

CITY OF CUPERTINO



AGENDA

Televised Regular City Council Meeting (6:45)

Tuesday, October 21, 2025

6:45 PM

10350 Torre Avenue, Council Chamber and via Teleconference

City Council

LIANG CHAO, MAYOR

KITTY MOORE, VICE MAYOR

J.R. FRUEN, COUNCILMEMBER

SHEILA MOHAN, COUNCILMEMBER

R "RAY" WANG, COUNCILMEMBER

IN PERSON AND TELECONFERENCE MEETING

For more information:

(408) 777-3200 | www.cupertino.gov

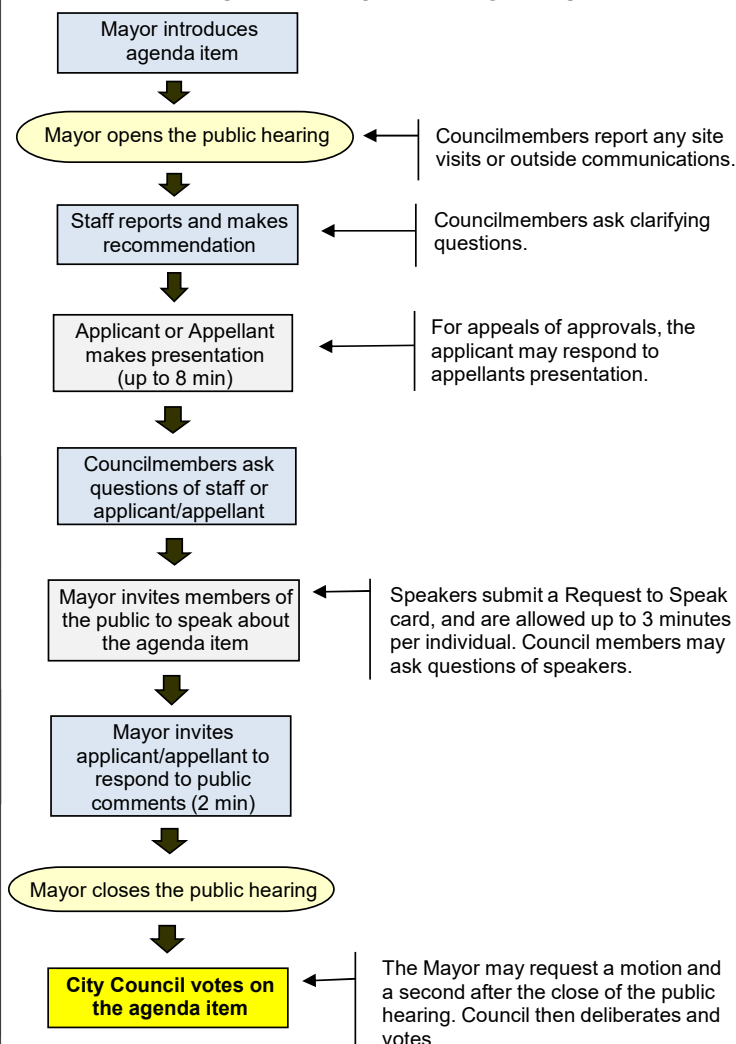
CONDUCT OF BUSINESS

The Mayor is the presiding officer of the City Council. Any member of the public may speak on any item on the agenda for up to three minutes. All statements and questions must be addressed to the Mayor.

City Council hearings serve as a venue for the discussion of sometimes divergent points of view. Please respect the opinions of others and refrain from cheering or clapping. That may delay the meeting or intimidate other persons wishing to express alternate views. Actions that disrupt the meeting will result in a warning, followed by removal if disruption continues.

Oral public comments will be accepted during the meeting. Comments may be made during "oral communications" for matters not on the agenda, and during the public comment period for each agenda item. Identifying yourself is voluntary and not required to attend the meeting or provide comments.

FLOWCHART FOR HEARING ITEMS:



PUBLIC HEARINGS

The City Council is required by law to hold public hearings on certain matters prior to making its decision. Notice to interested parties is given by legal advertisement in the local newspaper of general circulation at least 10 calendar days preceding the hearing date. Applications requiring public hearings include change of zoning, variances, use permits, and tentative maps.

COUNCIL MEETINGS

The City Council regularly meets the first and third Tuesdays of each month. These meetings are held at 6:45 p.m. Closed sessions, when needed, are normally held at 6:00 p.m. Closed sessions cover items such as personnel, litigation, or the sale, purchase, or lease of property. The law requires certain actions taken in closed session to be reported in open session.

Urgent business, holidays, or election days may trigger special or adjourned meetings. These meetings will be noticed beforehand.

AGENDAS, MINUTES, AND PACKETS AVAILABLE ON THE WEB

Agendas, minutes, and packets for current and prior City Council and Planning Commission meetings are available at www.cupertino.org, or you can purchase the items on CD.

CITY COUNCIL DECISION IS FINAL

Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal Code §2.08.096. Contact the City Clerk's office for more information or go to www.cupertino.org/index.aspx?page=125 for a reconsideration petition form.

IN-PERSON AND TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION**OPTIONS TO OBSERVE:**

Members of the public wishing to observe the meeting may do so in one of the following ways:

- 1) Attend in person at Cupertino Community Hall, 10350 Torre Avenue.
- 2) Tune to Comcast Channel 26 and AT&T U-Verse Channel 99 on your TV.
- 3) Watch a live stream online at www.Cupertino.org/youtube and www.Cupertino.org/webcast

OPTIONS TO PARTICIPATE AND COMMENT:

Members of the public wishing to address the City Council may do so in the following ways:

- 1) Appear in person for Open Session at Cupertino Community Hall.
 - A. During “Oral Communications”, the public may comment on matters not on the agenda, and for agendized matters, the public may comment during the public comment period for each agendized item.
 - B. Speakers are requested to complete a Speaker Card. While completion of Speaker Cards is voluntary and not required to attend the meeting or provide comments, it is helpful for the purposes of ensuring that all speakers are called upon.
 - C. Speakers must wait to be called, then proceed to the lectern/podium and speak into the microphone when recognized by the Mayor.
 - D. Speakers are limited to three (3) minutes each. However, the Mayor may reduce the speaking time depending on the number of people who wish to speak on an item. A speaker representing a group between 2 and 5 members of the public in attendance may have up to 2 minutes per group member to speak, up to 10 minutes maximum.
 - E. Please note that due to cyber security concerns, speakers are not allowed to connect any personal devices at the lectern/podium. However, speakers that wish to share a document (e.g. presentations, photographs or other documents) during oral comments may do so in one of the following ways:
 - a) At the overhead projector at the podium, or
 - b) E-mail the document to cityclerk@cupertino.gov by 3:00 p.m. and staff will advance the slides/share the documents during your oral comment.

2) Written Communications as follows:

A. E-mail comments to the City Council for Open Session at publiccomment@cupertino.gov as follows:

a. E-mail comments must be received by 4:00 p.m. on the day of the meeting in order to be forwarded to the City Council before the meeting.

b. Emailed comments received following agenda publication but prior to, or during, the meeting, will be posted to the City's website after the meeting.

c. These e-mail comments will also be received by each City Councilmember, the City Manager, and the City Clerk's Office. Comments on non-agenda items sent to any other email address will be included upon the sender's request.

B. Regular mail or hand delivered addressed to the: City Council, City Hall, 10300 Torre Avenue, Cupertino, CA 95014

3) Open Session Teleconference in one of the following ways:

A. Online via Zoom on an electronic device (Audio and Video): Speakers must register in advance by clicking on the link below to access the meeting:

https://cityofcupertino.zoom.us/webinar/register/WN_q2nDR1IARSOvID4d7PN21Q

a) Registrants will receive a confirmation email containing information about joining the webinar.

b) Speakers will be recognized by the name they use for registration. Once recognized, speakers must click 'unmute' when prompted to speak.

c) Please read the following instructions about technical compatibility carefully: One can directly download the teleconference (Zoom) software or connect to the meeting in their internet browser. If a browser is used, make sure the most current and up-to-date browser, such as the following, is used: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.

B. By Phone (Audio only): No registration is required in advance and speakers may join the meeting as follows:

a) Dial 669-900-6833 and enter WEBINAR ID: 869 7259 8178

b) To "raise hand" to speak: Dial *9; When asked to unmute: Dial *6

c) Speakers will be recognized to speak by the last four digits of their phone number.

C. Via an H.323/SIP room system:

Join from an H.323/SIP room system:

H.323:

144.195.19.161 (US West)

206.247.11.121 (US East)

Meeting ID: 869 7259 8178

SIP: 86972598178@zoomcrc.com

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CLOSED SESSION REPORT

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
 [A - Proclamation](#)

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
 [A - Proclamation](#)

3. Subject: Recognition of the years of service for Cupertino Lions Club
 Recommended Action: Recognize the years of service for Cupertino Lions Club
 [A - Proclamation](#)

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
 [A - Certificates of Recognition](#)

POSTPONEMENTS AND ORDERS OF THE DAY

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Council on any matter within the jurisdiction of the Council and not on the agenda for discussion. The total time for Oral Communications will ordinarily be limited to one hour. Individual speakers are limited to three (3) minutes. As necessary, the Chair may further limit the time allowed to individual speakers, or

reschedule remaining comments to the end of the meeting on a first come first heard basis, with priority given to students. In most cases, State law will prohibit the Council from discussing or making any decisions with respect to a matter not listed on the agenda. A councilmember may, however, briefly respond to statements made or questions posed by speakers. A councilmember may also ask a question for clarification, provide a reference for factual information, request staff to report back concerning a matter, or request that an item be added to a future City Council agenda in response to public comment.

CONSENT CALENDAR (Items 5-12)

Items appearing on the Consent Calendar are considered routine City business and may be approved by one motion. Typical items may include meeting minutes, awards of contracts, the ratification of accounts payable, and second readings of ordinances. Any member of the Council may request to have an item removed from the Consent Calendar based on the rules set forth in the City Council Procedures Manual. Members of the public may provide input on one or more consent calendar items when the Mayor asks for public comments on the Consent Calendar.

5. Subject: Approval of October 7, 2025 City Council meeting minutes
Recommended Action: Approve the October 7, 2025 City Council meeting minutes
[A - Draft 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
[Staff report](#)
[A – Draft Resolution 9.12.25](#)
[B – AP Payment Register for the Period Ending 9.12.25](#)
[C – Draft Resolution 9.26.25](#)
[D – AP Payment Register for the Period Ending 9.26.25](#)

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.
[Staff Report](#)
[A – Draft Resolution](#)

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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.
[Staff Report](#)
[A - Draft Ordinance \(Clean\)](#)
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.
[Staff Report](#)
[A - Draft Ordinance \(Clean\)](#)
[B - Draft Ordinance \(Redlined\)](#)
10. Subject: Receive the Monthly Treasurer's Report for September 2025
Recommended Action: Receive the Monthly Treasurer's Report for September 2025
[Staff Report](#)
[A – Report of City-wide Receipts, Disbursements, and Cash Balances September 2025](#)
[B – Report of City-wide Fund BalancesNet Position 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
[A - Chandler Investment Report Sep 2025](#)
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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.
- Staff Report
- [A – September 18, 2025 CEA Signed Tentative Agreementt](#)
- [B – CEA – MOU \(Clean\)](#)
- [C – CEA – MOU \(Redline\)](#)
- [D – Section 14 Safety Footwear Agreement Signed](#)
- [E – Draft Resolution CEA Local 21 MOU](#)
- [F – Draft Resolution for Budget Modification](#)

PUBLIC HEARINGS - None

Government Code Section 65103.5 limits the distribution of copyrighted material associated with the review of development projects. Members of the public wishing to view plans that cannot otherwise be distributed under Govt. Code Section 65103.5 may make an appointment with the Planning Division to view them at City Hall by sending an email to planning@cupertino.gov. Plans will also be made available digitally during the hearing to consider the proposal.

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.
- Staff Report
- [A - Resolution No. 05-040 \(City of Cupertino Public Art Program: Guidelines for Selection of Public Art\).](#)
- [B - Municipal Code Table 19.12.030 Approval Authority and Chapter 19.148: Required Artwork in Public and Private Developments \(redline\)](#)
- [C - Jurisdiction Analysis of Art Programming](#)
- [D - Draft Policy \(City Council Resolution No. 05-040\)](#)
- [E - Email from Arts and Culture Commission Chair](#)

ITEMS REMOVED FROM THE CONSENT CALENDAR**CITY MANAGER REPORT**

14. Subject: City Manager Report
[A - Report](#)

ORAL COMMUNICATIONS - CONTINUED**COUNCILMEMBER REPORTS**

15. Subject: Councilmember Reports
[A - Councilmember Report, Chao](#)
[B - Councilmember Report, Fruen](#)
[C - Councilmember Report, Mohan](#)
[D - Councilmember Report, Moore](#)
[E - Councilmember Report, Wang](#)

FUTURE AGENDA ITEMS

The Upcoming Draft Agenda Items Report is a tentative council meeting agenda calendar that lists upcoming City Council meeting dates and tentative agenda items, all of which are subject to change.

16. Subject: Upcoming Draft Agenda Items Report
[A - Upcoming Draft Agenda Items Report](#)

ADJOURNMENT

Lobbyist Registration and Reporting Requirements: Individuals who influence or attempt to influence legislative or administrative action may be required by the City of Cupertino's lobbying ordinance (Cupertino Municipal Code Chapter 2.100) to register and report lobbying activity. Persons whose communications regarding any legislative or administrative are solely limited to appearing at or submitting testimony for any public meeting held by the City are not required to register as lobbyists. For more information about the lobbying ordinance, please contact the City Clerk's Office at 10300 Torre Avenue, Cupertino, CA 95014; telephone (408) 777-3223; email cityclerk@cupertino.org; and website: www.cupertino.org/lobbyist.

The City of Cupertino has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a final decision of the City Council must be brought within 90 days after a decision is announced unless a shorter time is required by State or Federal law.

Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal

Code §2.08.096. Contact the City Clerk's office for more information or go to <http://www.cupertino.org/cityclerk> for a reconsideration petition form.

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 48 hours in advance of the meeting to arrange for assistance. In addition, upon request in advance by a person with a disability, meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

Any writings or documents provided to a majority of the Cupertino City Council after publication of the packet will be made available for public inspection in the City Clerk's Office located at City Hall, 10300 Torre Avenue, Cupertino, California 95014, during normal business hours; and in Council packet archives linked from the agenda/minutes page on the City web site.

IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code section 2.08.100 written communications sent to the City Council, Commissioners or staff concerning a matter on the agenda are included as supplemental material to the agendized item. These written communications are accessible to the public through the City website and kept in packet archives. Do not include any personal or private information in written communications to the City that you do not wish to make public, as written communications are considered public records and will be made publicly available on the City website.

THE CITY COUNCIL AND STAFF

CITY COUNCIL

Cupertino is a General Law city organized under and subject to statutes of the State of California. It is governed by the five-member City Council with the Mayor as the presiding officer. City Council members are elected at-large to four-year, overlapping terms. Each November a mayor and a vice-mayor are selected by the City Council for a one-year term.

The City Council receives advice and assistance from eleven advisory bodies, which are appointed by the Council. These are the Audit Committee, Bicycle Pedestrian Commission, Fine Arts Commission, Housing Commission, Library Commission, Parks and Recreation Commission, Planning Commission, Public Safety Commission, Sustainability Commission, Teen Commission, and Technology, Information, and Communications Commission.

Council members also serve on a variety of regional bodies, including:

- Association of Bay Area Governments
- League of California Cities
- Santa Clara County (SCC) Cities Association
- SCC Emergency Preparedness Council
- SCC Library District
- SCC Emergency Preparedness Commission
- Santa Clara Valley Water Commission and Water District
- SCC Transportation Authority
- West Valley Mayors and Managers

STAFF

The City Manager and the City Attorney are appointed by the Council. The City Manager is responsible for interpreting and carrying out Council policies and direction, and as the chief administrative officer, the City Manager coordinates the many activities of the city and appoints the professional and technical staff. The City Attorney is the advisor to the City Council as a whole.

TYPES OF COUNCIL ACTIONS

ORDINANCES

Ordinances are the means by which the City enacts its local laws. Unless an urgent situation exists, ordinances will first be presented at a Council meeting as a "first reading." At a subsequent Council meeting, there will be a "second reading and adoption." Ordinances go into effect after a waiting period of thirty days, in most cases, during which time the summary of the ordinance is published in a local newspaper approved for this purpose.

RESOLUTIONS

Resolutions and minute orders are the means by which the City Council formally adopts policies or approves specific actions. These go into effect when adopted.

APPEALS

Any interested person, including a Council member, may appeal a Planning Commission or Director of Community Development decision to the City Council. An appeal must be submitted in writing to the City Clerk within 14 calendar days of the mailing of the notice of the decision.

RECONSIDERATION

Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal Code §2.08.096. Contact the City Clerk's office for more information or go to [www.http://www.cupertino.org/index.aspx?page=125](http://www.cupertino.org/index.aspx?page=125) for a reconsideration petition form.

COMMUNICATING WITH COUNCIL

All Council members: citycouncil@cupertino.gov

Liang Chao	LiangChao@cupertino.gov	(408) 777-3192
Kitty Moore	KMoore@cupertino.gov	(408) 777-1389
J.R. Fruen	JRFruen@cupertino.gov	(408) 777-1316
Sheila Mohan	SMohan@cupertino.gov	(408) 777-1326
R "Ray" Wang	RWang@cupertino.gov	(408) 777-3138
Executive Assistant	serenat@cupertino.gov	(408) 777-3139
City Hall	www.cupertino.gov	(408) 777-CITY

Please note: the City Council discourages submission of written materials on the day of the meeting as this does not provide enough time to give the materials fair evaluation. If you must provide written materials on the day of the meeting, as least one copy must be given to the City Clerk for the permanent record, and ten copies are preferred.

NEWS AND NOTICES FROM CITY HALL

EMAIL

Sign up for e-notification of agendas, elections, and other news on the city website at www.cupertino.org/notify

TELEVISION

The City Channel broadcasts City Council and Planning Commission meetings, as well as agenda previews, public service announcements, and other programs of community interest, on Channel 26 in Cupertino. The meetings are shown at these times:

Tuesday (live)	6:45 p.m.	Friday (replay)	10:00 a.m.
Thursday (replay)	7:00 p.m.	Saturday (replay)	9:00 a.m.

INTERNET

City Council and Planning Commission videos are available on demand at www.cupertino.org. Select "I Want To, View City Council meetings".

News and community information can also be found at:

<https://www.facebook.com/cityofcupertino/>

<https://twitter.com/CityofCupertino>

<https://www.instagram.com/cityofcupertino>

AUDIO

Tune into Radio Cupertino, 1670 AM, for meeting announcements, public service messages, and emergency announcements.

USEFUL TELEPHONE NUMBERS

City of Cupertino (City Hall)	General Information and Comments	(408) 777-CITY
Fire (Emergency)	Santa Clara County Fire Dept. dispatch	911
Fire (Non-Emergency)	Santa Clara County Fire Dept.	(408) 378-4010
Garbage	Recology South Bay	(408) 725-4020
Gas & Electricity	Pacific Gas & Electric (PG&E)	1-800-743-5000
Recreation & Community Services	Quinlan Community Center	(408) 777-3120
Police (Emergency)	Santa Clara County Sheriff dispatch	911
Police (Non-Emergency)	Santa Clara County Sheriff	(408) 868-6600
Public Health	Santa Clara County Public Health	(408) 732-3720
Sanitary Sewers	Cupertino Sanitary District	(408) 253-7071
Water	San Jose Water	(408) 279-7900
	California Water	(650) 917-0152