



# CITY OF CUPERTINO

## Upcoming Draft Agenda Items

CUPERTINO

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### City Council

**Tuesday, April 6, 2021**

#### **Consent Calendar**

- 20-8550                    Subject: Approve the March 16 City Council minutes
- 21-8887                    Subject: Fiscal Year (FY) 2021-22 projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by Senate Bill 1 (SB 1)
- 21-8914                    Subject: Accept Accounts Payable for the period ending February 08, 2021
- 21-8915                    Subject: Accept Accounts Payable for the period ending February 16, 2021
- 21-8916                    Subject: Accept Accounts Payable for the period ending February 22, 2021
- 21-8917                    Subject: Accept Accounts Payable for the period ending February 28, 2021
- 21-8918                    Subject: Consultant agreement for the Residential and Mixed-Use Residential Design Standards Work Program item for the fiscal year 2020-21 and associated budget modification.
- 21-8968                    Subject: Authorization of a Sixth Amendment to Agreement 15-206 between the City of Cupertino and Professional Turf Management.
- 21-9037                    Subject: FY 2019-20 Comprehensive Annual Financial Report (CAFR) and related supplemental reports.
- 21-9038                    Subject: Accept Accounts Payable for the period ending January 31, 2021.
- 21-9040                    Subject: Approve the February 6 City Council minutes

#### **Second Reading of Ordinances**

- 21-9039                    Subject: Municipal Code Amendments to adopt glazing and lighting regulations to implement the Fiscal Year 2019/20 City Council Work Program items related to Dark Sky and Bird-Safe Design. (Application No. MCA-2019-003 and MCA-2019-004; Applicant: City of Cupertino; Location: City-wide)

#### **Public Hearings**

- 21-8906                    Subject: Consideration of Municipal Code Amendments to the Cupertino Municipal Code, Chapter 10.90, expanding existing policies to reduce exposure to secondhand smoke, including in multi-unit housing, entryways, public events, service areas, and outdoor worksites.
- 21-8787                    Subject: Fiscal Year (FY) 2021-22 Community Development Block Grant (CDBG) Program and Below Market Rate (BMR) Affordable Housing Fund (AHF) funding allocations.

- 21-8790            Subject: Consideration of a Municipal Code Amendment to adopt changes to Chapter 19.56, Density Bonus, of the Cupertino Municipal Code to allow increased density bonuses for projects providing higher percentages of affordable units in a housing development project. The density bonuses vary by income level. Application No(s):. MCA-2021-002; Applicant(s): City of Cupertino; Location: citywide. (Continued from March 16).
- 20-8511            Subject: Consider a General Plan Amendment Authorization application for a change in Land Use Designation from Low Density (1-5 DU/Ac.) to Low/Medium Density (5-10 DU/Ac.) which would allow the construction of four small lot single family homes where only one single family home is currently permitted. Applicant(s): Yan Sun; Application No(s):. GPAAAuth-2020-001; Location: 19820 Homestead Road APN# 316-04-064

**Reports by Council and Staff (10 Minutes)**

- 21-8894            Subject: City Manager update on emergency response efforts
- 21-8900            Subject: Report on Committee assignments
- 21-9043            Subject: Brief reports on councilmember activities and brief announcements

**Tuesday, April 20, 2021**

**Study Session**

- 21-9064            Subject: Continue study session on the City of Cupertino's Permitting Guidelines for Small Cell Facilities within the Public Right-of-Way
- 21-8728            Subject: Study session on the City of Cupertino's Permitting Guidelines for Small Cell Facilities within the Public Right-of-Way.

**Ceremonial Matters & Presentations**

- 21-8888            Subject: Arbor Day Proclamation

**Consent Calendar**

- 21-8890            Subject: Design Contract with \_\_\_\_ for the Stevens Creek Boulevard Separated Bikeway, Phase 2 Project.
- 20-8551            Subject: Approve the April 6 City Council minutes
- 21-9047            Subject: Approve a Semi-Rural Designation, Eliminating the Requirement for Sidewalks on the Eastern Portion of Carmen Road, between Scenic Boulevard and Stevens Creek Boulevard, Pursuant to Ordinance No. 1925.

**Second Reading of Ordinances**

- 21-8907            Subject: Consider and act on Ordinance No. 21-2224: "An ordinance of the City Council of the City of Cupertino amending City Code Chapter 10.90 of Title 10 (Public Peace, Safety, and Morals) to prohibit smoking in multi-unit housing and certain outdoor areas"

**21-8791**                    Subject: Consider and act on Ordinance No. 21-XXX "An Ordinance of the City Council of the City of Cupertino to adopt changes to Chapter 19.56, Density Bonus, of the Cupertino Municipal Code to allow increased density bonuses for projects providing higher percentages of affordable units in a housing development project." The density bonuses vary by income level. Application No(s): MCA-2021-002; Applicant(s): City of Cupertino; Location: citywide

**Public Hearings**

**21-8959**                    Subject: Consider adopting a resolution approving the Fiscal Year (FY) 2021-22 Fee Schedule Update

**Ordinances and Action Items**

**21-9042**                    Subject: Consider approving the updated Athletic Field Use Policy

**Reports by Council and Staff (10 Minutes)**

**21-9044**                    Subject: Brief reports on councilmember activities and brief announcements

**21-8901**                    Subject: Report on Committee assignments

**21-8895**                    Subject: City Manager update on emergency response efforts



CUPERTINO

# CITY OF CUPERTINO

## Upcoming Draft Agenda Items

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### City Council

#### Date to be Determined

#### Study Session

- 17-3360      Subject: Annual Placeholder for 2nd meeting in May - Budget Study Session
- 17-3361      Subject: Annual Placeholder for 2nd meeting in February - Study Session on Council Work Program for fiscal year
- 19-5827      Subject: Study Session on the process to review development applications and determine consistency with the General Plan policies and Zoning Code regulations. (Chao/Paul added 7/16/19).
- 19-5915      Subject: Study Session regarding potential voluntary community benefits that would advance General Plan policies (Chao/Willey added 7/16/19).
- 19-6198      Subject: Placeholder for amending fee schedule (April 2020), including an increase on the retrieval of temporary signs picked up from right of way (real estate and/or political signs)
- 19-6264      Subject: Study Session regarding status of the Objective Standards Update to General Plan and Zoning Ordinance FY-2019-2020 Work Program Item (Application No.: CP-2019-03; Applicant: City of Cupertino; Location: City-wide), provide direction to staff (continued from 10/1/19). SPECIAL MEETING?
- 19-6267      Subject: Study Session to look at the Environmental Review Committee (ERC) scope and amend the Cupertino Municipal Code to reflect the additional scope (Paul/Chao 8/6/19), (Paul/Scharf 10/1/19).
- 19-6347      Subject: Discussion of De Anza student housing issues (Scharf/Chao added 10/15/19).
- 19-6595      Subject: Study Session on Apple's bay area affordable housing projects (Willey/Paul added on 11/19/19).
- 19-6767      Subject: Study Session on easements (Scharf added 12/17/19)
- 19-6769      Subject: Study Session on housing with concurrent draft survey (Willey/Scharf added 12/17/19)
- 20-7303      Subject: Continued Study Session on Density Bonus Law (Chao/Scharf added 4/7/20)
- 20-7774      Subject: Fiber Optics Wireless Master Plan
- 21-8727      Subject: Study session on motorized mobile vending

#### Council Goal Setting

19-6496            Subject: Work Program update

19-6274            Subject: Annual Placeholder - Council Goal Setting (late Feb)

**Ceremonial Matters & Presentations**

19-6199            Subject: Annual placeholder to present proclamation declaring one week in May as National Public Works Week

18-4445            Subject: Annual Placeholder for second meeting in September - Proclamation declaring the 2nd week in October as Code Enforcement Officer Appreciation Week.

**Consent Calendar**

17-3362            Subject: Annual Placeholder for first meeting in March - Approve the City Work Program for fiscal year \_\_\_\_\_

17-3363            Subject: Annual Placeholder for first meeting in June in even-numbered years - Call an election for Councilmembers

19-6295            Subject: Award of the City Bridge Maintenance Repairs

19-6296            Subject: Award of the Regnart Road Improvements Phase 1 project

20-8520            Subject: Review existing policy for naming public buildings, donation, and recognition strategies (Chao/Scharf added 12/1/20).

**Public Hearings**

20-7772            Subject: City of Cupertino Assessment of Fair Housing (AFH)

21-8881            Subject: Development and Architectural and Site Permits to allow the construction of a new multi-storage facility (Cupertino Loc-N-Stor) with a total gross building area of 171,922 square feet; a Fence Exception to allow electronic vehicle entry and exit gates; and a Tree Removal Permit to allow the removal and replacement of eight (8) development trees. Application No(s): DP-2019-05, ASA-2019-05, EXC-2019-04, TR-2019-048; Applicant(s): Emilia Samudio (Bass Cupertino, LLC); Location: 10655 Mary Avenue APN #326-06-050

15-0973            Subject: HOC setback requirements

20-7881            Subject: Municipal Code Amendment to allow for updates to Chapter 19.104, Signs. Application No(s): MCA-2020-003; Applicant(s): City of Cupertino; Location: Citywide

20-8112            Subject: Consider a municipal code amendment for balconies and R1 objective standards (Chao/Scharf 8/18/20, Moore/Willey 1/19/21)

**Ordinances and Action Items**

20-8202            Subject: Amendment to Funding Agreement Between the City of Cupertino and Santa Clara Valley Transportation Authority (VTA) and Request for Additional Funding for the I-280/Wolfe Road Interchange Improvement Project

- 20-8323            Subject: Municipal Code Amendments related to Temporary Signs (Willey/Scharf added 10/20/20)
- 20-8438            Subject: Municipal Code Amendment to expand the scope of the Housing Commission to include social services
- 20-8519            Subject: Discussion regarding nonprofit funding as a budget line item (Chao/Scharf added 12/1/20).
- 20-7344            Subject: Discuss the City's position on development (Willey/Chao added 4/22/20)
- 20-7609            Subject: Consider Establishing Library Field as a City Park (Chao/Scharf added 5/19/20)
- 20-7671            Subject: Revisit establishing a transportation commission before the start of the annual commission recruitment cycle in September (Chao/Paul added 6/2/20) \*
- 19-6712            Subject: Take position on PG&E regarding separate district
- 19-6771            Subject: Via Pilot Shuttle and AB 5 Update
- 20-7212            Subject: RV parking ordinance
- 20-7233            Subject: Sales tax for 2022
- 20-7234            Subject: Transient occupancy tax (TOT) increase for 2022
- 19-5786            Subject: Neighborhood Community Garden Selection/Program Criteria
- 18-4699            Subject: Annual Placeholder for 1st or 2nd meeting in January - Council Committee appointments
- 21-8919            Subject: Resolution in support of a carbon fee to address climate change (Wei/Willey added 3/2/21)
- 21-8836            Subject: Review the Vallco process for the tentative map and findings, polychlorinated biphenyl (PCB) investigation report, and status of the final map for Council approval (Moore/Willey added 2/16/21)
- 21-8838            Subject: Request that Verizon and other carriers make communications regarding cell sites available for public records requests (Chao/Willey added 2/16/21)

**Reports by Council and Staff (10 Minutes)**

- 19-5610            Subject: City Hall Update



**Santa Clara County Office of the Sheriff**  
**Weekly Activity Summary**  
**3/8/2021 – 3/14/2021**  
**CUPERTINO**



**PATROL ACTIVITY SUMMARY**

DATE	BEAT	ACTIVITY	COMMENTS
3/8	C7	Commercial Burglary	Between 3/7 and 3/8, three unknown suspect(s) broke into the Valero Gas Station on N. De Anza Boulevard. The suspects shattered the glass door and stole the cash register and several boxes of cigarettes for a total loss of about \$500. The damage to the glass door was approximately \$2,000.
3/9	C4	Possession of a Controlled Substance and Drug Paraphernalia ARREST	At 4:12 AM, deputies stopped a motorist at Homestead Road and Blue Jay Drive for driving with an obstructed license plate. The driver was unlicensed and consented to a vehicle search. Deputies found drug paraphernalia and methamphetamine inside of the vehicle. The driver was cited and released for possession of drug paraphernalia, possession of methamphetamine and driving without a license.
3/9	C9	Possession of Drug Paraphernalia ARREST	At 9:06 AM, deputies responded to Creekside Park for a welfare check of a person sleeping at the park. The person was on probation for drug-related offenses and had a methamphetamine pipe in his pocket. Deputies cited the suspect for being in possession of drug paraphernalia and he was released from the scene.
3/9	C9	Battery and Preventing Someone from Calling 9-1-1 ARREST	At 10:26 AM, deputies responded to a residence on the 10000 block of Sterling Boulevard for a family disturbance. As a family member attempted to call 9-1-1, the suspect forcefully grabbed her cell phone and injured her finger in the process. Deputies cited the suspect for battery and preventing someone from contacting emergency services from a wireless device.
3/9	C4	Grand Theft and Conspiracy	Between 3/2 and 3/3, unknown suspects entered a PG&E parking lot on Blaney Avenue, opened an unlocked tool box of a PG&E vehicle and stole various power tools for a total loss of about \$5,000.
3/9	C3	Grand Theft	Between 2/19 and 2/22, unknown suspect(s) entered Intero Real Estate Service on N. De Anza Boulevard and stole one laptop for a total loss of approximately \$1,200. There were no signs of forced entry into the business and the reporting party believed one of the employees misplaced their laptop.
3/9	C9	Reckless Driving, Possession of Counterfeit Currency and Misappropriation of Found Property ARREST	At 4:19 PM, deputies stopped a motorist near S. Tantau Avenue and Stevens Creek Boulevard for speeding and reckless driving. The driver was unlicensed and consented to a vehicle search. Deputies found what appeared to be \$400 in counterfeit money and a passport that did not belong to the driver. The driver also had a warrant for drug-related charges. The driver was cited and released from the scene.

**PATROL ACTIVITY SUMMARY**

<b>DATE</b>	<b>BEAT</b>	<b>ACTIVITY</b>	<b>COMMENTS</b>
3/9	C4	Carrying a Concealed/Loaded Firearm in Vehicle and Drug Possession/Sales ARREST	At 10:16 PM, deputies stopped a motorist at N. De Anza Boulevard and Stevens Creek Boulevard for expired registration. After further investigation, deputies determined the registration tab on the vehicle was fraudulent. The driver had a warrant for his arrest and deputies subsequently located a loaded firearm, ammunition and narcotics inside of the vehicle. The driver was arrested for possession of a loaded firearm and drug sales and the passenger was cited and released for possession of marijuana.
3/11	C3	Vehicle Tampering	Between 3/10 and 3/11, unknown suspect(s) entered a parked vehicle at an apartment complex on Parkwood Drive. The victim did not recall if they locked their doors the night before and found all of their car doors open. It appeared the vehicle was rummaged through, but nothing was missing.
3/11	C3	Vehicle Theft	Between 3/10 and 3/11, unknown suspect(s) stole a vehicle from an apartment complex parking lot on Valley Green Drive. The owner believed he locked his vehicle, and all car keys were accounted for. The vehicle was worth approximately \$6,500.
3/11	C9	Possession of Stolen Property, Drug Paraphernalia and a Controlled Substance ARREST	At 3:02 PM, deputies responded to a trespassing call on the 10000 block of Sterling Avenue. The resident reported that someone broke the lock on his backyard fence and gained access into his property. Deputies stopped two unhoused individuals and determined one of them was in possession of a stolen bicycle, methamphetamine and drug paraphernalia. The suspect was arrested and booked for the aforementioned charges, in addition to a separate warrant for drug-related offenses. The second individual was admonished for trespassing and left the area.
3/11	C3	Petty Theft	Between 3/9 and 3/11, unknown suspect(s) stole a bicycle from a covered driveway of a residence on the 20000 block of Grenola Drive. The bike was not locked and was worth approximately \$300.
3/11	C5	Shoplifting	On 3/9, an unknown suspect entered the Target Store located on the 19000 block of Stevens Creek Boulevard and stole \$619 worth of Nicorette gum.
3/12	C7	Vehicle Burglary	Between 3/10 and 3/12, unknown suspect(s) stole an archery set from a parked vehicle at an apartment complex on the 7000 block of McClellan Road. The victim believed he locked the vehicle prior to entering his home. The stolen property was worth approximately \$2,500.
3/12	C7	Petty Theft	On 3/10, three suspects drove into an apartment complex on the 7000 block of McClellan Road and stole a tow-behind utility cart and scrap metal. The utility cart was worth approximately \$250.
3/13	C9	Robbery, Felony Evading and Conspiracy	At 2:02 PM, deputies responded to Chase Bank located on the 10000 block of S. De Anza Boulevard for a report of a robbery. The victim told deputies that while using the ATM outside of the bank, three unknown suspects robbed him at gunpoint. The suspects demanded the victim to withdraw money from the ATM and stole \$500 in cash, the victim's cell phone and wallet. The victim ran inside of the bank to report the incident. Deputies attempted to stop the suspect vehicle on the freeway, which led to a pursuit. Deputies lost sight of the suspect vehicle in San Jose. Thankfully, the victim was not injured during the incident. The suspects have been identified, but they remain at large.



**PATROL ACTIVITY SUMMARY**

<b>DATE</b>	<b>BEAT</b>	<b>ACTIVITY</b>	<b>COMMENTS</b>
3/13	C1	Vehicle Burglary and Fraudulent Use of a Credit Card	Between 6:35 AM and 9:15 AM, unknown suspect(s) stole a debit card from a parked vehicle at Rancho San Antonio Park. The suspect(s) fraudulently used the victim's debit card at several retail stores in San Jose. The victim believed he locked his car doors and reported the fraud to his bank.
3/13	C8	Possession of a Controlled Substation and Drug Paraphernalia	At 11:54 PM, deputies stopped a motorist at Highway 85 at De Anza Boulevard for driving with an unreadable license plate. The driver was on searchable probation for drug-related offenses. Deputies found methamphetamine and drug paraphernalia inside of the vehicle. The driver was cited and released from the scene.
3/14	C9	Grand Theft	Between 9:15 AM and 11:45 AM, unknown suspect(s) stole a backpack, computer, headphones, purse, wallet and keys from an unlocked vehicle on the 10000 block of Las Ondas Way. The approximate value of the stolen items was \$1,750.
3/14	C9	Non-Injury Collision	Occurred at 4:51 PM at Stevens Creek Boulevard and N. Wolfe Road.



**Santa Clara County Office of the Sheriff**  
**Weekly Activity Summary**  
**3/15/2021 – 3/21/2021**  
**CUPERTINO**



**PATROL ACTIVITY SUMMARY**

DATE	BEAT	ACTIVITY	COMMENTS
3/15	C7	Mail Theft	Around 11/19/20, unknown suspect(s) stole mail from the mailbox of a residence in the 21000 block of Columbus Avenue and took an unknown amount of mail.
3/15	C4	Grand Theft	Between 5:00 PM on 3/12 and 1:44 PM on 3/15, unknown suspect(s) entered the Pacific Gas and Electric property on N. Blaney Avenue by cutting through a fence and stole copper wire and power tools for a total loss of about \$4,800.
3/15	C8	Commercial Burglary	Between 9:00 PM on 3/12 and 8:00 AM on 3/15, unknown suspect(s) cut through a chain link fence and entered a loading dock area at Staples on Stevens Creek Boulevard. The area was rummaged through, but nothing was stolen.
3/15	C7	Mail Theft	Between 2:00 PM on 3/13 and 9:00 AM on 3/14, unknown suspect(s) stole mail from the mailbox of a residence in the 21000 block of Columbus Avenue and took an unknown amount of mail.
3/15	C5	Possession of Drug Paraphernalia ARREST	At 1:06 AM, deputies contacted a suspicious person in the parking lot for the Courtyard by Marriott hotel on N. Wolfe Road. An investigation revealed the suspect was in possession of drug paraphernalia, in violation of the suspect's probation terms. The suspect was cited and released.
3/15	C9	Non-Injury Hit and Run Collision	Occurred at 11:21 AM at Greenwood Court and Miller Avenue.
3/15	C5	Injury Collision	Occurred at 3:50 PM at Stevens Creek Boulevard and Miller Avenue.
3/16	C8	Grand Theft	Between 3/3 and 3/16, unknown suspect(s) stole a catalytic converter from a vehicle parked in the 10000 block of Tonita Way for a total loss of about \$1,200.
3/16	C9	Possession of a Controlled Substance and Drug Paraphernalia ARREST	At 2:08 AM, deputies responded to a suspicious person call at the Montebello condominium complex on Stevens Creek Boulevard. An investigation revealed the suspect was in possession of Methamphetamine and drug paraphernalia and had four outstanding warrants. The suspect was arrested and booked into Main Jail.
3/16	C4	Non-Injury Hit and Run Collision	Occurred at 12:44 PM at N. De Anza Boulevard and Interstate 280.
3/16	C8	Petty Theft, Possession of Drug Paraphernalia ARREST	At 9:50 PM, deputies were conducting a patrol check of the Cupertino Crossroads shopping center on Stevens Creek Boulevard and contacted two people at the Chevron gas station. An investigation revealed one was in possession of drug paraphernalia, while the other had just shoplifted about \$285 of store merchandise from the nearby Sprouts market. Both suspects were cited and released.
3/17	C3	Residential Burglary	Between 8:00 PM on 3/16 and 8:45 AM on 3/17, unknown suspect(s) opened the unsecured garage door of a residence in the 11000 block of Holly Tree Lane and stole three bicycles for a total loss of about \$8,700.

**PATROL ACTIVITY SUMMARY**

<b>DATE</b>	<b>BEAT</b>	<b>ACTIVITY</b>	<b>COMMENTS</b>
3/17	C3	Shoplifting ARREST	At 5:15 PM, deputies responded to a theft call at Target in the Bottegas Cupertino shopping center on Stevens Creek Boulevard. An investigation revealed the suspect took about \$170 of store merchandise without paying. The suspect was cited and released.
3/18	C9	Recovered Stolen Vehicle, Resisting Arrest ARREST	At 6:15 PM, the victim reported discovering his vehicle was stolen from his residence in the 19000 block of Sorenson Avenue. Deputies located the vehicle a short time later, occupied by the suspect. The suspect did not comply and resisted, injuring deputies, but was ultimately arrested and booked into Juvenile Hall.
3/19	C9	Shoplifting	At 12:45 PM, an unknown suspect took about \$40 of store merchandise without paying from Walgreens in the Pacific Rim shopping center on Bollinger Road.
3/19	C3	Non-Injury Collision	Occurred at 1:36 PM at Stevens Creek Boulevard and Finch Avenue.
3/20	C9	Shoplifting	At 10:15 AM, an unknown suspect took about \$200 of store merchandise without paying from Walgreens in the Pacific Rim shopping center on Bollinger Road.
3/20	C5	Non-Injury Hit and Run Collision	Occurred at 2:48 PM at N. Wolfe Road and Vallco Parkway.
3/20	C8	Non-Injury Collision	Occurred at 6:21 PM at Terry Way and Shelly Drive.
3/20	C5	Non-Injury Hit and Run Collision	Occurred at 8:10 PM at Stevens Creek Boulevard and Finch Avenue.
3/21	C9	Petty Theft	Between 5:00 PM on 3/20 and 10:00 PM on 3/21, unknown suspect(s) took a cellular phone lost at the Cupertino Waterfall condominium complex on Rodrigues Avenue for a total loss of about \$320.
3/21	C7	Convicted Felon in Possession of Concealed, Loaded Firearm, Unlicensed Driver ARREST	At 1:59 AM, deputies stopped a motorist at S. De Anza Boulevard and Rainbow Drive for mechanical violations. An investigation revealed the suspect driver was a convicted felon and had a concealed and loaded firearm inside the car. The suspect was also driving without a valid license and violated probation terms with the offenses. The suspect was arrested and booked into Main Jail.
3/21	C5	DUI, Non-Injury Collision ARREST	At 4:18 AM, deputies stopped a motorist at N. Tantau Avenue and Vallco Parkway for traffic violations. The suspect driver struggled to put the vehicle in park and hit a deputy's patrol car. An investigation revealed the suspect was driving under the influence of alcohol and drugs. The suspect was arrested and booked into Main Jail.
3/21	C7	Trespassing ARREST	At 6:39 AM, deputies responded to a disturbance call at a residence in the 22000 block of Walnut Circle South Circle. An investigation resulted in the arrest of the suspect for trespassing after previous admonishments not to return to the premises. The suspect was booked into Main Jail.
3/21	C9	False Crime Report ARREST	At 4:18 PM, deputies responded to a residence in the 800 block of Candlewood Drive where a crime was reported. An investigation revealed the suspect falsely reported the crime and had two outstanding warrants. The suspect was arrested and booked into Main Jail.