



# CITY OF CUPERTINO

## AGENDA

### CITY COUNCIL

10350 Torre Avenue, Council Chamber

Thursday, March 31, 2016

6:45 PM

AMENDED Televised Special Meeting

Amended on March 28, 2016 to revise the Subject descriptions for Agenda Item Nos. 1 and 2. The Item staff report Subject descriptions have also been revised to match the agenda.

#### NOTICE AND CALL FOR A SPECIAL MEETING OF THE CUPERTINO CITY COUNCIL

NOTICE IS HEREBY GIVEN that a special meeting of the Cupertino City Council is hereby called for Thursday, March 31, 2016, commencing at 6:45 p.m. in Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, California 95014. Said special meeting shall be for the purpose of conducting business on the subject matters listed below under the heading, "Special Meeting."

#### SPECIAL MEETING

#### PLEDGE OF ALLEGIANCE - 6:45 PM

Community Hall Council Chamber, 10350 Torre Avenue

#### ROLL CALL

#### ORAL COMMUNICATIONS

*This portion of the meeting is reserved for persons wishing to address the council on any matter not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the council from making any decisions with respect to a matter not listed on the agenda.*

#### ORDINANCES AND ACTION ITEMS

1. Subject: Proposed Initiative submitted by Vicky Tsai and Judy Wilson regarding the Vallco Town Center Specific Plan Initiative entitled, "Initiative adopting the Vallco Town Center Specific Plan to (1) provide that the Vallco Shopping District Special Area ("Area") contains a mixture of residential, office, retail, civic and

education uses; (2) require any development to fund or provide community benefits such as transit, schools, a green roof, and recycled water; and (3) grant the property owner initial entitlements to develop in accordance with the Initiative and establish a process for future approvals; and making related amendments to Cupertino's General Plan and Municipal Code ("Vallco Initiative") and authorization to prepare a report under Elections Code 9212

Recommended Action: Adopt Resolution No. 16-027 directing City staff to prepare a report on the effects of the Vallco Initiative pursuant to Elections Code Section 9212 and appropriate \$180,000.00 for such purpose

[Staff Report](#)

[A - Proposed Vallco Initiative](#)

[B - Title and Summary](#)

[C - Draft Resolution for preparing EC 9212 Report](#)

2. Subject: Election Code section 9212 report relating to proposed Cupertino Citizens' Sensible Growth 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" ("CCSGI Initiative"); determination whether to adopt the CCSGI Initiative or place measure on the ballot; and determination regarding ballot arguments and impartial analysis

Recommended Action: 1. Receive the Report on the Impacts of Proposed Initiative and either: a. Adopt the Initiative; or b. Adopt Resolution No. 16-028 ordering that the Initiative be placed on the Ballot for the November 8, 2016 General Municipal Election, to be consolidated with the Statewide General Election; and

2. Adopt Resolution No. 16-029 considering whether to direct the City Clerk to transmit the Initiative to the City Attorney for preparation of an Impartial Analysis and whether to authorize City Council members, or the Council as a whole, to submit ballot arguments against the Initiative; and

3. Adopt Resolution No. 16-030 considering whether to authorize rebuttal arguments for and against the Initiative

[Staff Report](#)[A - 9212 Report](#)[A-1 - Appendix 1 \(Text of Proposed Initiative, Title & Summary, Notice of](#)[A-2 - Appendix 2 \(Section description of summary of Initiative\)](#)[A-3 - Appendix 3 \(CA Elections Code 9212\)](#)[A-4 - Appendix 4 \(Resolution No. 16-009 calling for report\)](#)[A-5 - Appendix 5 \(9212 Environmental Analysis\)](#)[A-6 - Appendix 6 \(Memo regarding 9212 report\)](#)[A-7 - Appendix 7 \(Fiscal Analysis tables\)](#)[A-8 - Appendix 8 \(Report from Sheriff's office\)](#)[B - Draft Resolution calling election for measure](#)[C - Draft Resolution for filing Written Arguments](#)[D - Draft Resolution for filing Rebuttal Arguments](#)[E - City Attorney Memorandum for Placing on the Ballot](#)**ADJOURNMENT**

*The City of Cupertino has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a final decision of the City Council must be brought within 90 days after a decision is announced unless a shorter time is required by State or Federal law.*

*Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal Code §2.08.096. Contact the City Clerk's office for more information or go to <http://www.cupertino.org/index.aspx?page=125> for a reconsideration petition form.*

*In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend the next City Council meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.*

*Any writings or documents provided to a majority of the Cupertino City Council after publication of the packet will be made available for public inspection in the City Clerk's Office located at City Hall, 10300 Torre Avenue, during normal business hours and in Council packet archives linked from the agenda/minutes page on the Cupertino web site.*

*Members of the public are entitled to address the City Council concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in front of the Council, and deliver it to the Clerk prior to discussion of the item. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item not on the agenda, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.*