



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, October 21, 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. Absent: R "Ray" Wang.

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

1. Subject: Recognition of October as Domestic Violence Awareness Month
Recommended Action: Present proclamation to Maitri in conjunction with October as Domestic Violence Awareness Month

Neeti Kataruka, Maitri Client Advocate, provided comments and received the proclamation.

Mayor Chao presented the proclamation to Maitri in conjunction with October as Domestic Violence Awareness Month.

2. Subject: Recognition of the years of service for the Cupertino Rotary Club
Recommended Action: Recognize the years of service for the Cupertino Rotary Club

Written communications for this item included a presentation.

Kathy Yates, Cupertino Rotary Club President, gave a presentation and received the proclamation.

Mayor Chao presented the proclamation recognizing the years of service for the Cupertino Rotary Club.

3. Subject: Recognition of the years of service for Cupertino Lions Club
Recommended Action: Recognize the years of service for Cupertino Lions Club

Written communications for this item included a supplemental report.

Correction noted: An error was identified in the name of the organization listed on the agenda. The correct name is Cupertino De Anza Lions Club. The Cupertino Lions Club is a separate organization.

John Smith, Cupertino De Anza Lions Club Director, provided comments and received the proclamation.

Mayor Chao presented the proclamation recognizing the years of service for the Cupertino De Anza Lions Club.

4. Subject: Recognition of Monta Vista High School students for earning 8th place in the 2025 Science Olympiad National Tournament
Recommended Action: Present certificates of appreciation to Monta Vista High School students for earning 8th place in the 2025 Science Olympiad National Tournament

Julie Choi, Monta Vista High School Science Olympiad Team Coach, provided comments and received the certificates on behalf of the students.

Mayor Chao presented the certificates of appreciation to Monta Vista High School students for earning 8th place in the 2025 Science Olympiad National Tournament.

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:

Shaun Fong discussed the Mary Avenue Villas project.

A resident discussed the Mary Avenue Villas project.

Luthern Williams discussed the Tessellations School organization and activities.

Colonel John Swensson and Dennis Whittaker discussed the upcoming Veterans Day ceremony at the Cupertino Veterans Memorial.

Marabat Bai Murzawa discussed Tessellation School's conditional use permit.

Michael Chu discussed the Mary Avenue Villas project.

Jenny discussed a property-related code enforcement matter with the City.

Belinda Hantout discussed homelessness and housing shelter options.

Planning Commissioner San R (representing self) discussed code enforcement, oversized vehicle parking regulations, and the Vision Zero Task Force.

CONSENT CALENDAR (Items 5-12)

MOTION: Chao moved and Moore seconded to remove Item 12 from the Consent Calendar and place after the Consent Calendar for consideration. The motion passed with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

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

Planning Commissioner San R (representing self) (Item 9)

Nori (Item 8)

Jean Bedord (Item 6)

Mayor Chao closed the public comment period.

MOTION: Fruen moved and Mohan seconded to adopt Consent Calendar Items 5-11 as presented. The motion passed with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

5. Subject: Approval of October 7, 2025 City Council meeting minutes

Recommended Action: Approve the October 7, 2025 City Council meeting minutes

6. Subject: Ratifying Accounts Payable for the periods ending September 12, 2025 and

September 26, 2025

Recommended Action: A. Adopt Resolution No. 25-085 ratifying Accounts Payable for the Period ending September 12, 2025; and
B. Adopt Resolution No. 25-086 ratifying Accounts Payable for the Period ending September 26, 2025

Written communications for this item included emails to the Council.

7. Subject: Adopt a resolution increasing the employer's contribution for medical and hospitalization insurance consistent with the Public Employees' Medical and Hospital Care Act ("PEMHCA" or the "Act") for retired annuitants hired with the City of Cupertino prior to August 2004.
Recommended Action: Adopt Resolution No. 25-087 increasing the employer's contribution for medical and hospitalization insurance for retired annuitants hired with the City of Cupertino prior to August 2004.
8. Subject: Second reading and enactment of Municipal Code amendments, adding Title 14, Chapter 14.30 Small Wireless Facilities In Public Rights-Of-Way, pertaining to regulation of wireless facilities within City streets.
Recommended Action: 1. Conduct the second reading and enact Ordinance 25-2276: "An Ordinance of the City Council of the City of Cupertino adding City Code Title 14 Chapter 14.30 Small Wireless Facilities In Public Rights-Of-Way."
2. Find that the proposed action is exempt from CEQA.
9. Subject: Second reading and enactment of Municipal Code amendments for consistency with Senate Bill 450 and minor text edits, amending multiple chapters of the Municipal Code. (Application No.: MCA-2024-004; Applicant: City of Cupertino; Location: Citywide)
Recommended Action: That the City Council:
 1. Conduct the second reading and enact Ordinance No. 25-2277: "An Ordinance of the City Council of the City of Cupertino amending Chapters 14.15 (Landscape), 14.18 (Protected Trees), 18.20 (Parcel Maps), 18.52 (Hillside Subdivisions), 19.08 (Definitions), 19.12 (Administration), 19.16 (Designation and Establishment of Districts), 19.28 (Single Family R1 Zones), 19.36 (Multiple-Family R3 Zones), 19.38 (Multiple-Family R4 Zones), 19.40 (Residential Hillside RHS Zones), 19.44 (Residential Single-Family Cluster R1C Zones), 19.46 (Townhomes TH Combining District), 19.60 (General Commercial CG Zones), 19.100 (Accessory Structures), 19.102 (Glass and Lighting), 19.104 (Signs), 19.124 (Parking), and 19.132 (Sale of Alcoholic Beverages and Gasoline) of the Municipal Code regarding consistency with Senate Bill 450 and minor text edits."; and
 2. Find that the proposed actions are exempt from CEQA.

10. Subject: Receive the Monthly Treasurer's Report for September 2025
Recommended Action: Receive the Monthly Treasurer's Report for September 2025
11. Subject: Receive the Monthly Treasurer's Investment Report for September 2025
Recommended Action: Receive the Monthly Treasurer's Investment Report for September 2025

ITEMS REMOVED FROM THE CONSENT CALENDAR

12. Subject: Approve the July 1, 2025, through June 30, 2028, Memorandum of Understanding setting the salary and terms and conditions of employment for the Cupertino City Employees' Association (CEA)/IFPTE Local 21.
Recommended Action: 1. Adopt Resolution 25-088 amending the Memorandum of Understanding (MOU) for the Cupertino City Employees' Association (CEA)/IFPTE Local 21 based on the attached tentative agreements; and
2. Approve the corresponding Salary Schedule for CEA employees effective July 12, 2025; and
3. Adopt Resolution 25-089 to approve budget modification 2526-413 increasing appropriations by \$605,061 ensuring that there are sufficient budget appropriations to cover the costs associated with the negotiated contracts.

Written communications for this item included emails to the Council.

This item was removed from the Consent Calendar for consideration.

Interim City Manager Tina Kapoor provided a statement.

Councilmembers asked questions and made comments.

Special Labor Counsel Christopher Boucher of Boucher Law responded to questions.

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

Planning Commissioner San Rao (representing self)
Rhoda Fry

Mayor Chao closed the public comment period.

MOTION: Moore moved and Fruen seconded to:

1. Adopt Resolution 25-088 amending the Memorandum of Understanding (MOU) for

the Cupertino City Employees' Association (CEA)/IFPTE Local 21 based on the attached tentative agreements; and

2. Approve the corresponding Salary Schedule for CEA employees effective July 12, 2025; and
3. Adopt Resolution 25-089 to approve budget modification 2526-413 increasing appropriations by \$605,061 ensuring that there are sufficient budget appropriations to cover the costs associated with the negotiated contracts.

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

PUBLIC HEARINGS – None

ACTION CALENDAR - None

STUDY SESSION

13. Subject: Study session to review the Arts & Culture Commission's recommendation to the Municipal Code standards for art in public and private development, including the standards in the Municipal Code and developing an Art-in-lieu fee policy. (Application No. MCA-2025-003; Applicant: City of Cupertino; Location: City-wide)
Recommended Action: Conduct the study session and provide feedback to Staff.

Written communications for this item included a staff presentation, a presentation from the Arts and Commission Chair, a desk item report with staff responses to councilmember questions, emails to the Council, and a written communication from Councilmember Wang.

Assistant Director of Community Development Luke Connolly and Senior Planner Gian Martire gave a presentation.

Councilmembers asked questions and made comments.

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

Arts and Culture Commission Chair Kiran V. Rohra, representing the Arts and Culture Commission

Patrick Kwok

Jean Bedord

Planning Commissioner Steven Scharf (representing self)

Planning Commissioner San Rao (representing self)

Rhoda Fry

Mayor Chao closed the public comment period.

Councilmembers provided the following comments.

Council conducted the study session and requested staff follow up on the following items:

- Bring this item back for another City Council study session.
- Provide information on whether a separate art fund exists and how it is managed.
- Clarify how the Arts and Culture Commission can be involved earlier in the development review process without delaying projects.
- Prepare a summary of the Arts and Culture Commission's duties under the Municipal Code and report on how those duties have been met or could be further addressed.
- Identify ways to promote new art installations and showcase existing pieces.
- Update the City's art tour and website to include recent additions and provide accessible options such as a foldable map for residents without the app.
- Include De Anza College art installations as part of the City's broader public art inventory and collaboration efforts.

ADJOURNMENT

At 10:29 p.m., Mayor Chao adjourned the Regular City Council Meeting per rule. There was no further discussion on the remaining agenda items.

CITY MANAGER REPORT

14. 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

15. 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.

16. 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