

Appendix 4

City Council of Cupertino
Resolution No. 16-009

RESOLUTION NO. 16-009

**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 AMENDING CUPERTINO'S
GENERAL PLAN TO LIMIT REDEVELOPMENT OF THE VALLCO SHOPPING
DISTRICT, LIMIT BUILDING HEIGHTS AND LOT COVERAGES IN AREAS
THROUGHOUT THE CITY, ESTABLISH NEW SETBACKS AND BUILDING
PLANES ON MAJOR THOROUGHFARES, AND REQUIRE VOTER APPROVAL
FOR ANY CHANGES TO THESE PROVISIONS" AND TO APPROPRIATE FUNDS
FOR THE PREPARATION OF THE REPORT**

WHEREAS, on November 24, 2015, the Cupertino Residents for Sensible Zoning Action Committee submitted to the City Clerk a Notice of Intent to circulate an initiative petition ("Initiative") and a request for the City Attorney to prepare the official ballot title and summary; and

WHEREAS, the City Attorney thereafter prepared the official title and summary for the Initiative and provided it to the Initiative 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 Initiative to the Council and to all interested residents of the City; and

WHEREAS, this 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 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; 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 \$155,000.00; 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 \$155,000.00 for the preparation of the Report.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 19th date of January, 2016, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
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AYES:	Chang, Vaidhyanathan, Paul, Sinks, Wong
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NOES:	None
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ABSENT:	None
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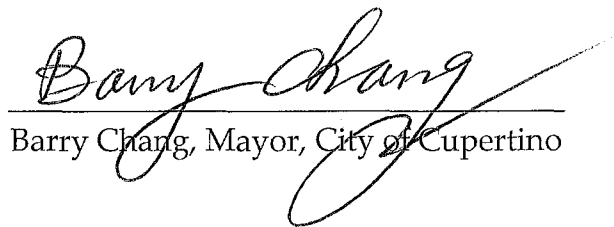
ABSTAIN:	None
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ATTEST:

APPROVED:



Grace Schmidt, City Clerk



Barry Chang, Mayor, City of Cupertino