



**APPROVED MINUTES
CUPERTINO CITY COUNCIL
Tuesday, March 7, 2017**

SPECIAL CITY COUNCIL MEETING

ROLL CALL

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

Present: Mayor Savita Vaidhyanathan, Vice Mayor Darcy Paul, and Councilmembers Barry Chang (6:25 p.m.), Steven Scharf and Rod Sinks. Absent: None.

STUDY SESSION

1. Subject: City Work Program for fiscal year 2017-2018
Recommended Action: Review and provide direction on the fiscal year 2017-2018 City Work Program

Written communications for this item included emails to Council.

City Manager David Brandt introduced the Work Program document and the new format structure.

Staff answered questions from Council regarding the Work Program and Council asked staff to follow-up the following items:

- Teen Incubator Program in Work Program should say on-going
- Godbe questions should be more general (Council to see questions ahead of time)
- Bring back ordinance requiring artwork in public and private developments to include fine for violation of Conditions of Approval
- Park Master Plan Community outreach
- Tour EOC Service Center Annex with members of Disaster Council
- Look into an "Open House" for Lawrence-Mitty Park site for neighbors
- Look again at Peak Democracy

- Ask Public Safety Commission to look at issue of asking commercial gun sellers to secure their guns
- Ask Parks and Recreation Commission to be involved in assessment of Lawrence-Mitty Park site
- Look at more ambitious plan to refurbish City Hall and allow more community space like a theater
- Transit plan - Engage with other cities regarding a ballot measure regarding traffic
- Create a ride sharing network for school kids, find out interest from schools, work in parallel with what VTA is doing
- High speed fiber services and staff find out status of Comcast and AT&T in Cupertino
- Add Civic Center Plan to Work Program, look into solar tiling roofs and separate Library expansion from Civic Center Plan
- Ride sharing (ask Silicon Valley Leadership Group and Minh Lee for contacts of companies)
- Process for non-profits other than Rotary to apply regarding Stockmeir
- Community swimming pool study
- Visit OpenGov Headquarters
- Vallco development as community-centered process (Council review facilitator, facilitator would conduct interviews, include stakeholders and residents on both sides of C and D)

Jennifer Griffin talked about the Lawrence-Mitty Park and Stockmeir House.

ADJOURNMENT

At 7:05 p.m. Mayor Savita Vaidhyanathan called the Regular City Council meeting to order in Cupertino Community Hall Council Chambers, 10350 Torre Avenue.

REGULAR CITY COUNCIL MEETING

ROLL CALL

Present: Mayor Savita Vaidhyanathan, and Councilmembers Barry Chang, Steven Scharf and Rod Sinks. Absent: Vice Mayor Darcy Paul.

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation for March as Women's History Month
Recommended Action: Present Proclamation for March as Women's History Month

Mayor Vaidhyanathan presented the proclamation to Roberta Hollimon, President of League of Women Voters Cupertino-Sunnyvale.

2. Subject: Proclamation for March as Arts Education Month
Recommended Action: Present Proclamation for March as Arts Education Month

Mayor Vaidhyanathan presented the proclamation to Jeannine Flores, Visual and Performing Arts Coordinator at the Santa Clara County Office of Education.

3. Subject: Proclamation for March as American Red Cross Month
Recommended Action: Present Proclamation for March as American Red Cross Month

Mayor Vaidhyanathan presented the proclamation to Stuart Chessen, Disaster Team Lead at the American Red Cross - Silicon Valley Chapter.

POSTPONEMENTS - None**ORAL COMMUNICATIONS**

Raphael Vallagrasio talked about revitalizing Vallco Mall.

Jim Walker talked about Cupertino past, present and future and thanked Councilmembers for their efforts.

Muni Madhhipatla talked about pedestrian crossing safety on McClellan Road.

Jim Moore talked about increasingly dangerous traffic during commute hours and new Vallco development in Cupertino. He distributed written comments.

Danessa Techmanski talked about the process for a Citizen's Advisory Committee regarding revitalization of Vallco.

Luke Lang talked about start-up incubator work space benefit for Cupertino.

Lisa Warren talked about the process for forming a Citizen's Advisory Committee and not just focusing on Vallco.

CONSENT CALENDAR

Sinks moved and Chang seconded to approve the items on the Consent Calendar as presented except for item numbers 12 and 14 which were pulled for discussion. Ayes: Vaidhyathan, Paul, Chang, Scharf and Sinks. Noes: None. Abstain: None. Absent: None.

4. Subject: Approve the February 21 City Council minutes
 Recommended Action: Approve the February 21 City Council minutes
5. Subject: Accept Accounts Payable for the period ending January 6, 2017
 Recommended Action: Adopt Resolution No. 17-021 accepting Accounts payable for the period ending January 6, 2017
6. Subject: Accept Accounts Payable for the period ending January 13, 2017
 Recommended Action: Adopt Resolution No. 17-022 accepting Accounts Payable for the period ending January 13, 2017
7. Subject: Accept Accounts Payable for the period ending January 20, 2017
 Recommended Action: Adopt Resolution No. 17-023 accepting Accounts Payable for the period ending January 20, 2017
8. Subject: Accept Accounts Payable for the period ending January 27, 2017
 Recommended Action: Adopt Resolution No. 17-024 accepting Accounts Payable for the period ending January 27, 2017
9. Subject: Accept Accounts Payable for the period ending February 3, 2017
 Recommended Action: Adopt Resolution No. 17-025 accepting Accounts Payable for the period ending February 3, 2017
10. Subject: Accept Accounts Payable for the period ending February 10, 2017
 Recommended Action: Adopt Resolution No. 17-026 accepting Accounts Payable for the period ending February 10, 2017
11. Subject: Treasurer's Investment Report for Quarter ending December 31, 2016
 Recommended Action: Accept the Treasurer's Investment Report for Quarter ending December 31, 2016

12. Subject: State Senate bills supporting affordable housing
Recommended Action: Adopt a position of support on Senate Bill 2 (Atkins): Building Homes and Jobs Act and SB 3 (Beall): Affordable Housing Bond Act of 2018, and authorize the Mayor to send letters in support of these bills

Jennifer Griffin spoke on this item.

Sinks moved and Chang seconded to Adopt a position of support on Senate Bill 2 (Atkins): Building Homes and Jobs Act and SB 3 (Beall): Affordable Housing Bond Act of 2018, and authorize the Mayor to send letters in support of these bills. The motion carried with Scharf and Paul voting no.

13. Subject: Response to Santa Clara County Civil Grand Jury Follow-Up Request
Recommended Action: Review the request and authorize the City Manager to sign the proposed response

14. Subject: Set application deadline and interview date(s) for terms expiring on the Teen Commission
Recommended Action: Staff recommends the following deadlines: 1.) Applications due in the City Clerk's office by 4:30 p.m. on Friday, May 5; and 2.) Interviews held beginning at 3:30 p.m. on Tuesday, May 23 and Wednesday, May 24 (as needed)

Vaidhyanathan moved and Chang seconded to approve the following deadlines: 1.) Applications due in the City Clerk's office by 4:30 p.m. on Friday, May 5; and 2.) Interviews held beginning at 3:30 p.m. on Tuesday, May 23 and Wednesday, May 24 (as needed) and directed staff to also include in the recruitment information that Council will be appointing at least two alternates in addition to the regular vacancies during the interview process. The motion carried unanimously.

15. Subject: Application for Alcohol Beverage License for JK Bay Area, Inc (dba Round Table Pizza), 20080 Stevens Creek Blvd, Suite 106
Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for JK Bay Area, Inc (dba Round Table Pizza), 20080 Stevens Creek Blvd, Suite 106

SECOND READING OF ORDINANCES - None

PUBLIC HEARINGS

16. Subject: Review and consider a development proposal submitted (Scandinavian Furniture Site), for consideration by the City Council, to authorize the proposed applicant to submit an application for a General Plan Amendment and staff to commence environmental and project review. (Application No.: GPAAAuth-2016-01; Applicant: Kings Mill Group, Keith Fichtner; Location: 19900 Stevens Creek Boulevard; APN: 369-05-038). *Postponed from the February 21, 2017 meeting*
Recommended Action: Staff recommends that the City Council adopt the Resolution No. 17-020 (Attachment A) after determining whether the application is authorized to move forward to apply for a General Plan Amendment.

Written communications for this item included a staff PowerPoint presentation.

Associate Planner Gian Martire reviewed the staff report via a PowerPoint presentation.

Staff answered questions from Council.

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

Jennifer Griffin
Jean Livingston
Luke Lang

Mayor Vaidhyanathan closed the public hearing.

Staff answered questions from Council.

Applicant Keith Fichtner reviewed the project and answered questions from Council.

Sinks moved and Vaidhyanathan seconded to adopt Resolution No. 17-020 denying the project to move forward in the General Plan Application process. The motion carried unanimously.

ORDINANCES AND ACTION ITEMS

17. Subject: Approval of the Mid-Year Financial Report and recommended budget adjustments for Fiscal Year 2016-17

Recommended Action: 1. Accept the City Manager's Mid-Year Financial Report for FY 2016-17 2. Approve the Mid-Year adjustments for FY 2016-17 as described in the Mid-Year Financial Report 3. Adopt Resolution No. 17-027 approving Mid-Year budget adjustments

Written communications for this item included a staff PowerPoint presentation.

Director of Administrative Services Kristina Alfaro and Senior Management Analyst Karen Guerin reviewed the staff report via a PowerPoint presentation.

Staff answered questions from Council.

Sinks moved and Chang seconded to 1. Accept the City Manager's Mid-Year Financial Report for FY 2016-17 2. Approve the Mid-Year adjustments for FY 2016-17 as described in the Mid-Year Financial Report 3. Adopt Resolution No. 17-027 approving Mid-Year budget adjustments. The motion carried unanimously.

18. Subject: Regnart Road Emergency Work Declaration, Authorization for the City Manager to Negotiate and Execute a Contract for the Repair Work and Designate the City Manager to apply for Federal and State Disaster Assistance
Recommended Action: Staff recommends that Council Adopt Resolution 17-028 to: 1. Declare the repairs necessary to restore Regnart Road as Emergency Work, per Cupertino Municipal Code Section 3.23.130 and Public Contract Code Section 22050, and award a contract without public bidding; 2. Authorize the City Manager to negotiate and execute a contract to perform the repairs in an amount not to exceed \$350,000; and 3. Designate the City Manager to be authorized to apply for Federal and State disaster assistance for storm related damages, if available 4. Approve a budget adjustment in the amount of \$350,000 to the Transportation Fund 270-85-821 900-990

Director of Public Works Timm Borden reviewed the staff report.

Sinks moved and Chang seconded to Adopt Resolution 17-028 to: 1. Declare the repairs necessary to restore Regnart Road as Emergency Work, per Cupertino Municipal Code Section 3.23.130 and Public Contract Code Section 22050, and award a contract without public bidding; 2. Authorize the City Manager to negotiate and execute a contract to perform the repairs in an amount not to exceed \$350,000; and 3. Designate the City Manager to be authorized to apply for Federal and State disaster assistance for storm related damages, if available 4. Approve a budget adjustment in the amount of

\$350,000 to the Transportation Fund 270-85-821 900-990. The motion carried unanimously.

REPORTS BY COUNCIL AND STAFF

19. 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.

Council concurred to adjourn a future meeting in honor of Tommy Shwe.

ADJOURNMENT

20. Subject: Adjourn the meeting in memory of Srinivas Kuchibhotla who was recently killed in Kansas

At 10:32 p.m., Mayor Vaidhyanathan adjourned the meeting in memory of Srinivas Kuchibhotla who was recently killed in Kansas.

/s/Grace Schmidt
Grace Schmidt, City Clerk