



# 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 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.

#### **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

Wednesday, March 10, 2021

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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): GPAAuth-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

**Saturday, April 10, 2021**

**Public Hearings**

21-8959                    Subject: Fiscal Year (FY) 2020-21 Fee Schedule Update

**Tuesday, April 20, 2021**

**Study Session**

21-8728                    Subject: Study session on 5G small cell networks (April/May); Include a review of the City Manager's comprehensive list of proposed 5G small cell sites (Willey/Chao added 2/16/21)

**Ceremonial Matters & Presentations**

21-8888                    Subject: Arbor Day Proclamation

**Consent Calendar**

21-8890                    Subject: Design Contract with \_\_\_\_ for the Stevens Creek Separated Bikeway, Phase 2 Project

20-8551                    Subject: Approve the April 6 City Council minutes

**Second Reading of Ordinances**

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

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"

**Ordinances and Action Items**

21-8965                    Subject: Consideration of a City Council summer recess and cancellation of meeting(s).

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

21-8901            Subject: Report on Committee assignments

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



CUPERTINO

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## 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).
- 19-6767            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
- 19-6595            Subject: Study Session on Apple's bay area affordable housing projects (Willey/Paul added on 11/19/19).
- 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

19-6290            Subject: Award of the McClellan Road Separated Bikeway Phase 3 (De Anza Blvd/Pacifica/McClellan Intersection modifications) project

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**

21-8630            Subject: Approving City of Cupertino 2020 Transportation Impact Fee Nexus Study Update, increasing the Transportation Impact Fees, and amending Schedule B of the 2020-21 Fee Schedule to incorporate the increased fees. (Continued from January 19)

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

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

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)

15-0973            Subject: HOC setback requirements

**Ordinances and Action Items**

- 19-5786            Subject: Neighborhood Community Garden Selection/Program Criteria
- 18-4699            Subject: Annual Placeholder for 1st or 2nd meeting in January - Council Committee appointments
- 19-6291            Subject: Award of the Bike Boulevard Improvements (Phases 1-3)
- 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) \*
- 19-6771            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
- 21-8919            Subject: Resolution in support of a carbon fee to address climate change (Wei/Willey added 3/2/21)
- 19-6712            Subject: Take position on PG&E regarding separate district
- 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)
- 21-8837            Subject: Review of the citywide Vehicle Miles Traveled (VMT) per capita value used in the General Plan environmental analysis, compared with the most recent citywide VMT estimate used for SB743 compliance (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)**

**21-8732**            Subject: City of Cupertino 2020 Transportation Impact Fee Nexus Study Update, increasing the Transportation Impact Fees, and amending Schedule B of the 2020-21 Fee Schedule to incorporate the increased fees (original agenda date Dec 1)

**19-5610**            Subject: City Hall Update



**Santa Clara County Office of the Sheriff**  
**Weekly Activity Summary**  
**2/22/2021 – 2/28/2021**  
**CUPERTINO**



**PATROL ACTIVITY SUMMARY**

DATE	BEAT	ACTIVITY	COMMENTS
2/22	C9	Petty Theft	Between 12/9/20 and 1/22/21, unknown suspect(s) stole two mail packages from the Montebello condominium complex on Stevens Creek Boulevard for a total loss of about \$138.
2/22	C9	Package Theft	Between 4:31 PM on 1/29 and 12:00 PM on 2/1, unknown suspect(s) stole a mail package from a mail locker at the Montebello condominium complex on Stevens Creek Boulevard for a total loss of about \$1,000.
2/22	C7	Grand Theft	Between 12:00 PM on 2/17 and 8:15 AM on 2/22, unknown suspect(s) stole a catalytic converter from a vehicle parked in the 10000 block of Linda Vista Drive for a total loss of about \$1,000.
2/22	C8	Battery	At 9:54 AM on 2/19, a suspect entered Starbucks in the Cupertino Crossroads shopping center on Stevens Creek Boulevard and punched the victim's face. The suspect is unknown and at large.
2/22	C7	Grand Theft	Between 10:00 AM on 2/20 and 9:38 AM on 2/22, unknown suspect(s) stole a catalytic converter from a vehicle parked in the 10000 block of Wilkinson Avenue for a total loss of about \$1,800.
2/22	C5	Petty Theft	At 6:42 PM on 2/20, the suspect took about \$58 of store merchandise without paying from Target at Main Street Cupertino on Stevens Creek Boulevard. The suspect is known and at large.
2/22	C3	Battery	At 12:30 PM, deputies responded to a disturbance call at the Village Little Preschool on N. Stelling Road where the victim reported the suspect pushed her. The suspect is known and at large.
2/22	C8	Vehicle Burglary	Between 5:00 PM and 5:20 PM, unknown suspect(s) broke through a window of a vehicle parked at Kirwin Lane and S. De Anza Boulevard and stole a golf simulator for a total loss of about \$30,000.
2/22	C5	Commercial Burglary, Possession of a Burglary Tool	At 8:18 PM, an unknown suspect entered Target at Main Street Cupertino on Stevens Creek Boulevard, used a tool to cut a security cable and stole a cellular phone before fleeing the scene for a total loss of about \$80.
2/22	C6	Open Container ARREST	At 10:55 PM, deputies stopped a motorist at Stevens Creek and Foothill Boulevards for a mechanical violation. An investigation revealed the suspect driver had an open container of Marijuana inside the vehicle. The suspect was cited and released.
2/23	C8	Identity Theft	On 2/23, the victim received information indicating unknown suspect(s) used the victim's personal information to access the victim's online retail account and made a purchase using an unknown credit card. The victim did not incur any financial loss but cancelled the account. The victim lives in Cupertino.
2/24	C7	Petty Theft, Theft by Credit Card	Between 8:00 PM on 2/23 and 8:40 AM on 2/24, unknown suspect(s) entered an unlocked vehicle parked in the 11000 block of Terra Bella Drive and stole a wallet for an unknown loss. The suspect(s) then used credit cards from the wallet to make fraudulent purchases totaling approximately \$2,049.



**PATROL ACTIVITY SUMMARY**

DATE	BEAT	ACTIVITY	COMMENTS
2/24	C9	Possession of a Controlled Substance, Drug Paraphernalia and Burglary Tools, Suspended DL ARREST	At 2:57 AM, deputies stopped a motorist in the 10000 block of Miller Avenue for a mechanical violation. An investigation revealed the suspect driver was in possession of a controlled substance, drug paraphernalia and burglary tools and was driving with a suspended license, in violation of the suspect's probation terms. The suspect was cited and released.
2/24	C3	Theft by False Pretenses	Between 10:00 AM and 4:00 PM, unknown suspect(s) telephoned the victim posing as an immigration and customs agent and threatened the victim with deportation unless money was paid. The victim paid via a money transfer application for a total loss of about \$2,642. The victim lives in Cupertino.
2/24	C5	Trespassing ARREST	At 12:16 PM, deputies responded to a trespassing call at Apple on N. Tantau Avenue. 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.
2/24	C9	Non-Injury Hit and Run Collision	Occurred at 7:04 PM at Miller Avenue and Phil Lane.
2/26	C9	Petty Theft	Between 4/15/20 and 2/26/21, unknown suspect(s) cut a lock and entered a storage locker at the Cupertino City Center Apartments on Stevens Creek Boulevard and stole kitchen appliances, luggage and a social security card for a total loss of about \$750.
2/26	C8	Residential Burglary	Between 2/22 and 2/26, unknown suspect(s) entered the laundry room at an apartment building in the 1000 block of Westlynn Way using unknown means, pried open the coin boxes to both the washer and dryer and stole coins and laundry detergent pods for a total loss of about \$221.
2/26	C9	Residential Burglary	At 7:34 PM, the suspect entered a residence in the 10000 block of Johnson Avenue using a garage door remote and stole a computer for a total loss of about \$600. The suspect is known and at large.
2/26	C9	Possession of a Controlled Substance and Drug Paraphernalia ARREST	At 8:20 PM, deputies contacted a motorist parked at Citibank on Stevens Creek Boulevard for mechanical and traffic violations. An investigation revealed the suspect driver was in possession of a controlled substance and drug paraphernalia. The suspect was cited and released.
2/26	C4	Non-Injury Collision	Occurred at 11:05 PM at N. De Anza Boulevard and Interstate 280.
2/27	C5	Possession of a Controlled Substance and Drug Paraphernalia ARREST	At 2:03 AM, deputies contacted three suspicious persons at the Hilton Garden Inn on N. Wolfe Road. An investigation revealed the suspects were in possession of a controlled substance and drug paraphernalia, in violation of one suspect's probation terms. Two suspects were cited and released. The third suspect also had an outstanding warrant and was arrested and booked into Main Jail.
2/27	C9	Possession of Drug Paraphernalia ARREST	At 3:38 AM, deputies contacted a pedestrian at Stevens Creek Boulevard and N. Wolfe Road. An investigation revealed the suspect pedestrian had an outstanding warrant and was in possession of a drug paraphernalia. The suspect was arrested and booked into Main Jail.

**PATROL ACTIVITY SUMMARY**

<b>DATE</b>	<b>BEAT</b>	<b>ACTIVITY</b>	<b>COMMENTS</b>
2/27	C9	Robbery	At 6:33 PM, a suspect approached the victim, who was at an ATM at Chase Bank on S. De Anza Boulevard, and demanded money, cellular phone and wallet from the victim at gunpoint. The victim withdrew \$1,000 from the ATM and gave the money and his wallet to the suspect who then fled the scene in a waiting getaway vehicle. The suspects are unknown and at large.
2/28	C5	Vandalism	Between 11:00 PM on 2/26 and 6:30 PM on 2/28, unknown suspect(s) cut the soft top of a vehicle parked at the Main Street Cupertino Lofts on Vallco Parkway. The total amount of damage was about \$2,500.
2/28	C9	Vehicle Burglary	Between 5:00 PM on 2/27 and 8:00 AM on 2/28, unknown suspect(s) broke through a window of a vehicle parked in the 10000 block of Wunderlich Drive. The vehicle was searched, but it is unknown if anything was stolen.
2/28	C5	Non-Injury Collision	Occurred at 5:45 PM at Pruneridge Avenue and N. Wolfe Road.
2/28	C8	Concealed Dirk or Dagger ARREST	At 11:03 PM, deputies contacted a suspicious person near FedEx on S. De Anza Boulevard. An investigation revealed the suspect was carrying a concealed dagger. The suspect was arrested and booked into Main Jail.



**Santa Clara County Office of the Sheriff**  
**Weekly Activity Summary**  
**3/1/2021 – 3/7/2021**  
**CUPERTINO**



**PATROL ACTIVITY SUMMARY**

DATE	BEAT	ACTIVITY	COMMENTS
3/1	C9	Commercial Burglary	Between 12/23/20 and 1/27/21, unknown suspect(s) broke a lock and entered a storage closet at the Juniper Hotel on S. De Anza Boulevard. The suspect(s) took audio and video equipment for a total loss of about \$4,929.
3/1	C4	Petty Theft	Between 2/25 and 2/26, unknown suspect(s) stole a package from the porch of a residence in the 10000 block of Northview Square for a total loss of about \$412.
3/1	C5	Petty Theft	At 7:29 PM on 2/26, the suspect took about \$206 of store merchandise without paying from Target at Main Street Cupertino on Stevens Creek Boulevard. The suspect is known and at large.
3/1	C1	Identity Theft	At 8:38 AM on 2/27, unknown suspect(s) used the victim's personal information to make a fraudulent purchase, but the transaction was declined, and the victim did not incur a financial loss. The victim lives in Cupertino.
3/1	C9	Public Intoxication ARREST	At 12:12 AM, deputies responded to a suspicious person call at the Juniper Hotel on S. De Anza Boulevard. An investigation revealed the suspect was unable to care for himself due to being under the influence of alcohol. The suspect was arrested and booked into Main Jail.
3/1	C3	Petty Theft	Between 1:30 PM and 1:35 PM, an unknown suspect stole a wallet from the victim's unattended shopping cart at Target in the Bottegas Cupertino shopping center on Stevens Creek Boulevard for a total loss of about \$200.
3/1	C9	Mail Theft	Between 4:14 PM and 5:00 PM, unknown suspect(s) stole a package containing a laptop using unknown means but was said to have been delivered to the victim's residence in the 900 block of S. Tantau Avenue for a total loss of about \$2,619.
3/1	C3	Commercial Burglary	At 5:19 PM, an unknown suspect entered Ulta Beauty in the Homestead Square shopping center on Homestead Road and took store merchandise without paying for a total loss of about \$1,064.
3/1	C7	Theft by False Pretenses	At 7:40 PM, the victim found a website offering puppies for sale and contacted unknown suspect(s) regarding the purchase of a puppy. The victim paid unknown suspect(s) through a money transfer application, but never received the puppy, for a total loss of about \$2,130.
3/2	C8	Petty Theft	Between 2/27 and 3/2, unknown suspect(s) stole the front license plate from a vehicle while it was parked at an unknown location for an unknown total loss. The victim lives in Cupertino.
3/2	C7	Identity Theft	On 3/2, the victim received information indicating unknown suspect(s) used the victim's personal information to obtain an insurance policy for an unknown total loss. The victim lives in Cupertino.

**PATROL ACTIVITY SUMMARY**

DATE	BEAT	ACTIVITY	COMMENTS
3/2	C5	Commercial Burglary, Possession of Burglary Tools and Misappropriated Property ARREST	At 8:00 AM, deputies responded to a theft call at Apple on N. Tantau Avenue on report of someone stealing a bike from a secured storage area. The suspect was located a short time later in possession of the bicycle, burglary tools and check books not belonging to the suspect. The suspect was arrested and booked into Main Jail.
3/2	C8	Shoplifting	At 11:38 AM, an unknown suspect took about \$2 of store merchandise without paying from the Chevron convenience store on S. De Anza Boulevard.
3/2	C5	Shoplifting	At 1:45 PM, three unknown suspects took about \$825 of store merchandise without paying from Target at Main Street Cupertino on Stevens Creek Boulevard.
3/3	C3	Stolen Vehicle, Petty Theft	Between 10:00 PM on 3/2 and 10:00 AM on 3/3, unknown suspect(s) stole a vehicle from the driveway of a residence in the 11000 block of Firethorne Drive. The vehicle had an approximate value of \$40,000. A wallet and diaper bag were inside the vehicle at the time it was stolen, for a loss of about \$310.
3/3	C7	Misuse of Registration Tab ARREST	At 11:27 AM, deputies stopped a motorist at S. De Anza Boulevard and Rainbow Drive for expired registration. An investigation revealed the suspect was driving a vehicle with a fraudulent registration tab. The suspect was cited and released.
3/3	C5	Petty Theft	At 8:09 PM, an unknown suspect took about \$196 of store merchandise without paying from Target at Main Street Cupertino on Stevens Creek Boulevard.
3/4	C3	Vandalism	Between 2/1 and 3/4, unknown suspect(s) pried open a lock box and removed two exterior door handles at Bank of America on Homestead Road causing damage. The total amount of damage was estimated at over \$1,000.
3/4	C9	Stolen Vehicle	At 3:51 PM, unknown suspect(s) stole a vehicle, left unattended with the engine running, at the 76 gas station on Stevens Creek Boulevard. The value of the vehicle is unknown.
3/4	C4	Injury Collision	Occurred at 5:07 PM at N. Portal Avenue and Merritt Drive.
3/6	C4	Stolen Vehicle	Between 6:30 PM on 3/5 and 1:08 PM on 3/6, unknown suspect(s) stole the victim's vehicle, which the victim rented out through a third-party company, from an unknown location. The vehicle had an approximate value of \$9,000. The victim lives in Cupertino.
3/6	C9	Residential Burglary	Between 12:10 PM and 12:30 PM, unknown suspect(s) entered the open detached garage of a residence at the Biltmore Apartments on Rodrigues Avenue and stole a dumbbell, game console, gym bag and speaker for a total loss of about \$510.
3/6	C9	Non-Injury Collision	Occurred at 2:42 PM at Bollinger Road and S. Blaney Avenue.
3/6	C5	Non-Injury Collision	Occurred at 8:22 PM at N. Wolfe Road and Interstate 280.
3/7	C9	Vandalism, Petty Theft	Between 6:00 PM on 3/6 and 3:00 AM on 3/7, unknown suspect(s) forcefully removed and stole a metal pipe and 20 key lockboxes secured to the pipe, from a wall in the public parking garage at the Montebello condominium complex on Stevens Creek Boulevard. The total amount of damage was about \$500. The value of the pipe and lockboxes is unknown.