



**DRAFT MINUTES  
CUPERTINO CITY COUNCIL**

Tuesday, May 5, 2026

At 5:30 p.m., Mayor Moore called the regular City Council Meeting to order in City Hall Conference Room C, 10300 Torre Avenue, Cupertino, CA 95014.

**ROLL CALL**

Present: Mayor Kitty Moore, Vice Mayor Liang Chao, and Councilmembers J.R. Fruen and Sheila Mohan. Absent: Councilmember R "Ray" Wang.

At 5:31 p.m., Mayor Moore recused herself from this item and stated the basis for her recusal and left the dais. Vice Mayor Chao resumed chairing the meeting.

In open session prior to closed session, Vice Mayor Chao opened the public comment period and, seeing no one, closed the public comment period.

**CLOSED SESSION**

1. Subject: Conference with Real Property Negotiators; California Government Code section 54954.5
  1. Property: 10480 Finch Avenue, Cupertino, CA (APN 375-40-067)
  2. Agency Negotiators: Tina Kapoor, City Manager, and Floy Andrews, Interim City Attorney
  3. Negotiating parties: City of Cupertino and Cupertino Union School District
  4. Under negotiation: Price and terms of payment

Council met with Real Property Negotiators (Moore recused, Wang absent).

**ADJOURNMENT**

At 5:46 p.m., Vice Mayor Chao adjourned the meeting.

**OPEN SESSION**

**SPECIAL MEETING**

At 5:52 p.m., Mayor Moore called the Special City Council Meeting to order in the Cupertino Community Hall Council Chamber, 10350 Torre Avenue and via teleconference.

## ROLL CALL

Present: Mayor Kitty Moore, Vice Mayor Liang Chao, and Councilmembers J.R. Fruen and Sheila Mohan. Absent: Councilmember R “Ray” Wang.

## STUDY SESSION

1. Subject: Silicon Valley Hopper: A program overview and proposed strategy for future grant funding.  
Recommended Action: Receive an update on 2025 SV Hopper service metrics and support staff’s proposal to pursue a Transit and Intercity Rail Capital Program (TIRCP) Cycle 8 application in coordination with partner agencies.

Written communications for this item included staff presentation and desk item.

Transit and Transportation Planner Matt Schroeder gave a presentation.

Councilmembers asked questions and made comments.

Mayor Moore opened the public comment period and the following members of the public spoke:

Peggy Griffin (virtually)

Planning Commissioner San Rao (representing self) (virtually)

Mayor Moore closed the public comment period.

Council received an update on the 2025 SV Hopper service metrics (Wang absent).

Council conducted a straw poll to determine support for staff to pursue all applicable grant opportunities to fund the SV Hopper program. (Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Absent: Wang)

## ADJOURNMENT

At 6:41 p.m., Mayor Kitty Moore adjourned the Special City Council Meeting.

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## REGULAR MEETING

## CALL TO ORDER

At 6:45 p.m., Mayor Moore 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; and Teleconference Location Pursuant to Gov. Code 54953(b)(2): Renaissance Cincinnati Downtown, Hotel Lobby, 36 E 4th St, Cincinnati, OH 45202.

## ROLL CALL

Present: Mayor Kitty Moore, Vice Mayor Liang Chao, and Councilmembers J.R. Fruen and Sheila Mohan. Councilmember R “Ray” Wang (arrived at 7:32 p.m. and participated virtually).

Councilmember Wang confirmed that he was in the noticed public location, that he had posted the notice of the meeting at his remote location and that no other individuals over the age of 18 were with him and that no one had indicated to him that they were intending to make public comment or address the Council.

## CLOSED SESSION REPORT

City Attorney Floy Andrews announced no reportable action taken during the closed session held at 5:30 p.m.

## CEREMONIAL ITEMS

1. Subject: Recognition of Sanyasi Chetty Mummidivarapu on the occasion of their 100th birthday.  
Recommended Action: Present certificate of recognition to Sanyasi Chetty Mummidivarapu on the occasion of their 100th birthday.

Sanyasi Chetty Mummidivarapu received the certificate of recognition.

Mayor Moore presented the certificate of recognition to Sanyasi Chetty Mummidivarapu on the occasion of their 100th birthday.

2. Subject: Recognition of National Public Service Recognition Week of May 3-9, 2026 and the Dedication of Public Servants.  
Recommended Action: Present proclamation recognizing National Public Service Recognition Week of May 3-9, 2026 and the Dedication of Public Servants.

City Manager Tina Kapoor received the proclamation.

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Mayor Moore presented the proclamation recognizing National Public Service Recognition Week of May 3-9, 2026 and the dedication of public servants.

3. Subject: Recognition of May 2026 as National Physical Fitness Month.  
Recommended Action: Recognize May as National Physical Fitness Month.

Mayor Moore verbally recognized May as National Physical Fitness Month.

4. Subject: Recognition of May as National Foster Care Month.  
Recommended Action: Present proclamation to Assemblymember Patrick Ahrens recognizing May as National Foster Care Month.

Assemblymember Patrick Ahrens received the proclamation (virtually).

Mayor Moore presented the proclamation recognizing May as National Foster Care Month.

## **POSTPONEMENTS AND ORDERS OF THE DAY**

MOTION: Moore moved and Mohan seconded to postpone Item No. 21 to a date to be determined. The motion passed with the following vote: Ayes: Moore, Chao, 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:

Steve Sulgit representing Cupertino Toyokawa Sister City, discussed Cupertino Cherry Blossom Festival.

Catherine Chiu, Bianca Guerrero, Susan Bloomfield, Craig Bloomfield, Fred Drinkwater, representing group, discussed pickleball.

Zoey Tran, Alex Whitworth, Liam Chau and Lucas Chau, representing group, discussed pickleball.

MaryAnne Overton discussed pickleball.

Chris Pham, Lin Tsai, Joel Amzallag, and Randane Fraisse, representing group, discussed pickleball.

Robert George discussed pickleball.

Tom Cunningham, Yuriko Chapman, Huan-Shang Tsai, Bob McElheny, and Shelley McElheny, representing group, discussed pickleball.

Kevin Yang discussed pickleball.

Adam Orrin, Danielle Wu, Connie Chin, Boon Chanchoke, and Danny Cheng, representing group, discussed pickleball.

Aref S. discussed pickleball.

Varun Singh and Raj Thapliyas, representing group, discussed City land and green space in the community.

Rhoda Fry discussed pickleball, flock safety cameras, and sheriff's response procedures.

At 7:32 p.m., Councilmember Wang joined the meeting (virtually).

Planning Commissioner Tracy Kosolcharoen (representing the Planning Commission) (virtually) discussed the results of their Community Noticing Subcommittee report.

Peggy Griffin (virtually) discussed a Civil Grand Jury report concerning the City.

Call-in User\_1 (virtually) discussed pickleball and a Code Enforcement matter involving their home.

Planning Commissioner San Rao (representing self) (virtually) discussed a Civil Grand Jury report concerning the City.

Jennifer Griffin (virtually) discussed a Civil Grand Jury report concerning the City.

### **CONSENT CALENDAR (Items 5-18)**

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

Rhoda Fry (Item 10)

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Planning Commissioner San Rao (representing self) (virtually) (Items 11, 12, and 15)

Mayor Moore closed the public comment period.

Mayor Moore removed Item No. 14 from the Consent Calendar to be voted on separately.

MOTION: Moore moved and Chao seconded to approve Consent Calendar Item No. 14 authorizing the Mayor to sign a joint letter from various cities within the County to Speaker Robert Rivas expressing concerns regarding the volume and implementation of recent state housing and land use legislation. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: Wang. Abstain: None. Absent: None.

MOTION: Fruen moved and Chao seconded to approve Consent Calendar Item Nos. 5-13 and 15-18. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, Mohan and Wang. Noes: None. Abstain: None. Absent: None.

5. Subject: Approval of April 21, 2026 City Council meeting minutes.  
Recommended Action: Approve the April 21, 2026 City Council meeting minutes.
6. Subject: Reaffirming ratification of Accounts Payable for the periods ending March 13, 2026, and March 27, 2026  
Recommended Action: A. Adopt Resolution No. 26-049 reaffirming ratification of Accounts Payable for the Period ending March 13, 2026; and  
B. Adopt Resolution No. 26-050 reaffirming ratification of Accounts Payable for the Period ending March 27, 2026
7. Subject: Receive the Monthly Treasurer's Investment Report for March 2026  
Recommended Action: Receive the Monthly Treasurer's Investment Report for March 2026
8. Subject: Receive the Monthly Treasurer's Report for March 2026  
Recommended Action: Receive the Monthly Treasurer's Report for March 2026
9. Subject: Receive the Treasurer's Investment Report for the Quarter Ending March 31, 2026  
Recommended Action: Receive the Treasurer's Investment Report for the Quarter Ending March 31, 2026
10. Subject: Updates to the Policy on Sister Cities, Friendship Cities, and International Delegations.  
Recommended Action: Adopt the updated City of Cupertino's Policy on Sister Cities,

Friendship Cities, and International Delegations.

Written communications for this item included a supplemental report.

11. Subject: Award a construction contract for the 2026 Pavement Maintenance Phase 1 Project to O'Grady Paving, Inc. in the amount of \$1,869,804; authorization of contract execution and change orders up to \$2,150,274.  
Recommended Action: 1. Award a construction contract for the 2026 Pavement Maintenance Phase 1 Project number 2026-101 in the amount of \$1,869,804 to O'Grady Paving, Inc.  
2. Authorize the City Manager to execute the construction contract with O'Grady Paving, Inc. when all conditions have been met.  
3. Authorize the Director of Public Works to execute any necessary construction change orders up to a construction contingency amount of \$280,470 (15%) for a total contract amount not to exceed \$2,150,274.
12. Subject: Award a construction contract for the 2026 Pavement Maintenance Phase 2 Project to Pavement Coatings Company in the amount of \$2,599,235; authorize contract execution and change orders up to \$259,924 (total not to exceed \$2,859,159).  
Recommended Action: 1. Award a construction contract for the 2026 Pavement Maintenance Phase 2 Project number 2026-102 in the amount of \$2,599,235 to Pavement Coatings Company.  
2. Authorize the City Manager to execute the construction contract with Pavement Coatings Company when all conditions have been met.  
3. Authorize the Director of Public Works to execute any necessary construction change orders up to a construction contingency amount of \$259,924 (10%) for a total contract amount not to exceed \$2,859,159.
13. Subject: Fiscal Year (FY) 2026-2027 projects proposed to receive funding under the Road Maintenance and Rehabilitation Account (RMRA) established by Senate Bill (SB) 1; proposed funding of \$1,692,995 in SB 1 revenues.  
Recommended Action: Adopt Resolution No. 26-051 (Attachment A) establishing a list of projects proposed to be funded by \$1,692,995 of SB 1 revenues, estimated to be received in FY 2026-2027.
14. Subject: Authorization for Mayor to Sign Multi-Jurisdictional Letter Regarding State Housing Legislation as updated by the Council Ad Hoc Subcommittee. (Continued from April 7, 2026)  
Recommended Action: Authorize the Mayor to sign a joint letter from various cities within the County to Speaker Robert Rivas expressing concerns regarding the volume and implementation of recent state housing and land use legislation.

Written communications for this item included a supplemental report.

As noted under the Consent Calendar, this item was voted on separately.

15. Subject: Approval of First Amendment to Master Agreement with Ghirardelli and Associates for 2026-2027 Pavement Maintenance Program services; authorize contract execution increase contract by \$588,538 to total not to exceed amount of \$808,538.  
Recommended Action: Authorize the City Manager to execute a First Amendment to a Master Agreement (#2026-011) with Ghirardelli and Associates for Project Management and Construction Management Services for 2026-2027 Pavement Maintenance Program (Attachment A), increasing the contract amount by \$588,538 for a new total not to exceed amount of \$808,538.
16. Subject: Second reading and enactment of amendments to Cupertino Municipal Code, Chapter 9.17 Single-Use Carryout Bags, pertaining to regulation of single-use carryout bags at retail stores and restaurants.  
Recommended Action: 1. Conduct the second reading and enact Ordinance 26-2280: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING CITY CODE TO AMEND SECTIONS 9.17.100, 9.17.110, 9.17.130, AND 9.17.140 TO REGULATE SINGLE-USE CARRYOUT BAGS"  
2. Find that the proposed actions are exempt from CEQA.
17. Subject: Second reading and enactment of an Ordinance to amend Cupertino Municipal Code Title 16 to conform to requirements from the California Building Standards Commission (CBSC).  
Recommended Action: Conduct the second reading and enact Ordinance No. 26-2281: "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.
18. Subject: Second reading and enactment of an Ordinance amending City Code Title Five (Business Licenses and Regulations) to Establish Chapter 5.51 to Regulate Film Production.  
Recommended Action: Conduct the second reading and enact Ordinance No. 26-2282: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO

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AMENDING CITY CODE TITLE FIVE (BUSINESS LICENSES AND REGULATIONS)  
TO ESTABLISH CHAPTER 5.51 TO REGULATE FILM PRODUCTION.”

At 8:03 p.m., Mayor Moore recessed the meeting. The meeting reconvened at 8:10 p.m. with all Councilmembers present (Wang virtually).

### ACTION CALENDAR

19. Subject: Introduction and first reading of an ordinance amending Cupertino Municipal Code Sections 1.10, 2.20, 2.24, 2.48, 2.88, 3.12, and 3.38 to reflect organizational changes related to departmental structure and responsibilities.

Recommended Action: Introduce and conduct the first reading of Ordinance No. 26-2283: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING MUNICIPAL CODE CHAPTERS 1.10, 2.20, 2.24, 2.48, 2.88, 3.12, AND 3.38.”

Written communications for this item included a staff presentation and desk item.

Acting Director of Administrative Services Jonathan Orozco gave a presentation.

Councilmembers asked clarifying questions.

Mayor Moore opened the public comment period and the following members of the public spoke:

Planning Commissioner San Rao (representing self) (virtually)

Councilmembers asked questions and made comments.

Mayor Moore closed the public comment period.

MOTION: Chao moved and Fruen seconded the staff recommendation to conduct the first reading of Ordinance No. 26-2283: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING MUNICIPAL CODE CHAPTERS 1.10, 2.20, 2.24, 2.48, 2.88, 3.12, AND 3.38.” The motion passed with the following vote: Ayes: Moore, Chao, Fruen, Mohan and Wang. Noes: None. Abstain: None. Absent: None.

20. Subject: Introduction of an ordinance to make minor revisions to the Municipal Code amending Chapter 2.04 (Chapter 2.04: City Council-Election and Meetings): Section 2.04.020 Special Meetings; Chapter 3.23 (Public Works Contract and Bidding Procedures): Section 3.23.020 (Definitions) to align with AB 2192; Chapter 5.04 (Business

Licenses Generally): Section 5.04.480 (Appeal Procedure); Chapter 5.32 (BINGO): Section 5.32.130 (Total Value of Prizes); Chapter 11.28 (Abandoned, Wrecked, Inoperative Vehicles): Sections 11.28.010 (Definitions) and 11.28.050 (Sale of Merchandise); Chapter 13.04 (Parks): Sections 13.04.130 (Behavior of Persons in Parks) and 13.04.180 (Advertising and Sale Restrictions); and Chapter 16.52 (Prevention of Flood Damage): Sections 16.52.011 (Lands to Which this Chapter Applies) and 16.52.053 (Standards for Manufactured Homes).

Recommended Action: Introduce and conduct the first reading of Ordinance No. 26-2284: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING MUNICIPAL CODE SECTIONS 2.04.020, 3.23.020, 5.04.480, 5.32.130, 11.28.010, 11.28.050, 13.04.130, 13.04.180, 16.52.011, AND 16.52.053."

Deputy City Manager Kirsten Squarcia gave a presentation.

Councilmembers asked clarifying questions.

Mayor Moore opened the public comment period and the following members of the public spoke:

Planning Commissioner San Rao (representing self) (virtually)

Councilmembers asked questions and made comments.

Mayor Moore closed the public comment period.

MOTION: Fruen moved and Wang seconded the staff recommendation to conduct the first reading of Ordinance No. 26-2284: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING MUNICIPAL CODE SECTIONS 2.04.020, 3.23.020, 5.04.480, 5.32.130, 11.28.010, 11.28.050, 13.04.130, 13.04.180, 16.52.011, AND 16.52.053." The motion passed with the following vote: Ayes: Moore, Chao, Fruen, Mohan and Wang. Noes: None. Abstain: None. Absent: None.

21. Subject: Revisions to City of Cupertino City Council Procedures Manual.  
Recommended Action: Consider suggested updates and adopt Resolution No 26-052, approving amendments to the City Council Procedures Manual.

As noted under Postponements and Orders of the Day, this item was postponed to a date to be determined.

## ITEMS REMOVED FROM THE CONSENT CALENDAR

## CITY MANAGER REPORT

22. Subject: City Manager Report

City Manager Tina Kapoor included the City Manager Newsletter, which includes recent highlights and upcoming events as provided in the published agenda.

**ORAL COMMUNICATIONS - CONTINUED - None**

**COUNCILMEMBER REPORTS**

23. Subject: Councilmember Reports

Written communications for this item included corrected Attachment B – Councilmember Report, Fruen.

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

**FUTURE AGENDA ITEMS**

24. Subject: Upcoming Draft Agenda Items Report

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

**ADJOURNMENT**

At 8:48 p.m., Mayor Kitty Moore adjourned the Regular City Council Meeting.

Minutes prepared by:

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Lauren Sapudar, City Clerk