
Import - 856913			05/02/2019		116367437 -10455 Miller Ave, Creekside Park		\$375.42		
Import - 856915			05/02/2019		116367447 -Stelling Rd Median 500' S/O Peppertree Ln, Landscape		\$12.13		
Import - 856916			05/02/2019		116367449 -10350 Torre Ave, Community Hall		\$1,814.11		
Import - 856917			05/02/2019		116367455 -E37R9 Rodriguez and De Anza Blvd, Traffic Signal		\$72.00		
Import - 856918			05/02/2019		116367465 -De Anza Blvd and Scofield Dr, Sprinkler Controller		\$11.53		
Import - 856920			05/02/2019		116367474 -10500 Ann Arbor Ave, Field-Garden Gate		\$15.12		
Import - 856921			05/02/2019		116367475 -Foothill and Stevens Creek, Traffic Signal		\$62.43		
Import - 856922			05/02/2019		116367476 -Salem Ave and Foothill Blvd, Irrigation Control		\$10.51		
Import - 856923			05/02/2019		116367477 -21121 Stevens Creek Blvd, Memorial Park		\$1,247.56		
Import - 856924			05/02/2019		116367484 -20220 Suisun Dr, Parks and Rec Free Standing Panel		\$34.64		
Import - 856925			05/02/2019		116367493 -Dumas Dr/Jollyman Park, Jollyman Park Restroom		\$232.95		

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Import - 856926	05/02/2019			116367505	-Stevens Crk and Stelling, Signal		\$34.65		
Import - 856927	05/02/2019			116367510	-Bubb Rd and Results Wy, Traffic Signal		\$48.77		
Import - 856928	05/02/2019			116367515	-Bubb Rd and McClellan Intersection, Traffic Signal		\$69.64		
Import - 856929	05/02/2019			116367520	-Stelling Rd and Peppertree, Traffic Signal		\$49.76		
Import - 856930	05/02/2019			116367525	-Stelling and McClellan, Signals		\$63.58		
Import - 856931	05/02/2019			116367527	-Foothill Blvd 200' N/O Stevens Creek W/S, Irrigation		\$10.51		
Import - 856932	05/02/2019			116367530	-Orange Ave and Stevens Creek N/E corner, Traffic Cont		\$42.26		
Import - 856933	05/02/2019			116367536	-Senior Center		\$2,887.47		
Import - 856934	05/02/2019			116367545	-Saratoga-Sunnyvale Rd, Traffic Signal		\$64.39		
Import - 856935	05/02/2019			116367550	-W/S Saratoga-Sunnyvale Rd @ RT85, Traffic Signal		\$55.80		
Import - 856936	05/02/2019			116367559	-21011 Prospect Rd, Irrigation Control		\$10.51		
Import - 856937	05/02/2019			116367560	-S/E corner De Anza and Pacifica, Traffic Signal		\$68.29		
Import - 856938	05/02/2019			116367568	-CORP YARD NEM		\$114.10		
Import - 856939	05/02/2019			116367570	-De Anza Blvd, Sprinkler Controller *		\$11.53		
Import - 856940	05/02/2019			116367585	-Rainbow and Stelling, Traffic Signal		\$59.26		
Import - 856941	05/02/2019			116367587	-10430 S De Anza Blvd, Holiday Lighting		\$40.75		
Import - 856942	05/02/2019			116367590	-Saratoga Sunnyvale Rd and Hwy 85, Traffic Signal		\$58.22		
Import - 856943	05/02/2019			116367605	-E37C1 Prospect and Rte 85, Traffic Signal		\$62.18		
Import - 856944	05/02/2019			116367610	-E37R6 Kentwood/S. De Anza Blvd, Traffic Signal		\$60.85		
Import - 856945	05/02/2019			116367615	-Fallenleaf Ln and S De Anza Blvd, Traffic Signal		\$66.30		
Import - 856946	05/02/2019			116367620	-S De Anza Blvd and Sharon Dr , Irrigation Controller		\$15.44		
Import - 856947	05/02/2019			116367625	-Stevens Creek Blvd Orange S/W Cor, Irrigation Control		\$10.51		
Import - 856948	05/02/2019			116367628	-N/W corner Alpine Dr and Foothill Blvd, Irrigation Co		\$10.51		
Import - 856949	05/02/2019			116367630	-22100 Stevens Creek Blvd, Golf Pro Shop		\$184.59		
Import - 856950	05/02/2019			116367648	-Linda Vista Park/Linda Vista Dr, Irrigation Control		\$117.08		
Import - 856951	05/02/2019			116367656	-Scofield and De Anza, 100HP		\$11.89		
Import - 856952	05/02/2019			116367677	-De Anza and Lazaneo, Sprinkler System		\$10.51		
Import - 856953	05/02/2019			116367685	-Ruppell Pl and Moltzen Dr, Sprinkler Control		\$77.60		
Import - 856954	05/02/2019			116367740	-Carmen Rd and Stevens Creek S/E corner, Irrigation Co		\$10.51		
Import - 856956	05/02/2019			116367763	-10630 S De Anza Blvd, Holiday Lighting		\$46.46		
Import - 856957	05/02/2019			116367782	-N/S Stevens Creek Blvd in front of 20301, Irrigation		\$10.51		
Import - 856958	05/02/2019			116367793	-101 Skyport Dr, DG A, San Jose, PGandE-Owned St/Highw		\$650.43		
Import - 856959	05/02/2019			116367815	-19784 Wintergreen Dr		\$348.44		
Import - 856961	05/02/2019			116367836	-De Anza Blvd E/S S/O Lazaneo, Sprinkler Control		\$10.51		

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	Import - 856962		05/02/2019		116367840 -community ctr -NEW		\$5,869.97		
	Import - 856963		05/02/2019		116367902 -10246 Parkside Ln, Wilson Pk Sprinklers,Snack Shack,I		\$228.77		
	Import - 856964		05/02/2019		116367907 -S/W Corner Stelling and Green leaf, Traffic Signal		\$65.36		
	Import - 856966		05/02/2019		116367925 -22601 Voss Ave, Outdoor Lighting-MV Park		\$18.98		
	Import - 856967		05/02/2019		116367941 -7548 Donegal Dr, Irrigation Control /Hoover Park		\$10.60		
	Import - 856968		05/02/2019		110659172 -N De Anza 455FT S/O Mariani Dr, Irrig Control		\$10.76		
	Import - 856969		05/02/2019		116367988 -21710 McClellan Rd, Playground Reception Area		\$10.51		
720747	05/24/2019	Open			Accounts Payable	PRN INTERMEDIATE HOLDCO INC. & SUBS	\$500.00		
	Invoice		Date		Description		Amount		
	000512		04/30/2019		Ergo Evals - Kavitha and Marilyn		\$500.00		
720748	05/24/2019	Open			Accounts Payable	Quench USA, Inc	\$54.40		
	Invoice		Date		Description		Amount		
	INV01799199		05/08/2019		Facilities: Work Order		\$27.20		
	INV01794880		04/30/2019		Facilities: Work Order Flat Fee		\$27.20		
720749	05/24/2019	Open			Accounts Payable	ReadyRefresh by Nestle	\$611.73		
	Invoice		Date		Description		Amount		
	19E0027344597		05/10/2019		Service Center: Employee Drinking Water		\$533.85		
	19E0027344639		05/10/2019		City Hall: Employee Drinking Water		\$77.88		
720750	05/24/2019	Open			Accounts Payable	ROYAL BRASS INC	\$182.46		
	Invoice		Date		Description		Amount		
	896518-001		05/16/2019		Fleet: Hose Assembly		\$182.46		
720751	05/24/2019	Open			Accounts Payable	ROYAL COACH TOURS	\$1,283.80		
	Invoice		Date		Description		Amount		
	16571		05/22/2019		Charter #16571 Western Railway Museum 06/19/2019		\$1,283.80		
720752	05/24/2019	Open			Accounts Payable	SAN FRANCISCO OPERA	\$300.00		
	Invoice		Date		Description		Amount		
	1-017		07/27/2018		Group Admission Carmen 06/02/2019		\$300.00		
720753	05/24/2019	Open			Accounts Payable	SAN JOSE WATER COMPANY	\$3,710.09		
	Invoice		Date		Description		Amount		
	Import - 856728		05/02/2019		0067500000-4 - Oro Grande PL LS		\$125.80		
	Import - 856736		05/02/2019		0879200000-5 - Stelling Rd. LS		\$396.11		
	Import - 856741		05/03/2019		1670900000-0 - Stelling Rd. LS		\$396.11		
	Import - 856744		05/13/2019		1670900000-0 - Stelling Rd. LS		\$71.65		
	Import - 856745		05/02/2019		1731610000-1 - De Anza Blvd.S.		\$510.60		
	Import - 856761		05/03/2019		3156700000-0 - Prospect Rd.LS		\$131.24		
	Import - 856780		05/02/2019		4242600000-8 - Irrigation-Median (Bollinger Rd)		\$125.80		
	Import - 856781		05/03/2019		4676110000-0 - Rainbow Dr.LS		\$125.80		
	Import - 856787		05/02/2019		5461910000-8 - De Anza Blvd.S.		\$396.11		
	Import - 856801		05/03/2019		6756510000-4 - Yorkshire Dr.LS		\$614.23		
	Import - 856815		05/03/2019		7808300000-6 - Irrigation-Median (Westlynn Wy)		\$196.67		
	Import - 856833		05/03/2019		9511610000-9 - Donegal Dr.		\$82.10		

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	Import - 856836		05/02/2019		9705420000-7 - 10300 Torre Avenue Ls		\$537.87		
720754	05/24/2019	Open			Accounts Payable	SANTA CLARA COUNTY SHERIFF DEPT	\$1,085,587.07		
	Invoice		Date		Description		Amount		
	1800067912		05/06/2019		Law Enforcement Services for April 2019		\$1,076,704.94		
	1800068040		05/16/2019		Law Enforcement Services for April 2019		\$8,882.13		
720755	05/24/2019	Open			Accounts Payable	SHARPENING MECHANICS	\$1,026.73		
	Invoice		Date		Description		Amount		
	801		05/11/2019		Grounds: Fuel Mix, Edger Blade		\$1,026.73		
720756	05/24/2019	Open			Accounts Payable	SMITH'S FAMILY OF COMPANIES, INC	\$800.00		
	Invoice		Date		Description		Amount		
	17428		05/15/2019		Trees&ROW: Mary Foot Bridge Monthly Trapping		\$90.00		
	17427		05/15/2019		Grounds: Monthly Trapping Burrowing Pests (May2019)		\$150.00		
	17492		05/15/2019		Grounds: Monthly Trapping Burrowing Pests (May2019)		\$185.00		
	17484		05/15/2019		Grounds: Monthly Service Burrowing Pests (May2019)		\$200.00		
	17430		05/15/2019		Grounds: Monthly Service Burrowing Pests (May2019)		\$175.00		
720757	05/24/2019	Open			Accounts Payable	STAPLES BUSINESS ADVANTAGE	\$698.98		
	Invoice		Date		Description		Amount		
	3412154582		04/27/2019		Meeting Supplies - Mayor's Meeting		\$68.70		
	3411308304		04/18/2019		CMO Office Supplies - Paper		\$169.09		
	3411308305		04/18/2019		CMO Office Supplies - 9x12 Envelopes		\$84.21		
	3412783915		05/03/2019		Meeting Supplies - Ice Tea		\$24.39		
	3412783916		05/03/2019		Meeting Supplies		\$53.26		
	3412708618		05/02/2019		Meeting Supplies		\$42.49		
	3413714609		05/11/2019		Office Supplies - Paper		\$225.46		
	3412708619		05/02/2019		Ergo Equipment - Cyrah Caburian		\$31.38		
720758	05/24/2019	Open			Accounts Payable	SUNNYVALE FORD	\$163.50		
	Invoice		Date		Description		Amount		
	148438		05/15/2019		Fleet: Mirror		\$163.50		
720759	05/24/2019	Open			Accounts Payable	SUPERCO SPECIALTY PRODUCTS	\$601.45		
	Invoice		Date		Description		Amount		
	PSI288835		05/16/2019		Streets: Glass Cleaner & Polish, Cover Up - Asphalt		\$601.45		
720760	05/24/2019	Open			Accounts Payable	TERRYBERRY COMPANY LLC	\$834.82		
	Invoice		Date		Description		Amount		
	G02100		04/02/2019		KAREN BERNARD GUERIN		\$388.89		
	G08879		04/19/2019		GIAN MARTIRE		\$77.98		
	G12146		04/30/2019		REBECCA SHAFFER		\$367.95		
720761	05/24/2019	Open			Accounts Payable	TJKM	\$21,330.00		
	Invoice		Date		Description		Amount		
	0048389		04/30/2019		AC2 TDM Monitoring Program 4/1/19 - 4/30/19		\$21,330.00		
720762	05/24/2019	Open			Accounts Payable	TURF & INDUSTRIAL EQUIPMENT CO	\$272.26		
	Invoice		Date		Description		Amount		
	IV30540		05/15/2019		Fleet: Bolt Eye & Tank Vent		\$6.42		

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	IV30581		05/13/2019		Fleet: Oil Pump, Worm Picco, Screw Plug		\$77.78		
	IV30709		05/20/2019		Fleet: Misc supplies		\$188.06		
720763	05/24/2019	Open			Accounts Payable	TURF STAR, INC.	\$14,349.64		
	Invoice		Date		Description		Amount		
	614378-00		04/25/2019		Kohler Grass Hopper		\$14,349.64		
720764	05/24/2019	Open			Accounts Payable	UNITED SITE SERVICES INC.	\$237.99		
	Invoice		Date		Description		Amount		
	114-8469076		05/13/2019		portable toilet at compost site		\$237.99		
720765	05/24/2019	Open			Accounts Payable	VERIZON WIRELESS	\$6,325.70		
	Invoice		Date		Description		Amount		
	9829508750		05/04/2019		Verizon Phone Service for EOC 4/5 -5/4		\$36.00		
	9829470513-01		05/04/2019		408-202-5384 Adrianna Stankovich		\$38.01		
	9829470513-02		05/04/2019		408-204-3430 Lauren Dickinson		\$38.01		
	9829470513-03		05/04/2019		408-204-3449 Rei Delgado		\$38.01		
	9829470513-04		05/04/2019		408-204-9056 Bbf Square		\$1.35		
	9829470513-05		05/04/2019		408-205-3349 Senior Ctr/Rafael		\$28.19		
	9829470513-06		05/04/2019		408-205-4541 Iqraam Nabi		\$38.01		
	9829470513-07		05/04/2019		408-206-0538 Quinton Adams		\$53.33		
	9829470513-08		05/04/2019		408-206-4856 Curtis Bloomquist		\$53.52		
	9829470513-09		05/04/2019		408-206-7512 Tracy Ayala		\$38.01		
	9829470513-10		05/04/2019		408-209-0148 It Stock		\$35.17		
	9829470513-11		05/04/2019		408-209-3255 Quinton Adams iPad		\$38.01		
	9829470513-12		05/04/2019		408-234-0189 Bill Mi-Fi/IT Departmnet Mi-Fi		\$38.01		
	9829470513-13		05/04/2019		408-234-0843 Gilee Coral		\$38.01		
	9829470513-14		05/04/2019		408-234-0978 Infrastructure Department		\$38.01		
	9829470513-15		05/04/2019		408-234-1270 Jonathan Ferrante Medians Group #1		\$38.01		
	9829470513-16		05/04/2019		408-234-4724 Building Attendants Quinlan		\$25.30		
	9829470513-17		05/04/2019		408-234-8494 Roger Lee		\$68.71		
	9829470513-18		05/04/2019		408-309-0340 Piu Ghosh		\$44.32		
	9829470513-19		05/04/2019		408-309-0536 Phillip Wilkomm		\$25.23		
	9829470513-20		05/04/2019		408-309-1985 Barbara Banfield		\$44.64		
	9829470513-21		05/04/2019		408-309-2693 Christine Hanel		\$38.01		
	9829470513-22		05/04/2019		408-309-4294 Albert Salvador		\$36.78		
	9829470513-23		05/04/2019		408-309-5709 Clare Francavilla		\$38.01		
	9829470513-24		05/04/2019		408-309-7042 Kristina Alfaro		\$25.17		
	9829470513-25		05/04/2019		408-309-7640 Bob Sabich		\$32.46		
	9829470513-26		05/04/2019		408-309-8401 Rudy Lomas		\$38.01		
	9829470513-27		05/04/2019		408-309-8468 Jerry Anderson		\$38.01		
	9829470513-28		05/04/2019		408-309-9249 Jeff Greef		\$31.23		
	9829470513-29		05/04/2019		408-309-9252 Antonio Torrez		\$35.49		
	9829470513-30		05/04/2019		408-313-0045 Toan Quach		\$38.01		
	9829470513-31		05/04/2019		408-313-1148 Toan Quach		\$55.86		
	9829470513-32		05/04/2019		408-313-3558 Street Tree Maintenance #3		\$38.01		
	9829470513-33		05/04/2019		408-313-4364 Street Tree Maintenance #4		\$38.01		
	9829470513-34		05/04/2019		408-313-5321 Paul Sapudar		\$38.01		
	9829470513-35		05/04/2019		408-313-6943 Travis Warner		\$38.01		
	9829470513-36		05/04/2019		408-313-9250 Lisa Maletis-Massey		\$38.01		
	9829470513-37		05/04/2019		408-314-4452 HazMat/S. Tognetti		\$25.92		
	9829470513-38		05/04/2019		408-314-6637 Sean Hatch		\$38.01		



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	9829470513-39		05/04/2019		408-314-9200 Rebecca Shaffer		\$38.01		
	9829470513-40		05/04/2019		408-315-3044 Jonathan Ferrante		\$46.02		
	9829470513-41		05/04/2019		408-315-6764 Rachelle Sander Mifi		\$38.01		
	9829470513-42		05/04/2019		408-315-8165 Brian Gathers		\$38.01		
	9829470513-43		05/04/2019		408-316-1233 Cheri Donnelly		\$54.87		
	9829470513-44		05/04/2019		408-316-1283 Bill Mitchell		\$38.01		
	9829470513-45		05/04/2019		408-316-2067 Paul O Sullivan		\$37.68		
	9829470513-46		05/04/2019		408-316-7320 Gulu Sakhrani		\$38.01		
	9829470513-47		05/04/2019		408-318-1635 Brian Babcock		\$38.01		
	9829470513-48		05/04/2019		408-318-2012 Kane Wolfe		\$38.01		
	9829470513-49		05/04/2019		408-318-7365 Bob Sabich		\$38.01		
	9829470513-50		05/04/2019		408-318-8726 Jason Fauth		\$38.01		
	9829470513-52		05/04/2019		408-334-9082 Sean Hatch/ City of Cupertino		\$25.37		
	9829470513-53		05/04/2019		408-340-3184 Peter Coglianese		\$38.01		
	9829470513-54		05/04/2019		408-340-3387 Robert Kim		\$38.01		
	9829470513-55		05/04/2019		408-340-8060 Nidhi Mathur		\$38.01		
	9829470513-56		05/04/2019		408-340-8119 Phillip Wilkomm		\$38.01		
	9829470513-57		05/04/2019		408-340-8128 Cheri Donnelly		\$38.01		
	9829470513-59		05/04/2019		408-340-8648 Chad Mosley		\$38.01		
	9829470513-60		05/04/2019		408-340-8688 Kim Frey		\$38.01		
	9829470513-62		05/04/2019		408-440-7136 Andy Badal		\$38.01		
	9829470513-63		05/04/2019		408-460-1821 Ty Bloomquist		\$54.93		
	9829470513-64		05/04/2019		408-466-4450 Colleen Lettire		\$38.01		
	9829470513-65		05/04/2019		408-466-4765 GIS #1		\$38.01		
	9829470513-66		05/04/2019		408-466-4906 Kerri Heusler Housing Planner		\$38.01		
	9829470513-67		05/04/2019		408-472-1568 David Stillman		\$53.33		
	9829470513-68		05/04/2019		408-472-6522 Jeff Greef		\$38.01		
	9829470513-69		05/04/2019		408-472-6541 John Raaymakers		\$38.01		
	9829470513-70		05/04/2019		408-472-7011 Ty Bloomquist		\$38.01		
	9829470513-71		05/04/2019		408-472-7295 Antonio Torrez		\$38.01		
	9829470513-72		05/04/2019		408-472-7857 Paul O'Sullivan		\$38.01		
	9829470513-73		05/04/2019		408-472-7927 Bill Mitchell		\$38.01		
	9829470513-74		05/04/2019		408-472-8289 Jonathan Ferrante WWP		\$0.18		
	9829470513-75		05/04/2019		408-472-9907 Manuel Barragan		\$56.10		
	9829470513-77		05/04/2019		408-482-5991 Benjamin Fu		\$38.01		
	9829470513-78		05/04/2019		408-482-6096 Marc Labrie		\$38.01		
	9829470513-79		05/04/2019		408-482-9730 Steven Scharf		\$38.01		
	9829470513-80		05/04/2019		408-483-0309 Maria Jimenez		\$106.43		
	9829470513-81		05/04/2019		408-483-3215 Teri Gerhardt		\$38.01		
	9829470513-82		05/04/2019		408-483-5672 M. Jonathan Ferrante		\$38.01		
	9829470513-83		05/04/2019		408-483-5947 Araceli Alejandre MiFi		\$38.01		
	9829470513-84		05/04/2019		408-483-7859 Shawn Tognetti		\$38.01		
	9829470513-85		05/04/2019		408-483-9976 On - Call Service Center		\$31.45		
	9829470513-86		05/04/2019		408-489-2932 Ross Slaney		\$38.01		
	9829470513-87		05/04/2019		408-489-8336 Beth Ebben 2		\$38.01		
	9829470513-88		05/04/2019		408-489-9309 Jonathan Ferrante		\$38.01		
	9829470513-89		05/04/2019		408-489-9310 Kevin Rieden		\$38.01		
	9829470513-90		05/04/2019		408-493-3534 Jonathan Ferrante Median Crew 2		\$38.01		
	9829470513-91		05/04/2019		408-495-9995 Timm Borden		\$25.17		
	9829470513-92		05/04/2019		408-497-3338 Marc Labrie		\$38.01		

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	9829470513-93		05/04/2019		408-497-3691 Sean Filbeck		\$38.01		
	9829470513-94		05/04/2019		408-497-4686 Cliff Mabutas		\$38.01		
	9829470513-95		05/04/2019		408-497-4809 Kevin Greene		\$38.01		
	9829470513-96		05/04/2019		408-497-4862 Jeff Trybus/IT Wireless		\$38.01		
	9829470513-99		05/04/2019		408-497-7220 Colleen Ferris iPad		\$38.01		
	9829470513-100		05/04/2019		408-497-9307 David Stillman		\$38.01		
	9829470513-101		05/04/2019		408-510-0198 Gilee Corral		\$38.01		
	9829470513-102		05/04/2019		408-510-9158 Winnie Pagan		\$38.01		
	9829470513-103		05/04/2019		408-515-7650 Karen Bernard-Guerin		\$25.91		
	9829470513-105		05/04/2019		408-568-3911 Jonathan Ferrante WWP		\$38.01		
	9829470513-106		05/04/2019		408-568-6465 Beth Ebben 1		\$38.01		
	9829470513-108		05/04/2019		408-599-4937 Ursula Syrova		\$38.01		
	9829470513-109		05/04/2019		408-605-2546 Michael Zimmerman		\$25.17		
	9829470513-110		05/04/2019		408-605-3078 Quinton MiFi		\$38.01		
	9829470513-111		05/04/2019		408-605-3905 Andrew Schmitt MiFi 2		\$38.01		
	9829470513-113		05/04/2019		408-609-4188 Jason Giorgianni		\$38.01		
	9829470513-114		05/04/2019		408-609-4367 Isaac Preciado		\$38.01		
	9829470513-115		05/04/2019		408-609-8711 Bill Bodene		\$38.01		
	9829470513-116		05/04/2019		408-609-8796 Rob Griffiths		\$38.01		
	9829470513-117		05/04/2019		408-609-8826 Domingo Santos		\$38.01		
	9829470513-118		05/04/2019		408-610-0601 Paul Tognetti		\$29.60		
	9829470513-119		05/04/2019		408-628-8745 Ken Tanase		\$38.01		
	9829470513-120		05/04/2019		408-630-0900 Shivani Tripathi		\$38.01		
	9829470513-121		05/04/2019		408-642-0406 Karen Goss		\$70.82		
	9829470513-122		05/04/2019		408-642-4263 Alex Wykoff/IT Wireless		\$38.01		
	9829470513-123		05/04/2019		408-642-4504 Jeff Milkes		\$577.02		
	9829470513-124		05/04/2019		408-655-8680 Jeff Trybus		\$53.33		
	9829470513-125		05/04/2019		408-655-8685 Alex Wykoff		\$35.75		
	9829470513-126		05/04/2019		408-688-1613 Ricardo Alvarez		\$38.01		
	9829470513-127		05/04/2019		408-688-6252 Benjamin Fu		\$36.53		
	9829470513-128		05/04/2019		408-691-2466 Kane Wolfe		\$41.01		
	9829470513-130		05/04/2019		408-691-9432 David Chen		\$8.40		
	9829470513-131		05/04/2019		408-693-7088 Adrianna Stankovich		\$31.48		
	9829470513-132		05/04/2019		408-693-9515 Carl Valdez		\$26.67		
	9829470513-133		05/04/2019		408-693-9822 Carl Valdez		\$38.01		
	9829470513-135		05/04/2019		408-761-3636 Zach Korach		\$83.51		
	9829470513-136		05/04/2019		408-781-0290 Brad Alexander Street Division #1		\$38.01		
	9829470513-137		05/04/2019		408-781-0663 Brad Alexander Street Division #2		\$38.01		
	9829470513-138		05/04/2019		408-781-0799 Brad Alexander Street Division #3		\$38.01		
	9829470513-139		05/04/2019		408-781-1340 Brad Alexander Street Division #4		\$38.01		
	9829470513-140		05/04/2019		408-781-3499 Jennifer Chu		\$38.01		
	9829470513-141		05/04/2019		408-781-4139 Julia Kinst		\$38.01		
	9829470513-142		05/04/2019		408-781-4360 Paul Tognetti		\$38.01		
	9829470513-143		05/04/2019		408-781-6411 Compost Site		\$0.18		
	9829470513-145		05/04/2019		408-828-5489 Grace Schmidt Ipad		\$38.01		
	9829470513-146		05/04/2019		408-841-6612 C. Internet Emergencyva		\$38.01		
	9829470513-147		05/04/2019		408-857-2355 Alex Corbalis Travel Agent		\$26.05		
	9829470513-148		05/04/2019		408-857-3211 Kim Frey		\$29.09		
	9829470513-150		05/04/2019		408-891-7964 Kirsten Squarcia		\$38.01		
	9829470513-151		05/04/2019		408-891-9008 Park Ranger Corridor		\$29.06		



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	9829470513-152		05/04/2019		408-891-9503 Rachelle Sander		\$28.32		
	9829470513-153		05/04/2019		408-891-9971 Karen Goss		\$38.01		
	9829470513-154		05/04/2019		408-892-1486 Iqraam Nabi		\$46.99		
	9829470513-155		05/04/2019		408-892-5553 Albert Salvador		\$38.01		
	9829470513-156		05/04/2019		408-963-3875 Robert Kim		\$38.01		
	9829470513-158		05/04/2019		408-963-9329 David Chen		\$5.09		
	9829470513-159		05/04/2019		408-966-0384 Cliff Mabutas MiFi		\$38.01		
	9829470513-160		05/04/2019		408-966-0471 Brian Gathers MiFi		\$38.01		
	9829470513-162		05/04/2019		650-269-5567 Araceli Alejandre		\$38.01		
	9829470513-163		05/04/2019		408-828-9819 Kerri Heusler		\$38.71		
	9829470513-164		05/04/2019		408-4837997 James Lee Ipad		\$38.01		
	9829470513-165		05/04/2019		408-205-6589 Street Lights		\$40.01		
	9829470513-166		05/04/2019		408-478-1999 James Lee		\$32.47		
	9829470513-167		05/04/2019		408-340-8564 Kane Wolfe		\$53.33		
720766	05/24/2019	Open			Accounts Payable	Vision Service Plan (CA)	\$325.72		
	Invoice		Date	Description		Amount			
	MAY 2019		05/22/2019	VISION GLASSES		\$325.72			
720767	05/24/2019	Open			Accounts Payable	Vision Service Plan (CA)	\$3,545.78		
	Invoice		Date	Description		Amount			
	MAY 2019 VB		05/22/2019	Vision Benefit		\$3,545.78			
720768	05/24/2019	Open			Accounts Payable	WEST-LITE SUPPLY CO INC	\$179.36		
	Invoice		Date	Description		Amount			
	75581H-1		05/13/2019	Facilities: LED Retro & Retro Dim Lighting		\$179.36			
720769	05/24/2019	Open			Accounts Payable	BELLIGUNDU, SRINIDHI	\$500.00		
	Invoice		Date	Description		Amount			
	1450527		05/15/2019	Refunding security deposit for Community Hall		\$500.00			
				05/06/19					
720770	05/24/2019	Open			Accounts Payable	WIS	\$500.00		
	Invoice		Date	Description		Amount			
	1450525		05/15/2019	Refunding security deposit for Community Hall		\$500.00			
				05/04/19					
720771	05/24/2019	Open			Accounts Payable	Woo, Christine	\$300.00		
	Invoice		Date	Description		Amount			
	2000140.032		05/21/2019	Deposit refund for Arts & Crafts room rental 5/19/19		\$300.00			
720772	05/24/2019	Open			Accounts Payable	Yahalom, Gilad	\$53.00		
	Invoice		Date	Description		Amount			
	2000791.030		05/17/2019	4 Rain outs for #5319,mass refund to cc not working,issue check.		\$53.00			
Type Check Totals:							\$1,588,298.90		
EFT									
28554	05/20/2019	Open			Accounts Payable	EMPLOYMENT DEVEL DEPT	\$32,282.29		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	CA State Tax pp 4/27-5/10/19		\$32,282.29			
28555	05/20/2019	Open			Accounts Payable	IRS	\$111,130.40		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	Federal Tax pp 4/27-5/10/19		\$111,130.40			

# Payment Register

From Payment Date: 5/18/2019 - To Payment Date: 5/24/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
28556	05/23/2019	Open			Accounts Payable	P E R S	\$126,728.26		
	Invoice		Date	Description		Amount			
	05102019		05/10/2019	CalPERS pp 4/27-5/10/19		\$126,728.26			
28557	05/24/2019	Open			Accounts Payable	ACENAS, ALEX	\$55.00		
	Invoice		Date	Description		Amount			
	AlexA051319		05/13/2019	Cell Phone Reimbursement, 4.14.19-5.13.19		\$55.00			
28558	05/24/2019	Open			Accounts Payable	CP6CPC, LLC	\$6,142.34		
	Invoice		Date	Description		Amount			
	June2019		06/01/2019	CIVIC PARK CENTER- HR OFFICE Rent		\$6,142.34			
28559	05/24/2019	Open			Accounts Payable	GRACE SCHMIDT	\$50.91		
	Invoice		Date	Description		Amount			
	GraceS0512019		05/21/2019	Cell phone reimbursement 4/5 - 5/4		\$50.91			
28560	05/24/2019	Open			Accounts Payable	OH, JENNIFER	\$284.00		
	Invoice		Date	Description		Amount			
	052119		05/21/2019	Nutrition Made Easy (5.17 and 5.20) 3 and 7 Students		\$284.00			
28561	05/24/2019	Open			Accounts Payable	QUARTIC SOLUTIONS LLC	\$5,805.00		
	Invoice		Date	Description		Amount			
	2286		05/20/2019	Quartic Technical Support - April 2019		\$5,805.00			
28562	05/24/2019	Open			Accounts Payable	Raaymakers , John	\$55.00		
	Invoice		Date	Description		Amount			
	JohnR041919		04/19/2019	Cell Phone Reimbursement, 4.20.19-4.19.19		\$55.00			

Type EFT Totals:

Main Account - Main Checking Account Totals

9 Transactions

\$282,533.20

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	97	\$1,588,298.90	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	97	\$1,588,298.90	\$0.00
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	9	\$282,533.20	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	9	\$282,533.20	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount
	Open	106	\$1,870,832.10	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00

Approved: Beth G. Viajar

05.28.19

# Payment Register

From Payment Date: 5/18/2019 - To Payment Date: 5/24/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Grand Totals:					Total	106	\$1,870,832.10	\$0.00	
		<b>Checks</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	97			\$1,588,298.90	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			<b>Total</b>	<b>97</b>			<b>\$1,588,298.90</b>	<b>\$0.00</b>	
		<b>EFTs</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	9			\$282,533.20	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			<b>Total</b>	<b>9</b>			<b>\$282,533.20</b>	<b>\$0.00</b>	
		<b>All</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	106			\$1,870,832.10	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			<b>Total</b>	<b>106</b>			<b>\$1,870,832.10</b>	<b>\$0.00</b>	



# CITY OF CUPERTINO

## Agenda Item

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**19-5848**

**Agenda Date: 8/6/2019**  
**Agenda #: 12.**

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Subject: Accept Accounts Payable for the period ending May 31, 2019

Adopt Resolution No. 19-103 accepting Accounts Payable for the period ending May 31, 2019

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CUPERTINO ALLOWING CERTAIN CLAIMS AND DEMANDS PAYABLE IN  
THE AMOUNTS AND FROM THE FUNDS AS HEREINAFTER DESCRIBED  
FOR GENERAL AND MISCELLANEOUS EXPENDITURES FOR THE PERIOD  
ENDING

May 31, 2019

WHEREAS, the Director of Administrative Services or her designated representative has certified to accuracy of the following claims and demands and to the availability of funds for payment hereof; and

WHEREAS, the said claims and demands have been audited as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby allows the following claims and demands in the amounts and from the funds as hereinafter set forth in the attached Payment Register.

CERTIFIED:   
Zach Korach, Finance Manager

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6<sup>th</sup> day of August, 2019, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
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AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. \_\_\_\_\_

Page 2

<b>SIGNED:</b> _____ Steven Scharf, Mayor City of Cupertino	_____ Date
<b>ATTEST:</b> _____ Grace Schmidt, City Clerk	_____ Date

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Main Account - Main Checking Account									
<u>Check</u>									
720773	05/31/2019	Open			Accounts Payable	4LEAF INC	\$3,499.45		
	Invoice		Date	Description		Amount			
	J1181RR		12/21/2018	On Call Building Inspection Services 11/1/2018-11/30/2018		\$3,499.45			
720774	05/31/2019	Open			Accounts Payable	AARABI RAJESHWARAN	\$40.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$40.00			
720775	05/31/2019	Open			Accounts Payable	ABOLI JAYDEEP RANADE	\$770.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$770.00			
720776	05/31/2019	Open			Accounts Payable	ADVANTAGE GRAFIX	\$106.82		
	Invoice		Date	Description		Amount			
	43504		05/10/2019	Business cards - Lori B		\$106.82			
720777	05/31/2019	Open			Accounts Payable	AIRGAS USA LLC	\$181.11		
	Invoice		Date	Description		Amount			
	9088803290		05/15/2019	Trees/Row: Earplugs		\$181.11			
720778	05/31/2019	Open			Accounts Payable	ALAMO WORLD TRAVEL AND TOURS	\$3,940.00		
	Invoice		Date	Description		Amount			
	ACPM2019 Dariano		05/24/2019	Laguna arts Festival Final Payment Dariano		\$1,970.00			
	ACPM2019 Swentze		05/24/2019	Laguna arts Festival Final Payment Swentzel		\$1,970.00			
720779	05/31/2019	Open			Accounts Payable	AMAZON WEB SERVICES INC	\$3,049.00		
	Invoice		Date	Description		Amount			
	218440941		05/23/2019	Amazon Web Services		\$3,049.00			
720780	05/31/2019	Open			Accounts Payable	AT&T	\$7,844.63		
	Invoice		Date	Description		Amount			
	000013015354		05/10/2019	9391051384 04/10/19-05/09/19		\$1,952.85			
	000012881526-1		04/12/2019	City Council		\$0.96			
	000012881526-2		04/12/2019	City Manager		\$0.48			
	000012881526-3		04/12/2019	City Clerk		\$24.48			
	000012881526-4		04/12/2019	City Attorney		\$1.77			
	000012881526-5		04/12/2019	Sheriffs		\$0.80			
	000012881526-6		04/12/2019	Code Enforcement		\$1.12			
	000012881526-7		04/12/2019	Community Services		\$0.32			
	000012881526-8		04/12/2019	Disaster Preparedness		\$0.48			
	000012881526-9		04/12/2019	Govt Channel		\$0.48			
	000012881526-10		04/12/2019	Finance Admin		\$0.48			
	000012881526-11		04/12/2019	Finance Acctg		\$0.96			
	000012881526-12		04/12/2019	Business License		\$0.48			
	000012881526-13		04/12/2019	Human Resources		\$0.96			
	000012881526-14		04/12/2019	Information Tech		\$3.05			
	000012881526-15		04/12/2019	Parks & Rec Admin		\$0.48			
	000012881526-16		04/12/2019	QCC Cultural superv.		\$1.12			
	000012881526-17		04/12/2019	Quinlan Center		\$2.57			
	000012881526-18		04/12/2019	Youth Teen program		\$0.32			

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	000012881526-19		04/12/2019		Sports Physical prog.		\$0.48		
	000012881526-20		04/12/2019		Sports Ctr prog.		\$1.93		
	000012881526-21		04/12/2019		Senior Center		\$1.93		
	000012881526-22		04/12/2019		Case Manager		\$0.16		
	000012881526-23		04/12/2019		BBF Office		\$1.61		
	000012881526-24		04/12/2019		BBF Park		\$0.80		
	000012881526-25		04/12/2019		Blackberry Golf		\$0.16		
	000012881526-26		04/12/2019		Nature Program		\$0.16		
	000012881526-27		04/12/2019		Planning Admin		\$0.48		
	000012881526-28		04/12/2019		Planning Current		\$1.44		
	000012881526-29		04/12/2019		Planning Long Range		\$0.32		
	000012881526-30		04/12/2019		BMR Housing		\$0.32		
	000012881526-31		04/12/2019		Building		\$2.09		
	000012881526-32		04/12/2019		Plan Check		\$0.16		
	000012881526-33		04/12/2019		Building Inspector		\$0.64		
	000012881526-34		04/12/2019		Public Works Adm		\$0.80		
	000012881526-35		04/12/2019		Resource Recovery		\$0.16		
	000012881526-36		04/12/2019		Non Point Source		\$0.16		
	000012881526-37		04/12/2019		Engineering		\$1.44		
	000012881526-38		04/12/2019		PW Inspector		\$0.16		
	000012881526-39		04/12/2019		Service Center Adm.		\$39.59		
	000012881526-40		04/12/2019		City Hall		\$301.17		
	000012881526-41		04/12/2019		Service Center		\$24.73		
	000012881526-42		04/12/2019		Quinlan Center		\$0.64		
	000012881526-43		04/12/2019		McClellan Ranch		\$1.44		
	000012881526-44		04/12/2019		Monta Vista		\$0.32		
	000012881526-45		04/12/2019		Wilson Park		\$20.72		
	000012881526-46		04/12/2019		Sports Center		\$1.28		
	000012881526-47		04/12/2019		Teen Center		\$0.01		
	000012881526-48		04/12/2019		Creekside		\$0.32		
	000012881526-49		04/12/2019		Traffic		\$0.48		
	000012881526-50		04/12/2019		Signal Maintenance		\$0.64		
	000012881526-51		04/12/2019		Street Maintenance		\$20.84		
	000012881526-52		04/12/2019		City Hall 2343448559849 - circuit/IP services		\$1,053.77		
	000012881526-53		04/12/2019		City Attorney's Office 2343448559849 - circuit/IP services		\$715.70		
	000012881526-54		04/12/2019		Quinlan 2343448559849 - circuit/IP services		\$715.70		
	000012881526-55		04/12/2019		Sr Center 2343448559849 - circuit/IP services		\$715.70		
	000012881526-56		04/12/2019		Spt Center 2343448559849 - circuit/IP services		\$446.85		
	000012881526-57		04/12/2019		Service Center 2343448559849 - circuit/IP services		\$715.70		
	000012881526-58		04/12/2019		BBF 2343448559849 - circuit/IP services		\$406.05		
	000012881526-59		04/12/2019		Nature Program 2343448559849 - circuit/IP services		\$406.05		
	000012881526-60		04/12/2019		Blackberry Farm) N16078348, 408-252-1003		\$20.72		
	000012881526-61		04/12/2019		Senior Center N26434488, 408-446-2001		\$21.85		
	000012881526-62		04/12/2019		(Sports Center) N19904361, 408-446-3043		\$21.85		
	000012881526-63		04/12/2019		(City Attorney) N38106861, tn 408-446-3002		\$21.85		
	000012881526-64		04/12/2019		(McClellan Ranch) N45686792, tn 408-446-8401		\$21.85		
	000012881526-65		04/12/2019		(Quinlan Center) N19904583, tn 408-446-9003		\$21.85		
	000012881526-66		04/12/2019		(Monte Vista Recreation) N19904613, tn 408-446-4014		\$21.85		



# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	000012881526-67		04/12/2019		(Traffic Operations) N31522882, tn 408-446-7272		\$21.85		
	000012881526-68		04/12/2019		(City Hall) N47852946, tn 408-446-9012		\$21.85		
	000012881526-69		04/12/2019		(Service Center) N26440414, tn 408-446-2205		\$21.85		
	000012881526-70		04/12/2019		Service Center 4082526301		\$30.00		
720781	05/31/2019	Open			Accounts Payable	BART	\$225.00		
	Invoice		Date		Description		Amount		
	BART053019		05/22/2019		check request for 25 Green Tkts for Seniors - BART		\$225.00		
720782	05/31/2019	Open			Accounts Payable	CHRIS CARNEGHI, MAI	\$2,100.00		
	Invoice		Date		Description		Amount		
	19-BHC-30-2 June		06/01/2019		Legal Services		\$2,100.00		
720783	05/31/2019	Open			Accounts Payable	CITY DATA SERVICES LLC	\$1,200.00		
	Invoice		Date		Description		Amount		
	1897		05/15/2019		CDS Monthly Maintenance 2019 Apr - Jun		\$1,200.00		
720784	05/31/2019	Open			Accounts Payable	CITY OF SAN JOSE	\$19,042.22		
	Invoice		Date		Description		Amount		
	1168208		05/17/2019		Animal Services 2019/06		\$19,042.22		
720785	05/31/2019	Open			Accounts Payable	Colonial Life & Accident Insurance	\$76.47		
	Invoice		Date		Description		Amount		
	05242019		05/24/2019		Colonial Products pp 5/10-5/24/19		\$76.47		
720786	05/31/2019	Open			Accounts Payable	COMCAST	\$228.43		
	Invoice		Date		Description		Amount		
	1155-051519		05/15/2019		8155100050381155 05/20-06/19		\$228.43		
720787	05/31/2019	Open			Accounts Payable	Community Health Charities of California	\$267.50		
	Invoice		Date		Description		Amount		
	05242019		05/24/2019		Community Health Charities pp 5/10-5/24/19		\$267.50		
720788	05/31/2019	Open			Accounts Payable	CSG CONSULTANTS INC	\$23,033.64		
	Invoice		Date		Description		Amount		
	B190442		05/01/2019		Building Plan Review Services 04/01/2019 - 04/30/2019		\$23,033.64		
720789	05/31/2019	Open			Accounts Payable	CUPERTINO SYMPHONIC BAND	\$500.00		
	Invoice		Date		Description		Amount		
	06062019		06/06/2019		Summer Concert on June 6, 2019		\$500.00		
720790	05/31/2019	Open			Accounts Payable	CURIODYSSEY	\$234.75		
	Invoice		Date		Description		Amount		
	03142019		03/14/2019		Admissions for Summer Science Fun		\$234.75		
720791	05/31/2019	Open			Accounts Payable	CUSD	\$410.94		
	Invoice		Date		Description		Amount		
	AT19-00060		05/17/2019		busing for Sedgwick students to McClellan		\$410.94		
720792	05/31/2019	Open			Accounts Payable	Darcy Paul	\$102.91		
	Invoice		Date		Description		Amount		
	DarcyP052919		05/29/2019		Cell Phone and Device Reimbursement 3/29 - 4/28		\$102.91		
720793	05/31/2019	Open			Accounts Payable	DEPT OF INDUSTRIAL RELATIONS	\$1,000.00		
	Invoice		Date		Description		Amount		
	P 1642277 SA		04/26/2019		Facilities: Blackberry Farm Water Slide Inspection		\$1,000.00		

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720794	05/31/2019	Open			Accounts Payable	ERGO VERA	\$385.44		
	Invoice		Date	Description			Amount		
	2976		05/15/2019	Ergonomic Evaluation - Kirsten Squarcia			\$385.44		
720795	05/31/2019	Open			Accounts Payable	EUPHRAT MUSEUM OF ART	\$7,471.75		
	Invoice		Date	Description			Amount		
	EuphratW2019		05/28/2019	Euphrat - Winter 2019			\$7,471.75		
720796	05/31/2019	Open			Accounts Payable	EWING IRRIGATION	\$14,485.64		
	Invoice		Date	Description			Amount		
	7480737		05/21/2019	Trees & ROW: Stainless Top Entry			\$12,416.26		
	7457468		05/17/2019	Trees/Row: Stainless Top Entry			\$2,069.38		
720797	05/31/2019	Open			Accounts Payable	FUHSD	\$19,320.00		
	Invoice		Date	Description			Amount		
	FUHSDWinter2019		05/28/2019	FUHSD - CPW Winter-Spring 2019			\$19,320.00		
720798	05/31/2019	Open			Accounts Payable	Global Knowledge Training LLC	\$2,495.00		
	Invoice		Date	Description			Amount		
	22050753		05/24/2019	Quinton Training - Palo Alto Networks: Firewall 9.0: Troublesho			\$2,495.00		
720799	05/31/2019	Open			Accounts Payable	GRAINGER INC	\$660.85		
	Invoice		Date	Description			Amount		
	9174543893		05/13/2019	Fleet/Facilities: VHP Tape, Sump Pump			\$348.45		
	9174543885		05/13/2019	Fleet/Facilities: Ball Valve			\$312.40		
720800	05/31/2019	Open			Accounts Payable	HELLO HOUSING	\$11,000.00		
	Invoice		Date	Description			Amount		
	21		03/31/2019	BMR Program Administration 2019/03			\$11,000.00		
720801	05/31/2019	Open			Accounts Payable	HINDERLITER, DE LLAMAS & ASSOCIATES	\$4,028.78		
	Invoice		Date	Description			Amount		
	0031280-IN		05/23/2019	Sales Tax Second Quarter			\$4,028.78		
720802	05/31/2019	Open			Accounts Payable	HU, POLLY	\$420.00		
	Invoice		Date	Description			Amount		
	052819		05/28/2019	May classes			\$420.00		
720803	05/31/2019	Open			Accounts Payable	HUICHEN LIN	\$210.00		
	Invoice		Date	Description			Amount		
	052819		05/28/2019	May classes			\$210.00		
720804	05/31/2019	Open			Accounts Payable	IFPTE LOCAL 21	\$2,116.95		
	Invoice		Date	Description			Amount		
	05242019		05/24/2019	Association Dues - CEA pp 5/10-5/24/19			\$2,116.95		
720805	05/31/2019	Open			Accounts Payable	IMPEC GROUP (CLEAN INNOVATION)	\$1,185.00		
	Invoice		Date	Description			Amount		
	1904202		04/10/2019	Special Job- Holi Festival cleanup			\$1,185.00		
720806	05/31/2019	Open			Accounts Payable	INDEPENDENT CODE CONSULTANTS, INC.	\$1,500.00		
	Invoice		Date	Description			Amount		
	1132		05/01/2019	Building Plan Review Services Feb - Apr			\$1,500.00		

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720807	05/31/2019	Open			Accounts Payable	JAIN, ARCHANA	\$259.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$259.00			
720808	05/31/2019	Open			Accounts Payable	JAM SERVICES INC	\$68,452.00		
	Invoice		Date	Description		Amount			
	119247		05/16/2019	Streets: Fuse Holders		\$763.00			
	118829		05/07/2019	McClellan Ph 1B Bikeway Pole Pkg		\$67,689.00			
720809	05/31/2019	Open			Accounts Payable	JOHN THOMPSON TREE EXPERT LLC	\$2,160.00		
	Invoice		Date	Description		Amount			
	JTTE05-27-19EW		05/27/2019	Fallen Tree Removal		\$2,160.00			
720810	05/31/2019	Open			Accounts Payable	Keith Day Company, Inc.	\$600.00		
	Invoice		Date	Description		Amount			
	21505		05/21/2019	compost delivered to Jollyman and Creekside		\$600.00			
720811	05/31/2019	Open			Accounts Payable	KIMBALL-MIDWEST	\$723.96		
	Invoice		Date	Description		Amount			
	7123290		05/09/2019	Streets: Red Torq-Lok Gel Thrd, Threadlocks		\$723.96			
720812	05/31/2019	Open			Accounts Payable	LIN, LI FEN	\$210.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$210.00			
720813	05/31/2019	Open			Accounts Payable	MAMI WEBER	\$2,830.10		
	Invoice		Date	Description		Amount			
	WeberW2019		05/28/2019	Weber Winter 2019		\$2,830.10			
720814	05/31/2019	Open			Accounts Payable	MONTGOMERY, KAE	\$378.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$378.00			
720815	05/31/2019	Open			Accounts Payable	OFFICE DEPOT	\$216.58		
	Invoice		Date	Description		Amount			
	316356376001		05/16/2019	Office Supplies		\$16.64			
	312159701001		05/08/2019	Office/General Supplies		\$40.24			
	312206618001		05/07/2019	Office/General Supplies		\$42.43			
	312207666001		05/07/2019	Office/General Supplies		\$68.36			
	309998413001		05/02/2019	Office/General Supplies		\$48.91			
720816	05/31/2019	Open			Accounts Payable	OLSON HAGEL & FISHBURN, LLP	\$1,123.00		
	Invoice		Date	Description		Amount			
	323106		04/30/2019	General Legal Services		\$1,123.00			
720817	05/31/2019	Open			Accounts Payable	Operating Engineer #3	\$1,477.00		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	Union Dues pp 5/10-5/24/19		\$1,477.00			
720818	05/31/2019	Open			Accounts Payable	PAUL DAVIS	\$184.80		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	Bridge Instruction (5.4-5.25) 11 Students		\$184.80			
720819	05/31/2019	Open			Accounts Payable	PG&E	\$23.73		
	Invoice		Date	Description		Amount			
	7100-051619		05/16/2019	7166121710-0 4/09/19-05/08/19		\$23.73			

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720820	05/31/2019	Open			Accounts Payable	RANES-GOLDBERG, MONICA	\$720.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$720.00			
720821	05/31/2019	Open			Accounts Payable	RAO, GEETHA	\$350.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$350.00			
720822	05/31/2019	Open			Accounts Payable	RONALD D OLDS	\$777.00		
	Invoice		Date	Description		Amount			
	5256		05/27/2019	QCC monitor install; HDMI fiber lines; HDCP issue		\$777.00			
720823	05/31/2019	Open			Accounts Payable	RUBY CHEN	\$333.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$333.00			
720824	05/31/2019	Open			Accounts Payable	SANTA CLARA CTY SHERIFF (FINGERPR.)	\$412.00		
	Invoice		Date	Description		Amount			
	1800067992		05/08/2019	Lives Scan Services April 2019		\$412.00			
720825	05/31/2019	Open			Accounts Payable	SLOAN SAKAI YEUNG & WONG LLP	\$441.00		
	Invoice		Date	Description		Amount			
	40450		04/30/2019	2019 Personnel Advice		\$441.00			
720826	05/31/2019	Open			Accounts Payable	STATE CONTROLLER, STATE OF CALIF	\$48.52		
	Invoice		Date	Description		Amount			
	FTB-00001152		05/15/2019	FTB OFFSETS 2018		\$48.52			
720827	05/31/2019	Open			Accounts Payable	State Disbursement Unit	\$276.92		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	Child Support pp 5/10-5/24/19		\$276.92			
720828	05/31/2019	Open			Accounts Payable	SWANK MOTION PICTURES, INC.	\$2,755.00		
	Invoice		Date	Description		Amount			
	1618752		05/15/2019	Summer Events- Movie Licenses- 5.15.19		\$2,755.00			
720829	05/31/2019	Open			Accounts Payable	THOMSON REUTERS - WEST	\$919.77		
	Invoice		Date	Description		Amount			
	840202834		05/01/2019	Subscription 04.01.19-04.30.19		\$919.77			
720830	05/31/2019	Open			Accounts Payable	UNITED RENTALS NORTHWEST INC	\$1,536.54		
	Invoice		Date	Description		Amount			
	168936638-001		05/15/2019	Grounds: Mini Excavator Rental		\$1,536.54			
720831	05/31/2019	Open			Accounts Payable	United Way Silicon Valley	\$5.00		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	United Way pp 5/10-5/24/19		\$5.00			
720832	05/31/2019	Open			Accounts Payable	USWIRED INCORPORATED	\$327.00		
	Invoice		Date	Description		Amount			
	333727		05/22/2019	Remanufactured CE255X - qty 2		\$327.00			

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
720833	05/31/2019	Open			Accounts Payable	WENDEL ROSEN BLACK & DEAN LLP	\$3,344.90		
	Invoice		Date	Description		Amount			
	2000180366		04/30/2019	Legal Services		\$3,344.90			
720834	05/31/2019	Open			Accounts Payable	WILBUR-ELLIS COMPANY LLC	\$674.34		
	Invoice		Date	Description		Amount			
	12639991		05/17/2019	Trees ROW: Roundup , Fourtiplex		\$674.34			
720835	05/31/2019	Open			Accounts Payable	ZUMAR INDUSTRIES, INC.	\$780.10		
	Invoice		Date	Description		Amount			
	83611		05/20/2019	Streets: Steel Bases		\$780.10			
720836	05/31/2019	Open			Accounts Payable	AIR-WOLF	\$150.00		
	Invoice		Date	Description		Amount			
	8249		05/29/2019	Air-Wolf Inv#8249 Refund		\$150.00			
720837	05/31/2019	Open			Accounts Payable	MIRANDA, VERNON	\$50.00		
	Invoice		Date	Description		Amount			
	2000846.030		05/28/2019	QCC-5.28.19- #7961 Refund,did not get spot, per DM.		\$50.00			
720838	05/31/2019	Open			Accounts Payable	NAGARAJAN, GAYATHRI	\$750.00		
	Invoice		Date	Description		Amount			
	2000855.030		05/29/2019	QCC-5.29.19 Course #7942 w/draw request.		\$750.00			
720839	05/31/2019	Open			Accounts Payable	Thao Nguyen	\$294.00		
	Invoice		Date	Description		Amount			
	8181		05/29/2019	Twister food truck Inv#8181 Refund, BL not permitted		\$294.00			
720840	05/31/2019	Open			Accounts Payable	VI L.P., Evershine	\$1,000.00		
	Invoice		Date	Description		Amount			
	BS2710		05/22/2019	19620 - 19780 Stevens Creek, Dev Maintenance, BS2710		\$1,000.00			
720841	05/31/2019	Open			Accounts Payable	Pring Venture LLC	\$8,000.00		
	Invoice		Date	Description		Amount			
	213581		01/31/2019	18660 Pring Ct, Encroch Bond, 213581		\$8,000.00			
Type Check Totals:									
EFT									
28563	05/31/2019	Open			Accounts Payable	Employment Development	\$1,473.02		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	SDI - State Disability Insurance pp 5/10-5/24/19		\$1,473.02			
28564	05/31/2019	Open			Accounts Payable	PERS-457K	\$6,630.69		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	PERS Deferred Comp pp 5/10-5/24/19		\$6,630.69			
28565	05/31/2019	Open			Accounts Payable	ANGELA TSUI	\$660.54		
	Invoice		Date	Description		Amount			
	AngelaT05152019		05/15/2019	Reimbursement - 5/15/19		\$660.54			
28566	05/31/2019	Open			Accounts Payable	AYYAGARI, BHUVNA	\$287.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$287.00			

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
28567	05/31/2019	Open			Accounts Payable	COMMUNICATION ACADEMY	\$1,361.75		
	Invoice		Date	Description		Amount			
	CAWinter2019		05/28/2019	Communication Academy - Winter 2019		\$1,361.75			
28568	05/31/2019	Open			Accounts Payable	CRUZ, RAYCHEL	\$1,291.50		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$1,291.50			
28569	05/31/2019	Open			Accounts Payable	Eflex Group, Inc	\$4,723.88		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	FSA Employee Health pp 5/10-5/24/19		\$4,723.88			
28570	05/31/2019	Open			Accounts Payable	GRACE DUVAL	\$680.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$680.00			
28571	05/31/2019	Open			Accounts Payable	HILL, JENNIFER	\$148.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$148.00			
28572	05/31/2019	Open			Accounts Payable	ICMA Retirement Trust-457	\$3,562.02		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	ICMA Deferred Comp pp 5/10-5/24/19		\$3,562.02			
28573	05/31/2019	Open			Accounts Payable	KONGBOON, SA-AD	\$168.00		
	Invoice		Date	Description		Amount			
	052819		05/28/2019	May classes		\$168.00			
28574	05/31/2019	Open			Accounts Payable	LAW OFFICES OF BURKE, WILLIAMS & SORENSEN	\$2,242.50		
	Invoice		Date	Description		Amount			
	240136		04/30/2019	Legal Services		\$172.50			
	240139		04/30/2019	Legal Services		\$1,104.00			
	240138		04/30/2019	Legal Services		\$276.00			
	240976		05/24/2019	Legal Services		\$345.00			
	240966		05/24/2019	Legal Services		\$345.00			
28575	05/31/2019	Open			Accounts Payable	MERCHANT, TEJAL	\$123.00		
	Invoice		Date	Description		Amount			
	52919		05/29/2019	May classes		\$123.00			
28576	05/31/2019	Open			Accounts Payable	National Deferred (ROTH)	\$4,875.77		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	Nationwide Roth pp 5/10-5/24/19		\$4,875.77			
28577	05/31/2019	Open			Accounts Payable	National Deferred Compensatin	\$29,837.28		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	Nationwide Deferred Comp pp 5/10-5/24/19		\$29,837.28			
28578	05/31/2019	Open			Accounts Payable	PARS/City of Cupertino	\$5,950.42		
	Invoice		Date	Description		Amount			
	05242019		05/24/2019	PARS Employee pp 5/10-5/24/19		\$5,950.42			
28579	05/31/2019	Open			Accounts Payable	PROFESSIONAL TURF MGMNT INC	\$17,067.50		
	Invoice		Date	Description		Amount			
	927		05/20/2019	Golf Course Maintenance		\$17,000.00			
	928		05/28/2019	Scenic Circle Gate		\$67.50			

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
28580	05/31/2019	Open			Accounts Payable	ROBERT OSTENBERG	\$686.00		
	Invoice		Date	Description		Amount			
	RostenbergW2019		05/28/2019	Ostenberg - Winter 2019		\$686.00			
28581	05/31/2019	Open			Accounts Payable	SHUTE, MIHALY & WEINBERGER LLP	\$156,164.35		
	Invoice		Date	Description		Amount			
	259704		04/26/2019	Legal Services		\$2,302.40			
	259858		04/29/2019	Legal Services		\$24,490.49			
	259857		04/29/2019	Legal Services		\$75.00			
	259893		04/30/2019	Legal Services		\$49,002.61			
	259894		04/30/2019	Legal Services		\$63,538.20			
	260010		05/20/2019	Legal Services		\$11,023.50			
	259978		05/20/2019	Legal Services		\$5,732.15			
28582	05/31/2019	Open			Accounts Payable	SWICK, MELISSA	\$1,176.00		
	Invoice		Date	Description		Amount			
	052919		05/28/2019	May classes		\$1,176.00			

Type EFT Totals:

Main Account - Main Checking Account Totals

20 Transactions

\$239,109.22

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	69	\$235,715.54	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	69	\$235,715.54	\$0.00
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	20	\$239,109.22	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	20	\$239,109.22	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount
	Open	89	\$474,824.76	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00

# Payment Register

From Payment Date: 5/25/2019 - To Payment Date: 5/31/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Grand Totals:					Total		89	\$474,824.76	\$0.00
		<b>Checks</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	69			\$235,715.54	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			<b>Total</b>	<b>69</b>			<b>\$235,715.54</b>	<b>\$0.00</b>	
		<b>EFTs</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	20			\$239,109.22	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			<b>Total</b>	<b>20</b>			<b>\$239,109.22</b>	<b>\$0.00</b>	
		<b>All</b>	<b>Status</b>	<b>Count</b>			<b>Transaction Amount</b>	<b>Reconciled Amount</b>	
			Open	89			\$474,824.76	\$0.00	
			Reconciled	0			\$0.00	\$0.00	
			Voided	0			\$0.00	\$0.00	
			Stopped	0			\$0.00	\$0.00	
			<b>Total</b>	<b>89</b>			<b>\$474,824.76</b>	<b>\$0.00</b>	

Approved: Beth G. Viajar

06.03.19





# CITY OF CUPERTINO

## Agenda Item

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**19-5383**

**Agenda Date: 8/6/2019**  
**Agenda #: 13.**

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Subject: Authorization of Resolution declaring interest for the participation by the City of Cupertino in the initial planning for potential future use of the Sunnyvale SMaRT Station

Adopt Resolution No. 19-104 Declaring Interest for the Participation by the City of Cupertino in the Initial Planning for Potential Future Use of the Sunnyvale SMaRT Station



## PUBLIC WORKS DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333  
CUPERTINO.ORG

### CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

#### Subject

Authorization of Resolution declaring interest for the participation by the City of Cupertino in the initial planning for potential future use of the Sunnyvale SMaRT Station.

#### Recommended Action

Adopt Resolution No. 19-XXX Declaring Interest for the Participation by the City of Cupertino in the Initial Planning for Potential Future Use of the Sunnyvale SMaRT Station.

#### Discussion

The City has an exclusive franchise agreement with Recology to provide solid waste collection services for residential and commercial recycling, organics, and garbage. The agreement for these services expires on January 31, 2021. The City has an agreement for disposal of all municipal solid waste (garbage) with International Disposal Corporation of California, Inc. who owns and operates Newby Island Landfill. The agreement for this service expires on November 20, 2023.

There are three streams of materials collected by Recology under the exclusive franchise agreement: garbage, recyclable materials and organics.

- Garbage is taken directly to Newby Island Landfill without any sorting or processing.
- Separated residential and commercial recyclable materials are taken to GreenWaste Recovery, on Charles St. in San José under a separate agreement between Recology and GreenWaste, outside the exclusive franchise agreement. These materials are Recology's property and are at their discretion to market and sell. The value of recycling commodities (e.g. paper and plastics) has significantly decreased since 2016 and more recently due to Chinese import restrictions. As a result, Recology is now paying to market processed paper and plastics instead of selling the materials as had occurred in years past.
- Separated organic materials are transported to Recology facilities in Vernalis (commercial and multi-family) and Gilroy (single-family residential) for processing. These processed organic materials are Recology's property and are sold by Recology as finished compost. Through the Franchise Agreement,

Recology provides up to 15% of this compost to the City, which in turn is distributed Cupertino residents at no charge, through the City's compost site.

In 2016, following the passage of SB 1383 (Lara), CalRecycle began developing short-lived climate pollutant (SLCP) regulations that require jurisdictions to implement new organics recycling programs to achieve a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level. These regulations will become enforceable on January 1, 2022 and give CalRecycle the authority to fine jurisdictions up to \$10,000 per day for non-compliance. To achieve compliance, the City will need to increase diversion of organics away from landfill in excess of current residential and commercial diversion rates. Single-family residential households are currently diverting 65% of their organic waste. Organics diversion rates for multi-family and commercial sectors have not yet been assessed; however, waste characterization studies of these sectors are on the work plan for FY 19-20. Meeting the SB 1383 regulations can in part, be accomplished by processing garbage to remove organics and to a lesser extent, processing of recyclables to remove organics. Per a 2018 single-family residential waste characterization study completed by the City, 52% of the materials placed in the garbage was recoverable for composting and 5% for recycling.

An option to process garbage and recyclables to divert these organics (and recyclable materials) from landfill is available if the City were to take these materials to the SMaRT Station upon expiration of the City's currently agreement Recology and International Disposal Corporation (Newby Island Landfill).

The City of Sunnyvale owns and oversees contract operations of the SMaRT Station located in Sunnyvale. The SMaRT Station has been used by the communities of Sunnyvale, Mountain View, and Palo Alto to recover recyclables and organics since 1993. Sunnyvale invited the City of Cupertino (Attachment B) and other local cities to participate in initial planning discussions on the long-term future use of the SMaRT station. Potential benefits of partnering with the City of Sunnyvale for Cupertino use of the SMaRT Station include:

- Transparent fiscal and operational management
- Proximity that makes refuse collection more efficient and minimizes transport and climate change emissions compared to more distant facilities
- Guaranteed long-term capacity to meet material processing needs including those needed for SB 1383 compliance.

Due to significant infrastructure needs at the SMaRT Station, Sunnyvale is conducting future conceptual facility upgrade planning and has requested that cities interested in participating in the future use discussions of the SMaRT Station provide waste tonnage data to aid with the conceptual planning for integrating new municipal partners to SMaRT. Results of this analysis and planning were anticipated to be completed in December 2018 (Attachment B) and remain in development. A project status meeting was held in April 2019 with the potential partners providing an update and reaffirming

interest. The final planning report is anticipated to be completed in early fall, 2019 and presented to the potential partner cities for consideration.

Sunnyvale has requested the interested cities to adopt a resolution and designate specific staff to represent their jurisdiction in discussions about their long-term disposal processing needs. The City of Santa Clara passed a resolution to this effect on January 29, 2019. Cupertino's subject Resolution designates the Director the Public Works to represent the City in initial planning meetings and to share pertinent information regarding City planning for recyclables, organics services, and solid waste management that includes current and projected tonnages with Sunnyvale staff and other participating jurisdictions.

The Resolution does not bind the City to use the SMaRT Station in the future and staff is evaluating other materials processing options. After completion of the initial planning discussions, the City Council will be provided with a summary of results and recommended next steps.

#### Sustainability Impact

CalRecycle reports that of the nearly 35 million tons of waste that reach California's landfills each year, approximately 80% could be recoverable through organics and construction and demolition debris collection programs. Processing garbage to remove these and other recoverable materials, support continued efforts to accelerate zero waste targets recommended by Council in the City's Climate Action Plan, which both align with AB32 goals and reflect those adopted by adjacent jurisdictions. Additionally, reducing the distance all three waste streams are transported for disposal and processing, is consistent with the goals in the Climate Action Plan for emission reductions generated by our extended municipal service operations.

#### Fiscal Impact

There is no fiscal impact to the City other than staff time.

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Prepared by: Cheri Donnelly, Environmental Programs Manager  
Alex Wykoff, Environmental Specialist

Reviewed by: Roger Lee, Director of Public Works

Approved for Submission by: Deborah Feng, City Manager

#### Attachments:

- A – Draft Resolution No. 19-XXX Declaring Interest for the Participation by the City of Cupertino in the Initial Planning for Potential Use of the Sunnyvale SMaRT Station.
- B – Letter from Sunnyvale City Manager 10-9-2018 including enclosure documents

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CUPERTINO CITY COUNCIL DECLARING  
INTEREST FOR THE PARTICIPATION BY THE CITY OF CUPERTINO IN  
THE INITIAL PLANNING FOR POTENTIAL FUTURE USE OF THE  
SUNNYVALE SMART STATION

WHEREAS, the City of Cupertino has contracts for collection, processing and disposal of recyclables, organics, and garbage placed for collection by residents and businesses; and

WHEREAS, the City of Cupertino is evaluating long-term options for management and processing of recyclables, organics, and garbage; and

WHEREAS, recycling market disruption and pending state organics requirements pose significant changes and challenges; and

WHEREAS, the City of Sunnyvale owns the Sunnyvale Materials Recovery and Transfer Station (the SMaRT Station), a materials processing and transfer facility, and is now engaged in planning with its current partners, which are the City of Mountain View and the City of Palo Alto, for future multi-city use of the facility; and

WHEREAS, use of SMaRT Station offers transparent fiscal and operational management, proximity that makes refuse collection more efficient and minimizes transport and climate change emissions compared to more distant facilities, and guaranteed long-term capacity to meet material processing needs including those needed for SB 1383 compliance; and

WHEREAS, the City Manager of Sunnyvale sent a letter on October 9, 2018 inviting the City of Cupertino to become a user of the SMaRT Station; and

WHEREAS, the City of Cupertino has a serious interest in exploring the City of Sunnyvale's invitation to become a future participant in the SMaRT Station; and

WHEREAS, the City of Sunnyvale requests that the City of Cupertino City Council adopt a resolution endorsing City staff participation in a first step towards exploring future use of the SMaRT Station.

Resolution No. \_\_\_\_\_

Page 2

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby:

1. Designate Roger Lee, Director of Public Works, to represent the City of Cupertino in meetings with staff from Sunnyvale and other interested jurisdictions to determine how the SMaRT Station can best meet the future needs of interested parties.
2. Direct staff to share pertinent information regarding City of Cupertino planning for recyclables, organics, and solid waste management, current and projected material tonnages, and other relevant material and information with staff from Sunnyvale and the other participating jurisdictions.
3. That the City Council hereby directs the City Manager to return to Council following completion of initial planning with a summary of the results, and suggested next steps.
4. Effective date. This resolution shall become effective immediately.

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Quality Act of 1970, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment. CEQA applies only to projects which have the potential of causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, initial planning for potential future use of the SMaRT Station would have no or only a de minimis impact on the environment. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6<sup>th</sup> day of August, 2019, by the following vote:

Members of the City Council

Resolution No. \_\_\_\_\_

Page 2

AYES:

NOES:

ABSENT:

ABSTAIN:

<b>SIGNED:</b>  _____ Steven Scharf, Mayor City of Cupertino	  _____ Date
<b>ATTEST:</b>  _____ Grace Schmidt, City Clerk	  _____ Date



Office of the City Manager

TDD/TTY 408-730-7501  
sunnyvale.ca.gov456 W. Olive Ave.  
Sunnyvale, CA 94086  
408-730-7480

October 9, 2018

Ms. Amy Chan, Interim City Manager  
City of Cupertino  
10300 Torre Avenue  
Cupertino CA 95014

Subject: Use of Sunnyvale's SMaRT Station Services by Cupertino – **Status Update**

Dear Ms. Chan:

This is to update you on the status of our joint exploration of Cupertino's future use of the Sunnyvale Materials Recovery and Transfer Station (SMaRT Station®) for processing of recyclables, organic materials and garbage. Sunnyvale is engaged in a process to determine how to adapt the facility to meet the material processing and diversion needs of future facility partners.

As a publicly-owned facility, SMaRT provides several benefits to its public agency partners.

- Transparent fiscal and operational management that keeps participants "in the know," with decision making that is focused on policy goals and stable customer rates, not generating profits.
- Proximity that makes refuse collection more efficient, minimizing transport costs and climate changing emissions as compared to more distant facilities.
- Guaranteed long-term capacity to meet material processing needs.
- Processing to address pending SB 1383 organics requirements, with tailoring to meet participant needs.
- A great regional option for free, full service resident drop-off for a wide range of recyclable materials and pick up of compost.

Mark Bowers, Solid Waste Programs Division Manager in our Environmental Services Department met on March 21st with Public Works Director, Timm Bordon, Assistant Public Works Director, Roger Lee and Environmental Programs Manager, Cheri Donnelly of Cupertino. Mr. Lee and Ms. Donnelly subsequently met with Mr. Bowers at the SMaRT Station. We also appreciate the expression of interest from members of the Cupertino City Council, and of the City's Sustainability Commission, which has toured the facility.

Sunnyvale is conducting initial conceptual planning for the future facility, identifying tonnage ranges and planning level costs for several options. One option assumes Sunnyvale alone utilizes and operates the facility, upgrading the facility as necessary to meet its own needs. Other options will incorporate participation by interested cities including Cupertino. Once the results are available in December 2018, we will share them with Cupertino, and with the other cities.





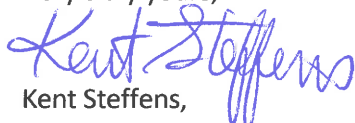
We look forward to sharing the results of the initial planning process with you. If these results indicate, as we think they will, that the SMaRT Station continues to be an attractive option for Cupertino, subsequent steps will be as follows.

1. A Cupertino Council resolution in early 2019 endorsing Cupertino's participation in discussions with staff from Sunnyvale and other interested jurisdictions of the scenarios arising from the conceptual planning described above. While non-binding, our expectation is that the resolution will reflect serious interest in exploring future use of the facility, with a commitment to provide a moderate level of effort by city staff.
2. A Council resolution of intent to enter into an MOU with Sunnyvale based on Sunnyvale's ability to meet defined service and tonnage capacity guarantees. We currently anticipate this occurring in the latter half of 2019.
3. Execution of a binding MOU between Cupertino and Sunnyvale. We currently anticipate this occurring in the third quarter of 2020. We believe this timing will work well, based on our understanding of the timing necessary to meet Cupertino's facility needs as discussed above.

The attached schedule indicates our general understanding of timing issues related to Cupertino's future facility needs, with the assumption that Cupertino would seek to have future collection and source separated processing arrangements in place by the fourth quarter of 2020, one year prior to when the source separated processing arrangements would become effective. The SMaRT Station will be ready to accept Cupertino materials other than MSW in early 2022, and MSW in early 2024. However, Sunnyvale is flexible about timing for initial delivery of each stream.

This letter is intended to be an update on the process and to communicate directly with you on this critical project. I look forward to discussing this opportunity with you if you have any questions for me. You can contact Mark Bowers at (408) 730-7421 or MBowers@sunnyvale.ca.gov if you have any specific questions regarding the process.

Very truly yours,

  
Kent Steffens,  
City Manager

Cc:

Timm Bordon, Director of Public Works, City of Cupertino  
Roger Lee, Assistant Director of Public Works, City of Cupertino  
Cheri Donnelly, Environmental Programs Manager, City of Cupertino  
Ramana Chinnakotla, Director, Environmental Services Department, City of Sunnyvale  
Mark Bowers, Solid Waste Programs Division Manager, City of Sunnyvale

Enclosures:

Letter of February 14<sup>th</sup> to City of Cupertino  
SMaRT Station Brochure

FY 16-17 Annual Report  
Milestone Schedule



February 14, 2018

Mr. Timm Borden  
Director of Public Works  
City of Cupertino  
10300 Torre Ave.  
Cupertino, CA 95014-3202

SMaRT Station  
301 Carl Road  
Sunnyvale, CA 94088-3707  
TDD/TYY 408-730-7501  
[sunnyvale.ca.gov](http://sunnyvale.ca.gov)

**Re: Invitation to Explore Future Use of the SMaRT Station**

Dear Mr. Borden:

The City of Sunnyvale owns and oversees contract operation of the Sunnyvale Materials Recovery and Transfer Station (SMaRT Station®), located at 301 Carl Road in Sunnyvale. The SMaRT Station has served the communities of Sunnyvale, Mountain View and Palo Alto since it began operating in 1993 by providing recyclables, organics and solid waste processing and transfer services. The facility has been renovated over time to meet materials recovery and diversion goals, including installation of a \$16 million processing equipment system in 2009, with further updates in 2015. A copy of the SMaRT Station brochure is attached for reference.

The City is beginning a long-term planning process to determine how the facility should further change to meet new recycling and solid waste diversion challenges and fill municipal material processing needs. We are seeking additional partners to join us beginning in 2021.

We invite the City of Cupertino to consider this unique opportunity to explore the benefits of participating as a SMaRT Station partner. Among the benefits are:

1. Transparent fiscal and operational management.
2. A "seat at the table" for facility oversight.
3. Assured compliance with state regulatory diversion mandates, including SB 1383 organics requirements.
4. Proven experience in meeting the challenges of recyclables export markets.
5. Participation in selecting the contract operator.
6. Guaranteed long-term capacity to meet your processing and residue disposal needs.

Current SMaRT Station services to its partner cities include:

- Receipt of garbage collected within the SMaRT cities.
- Recovery of recyclable materials and compostable organics from the garbage, with an MSW diversion rate of over 30%.

- Source-separated curbside recyclables prepared for shipment and sale to recycling markets. (The SMaRT Station successfully sold material through the 2007-2009 downturn and the 2013 Chinese "Green Fence" era, and is poised to meet the requirements of China's "National Sword" program.)
- Processing yard trimmings and shipping them to a compost facility.
- No-charge distribution to residents of finished compost.
- Providing SMaRT City residents and businesses with an attractive, paved facility for self-hauled waste and recyclables.
- Drop-off of Universal Wastes, paint, hypodermic needles and other "sharps."
- A popular beverage container redemption center.
- Confidential document shredding events for residents.
- Receiving and processing for commercial and residential source-separated food scraps and shipment to a contracted food waste processor, who produces a pelleted animal food product.

The City has retained HDR Engineering and HF&H Consultants, LLC to assist in the planning process described above. Consultant staff will be contacting you to arrange an initial meeting to discuss how the SMaRT Station might meet your future waste diversion and recycling needs. If you have any questions in the meantime, please feel free to contact me at 408-730-7421 or [mbowers@sunnyvale.ca.gov](mailto:mbowers@sunnyvale.ca.gov).

Very truly yours,



Mark A. Bowers,  
Solid Waste Programs Division Manager  
Environmental Services Department

Cc:

Mr. Roger Lee  
Assistant Director of Public Works  
City of Cupertino  
10300 Torre Ave.  
Cupertino, CA 95014-3202

Ms. Cheri Donnelly  
Environmental Programs Manager  
City of Cupertino  
10300 Torre Ave.  
Cupertino, CA 95014-3202

Enclosure: SMaRT Station Brochure



## Services Provided for Partner Cities at SMaRT

- Drop-off site for non-hazardous garbage for the cities' franchised garbage haulers and residents.
- Process and market curbside recyclable materials delivered by the cities.
- Sort, recover and sell marketable materials from the garbage delivered.
- Transfer nonrecyclable portions of garbage to Kirby Canyon Landfill.

## Additional Services for the Public and Partner Cities

### Recycling Drop-off Center

Residents and businesses of any community may drop off the following materials for recycling at no cost.

- Aluminum cans, foil and food containers
- Tin, steel, metal food and beverage containers
- Corrugated cardboard
- Glass bottles and jars
- Newspapers
- Mixed paper including "junk mail"
- Plastic containers #1 through #7
- Scrap metal - including metal pots and pans, small metal appliances

### E-Waste, Universal Waste, Special Products Recycling

The SMaRT Station provides a location for residents of Mountain View, Palo Alto and Sunnyvale to drop off wastes that are prohibited from being disposed in the garbage and require special handling.

- Alkaline and other household batteries
- Rechargeable batteries
- Fluorescent light bulbs and tubes
- Mercury thermometers/thermostats
- TVs, computer monitors, and electronics
- Automotive batteries
- Used motor oil and oil filters
- Antifreeze

### Beverage Container Redemption Center

Consumers can redeem and receive cash for beverage containers labeled with "California Refund Value" (CRV) or "CA Cash Refund."

### "Sharps" Recycling

Residents of Santa Clara County may drop off the following items at the Recycling Drop-off Center. They must be placed in a specially marked red biohazard container, with a secure lid, before being placed in the bin.

- Needles
- Syringes
- Lancets

### Compost and Mulch Pick-up Site

Yard trimmings collected at curbside are turned into mulch and available for pick up by residents of Mountain View, Palo Alto and Sunnyvale at no cost.

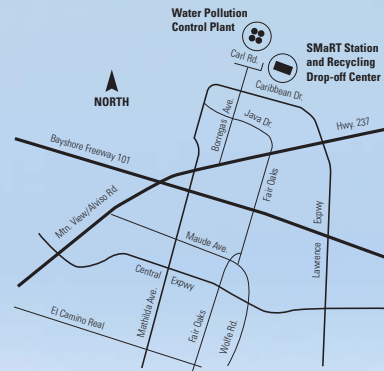
Finished compost may be available to residents of the partner cities at no cost.

A partnership of the cities of Mountain View, Palo Alto and Sunnyvale operated by Bay Counties Waste Services.



# Welcome to the SMaRT Station®

The Sunnyvale Materials Recovery and Transfer Station – a SMaRT® approach to reducing waste, reusing materials, and protecting the environment.



Serving the communities of  
Palo Alto  
Mountain View  
Sunnyvale



CC 08-06-2021

240 of 304

# The SMaRT Station

## Serving the Community in Resource Recovery

Created through a partnership between the cities of Mountain View, Palo Alto and Sunnyvale, the Sunnyvale Materials Recovery and Transfer (SMaRT) Station is one of the largest and most efficient materials recovery facilities (MRF) in the United States, with capacity to process 1,500 tons of solid waste per day. Since it began operation in October 1993, the SMaRT Station has diverted more than 514,000 tons of recyclable material that would have otherwise ended up in the landfill.

Recovered materials from the SMaRT Station are sold to local and international markets to be converted into a variety of recycled goods and materials. The revenue produced returns to the partner cities and helps offset the cost of providing the service.

Today, the SMaRT Station stands at the forefront of sustainable waste management efforts. Its operating efficiency has attracted the attention of officials from as far away as Italy, India, South Africa and China. In 2009, the installation of new, state-of-the-art materials recovery technology allows for even greater waste diversion - providing safe, environmentally sound, and cost-effective waste management and recycling services for more than a quarter of a million residents. Now that's **SMaRT**.

### SMaRT Design for Today and Tomorrow

The SMaRT Station itself features sustainable elements and is designed to serve the community for the next several decades.

- The 110,000 square foot facility on 10 acres serves a combined population of 280,000 from the cities of Mountain View, Palo Alto and Sunnyvale.
- The buildings are framed with a high percentage of recycled steel.
- In the main building, recycled content plastic was used for the partitions in locker rooms and restrooms and the floor tile is made from recycled glass and scrap tile.
- Carpets are made from recycled plastic bottles.
- Recycled water from the adjacent Sunnyvale Water Pollution Control Plant is used to flush toilets and water the landscaping.



# Recycling... *with* Results

Since opening in 1993, the SMaRT Station has processed **3.4 million tons** of material and generated revenue from the sale of recyclable material.

As of 09/2009 figures



The SMaRT Station helps protect the environment by taking reusable material out of the garbage

While the SMaRT Station is located near the site of the closed Sunnyvale landfill, it is NOT a landfill. It is a sorting and transfer station. All material that arrives here will leave again. In fact, its purpose is to prevent valuable resources from ending up in the landfill – and to provide services that encourage conservation, waste reduction and recycling.

## Curbside Recycling

At the SMaRT Station, processing recyclables prevents waste from ending up at the landfill. Every bottle, can, jar, piece of cardboard, junk mail or newspaper that residents of the partner cities keep out of their garbage and set out for curbside recycling reduces the amount of trash that ends up at the landfill. The recyclable materials that are collected curbside from the partner cities are received and prepared to ship to market.

## Yard Trimming Recycling

Yard trimmings often make up 20-30% of a typical household's weekly trash. Recycling yard clippings significantly decreases the volume of garbage. Yard clippings are processed at the SMaRT Station and shipped to a composting facility.

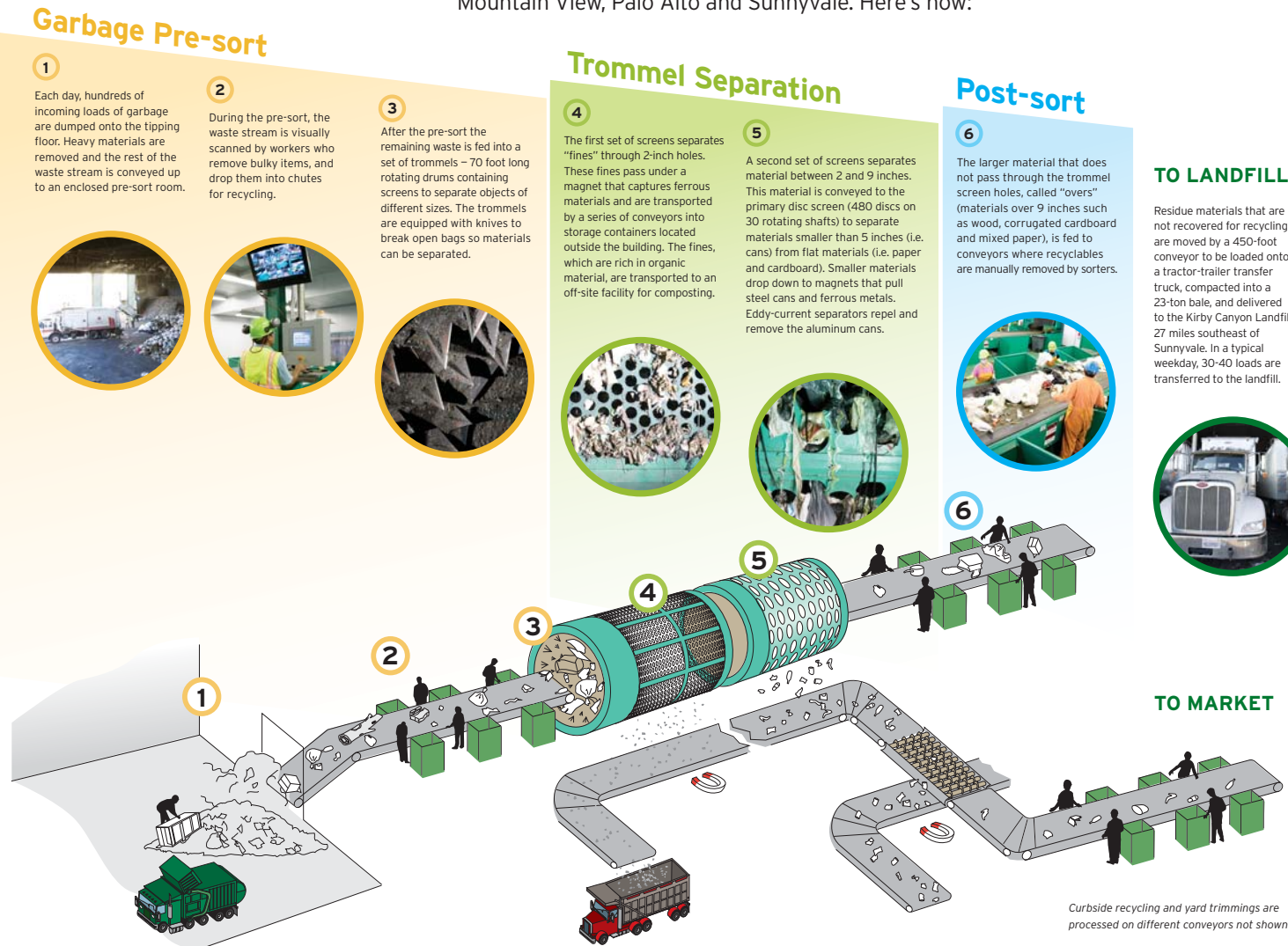
## Materials Recovery from Garbage

Recyclable material is also pulled from garbage brought to the SMaRT Station (see *Inside the Materials Recovery Process*).

By serving both the community and the environment, the SMaRT Station plays a critical role in meeting state waste diversion mandates while laying the groundwork for a more sustainable future.

# Inside the Materials Recovery Process

The SMaRT Station is able to divert up to 25% of all garbage received from Mountain View, Palo Alto and Sunnyvale. Here's how:



# Going to Market

By selling recovered materials, the SMaRT Station delivers real value to the partner communities

Recyclable materials recovered from garbage by the sorting process are combined with other recyclables collected in the curbside and commercial recycling programs. These materials are sent to markets through brokers, or directly to mills and manufacturers for reuse.

Each type of recyclable material is compacted into bales and shipped to manufacturers in the U.S. and overseas that convert these "used" commodities into new glass and plastic containers, paper products, and a wide variety of other useful recycled goods.

We encourage residents and businesses to "buy recycled" to help maintain strong demand for products with recycled content.

## Economy of Scale

Approximately \$25 million were initially invested by the cities of Mountain View, Palo Alto and Sunnyvale to develop and construct the SMaRT Station. An innovative partnership between the three cities provides each with a long-term solution for solid waste management at a significantly lower cost than it would for the cities to run comparable individual programs.

## Collaborative Management

The SMaRT Station has been operated by Bay Counties Waste Services since January 1, 2008. The owner of the facility, the City of Sunnyvale, provides an on-site liaison with the contract operator. Cities contribute to the operational budget in proportion to the amount of refuse each city delivers and receive revenues from the sale of recyclables to offset their costs.

## Alternatives to Local Landfills

For Mountain View and Sunnyvale, the SMaRT Station and the disposal contract with Kirby Canyon Landfill completely replace city-owned landfills that are now closed. Palo Alto will continue to operate and dispose of a small amount of waste at their landfill until 2010-2011.

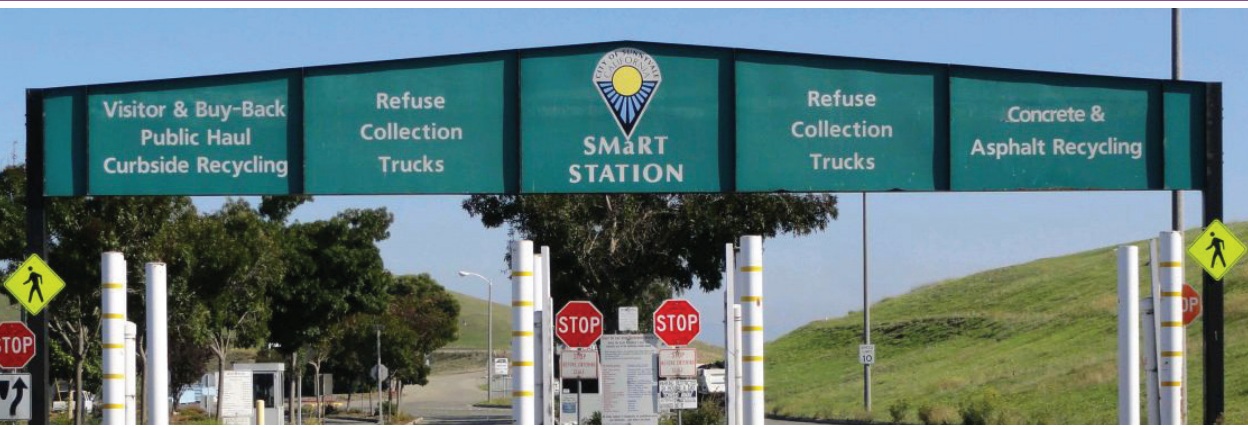
## Helps Meet State Law

In conjunction with the curbside and commercial recycling programs, the SMaRT Station is a key element for all three cities in meeting and exceeding the waste diversion mandates of the California Integrated Waste Management Board.



# SMaRT Station® Annual Report 2016-2017

## SMaRT Partners — Mountain View, Palo Alto and Sunnyvale



### Cities Plan Future Facility and Services Needs

As the SMaRT Station approaches its 30th anniversary in 2023, the initial “memorandum of understanding” (MOU) that describes the roles of the three Participating Agencies will expire in 2021. The Sunnyvale City Council moved ahead with a recommendation by SMaRT Cities staff to select HDR Engineering to plan strategic updates for the facility.

The project will:

- Determine which of the Participating Agencies wish to continue/renew the MOU relationship after 2021 and evaluate the potential for new partners
- Define a collective vision among the cities as to the facilities and services the SMaRT Station should provide to further their strategic goals
- Describe methods by which costs and revenues can be shared among participants

After the cities reach tentative agreement on the updated partnership and the collective vision, the vision will guide the design of a new MOU and new physical and operational features of the SMaRT Station.

There are many reasons for city interest in SMaRT Station participation, including using the SMaRT Station’s innovative sorting capabilities to increase solid waste diversion, complying with new state mandates imposed on cities (AB 341, AB 1826 and AB 1383), providing a convenient public recycling and dumping location, and providing a location to dispose of Universal Waste Items (i.e., electronics, paint, batteries, auto fluids, fluorescent tubes, etc.).

The outcome will be a renewed or revised municipal participant group and an updated SMaRT Station that provides facilities and services that meet the needs articulated by the participating cities.



Mike Sartor  
Public Works Director  
City of Palo Alto



Michael A. Fuller  
Public Works Director  
City of Mountain View



Sunnyvale

Melody Tovar  
Interim Environmental Services Director  
City of Sunnyvale

# Financial Summary of Costs and Revenues

	Mtn. View	Palo Alto	Sunnyvale	Totals
Population by City	78,396	68,134	148,948	295,478
Cost Sharing Percentage	31%	15%	54%	
COSTS (in thousands)				
Operating costs	\$4,485	\$2,220	\$7,978	\$14,683
Landfill Fees and Taxes	\$2,438	\$1,916	\$5,292	\$9,646
Yardwaste Recycling costs	\$86	\$16	\$179	\$281
Capital Replacement Fund	\$59	\$54	\$140	\$253
Host Fees to General Fund	\$245	\$121	\$423	\$789
Total Costs	\$7,313	\$4,327	\$14,012	\$25,652
REVENUES (in thousands)				
MRF Recovered Recycling Revenues*	-\$65	-\$32	-\$116	-\$213
Source Separated Recycling Revenues	\$444	\$0	\$548	\$992
Public Haul Fees collected	\$327	\$162	\$582	\$1,071
Total Revenues	\$706	\$130	\$1,014	\$1,850
NET COSTS (in thousands)	\$6,607	\$4,197	\$12,998	\$23,802

\*MRF recovered recycling revenues are negative representing a net "cost" to recycle

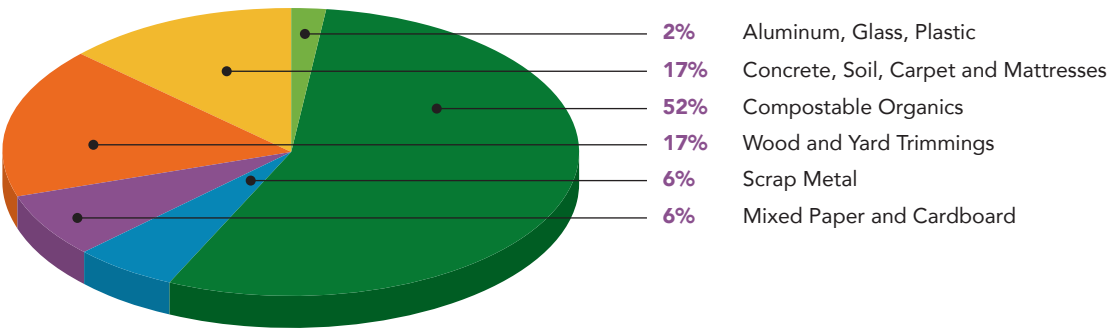
# SMaRT Station Diversion Summary

(in tons)	Mtn. View	Palo Alto	Sunnyvale	Totals
City Population	78,396	68,134	148,948	295,478
MSW** delivered to SMaRT Station	55,217	27,347	98,262	180,826
MSW Public haul	2,539	2,114	15,158	19,811
Total MSW Delivered to SMaRT	57,756	29,461	113,420	200,637
MSW disposed at Kirby Canyon landfill	42,529	21,073	75,632	139,234
MSW disposed at other landfills	7,020	20,522	22,286	49,858
Total MSW disposed	49,549	41,625	97,918	189,092
MSW material diverted from the landfill at the SMaRT Station	15,227	8,388	37,788	61,403
Yard trimmings brought to SMaRT Station	7,106	1,319	14,677	23,102
Recyclables brought to SMaRT Station	10,706	0	13,082	23,788
Total Delivered	75,568	30,780	141,179	247,527
Total amount of material delivered to the SMaRT Station and diverted from the landfill	33,039	9,707	65,547	108,293

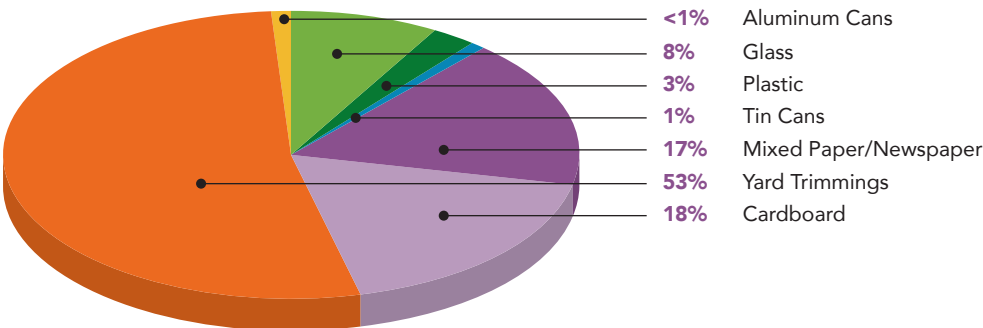
\*\*MSW = Municipal Solid Waste

Percentages shown on these charts for diverted and marketed materials reflect material weight.

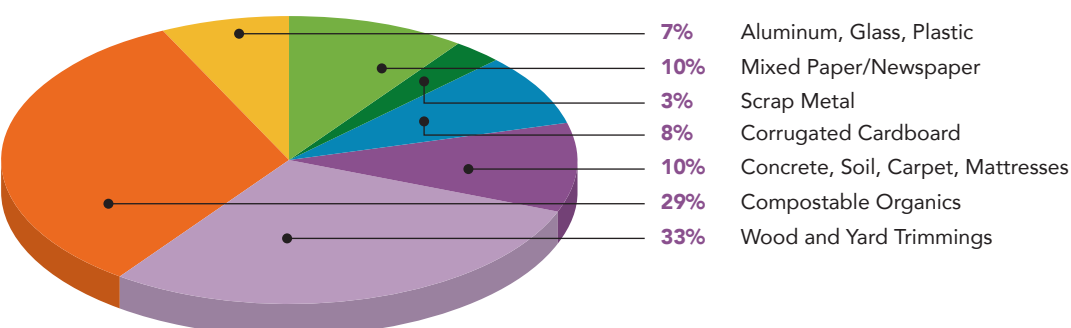
## Materials Diverted from MSW



## Materials Marketed from Curbside Collection



## SMaRT Station All Materials Marketed



## Partners in Leadership 2016-2017

### CITY OF SUNNYVALE

Mayor Glenn Hendricks  
Vice Mayor Larry Klein  
Councilmember Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Russ Melton  
Councilmember Nancy Smith  
Councilmember Michael Goldman

City Manager Deanna J. Santana

### CITY OF PALO ALTO

Mayor Patrick Burt  
Vice Mayor Gregory Scharff  
Councilmember Marc Berman  
Councilmember Tom DuBois  
Councilmember Eric Filseth  
Councilmember Karen Holman  
Councilmember Liz Kniss  
Councilmember Greg Schmid  
Councilmember Cory Wolbach

City Manager James Keene

### CITY OF MOUNTAIN VIEW

Mayor Patricia Showalter  
Vice Mayor Ken Rosenberg  
Councilmember Chris Clark  
Councilmember John Inks  
Councilmember Mike Kasperzak  
Councilmember John McAlister  
Councilmember Lenny Siegel

City Manager Dan Rich



## 4.2 Million Cartons Recovered for Recycling

Since the addition of new sorting equipment in 2015, the SMaRT station has recovered and marketed an estimated 4.2 million aseptic and gable top containers, also known as “Cartons.” Shelf-stable and refrigerated cartons for products such as juice, milk, soy milk, egg substitutes, soup, broth and wine are found on the shelves and refrigerated section in grocery stores.

Cartons are recycled in one of two possible ways. At specialized paper mills, the fiber is extracted and separated in a machine called a hydropulper, which resembles a giant kitchen blender. The pulp that comes out is used to make paper products. Cartons go on to create everyday products such as paper towels, tissues, toilet paper and office and other writing paper. Another type of recycler uses whole cartons to make environmentally friendly building materials such as interior wall boards, roof cover board, ceiling tiles, exterior sheathing and floor underlayment.



## Stormwater System Redesign

In 2014 the SMaRT partner cities commissioned a study to evaluate the feasibility of structural improvements to the stormwater management system for the SMaRT Station. This study was commissioned in anticipation of upcoming revisions to the State Water Resources Control Board (SWRCB) General Industrial Stormwater Permit effective July, 2015. The study recommended improvements that generally include segregation of runoff containing higher concentrations of pollutants of concern from the facility's industrial areas for diversion to the City's Water Pollution Control Plant for treatment. Runoff from non-industrial areas and building roofs will continue to be diverted directly to the existing stormwater outfalls. The system design has been finalized and construction is expected to begin in 2018.

## China Imposes Restrictions on Low Quality Recyclables

In March 2017, China enacted a “National Sword” initiative which imposed severe restrictions on the import of recyclable materials. More recently, China announced its plan to essentially ban the import of 24 varieties of solid waste and recyclables, including mixed paper and plastics, beginning in March 2018. The action was based on Beijing's perception that recyclables shipped from North America and Europe look more like garbage than recyclables. For the remaining approved imports, extremely strict quality guidelines require less than 0.5 percent contamination, while previous guidelines allowed up to 2 percent, the industry standard.

The SMaRT Station operator, Bay Counties Waste Services, responded quickly by adding staff to the processing lines used to sort mixed paper collected by the dual-stream recycling programs serving Mountain View and Sunnyvale (Palo Alto has its single-stream recyclables processed elsewhere). As of June 2017, the operator had reduced contamination to roughly 1% and loads are being directed to other non-Chinese markets.

The Chinese limits on recycled materials is a serious issue that threatens to leave recyclers throughout North America and Europe without a “home” for recycled paper and plastics. While additional sorting at the SMaRT Station can help improve the quality of paper sent to market, residents and businesses are urged to recycle only the items listed on acceptable materials lists, so that recyclables can continue to make their way back into the economy as industrial raw materials.



A partnership of the cities of Mountain View, Palo Alto and Sunnyvale  
Operated by Bay Counties Waste Services

City of Sunnyvale - SMarT Station Repurposing  
Milestone Schedule, October 2018

Cupertino Facility Timing Needs	2018				2019				2020				2021				2022				2023				2024			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Collection/processing agreement ends 12/21																												
New arrangements in place																												
Commence delivery of source separated recyclables, organics																												
MSW/C&D contract ends 12/1/23																												
New arrangements in place																												
Commence delivery of MSW, C&D																												



# CITY OF CUPERTINO

## Agenda Item

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**19-5736**

**Agenda Date: 8/6/2019**  
**Agenda #: 14.**

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Subject: Accept offer of dedication and waiver of future reimbursement at 10475 Byrne Avenue related to the Byrne Avenue Sidewalk Improvements Project

Adopt Resolution No. 19-105 accepting the offer of dedication at 10475 Byrne Avenue and waiver of future reimbursement from the property owner for the construction of the Byrne Avenue Sidewalk Improvement Project



## PUBLIC WORKS DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333  
CUPERTINO.ORG

### CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

#### Subject

Accept offer of dedication and waiver of future reimbursement at 10475 Byrne Avenue related to the Byrne Avenue Sidewalk Improvements Project.

#### Recommended Action

Adopt Resolution No. \_\_\_\_\_ accepting the offer of dedication at 10475 Byrne Avenue and waiver of future reimbursement from the property owner for the construction of the Byrne Avenue Sidewalk Improvement Project.

#### Discussion

Section 14.04.110 of the City of Cupertino Municipal Code provides that when the City or another property owner installs public improvements that benefit a property, the owner of the benefitted property is required to reimburse the City or the property owner for its reasonable share of the costs of such improvements when the benefitted property owner seeks a land use entitlement from the City. However, if a property owner dedicates necessary right-of-way to the City without charge, the City may enter into an agreement with the owner to waive future reimbursement requirements.

The Byrne Avenue Sidewalk Improvement project will install sidewalks along Byrne Avenue between McClellan Road and Granada Avenue. During the design of the project the need for additional right-of-way was identified in six locations. Beginning in March 2018, staff began discussions with property owners to obtain the necessary right-of-way dedications.

One property owner has donated property rights for the construction of the sidewalk improvements in exchange for a waiver of future reimbursement for City-funded public improvements.

Four property owners have declined to donate the necessary property rights and one property owner was unresponsive to City outreach efforts.

At three of the four locations where owners declined to donate property, the sidewalk will be discontinuous until such time as the property owners submit a development application. At one critical location the sidewalk was redesigned to not impact the adjoining private property, but this location would be reconstructed to improve

alignment with adjacent walking routes when development occurs in the future. When future development occurs on these private properties, the owners will be required to dedicate the necessary right-of-way and construct full public improvements at no cost to the City.

With the adoption of this resolution construction of the improvements can move forward.

Sustainability Impact

Acceptance of the land dedication will allow the sidewalk improvements project to be constructed. This project will encourage walking by providing a safe path of travel and is consistent with the Mobility Element of the General Plan, Goal M-3 (“Support a Safe Pedestrian and Bicycle Network for People of All Ages and Abilities”).

Fiscal Impact

Approval of this resolution results in no additional fiscal impact.

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Prepared by: Michael Zimmermann, CIP Manager

Reviewed by: Roger Lee, Director of Public Works Department

Approved for Submission by: Deborah Feng, City Manager

Attachments:

A – Draft Resolution

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CUPERTINO CITY COUNCIL ACCEPTING THE  
DEDICATION OF PRIVATE PROPERTY RIGHTS TO 10475 BYRNE  
AVENUE FOR THE CONSTRUCTION OF SIDEWALKS ON BYRNE  
AVENUE AND WAIVING FUTURE REIMBURSEMENT OF CITY-FUNDED  
PUBLIC IMPROVEMENTS

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WHEREAS, the City desires to construct sidewalks on Byrne Avenue in areas where the sidewalks are currently discontinuous; and

WHEREAS, section 14.04.110 of the City of Cupertino Municipal Code allows the City to provide a waiver of future reimbursement of the cost for City-funded public improvements when the property owner donates the property rights necessary for the improvement project; and

WHEREAS, one property owner has donated property rights along their property frontages necessary for the construction of the Byrne Avenue Sidewalk Improvements Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cupertino hereby accepts the dedication of property to 10475 Byrne Avenue and as further described in the Agreement Regarding Offer of Dedication and Waiver of Future Reimbursement, attached as Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. \_\_\_\_\_

Page 2

<b>SIGNED:</b> _____ Steven Scharf, Mayor City of Cupertino	_____ Date
<b>ATTEST:</b> _____ Grace Schmidt, City Clerk	_____ Date



# CITY OF CUPERTINO

## Agenda Item

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**19-5916**

**Agenda Date: 8/6/2019**  
**Agenda #: 15.**

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**Subject:** Authority to increase the construction contingency budget for the McClellan Road Separated Bikeways-Phase 1A Project

Authorize an increase in the construction contingency budget from \$182,183 (10% of construction amount) to \$291,493 (16% of construction amount) for the McClellan Road Separated Bikeways-Phase 1A Project





## PUBLIC WORKS DEPARTMENT

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333  
CUPERTINO.ORG

### CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

#### Subject

Authority to increase the construction contingency budget for the McClellan Road Separated Bikeways-Phase 1A project.

#### Recommended Action

Authorize an increase in the construction contingency budget from \$182,183 (10% of construction amount) to \$291,493 (16% of construction amount) for the McClellan Road Separated Bikeways-Phase 1A Project.

#### Discussion

On July 3, 2018, the City Council authorized the City Manager to award a construction contract in an amount not to exceed 90% of the appropriated project budget to the lowest responsive bidder and to authorize a construction contingency budget of 10% of the construction contract amount. Bids were opened on August 21, 2018 and Redgewick Construction was the apparent low bidder for \$1,821,831.25. The project was awarded by the City Manager to Redgewick Construction on September 5, 2018 and included a construction contingency of \$182,183 (10%).

Immediately prior to the start of construction notifications were sent to the school districts representing Monta Vista High School and Lincoln Elementary school. Following discussions with the Fremont Union and Cupertino Union School Districts, the start of construction was postponed from November 2018 to May 2019 in order to minimize the traffic and school impacts of construction taking place while school was in session. The cost to postpone construction to avoid these impacts was \$120,000 leaving a contingency balance of \$62,183.

Due to a high number of unforeseen conditions and needs, the remaining contingency balance is not expected to cover all expenses anticipated for the project beyond the contract amount. These conditions include:

- Unmarked fiber optic facilities
- Unmarked underground power circuits
- Unmarked water system facilities

- Communication infrastructure not as shown on utility company record drawings
- Delay by utility companies to move overhead power, support structure, and underground facilities
- Discovery of unknown water system components
- Inaccurate storm system record drawings

Additionally, the project has had several unanticipated items come up, including a request for replacement trees on the De Anza College frontage and the addition of a retaining wall to support existing trees along the back of the new sidewalk.

An additional \$109,310 (6%) contingency will provide adequate funding to substantially complete the project prior to the beginning of the school year (August 12, 2019 teachers return, August 15, 2019 Lincoln Elementary students start and August 22, 2019 Monta Vista students start) and avoid an extended impact to the new school year.

#### Sustainability Impact

No sustainability impact.

#### Fiscal Impact

This project is funded in the current Capital Improvement Budget. No additional appropriations are needed.

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Prepared by: John Raaymakers, Public Works Project Manager

Reviewed by: Michael Zimmermann, CIP Program Manager

Approved for Submission by: Deborah Feng, City Manager



# CITY OF CUPERTINO

## Agenda Item

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**19-5524**

**Agenda Date: 8/6/2019**  
**Agenda #: 16.**

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Subject: Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide was continued to a date to be determined. This item will be re-noticed.

Under Postponements, Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide was continued to a date to be determined. This item will be re-noticed.



# CITY OF CUPERTINO

## Agenda Item

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**19-5240**

**Agenda Date: 8/6/2019**  
**Agenda #: 17.**

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Subject: Hearing to approve lien assessment and collection of fees on private parcels resulting from abatement of public nuisance (weeds and/or brush) for the annual Weed and Brush Abatement Programs.

Conduct a hearing to consider objections from any property owners listed on the assessment report; and adopt Resolution No. 19-106 approving the lien assessment and collection of fees on private parcels for the annual Weed and Brush Abatement Programs to allow the County to recover the cost of abatement.



## OFFICE OF THE CITY CLERK

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366  
CUPERTINO.ORG

## CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

### Subject

Hearing to approve lien assessment and collection of fees on private parcels resulting from abatement of public nuisance (weeds and/or brush) for the annual Weed and Brush Abatement Programs.

### Recommended Action

Conduct a hearing to consider objections from any property owners listed on the assessment report; and adopt the Draft Resolution approving the lien assessment and collection of fees on private parcels for the annual Weed and Brush Abatement Programs to allow the County to recover the cost of abatement.

### Discussion

The lien assessment and collection process includes both the Weed Abatement Program and the Brush Abatement Program. The primary function of these programs is to work with property owners to ensure that brush, dry weeds and dead vegetation are cleared before the start of the fire season. Only properties that have not met the requirements of the two programs are listed in the assessment report.

### Weed Abatement Program

The Weed Abatement Program is conducted in partnership with the Santa Clara County Department of Agriculture. Chapter 9.08 of the Cupertino Municipal Code requires property owners to remove or destroy hazardous weeds on their property for fire protection. Properties that are not in compliance with the program requirements are required to correct the conditions within a set deadline. If the property owner does not remove the weeds by the deadline then the County is thereby authorized to do so and to recover the cost of abatement from the property owner.

### Brush Abatement Program

The Brush Abatement Program is managed by the Santa Clara County Fire Department and is separate from the Weed Abatement Program. Section 16.40.480 of the Cupertino Municipal Code requires property owners in the locally adopted Wildland-Urban Interface Fire Area (WUI) to maintain effective defensible space by removing brush, flammable vegetation and combustible growth as required by the fire code official due to

steepness of terrain or other conditions. The County is authorized to remove the brush if the property owner does not do so and to recover the cost of abatement from the property owner. This year there were no parcels from the Brush Abatement Program on the assessment report.

#### Process for Weed and Brush Abatement Programs Outlined

The process consists of eight steps that begin in November and go through August of each year. At this time the process is at Step No. 8. On July 17, 2019, the County filed with the City the report and assessment list of all costs associated with the abatement of weeds, brush, and/or combustible debris (Attachment B, Exhibit A1 in Resolution). On July 23, 2019 the City Clerk's Office mailed notification letters to the property owners on the list, informing them of the hearing date (Attachment D).

1. County prepares a list of all properties that have been non-compliant in removing weeds in the last three years and provides that list to the City (Nov).
2. City Council adopts a resolution declaring weeds a nuisance and setting a hearing date to hear objections by property owners to having their name on the list (Nov-Dec).
3. County sends notice to the property owners on the list notifying them of the hearing date and explaining that they must remove weeds by the abatement deadline of April 30 or it will be done for them, and the cost of the abatement plus administrative costs assessed to their property (Dec).
4. City Council holds the hearing to consider objections by property owners and adopts a resolution ordering abatement (Feb). Resolution No. 19-019 was adopted by the City Council on February 5, 2019 (Attachment C).
5. County sends a courtesy letter to property owners on the list notifying them again of the abatement deadline and noting that they will work with the property owner to be sure the weeds are removed (Feb).
6. After April 30, the properties are inspected by the County to verify that weeds were removed and proceeds with abatement if the inspection fails. County makes a list of all costs associated with the abatement and provides that list to the City (July).
7. City notifies the property owners on the assessment list notifying them of the hearing date. (July).
8. City Council holds a hearing, notes any disputes, and adopts a resolution putting a lien assessment on the properties to allow the County to recover the cost of weed and/or brush abatement (Aug).

Fiscal Impact

Any fees waived by the Council will be billed to the City by the County to cover their cost of servicing the property.

Sustainability Impact

None

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Prepared by: Kirsten Squarcia, Deputy City Clerk

Reviewed by: Grace Schmidt, City Clerk

Approved for Submission by: Deborah Feng, City Manager

Attachments:

A - Draft Resolution and Exhibit A1 (Assessment Report)

B - Assessment Report

C - Adopted Resolution Ordering Abatement

D – City Mailed Hearing Notice

## **RESOLUTION NO. 19-**

### **A RESOLUTION OF THE CUPERTINO CITY COUNCIL PROVIDING FOR LIEN ASSESSMENTS AND COLLECTION RESULTING FROM THE ABATEMENT OF PUBLIC NUISANCES AND POTENTIAL FIRE HAZARDS (WEEDS AND/OR BRUSH ON PRIVATE PARCELS)**

WHEREAS, after due notice a hearing thereon was held at a regular meeting of the City Council on February 5, 2019, at which time the City declared the growth of weeds and/or brush upon certain properties as described in City of Cupertino Resolution No. 19-019 to be a public nuisance; and

WHEREAS, from evidence presented, both oral and written, the City Council acquired jurisdiction over and abated said nuisances; and

WHEREAS, affected property owners were advised that a hearing would be held at the City Council meeting of August 6, 2019 providing for lien assessments and collection resulting from the abatement of public nuisances (weeds and/or brush on private parcels); and

WHEREAS, said hearing was held by the City Council at the time and place fixed for the receiving and considering of such report and proposed assessment.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby confirm that the costs of abating said nuisances shall be as set forth on Exhibit A-1 attached hereto and made a part hereof and said costs shall constitute a lien on the affected property.

BE IT FURTHER RESOLVED that the County Agricultural Commissioner shall cause the amount of the assessments to be entered on the County Assessment Roll opposite the description of the particular property, which assessment so entered on the County rolls shall be collected together with all other taxes thereon upon the property at the same time and in the same manner, as general City taxes are collected and shall be subject to the same penalties and interest, and the procedures and sale in the case of delinquency as provided for City taxes.



Resolution No. 19-

Page 2

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6th day of August, 2019, by the following vote:

Vote                      Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED:	
_____ Steven Scharf, Mayor City of Cupertino	_____ Date
ATTEST:	
_____ Grace Schmidt, City Clerk	_____ Date

**2019 WEED ABATEMENT PROGRAM  
ASSESSMENT REPORT  
CITY OF CUPERTINO**

**TAX ROLL  
AMT TRA**

	<b>Situs</b>		<b>APN</b>	<b>OWNER ADDRESS</b>					
1	10531	Portal	316-30-102	Tang, George And Tsao, Jung Wei	10531 Portal Avn	CUPERTINO	95014-2447	\$80.00	13013
2	19641	Drake	316-32-028	Young, Kathy And Edberg, Jeremy	19641 Drake Dr	CUPERTINO	95014-2433	\$80.00	13013
3	0		326-07-035	Pacific Gas And Electric Co	111 Almaden Blvd	SAN JOSE	95115-0005	\$80.00	13013
4	10337	Glencoe	326-30-083	Andrews, Joyce H Trustee	20643 Cheryl Dr	CUPERTINO	95014-2909	\$80.00	13013
5	10467	Glencoe	326-30-106	Damask Robert T	Po Box 2421	CUPERTINO	95015	\$1,489.00	13003
6	10712	Pebble	326-43-044	Winget, Charles M And Katherine B	10712 Pebble Pl	CUPERTINO	95014-1333	\$575.00	13013
7	0	Stevens Creek	342-13-012	Deane And Deane Inc	4040 Moorpark Unit #116	SAN JOSE	95117-1851	\$1,718.84	13013
8	10744	Santa Lucia	342-16-073	Bangalore, Manjunath S And Dixit,	10744 Santa Lucia Rd	CUPERTINO	95014-3940	\$80.00	13013
9	22661	San Juan	342-17-110	Codding, Nathaniel J And Michelle N	22661 San Juan Rd	CUPERTINO	95014-0000	\$575.00	13013
10	0	El Cerrito	342-21-004	Item, Werner And Gloria E Trustee	22670 San Juan Rd	CUPERTINO	95014-3933	\$575.00	13013
11	22765	San Juan	342-22-031	Nehawandian, Nasim	22765 San Juan Rd	CUPERTINO	95014-3934	\$80.00	13013
12	23026	Voss	342-50-016	Tsai, Vicky Tsay-hsai Trustee & Et Al	23026 Voss Av	CUPERTINO	95014-2663	\$575.00	13013
13	0	(land Only)	342-50-019	Chamberlain, Jack T Trustee	655 Skyway	SAN CARLOS	94070	\$1,068.36	13013
14	0	Mc Clellan	356-05-005	Lowenthal, Richard And Ellen	21602 Villa Maria Ct	CUPERTINO	95014	\$575.00	13013
15	10750	Rae	356-07-076	Chang, Chris Et Al	580 Alberta Av	SUNNYVALE	94087-0000	\$80.00	13013
16	10750	Rae	356-07-077	Chang, Chris Et Al	580 Alberta Av	SUNNYVALE	94087-0000	\$80.00	13013
17	21885	Hyannisport	356-13-050	Bergman, Jacqueline	21885 Hyannisport Dr	CUPERTINO	95014-4015	\$80.00	13013
18	21576	La Playa	356-23-015	Saha, Angshuman And Madhumita	0 Po Box 2918	CUPERTINO	95015-2918	\$575.00	13013

**2019 WEED ABATEMENT PROGRAM  
ASSESSMENT REPORT  
CITY OF CUPERTINO**

**TAX ROLL  
AMT TRA**

	<b>Situs</b>		<b>APN</b>	<b>OWNER ADDRESS</b>					
19	21987	Lindy	356-25-031	<b>Kang, Ping Qi And Liang, Yu Juan</b>	2408 Clement St	SAN FRANCISCO	94121	\$575.00	<b>13013</b>
20	21989	Lindy	356-25-032	<b>Sun, Xi Hua And Zhu, Shan</b>	11801 Dorothy Anne Wy	CUPERTINO	95014-5258	\$80.00	<b>13013</b>
21	11395	Canyon View	356-27-022	<b>Hopkins, John N And Carolyn S</b>	11395 Canyon View Cl	CUPERTINO	95014-0000	\$80.00	<b>13013</b>
22	11450	Canyon View	356-27-023	<b>Chang, Chiao-fu And Sue-fay</b>	20832 Hanford Dr	CUPERTINO	95014-1824	\$575.00	<b>13013</b>
23	22032	Lindy	356-27-025	<b>De, Kalpajit And Majumder, Parama</b>	22032 Lindy Ln	CUPERTINO	95014-4811	\$575.00	<b>13013</b>
24	22310	Palm	357-04-023	<b>Van Blommestein, Robert And</b>	1144 Brace Av	SAN JOSE	95125-3200	\$575.00	<b>13013</b>
25	10040	Bianchi	359-07-021	<b>Lin, Jason C And Fang, Ying Ho</b>	10228 Stelling Rdn	CUPERTINO	95014-1643	\$575.00	<b>13013</b>
26	20940	Stevens Creek	359-07-022	<b>Lin, Jason C</b>	20940 Stevens Creek Bl	CUPERTINO	95014-2170	\$80.00	<b>13013</b>
27	20592	Mc Clellan	359-18-010	<b>Chang, Lance C And Melody F</b>	20592 Mc Clellan Rd	CUPERTINO	95014-2955	\$80.00	<b>13013</b>
28	20616	Mc Clellan	359-18-048	<b>Hardeman, Melody F Et Al</b>	20616 Mcclellan Rd	CUPERTINO	95014-2955	\$80.00	<b>13013</b>
29	20840	Cherryland	359-20-042	<b>Cherryland Llc</b>	20846 Dunbar Dr	CUPERTINO	95014-1802	\$80.00	<b>13013</b>
30	0	Cranberry	362-02-048	<b>Union Pacific Corporation</b>	10031 Foothills Blvd	ROSEVILLE	95747	\$575.00	<b>13013</b>
31	0	Cranberry	362-04-058	<b>Union Pacific Corporation</b>	10031 Foothills Blvd	ROSEVILLE	95747	\$575.00	<b>13013</b>
32			362-09-026	<b>Union Pacific Corporation</b>	10031 Foothills Blvd	ROSEVILLE	95747	\$1,725.60	<b>13002</b>
33	0		362-16-037	<b>Union Pacific Corporation</b>	10031 Foothills Blvd	ROSEVILLE	95747	\$575.00	<b>13013</b>
34			362-19-033	<b>Union Pacific Corporation</b>	10031 Foothills Blvd	ROSEVILLE	95747	\$1,725.60	<b>13070</b>
35	20652	Cleo	362-31-002	<b>Burrow, Bradley J And Juanita S</b>	20652 Cleo Av	CUPERTINO	95014-5033	\$575.00	<b>13013</b>
36		Cleo	362-31-030	<b>Almasi, Azita Trustee &amp; Et Al</b>	965 Laurel Glen Dr	PALO ALTO	94304-1323	\$575.00	<b>13013</b>

**2019 WEED ABATEMENT PROGRAM  
ASSESSMENT REPORT  
CITY OF CUPERTINO**

**TAX ROLL  
AMT TRA**

	<b>Situs</b>		<b>APN</b>	<b>OWNER ADDRESS</b>					
37	11841	Upland	366-03-062	<b>Vempaty, Hyma T And Nageshwara R</b>	13304 Glen Brae Dr	SARATOGA	95070-4431	\$2,168.38	<b>13013</b>
38	0	Stauffer	366-09-053	<b>Union Pacific Corporation</b>	10031 Foothills Blvd	ROSEVILLE	95747	\$1,975.72	<b>13013</b>
39	22045	Regnart	366-46-004	<b>Bigler, Robert A And Punita P Trustee</b>	11230 Bubbs Rd	CUPERTINO	95014-4979	\$575.00	<b>13013</b>
40	10375	Lindsay	369-12-012	<b>Tung, Charles C</b>	10372 Ann Arbor Av	CUPERTINO	95014-1664	\$80.00	<b>13013</b>
41	10441	Oakville	369-12-035	<b>Vrcelj, Michael J</b>	10441 Oakville Av	CUPERTINO	95014-4520	\$80.00	<b>13013</b>
42	879	Bette	369-27-050	<b>Chang, Jui Po</b>	1198 Eagle Ridge Way	MILPITAS	95035	\$575.00	<b>13013</b>
43	19160	Stevens Creek	375-07-001	<b>Stevens Creek L P</b>	1400 Parkmoor Av Ste 190	SAN JOSE	95126-0000	\$80.00	<b>13013</b>
44	18930	Tilson	375-09-049	<b>Liu, Zheng And Chen, Aidong</b>	18930 Tilson Av	CUPERTINO	95014-3655	\$80.00	<b>13013</b>
45	10200	Stern	375-12-002	<b>Mc Grath, Patrick W</b>	0 Po Box 2422	PALO ALTO	94309-2422	\$575.00	<b>13013</b>
46	18880	Arata	375-13-005	<b>Yi, Qinghong And Zhou, Jie</b>	18880 Arata Wy	CUPERTINO	95014-3634	\$80.00	<b>13013</b>
47	18844	Arata	375-13-008	<b>Dsouza, Santhosh A And Sabitha</b>	18844 Arata Wy	CUPERTINO	95014-3634	\$80.00	<b>13013</b>
48	10271	Menhart	375-15-028	<b>Yamamoto, Kei And Kang,</b>	20730 Fargo Dr	CUPERTINO	95014-1904	\$80.00	<b>13013</b>
49	10337	Menhart	375-15-039	<b>Horio, Leland S Et Al</b>	5878 Macadam Ct	SAN JOSE	95123-4332	\$80.00	<b>13013</b>
50	10391	Menhart	375-15-048	<b>Hu, Yugen And Yinghe</b>	48236 Arcadian St	FREMONT	94539	\$80.00	<b>13013</b>
51	10272	Menhart	375-17-017	<b>Bullock, Joseph R And Stella E</b>	10272 Menhart Ln	CUPERTINO	95014-3630	\$80.00	<b>13013</b>
52	18770	Tilson	375-17-039	<b>Hoveyda, Niloufar And Jalili, Mohsen</b>	1055 McKinney Avw	SUNNYVALE	94086	\$80.00	<b>13013</b>
53	10240	Calvert	375-18-022	<b>Wang, Nadia J And Xing, Pei</b>	10240 Calvert Dr	CUPERTINO	95014-3808	\$80.00	<b>13013</b>
54	18734	Loree	375-18-025	<b>Guo, Xianzheng And Yan, Dong</b>	18734 Loree Av	CUPERTINO	95014-3839	\$80.00	<b>13013</b>

**2019 WEED ABATEMENT PROGRAM  
ASSESSMENT REPORT  
CITY OF CUPERTINO**

**TAX ROLL  
AMT TRA**

	<b>Situs</b>		<b>APN</b>	<b>OWNER ADDRESS</b>					
55	10361	Johnson	375-18-039	Mc Grath, Patrick W	0 Po Box 2422	PALO ALTO	94309-2422	\$575.00	13013
56	10391	Johnson	375-18-042	Lu, Ying-wu	45449 Little Foot Pl	FREMONT	94539	\$80.00	13013
57	18655	Loree	375-19-008	Liang, Wan Har Cindy Trustee	18655 Loree Av	CUPERTINO	95014-3837	\$80.00	13013
58	10424	Sterling	375-24-003	Attia, Maged A And Bedair, Ghada	842 San Petronio Av	SUNNYVALE	94085-3449	\$80.00	13013
59	18671	Pring	375-25-039	Huang, Chang-kai And Tseng, Shang-	18671 Pring Ct	CUPERTINO	95014-3822	\$575.00	13013
60	10456	Johnson	375-26-045	Choi, Ihnaee And Cho, Sungju	10456 Johnson Av	CUPERTINO	95014-3814	\$80.00	13013
61	10610	Wunderlich	375-27-019	Nie, Xiaoqiong	10610 Wunderlich Dr	CUPERTINO	95014-3652	\$80.00	13013
62	10590	Wunderlich	375-27-026	Choong, Philip T And Hsia S Trustee	27769 Edgerton Rd	LOS ALTOS HILLS	94022-3235	\$80.00	13013
63	10540	Wunderlich	375-27-037	Zhang, Yuan And Chen, Fenna	10540 Wunderlich Dr	CUPERTINO	95014-3650	\$575.00	13013
64	10740	Gascoigne	375-29-016	Faulkner, Barbara Jeanne Et Al	10740 Gascoigne Dr	CUPERTINO	95014-3846	\$80.00	13013
65	10730	Johnson	375-31-008	Lee, Yu-ming And Ming-tzung	10730 Johnson Av	CUPERTINO	95014-3818	\$80.00	13013
66	10801	Gascoigne	375-31-027	Agarwal, Sanjay Trustee & Et Al	4231 Norwalk Dr Ee101	SAN JOSE	95129	\$80.00	13013
67	10630	Carver	375-32-020	Mc Grath, Patrick W	0 Po Box 2422	PALO ALTO	94309-2422	\$575.00	13013
68	10616	Carver	375-32-021	Yettaw, Jerri L And Jackie A	10616 Carver Dr	CUPERTINO	95014-3607	\$80.00	13013
69	18870	Tuggle	375-32-024	Dela Cruz, Sherwin Peter L	18870 Tuggle Av	CUPERTINO	95014-3626	\$575.00	13013
70	10657	Morengo	375-34-013	Ortiz, Rosa F Et Al	10657 Morengo Dr	CUPERTINO	95014-3513	\$575.00	13013
71	18930	Tuggle	375-34-045	Shen & Tian Llc	16230 Azalea Wy	LOS GATOS	95032-3622	\$575.00	13013
72	10732	Morengo	375-35-059	Zhang, Jianyong And Xiao, Yan	10732 Morengo Dr	CUPERTINO	95014-3515	\$80.00	13013

**2019 WEED ABATEMENT PROGRAM  
ASSESSMENT REPORT  
CITY OF CUPERTINO**

**TAX ROLL  
AMT      TRA**

<b>Situs</b>	<b>APN</b>	<b>OWNER ADDRESS</b>						
73	10627 Culbertson	375-36-027	Mc Grath, Patrick W	1184 Valelake Ct	SUNNYVALE	94089-2032	\$575.00	13013
74	19200 Tilson	375-40-061	Lee, John C And Nguyen, Ngoc	19200 Tilson Av	CUPERTINO	95014-3529	\$80.00	13013
<b>TOTAL</b>							<b>\$30,596.50</b>	

**2019 WEED ABATEMENT PROGRAM  
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CITY OF CUPERTINO**

**TAX ROLL  
AMT TRA**

	<b>Situs</b>		<b>APN</b>	<b>OWNER ADDRESS</b>					
1	10531	Portal	316-30-102	Tang, George And Tsao, Jung Wei	10531 Portal Avn	CUPERTINO	95014-2447	\$80.00	13013
2	19641	Drake	316-32-028	Young, Kathy And Edberg, Jeremy	19641 Drake Dr	CUPERTINO	95014-2433	\$80.00	13013
3	0		326-07-035	Pacific Gas And Electric Co	111 Almaden Blvd	SAN JOSE	95115-0005	\$80.00	13013
4	10337	Glencoe	326-30-083	Andrews, Joyce H Trustee	20643 Cheryl Dr	CUPERTINO	95014-2909	\$80.00	13013
5	10467	Glencoe	326-30-106	Damask Robert T	Po Box 2421	CUPERTINO	95015	\$1,489.00	13003
6	10712	Pebble	326-43-044	Winget, Charles M And Katherine B	10712 Pebble Pl	CUPERTINO	95014-1333	\$575.00	13013
7	0	Stevens Creek	342-13-012	Deane And Deane Inc	4040 Moorpark Unit #116	SAN JOSE	95117-1851	\$1,718.84	13013
8	10744	Santa Lucia	342-16-073	Bangalore, Manjunath S And Dixit,	10744 Santa Lucia Rd	CUPERTINO	95014-3940	\$80.00	13013
9	22661	San Juan	342-17-110	Codding, Nathaniel J And Michelle N	22661 San Juan Rd	CUPERTINO	95014-0000	\$575.00	13013
10	0	El Cerrito	342-21-004	Item, Werner And Gloria E Trustee	22670 San Juan Rd	CUPERTINO	95014-3933	\$575.00	13013
11	22765	San Juan	342-22-031	Nehawandian, Nasim	22765 San Juan Rd	CUPERTINO	95014-3934	\$80.00	13013
12	23026	Voss	342-50-016	Tsai, Vicky Tsay-hsai Trustee & Et Al	23026 Voss Av	CUPERTINO	95014-2663	\$575.00	13013
13	0	(land Only)	342-50-019	Chamberlain, Jack T Trustee	655 Skyway	SAN CARLOS	94070	\$1,068.36	13013
14	0	Mc Clellan	356-05-005	Lowenthal, Richard And Ellen	21602 Villa Maria Ct	CUPERTINO	95014	\$575.00	13013
15	10750	Rae	356-07-076	Chang, Chris Et Al	580 Alberta Av	SUNNYVALE	94087-0000	\$80.00	13013
16	10750	Rae	356-07-077	Chang, Chris Et Al	580 Alberta Av	SUNNYVALE	94087-0000	\$80.00	13013
17	21885	Hyannisport	356-13-050	Bergman, Jacqueline	21885 Hyannisport Dr	CUPERTINO	95014-4015	\$80.00	13013
18	21576	La Playa	356-23-015	Saha, Angshuman And Madhumita	0 Po Box 2918	CUPERTINO	95015-2918	\$575.00	13013

**2019 WEED ABATEMENT PROGRAM  
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**TAX ROLL  
AMT TRA**

	<b>Situs</b>		<b>APN</b>	<b>OWNER ADDRESS</b>					
19	21987	Lindy	356-25-031	Kang, Ping Qi And Liang, Yu Juan	2408 Clement St	SAN FRANCISCO	94121	\$575.00	13013
20	21989	Lindy	356-25-032	Sun, Xi Hua And Zhu, Shan	11801 Dorothy Anne Wy	CUPERTINO	95014-5258	\$80.00	13013
21	11395	Canyon View	356-27-022	Hopkins, John N And Carolyn S	11395 Canyon View Cl	CUPERTINO	95014-0000	\$80.00	13013
22	11450	Canyon View	356-27-023	Chang, Chiao-fu And Sue-fay	20832 Hanford Dr	CUPERTINO	95014-1824	\$575.00	13013
23	22032	Lindy	356-27-025	De, Kalpajit And Majumder, Parama	22032 Lindy Ln	CUPERTINO	95014-4811	\$575.00	13013
24	22310	Palm	357-04-023	Van Blommestein, Robert And	1144 Brace Av	SAN JOSE	95125-3200	\$575.00	13013
25	10040	Bianchi	359-07-021	Lin, Jason C And Fang, Ying Ho	10228 Stelling Rdn	CUPERTINO	95014-1643	\$575.00	13013
26	20940	Stevens Creek	359-07-022	Lin, Jason C	20940 Stevens Creek Bl	CUPERTINO	95014-2170	\$80.00	13013
27	20592	Mc Clellan	359-18-010	Chang, Lance C And Melody F	20592 Mc Clellan Rd	CUPERTINO	95014-2955	\$80.00	13013
28	20616	Mc Clellan	359-18-048	Hardeman, Melody F Et Al	20616 Mcclellan Rd	CUPERTINO	95014-2955	\$80.00	13013
29	20840	Cherryland	359-20-042	Cherryland Llc	20846 Dunbar Dr	CUPERTINO	95014-1802	\$80.00	13013
30	0	Cranberry	362-02-048	Union Pacific Corporation	10031 Foothills Blvd	ROSEVILLE	95747	\$575.00	13013
31	0	Cranberry	362-04-058	Union Pacific Corporation	10031 Foothills Blvd	ROSEVILLE	95747	\$575.00	13013
32			362-09-026	Union Pacific Corporation	10031 Foothills Blvd	ROSEVILLE	95747	\$1,725.60	13002
33	0		362-16-037	Union Pacific Corporation	10031 Foothills Blvd	ROSEVILLE	95747	\$575.00	13013
34			362-19-033	Union Pacific Corporation	10031 Foothills Blvd	ROSEVILLE	95747	\$1,725.60	13070
35	20652	Cleo	362-31-002	Burrow, Bradley J And Juanita S	20652 Cleo Av	CUPERTINO	95014-5033	\$575.00	13013
36		Cleo	362-31-030	Almasi, Azita Trustee & Et Al	965 Laurel Glen Dr	PALO ALTO	94304-1323	\$575.00	13013



**2019 WEED ABATEMENT PROGRAM  
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								TAX ROLL	
Situs			APN	OWNER ADDRESS			AMT	TRA	
37	11841	Upland	366-03-062	Vempaty, Hyma T And Nageshwara R	13304 Glen Brae Dr	SARATOGA	95070-4431	\$2,168.38	13013
38	0	Stauffer	366-09-053	Union Pacific Corporation	10031 Foothills Blvd	ROSEVILLE	95747	\$1,975.72	13013
39	22045	Regnart	366-46-004	Bigler, Robert A And Punita P Trustee	11230 Bubbl Rd	CUPERTINO	95014-4979	\$575.00	13013
40	10375	Lindsay	369-12-012	Tung, Charles C	10372 Ann Arbor Av	CUPERTINO	95014-1664	\$80.00	13013
41	10441	Oakville	369-12-035	Vrcelj, Michael J	10441 Oakville Av	CUPERTINO	95014-4520	\$80.00	13013
42	879	Bette	369-27-050	Chang, Jui Po	1198 Eagle Ridge Way	MILPITAS	95035	\$575.00	13013
43	19160	Stevens Creek	375-07-001	Stevens Creek L P	1400 Parkmoor Av Ste 190	SAN JOSE	95126-0000	\$80.00	13013
44	18930	Tilson	375-09-049	Liu, Zheng And Chen, Aidong	18930 Tilson Av	CUPERTINO	95014-3655	\$80.00	13013
45	10200	Stern	375-12-002	Mc Grath, Patrick W	0 Po Box 2422	PALO ALTO	94309-2422	\$575.00	13013
46	18880	Arata	375-13-005	Yi, Qinghong And Zhou, Jie	18880 Arata Wy	CUPERTINO	95014-3634	\$80.00	13013
47	18844	Arata	375-13-008	Dsouza, Santhosh A And Sabitha	18844 Arata Wy	CUPERTINO	95014-3634	\$80.00	13013
48	10271	Menhart	375-15-028	Yamamoto, Kei And Kang,	20730 Fargo Dr	CUPERTINO	95014-1904	\$80.00	13013
49	10337	Menhart	375-15-039	Horio, Leland S Et Al	5878 Macadam Ct	SAN JOSE	95123-4332	\$80.00	13013
50	10391	Menhart	375-15-048	Hu, Yugen And Yinghe	48236 Arcadian St	FREMONT	94539	\$80.00	13013
51	10272	Menhart	375-17-017	Bullock, Joseph R And Stella E	10272 Menhart Ln	CUPERTINO	95014-3630	\$80.00	13013
52	18770	Tilson	375-17-039	Hoveyda, Niloufar And Jalili, Mohsen	1055 Mckiney Avw	SUNNYVALE	94086	\$80.00	13013
53	10240	Calvert	375-18-022	Wang, Nadia J And Xing, Pei	10240 Calvert Dr	CUPERTINO	95014-3808	\$80.00	13013
54	18734	Loree	375-18-025	Guo, Xianzheng And Yan, Dong	18734 Loree Av	CUPERTINO	95014-3839	\$80.00	13013

**2019 WEED ABATEMENT PROGRAM  
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CITY OF CUPERTINO**

**TAX ROLL  
AMT TRA**

	<b>Situs</b>		<b>APN</b>	<b>OWNER ADDRESS</b>					
55	10361	Johnson	375-18-039	Mc Grath, Patrick W	0 Po Box 2422	PALO ALTO	94309-2422	\$575.00	13013
56	10391	Johnson	375-18-042	Lu, Ying-wu	45449 Little Foot Pl	FREMONT	94539	\$80.00	13013
57	18655	Loree	375-19-008	Liang, Wan Har Cindy Trustee	18655 Loree Av	CUPERTINO	95014-3837	\$80.00	13013
58	10424	Sterling	375-24-003	Attia, Maged A And Bedair, Ghada	842 San Petronio Av	SUNNYVALE	94085-3449	\$80.00	13013
59	18671	Pring	375-25-039	Huang, Chang-kai And Tseng, Shang-	18671 Pring Ct	CUPERTINO	95014-3822	\$575.00	13013
60	10456	Johnson	375-26-045	Choi, Ihnaee And Cho, Sungju	10456 Johnson Av	CUPERTINO	95014-3814	\$80.00	13013
61	10610	Wunderlich	375-27-019	Nie, Xiaoqiong	10610 Wunderlich Dr	CUPERTINO	95014-3652	\$80.00	13013
62	10590	Wunderlich	375-27-026	Choong, Philip T And Hsia S Trustee	27769 Edgerton Rd	LOS ALTOS HILLS	94022-3235	\$80.00	13013
63	10540	Wunderlich	375-27-037	Zhang, Yuan And Chen, Fenna	10540 Wunderlich Dr	CUPERTINO	95014-3650	\$575.00	13013
64	10740	Gascoigne	375-29-016	Faulkner, Barbara Jeanne Et Al	10740 Gascoigne Dr	CUPERTINO	95014-3846	\$80.00	13013
65	10730	Johnson	375-31-008	Lee, Yu-ming And Ming-tzung	10730 Johnson Av	CUPERTINO	95014-3818	\$80.00	13013
66	10801	Gascoigne	375-31-027	Agarwal, Sanjay Trustee & Et Al	4231 Norwalk Dr Ee101	SAN JOSE	95129	\$80.00	13013
67	10630	Carver	375-32-020	Mc Grath, Patrick W	0 Po Box 2422	PALO ALTO	94309-2422	\$575.00	13013
68	10616	Carver	375-32-021	Yettaw, Jerri L And Jackie A	10616 Carver Dr	CUPERTINO	95014-3607	\$80.00	13013
69	18870	Tuggle	375-32-024	Dela Cruz, Sherwin Peter L	18870 Tuggle Av	CUPERTINO	95014-3626	\$575.00	13013
70	10657	Morengo	375-34-013	Ortiz, Rosa F Et Al	10657 Morengo Dr	CUPERTINO	95014-3513	\$575.00	13013
71	18930	Tuggle	375-34-045	Shen & Tian Llc	16230 Azalea Wy	LOS GATOS	95032-3622	\$575.00	13013
72	10732	Morengo	375-35-059	Zhang, Jianyong And Xiao, Yan	10732 Morengo Dr	CUPERTINO	95014-3515	\$80.00	13013

**2019 WEED ABATEMENT PROGRAM  
ASSESSMENT REPORT  
CITY OF CUPERTINO**

**TAX ROLL  
AMT      TRA**

<b>Situs</b>	<b>APN</b>	<b>OWNER ADDRESS</b>						
73	10627 Culbertson	375-36-027	Mc Grath, Patrick W	1184 Valelake Ct	SUNNYVALE	94089-2032	\$575.00	13013
74	19200 Tilson	375-40-061	Lee, John C And Nguyen, Ngoc	19200 Tilson Av	CUPERTINO	95014-3529	\$80.00	13013
<b>TOTAL</b>							<b>\$30,596.50</b>	

**RESOLUTION NO. 19-019**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO  
ORDERING ABATEMENT OF PUBLIC NUISANCE PURSUANT TO  
PROVISIONS OF CUPERTINO MUNICIPAL CODE CHAPTER 9.08 AND  
RESOLUTION NO. 18-111**

WHEREAS, the City Council has declared that the growth of weeds, the accumulation of garden refuse, cuttings and other combustible trash upon the private properties as described in Resolution No. 18-111 adopted November 20, 2018, to be a public nuisance; and

WHEREAS, after due notice, a public hearing was held at the regular meeting of the City Council on February 5, 2019 to allow the impacted property owners to contest the matter; and

WHEREAS, from the evidence presented, both oral and written, at the public meeting of February 5, 2019, the City Council finds it's in the City's best interests for the City to abate these conditions by authorizing the County's Agricultural Commissioner to do so on the City's behalf and in accordance with the law.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Agricultural Commissioner is hereby ordered to abate such nuisance or cause the same to be abated by having the weeds that have been declared a nuisance, destroyed or removed by cutting, dicing, chemical spraying or any other method determined by the Commissioner to be appropriate, and that all debris, whether in piles or scattered, be hauled away;
2. That the Agricultural Commissioner and his/her deputies, assistants, employees, contracting agents or other representatives shall have express authorization to enter upon said private properties for the purpose of causing said public nuisance to be abated, in accordance with all applicable legal requirements;
3. That any affected property owner shall have the right to destroy or remove such weeds or debris himself or herself or have the same destroyed or removed at his/her own expense provided that such destruction or removal shall have been completed prior to the arrival of the Agricultural Commissioner or his

Resolution No. 19-019  
Page 2

authorized representative to destroy or remove them by the Parcel Abatement Deadline of April 30, 2019.

BE IT FURTHER RESOLVED:


1. That the Agricultural Commissioner shall keep account of abating said nuisance and embody such account in a report and assessment list to the City Council, which shall be filed with the City Clerk.

2. Said reports of costs, hearing and collection procedures involved shall be provided as stated in Chapter 9.08.


PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino on the 5th day of February 2019, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
AYES:	Scharf, Chao, Paul, Sinks, Willey
NOES:	None
ABSENT:	None
ABSTAIN:	None

ATTEST:

  
\_\_\_\_\_  
Grace Schmidt, City Clerk

APPROVED:

  
\_\_\_\_\_  
Steven Scharf, Mayor,  
City of Cupertino

**2019 WEED ABATEMENT PROGRAM  
COMMENCEMENT REPORT  
CITY OF CUPERTINO**

Situs	APN	CITY/STATE	
10531	PORTAL AV 316-30-102	TANG, GEORGE AND TSAO, JUNG	10531 PORTAL AVN CUPERTINO CA 95014-2447
19641	DRAKE DR 316-32-028	YOUNG, KATHY AND EDBERG,	19641 DRAKE DR CUPERTINO CA 95014-2433
0	326-07-035	PACIFIC GAS AND ELECTRIC CO	111 ALMADEN BLVD SAN JOSE CA 95115-0005
10337	GLENCOE DR 326-30-083	ANDREWS, JOYCE H TRUSTEE	20643 CHERYL DR CUPERTINO CA 95014-2909
10467	GLENCOE DR 326-30-106	DAMASK ROBERT T	PO BOX 2421 CUPERTINO CA 95015
10712	PEBBLE PL 326-43-044	WINGET, CHARLES M AND	10712 PEBBLE PL CUPERTINO CA 95014-1333
0	STEVENS BL 342-13-012	DEANE AND DEANE INC	4040 MOORPARK UNIT #116 SAN JOSE CA 95117-1851
10744	SANTA LUCIA RD 342-16-073	BANGALORE, MANJUNATH S AND	10744 SANTA LUCIA RD CUPERTINO CA 95014-3940
22661	SAN JUAN RD 342-17-110	CODDING, NATHANIEL J AND	22661 SAN JUAN RD CUPERTINO CA 95014-0000
0	EL CERRITO RD 342-21-004	ITEM, WERNER AND GLORIA E	22670 SAN JUAN RD CUPERTINO CA 95014-3933
22765	SAN JUAN RD 342-22-031	NEHAWANDIAN, NASIM	22765 SAN JUAN RD CUPERTINO CA 95014-3934
23026	VOSS AV 342-50-016	TSAI, VICKY TSAY-HSAI TRUSTEE &	23026 VOSS AV CUPERTINO CA 95014-2663
0	(LAND ONLY) 342-50-019	CHAMBERLAIN, JACK T TRUSTEE	655 SKYWAY SAN CARLOS CA 94070
0	MC CLELLAN RD 356-05-005	LOWENTHAL, RICHARD AND ELLEN	21602 VILLA MARIA CT CUPERTINO CA 95014
10750	RAE LN 356-07-076	CHANG, CHRIS ET AL	580 ALBERTA AV SUNNYVALE CA 94087-0000
10750	RAE LN 356-07-077	CHANG, CHRIS ET AL	580 ALBERTA AV SUNNYVALE CA 94087-0000
21885	HYANNISPORT DR 356-13-050	BERGMAN, JACQUELINE	21885 HYANNISPORT DR CUPERTINO CA 95014-4015
21576	LA PLAYA CT 356-23-015	SAHA, ANGSHUMAN AND	0 PO BOX 2918 CUPERTINO CA 95015-2918
21987	LINDY LN 356-25-031	KANG, PING QI AND LIANG, YU JUAN	2408 CLEMENT ST SAN FRANCISCO CA 94121
21989	LINDY LN 356-25-032	SUN, XI HUA AND ZHU, SHAN	11801 DOROTHY ANNE WY CUPERTINO CA 95014-5258
11395	CANYON VIEW CL 356-27-022	HOPKINS, JOHN N AND CAROLYN S	11395 CANYON VIEW CL CUPERTINO CA 95014-0000
11450	CANYON VIEW CL 356-27-023	CHANG, CHIAO-FU AND SUE-FAY	20832 HANFORD DR CUPERTINO CA 95014-1824
22032	LINDY LN 356-27-025	DE, KALPAJIT AND MAJUMDER,	22032 LINDY LN CUPERTINO CA 95014-4811

**2019 WEED ABATEMENT PROGRAM  
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CITY OF CUPERTINO**

Situs	APN	CITY/STATE
22310	PALM AV 357-04-023	VAN BLOMMESTEIN, ROBERT AND 1144 BRACE AV SAN JOSE CA 95125-3200
10040	BIANCHI WY 359-07-021	LIN, JASON C AND FANG, YING HO 10228 STELLING RDN CUPERTINO CA 95014-1643
20940	STEVENS BL 359-07-022	LIN, JASON C 20940 STEVENS CREEK BL CUPERTINO CA 95014-2170
20592	MC CLELLAN RD 359-18-010	CHANG, LANCE C AND MELODY F 20592 MC CLELLAN RD CUPERTINO CA 95014-2955
20616	MC CLELLAN RD 359-18-048	HARDEMAN, MELODY F ET AL 20616 MCCLELLAN RD CUPERTINO CA 95014-2955
20840	CHERRYLAND DR 359-20-042	CHERRYLAND LLC 20846 DUNBAR DR CUPERTINO CA 95014-1802
0	CRANBERRY DR 362-02-048	UNION PACIFIC CORPORATION 10031 FOOTHILLS BLVD ROSEVILLE CA 95747
0	CRANBERRY DR 362-04-058	UNION PACIFIC CORPORATION 10031 FOOTHILLS BLVD ROSEVILLE CA 95747
	362-09-026	UNION PACIFIC CORPORATION 10031 FOOTHILLS BLVD ROSEVILLE CA 95747
0	362-16-037	UNION PACIFIC CORPORATION 10031 FOOTHILLS BLVD ROSEVILLE CA 95747
	362-19-033	UNION PACIFIC CORPORATION 10031 FOOTHILLS BLVD ROSEVILLE CA 95747
20652	CLEO AV 362-31-002	BURROW, BRADLEY J AND JUANITA S 20652 CLEO AV CUPERTINO CA 95014-5033
	NO SITUS 362-31-030	ALMASI, AZITA TRUSTEE & ET AL 965 LAUREL GLEN DR PALO ALTO CA 94304-1323
11841	UPLAND WY 366-03-062	VEMPATY, HYMA T AND 13304 GLEN BRAE DR SARATOGA CA 95070-4431
0	STAUFFER LN 366-09-053	UNION PACIFIC CORPORATION 10031 FOOTHILLS BLVD ROSEVILLE CA 95747
22045	REGNART RD 366-46-004	BIGLER, ROBERT A AND PUNITA P 11230 BUBB RD CUPERTINO CA 95014-4979
10375	LINDSAY AV 369-12-012	TUNG, CHARLES C 10372 ANN ARBOR AV CUPERTINO CA 95014-1664
10441	OAKVILLE AV 369-12-035	VRCELJ, MICHAEL J 10441 OAKVILLE AV CUPERTINO CA 95014-4520
879	BETTE AV 369-27-050	CHANG, JUI PO 1198 EAGLE RIDGE WAY MILPITAS CA 95035
19160	STEVENS BL 375-07-001	STEVENS CREEK L P 1400 PARKMOOR AV STE 190 SAN JOSE CA 95126-0000
18930	TILSON AV 375-09-049	LIU, ZHENG AND CHEN, AIDONG 18930 TILSON AV CUPERTINO CA 95014-3655
10200	STERN AV 375-12-002	MC GRATH, PATRICK W 0 PO BOX 2422 PALO ALTO CA 94309-2422
18880	ARATA WY 375-13-005	YI, QINGHONG AND ZHOU, JIE 18880 ARATA WY CUPERTINO CA 95014-3634

**2019 WEED ABATEMENT PROGRAM  
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Situs	APN	CITY/STATE	
18844	ARATA WY 375-13-008	DSOUZA, SANTHOSH A AND SABITHA	18844 ARATA WY CUPERTINO CA 95014-3634
10271	MENHART LN 375-15-028	YAMAMOTO, KEI AND KANG.	20730 FARGO DR CUPERTINO CA 95014-1904
10337	MENHART LN 375-15-039	HORIO, LELAND S ET AL	5878 MACADAM CT SAN JOSE CA 95123-4332
10391	MENHART LN 375-15-048	HU, YUGEN AND YINGHE	48236 ARCADIAN ST FREMONT CA 94539
10272	MENHART LN 375-17-017	BULLOCK, JOSEPH R AND STELLA E	10272 MENHART LN CUPERTINO CA 95014-3630
18770	TILSON AV 375-17-039	HOVEYDA, NILOUFAR AND JALILI,	1055 MCKINEY AVW SUNNYVALE CA 94086
10240	CALVERT DR 375-18-022	WANG, NADIA J AND XING, PEI	10240 CALVERT DR CUPERTINO CA 95014-3808
18734	LOREE AV 375-18-025	GUO, XIANZHENG AND YAN, DONG	18734 LOREE AV CUPERTINO CA 95014-3839
10361	JOHNSON AV 375-18-039	MC GRATH, PATRICK W	0 PO BOX 2422 PALO ALTO CA 94309-2422
10391	JOHNSON AV 375-18-042	LU, YING-WU	45449 LITTLE FOOT PL FREMONT CA 94539
18655	LOREE AV 375-19-008	LIANG, WAN HAR CINDY TRUSTEE	18655 LOREE AV CUPERTINO CA 95014-3837
10424	STERLING BL 375-24-003	ATTIA, MAGED A AND BEDAIR,	842 SAN PETRONIO AV SUNNYVALE CA 94085-3449
18671	PRING CT 375-25-039	HUANG, CHANG-KAI AND TSENG,	18671 PRING CT CUPERTINO CA 95014-3822
10456	JOHNSON AV 375-26-045	CHOI, IHNAEE AND CHO, SUNGJU	10456 JOHNSON AV CUPERTINO CA 95014-3814
10610	WUNDERLICH DR 375-27-019	NIE, XIAOQIONG	10610 WUNDERLICH DR CUPERTINO CA 95014-3652
10590	WUNDERLICH DR 375-27-026	CHOONG, PHILIP T AND HSIA S	27769 EDGERTON RD LOS ALTOS HILLS CA 94022-3235
10540	WUNDERLICH DR 375-27-037	ZHANG, YUAN AND CHEN, FENNA	10540 WUNDERLICH DR CUPERTINO CA 95014-3650
10740	GASCOIGNE DR 375-29-016	FAULKNER, BARBARA JEANNE ET AL	10740 GASCOIGNE DR CUPERTINO CA 95014-3846
10730	JOHNSON AV 375-31-008	LEE, YU-MING AND MING-TZUNG	10730 JOHNSON AV CUPERTINO CA 95014-3818
10801	GASCOIGNE DR 375-31-027	AGARWAL, SANJAY TRUSTEE & ET	4231 NORWALK DR EE101 SAN JOSE CA 95129
10630	CARVER DR 375-32-020	MC GRATH, PATRICK W	0 PO BOX 2422 PALO ALTO CA 94309-2422
10616	CARVER DR 375-32-021	YETTAW, JERRI L AND JACKIE A	10616 CARVER DR CUPERTINO CA 95014-3607
18870	TUGGLE AV 375-32-024	DELA CRUZ, SHERWIN PETER L	18870 TUGGLE AV CUPERTINO CA 95014-3626



**2019 WEED ABATEMENT PROGRAM  
COMMENCEMENT REPORT  
CITY OF CUPERTINO**

Situs		APN		CITY/STATE			
10657	MORENGO	DR 375-34-013	ORTIZ, ROSA F ET AL	10657 MORENGO DR	CUPERTINO	CA	95014-3513
18930	TUGGLE	AV 375-34-045	SHEN & TIAN LLC	16230 AZALEA WY	LOS GATOS	CA	95032-3622
10732	MORENGO	DR 375-35-059	ZHANG, JIANYONG AND XIAO, YAN	10732 MORENGO DR	CUPERTINO	CA	95014-3515
10627	CULBERTSON	DR 375-36-027	MC GRATH, PATRICK W	1184 VALELAKE CT	SUNNYVALE	CA	94089-2032
19200	TILSON	AV 375-40-061	LEE, JOHN C AND NGUYEN, NGOC	19200 TILSON AV	CUPERTINO	CA	95014-3529



**OFFICE OF THE CITY CLERK**

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366  
CUPERTINO.ORG

July 23, 2019

Subject: Special Assessment for Abatement of Hazardous Vegetation and/or Debris and Notice of Hearing of the Cupertino City Council

Dear Property Owner,

Your property has been placed on the Special Assessment Tax Roll for weeds, brush and/or combustible debris abatement services pursuant to Section 9.08 of the Cupertino Municipal Code. A Weed Abatement Program Assessment Report (assessment list) is enclosed.

If you have questions about being placed on the assessment list, please call (408) 282-3145 to speak with Moe Kumre, Santa Clara County Department of Agriculture and Resource Management Weed Abatement Program Manager. You may be directed to leave a voicemail however your call will be returned within three business days.

The Cupertino City Council will conduct a hearing on August 6, 2019 to hear any objections by persons having their names added to the assessment list. Council meets at 6:45 p.m. in the Community Hall Council Chamber, 10350 Torre Avenue, Cupertino (see reverse side).

Thank you,

A handwritten signature in blue ink that reads "Kirsten Squarcia".

Kirsten Squarcia  
Deputy City Clerk

cc: Santa Clara County Department of Agriculture and Resource Management

Enclosure: Weed Abatement Program Assessment Report

**NOTICE OF HEARING ON REPORT  
AND ASSESSMENT FOR WEED ABATEMENT**

NOTICE IS HEREBY GIVEN that on July 17, 2019 the County Agricultural Commissioner filed with the City Clerk a report and assessment of abatement of weeds, brush and/or combustible debris within the City, copies of which are posted near the main door of the city council chambers and located in the City Clerk's office of City Hall, 10300 Torre Avenue, Cupertino.

NOTICE IS FURTHER GIVEN that on August 6, 2019 at the hour of 6:45 p.m., or as soon as the item can be heard, in the Community Hall Council Chamber located at 10350 Torre Avenue, Cupertino, said report and assessment list will be presented for consideration and confirmation, and that any and all persons interested having any objections to said report and assessment list, or to any matter or thing contained therein, may appear at said time and place and be heard.

Dated this 23rd day of July, 2019.



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Kirsten Squarcia  
Deputy City Clerk



# CITY OF CUPERTINO

## Agenda Item

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**19-5854**

**Agenda Date: 8/6/2019**  
**Agenda #: 18.**

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Subject: Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.

Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.



## CITY MANAGER'S OFFICE

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366  
CUPERTINO.ORG

## CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

### Subject

Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.

### Recommended Action

Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.

### Background

Town Halls are intended to serve as venues for Councilmembers and the public to come together to discuss topics of interest. On June 15, 2019, the City held its first Town Hall with Vice Mayor Chao and Councilmember Willey to discuss items such as Vallco, Jollyman Park, voting areas, Lehigh Cement and Quarry, traffic/transportation, and bicycle and pedestrian trails. It is estimated that over 50 people were in attendance. Town Halls are also being planned for August and September.

### Discussion

Town Halls require flyers, comment cards, and staff time to prepare and host. Each Town Hall is scheduled to last two hours. It is anticipated that the City would host a maximum of 12 Town Halls per year. Below is a breakdown of estimated staff time and costs associated with hosting these Town Halls.

**Resource Breakdown of Town Halls**

Town Hall Resources	Est. Staff Time	Est. Cost (including staff time)	
		Weekday	Weekend
Executive Staff (8)	20 hours	\$1,943.60	Same as weekday
Video Support	9 hours	\$452.00	\$649.75
Facility Attendant	4 hours	\$60.00	Same as weekday
Comment Cards	Minimal	\$16.35	Same as weekday
Town Hall Flyer	1 hour	\$74.38	Same as weekday
<b>Total Per Event</b>	<b>34 hours</b>	<b>\$2,546.33</b>	<b>\$2,744.08</b>

<b>Total for 12 Events</b>	408 hours	\$30,555.96	\$32,928.96
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One-time costs that were incurred for the first Town Hall included the purchase of two whiteboard easels and coffee service. Since these are not expected to be recurring expenses, they were not included in the resource breakdown.

#### **Sustainability Impact**

No sustainability impact.

#### **Fiscal Impact**

Each Town Hall is estimated to cost \$2,546.33 if held on a weekday and \$2,744.08 if held on a weekend, including staff time. Annually, it is anticipated that Town Halls will cost between \$30,555.96 and \$32,928.96, including staff time. Not including staff time, it is estimated that the total cost would be about \$660 for FY 2019-20. For each event, there is the potential for lost revenue as the public would not be able to rent Community Hall while it is being used for a Town Hall. The potential lost revenue per Town Hall is \$480 if held on a weekday and \$800 if held on a weekend.

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Prepared by: Katy Nomura, Assistant to the City Manager

Reviewed by: Dianne Thompson, Interim Assistant City Manager

Approved for Submission by: Deborah Feng, City Manager

Attachments:

A – Proposed Town Hall Work Program Item for FY 2019-20

## Public Engagement and Transparency

## Proposed Town Hall Work Program Item for FY 2019-20



Project Title	Project Objective	Progress to Date	Next Steps	Timeline	Current Status	Performance Goal	Completion Date	Est. Total Budget (not including staff time)	Actual Expense to Date	Est. Total Staff Hours	Staff Lead	Department
Town Halls	Host Town Halls to serve as venues for Councilmembers and the public to come together to discuss topics of interest.	The City held its first Town Hall on June 15, 2019 with Vice Mayor Chao and Councilmember Willey to discuss items such as Valico, Jollyman Park, voting areas, Lehigh Cement and Quarry, traffic/transportation, and bicycle and pedestrian trails. Over 50 people were in attendance	To date the City has planned Town Halls for: 1) August 2) September Other Town Hall meetings will be planned throughout the year.	1) August 2019 2) September 2019	In Progress	Host a maximum of 12 Town Hall meetings per year.	June 2020	\$660	\$467.36	408	Deborah Feng	City Manager's Office



# CITY OF CUPERTINO

## Agenda Item

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**19-5643**

**Agenda Date: 8/6/2019**  
**Agenda #: 19.**

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Subject: Designate a voting delegate and up to two alternates in order to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16 - 18 in Long Beach.

Designate a voting delegate and up to two alternates in order to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16 - 18 in Long Beach.





## OFFICE OF THE CITY CLERK

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366  
CUPERTINO.ORG

### CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

#### Subject

Designate a voting delegate and up to two alternates to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16-18 in Long Beach.

#### Recommended Action

Designate a voting delegate and up to two alternates to vote at the Annual Business Meeting (General Assembly) during the League of California Annual Conference, October 16-18 in Long Beach.

#### Discussion

The League's 2019 Annual Conference is scheduled for October 16 – 18 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, October 18, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions establishing League policy.

In order to vote at the Annual Business Meeting, Council must designate a voting delegate. Council may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

#### Sustainability Impact

None

#### Fiscal Impact

Conference registration fees are \$550 through August 14 and \$600 after August 14. Additional hotel and travel expenses would be required since the conference is taking place in Long Beach.

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Prepared by: Kirsten Squarcia, Deputy City Clerk

Approved for Submission by: Deborah Feng, City Manager

Attachments:

A - Conference Information

**Council Action Advised by August 30, 2019**

June 10, 2019

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES  
League of California Cities Annual Conference – October 16 - 18, Long Beach**

The League's 2019 Annual Conference is scheduled for October 16 – 18 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, October 18, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, October 4. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, October 16, 8:00 a.m. – 6:00 p.m.; Thursday, October 17, 7:00 a.m. – 4:00 p.m.; and Friday, October 18, 7:30 a.m.–11:30 a.m.. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League's office by Friday, October 4. If you have questions, please call Darla Yacub at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form



## Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

CITY: \_\_\_\_\_

**2019 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to the League office by Friday, October 4, 2019. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

**1. VOTING DELEGATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**2. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**3. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.**

**OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Mayor or City Clerk \_\_\_\_\_  
(circle one) (signature)

Date: \_\_\_\_\_ Phone: \_\_\_\_\_

**Please complete and return by Friday, October 4, 2019**

League of California Cities  
**ATTN: Darla Yacub**  
1400 K Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

**FAX: (916) 658-8240**  
E-mail: [dyacub@cacities.org](mailto:dyacub@cacities.org)  
(916) 658-8254

[Home](#) > [Education & Events](#) > [Annual Conference](#) > [For Attendees](#) > Registration

[For Attendees](#)

[For Presenters](#)

[Conference App](#)

### **Pre-registration Deadline: October 2, 2019**

After this date, please register onsite

### **Conference Location**

The 2019 Annual Conference & Expo will be held at the Long Beach Convention Center, located downtown at 300 East Ocean Boulevard. All sessions will be held at the convention center unless otherwise noted.

### **Full Registration Includes:**

- Admission to Expo and education sessions (unless otherwise indicated)
- Wednesday host city reception; Thursday grab-and-go breakfast; Thursday lunch with exhibitors; Friday closing luncheon
- Admission to CitiPAC and Diversity Caucus Receptions
- Electronic access to all program materials

Online Registration (credit card) - [Register Now](#)

Mail-in Registration (pay by check) - contact [mdunn@cacities.org](mailto:mdunn@cacities.org) to request a registration form.

**NOTE:** Conference Registration is required to attend all conference activities including Department and Division meetings and the General Assembly.

### **Full Conference Registration Fees**

	Early Bird through August 14	After August 14 and onsite
City Delegate		
Member City	\$ 550	\$ 600
Nonmember City	\$ 1550	\$ 1600
Public Official		
State/County/Public Official	\$ 625	\$ 675
All Others	\$ 725	\$ 775

**One-Day Registration**

Early bird rates are not available for one-day registration

**City Delegate**

Member City	\$ 325
Nonmember City	\$ 1325
Public Official	
State/County/Public Official	\$ 375
All Others	\$ 425

**Optional Registration Add-ons (non-refundable)**

City Clerks Workshop (includes lunch) - \$150 member cities, \$300 non-member cities

**Guest Registration - \$125**

The guest rate is restricted to those who are not city/public officials, are not related to any Partner/Expo company, and would have no professional reason to attend for learning or business.

**Rate includes admission to the Expo and receptions only.** Session seats are reserved for conference registrants. There is no refund for the cancellation of a guest registration. It is not advisable to use city funds to register a guest.



Questions or special needs? Contact our conference registrar at

[mdunn@cacities.org](mailto:mdunn@cacities.org) before Tuesday, September 24.

**Refund Policy**

Advance registrants unable to attend will receive a refund of rate paid, **minus a \$75 processing charge**, only when a written request is submitted to the League of California Cities, Conference Registration, 1400 K Street, Sacramento, CA, 95814 or [mdunn@cacities.org](mailto:mdunn@cacities.org) and received on or before **Tuesday, September 24**. Refunds will not be available after this date. If you are unable to attend, you may substitute a colleague for your entire registration.

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# CITY OF CUPERTINO

## Agenda Item

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**19-5837**

**Agenda Date: 8/6/2019**  
**Agenda #: 20.**

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Subject: Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.

Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.





## OFFICE OF THE CITY CLERK

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366  
CUPERTINO.ORG

## CITY COUNCIL STAFF REPORT

Meeting: August 6, 2019

### Subject

Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.

### Recommended Action

Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.

### Discussion

The League of California Cities Annual Conference is Wednesday–Friday, October 16-18 in Long Beach. Changing the date of the Council meeting would accommodate Councilmembers attending the conference to arrive the night of October 15 in order to attend early sessions on the first day. The Mayor recommended canceling the Regular Meeting on Tuesday, October 15 and calling a Special Meeting for Monday, October 14 instead.

### Sustainability Impact

No sustainability impact.

### Fiscal Impact

Traveling to the conference on October 15 would add an estimated additional \$250 for hotel cost but would allow Councilmembers to attend all of the Wednesday morning sessions.

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Prepared by: Grace Schmidt, City Clerk

Approved for Submission by: Deborah Feng, City Manager

Attachments: None

**State of California**

**GOVERNMENT CODE**

**Section 65913.4**

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65913.4. (a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and is not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

(1) The development is a multifamily housing development that contains two or more residential units.

(2) The development is located on a site that satisfies all of the following:

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

(C) A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.

(3) (A) The development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower income housing units required pursuant to subparagraph (B) of paragraph (4) shall remain available at affordable housing costs or rent to persons and families of lower income for no less than the following periods of time:

(i) Fifty-five years for units that are rented.

(ii) Forty-five years for units that are owned.

(B) The city or county shall require the recording of covenants or restrictions implementing this paragraph for each parcel or unit of real property included in the development.

(4) The development satisfies both of the following:

(A) Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department's determination for the next reporting period.

(B) The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:

(i) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing issued building permits than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that local ordinance applies.

(ii) The locality's latest production report reflects that there were fewer units of housing issued building permits affordable to either very low income or low-income households by income category than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that local ordinance applies.

(iii) The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to both income levels described in clauses (i) and (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).

(5) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any

specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

(C) The amendments to this subdivision made by the act adding this subparagraph do not constitute a change in, but are declaratory of, existing law.

(6) The development is not located on a site that is any of the following:

(A) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(C) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(G) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny

the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.

(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(H) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.

(I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(K) Lands under conservation easement.

(7) The development is not located on a site where any of the following apply:

(A) The development would require the demolition of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) Housing that has been occupied by tenants within the past 10 years.

(B) The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.

(C) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(D) The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

(8) The development proponent has done both of the following, as applicable:

(A) Certified to the locality that either of the following is true, as applicable:

(i) The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(ii) If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.

(IV) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(V) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has

the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(VI) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(B) (i) For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:

(I) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(II) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(III) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(IV) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(V) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(ii) For purposes of this section, “skilled and trained workforce” has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(iii) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

(I) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.

(III) Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(C) Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:

(i) The project includes 10 or fewer units.

(ii) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(9) The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:

(A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).

(B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

(10) The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational



Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

(b) (1) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards specified in subdivision (a), it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, as follows:

(A) Within 60 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the objective planning standards specified in subdivision (a).

(c) (1) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(A) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the development is consistent with the requirements of subparagraph (A) or (B) of paragraph (9) of subdivision (a) and is consistent with all objective subdivision standards in the local subdivision ordinance, an application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and shall be subject to the public oversight timelines set forth in paragraph (1).

(d) (1) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing automobile parking requirements in multifamily developments, shall not impose automobile parking standards for a streamlined

development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

(2) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose automobile parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.

(e) (1) If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire if the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making below 80 percent of the area median income.

(2) If a local government approves a development pursuant to this section and the project does not include 50 percent of the units affordable to households making below 80 percent of the area median income, that approval shall automatically expire after three years except that a project may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.

(3) If a local government approves a development pursuant to this section, that approval shall remain valid for three years from the date of the final action establishing that approval and shall remain valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Additionally, the development proponent may request, and the local government shall have discretion to grant, an additional one-year extension to the original three-year period. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.

(f) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval pursuant to this section.

(g) This section shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including the provisions of subdivision (i) of Section 65583.2.

(h) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to actions taken by a state agency or local government to lease, convey, or encumber land owned by the local government or to facilitate the lease, conveyance, or encumbrance of land owned by the local government, or to provide financial assistance to a development that

receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code.

(i) For purposes of this section, the following terms have the following meanings:

(1) “Affordable housing cost” has the same meaning as set forth in Section 50052.5 of the Health and Safety Code.

(2) “Affordable rent” has the same meaning as set forth in Section 50053 of the Health and Safety Code.

(3) “Department” means the Department of Housing and Community Development.

(4) “Development proponent” means the developer who submits an application for streamlined approval pursuant to this section.

(5) “Completed entitlements” means a housing development which has received all the required land use approvals or entitlements necessary for the issuance of a building permit.

(6) “Locality” or “local government” means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.

(7) “Production report” means the information reported pursuant to subparagraph (H) of paragraph (2) of subdivision (a) of Section 65400.

(8) “State agency” includes every state office, officer, department, division, bureau, board, and commission, but does not include the California State University or the University of California.

(9) “Subsidized” means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code.

(10) “Reporting period” means either of the following:

(A) The first half of the regional housing needs assessment cycle.

(B) The last half of the regional housing needs assessment cycle.

(11) “Urban uses” means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

(j) The department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(k) The determination of whether an application for a development is subject to the streamlined ministerial approval process provided by subdivision (b) is not a “project” as defined in Section 21065 of the Public Resources Code.

(l) It is the policy of the state that this section be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply.

(m) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended by Stats. 2018, Ch. 840, Sec. 2. (SB 765) Effective January 1, 2019. Repealed as of January 1, 2026, by its own provisions. )