



**DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, August 4, 2015**

REGULAR CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

At 6:45 p.m. Mayor Rod Sinks called the Regular City Council meeting to order in Cupertino Community Hall Council Chambers, 10350 Torre Avenue and led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Rod Sinks, Vice Mayor Barry Chang, and Council members Darcy Paul, and Savita Vaidhyanathan. Absent: Gilbert Wong.

CEREMONIAL MATTERS AND PRESENTATION

1. Subject: a. Presentation from Midpeninsula Regional Open Space District Board member Yoriko Kishimoto regarding Midpen's Open Space Vision Plan; and b. Present proclamation to Midpeninsula Open Space District
Recommended Action: Receive presentation and present proclamation

Written communications for this item included a PowerPoint presentation and Vision Plan Summary brochures.

Ward 2 District Director Yoriko Kishimoto and District General Manager Steve Abbors from MidPeninsula Regional Open Space District made a presentation regarding MidPen's Open Space Vision Plan via a PowerPoint presentation. Council received the presentation.

Mayor Sinks presented a proclamation to the MidPeninsula Open Space District.

POSTPONEMENTS - None

ORAL COMMUNICATIONS - None

CONSENT CALENDAR

Sinks moved and Chang seconded to approve the items on the Consent Calendar as presented with the exception of item numbers 8-11 which were pulled for discussion. Ayes: Sinks, Chang, Paul, and Vaidhyanathan. Noes: None. Abstain: None. Absent: Wong.

2. Subject: Approve the June 30 City Council minutes
Recommended Action: Approve the minutes
3. Subject: Approve the July 7 City Council minutes
Recommended Action: Approve the minutes
4. Subject: Accept Accounts Payable for the period ending June 12, 2015.
Recommended Action: Adopt Resolution No. 15-062 accepting Accounts Payable for the period ending June 12, 2015.
5. Subject: Accept Accounts Payable for the period ending June 19, 2015
Recommended Action: Adopt Resolution No. 15-063 accepting Accounts Payable for the period ending June 19, 2015
6. Subject: Accept Accounts Payable for the period ending June 26, 2015
Recommended Action: Adopt Resolution No. 15-064 accepting Accounts Payable for the period ending June 26, 2015
7. Subject: Accept Accounts Payable for the period ending July 2, 2015
Recommended Action: Adopt Resolution No. 15-065 accepting Accounts Payable for the period ending July 2, 2015
8. Subject: A resolution supporting the "No Traffick Ahead" Campaign taking a stand against human trafficking in the Bay Area
Recommended Action: Adopt Resolution No. 15-066 supporting the "No Traffick Ahead" Campaign taking a stand against human trafficking in the Bay Area before the 2016 Super Bowl and beyond

Sinks moved and Vaidhyanathan seconded to adopt Resolution No. 15-066 supporting the "No Traffick Ahead" Campaign taking a stand against human trafficking in the Bay Area before the 2016 Super Bowl and beyond. The motion carried with Wong absent.

Mayor Sinks recused himself from voting on item numbers 9 and 10 and left the dais. Vice Mayor Chang took over as Chair.

9. Subject: Amendment #1 to the professional services contract with 4Leaf, Inc., for plan review services for the Apple Campus 2 parking garage project
Recommended Action: 1. Authorize the City Manager to execute Amendment #1 with 4Leaf, Inc., for plan review services for the Apple Campus 2 parking garage project and adding \$95,000 to the original contract of \$374,744, for a total amount not to exceed \$469,744 and; 2. Authorize the City Manager to execute contract amendments to the extent that the costs are recovered from the project applicant

Staff answered questions from Council.

Paul moved and Vaidhyanathan seconded to 1. Authorize the City Manager to execute Amendment #1 with 4Leaf, Inc., for plan review services for the Apple Campus 2 parking garage project and adding \$95,000 to the original contract of \$374,744, for a total amount not to exceed \$469,744 and; 2. Authorize the City Manager to execute contract amendments to the extent that the costs are recovered from the project applicant. The motion carried with Sinks recusing and Wong absent.

10. Subject: Professional services agreement with 4Leaf, Inc., for building inspection services for the Apple Campus 2 Phase 2 project
Recommended Action: 1. Authorize the City Manager to execute a professional services agreement with 4Leaf, Inc., to provide building inspection services for the Apple Campus 2 Phase 2 project in the amount not to exceed \$469,744 and; 2. Authorize the City Manager to execute contract amendments to the extent that the costs are recovered from the project applicant

Staff answered questions from Council.

Paul moved and Vaidhyanathan seconded to 1. Authorize the City Manager to execute a professional services agreement with 4Leaf, Inc., to provide building inspection services for the Apple Campus 2 Phase 2 project in the amount not to exceed \$469,744 and; 2. Authorize the City Manager to execute contract amendments to the extent that the costs are recovered from the project applicant. The motion carried with Sinks recusing and Wong absent.

Mayor Sinks returned to the dais.

11. Subject: Amendment to the professional services contract with 4Leaf, Inc., for plan review services for the Main Street project
Recommended Action: 1. Authorize the City Manager to execute Amendment #2 with 4Leaf, Inc. for plan review services for the Main Street project, extending the date of the contract to June 30, 2016; and 2. Authorize the City Manager to execute contract amendments to the extent that the costs are recovered from the project applicant

Staff answered questions from Council.

Vaidhyanathan moved and Chang seconded to 1. Authorize the City Manager to execute Amendment #2 with 4Leaf, Inc. for plan review services for the Main Street project, extending the date of the contract to June 30, 2016; and 2. Authorize the City Manager to execute contract amendments to the extent that the costs are recovered from the project applicant. The motion carried with Wong absent.

12. Subject: Application for Alcoholic Beverage License for Mod Pizza, 10815 North Wolfe Road, Suite 106
Recommended Action: Recommend approval of the Alcoholic Beverage License to the California Department of Alcoholic Beverage Control for Mod Pizza, 10815 North Wolfe Road, Suite 106
13. Subject: Application for Alcoholic Beverage License for 1000 Degrees Pizzeria, 20674 Homestead Road
Recommended Action: Recommend approval of the Alcoholic Beverage License to the California Department of Alcoholic Beverage Control for 1000 Degrees Pizzeria, 20674 Homestead Road
14. Subject: Application for Alcoholic Beverage License for Rubio's Fresh Mexican Grill, 20688 Stevens Creek Boulevard
Recommended Action: Recommend approval of the Alcoholic Beverage License to the California Department of Alcoholic Beverage Control for Rubio's Fresh Mexican Grill, 20688 Stevens Creek Boulevard

SECOND READING OF ORDINANCES

15. Subject: An ordinance amending Title 2 of the Cupertino Municipal Code to add Chapter 2.94 establishing the Sustainability Commission.
Recommended Action: Conduct the second reading and enact Ordinance No. 15-2132: "An Ordinance of the City Council of the City of Cupertino amending Title 2 of the

Cupertino Municipal Code to Add Chapter 2.94 establishing the Sustainability Commission.”

Staff answered questions from Council.

City Clerk Grace Schmidt read the title of the ordinance.

Paul moved and Chang seconded to read Ordinance No. 15-2132 by title only and that the City Clerk’s reading would constitute the second reading thereof. Ayes: Sinks, Chang, Paul, and Vaidhyanathan. Noes: None. Abstain: None. Absent: Wong.

Paul moved and Chang seconded to enact Ordinance No. 15-2132. Ayes: Sinks, Chang, Paul, and Vaidhyanathan. Noes: None. Abstain: None. Absent: Wong.

PUBLIC HEARINGS - None

ORDINANCES AND ACTION ITEMS

16. Subject: Hearing to approve assessment of fees on private parcels for the annual weed abatement program
Recommended Action: Conduct hearing and adopt Resolution No. 15-067 approving the assessment of fees on private parcels for the annual weed abatement program

City Clerk Grace reviewed the staff report.

County Weed Abatement Coordinator Moe Kumre answered questions from Council.

The following individuals spoke on this item:

Siamak Hashemi
William Li

Chang moved and Vaidhyanathan seconded to adopt Resolution No. 15-067 approving the assessment of fees on private parcels for the annual weed abatement program. The motion carried with Wong absent.

REPORTS BY COUNCIL AND STAFF

17. Subject: Report on Committee assignments and general comments

Recommended Action: Report on Committee assignments and general comments

Council members highlighted the activities of their committees and various community events.

ADJOURNMENT

At 8:25 p.m., Mayor Sinks adjourned the meeting to a Special Meeting Closed Session on Friday, August 7, 2015 beginning at 10:00 a.m., Cupertino City Hall Conference Room A. Note: The next regular meeting will be August 18.

Grace Schmidt, City Clerk

Staff reports, backup materials, and items distributed at the City Council meeting are available for review at the City Clerk's Office, 777-3223, and also on the Internet at www.cupertino.org. Click on Agendas & Minutes, then click on the appropriate Packet.

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