



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Wednesday, September 3, 2025

At 6:00 p.m., Mayor Liang Chao called the Regular City Council Meeting to order in City Hall Conference Room C, 10300 Torre Avenue, Cupertino, CA 95014

ROLL CALL

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

In open session prior to closed session, Mayor Chao opened the public comment period regarding any item on the agenda. The following members of the public requested to speak.

Stanley Young, representing IFPTE Local 21/CEA

Mayor Chao closed the public comment period.

CLOSED SESSION

2. Subject: Conference with Labor Negotiators; California Government Code Section 54957.6 (Kristina Alfaro and Christopher Boucher)

Council met with Labor Negotiators.

At 6:38 p.m., Mayor Chao recessed the meeting.

At 6:48 p.m., Mayor Chao reconvened the Regular City Council Meeting in open session 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.

Mayor Chao recognized the passing of former Councilmember and Mayor Hung Wei.

CLOSED SESSION REPORT

City Attorney Floy Andrews reported on the actions taken during the closed session held at 6:00 p.m. City Attorney Andrews reported that there was no reportable action.

CEREMONIAL ITEMS

4. Subject: Recognize September as Childhood Cancer Awareness Month
Recommended Action: Recognize September as Childhood Cancer Awareness Month

Mayor Chao recognized Jacob's Heart Children's Cancer Support Services and Neev Kolte & Brave Ronil Foundation in conjunction with September as Childhood Cancer Awareness Month.

5. Subject: Recognize September as National Preparedness Month
Recommended Action: Present proclamation to Collaborating Agencies' Disaster Relief Effort (CADRE) in conjunction with the recognition of September as National Preparedness Month

Marsha Hovey, Executive Director, and Antonia Bradford, Volunteer Engagement Coordinator with CADRE, received the proclamation and provided comments.

Mayor Chao presented the proclamation to CADRE in conjunction with the recognition of September as National Preparedness Month.

PRESENTATIONS

6. Subject: Presentation on Cupertino Sister City student delegation activities
Recommended Action: Receive presentation on Cupertino Sister City student delegation activities

Written communications for this item included a presentation.

Cupertino-Cupertino Sister City Association President Helene Davis gave a presentation.

Council received the presentation on Cupertino Sister City student delegation activities.

POSTPONEMENTS AND ORDERS OF THE DAY

7. 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 Steven Creek Blvd, Cupertino, CA 95014
Recommended Action: Postpone this item to the November 18, 2205 City Council meeting.

MOTION: Moore moved and Wang seconded to postpone this item to a date to be determined. 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:

Ranjan discussed the Mary Avenue Villas Project.

Jennifer Griffin discussed Senate Bill (SB) 79 Housing development: transit-oriented development.

Joe Hauser discussed the Mary Avenue Villas Project.

Brian Avery discussed the Mary Avenue Villas Project.

Luthern Williams representing Tessellations School discussed school operations, traffic, and safety.

Jean Bedord discussed the Mary Avenue Villas Project.

Nori discussed bicycle safety and rack placement in Memorial Park.

A resident discussed the Mary Avenue Villas Project.

Lina discussed the Mary Avenue Villas Project.

Housing Commissioner Connie Cunningham (representing self) discussed the Mary Avenue Villas Project.

Planning Commissioner San Rao (representing self) discussed the Garden Gate neighborhood, Glenbrook apartments, and affordable housing.

At 7:49 p.m., Mayor Chao recessed the meeting. The meeting reconvened at 8:00 p.m. with all Councilmembers present.

CONSENT CALENDAR (Items 8-15)

Mayor Chao opened the public comment period and, seeing no one, closed the public comment period.

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

8. Subject: Approval of June 17, 2025 amended City Council minutes
 Recommended Action: Approve the June 17, 2025 amended City Council minutes
9. Subject: Approval of July 9, 2025 City Council meeting minutes
 Recommended Action: Approve the July 9, 2025 City Council meeting minutes
10. Subject: Approval of July 15, 2025 City Council meeting minutes
 Recommended Action: Approve the July 15, 2025 City Council meeting minutes
11. Subject: Approval of July 16, 2025 City Council meeting minutes
 Recommended Action: Approve the July 16, 2025 City Council meeting minutes
12. Subject: Ratifying Accounts Payable for the periods ending July 18, 2025
 Recommended Action: Adopt Resolution No. 25-069 ratifying Accounts Payable for the Period ending July 18, 2025

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

13. Subject: Consider amendments to the City Council Special Project Policy
 Recommended Action: Adopt Resolution No. 25-070 approving the updated City Council Special Project Policy
14. Subject: Approve July 1, 2025, through June 30, 2028, Memorandum of Understanding setting the salary and terms and conditions of employment for the Operating Engineers

Local No. 3 Union, AFL-CIO (OE3); Approve and update the salary and terms and conditions of employment for the Unrepresented (Management and Confidential) Employees and Appointed Employees Compensation Programs; Approve and update the terms and conditions of employment for the Elected Officials.

Recommended Action: Adopt Resolution 25-071 amending the Memorandum of Understanding (MOU) for the Operating Engineers Local No. 3 Union, AFL-CIO (OE3) based on the attached tentative agreements; and

Approve the corresponding Salary Schedule for OE3 employees effective July 12, 2025; and

Adopt Resolution 25-072 amending salary and terms and conditions of employment for the Unrepresented (Management and Confidential) Employees and Appointed Employees Compensation Programs; and

Approve the corresponding Salary Schedules for Unrepresented and Appointed employees effective July 12, 2025; and

Adopt Resolution 25-073 amending terms and conditions of employment for the Elected Officials' Compensation Program; and

Adopt Resolution 25-074 to approve budget modification number 2526-405 increasing appropriations by \$1,202,622 ensuring that there are sufficient budget appropriations to cover the costs associated with the negotiated contracts.

15. Subject: First Amendment to Affordable Housing Covenant and Restriction on Sale Price ("First Amendment") and Substitution of Trustee and Full Reconveyance with Trustor Consent ("Reconveyance") with respect to the Nineteen800 project at 19800 Vallco Parkway ("Project").

Recommended Action: 1. Approve both the First Amendment and Reconveyance provided herewith and authorize the City Manager to execute the documents and deliver them for recordation.

2. Authorize the City Attorney to make minor modifications to the First Amendment and Reconveyance as deemed necessary to effectuate the intent of the parties.

PUBLIC HEARINGS

16. Subject: Introduce amendments to Municipal Code Chapters 19.08 (Definitions), and 19.112 (Accessory Dwelling Units) and Associated Environmental Review. (Application No. MCA-2025-001; Applicant: City of Cupertino; Location: City-wide)

Recommended Action: That the City Council Conduct the first reading of Ordinance No. 25-2274 (Attachment A): "An Ordinance of the City Council of the City of Cupertino amending Municipal Code Chapters 19.08 (Definitions), and 19.112 (Accessory Dwelling Units) regarding Accessory Dwelling Units."

Written communications for this item included a presentation and a desk item report

with staff responses to councilmember questions and emails to the Council.

Senior Planner Gian Martire gave a presentation.

Councilmembers asked questions and made comments.

Mayor Chao opened the public hearing and the following members of the public spoke.

Jennifer Griffin

Planning Commissioner San Rao (representing self)

Mayor Chao closed the public hearing.

MOTION: Mohan moved and Fruen seconded to:

Conduct the first reading of Ordinance No. 25-2274 (Attachment A): "An Ordinance of the City Council of the City of Cupertino amending Municipal Code Chapters 19.08 (Definitions), and 19.112 (Accessory Dwelling Units) regarding Accessory Dwelling Units," with the amendment that the motion include the Planning Commission's recommendation to remove the proposed design standard for Non-Streamlined ADUs in Table 19.112.040(I)(a).

FRIENDLY AMENDMENT: Moore proposed a friendly amendment to request an informational memo on the use of ADU's within the City and County, including whether they are rented to individuals for full-time use or used for occasional family or hobby purposes, and any information on their effectiveness; and also that when this item returns for second reading, staff clarify the issue of the maximum size of a detached ADU in a multi-family project, for example whether a 5,000 square foot ADU could be permitted. (Councilmembers Fruen and Mohan accepted the friendly amendment).

The amended motion passed with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: Wang. None. Abstain: None. Absent: None.

ACTION CALENDAR

17. Subject: Introduce Municipal Code amendments to Cupertino Municipal Code, Title 11, Vehicles and Traffic, Section 11.24.130, Section 11.27.050, Section 11.28.010, and Section 11.28.020, pertaining to the overnight parking of oversized vehicles on public streets.

Recommended Action: 1. Conduct first reading of Ordinance 25-2275: "An Ordinance of the City Council of the City of Cupertino Amending Title 11, Vehicles and Traffic, of the City of Cupertino Municipal Code Sections 11.24.130 (Prohibited for more than seventy-two hours), Section 11.27.050 (Issuance of permits to residents and members of designated groups), Section 11.28.010 (Definitions), and Section 11.28.020 (Parking of

oversized vehicles restricted)”;

2. Request staff to report back to Council one year post implementation regarding impacts of new rules and possible suggested revisions;
3. Request staff to install oversized vehicle parking restriction signage in areas staff deems to be disproportionally impacted by oversized vehicle parking, including on Bandley Drive, Alves Drive and Saich Way, adjacent to the local Target store, and approve funding of \$10,000 for such signage;
4. Request staff to update the City’s website to allow residents to obtain parking permits for their oversized vehicles online.
5. Approve an additional \$25,000 for signage at City entrances. Staff will deploy the funds and install such signs once it determines that the new Ordinance is workable and effective; and
6. Find that the proposed actions are exempt from CEQA.

Written communications for this item included a presentation.

City Attorney Floy Andrews gave a presentation.

Councilmembers asked questions and made comments.

Interim City Manager Kapoor confirmed staff will provide informational updates on implementation, enforcement, and resource needs, including parking program enforcement, program impacts, RV driver behavior, and potential outreach options.

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

Planning Commissioner San Rao (representing self)

Mayor Chao closed the public comment period.

MOTION: Wang moved and Moore seconded to:

1. Conduct first reading of Ordinance 25-2275: “An Ordinance of the City Council of the City of Cupertino Amending Title 11, Vehicles and Traffic, of the City of Cupertino Municipal Code Sections 11.24.130 (Prohibited for more than seventy-two hours), Section 11.27.050 (Issuance of permits to residents and members of designated groups), Section 11.28.010 (Definitions), and Section 11.28.020 (Parking of oversized vehicles restricted)”;
2. Request staff to report back to Council one year post implementation regarding impacts of new rules and possible suggested revisions;
3. Request staff to install oversized vehicle parking restriction signage in areas staff

- deems to be disproportionately impacted by oversized vehicle parking, including on Bandle Drive, Alves Drive and Saich Way, adjacent to the local Target store, and approve funding of \$10,000 for such signage;
4. Request staff to update the City's website to allow residents to obtain parking permits for their oversized vehicles online.
 5. Approve an additional \$25,000 for signage at City entrances. Staff will deploy the funds and install such signs once it determines that the new Ordinance is workable and effective; and
 6. Find that the proposed actions are exempt from CEQA.

FRIENDLY AMENDMENT: Fruen made a friendly amendment for staff to come back with an outreach program to connect people with services to the extent that they're willing. (Wang and Moore accepted the friendly amendment).

The amended motion passed with the following vote: Ayes: Chao, Moore, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

At 9:34 p.m., Mayor Chao recessed the meeting. The meeting reconvened at 9:40 p.m. with all Councilmembers present.

18. Subject: Acceptance of the Stevens Creek Boulevard Corridor Vision Study (Continued from July 15, 2025)

Recommended Action: Adopt Resolution No. 25-075 accepting the Stevens Creek Boulevard Corridor Vision Study, including the additional qualifications recommended by the Cupertino Bicycle Pedestrian Commission and Planning Commission, and directing City staff to work through the multijurisdictional working group and Steering Committee to further assess the Study's recommendations and opportunities for implementation.

Written communications for this item included a presentation and emails to the Council.

Transportation Manager David Stillman and Transit and Transportation Planner Matt Schroeder gave a presentation.

Councilmembers asked questions and made comments.

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

Jennifer Griffin

Elise Lester, representing San Jose Councilmember Rosemary Kamei and City of Santa Clara Vice Mayor Kelly Cox

Beck Poltronetti
Nathan Schober
Alex Richardson
Harry Neil
Emily Chang, representing Zero Waste Club at De Anza
Amanda Flores, representing West Valley Community Services
Betsy Megaw on behalf of Bicycle Pedestrian Committee for the Cities of Santa Clara and for Valley Transportation Authority (VTA)
Planning Commissioner San R (representing self)
Evann Tu
Lisa Warren
Jordan
Planning Commissioner Seema Lindskog (representing self)
Alvin Yang
Parks and Recreation Commissioner Carol Stanek (representing self)

Mayor Chao closed the public comment period.

MOTION: Wang moved to extend the meeting until 11:30 p.m. to consider all remaining items. There was no second and the item was not considered.

MOTION: Fruen moved and Mohan seconded to extend Item 18 until 11:15 p.m. The Council did not vote on this item.

SUBSTITUTE MOTION: Chao moved and Wang seconded to extend the meeting until 11:30 p.m. to consider Items 18 and 19. The motion passed with the following vote: Ayes: Chao, Moore, and Wang. Noes: Fruen and Mohan. Abstain: None. Absent: None.

MOTION: Chao moved and Wang seconded for staff to bring back a revised resolution that integrates the points in the slide shared by the Vice Mayor with the Mayor's draft resolution, and the Vice Mayor is authorized to convey the messages included in this motion to the steering committee in case it meets before the revised resolution is formally adopted, with the study ultimately adopted under those conditions.

Vice Mayor's slide points:

Options: modify the Resolution and bring it back to Council or accept a modified Resolution in the Agenda Packet

- Accept the SCC Vision Study conditionally.
- Acknowledge our wish to work collaboratively on data-driven, fiscally responsible infrastructure
- Recognize all of the planning and implementation staff, especially Public Works has already done making Cupertino the leader in the corridor for safety and

- multi-modal transit.
- Cupertino's support for future implementation efforts will be conditioned on:
 1. Inclusion of a comprehensive regional travel demand and needs analysis;
 2. Completion of a cost-benefit analysis, including local fiscal impacts for any high-capacity transit proposal;
 3. Review of future transportation technologies (e.g., autonomous vehicles, microtransit);
 4. Consideration of Cupertino's existing flexible, unconstrained transit ecosystem;
 5. Preservation of Cupertino's corridor investments;
 6. Full City Council review and approval of any implementation steps involving infrastructure or land use changes.
 - Clarify that nothing in this resolution shall be construed to express support for any specific infrastructure alignment, mode, or funding plan without the above conditions being met and subsequent Council review.

The motion passed with the following vote: Ayes: Chao, Moore, Mohan, and Wang. Noes: Fruen. Abstain: None. Absent: None.

STUDY SESSION

19. Subject: Options on Commission Oversight of Transportation Matters
Recommended Action: Provide input to staff on the preferred options for having transportation projects reviewed by commissions and provide direction to staff to take the necessary steps to implement the changes.

Written communications for this item included a presentation and emails to the Council.

Public Works Director Chad Mosley and Transportation Manager David Stillman gave a presentation.

MOTION: Chao moved and Wang seconded to suspend the rules and extend the meeting to 11:40 p.m. The motion passed with the following vote: Ayes: Chao, Moore, and Wang. Noes: Fruen and Mohan. Abstain: None. Absent: None.

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

Jennifer Griffin
Beck Poltronetti
Ishan Khosla

Planning Commissioner San R (representing self)
Betsy Megas
Parks and Recreation Commission Carol Stanek (representing self)
John Zhao
Henry Widjaja
Planning Commissioner Seema Lindskog (representing self)
Bicycle Pedestrian Commissioner Herve Marcy (representing self)
Michael Wang
Louis Saadati

Mayor Chao closed the public comment period.

Council continued consideration of this item to the next meeting, and the public comment period on this matter will remain closed.

ADJOURNMENT

24. Subject: Adjourn in memory of former Mayor and City Councilmember Hung Wei

At 11:43 p.m., Mayor Chao adjourned the Regular City Council Meeting in memory of former Mayor and City Councilmember Hung Wei. There was no further discussion on the remaining items.

ITEMS REMOVED FROM THE CONSENT CALENDAR – None

CITY MANAGER REPORT

20. Subject: City Manager Report

Interim 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

Council did not hear this item.

As noted under Item 16, an informational memo was requested on the use of ADU's within the City and County, including whether they are rented to individuals for full-time use or used for occasional family or hobby purposes, and any information on their effectiveness. Under Item 17, informational updates will be provided on implementation, enforcement, and resource needs, including parking program enforcement, program impacts, RV driver behavior, and potential outreach options.

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