

**RESOLUTION NO. 16-032**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO  
AMENDING THE BALLOT QUESTION FOR THE CUPERTINO CITIZENS'  
SENSIBLE GROWTH INITIATIVE AND AMENDING RESOLUTIONS 16-028  
AND 16-029**

WHEREAS, on March 31, 2016, the City Council accepted a report prepared pursuant to Elections Code Section 9212 ("9212 Report") on the 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" (hereafter "Initiative"); and

WHEREAS, on March 31, 2016, the City Council adopted Resolution 16-028, Resolution of the City Council of the City of Cupertino Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 8, 2016, for the Submittal to the Voters of a Ballot Measure to Limit Redevelopment of the Vallco Shopping District, Limit Building Heights and Lot Coverages Throughout the City, and Establish New Setbacks and Building Planes on Major Thoroughfares; and Requesting the Assistance of the County of Santa Clara for the Consolidation of the Election and to Render Specified Services to the City of Cupertino Relating to the Conduct of the Election; and

WHEREAS, on March 31, 2016, the City Council adopted Resolution 16-029, A Resolution of the City Council of the City of Cupertino Providing for Written Arguments Regarding a City Measure and Directing the City Attorney to Prepare an Impartial Analysis; and

WHEREAS, both Resolution 16-028 and 16-029 contain the proposed ballot question for the Initiative as follows:

Shall an initiative ordinance be adopted amending Cupertino's General Plan to limit redevelopment of the Vallco Shopping District, limit building heights along major mixed-use corridors, establish a 45 feet maximum building height in the Neighborhoods, limit lot coverages for large projects, establish new setbacks and building planes on major thoroughfares, and require voter approval for any changes to these provisions?	YES
	NO

WHEREAS, upon receiving the information contained in the Elections Code 9212 Report, the City Council determines that a change in language may provide increased information to the voters about the Initiative, and that such change is accurate, impartial and not misleading;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUPERTINO DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That Resolution 16-028 and Resolution 16-029 be amended to reflect the following ballot question to be submitted to the voters:

Shall an initiative ordinance be adopted amending Cupertino's General Plan to limit redevelopment of the Vallco Shopping District, limit building heights along major mixed-use corridors, increase to 45 feet the maximum building height in the Neighborhoods, limit lot coverages for large projects, establish new setbacks and building planes on major thoroughfares, and require voter approval for any changes to these provisions?	YES
	NO

SECTION 2. That Resolution 16-028 and Resolution 16-029 remain unchanged in all other respects.

SECTION 3: That Resolution 16-030 relating to the Initiative also adopted on March 31, 2016, is not changed by this Resolution.


PASSED AND ADOPTED at a special meeting of the City Council of the City of Cupertino this 5<sup>th</sup> day of April, 2016, by the following vote:

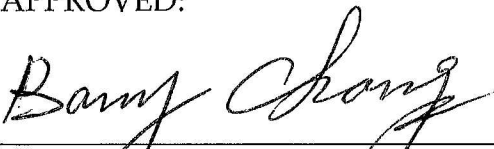
<u>Vote</u>	<u>Members of the City Council</u>
-------------	------------------------------------

AYES:	Chang, Sinks, Wong
NOES:	Vaidhyanathan, Paul
ABSENT:	None
ABSTAIN:	None

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Grace Schmidt, City Clerk

  
\_\_\_\_\_  
Barry Chang, Mayor, City of Cupertino