



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, May 19, 2026

SPECIAL MEETING

At 5:45 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: Update to the Health and Safety Element of the Cupertino General Plan: 2015 - 2040 Community Vision
Recommended Action: Receive the presentation and provide input on the Public Draft of the Health and Safety Element of the Cupertino General Plan: 2015 - 2040 Community Vision.

Written communications for this item include staff presentation and desk item containing Attachment E (Aggregated comments from Mayor Moore and Vice Mayor Chao).

Assistant Director of Community Development Luke Connolly introduced the item.

Senior Associate Eli Krispi of PlaceWorks and Principal Franziska Church of Fehr & Peers gave a presentation.

Councilmembers asked clarifying questions.

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

Planning Commissioner San Rao (representing self) (virtually)
Jennifer Griffin (virtually)

Councilmembers asked questions and made comments.

Mayor Moore closed the public comment period.

Council received the presentation and provided input on the Public Draft of the Health and Safety Element of the Cupertino General Plan: 2015 - 2040 Community Vision.

MOTION: Moore moved and Chao seconded to direct staff to clarify general plan policies, as discussed, and compile Councilmember suggestions, to be submitted or amended by Friday, May 22, 2026, at 5:00 p.m.; to be compiled into a table with a column for staff recommendations for presentation at a future Study Session at a date uncertain.

FRIENDLY AMENDMENT: Chao made a friendly amendment that staff structure the new recommendations to reflect the structure of the Housing Element and include policies, strategies and implementation actions, where feasible and possible. (Moore accepted the friendly amendment).

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

ADJOURNMENT

At 6:44 p.m., Mayor Kitty Moore adjourned the Special City Council Meeting.

REGULAR MEETING

CALL TO ORDER

At 6:46 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

City Attorney Floy Andrews announced no reportable action taken during the closed session held on May 11, 2026, at 8:00 p.m.

CEREMONIAL ITEMS

1. Subject: Recognition of the Public Works Department (Capital Improvements, Development Services, Transportation, Environmental Programs and Sustainability, Facilities and Fleet, Grounds, Streets and Sidewalks, and Trees and Right-of-Way Divisions) in conjunction with Public Works Week, May 17-23, 2026
Recommended Action: Recognize the Public Works Department (Capital Improvements, Development Services, Transportation, Environmental Programs and Sustainability, Facilities and Fleet, Grounds, Streets and Sidewalks, and Trees and Right-of-Way Divisions) in conjunction with Public Works Week, May 17-23, 2026

City Manager Tina Kapoor received the proclamation.

Mayor Moore presented the proclamation recognizing the Public Works Department in conjunction with Public Works Week of May 17-23, 2026.

2. Subject: Recognition of Asian American Pacific Islander (AAPI) Month.
Recommended Action: Present proclamations recognizing Asian American Pacific Islander (AAPI) Month.

Stacy Tang, Regional Director of Formosana Association for Public Affairs, on behalf of Asian Pacific American Public Affairs (APAPA) and Betty Yang, Member of Asian American Parent Association (AAPA) received the proclamations.

Mayor Moore presented the proclamations recognizing Asian American Pacific Islander (AAPI) Month.

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:

Helene Davis, Jeanine Woodell and students, representing Cupertino-Cupertino Sister Cities Association, discussed the student exchange with Cupertino, Italy.

Jennifer Griffin (virtually) discussed housing bill AB 1751.

Nori (virtually) discussed the proposed development at 10268 Bandlely Drive.

Planning Commissioner San Rao (representing self) (virtually) discussed traffic, the City's Photovoltaics Project, and truck noise.

CONSENT CALENDAR (Items 3-17)

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 Item Nos. 3-17. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

3. Subject: Approval of May 5, 2026 City Council meeting minutes. Recommended Action: Approve the May 5, 2026 City Council meeting minutes.
4. Subject: Setting a hearing date of June 16, 2026 to declare brush with potential fire hazard a public nuisance and consider objections to proposed removal through the Cupertino Brush Abatement Program (Wildland-Urban Interface Fire Area); declaring properties as having potential fire hazards from brush a public nuisance and authorizing removal. Recommended Action: Adopt Resolution No. 26-053 declaring properties as having potential fire hazards from brush a public nuisance; and set a hearing date of June 16, 2026 to declare brush with potential fire hazard a public nuisance and to hear objections to proposed removal
5. Subject: Setting a voluntary campaign expenditure limit of \$50,000 for the November 3, 2026 City Council election
Recommended Action: Adopt Resolution No. 26-054 setting a voluntary campaign expenditure limit of \$50,000 for the November 3, 2026 City Council election

Written Communications for this item included a desk item with staff answers to councilmember questions.

6. Subject: Amendment to the 2026 Council Committee Assignments to remove Mayor Kitty Moore as an alternate on the Legislative Review Committee (LRC). Recommended Action: Ratify amendment to the 2026 Council Committee Assignments to remove Mayor Kitty Moore as an alternate on the LRC.
7. Subject: Ratifying Accounts Payable for the periods ending April 10, 2026, and April 24, 2026
Recommended Action: A. Adopt Resolution No. 26-055 ratifying Accounts Payable for the Period ending April 10, 2026; and
B. Adopt Resolution No. 26-056 ratifying Accounts Payable for the Period ending April 24, 2026
8. Subject: Second reading and enactment of an ordinance amending Cupertino Municipal

Code Sections 1.10, 2.20, 2.24, 2.48, 2.88, 3.12, and 3.38 to reflect organizational changes related to departmental structure and responsibilities.

Recommended Action: A. Conduct second reading and enact Ordinance No. 26-2283: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING MUNICIPAL CODE CHAPTERS 1.10, 2.20, 2.24, 2.48, 2.88, 3.12, AND 3.38." and;

B. Adopt Resolution No. 26-057 amending the Unrepresented Employees' Compensation Program and approving the updated job description to reflect the retitling of the Director of Administrative Services position to Director of Finance

9. Subject: Second reading and enactment of an ordinance to make minor revisions to the Municipal Code amending Chapter 2.04 (Chapter 2.04: City Council-Election and Meetings): Section 2.04.020 Special Meetings; Chapter 3.23 (Public Works Contract and Bidding Procedures): Section 3.23.020 (Definitions) to align with AB 2192; Chapter 5.04 (Business Licenses Generally): Section 5.04.480 (Appeal Procedure); Chapter 5.32 (BINGO): Section 5.32.130 (Total Value of Prizes); Chapter 11.28 (Abandoned, Wrecked, Inoperative Vehicles): Sections 11.28.010 (Definitions) and 11.28.050 (Sale of Merchandise); Chapter 13.04 (Parks): Sections 13.04.130 (Behavior of Persons in Parks) and 13.04.180 (Advertising and Sale Restrictions); and Chapter 16.52 (Prevention of Flood Damage): Sections 16.52.011 (Lands to Which this Chapter Applies) and 16.52.053 (Standards for Manufactured Homes).

Recommended Action: Conduct second reading and enact Ordinance No. 26-2284: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING MUNICIPAL CODE SECTIONS 2.04.020, 3.23.020, 5.04.480, 5.32.130, 11.28.010, 11.28.050, 13.04.130, 13.04.180, 16.52.011, AND 16.52.053."

10. Subject: Receipt of Treasurer's Investment Report for the Quarter Ending March 31, 2026

Recommended Action: Receive the Treasurer's Investment Report for the Quarter Ending March 31, 2026

11. Subject: Annual review and acceptance of the City's Investment Policy

Recommended Action: Adopt Resolution No. 26-058 accepting the City's Investment Policy

12. Subject: Receipt of Single Audit and Agreed Upon Procedures (AUP) Reviews - GANN Limit, Investment Policy, Storm Drain

Recommended Action: Receive the Single Audit and Agreed Upon Procedures (AUP) Reviews - GANN Limit, Investment Policy, Storm Drain

13. Subject: Authorization of second amendment to agreement 311 with All City Management Services, Inc. to continue crossing guard services, increasing contract by

\$860,000 (\$420,000 for FY 26-27, \$440,000 for FY 27-28), for a total not to exceed amount of \$2,548,879.04 and extending the agreement term to June 30, 2028.

Recommended Action: Authorize the City Manager to execute a Second Amendment to the Agreement 311 with All City Management Services, Inc. (ACMS) to continue to provide Crossing Guard Services, increasing the contract amount by \$860,000 (\$420,000 for FY 26-27, \$440,000 for FY 27-28) for a total not to exceed amount of \$2,548,879.04 and extending the agreement term to June 30, 2028 (Attachment A).

14. Subject: Approval of Updated Council Grant Policy
Recommended Action: Adopt Resolution No. 26-059 approving the updated Council Grant Policy
15. Subject: Award of contract to Snapology of Los Gatos DBA SV Kids Corp for STEAM Lego Enrichment Programs for a total not-to-exceed amount of \$222,000; Authority to Extend for Two Additional Years for Five-Year Total Not to Exceed \$370,000.
Recommended Action: 1. Award a three-year contract to Snapology of Los Gatos to provide STEAM Lego Enrichment Programs in the amount not to exceed \$74,000 per year, totaling \$222,000;
2. Authorize the City Manager to execute the contract with Snapology of Los Gatos when all conditions have been met; and
3. Authorize the City Manager to extend the contract for up to two additional years, at an annual amount not to exceed \$74,000, for a five-year total not-to-exceed \$370,000, provided pricing and services remain acceptable.
16. Subject: Authorization to execute amendment to Greenwood Court Community Development Block Grant (CDBG) loan agreement to extend affordability restrictions by ninety-nine (99) years.
Recommended Action: Authorize the City Manager to execute the amendment to extend the term of the CDBG loan agreement to the West Valley Community Services (WVCS) for rehabilitation of the low-income rental units at Greenwood Court to preserve affordability restrictions for an additional ninety-nine (99) years.
17. Subject: Approval of first amendment to the Countywide Household Hazardous Waste (HHW) Collection Program agreement with the County of Santa Clara (County) to augment funding up to an additional \$36,433 to the Countywide HHW Program during Fiscal Year (FY) 2026-27 using earmarked funds within the Resource Recovery Fund 520, raising the not to exceed amount of the three-year 2024-2027 agreement to \$435,676.
Recommended Action: Authorize the City Manager to execute a first amendment to the Countywide HHW Collection Program agreement between the City of Cupertino and the County of Santa Clara to augment funding up to an additional \$36,433 from fund 520 Resource Recovery with no impact to the General Fund to the Countywide HHW

Program during FY 2026/27 for the purpose of attaining or increasing household participation, raising the not to exceed amount of the three-year 2024-2027 agreement to \$435,676.

PUBLIC HEARINGS

18. Subject: Public Hearing Pursuant to Government Code Section 3502.3 to Receive a Report on City of Cupertino Vacancies, Recruitment and Retention Efforts. Recommended Action: Receive the informational report on City of Cupertino Vacancies, and Recruitment and Retention Efforts Pursuant to Government Code Section 3502.3.

Human Resources Manager Vanessa Guerra gave a presentation.

Councilmembers asked clarifying questions.

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

Planning Commissioner San Rao (representing self) (virtually)

Councilmembers asked questions and made comments.

Mayor Moore closed the public hearing.

MOTION: Fruen moved and Mohan seconded the staff recommendation to receive the informational report on City of Cupertino Vacancies, and Recruitment and Retention Efforts Pursuant to Government Code Section 3502.3. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

At 7:34 p.m., Mayor Moore recessed the meeting. The meeting reconvened at 7:41 p.m. with all Councilmembers present (Wang absent).

ACTION CALENDAR

19. Subject: Acceptance of the City Manager's Third Quarter Financial Report for Fiscal Year 2025-26; Budget Modification increasing appropriations by \$526,184 and increasing estimated revenues by \$372,500. Recommended Action: 1. Accept the City Manager's Third Quarter Financial Report for Fiscal Year 2025-26,
2. Adopt Resolution No. 26-060 approving Budget Modification No. 2526-443,

increasing appropriations by \$526,184 and increasing estimated revenues by \$372,500; and

3. Adopt Resolution No. 26-061 amending the Unrepresented Employees' Compensation Program to incorporate revised salary schedule.

Acting Director of Administrative Services Jonathan Orozco and Budget Manager Toni Oasay-Anderson gave a presentation.

Councilmembers asked clarifying questions.

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

Planning Commissioner San Rao (representing self) (virtually)

Councilmembers asked questions and made comments.

Mayor Moore closed the public comment period.

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

1. Accept the City Manager's Third Quarter Financial Report for Fiscal Year 2025-26, and

2. Adopt Resolution No. 26-060 approving Budget Modification No. 2526-443, increasing appropriations by \$526,184 and increasing estimated revenues by \$372,500; and

3. Adopt Resolution No. 26-061 amending the Unrepresented Employees' Compensation Program to incorporate revised salary schedule.

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

20. Subject: Annual Review and Acceptance of Other Post-Employment Benefits (OPEB) and Pension Trust Investment Policies

Recommended Action: A. Adopt Resolution No. 26-062 for the OPEB Trust Investment Policy; and

B. Adopt Resolution No. 26-063 for the Pension Trust Investment Policy

Acting Director of Administrative Services Jonathan Orozco gave a presentation.

Councilmembers asked clarifying questions.

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

Planning Commissioner San Rao (representing self) (virtually)

Councilmembers asked questions and made comments.

Mayor Moore closed the public comment period.

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

A. Adopt Resolution No. 26-062 for the OPEB Trust Investment Policy; and

B. Adopt Resolution No. 26-063 for the Pension Trust Investment Policy

The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan.

Noes: None. Abstain: None. Absent: Wang.

21. Subject: Authorization of Below Market Rate (BMR) Housing Administration contract execution

Recommended Action: Authorize the City Manager to execute the agreement with RISE Housing for Below Market Rate (BMR) Administration services and approve allocation for the contract to be budgeted from the General Fund

Senior Housing Coordinator Nicky Vu gave a presentation and Director of Community Development Benjamin Fu was also present.

Councilmembers asked clarifying questions.

Moore requested an informational memorandum to explore potential benefits and drawbacks of two potential structural revisions to the City's Below Market Rate Housing program that have been adopted as practices by neighboring jurisdictions.

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

Jennifer Griffin (virtually)

Planning Commissioner San Rao (representing self) (virtually)

Councilmembers asked questions and made comments.

Mayor Moore closed the public comment period.

MOTION: Chao moved and Mohan seconded the staff recommendation to authorize the City Manager to execute the agreement with RISE Housing for Below Market Rate (BMR) Administration services and approve allocation for the contract to be budgeted from the General Fund. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

ITEMS REMOVED FROM THE CONSENT CALENDAR - None**CITY MANAGER REPORT****22. 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****23. 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. 21, one informational memorandum was requested to explore potential benefits and drawbacks of two potential structural revisions to the City's Below Market Rate Housing program that have been adopted as practices by neighboring jurisdictions (Moore).

24. Subject: Upcoming Draft Agenda Items Report

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

ADJOURNMENT

Mayor Moore adjourned the meeting in honor of Memorial Day.

At 8:53 p.m., Mayor Kitty Moore adjourned the Regular City Council Meeting.

Minutes prepared by:

Lauren Sapudar, City Clerk