

## **RESOLUTION NO. 19-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO REPEALING RESOLUTION NO. 18-086 ADOPTING THE VALLCO TOWN CENTER SPECIFIC PLAN**

WHEREAS, on September 19, 2018, the City Council adopted Resolution No. 18-086 adopting The Vallco Town Center Specific Plan, as shown in Exhibit SPA-1, and as amended by the errata shown in Exhibit SPA-2, to Resolution No. 18-086; and

WHEREAS, on October 29, 2018, proponents filed a referendum petition with the Cupertino City Clerk's Office against Resolution No. 18-086; and

WHEREAS, on October 30, 2018 the Clerk's Office performed a prima facie signature count on the petition against Resolution No. 18-086 pursuant to California Elections Code Sections 9239 and 9210, as well as checking the petition form pursuant to Elections Code Section 9238; and

WHEREAS, the prima facie signature count on the petition against Resolution No. 18-086 equaled or exceeded the minimum number of signatures required; and

WHEREAS, on October 30, 2018, the Clerk's Office accepted the petition against Resolution No. 18-086 for filing and subsequently transferred the petition to the Santa Clara County Registrar of Voters Office for signature verification; and

WHEREAS, the Registrar's Office validated the signatures on the petition against Resolution No. 18-086, using 100% signature verification, and determined that the petition against Resolution No. 18-086 had sufficient signatures; and

WHEREAS, on December 18, 2018, the City Council received the City Clerk's Certification of Sufficiency for the petition against Resolution No. 18-086 and directed staff to bring back options for the Council to take as required by California Elections Code Section 9241; and

WHEREAS, those options include: (1) repealing Resolution No. 18-086; or (2) submitting Resolution No. 18-086 to the voters, either at the next regular municipal election occurring not less than 88 days after the City Council's order, or at a special election called for the purpose not less than 88 days after the City Council's order; and

WHEREAS, the City Council wishes to choose the option to repeal Resolution No. 18-086 which adopted The Vallco Town Center Specific Plan as shown in Exhibit SPA-1, as amended by the errata shown in Exhibit SPA-2.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby repeal Resolution No. 18-086 adopting The Vallco Town Center Specific Plan, as shown in Exhibit SPA-1, and as amended by the errata shown in Exhibit SPA-2, to Resolution No. 18-086.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 7th day of May 2019, by the following vote.

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

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

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Grace Schmidt, City Clerk

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Steven Scharf, Mayor,  
City of Cupertino