



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, November 18, 2025

At 6:45 p.m., Mayor Chao called the Regular City Council Meeting to order and led the Pledge of Allegiance in the Cupertino Community Hall Council Chamber, 10350 Torre Avenue and via teleconference.

ROLL CALL

Present: Mayor Liang Chao, Vice Mayor Kitty Moore, and Councilmembers J.R. Fruen, Sheila Mohan, and R “Ray” Wang. Absent: None.

CLOSED SESSION REPORT – None

CEREMONIAL ITEMS

1. Subject: Recognition of Members of Armed Forces, Veterans, and their Families
Recommended Action: Present proclamation honoring Members of Armed Forces, Veterans, and their Families

Mayor Chao recognized members of the armed forces, veterans, and their families.

2. Subject: Recognition of Police Officers, Firefighters, First Responders and their Families
Recommended Action: Present proclamation recognizing Police Officers, Firefighters, First Responders and their Families

Mayor Chao recognized police officers, firefighters, first responders and their families.

3. Subject: Proclamation recognizing the 80th Anniversary of the End of World War II
Recommended Action: Present proclamation recognizing the 80th Anniversary of the End of World War II

The following organizations received the proclamation:

- Jennifer Cheung and Ignatius Y. Ding, representing the Global Alliance for

Preserving the History of WWII in Asia

- Hon. Judge Lillian Sing and Hon. Judge Julie Tang, representing the “Comfort Women” Justice Coalition
- Ling Li and Cathy Tsang, representing the Alliance for Preserving the Truth of the Sino-Japanese War
- Betty Yuan and Deborah Zhao, representing the WWII Pacific War Memorial Hall

Mayor Chao presented the proclamation recognizing the 80th anniversary of the end of World War II.

4. Subject: Recognition of November 29, 2025 as Small Business Saturday
Recommended Action: Present proclamation recognizing November 29, 2025 as Small Business Saturday

Economic Development Manager Daniel Degu and the following Economic Development Committee members received the proclamation:

- Manjari Asawa
- Jennifer Yip (EDC and business owner of two Cupertino businesses: Paint Nail Beauty Spa and Sense Head Spa)
- Tracy Kosolcharoen
- Vice Chair Selina Kaing

Mayor Chao presented the proclamation recognizing November 29, 2025 as Small Business Saturday.

PRESENTATIONS

5. Subject: Emergency Operations Center (EOC) Operational Overview presentation
Recommended Action: Receive presentation on EOC Operational Overview

Written communications for this item included a presentation.

Jim Frawley, Emergency Manager Consultant, and Ken Ericksen, Citizen Corps Coordinator for the City of Cupertino, gave a presentation.

POSTPONEMENTS AND ORDERS OF THE DAY

6. Subject: Appeal of fee determination made by the City Collector for Business License renewal; public hearing pursuant to Cupertino Municipal Code (CMC) Section 5.04.480(C); Appellant: Annie Lee; Business: Lee's Sandwiches; Business Address: 20363

Stevens Creek Blvd, Cupertino, CA 95014 (Postponed from September 3, 2025)

Recommended Action: Postpone to a date to be determined the Appeal of fee determination made by the City Collector for Business License renewal; public hearing pursuant to Cupertino Municipal Code (CMC) Section 5.04.480(C); Appellant: Annie Lee; Business: Lee's Sandwiches; Business Address: 20363 Stevens Creek Blvd, Cupertino, CA 95014

MOTION: Mohan moved and Fruen seconded to postpone this item to the next meeting when the Council will discuss the business license policy. The motion passed with the following vote: Ayes: Chao, Moore, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

ORAL COMMUNICATIONS

Written communications for this item included emails to the Council.

The following members of the public spoke:

Mark Fantozzi discussed state housing laws, development in neighborhoods, and local control.

Anand Chhatpar discussed the Tessellations School organization.

Dennis Whittaker discussed Veterans Day and the Wreaths Across America event.

Brooke Ezzat discussed food insecurity and Cupertino Lions Club food drives.

Helene Davis and Gilbert Wong Cupertino, representing Cupertino Copertino Sister Cities Association, discussed Cupertino Copertino Sister Cities Association updates and an upcoming Cupertino Union School District meeting.

Ling Cheng discussed the Tessellations School organization.

Rhoda Fry discussed the Cupertino Public Facilities Corporation, the City's tax-exempt status, and Certificates of Participation.

Ranjan Desai discussed the Mary Avenue Villas project and the City's procedural process.

At 7:48 p.m., Mayor Chao recessed the meeting. The meeting reconvened at 7:56 p.m. with all Councilmembers present.

Aref discussed the Mary Avenue Villas project and the City's procedural process.

Aditya discussed the Mary Avenue Villas project and the City's procedural process.

Planning Commissioner San Rao (representing self) discussed the Mary Avenue Villas project and the City's procedural process.

CONSENT CALENDAR (Items 7-16)

Councilmember Wang removed Items 13 and 16 from the Consent Calendar.

Mayor Chao opened the public comment period and the following members of the public spoke.

Peggy Griffin (Item 8)

Planning Commissioner San Rao (representing self) (Item 8)

Mayor Chao closed the public comment period.

Councilmembers made brief comments.

Mayor Chao gave an oral report for Item 15.

MOTION: Wang moved and Chao seconded to approve the items on the Consent Calendar, except Items 13 and 16, which were removed for consideration. The motion passed with the following vote: Ayes: Chao, Moore, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

Items 13 and 16 were moved after the Action Calendar per rule.

7. Subject: Approval of November 4, 2025 City Council minutes

Recommended Action: Approve the November 4, 2025 City Council minutes

8. Subject: Ratifying Accounts Payable for the periods ending October 10, 2025 and October 24, 2025

Recommended Action: A. Adopt Resolution No. 25-093 ratifying Accounts Payable for the Period ending October 10, 2025; and

B. Adopt Resolution No. 25-094 ratifying Accounts Payable for the Period ending October 24, 2025

Written communications for this item included emails to the Council.

9. Subject: Adopt a maximum rate schedule for Rate Period Six (RP 6) for Recology to provide recycling, organics, and solid waste collection, recycling and organics processing services, and transport for disposal as calculated using the allowed and approved methodology in the Franchise Agreement (Attachment A)
Recommended Action: Adopt Resolution No. 25-095 (Attachment B) to adopt a maximum rate schedule with an increase of 4.39% (\$2.03 per month for average resident) for RP 6 for Recology to provide recycling, organics, and solid waste collection, recycling and organics processing services, and transport for disposal pursuant to the Franchise Agreement (Attachment A (FA Exhibit E1))

Written communications for this item included emails to the Council.

10. Subject: Second reading and enactment of Municipal Code Amendments to Cupertino Municipal Code Chapter 16 (Building Code) to Adopt the 2025 California Title 24 Building Standards with Local Amendments
Recommended Action: Conduct the second reading and enact Ordinance No. 25-2278: "An Ordinance of the City Council of the City of Cupertino Amending Chapters 16.02, 16.04, 16.06, 16.10, 16.16, 16.20, 16.24, 16.40, 16.42, 16.54, 16.58, 16.62, 16.64, 16.68 and 16.80 of Title 16 of the Cupertino Municipal Code adopting the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Wildland-Urban Interface Code, Historical Building Code, Fire, Existing Building Code, Green Building Standards Code, Referenced Standards Code, Uniform Housing Code, and Property Maintenance Code, with certain exceptions, deletions, modifications, additions and amendments."
11. Subject: Microsoft Volume Licensing Program Agreement with Dell Marketing L. P., for licensing of Microsoft programs, systems, and databases for a total amount not to exceed \$341,458, including a 10% contingency in the amount \$31,042.
Recommended Action: Approve a Microsoft Volume Licensing Program Agreement with Dell Marketing L. P. (Attachment A), utilizing Riverside County's statewide competitively awarded Microsoft Enterprise Agreement for licensing of Microsoft programs, systems, and databases for a total amount not to exceed \$341,458, including a 10% contingency in the amount of \$31,042, for a 3-year term beginning from January 1, 2026, to December 31, 2028.
12. Subject: Receive the Treasurer's Investment Report for the Quarter Ending September 30, 2025
Recommended Action: Receive the Treasurer's Investment Report for the Quarter Ending September 30, 2025

Written communications for this item included emails to the Council.

14. Subject: First Amendment to Managed Detection and Response (MDR) Security Services Agreement with Arctic Wolf Networks, Inc., for a total amount of \$266,548, including a 2% contingency, for a total not to exceed of \$486,100
Recommended Action: Approve a First Amendment to the Managed Detection and Response (MDR) Security Services Agreement with Arctic Wolf Networks, Inc., for a total amount of \$266,548, including a 2% contingency, for a total not to exceed of \$486,100, for a term ending on July 12, 2029.
15. Subject: Approval of City Manager Employment Agreement; Proposed Amendments to the Appointed Employees' Compensation Program
Recommended Action: 1. Adopt Resolution No. 25-096 approving the City Manager Employment Agreement between the City of Cupertino and Tina Kapoor, and authorize the Mayor to execute the agreement; and
2. Adopt Resolution No. 25-097 amending the Appointed Employees' Compensation Program

Written communications for this item included a supplemental report and attachments: A – Draft Resolution approving the City Manager Employment Agreement, B – Draft Employment Agreement for City Manager, C – Draft Resolution amending the Appointed Employees' Compensation Program, D – Draft Amended Appointed Employees' Compensation Program (Redline), E – Draft Amended Appointed Employees' Compensation Program (Clean), F – Press Release announcing City Manager, and emails to the Council.

Mayor Chao gave an oral report prior to the adoption of this item.

PUBLIC HEARINGS

17. Subject: Amendment to FY 25-26 Fee Schedule to establish fee for ministerial two lot Urban Lot Split Applications
Recommended Action: Adopt Resolution No. 25-098 to amend the City's FY 25-26 Fee Schedule - Schedule C - to establish a new, reduced fee for Ministerial Urban Lot-Split Applications

Luke Connolly, Assistant Director of Community Development, reviewed the staff report.

Councilmembers asked questions and made comments.

At 8:33 p.m., Council recessed the meeting. The meeting reconvened at 8:53 p.m. with all Councilmembers present.

This item was continued to a Special Meeting on Thursday, December 1, 2025.

ADJOURNMENT

At 8:55 p.m., Mayor Chao adjourned the Regular City Council meeting. There was no Council discussion on the remaining agenda items.

ACTION CALENDAR

18. Subject: City Manager's First Quarter Financial Report for Fiscal Year 2025-26; Budget Modification No. 2526-419, decreasing appropriations by \$674,221 and increasing revenues by \$503,628 resulting in a \$1,177,849 increase to unassigned fund balance
Recommended Action: 1. Accept the City Manager's First Quarter Financial Report for Fiscal Year 2025-26; and
2. Adopt Resolution No. 25-099 approving Budget Modification No. 2526-419, decreasing appropriations by \$674,221 and increasing revenues by \$503,628 resulting in a \$1,177,849 increase to unassigned fund balance

Written communications for this item included a presentation, a supplemental report with staff responses to councilmember questions, and emails to the Council.

The Council did not hear this item, and it was continued to a future City Council meeting.

19. Subject: Review first quarterly update for the FY 25-27 City Work Program and make modifications with items from the TBD list
Recommended Action: 1) Receive first quarterly update for the FY 2025-27 City Work Program;
2) Review the TBD list and the FY 25-27 City Work Program, make any desired modifications to finalize the council priority projects

Written communications for this item included a supplemental report and attachments: D - TBD List as of November 2025 – Updated, E - Q1 Dashboard Printout – Updated, and emails to the Council.

The Council did not hear this item, and it was continued to a future City Council meeting.

ITEMS REMOVED FROM THE CONSENT CALENDAR

13. Subject: OpenGov Budget Format Review Presentation and Finalize Recommendations
Recommended Action: a. Receive Budget Format Review presentation as outlined in the Budget Format Implementation Action Plan (IAP) recommendation numbers 15, 17, 18, 19, and 30
b. Approve OpenGov budget format recommendations

This item was removed from the Consent Calendar for discussion.

The Council did not hear this item, and it was continued to a future City Council meeting.

16. Subject: Consider the potential sale of and appoint a negotiator for City-owned property along Mary Avenue (APN: 326-27-053)(“Property”)
Recommended Action: Appoint the Interim City Attorney and Interim City Manager to negotiate with the nonprofit public benefit corporations Cupertino Rotary Housing Corporation, Housing Choices Coalition for Persons with Developmental Disabilities, Inc., and Charities Housing Development Corporation of Santa Clara County (collectively, the “Developer”) regarding the possible sale and development of the Property on terms established by the City Council

Written communications for this item included a supplemental report with staff responses to councilmember questions and emails to the Council.

This item was removed from the Consent Calendar for discussion.

The Council did not hear this item, and it was continued to a future City Council meeting.

CITY MANAGER REPORT

20. Subject: City Manager Report

City Manager Tina Kapoor reported on recent highlights and upcoming events as provided in the published agenda.

ORAL COMMUNICATIONS - CONTINUED – None

COUNCILMEMBER REPORTS

21. Subject: Councilmember Reports

Councilmembers reported on their various committees and events as provided in the published agenda.

FUTURE AGENDA ITEMS

The Council did not hear this item.

22. Subject: Upcoming Draft Agenda Items Report

A tentative council meeting agenda calendar was provided in the published agenda.

Minutes prepared by:

Kirsten Squarcia, City Clerk