

RESOLUTION NO. 26-XXX

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL ORDERING THE
SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY OF A CERTAIN
MEASURE RELATING TO AN INITIATIVE ORDINANCE AMENDING
THE CITY OF CUPERTINO GENERAL PLAN TO REQUIRE VOTER
APPROVAL BEFORE CERTAIN PARKS, PARKLANDS OR OPEN SPACE
MAY BE REZONED OR DEVELOPED FOR RESIDENTIAL, COMMERCIAL
OR INDUSTRIAL USES; REQUESTING CONSOLIDATION WITH THE
STATEWIDE GENERAL ELECTION; REQUESTING PERFORMANCE OF
ELECTION SERVICES FROM THE COUNTY OF SANTA CLARA
REGISTRAR OF VOTERS; SETTING RULES FOR ARGUMENTS,
IMPARTIAL ANALYSIS, REBUTTALS, AND PUBLIC EXAMINATION; AND
DIRECTING RELATED ACTIONS**

WHEREAS, lands designated or used for parks, parkland and open space provide important recreational, environmental, scenic, habitat, and quality of life benefits to the residents of the City of Cupertino (the "City"); and

WHEREAS, the City Council desires to submit to the qualified voters of the City an initiative ordinance that would amend the City of Cupertino General Plan and require certain proposals to rezone parks, parklands or open space to residential, commercial or industrial uses, or to authorize residential, commercial or industrial development in parks, parkland or open space, to be submitted to Cupertino voters and approved by a two-thirds vote, as set forth in the ordinance attached hereto as Exhibit A; and

WHEREAS, Elections Code section 9222 authorizes the City Council to submit ordinances to the voters; and

WHEREAS, Elections Code sections 10400 et seq. authorize the consolidation of municipal elections with statewide elections; and

WHEREAS, the proposed initiative ordinance is attached to this Resolution as Exhibit A and incorporated herein by reference (the "Ordinance"); and

WHEREAS, a General Municipal Election on Tuesday, November 3, 2026 has been called by Resolution No. 26-066, adopted on June 2, 2026; and

WHEREAS, the City Council desires to request that the election be consolidated with the statewide general election to be held on the same date; and

WHEREAS, the City Council also desires to submit to the voters at the election a question relating to the Ordinance; and

WHEREAS, the City Council desires to authorize the preparation and filing of ballot arguments, an impartial analysis, rebuttal arguments, and related election materials in accordance with the Elections Code and the deadlines established by the City Clerk consistent with the schedule of the Santa Clara County Registrar of Voters for the consolidated election; and

WHEREAS, the City Council has considered the Ordinance, the proposed ballot question, the requirements of the California Constitution, the Elections Code, the Government Code, and all other applicable law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUPERTINO, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1. Recitals.

That the foregoing recitals are true and correct and are incorporated herein as findings and as an operative part of this Resolution.

2. Approval of Ordinance for Submission to Voters.

That the City Council hereby approves the form of the Ordinance attached as Exhibit A for submission to the qualified voters of the City. The Ordinance shall be deemed adopted and shall become effective only if approved by the vote required by applicable law and after certification of the election results by the City Council, as provided in the Ordinance and applicable law.

3. Calling of Election.

That pursuant to Elections Code section 9222 and all other applicable law, the General Municipal Election to be held in the City of Cupertino on Tuesday, November 3, 2026, having previously been called by Resolution No. 26-066, the City Council hereby orders that the measure described in this Resolution be submitted to the qualified voters of the City at that election.

4. Ballot Question.

That the City Council hereby orders that the following ballot question be submitted to the qualified voters of the City at the election:

Cupertino Parks, Parkland, and Open Space Preservation Measure. Shall an ordinance amending the City of Cupertino General Plan be adopted to mandate that any attempt to rezone parks, parklands or open space to residential, commercial or industrial uses, or any proposal for residential, commercial or industrial development in parks, parkland or open space, must be placed before Cupertino voters and secure two-thirds support in the City’s next general election?	YES
	NO

The City Clerk, in consultation with the City Attorney and the Santa Clara County Registrar of Voters, is authorized to make non-substantive changes to the ballot question and related materials as may be required to conform to applicable law, formatting requirements, or directions from the Registrar of Voters, provided that such changes do not materially alter the substance of the measure.

Concurrently herewith, pursuant to Resolution 26-XXX, the City Council is submitting a Utility Users Tax and Telecommunications Tax extension (“Utility Tax Measure”) at the November 3, 2026 General Municipal Election. The City Council hereby requests that the Park Measure pursuant to this Resolution shall be placed on the ballot prior to the Utility Tax Measure.

5. Full Text of Measure; Availability to Voters.

That pursuant to Elections Code section 9223 and other applicable law, the City Clerk, as the City’s elections official, is hereby directed to cause the full text of the Ordinance submitted to the voters by this Resolution to be printed or otherwise made available to voters as required by law. The City Clerk is authorized to provide the full text of the Ordinance for inclusion in the voter information guide or ballot materials, or, if permitted by the County elections official and applicable law, to provide notice in the voter information guide that the full text of the Ordinance is available without cost upon request from the City Clerk, on the City’s website, and at the City Clerk’s office.

The City Clerk is further authorized and directed to publish, post, or cause to be published or posted any notice, synopsis, full text, or other election materials required by the Elections Code or by the County elections official in connection with the measure.

6. Nature of Measure; Approval Required.

That the measure is an initiative ordinance concerning parks, parkland and open space within the City. The ballot question provides that specified future rezoning or development proposals must be placed before Cupertino voters and secure two-thirds support. The

proposals must be placed before Cupertino voters and secure two-thirds support. The measure itself shall be approved if it receives the affirmative vote of a majority of the voters voting on the measure.

7. Description of Measure.

That the proposed Ordinance would amend the City of Cupertino General Plan and, as set forth in the Ordinance, require specified proposals to rezone parks, parklands or open space to residential, commercial or industrial uses, or to authorize residential, commercial or industrial development in parks, parkland or open space, to be submitted to Cupertino voters and approved by a two-thirds vote. The final legal effect of the measure shall be determined from the text of the Ordinance submitted to the voters.

8. Consolidation; Request for County Election Services.

That pursuant to Elections Code sections 10002, 10400, 10403, and 10418, the City Council hereby requests that the Board of Supervisors of the County of Santa Clara consent and agree to the consolidation of the election called by this Resolution with the statewide general election to be held on Tuesday, November 3, 2026, and that the Santa Clara County Registrar of Voters conduct the election and provide all election services necessary or appropriate for the conduct of the election. The City acknowledges that the consolidated election shall be held and conducted in the manner prescribed by Elections Code section 10418.

9. Election Costs.

That the City shall reimburse the County of Santa Clara for the City's share of the costs of placing the measure on the ballot, conducting the election, printing and mailing election materials, canvassing the returns, and all other services performed by the Registrar of Voters in connection with the measure, upon presentation of an invoice or other appropriate documentation.

10. Impartial Analysis.

That Pursuant to Elections Code section 9280, the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words, showing the effect of the measure on existing law and the operation of the measure. The impartial analysis shall be filed with the City Clerk by the deadline established by the City Clerk consistent with applicable law and the schedule established by the Santa Clara County Registrar of Voters for the consolidated election.

11. Arguments.

That pursuant to Elections Code sections 9281 through 9287, the City Council authorizes the filing of written arguments for and against the measure. Direct arguments shall not exceed

300 words and shall be filed with the City Clerk by the deadline established by the City Clerk consistent with applicable law and the schedule established by the Santa Clara County Registrar of Voters for the consolidated election. If more than one argument for or against the measure is submitted, the City Clerk shall select the argument to be printed in accordance with Elections Code section 9287. In the event that more than one argument for, or more than one argument against, the Measure is timely submitted to the City Clerk/Elections Official, the City Clerk/Elections Official shall select one argument in favor and one argument against the measure to be printed and distributed to the voters. In selecting the arguments, the City Clerk/Elections Official shall give preference and priority in the order named, to the arguments of the following: (1) to the City Council, or member or members of the City Council authorized by the City Council; (2) to the individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (3) to bona fide associations of citizens; and (4) to individual voters who are eligible to vote on the measure, in accordance with the provisions of California Elections Code section 9287(a).

12. City Council Argument in Favor.

That the City Council hereby authorizes the Mayor and Councilmember Mohan to prepare, sign, and file a written argument in favor of the measure on behalf of the City Council, and to make any non-substantive revisions to such argument before filing. The City Council also authorizes the filing of such forms, declarations, and authorizations as may be required by the Elections Code or the County elections official. The City Council further authorizes the argument to include additional eligible signers, including individual voters eligible to vote on the measure and representatives of bona fide associations of citizens, provided that the argument complies with Elections Code sections 9282 and 9283 and no more than five signatures appear with the argument.

13. Rebuttal Arguments.

That pursuant to Elections Code section 9285, the City Council hereby adopts the provisions of Elections Code section 9285 for this election and authorizes rebuttal arguments. The authors of the arguments for and against the measure may prepare and submit rebuttal arguments, or may authorize in writing another person or persons to prepare, submit, or sign a rebuttal argument. Rebuttal arguments shall not exceed 250 words and shall be filed with the City Clerk by the deadline established by the City Clerk consistent with applicable law and the schedule established by the Santa Clara County Registrar of Voters for the consolidated election.

14. Public Examination.

That the City Clerk shall make the measure text, impartial analysis, arguments, rebuttal arguments, and other ballot materials available for public examination in accordance with

Elections Code section 9295 and other applicable law. During the applicable 10-calendar-day public examination period, any voter of the jurisdiction or the elections official may seek a writ of mandate or injunction requiring amendment or deletion of material as provided by law.

15. Election Deadlines.

That the City Clerk is authorized and directed to establish deadlines for the impartial analysis, direct arguments, rebuttal arguments, public examination periods, and related materials consistent with the requirements of the Elections Code and the schedule established by the Santa Clara County Registrar of Voters for the consolidated election. The anticipated deadlines are set forth in Exhibit B. The deadlines in Exhibit B are based on the Santa Clara County Registrar of Voters' calendar for the November 3, 2026 General Election and are intended to govern the submission of City measure materials for the consolidated election. The City Clerk is authorized to adjust these deadlines as necessary to comply with the Elections Code and the final instructions of the Registrar of Voters.

16. Notice of Election.

That the City Clerk is authorized and directed to give notice of the election and the measure in the time, form, and manner required by law, including publication of any notice fixing the deadline for submission of arguments if required or deemed appropriate.

17. Filing and Transmittal of Resolution.

That the City Clerk is authorized and directed to file a certified copy of this Resolution and all required election materials with the Board of Supervisors of the County of Santa Clara and the Santa Clara County Registrar of Voters within the time required by law, including Elections Code section 10403 and the applicable County election calendar.

18. Technical Changes.

That the City Manager, City Clerk, and City Attorney are authorized to make non-substantive corrections, revisions, or modifications to the ballot question, Ordinance, election materials, and related documents as may be necessary or advisable to comply with the Elections Code, the California Constitution, the Government Code, or requirements of the Santa Clara County Registrar of Voters, provided that such changes do not materially alter the substance of the measure.

19. Canvass and Certification.

That the Santa Clara County Registrar of Voters is authorized to canvass the returns of the election. The City Council shall meet to declare the results of the election and certify the election results as required by law.

20. Severability.

That if any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable.

SECTION 21. Effective Date.

That this Resolution shall take effect immediately upon its adoption.

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment. In the event that this Resolution is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action to enact an ordinance protecting the rezoning of parks and open space would not approve any development, authorize any physical change to the environment or commit the City to any project. Rather the Ordinance establishes voter approval requirements for future land use actions concerning parks and open space. Accordingly the Ordinance is not a project under CEQA. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 21st day of July, 2026 by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED:

Kitty Moore, Mayor
City of Cupertino

Date

ATTEST:

Lauren Sapudar, City Clerk

Date

ORDINANCE NO. 26-XXX

*****Full Text Starts Here*****

AN INITIATIVE ORDINANCE OF THE CITY OF CUPERTINO REQUIRING APPROVAL BY AT LEAST TWO-THIRDS OF THE VOTERS OF THE CITY OF CUPERTINO BEFORE LAND DESIGNATED AS PARKS AND OPEN SPACE MAY BE REDESIGNATED, REZONED OR APPROVED OR DEVELOPED FOR NON-PARK USES

The People of the City of Cupertino hereby find that:

1. Lands designated as Parks and Open Space provide important recreational, environmental, scenic, habitat, and quality of life benefits to the residents of the City of Cupertino (the "City").
2. Lands designated as Parks and Open Space constitute irreplaceable community resources that contribute significantly to the character and livability of the City.
3. The People of the City of Cupertino desire to preserve lands designated as Parks and Open Space and reserve to the voters the authority to approve significant changes to such lands.
4. The People of the City of Cupertino find that any redesignation, authorization of non-park development should occur only upon a broad community consensus demonstrated by approval of at least two-thirds (2/3) of the voters of the City.
5. The People further find that limited flexibility should be preserved for minor boundary adjustments, surveying corrections, utility and infrastructure improvements, environmental restoration projects, and similar de minimis transactions that do not materially impair the continued use of protected lands for park and open space purposes.
6. Exhibits A and B identify the parcels designated as Parks and Open Space on the Cupertino General Plan Land Use Map and are incorporated herein to provide certainty and facilitate administration of this Ordinance.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF CUPERTINO DO ORDAIN AS FOLLOWS:

SECTION 1. Addition of Title 21 of the Municipal Code. "Title 21: Initiatives" is hereby added to the Municipal Code to read in its entirety as set forth in Exhibit A hereto and by this reference incorporated herein.

SECTION 2. General Plan Amendment. The City of Cupertino General Plan is hereby amended to add two new policies or goals to applicable Land Use and Community Character Element (Chapter 3) and Recreation Parks and Community Services Element (Chapter 9) of the plan to read as follows:

"Policy LU-1.7: Retention and Expansion of Lands for Parks and Open Space .

Land designated as Parks and Open Space on the City of Cupertino General Plan Land Use Map shall not be redesignated, rezoned or approved for residential, commercial, or industrial development unless the proposed action is first submitted to the voters of the City of Cupertino at the City's next general municipal election and approved by at least two-thirds (2/3) of the voters voting on the question. Nothing in this policy prohibits the city from designating, zoning, acquiring or approving additional property for Parks and Open Space uses without voter approval."

"Goal RPC-1.4: Retention and Expansion of Parks and Open Space. Consistent with Policy LU-1.7, retain lands designated as Parks and Open Space on the City's General Plan Land Use Map for parks and open space purposes and continue to implement General Plan policies that support the preservation and expansion of parks, open space, trails, recreation uses and similar community resources."

SECTION 3: Severability and Continuity.

The People of the City of Cupertino declare that each section, sub-section, paragraph, sub-paragraph, sentence, clause and phrase of this ordinance is severable and independent of every other section, sub-section, paragraph, sub-paragraph, sentence, clause and phrase of this ordinance. If any section, sub-section, paragraph, sub-paragraph, sentence, clause or phrase of this ordinance is held invalid, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, the City Council declares that it would have adopted the remaining provisions of this Chapter and ordinance irrespective of such portion, and further declares its express intent that the remaining portions of this ordinance should remain in effect after the invalid portion has been eliminated.

SECTION 3: Technical Changes. That the City Manager, City Clerk, and City Attorney are authorized to make non-substantive corrections, revisions, or modifications to the Ordinance, Chapter or Title location, General Plan Policy numbers and related documents as may be necessary or advisable provided that such changes do not materially alter the substance of the Ordinance.

SECTION 4: California Environmental Quality Act.

This Ordinance is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, “CEQA”) because it has no potential for resulting in physical change in the environment. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action to enact an ordinance protecting the rezoning of parks and open space would not approve any development, authorize any physical change to the environment or commit the City to any project. Rather the Ordinance establishes voter approval requirements for future land use actions concerning parks and open space. Accordingly the Ordinance is not a project under CEQA. The foregoing determination is made by the City Council in its independent judgment.

SECTION 5: Effective Date.

This Ordinance shall take effect ten (10) days after the City Council declares the results of the November 3, 2026 election on the measure or as otherwise provided by applicable law.

SECTION 6: Publication.

The City Clerk shall give notice of adoption of this Ordinance as required by law.

Exhibit A

TITLE 21: INITIATIVES

Chapter 21.04 Cupertino Parks and Open Space Protection Initiative

Section 21.04.010 Title

This Chapter shall be known as the "Cupertino Parks and Open Space Protection Initiative."

Section 21.04.020. Purpose and Intent. The purpose of this Chapter is as follows:

A. To preserve lands designated as Parks and Open Space on the Cupertino General Plan Land Use Map.

B. To reserve to the voters of the City of Cupertino the authority to approve any redesignation of such lands, or approval of development inconsistent with the Parks and Open Space designation.

C. To ensure that significant changes to protected parks and open space occur only upon approval of at least two-thirds (2/3) of the voters of the City of Cupertino.

Section 21.04.030. Definitions.

A. "Protected Parks and Open Space Land" means those parcels and portions of parcels identified on Exhibit A and listed on Exhibit B, consisting of the parcels designated as "Parks and Open Space" on the Land Use Map of the Cupertino General Plan on the effective date of this Chapter.

B. "Non-Park Use" means any use, development, or land use designation other than Parks and Open Space as shown on the City of Cupertino Land Use Map, including any successor or substantially similar land use designation, that would allow residential, commercial, industrial or mixed-use development containing residential, commercial or industrial uses on Protected Parks and Open Space Land.

Section 21.04.040. Voter Approval Required.

A. General Plan Redesignation.

No amendment to the Cupertino General Plan may redesignate Protected Parks and Open Space Land to another land use designation unless first approved by at least two-thirds (2/3) of the voters of the City of Cupertino voting on the question at the City's next general municipal election.

B. Approval of Non-Park Use Development.

The City shall not approve any General Plan amendment, specific plan amendment, zoning map amendment, rezoning, development agreement, tentative map, parcel map, use permit, permit, entitlement, subdivision approval, or other discretionary approval that would authorize any Non-Park Use on Protected Parks and Open Space Land unless first approved by at least two-thirds (2/3) of the voters of the City of Cupertino voting on the question at the City's next general municipal election.

C. Timing of Voter Approval.

The required voter approval shall be obtained before the City grants the first discretionary approval that would: (1) redesignate Protected Parks and Open Space Land; or (2) authorize a Non-Park Use on Protected Parks and Open Space Land.

Section 21.04.050. Permitted Activities. Nothing in this Chapter shall prohibit uses and activities that are permitted or conditionally permitted under the applicable zoning designation and that are consistent with the Parks and Open Space designation. Uses permitted or conditionally permitted in the "OS" or "PR" zoning districts under Chapter 19.84 shall remain permitted or conditionally permitted on property zoned "OS" or "PR", respectively, to the extent consistent with the Parks and Open Space Designation.

Section 20.02.060. De Minimis Boundary Adjustments and Similar Transactions.

Notwithstanding any other provision of this Chapter, voter approval shall not be required for minor boundary line adjustments, lot line adjustments, acquisitions, dedications, easements, exchanges, transfers, maintenance agreements, access agreements, or similar property transactions affecting Protected Parks and Open Space Land if the City Council approves the transaction and makes findings, supported by substantial evidence in the administrative record, that the transaction:

- A. Is necessary or appropriate to resolve surveying, title, utility, access, public safety, drainage, slope stabilization, vegetation management, environmental restoration, trail maintenance, liability, maintenance responsibility, or infrastructure issues;
- B. Does not materially impair the continued use of the remaining Protected Parks and Open Space Land for park and open space purposes;
- C. Does not result in a redesignation of Protected Parks and Open Space Land or

authorize a Non-Park Use;

D. Is limited to the area reasonably necessary to accomplish the purpose of the transaction; and

E. Furthers the purposes of this Chapter and is consistent with the General Plan and applicable law.

For any transaction involving Protected Parks and Open Space Land adjacent to private property, the City Council shall also make findings, supported by substantial evidence in the administrative record, that:

A. The affected area is not used for active public park, recreational, trail, or access purposes;

B. The transaction is primarily for maintenance, slope stabilization, vegetation management, public safety, access, drainage, infrastructure, or liability reduction purposes; and

C. Private ownership, maintenance, or access responsibility would reduce the City's maintenance obligations, slope stabilization obligations, vegetation management obligations, public safety concerns, or liability exposure without materially impairing the public's use, access, enjoyment, or open space value of the remaining Protected Parks and Open Space Land.

Section 21.04.070. Exhibits.

Exhibit A consists of a map entitled "Protected Parks and Open Space Parcels Subject to the Cupertino Parks and Open Space Protection Initiative," which shall constitute the official map of Protected Parks and Open Space Land for purposes of this Chapter..

Exhibit B consists of a schedule entitled "Schedule of Protected Parks and Open Space Parcels," identifying APNs, common names, General Plan designations, current zoning designations, and approximate acreage.

Exhibits A and B constitute the official identification of Protected Parks and Open Space Land. In the event of a discrepancy between Exhibits A and B, Exhibit A shall control unless the discrepancy results from a clerical, mapping, or scrivener's error.

Section 21.04.080. Effect of Violation.

Any ordinance, resolution, agreement, permit, entitlement, development agreement, subdivision approval, lease, conveyance, or other discretionary approval adopted or approved in violation of this Chapter shall be void and of no force or effect.

Section 21.04.090. Addition of Protected Parks and Open Space Land by City Council.

Notwithstanding Section 21.04.110, the Council may, by ordinance adopted by at least four-fifths (4/5) vote of the full City Council, add parcels or portions of parcels to Exhibit C and Exhibit D as Protected Parks and Open Space Land if the City Council first makes all of the following findings:

- A. The parcel or portion of a parcel has been designated in the General Plan, rezoned, or otherwise formally approved for park, recreation, open space, trail, conservation, or similar public open space purposes;
- B. The addition of the parcel or portion of a parcel furthers the purposes of this Chapter;
- C. The addition will not remove, reduce, impair, or diminish the protections applicable to any existing Protected Parks and Open Space Land;
- D. The parcel or portion of a parcel is suitable for inclusion as Protected Parks and Open Space Land; and
- E. The addition is consistent with the General Plan and applicable law.

An ordinance adopted pursuant to this section may amend Exhibits A and B solely to add Protected Parks and Open Space Land. No parcel or portion of a parcel may be removed from Exhibit A or Exhibit B, and no protection established by this Ordinance may be reduced, except by approval of the voters as provided in Section 21.04.110.

Section 21.04.100. Interpretation and Conforming Amendments.

This Chapter shall be liberally construed to effectuate its purposes. The Cupertino General Plan, Municipal Code, zoning map, specific plans, and other land use regulations shall be interpreted and administered consistently with this Chapter. The City Council may adopt ministerial and non-substantive conforming amendments necessary to implement this Chapter, provided such amendments do not diminish, avoid, or impair

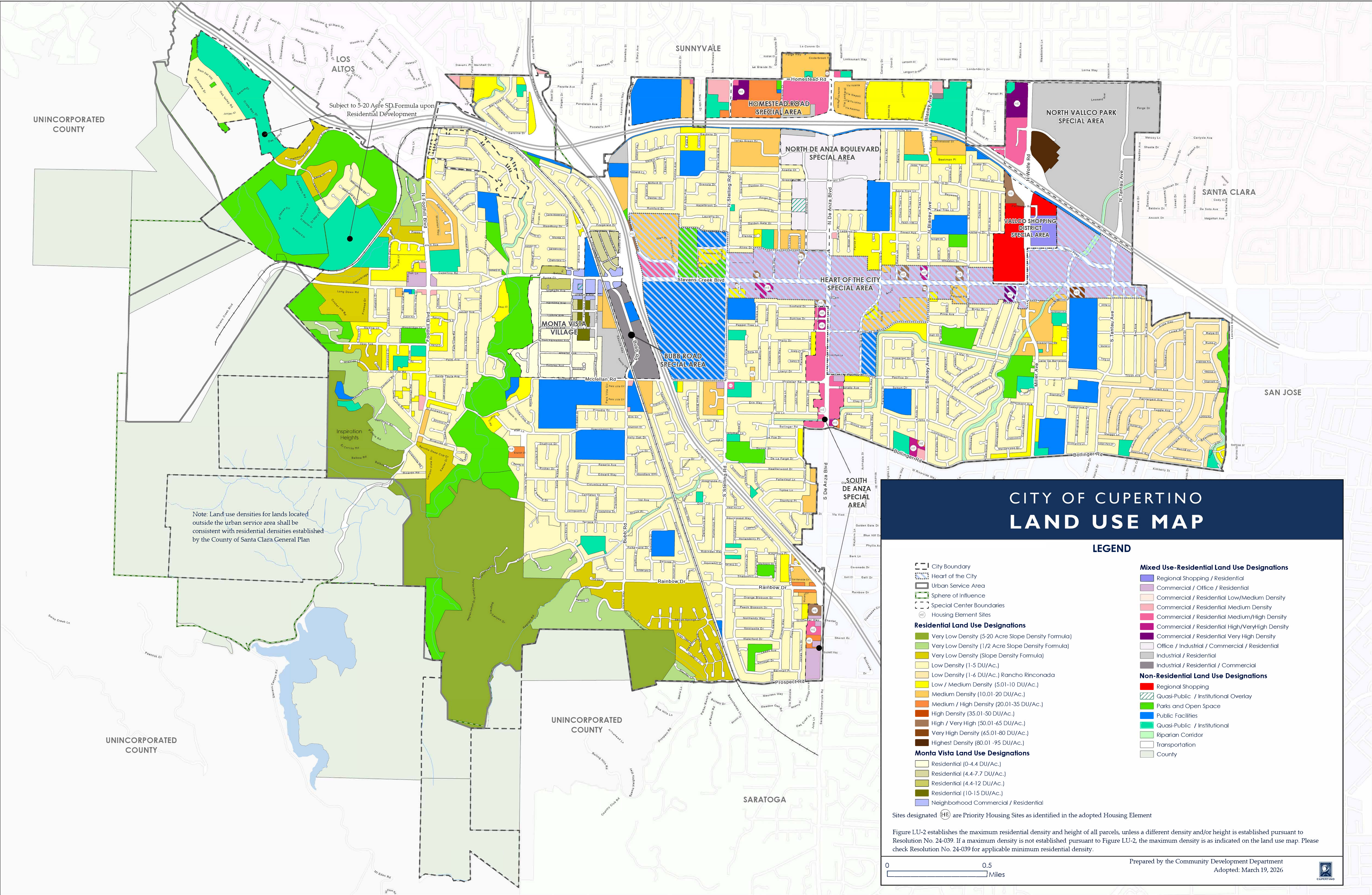
the voter approval requirements established herein.

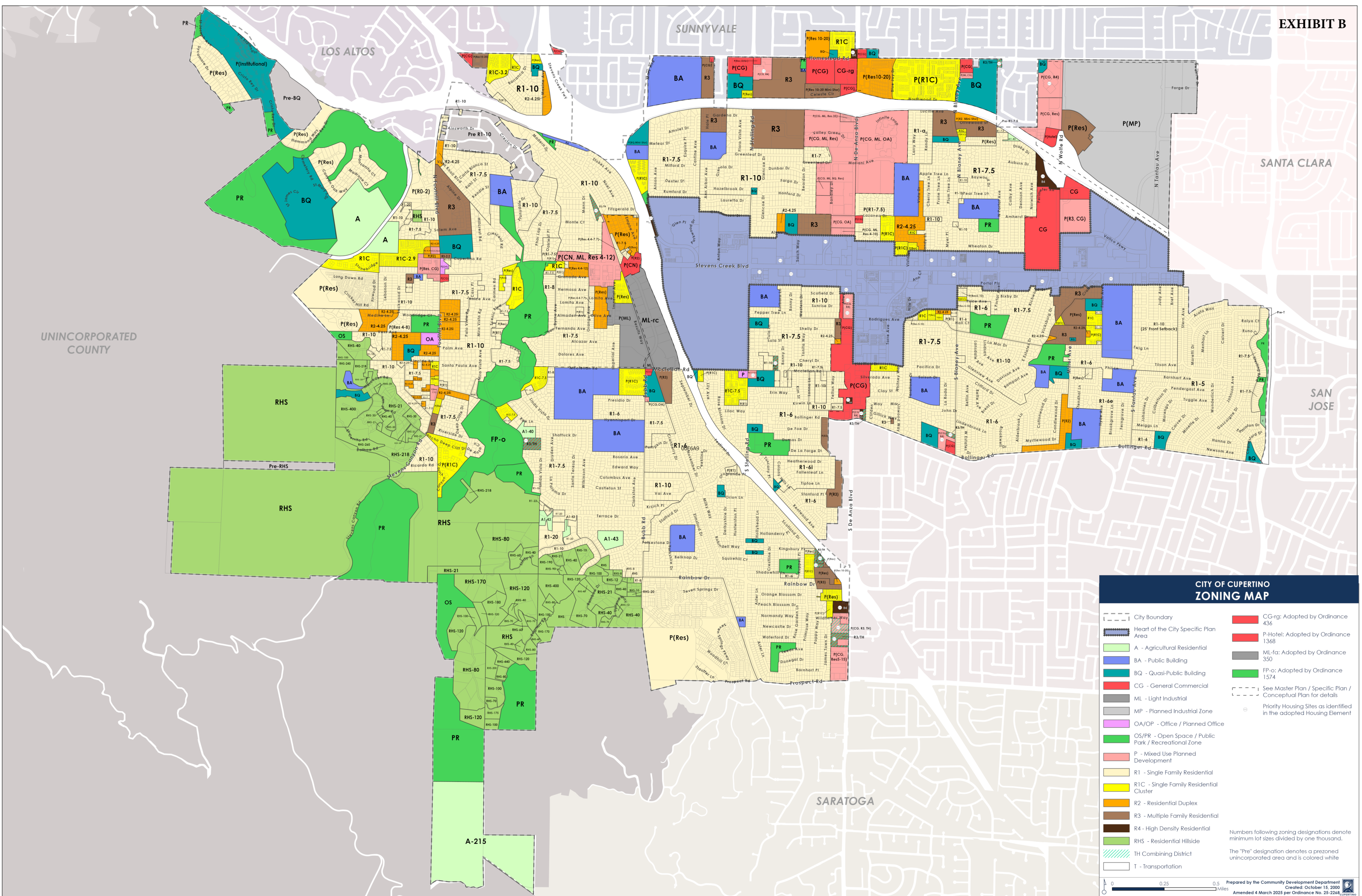
Section 21.04.110. Amendment or Repeal.

This Chapter, including Exhibits A and B, may be amended or repealed only by approval of at least two-thirds (2/3) of the voters of the City of Cupertino voting on the question at a general municipal election.

Section 21.04.120. Consistency with Federal and State Law.

Nothing in this Ordinance shall be interpreted or applied to conflict with state or federal law. If state or federal law requires the City to take an action that would otherwise be subject to this Ordinance, the City shall comply with state or federal law while preserving parks and open space to the maximum extent legally feasible.”





Protected Parks and Open Space Parcels

EXHIBIT D

APN_SPACE	Acres	Description	General Plan
326 09 071	0.841664	Franco Park	Parks and Open Space
326 29 022	6.143306	Cupertino Sports Center	Parks and Open Space
357 10 001	0.049979	Unnamed Property	Parks and Open Space
316 31 041	3.767525	Portal Park	Parks and Open Space
342 63 004	64.777431	Unnamed Property	Parks and Open Space
359 25 024	6.274621	Jollyman Park	Parks and Open Space
375 23 047	0.282761	Sterling Barnhart Park	Parks and Open Space
359 25 048	1.582618	Jollyman Park	Parks and Open Space
369 15 009	0.2833	Creekside Park	Parks and Open Space
342 57 048	1.000642	Unnamed Property	Parks and Open Space
362 30 098	3.172869	Three Oaks Park	Parks and Open Space
366 16 052	5.11795	Hoover Park	Parks and Open Space
357 10 008	19.184379	Blackberry Farm Park	Parks and Open Space
357 13 035	0.364418	Unnamed Property	Parks and Open Space
369 15 004	0.138535	Creekside Park	Parks and Open Space
342 15 038	6.183439	Monta Vista Rec Center and Park	Parks and Open Space
357 09 053	5.014234	Stocklmeir Ranch	Parks and Open Space
326 49 040	0.193332	Somerset Square Park	Parks and Open Space
342 63 003	0.999773	Unnamed Property	Parks and Open Space
342 63 005	2.767167	Unnamed Property	Parks and Open Space
366 01 042	19.730546	Unnamed Property	Parks and Open Space
357 06 014	3.118365	McClellan Ranch West	Parks and Open Space
326 49 036	1.08772	Somerset Square Park	Parks and Open Space
326 14 005	6.345067	Varian Park	Parks and Open Space
357 06 018	12.958988	McClellan Ranch Preserve	Parks and Open Space
357 06 019	2.436475	McClellan Ranch Preserve	Parks and Open Space
366 01 039	31.00309	Unnamed Property	Parks and Open Space
342 45 001	2.373857	Unnamed Property	Parks and Open Space
369 10 001	4.854452	Wilson Park East	Parks and Open Space
375 23 046	0.215	Sterling Barnhart Park	Parks and Open Space
326 54 041	7.161978	Quinlan Community Center	Parks and Open Space
326 17 004	0.231509	Unnamed Property	Parks and Open Space
351 10 042	59.894483	Unnamed Property	Parks and Open Space
351 21 009	28.898056	Unnamed Property	Parks and Open Space
351 21 008	0.302449	Unnamed Property	Parks and Open Space
366 42 999	22.727566	Unnamed Property	Parks and Open Space
342 59 022	0.57477	Unnamed Property	Parks and Open Space
357 10 007	13.942464	Blackberry Farm Golf	Parks and Open Space
357 10 002	0.624955	22050 STEVENS CREEK BLVD	Parks and Open Space
366 29 021	40.105843	Unnamed Property	Parks and Open Space
342 52 007	1.952337	Unnamed Property	Parks and Open Space
369 15 002	13.238718	Creekside Park	Parks and Open Space
357 10 008	0.346072	Blackberry Farm Park	Parks and Open Space
369 04 055	0.165051	Wilson Park	Parks and Open Space
369 04 054	5.198585	Wilson Park West	Parks and Open Space
356 05 009	11.015778	Deep Cliff Golf Course	Parks and Open Space
356 05 003	25.696925	Deep Cliff Golf Course	Parks and Open Space
356 05 006	10.927794	Linda Vista Park	Parks and Open Space

356 05 004	16.036059 Deep Cliff Golf Course	Parks and Open Space
356 05 005	1.647614 Unnamed Property	Parks and Open Space
359 25 051	1.580679 Jollyman Park	Parks and Open Space
359 25 050	1.737712 Jollyman Park	Parks and Open Space
375 22 001	0.748792 Lawrence Mitty	Parks and Open Space
326 27 030	0.506944 Mary Ave Dog Park	Parks and Open Space
326 29 006	14.615381 Memorial Park	Parks and Open Space
342 62 001	56.17333 Unnamed Property	Parks and Open Space
342 59 027	0.555181 Canyon Oak Park	Parks and Open Space
342 50 019	2.637543 Unnamed Property	Parks and Open Space
342 50 999	3.310813 Unnamed Property	Parks and Open Space
342 13 012	16.480105 Unnamed Property	Parks and Open Space
357 07 029	3.453062 22240 SCENIC CIR	Parks and Open Space
342 56 042	0.340264 Little Rancho Park	Parks and Open Space
342 48 999	0.20193 Unnamed Property	Parks and Open Space
375 21 001	7.065732 Lawrence Mitty	Parks and Open Space
503 11 002	78.756124 MidPen	Parks and Open Space
503 11 011	30.735095 MidPen	Parks and Open Space

*****Full Text Ends Here*****

EXHIBIT B

ANTICIPATED ELECTION DEADLINES

The **following** dates are based on the Santa Clara County Registrar of Voters calendar for the November 3, 2026 General Election and are intended to govern the submission of City measure materials for the consolidated election. The City Clerk is authorized to adjust these deadlines as necessary to comply with the Elections Code and the final instructions of the Registrar of Voters. Arguments and rebuttal arguments for City measures must be filed with the City Clerk's office.

Election Event	Anticipated Deadline	Notes
Resolution placing measure on ballot; request consolidation	August 7, 2026	Last day for jurisdictions to submit a resolution calling for a measure election to the Registrar of Voters; resolutions should be submitted as early as possible.
Direct arguments for/against due to City Clerk	August 11, 2026 at 5:00 p.m.	County calendar deadline for primary arguments ; 300-word limit. City Clerk may establish deadlines consistent with Elections Code and County schedule.
Public examination period for primary arguments	August 12-21, 2026	Recommended 10-calendar-day public examination period under Elections Code section 9295; confirm final City Clerk schedule.
Rebuttal arguments and impartial analysis due to City Clerk	August 18, 2026 at 5:00 p.m.	County calendar deadline for rebuttal arguments and impartial analyses; rebuttals have 250-word limit; impartial analysis has 500-word limit.
Public examination period for rebuttals and impartial analysis	August 19-28, 2026	Recommended 10-calendar-day public examination period under Elections Code section 9295; final printing deadline is August 28, 2026.
Final printing deadline	August 28, 2026	All ballot language and County Voter Information Guide materials should be finalized, including resolution of legal challenges, so the Registrar can meet printing deadlines.

Mail ballots to military and overseas voters	September 19, 2026	Last day to mail ballots to military and overseas voters .
Vote-by-mail packets / CVIG mailing period begins	October 5, 2026	County begins mailing vote-by-mail packets and County Voter Information Guides in accordance with County calendar.
Last day to register to vote	October 19, 2026	Deadline to register to vote with a regular ballot.
Election Day	November 3, 2026	Polls close at 8:00 p.m.