

## **RESOLUTION NO. 16-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO DIRECTING CITY STAFF TO PREPARE A REPORT ON THE EFFECTS OF THE PROPOSED INITIATIVE ENTITLED "INITIATIVE ADOPTING THE VALLCO TOWN CENTER SPECIFIC PLAN TO (1) PROVIDE THAT THE VALLCO SHOPPING DISTRICT SPECIAL AREA ("AREA") CONTAINS A MIXTURE OF RESIDENTIAL, OFFICE, RETAIL, CIVIC AND EDUCATION USES; (2) REQUIRE ANY DEVELOPMENT TO FUND OR PROVIDE COMMUNITY BENEFITS SUCH AS TRANSIT, SCHOOLS, A GREEN ROOF, AND RECYCLED WATER; AND (3) GRANT THE PROPERTY OWNER INITIAL ENTITLEMENTS TO DEVELOP IN ACCORDANCE WITH THE INITIATIVE AND ESTABLISH A PROCESS FOR FUTURE APPROVALS; AND MAKING RELATED AMENDMENTS TO CUPERTINO'S GENERAL PLAN AND MUNICIPAL CODE" AND TO APPROPRIATE FUNDS FOR THE PREPARATION OF THE REPORT**

WHEREAS, on March 3, 2016, Vicky Tsai and Judy Wilson submitted to the City Clerk a Notice of Intent to circulate an initiative petition ("Vallco Initiative") and a request for the City Attorney to prepare the official ballot title and summary; and

WHEREAS, on March 18, 2016, the City Attorney prepared the Title and Summary for the Vallco Initiative and provided it to the proponents; and

WHEREAS, Elections Code section 9212 authorizes the City Council to direct City staff to prepare a report on the impacts of the Initiative, including seven specified types of impacts as well as on "any other matter" that the City Council requests to be included in the report; and

WHEREAS, the City Council has determined that such a report would provide valuable information about the Vallco Initiative to the Council and to all interested residents of the City; and

WHEREAS, the preparation of an Elections Code section 9212 report is not a project under provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines (collectively, "CEQA"), in that this is administrative action which does not involve a direct or reasonably foreseeable indirect impact on the physical environment; and;

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council directs City staff to :

a. Prepare a Report on the effects of the Vallco Initiative pursuant to Elections Code section 9212, addressing each of the impacts specified in subsection (a)(1)-(7) of that section, to the extent applicable, as well as any other items identified by the City Council, including comparison to other pending initiatives; and

b. Retain, at the direction of the City Manager, any consultants that the City Manager determines are necessary to complete the Report, in an amount not to exceed \$180,000.00; and

c. Present the Report to the City Council no later than the latest date authorized by Elections Code section 9212(b); and

2. The City of Cupertino's Operating Budget for the Fiscal Year 2015/2016 is hereby amended to appropriate \$180,000.00 for the preparation of the Report.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Cupertino this 31st day of March, 2016, by the following vote:

Vote                      Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

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Grace Schmidt, City Clerk

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Barry Chang, Mayor, City of Cupertino