



**APPROVED MINUTES
CUPERTINO CITY COUNCIL
Tuesday, September 5, 2017**

SPECIAL CITY COUNCIL MEETING

At 5:15 p.m. Mayor Savita Vaidhyanathan called the Special City Council meeting to order in the City Hall Conference Room A, 10300 Torre Avenue.

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

Council went into closed session and reconvened in open session at 6:45 p.m. in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue for the Regular Meeting.

CLOSED SESSION

1. Subject: Conference with Legal Counsel-Existing Litigation pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. Name of case: City of Saratoga; City of Cupertino; Town of Los Gatos v. California Department of Transportation, et al., Santa Clara County Superior Court Case No. 115CV281214

Mayor Vaidhyanathan announced that Council gave direction to staff.

2. Subject: Conference with Legal Counsel - Anticipated Litigation Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9 – one potential case

Mayor Vaidhyanathan announced that Council gave direction to staff.

REGULAR CITY COUNCIL MEETING

ROLL CALL

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

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

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation designating September as Prostate Cancer Awareness month
Recommended Action: Present Proclamation designating September as Prostate Cancer Awareness month

Mayor Vaidhyathan read an excerpt from the proclamation and noted that the proclamation would be mailed to Walt D'Ardenne since he was unable to attend the meeting.

2. Subject: Presentation from Monta Vista High School AP science teacher Kavita Gupta regarding her recent participation in the National Geographic Grosvenor Teaching Fellowship program in the Galapagos
Recommended Action: Receive presentation

Kavita Gupta gave a presentation.

Council received the presentation from Monta Vista High School AP science teacher Kavita Gupta regarding her recent participation in the National Geographic Grosvenor Teaching Fellowship program in the Galapagos.

3. Subject: Presentation from Monta Vista High School AP science teachers Kavita Gupta and Emily Fitzgerald regarding a proximity sensor for people with disabilities
Recommended Action: Receive presentation from Monta Vista High School AP science teachers Kavita Gupta and Emily Fitzgerald regarding a proximity sensor for people with disabilities

Kavita Gupta, Emily Fitzgerald, and some of their students gave a presentation.

Council received the presentation from Monta Vista High School AP science teachers Kavita Gupta and Emily Fitzgerald regarding a proximity sensor for people with disabilities.

Council concurred to write a letter in support of a grant application for the students on behalf of the Mayor.

POSTPONEMENTS - None**ORAL COMMUNICATIONS - None****CONSENT CALENDAR**

Sinks moved and Paul seconded to approve the items on the Consent Calendar as presented. Ayes: Vaidhyanathan, Paul, Chang, Scharf and Sinks. Noes: None. Abstain: None. Absent: None.

4. Subject: Approve the August 15 City Council minutes
 Recommended Action: Approve the August 15 City Council minutes
5. Subject: Accept Accounts Payable for the period ending June 30, 2017
 Recommended Action: Adopt Resolution No. 17-082 accepting Accounts Payable for the period ending June 30, 2017
6. Subject: Accept Accounts Payable for the period ending July 7, 2017
 Recommended Action: Adopt Resolution No. 17-083 accepting Accounts Payable for the period ending July 7, 2017
7. Subject: Accept Accounts Payable for the period ending July 14, 2017
 Recommended Action: Adopt Resolution No. 17-084 accepting Accounts Payable for the period ending July 14, 2017
8. Subject: Accept Accounts Payable for the period ending July 21, 2017
 Recommended Action: Adopt Resolution No. 17-085 accepting Accounts Payable for the period ending July 21, 2017
9. Subject: Accept Accounts Payable for the period ending July 28, 2017
 Recommended Action: Adopt Resolution No. 17-086 accepting Accounts Payable for the period ending July 28, 2017
10. Subject: Accept Accounts Payable for the period ending August 4, 2017
 Recommended Action: Adopt Resolution No. 17-087 accepting Accounts Payable for the period ending August 4, 2017
11. Subject: Resolution amending City's Records Retention Schedule and authorizing the destruction of records

Recommended Action: Adopt Resolution No. 17-088 rescinding Resolution No. 13-094 adopting an amended Records Retention Schedule for the City of Cupertino and authorizing the destruction of records

12. Subject: Amend 2017-18 Adopted Budget to specify streets to be maintained using the Road Maintenance and Rehabilitation Account created by Senate Bill 1
Recommended Action: Adopt Resolution No. 17-089 amending the City's adopted budget for fiscal year 2017-18 to incorporate a list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues
13. Subject: City's Agreed Upon Procedures with Outside Auditors for Gann Limit and Investments
Recommended Action: Authorize City Manager to sign on behalf of the City Council the Agreed Upon Procedures with Outside Auditors for Gann Limit and Investments
14. Subject: Update to Treasurer's Investment Report for Quarter Ending June 2017 approved by Council on August 1, 2017
Recommended Action: Accept the updated report

SECOND READING OF ORDINANCES - None

PUBLIC HEARINGS

15. Subject: General Plan and Zoning Amendment to make minor corrections to the Land Use and Zoning maps. Application No(s): GPA-2017-01, Z-2017-01; Applicant(s): City of Cupertino; Location: Citywide
Recommended Action: 1. Find that the project is exempt from CEQA; 2. Adopt Resolution No. 17-090 "Amending The General Plan Land Use Map As Shown in Exhibit A"; and 3. Conduct the first reading of Ordinance No. 17-2166 "Amendments To The Zoning Map To Correct Inconsistencies Between The City Of Cupertino's Records And Certain Map Designations As Shown in Exhibit A"

Written communications for this item included a staff presentation.

Senior Planner Catarina Kidd reviewed the staff report.

Sinks moved and Chang seconded to find that the project is exempt from CEQA and adopt Resolution No. 17-090 amending the General Plan Land Use Map as shown in Exhibit A. The motion carried unanimously.

City Clerk Grace Schmidt read the title of the ordinance.

Sinks moved and Chang seconded to read Ordinance No. 17-2166 by title only and that the City Clerk's reading would constitute the first reading thereof. Ayes: Vaidhyanathan, Paul, Chang, Scharf, and Sinks. Noes: None. Abstain: None. Absent: None.

ORDINANCES AND ACTION ITEMS - None

REPORTS BY COUNCIL AND STAFF

16. Subject: Report on Committee assignments and general comments
Recommended Action: Report on Committee assignments and general comments

City Manager David Brandt acknowledged Citizen Corps Coordinator Ken Ericksen who organized cooling stations at Quinlan Community Center and the Senior Center. Both centers were open throughout the weekend due to the heat.

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

ADJOURNMENT

At 8:00 p.m., Mayor Vaidhyanathan adjourned the meeting in memory of artist and community leader Ann Woo.

/s/Grace Schmidt
Grace Schmidt, City Clerk