



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, June 2, 2026

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.

ROLL CALL

Present: Mayor Kitty Moore, Vice Mayor Liang Chao (6:49), and Councilmembers J.R. Fruen, Sheila Mohan, and R “Ray” Wang. Absent: None.

CLOSED SESSION REPORT - None

CEREMONIAL ITEMS

1. Subject: Proclamation recognizing June as LGBTQ+ Pride Month
Recommended Action: Present proclamation recognizing June as LGBTQ+ Pride Month

Sera Fernando, Director, and Becca Ponce Valencia, Associate Management Analyst, of the Santa Clara County Office of LGBTQ Affairs received the proclamation.

Mayor Moore presented the proclamation recognizing June as LGBTQ+ Pride Month.

2. Subject: Proclamation recognizing United Nations World Environment Day, June 5, 2026.
Recommended Action: Present proclamation recognizing June 5, 2026 as United Nations World Environment Day.

Dr. Alicia De Toro, Chair of De Anza’s Environmental Science & Studies Department, received the proclamation (virtually).

Mayor Moore presented the proclamation recognizing June 5, 2026 as United Nations World Environment Day.

POSTPONEMENTS AND ORDERS OF THE DAY – None

ORAL COMMUNICATIONS

Written communications for this item included emails to the Council.

The following members of the public spoke:

Marilyn Kung and David Goodman discussed the Silicon Valley Hopper transit service.

A speaker discussed student safety.

Cathy Helgerson discussed displacement of businesses due to housing development projects and economic development.

Jennifer Griffin (virtually) discussed retail vacancies and Assembly Bill 1751.

San Rao (virtually) Council meeting procedures, elections, and campaigns.

CONSENT CALENDAR (Items 3-13)

Mayor Moore opened the public comment period and the following people spoke:

San Rao (virtually) (Item Nos. 12 and 13)

Mayor Moore closed the public comment period.

Wang requested separate voting consideration of Item Nos. 5–7 and removed Item No. 13 from the Consent Calendar for discussion.

MOTION: Fruen moved and Wang seconded to approve Consent Calendar Item Nos. 3-4 and 8-12. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

MOTION: Fruen moved and Wang seconded to approve Consent Calendar Item Nos. 5-7. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Abstain: Wang. Absent: None.

Item No. 13 was moved after the Action Calendar per rule.

3. Subject: Approval of May 11, 2026 City Council meeting minutes (Budget Study Session).
Recommended Action: Approve the May 11, 2026 City Council meeting minutes (Budget Study Session).
4. Subject: Approval of May 11, 2026 City Council meeting minutes (Closed Session).
Recommended Action: Approve the May 11, 2026 City Council meeting minutes (Closed Session).
5. Subject: Approval of May 19, 2026 City Council meeting minutes
Recommended Action: Approve the May 19, 2026 City Council meeting minutes.
6. Subject: Approval of May 20, 2026 City Council meeting minutes
Recommended Action: Approve the May 20, 2026 City Council meeting minutes
7. Subject: Approval of May 21, 2026 City Council meeting minutes
Recommended Action: Approve the May 21, 2026 City Council meeting minutes.
8. Subject: Adoption of a Resolution authorizing Subsidiary Bodies to use teleconferencing for public meetings under Senate Bill (SB) 707.
Recommended Action: Adopt Resolution No. 26-064 authorizing Subsidiary Bodies to use teleconferencing for public meetings pursuant to Government Code section 54953.8.6, as added by Senate Bill (SB) 707.
9. Subject: Receive the Monthly Treasurer's Investment Report for April 2026
Recommended Action: Receive the Monthly Treasurer's Investment Report for April 2026
10. Subject: Receive the Monthly Treasurer's Report for April 2026
Recommended Action: Receive the Monthly Treasurer's Report for April 2026.
11. Subject: Memorandum of Agreement Among Coalition Partners for the Resilient Facilities Coalition for the City of Cupertino to participate with other partner agencies for the purpose of pursuing grant funds to support installation of various improvements in public buildings within their jurisdictions to enhance resiliency and reduce greenhouse gas emissions.
Recommended Action: Adopt Resolution No. 26-065 authorizing the City Manager to sign the Resilient Facilities Coalition Memorandum of Agreement and any amendments on behalf of the City of Cupertino, as a partner with other partner

agencies, for the purpose of pursuing grant funds to support installation of various improvements in public buildings within their jurisdictions to enhance resiliency and reduce greenhouse gas emissions.

12. Subject: A resolution calling for a consolidated General Municipal Election on November 3, 2026, to fill three City Council seats and request election services from the Santa Clara County Registrar of Voters.
Recommended Action: Adopt Resolution No. 26-066 calling for a consolidated General Municipal Election on November 3, 2026, to fill three City Council seats and request performance of services from the Registrar of Voters of the County of Santa Clara.

PUBLIC HEARINGS

14. Subject: Approval of Fiscal Year 2026-27 renewal of the 1992 Storm Drain Fee (with no increase) and renewal of the 2019 Clean Water and Storm Protection Fee with a 3% increase.
Recommended Action:
1. Adopt Resolution No. 26-067 (Attachment A) approving the renewal and collection of the 1992 Storm Drain Fee with no increase in rates for Fiscal Year (FY) 2026-27.
 2. Adopt Resolution No. 26-068 (Attachment B) approving the renewal and collection of the 2019 Clean Water and Storm Protection Fee with a 3% increase in rates for FY 2026-27.

Environmental Programs and Sustainability Manager Ursula Syrova gave a presentation.

Written communications included a supplemental report with staff answers to councilmember questions.

Councilmembers asked clarifying questions.

Mayor Moore opened the public hearing and the following members of the public spoke:

Cathy Helgerson
San Rao (virtually)

Mayor Moore closed the public hearing.

Councilmembers asked questions and made comments.

Chao requested an informational memorandum regarding the City's storm drain funds, the activities funded through the storm drain utility fee, and storm drain-

related 311 service requests.

MOTION: Chao moved and Mohan seconded the staff recommendation to:

1. Adopt Resolution No. 26-067 (Attachment A) approving the renewal and collection of the 1992 Storm Drain Fee with no increase in rates for Fiscal Year (FY) 2026-27.
2. Adopt Resolution No. 26-068 (Attachment B) approving the renewal and collection of the 2019 Clean Water and Storm Protection Fee with a 3% increase in rates for FY 2026-27.

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

15. Subject: Consider a residential project with 27 three-story townhomes, including 5 affordable units, with associated site improvements and condominium map, to replace a commercial office building on a 1.55-acre site. The project utilizes Senate Bill 330 and provisions of State Density Bonus law. (Application No(s): ASA-2025-016, TM-2025-008, & TR-2025-033; Applicant: SummerHill Homes, LLC; Location: 10268 Bandle Drive; APNs: 326-33-097.)

Recommended Action:

1. Find the project statutorily exempt from the California Environmental Quality Act (CEQA); and
2. Approve the following permits:
 - a. Adopt Resolution No. 26-069 approving Architectural & Site Approval Permit (ASA-2025-016) (Attachment A);
 - b. Adopt Resolution No. 26-070 approving Tentative Map (TM-2025-008) (Attachment B);
3. Adopt Resolution No. 26-071 approving Tree Removal permit (TR-2025-033) (Attachment C).

Written communications included staff and applicant presentations, a desk item and revised desk item, and emails to the Council.

Councilmembers disclosed any ex parte communications.

Senior Planner Gian Martire gave a presentation.

Jared Brotman, Director of Development with Summer Hill Homes, gave a presentation and Kevin Ibrahim, Senior Vice President of Development answered questions.

Councilmembers asked clarifying questions.

Mayor Moore opened the public hearing and the following members of the public spoke:

Cathy Helgerson
Andrew
Dani Habtom
Marilyn Kung
Nori (virtually)
Jennifer Griffin (virtually)
Jean Bedord (virtually)
Estevan Lopez (virtually)

Mayor Moore closed the public hearing.

Councilmembers asked questions and made comments.

MOTION: Moore moved and Wang seconded the staff recommendation as amended to:

1. Find the project statutorily exempt from the California Environmental Quality Act (CEQA); and
2. Approve the following permits:
 - a. Adopt Resolution No. 26-069 approving Architectural & Site Approval Permit (ASA-2025-016);
 - b. Adopt Resolution No. 26-070 approving Tentative Map (TM-2025-008);
 - c. Adopt Resolution No. 26-071 approving Tree Removal permit (TR-2025-033).

Amendments:

- 11. Design Modification: Prior to the issuance of any building permit for vertical construction, the applicant shall retain a qualified professional acoustical engineer to conduct an acoustic analysis of the project plans. The acoustical engineer must certify in writing to the Director of Community Development that the proposed building envelope design, including walls, doors, and windows, will achieve interior noise levels that do not exceed 45 dB CNEL (Community Noise Equivalent Level) within all habitable residential rooms. This requirement and subsequent certification are mandated to ensure full compliance with the City's noise standards pursuant to Cupertino Municipal Code Chapter 10. The developer shall install an 8-foot-tall sound-attenuating fence or other similar noise-mitigating features along the southern property line.
- 17. Formation of a Homeowners Association: modifying the final bullet point: Inclusion of a notice of neighboring uses. A disclosure to residents moving into the property that the sites around them are mixed-use, residential, industrial, and commercial existing areas, including non-residential character and commercial and industrial uses, including but not limited to approved trash loading areas, permitted uses, including the storage of hazardous materials, delivery schedules, hours of activity that may be outside of standard business hours, and associated

noise levels; and modifying Condition 26 regarding the native plant requirement of 50% to 75%.

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

At 9:03 p.m., Mayor Moore recessed the meeting. The meeting reconvened at 9:11 p.m. with all Councilmembers present.

ACTION CALENDAR

16. Subject: Adoption of a Council Policy regarding Disruptions of Telephonic or Internet Service During Public Meetings under Senate Bill (SB) 707.
Recommended Action: Adopt Resolution No. 26-072 adopting the Council Policy, "Disruption of Telephonic or Internet Service During Public Meetings," as required by Senate Bill (SB) 707.

Written communications included a staff presentation.

City Attorney Floy Andrews gave a presentation.

Councilmembers asked clarifying questions.

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

Jennifer Griffin (virtually)

Mayor Moore closed the public comment period.

Councilmembers asked questions and made comments.

MOTION: Chao moved and Wang seconded the staff recommendation to adopt Resolution No. 26-072 adopting the Council Policy, "Disruption of Telephonic or Internet Service During Public Meetings," as required by Senate Bill (SB) 707. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

ITEMS REMOVED FROM THE CONSENT CALENDAR

13. Subject: Reappointment of the City of Cupertino's Bicycle Pedestrian Commission (BPC) representative, Herve Marcy, to the Santa Clara County Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC).
Recommended Action: Reappoint Bicycle Pedestrian Commissioner Herve Marcy as the

City of Cupertino's representative to the VTA BPAC for the upcoming term, beginning July 1, 2026 and ending June 30, 2028

This item was removed from the Consent Calendar for consideration.

Director of Public Works Chad Mosley answered questions.

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

Councilmembers asked questions and made comments.

Fruen moved and Moore seconded to reappoint Bicycle Pedestrian Commissioner Herve Marcy as the City of Cupertino's representative to the VTA BPAC for the upcoming term, beginning July 1, 2026 and ending June 30, 2028. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: Wang. Abstain: None. Absent: None.

CITY MANAGER REPORT

17. Subject: City Manager Report

City Manager Tina Kapoor's newsletter included recent highlights and upcoming events as provided in the published agenda.

ORAL COMMUNICATIONS - CONTINUED - None

COUNCILMEMBER REPORTS

18. Subject: Councilmember Reports

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

FUTURE AGENDA ITEMS

As noted under Item No. 14, Chao requested an informational memorandum regarding the City's storm drain funds, the activities funded through the storm drain utility fee, and storm drain-related 311 service requests.

19. Subject: Upcoming Draft Agenda Items Report

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

ADJOURNMENT

At 9:39 p.m., Mayor Kitty Moore adjourned the Regular City Council Meeting in honor of Dr. Clarence B. Jones.

Minutes prepared by:

Kirsten Squarcia, Recording Secretary