



OFFICE OF THE CITY CLERK

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366
CUPERTINO.ORG

RECONSIDERATION PETITION

NOTICE: Reconsideration petitions are only accepted for adjudicatory matters that are quasi-judicial decisions by the City Council. The reconsideration petition is subject to the requirements of and must comply with section 2.08.096 of the Cupertino Municipal Code, available in the City Clerk's office or online at http://www.amlegal.com/cupertino_ca/. Please review this form carefully and provide a detailed explanation for each item. Failure to meet the requirements of section 2.08.096 may result in rejection of the reconsideration petition.

1. Project for which you are requesting reconsideration:

Application No.: _____
Applicant(s) Name: _____

3. Contact information for party requesting reconsideration:

Name: _____
Address: _____
Phone: _____
Email: _____

4. Date of Council meeting considering the project for which you are requesting reconsideration: _____

Reconsideration petitions must be filed within ten (10) calendar days of the date of the Clerk's notice.

5. Details of grounds for reconsideration (Cupertino Municipal Code Section 2.08.096). A petition for reconsideration must specify, in detail, each and every ground for reconsideration. Failure to specify the particular ground(s) for reconsideration will preclude any omitted ground(s) from being raised or litigated in a subsequent judicial proceeding.

In addition, the grounds for reconsideration are limited to the criteria listed below. Failure to meet these grounds may result in rejection of the petition for reconsideration. Check all grounds that apply and provide detailed explanations

of the facts supporting each ground for reconsideration (provide supporting documentation and attach additional sheets if necessary):

- An offer of new relevant evidence which, in the exercise of reasonable diligence, could not have been produced at any earlier city hearing.

Explanation of new evidence and why it could not have been produced earlier:

- An offer of relevant evidence which was improperly excluded at any prior city hearing.

Explain relevant evidence and how, when it was excluded at a prior hearing:

- Proof of facts which demonstrate that the City Council proceeded without, or in excess of its, jurisdiction.

Explain facts and how those facts show that the Council operated outside its jurisdiction:

- Proof of facts which demonstrate that the City Council failed to provide a fair hearing.

Explain facts and how those facts demonstrate failure to provide a fair hearing:

- Proof of facts which demonstrate that the City Council abused its discretion by:
 - (a) Not preceding in a manner required by law; and/or
 - (b) Rendering a decision which was not supported by findings of fact; and/or
 - (c) Rendering a decision in which the findings of fact were not supported by the evidence.

Explain facts and how those facts demonstrate abuse of discretion related to items (a)-(c):

6. Signature(s) _____

Please complete form, include reconsideration fee of \$369.81 pursuant to Resolution No. 23-094 payable to City of Cupertino and return to the attention of the City Clerk, 10300 Torre Avenue, Cupertino, California (408) 777-3223.

Acceptance of a petition by the City Clerk is for timeliness purposes only and does not constitute a determination that the petition meets the requirements for reconsideration under section 2.08.096 of the Municipal Code. The City reserves the right to review petitions after submission and reject those that do not meet the criteria set forth in Cupertino Municipal Code Section 2.08.096.