



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue, Council Chamber

Tuesday, August 19, 2014

5:05 PM

COMMISSION INTERVIEWS - Special Meeting 5:05 PM

10300 Torre Avenue, City Hall Conference Room A

ROLL CALL

1. Subject: Housing Commission (Financial Representative) interviews
Recommended Action: Conduct interviews and make appointment

CLOSED SESSION - 6:00 PM

10300 Torre Avenue, City Hall Conference Room A

ROLL CALL

2. Subject: Workers' Compensation Claim (Gov't Code Section 54956.95);
Claimant: Edwin Sakai; Agency Claimed Against: City of Cupertino

PLEDGE OF ALLEGIANCE - Regular Meeting 6:45 PM

10350 Torre Avenue, Community Hall Council Chamber

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

3. Subject: Proclamation to the Cupertino Library for its 10th anniversary
Recommended Action: Present the proclamation
4. Subject: Presentation by AT&T regarding infrastructure
Recommended Action: Receive presentation
5. Subject: Update from the Foothill-De Anza College District
Recommended Action: Receive the update

6. Subject: Update from the Fremont Union High School District
Recommended Action: Receive the update

POSTPONEMENTS

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.

CONSENT CALENDAR

Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.

7. Subject: Approve the July 7 City Council minutes
Recommended Action: Approve the July 7 City Council minutes
[A - Draft Minutes](#)
8. Subject: Approve the July 15 City Council minutes
Recommended Action: Approve the minutes
[A - Draft Minutes](#)
9. Subject: Accept Accounts Payable for period ending June 27, 2014
Recommended Action: Adopt Resolution No. 14-184 accepting Accounts Payable for the period ending June 27, 2014
[A - Draft Resolution](#)
[B - AP Report](#)
10. Subject: Accept Accounts Payable for period ending July 3, 2014
Recommended Action: Adopt Resolution No. 14-185 accepting Accounts Payable for period ending July 3, 2014
[A - Draft Resolution](#)
[B - AP Report](#)

11. Subject: Accept Accounts Payable for period ending July 11, 2014
Recommended Action: Adopt Resolution No. 14-186 accepting Accounts Payable for the period ending July 11, 2014
[A - Draft Resolution](#)
[B - AP Report](#)
12. Subject: Accept Accounts Payable for period ending July 18, 2014
Recommended Action: Adopt Resolution No.14-187 accepting Accounts Payable for the period ending July 18, 2014
[A - Draft Resolution](#)
[B - AP Report](#)
13. Subject: Accept Accounts Payable for period ending July 25, 2014
Recommended Action: Adopt Resolution No. 14-188 accepting Accounts Payable for the period ending July 25, 2014
[A - Draft Resolution](#)
[B - AP Report](#)
14. Subject: Accept Accounts Payable for period ending August 1, 2014
Recommended Action: Adopt Resolution No. 14-189 accepting Accounts Payable for the period ending August 1, 2014
[A - Draft Resolution](#)
[B - AP Report](#)
15. Subject: Accept Accounts Payable for period ending August 8, 2014
Recommended Action: Adopt Resolution No. 14-190 accepting Accounts Payable for the period ending August 8, 2014
[A - Draft Resolution](#)
[B - AP Report](#)

16. Subject: Authorize new position categories in the salary schedule for the Cupertino Employee Association's Compensation Program, reclassify four incumbents to new and existing classifications, and other miscellaneous revisions to salary classifications
Recommended Action: Amend the Cupertino Employee Association's Compensation Program salary schedule and adopt Resolution No. 14-191 establishing new classifications
[Staff Report](#)
[A - Draft Resolution](#)
[B - New Classification Descriptions](#)
[C - Redline CEA Compensation Program](#)
[D - Redline Unrepresented Employees MOU](#)
17. Subject: Approve First Amendment to lease of Rolling Hills 4-H Club at McClellan Ranch Preserve with the Regents of the University and City of Cupertino, California extending lease time
Recommended Action: Authorize the City Manager to amend the lease agreement with the Regents of the University of California and City of Cupertino for the Rolling Hills 4-H Club at McClellan Ranch Preserve for a five-year period ending August 31, 2019
[Staff Report](#)
[A - Draft Amended Contract](#)
18. Subject: Alcoholic Beverage License Application for Coopervino, 19700 Vallco Parkway
Recommended Action: Recommend approval of the Alcoholic Beverage License Application for Coopervino, 19700 Vallco Parkway
[Staff Report](#)
[A - Application](#)
19. Subject: 2014 Pavement Maintenance Project Phase 2, City Project No. 2014-04
Recommended Action: Authorize the City Manager to award a contract to O'Grady Paving, Inc., in the amount of \$2,288,577.20; and approve a construction contingency of \$261,422.80 for a total of \$2,550,000
[Staff Report](#)
[A - Draft Contract](#)

20. Subject: City Project, Reconstruction of Curbs, Gutters, and Sidewalks, Project No. 2013-02
Recommended Action: Accept Project No. 2013-02
[Staff Report](#)
[A - Site List](#)
21. Subject: Amendment of an agreement between the City of Cupertino and Pavement Engineering, Inc. for consultant services for testing and inspection services on various street improvement projects
Recommended Action: Approve an Amendment to an agreement between the City of Cupertino and Pavement Engineering, Inc. (PEI) in the amount not to exceed \$637,500 from the date of execution through June 30, 2015, and authorize the Director of Public Works to execute all necessary documents to carry out all phases of the Pavement Maintenance Project
[Staff Report](#)
[A - Draft Amendment to the Agreement](#)
[B - May 27, 2014 Executed Agreement](#)
22. Subject: City Project, 2013 Reconstruction of Curbs, Gutters, and Sidewalks Phase 2, Project No. 2013-06
Recommended Action: Accept Project No. 2013-06
[Staff Report](#)
[A - Site List](#)

SECOND READING OF ORDINANCES

23. Subject: Amendment to Section 11.08.250 of the Cupertino Municipal Code Relating to Bicycle Lanes--Designated; Torre Avenue between Stevens Creek Boulevard and Rodrigues Avenue
Recommended Action: Conduct the second reading and enact Ordinance No. 14-2120, "An Ordinance of the City Council of the City of Cupertino amending Section 11.08.250 of the Cupertino Municipal Code relating to Bicycle Lanes - Designated"
[Staff Report](#)
[A - Draft Ordinance](#)
[B - Redline Version of Draft Ordinance](#)

PUBLIC HEARINGS

ORDINANCES AND ACTION ITEMS

24. Subject: Parks and Recreation Commission Work Plan for FY 2014-15
Recommended Action: Approve the Parks and Recreation Commission Work Plan for FY 2014-15
[Staff Report](#)
25. Subject: Amendments to Chapters 10.90 and 10.56, Title 10, of the Cupertino Municipal Code to regulate outdoor smoking
Recommended Action: Conduct the first reading of Ordinance No. 14-2121, "An Ordinance of the City Council of the City of Cupertino amending Sections 10.90.010 and 10.90.020 of the Chapter 10.90 and adding Section 10.90.045 of Chapter 10.90 and amending Section 10.56.020 of Chapter 10.56 of Title 10 of the Cupertino Municipal Code to regulate outdoor smoking
Description: Application No(s): CP-2014-02; Applicant(s): City of Cupertino;
Location: citywide
[Staff Report](#)
[A - Draft Ordinance](#)
[B - Santa Clara County Policies](#)
[C - Redline version of proposed Ordinance](#)
[Supplemental Staff Report](#)
[A1 - Amended Draft Ordinance](#)
[C1 - Amended Redline version of proposed Ordinance](#)

REPORTS BY COUNCIL AND STAFF

26. Subject: Civic Center Master Plan update
Recommended Action: Accept Civic Center Master Plan update report

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), the City of Cupertino will make reasonable efforts to accommodate persons with qualified disabilities. If you require special assistance, please contact the city clerk's office at 408-777-3223 at least 48 hours in advance of 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.