



**AGENDA**  
**CUPERTINO CITY COUNCIL ~ Regular Meeting**  
**10350 Torre Avenue, Cupertino Community Hall**  
**January 21, 2014, 6:45 pm**

1. Conference with Legal Counsel ? Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One Case n/a
2. Conference with Labor Negotiator (Government Code 54957.6); Agency designated negotiators: Director of Administrative Services, City Manager, and Dania Torres Wong; Employee organizations: Operating Engineers Local No. 3 Union; Cupertino Employees' Association; Unrepresented (Management and Confidential) Employees' Compensation Program; Appointed Employees' Compensation Program n/a

**Amended on January 16 to add Item No. 16A**

**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 Tuesday, January 21, 2014, commencing at 5:30 p.m. in the Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, CA 95014. Said special meeting shall be for the purpose of conducting a closed session regarding Conference with Legal Counsel - Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One Case; Conference with Labor Negotiator (Government Code 54957.6); Agency designated negotiators: Director of Administrative Services, City Manager, and Dania Torres Wong; Employee organizations: Operating Engineers Local No. 3 Union; Cupertino Employees' Association; Unrepresented (Management and Confidential) Employees' Compensation Program; Appointed Employees' Compensation Program. The regular meeting will begin at 6:45 p.m.**

**ROLL CALL - 5:30 PM**

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

**ROLL CALL**

**CLOSED SESSION**

**CEREMONIAL MATTERS AND PRESENTATIONS**

3. Public Safety Commission annual update Receive the update  
No written materials

**POSTPONEMENTS**

**ORAL COMMUNICATIONS**

**CONSENT CALENDAR**

4. Approve the December 17 City Council minutes Approve the minutes  
A - Draft Minutes
  
5. Accept Accounts Payable for period ending December 6, 2013 Adopt Resolution No. 14-109 accepting Accounts Payable for period ending December 6, 2013  
A - Draft Resolution
  
6. Accept Accounts Payable for period ending December 13, 2013 Adopt Resolution No. 14-110 accepting Accounts Payable for period ending December 13, 2013  
A - Draft Resolution
  
7. Accept Accounts Payable for period ending December 26, 2013 Adopt Resolution No. 14-111 accepting Accounts Payable for period ending December 26, 2013  
A - Draft Resolution
  
8. Accept the Annual Report for FY 2012-13 Accept the report  
A - FY 2012-13 Annual Report
  
9. Consider reclassifying specific job assignments to a designated job title and increasing hourly rates for part-time employees Adopt Resolution No. 14-112 establishing new part-time classifications and increasing hourly rates for part-time employees  
Staff Report  
  
A - Draft Resolution  
  
B - Part-time Salary Table  
  
C - Intern Salary Survey

10. Professional Construction and Public Works Inspection Services for the Apple Campus 2 project Staff recommends that City Council authorize the City Manager to execute a Professional Services Agreement with 4Leaf, Inc. to provide construction and public works inspection services for the Apple Campus 2 project in the amount of \$9,431,390

Staff Report

A - Draft Agreement

11. Coffee Society Lease Agreement, 10800 Torre Avenue, Cupertino, CA 95014 Authorize the City Manager to execute a five-year lease agreement with the Coffee Society

Staff Report

A - Draft Lease Agreement

12. Cooperative Agreement between the City of Cupertino and the City of Los Altos for Pavement Maintenance Work on Homestead Road from Foothill Expressway to Stevens Creek Bridge Authorize the City Manager to execute the Cooperative Agreement between the City of Cupertino and the City of Los Altos on behalf of the City of Cupertino in substantially similar format to the attached draft agreement

Staff Report

A - Draft Cooperative Agreement

## **SECOND READING OF ORDINANCES**

### **PUBLIC HEARINGS**

### **ORDINANCES AND ACTION ITEMS**

13. Order the abatement of a public nuisance (weeds) pursuant to provisions of Ordinance No. 724 and Resolution No. 13-107  
Note objections and adopt Resolution No. 14-113 ordering abatement of a public nuisance (weeds)

Staff Report

A - Draft Resolution

B - 2014 Weed Abatement Program

C - Notice to Destroy Weeds and Program Schedule

D - Letter to Property Owners

E - Approved Resolution No. 13-107

14. Long-Term Litter Reduction Plan for the City of Cupertino  
Approve and direct staff to budget for implementation of the City's long-term trash plan to achieve 70% reduction by July 2017, and "no visual impact equivalent" (formerly 100% reduction) by July 2022

Staff Report

A - City of Cupertino Long-Term Trash Load Reduction Plan and Assessment Strategy

15. Adoption of the Initial Study and Negative Declaration conducted by the City of San José for the regional model Polystyrene Foam Food Service Ware Ordinance and consideration of an Expanded Polystyrene (EPS) Foam Food Service Ware Ordinance 1) Adopt Resolution No. 14-114 adopting the California Environmental Quality Act (CEQA) Negative Declaration; and 2) Conduct the first reading of Ordinance No. 14-2116: "An Ordinance of the City Council of the City of Cupertino amending Title 9 of the Cupertino Municipal Code to add Chapter 9.15 to prohibit the use of polystyrene foam disposable food service ware by food vendors"

Staff Report

A - Draft Resolution

B - Draft Ordinance adding Chapter 9.15 to the Cupertino Municipal Code

C - CEQA Initial Study and Negative Declaration for Countywide Polystyrene Foam Disposable Food Ware Ordinances

16. Stevens Creek Boulevard/Tantau Avenue and Stevens Creek Boulevard/Torre

Avenue/Vista Drive traffic islands and turn restrictions Approve staff recommendation to include in the proposed FY 2014/15 Capital Improvement Program the following measures: 1) Remove the traffic island at the Stevens Creek Blvd./Tantau Avenue intersection, including eliminating the southbound through movement prohibition, installing a gateway feature on Tantau Avenue, installing traffic circles at the Tantau Avenue/Loree Avenue and Judy Avenue/Loree Avenue intersections, and installing bulb-outs at the Stevens Creek Blvd./Judy Avenue intersection; and 2) Retain the existing traffic island at the Stevens Creek Blvd./Torre Avenue/Vista Drive intersection, install speed bumps along Vista Drive between Forest Avenue and Lazaneo Drive, and on Lazaneo Drive between Vista Drive and De Anza Blvd., and enhance the crosswalks at the Forest Avenue/Vista Drive intersection

Staff Report

A - Consultant Traffic Study Report

B - Stevens Creek Blvd/Tantau Avenue Vicinity Proposed Improvements

C - Stevens Creek Blvd/Torre Avenue/Vista Drive Proposed Improvements

- 16A. Santa Clara Valley Transportation Authority's (VTA's) State Route 85 Express Lane Project and consideration of writing a comment letter on the Project Draft Initial Study/Environmental Assessment

Staff Report

**REPORTS BY COUNCIL AND STAFF****ADJOURNMENT**

**Adjourn to Monday, January 27 at 5:00 PM for commission interviews, City Hall Conference Room A, 10300 Torre Ave. Cupertino, CA**

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.

Any interested person, including the applicant, prior to seeking judicial review of the city council's decision with respect to quasi-judicial actions, must first file a petition for reconsideration with the city clerk within ten days after the council's decision. Any petition so filed must comply with municipal ordinance code §2.08.096.

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.