



**DRAFT MINUTES  
CUPERTINO CITY COUNCIL**

Tuesday, April 7, 2026

**SPECIAL MEETING**

At 5:46 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: An update on the development of the Active Transportation Plan, including a summary of Phase 2, explanations of plan edits, revised scoring criteria, and next steps. Recommended Action: Receive an update on the development of the Active Transportation Plan and provide feedback on the agenda packet attachments.

Written communications for this item included emails to Council, a staff presentation, and a supplemental report for Attachment I (Existing and Recommended Bicycle Network Map).

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:

Jennifer Griffin

Planning Commissioner San Rao (representing self) (virtually)

Mayor Moore closed the public comment period.

Council received an update on the development of the Active Transportation Plan.

Council conducted a straw poll to determine support for the adoption of the new scoring criteria (Ayes: Chao, Fruen, and Mohan. Noes: Moore. Absent: Wang)

## ADJOURNMENT

At 6:37 p.m., Mayor Kitty Moore adjourned the Special City Council Meeting.

## REGULAR MEETING

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, and Councilmembers J.R. Fruen, and Sheila Mohan. Absent: Councilmember R “Ray” Wang.

**CLOSED SESSION REPORT** – None.

## CEREMONIAL ITEMS

1. Subject: Proclamation in recognition of April as Donate Life Month.  
Recommended Action: Present proclamation recognizing April as Donate Life Month.

Hoa Ha, Community Engagement Specialist from Donor Network West, received the proclamation and provided brief comments.

Mayor Moore presented the proclamation recognizing April as Donate Life Month.

2. Subject: Proclamation in recognition of April as Fair Housing Month.  
Recommended Action: Present proclamation recognizing April as Fair Housing Month.

The following individuals provided brief remarks and received the Fair Housing Month proclamation:

- Sujatha Venkatraman, Executive Director of West Valley Community Services
- Sheri Burns, Executive Director of Silicon Valley Independent Living Center
- Sara Cottrell, Grant Accounts Manager from Project Sentinel Fair Housing

Mayor Moore presented the proclamation recognizing April as Fair Housing Month.

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

MOTION: Moore moved and Mohan seconded to continue Item No. 14 to April 21, 2026. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

## **ORAL COMMUNICATIONS**

Written communications for this item included emails to the Council.

The following members of the public spoke:

Jennifer Griffin discussed earthquakes and safety.

Roger Costa discussed fire hazard severity zones and Assembly Bill (AB) 1572.

Rhoda Fry discussed City financing and taxes including Measure T and the Utility Users Tax (UUT).

Monica Faria, Local Government Affairs Representative for Pacific Gas & Electric (PG&E) introduced herself as the new representative for the area.

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

Planning Commissioner San Rao (representing self) (virtually) discussed City finances and staffing.

## **CONSENT CALENDAR (Items 3-10)**

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

MOTION: Chao moved and Moore seconded to approve Consent Calendar Items 3-9, as amended for Item No. 9. The amended motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

Councilmembers made comments on Item No. 10 and Council voted separately on the item.

MOTION: Moore moved and Mohan seconded Consent Calendar Item No. 10 to form an Ad Hoc Council Subcommittee of Mayor Kitty Moore and Councilmember J.R. Fruen to prepare a modified letter including strategies to increase the impact of the letter and bring back to Council on April 21, 2026, if possible. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

3. Subject: Approval of February 28, 2026 City Council meeting minutes.  
Recommended Action: Approve the February 28, 2026 City Council meeting minutes.
4. Subject: Approval of March 17, 2026 City Council meeting minutes.  
Recommended Action: Approve the March 17, 2026 City Council meeting minutes.
5. Subject: Receive the Monthly Treasurer's Investment Report for February 2026.  
Recommended Action: Receive the Monthly Treasurer's Investment Report for February 2026.
6. Subject: Receive the Monthly Treasurer's Report for February 2026.  
Recommended Action: Receive the Monthly Treasurer's Report for February 2026.
7. Subject: Consider adopting Resolution No. 26-034 to establish a Policy on Flags on City Property.  
Recommended Action: Adopt Resolution No. 26-034 to establish a Policy on Flags on City Property.

Written communications for this item included a desk item Attachment C (Commemorative Administrative Policy).

8. Subject: Approval of a resolution to authorize application for the Safe, Clean Water and Natural Flood Protection Program 2026 Standard Grant operated by the Santa Clara Valley Water District (Valley Water) for the Lawrence Mitty Park and Trail Project.  
Recommended Action: Adopt Resolution No. 26-035 of the City Council authorizing the City to apply for funds through the Safe, Clean Water and Natural Flood Protection Program 2026 Standard Grant Operated by The Santa Clara Valley Water District (Valley Water) for the Lawrence Mitty Park and Trail Project.
9. Subject: Approve a budget modification in the amount of \$475,000 for ballot measure preparation services and County of Santa Clara Registrar of Voter election services fees.  
Recommended Action: 1. Approve a Budget Adjustment in the amount of \$475,000 in the General Fund for ballot support services with TeamCivX and election services fees from the County of Santa Clara Registrar of Voters (GL# 100-41-405 700-702)  
2. Adopt Resolution No. 26-036 approving budget modification #2526-437, approving a additional General Fund appropriation in the amount of \$475,000 for ballot support

services with TeamCivX and election services fees from the County of Santa Clara Registrar of Voters (GL# 100-41-405 700-702).

Written communications for this item included a desk items Attachments B (Amended Draft Budget Resolution – Redline) and C (ROV Cost Estimate).

10. Subject: Authorization for Mayor to Sign Multi-Jurisdictional Letter Regarding State Housing Legislation.

Recommended Action: Authorize the Mayor to sign a joint letter with West Valley Mayors requesting the State Legislature to consider a temporary pause on new housing legislation to allow for evaluation and implementation of existing laws.

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

At 7:30 p.m., Mayor Moore recessed the meeting. The meeting reconvened at 7:37 p.m. with all Councilmembers present (Wang absent).

## PUBLIC HEARINGS

11. Subject: Consider a Use Permit, Tentative Map, Architectural and Site Approval, and Tree Removal Permit for the construction of a 122-unit residential development, consisting of 66 small-lot single family homes and 56 townhomes located at the Stevens Creek Office Center site, which includes a multi-tenant retail building (Voyager Coffee and Panera Bread). The project utilizes Senate Bill 330 and provisions of State Density Bonus law. (Application No(s): U-2024-008, TM-2024-006, ASA-2024-011, TR-2024-033; Applicant: Kevin Choy, Harvest Properties; Location: 20807, 20813, 20823 & 20883 Stevens Creek Blvd; APNs: 326-32-050, -051, -052, and -053.)

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. 26-037 approving Use Permit (U-2024-008) (Attachment A); and

b. Adopt Resolution No. 26-038 approving Architectural & Site Approval Permit (ASA-2024-011) (Attachment B); and

c. Adopt Resolution No. 26-039 approving Tentative Map (TM-2026-006) (Attachment C); and

d. Adopt Resolution No. 26-040 approving Tree Removal permit (TR-2024-033) (Attachment D).

Written communications for this item included emails to Council, a staff presentation, a desk item, and a supplemental report Attachment K (Preliminary Title Report) and all associated attachments.

Councilmembers disclosed ex-parte communications.

Senior Planner Shelby Maples gave a presentation.

Councilmembers asked clarifying questions.

The following people spoke on behalf of the applicant:

- Kevin Choy, Director of Harvest Properties, gave a presentation.
- Blair Volkmann, Partner with Harvest Properties.
- David Burton, Architect.

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

Jennifer Griffin

Lauren Burns

Esin Demirlioglu

David Susman

Witt Turner (virtually)

Planning Commissioner San Rao (representing self) (virtually)

Housing Commissioner Connie Cunningham (representing self) (virtually)

Nori (virtually)

Councilmembers asked questions and made comments.

Moore requested two informational memoranda addressing 1) the City's flexibility regarding density bonus waivers and 2) the loss of retail space resulting from State housing laws.

Mayor Moore closed the public hearing.

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

1. Find the project statutorily exempt from the California Environmental Quality Act (CEQA); and
2. Approve the following permits:
  - a. Adopt Resolution No. 26-037 approving Use Permit (U-2024-008); and
  - b. Adopt Resolution No. 26-038 approving Architectural & Site Approval Permit (ASA-2024-011); and
  - c. Adopt Resolution No. 26-039 approving Tentative Map (TM-2024-006); and
  - d. Adopt Resolution No. 26-040 approving Tree Removal permit (TR-2024-033); and
3. with the amendment incorporating Municipal Code Section 19.148.060 to locate art

to the Stevens Creek Boulevard frontage.

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

## ACTION CALENDAR

12. Subject: Award of a consultant agreement with PlaceWorks, not to exceed \$468,450, to prepare a Housing Element update (and internal consistency updates to the General Plan), related rezoning, and all necessary environmental review as required under State law, and associated budget modification in the amount of \$660,000, to address requirements of Government Code Section 65863 (No Net Loss) and authorize no-cost contract change.

Recommended Action: That the City Council:

1. Adopt Resolution No. 26-041 (Attachment A) to approve Budget Modification #2526-436 to increase appropriations in 100-71-702 750-101 (Fiscal Year 2025-26 Adopted Budget) by \$660,000 for the fiscal year 2025-26 for the project; and
2. Award a consultant agreement with PlaceWorks for an amount not to exceed \$468,450 for a Housing Element update, internal consistency updates to the General Plan, related rezoning, and all necessary environmental review as required under State law (Attachment B) and authorize execution thereof by the City Manager; and
3. Authorize the City Manager to approve contract amendments with PlaceWorks, up to an amount not to exceed \$515,425 for additional unanticipated work that is related to the scope of the agreement.

Written communications for this item included a desk item.

Assistant Director of Community Development Luke Connolly gave a presentation.

Councilmembers asked questions and made comments.

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

Jennifer Griffin

Planning Commissioner San Rao (representing self) (virtually)

Mayor Moore closed the public comment period.

MOTION: Mohan moved and Fruen seconded the recommended action to:

1. Adopt Resolution No. 26-041 (Attachment A) to approve Budget Modification #2526-436 to increase appropriations in 100-71-702 750-101 (Fiscal Year 2025-26 Adopted Budget) by \$660,000 for the fiscal year 2025-26 for the project; and

2. Award a consultant agreement with PlaceWorks for an amount not to exceed \$468,450 for a Housing Element update, internal consistency updates to the General Plan, related rezoning, and all necessary environmental review as required under State law (Attachment B) and authorize execution thereof by the City Manager; and
3. Authorize the City Manager to approve contract amendments with PlaceWorks, up to an amount not to exceed \$515,425 for additional unanticipated work that is related to the scope of the agreement.

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

13. Subject: Consider updates to procedures administering the City's Commissions and Committees and revising the City Commissioners' Handbook to reflect the new procedures.

Recommended Action: Adopt Resolution 26-042 updating the Commissioners' Handbook to (1) appoint alternates to assist with quorum requirements when regular members are absent, (2) promote broad community participation on the City's commissions and committees, (3) align attendance requirements and Council's discretion over consequences for missing meetings; (4) recognize advisory body members' autonomy while ensuring the advisory body's actions are fairly communicated.

Written communications for this item included emails to Council, a staff presentation, and supplemental report Attachments D (Updated Commissioners Handbook – Redline), E (Updated Commissioners Handbook – Clean), F (Policy on Resident Communications with Staff), and G (Info Memo on Policy on Resident Communication with Staff).

City Attorney Floy Andrews gave a presentation.

Councilmembers asked questions and made comments.

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

Planning Commissioner San Rao (representing self) (virtually)

Mayor Moore closed the public comment period.

MOTION: Chao moved and Moore seconded the staff recommendations with the following modifications:

1: COMMISSIONS:

Strike the following language:

~~[However, if the individual commissioner's personal recommendation is inconsistent with a position taken by the full commission, the individual commissioner should also provide the City Council with a general description of the full commission's position.]~~

Replace with the following revised language:

*"The individual commissioner should recognize if their opinion is inconsistent with the full commission."*

## 2: RECOMMENDATIONS AND REPORTS TO CITY COUNCIL

Strike the following language:

~~The commissioner selected by the Chair as the commission representative should strive to represent the position of the commission as a whole at the meeting, as necessary, regardless of the commissioner's personal views.~~

## 3: USE OF CITY EMAIL

- a. Directed City Attorney Andrews to develop language to clarify how to communicate with others outside of the City; and

- b. Strike the following language:

~~When advocating or discussing a matter within the scope of your commission's jurisdiction, please ensure that the email cannot be construed as representing the views of the full commission, unless the commission has affirmatively voted to approve the position presented.~~

## 4: FUTURE AGENDA SETTING

Each commission meeting should have the Future Agenda Item. A draft future agenda document should strive to include at least two upcoming meetings or more and other to-be-agendized items.

## 5: ALTERNATE MEMBERS

The Council will appoint one alternate for each commission. The alternate is required to attend each commission meeting, in person or virtually or review the recording. When any commissioner is absent from a meeting, the Chair would ministerially seat the alternate as a voting member. (The alternate does not fill a commission vacancy.)

## 6. QUORUM, ATTENDANCE, TRAINING, AND REPORTING

To be consistent with the Council Procedures Manual, the removal of any commissioner shall be placed on the Council agenda for a decision on removal.

7. Accept further recommendations from staff.

## 8. BROAD REPRESENTATION

It is discouraged for one commissioner to serve on two or more commissions.

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

14. Subject: Determine next steps for the agreement with the Cupertino Chamber of Commerce.

Recommended Action: Receive update and provide direction on the agreement with the Cupertino Chamber of Commerce.

1. Authorize Agreement Extension with Revised Scope of Work (Recommended); or
2. Authorize Agreement to Expire without Extension; or
3. Authorize Agreement Extension with Existing Scope and Funding.

Written communications for this item included staff presentation.

As noted under Postponements and Orders of the Day, this item was continued to April 21, 2026.

**ITEMS REMOVED FROM THE CONSENT CALENDAR - None**

#### **CITY MANAGER REPORT**

15. 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**

16. 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. 11, two informational memoranda were requested to 1) address the City's flexibility regarding density bonus waivers and 2) the loss of retail space resulting from State housing laws (Moore).

There were no requests from Councilmembers for future agenda items.

17. Subject: Upcoming Draft Agenda Items Report

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

**ADJOURNMENT**

Mayor Moore adjourned in memory of former Santa Clara County Supervisor Rod Diridon Sr.

At 10:21 p.m., Mayor Kitty Moore adjourned the Regular City Council Meeting.

Minutes prepared by:

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Lauren Sapudar, City Clerk