



**DRAFT MINUTES  
CUPERTINO CITY COUNCIL  
Tuesday, January 13, 2026**

**SPECIAL MEETING**

At 6:45 p.m., Mayor Kitty Moore called the Special 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, Sheila Mohan, and R "Ray" Wang. Absent: None.

**CONSENT CALENDAR**

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

Peggy Griffin (Item 1)

Mayor Moore closed the public comment period.

MOTION: Wang moved and Mohan seconded to approve the Consent Calendar. The motion passed with the following vote: Ayes: Moore, Chao, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

1. Subject: Amendment to 2026 Council Committee Assignments to designate Councilmember Wang as the primary and Vice Mayor Chao as the alternate to the Cities Association of Santa Clara County Legislative Action Committee.  
Recommended Action: Amend the 2026 Council Committee Assignments to designate Councilmember Wang as the primary and Vice Mayor Chao as the alternate to the Cities Association of Santa Clara County Legislative Action Committee.

**STUDY SESSION**

2. Subject: Study session regarding Potential November 2026 Ballot Measure on Parkland Rezoning Considerations.

Recommended Action: Conduct study session and provide direction to staff to begin preliminary analysis and engagement regarding a potential parkland rezoning ballot measure, and return to City Council with recommended next steps.

Written communications for this item included emails to the Council.

Acting Director of Administrative Services Jonathan Orozco gave a presentation.

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

Jennifer Griffin

Peggy Griffin

Planning Commissioner San Rao (representing self)

Mayor Moore closed the public comment period.

Councilmembers asked questions and made comments.

Council unanimously consented to provide the following direction to staff:

- Produce a map of all current recreation, parkland, and open space within the city, specifically displaying their current zoning.
- Identify areas needing zoning corrections (to be clarified by the mapping process).
- Include the Service Center in the study to address the conflict between its P(BQ) mini-stor zoning and its industrial/residential land use designation.
- Review the Government Code to determine if current state laws already provide adequate protection for these parcels.
- Provide an analysis on whether to limit the ballot language to Milpitas or expand it to cover structures and facilities not currently zoned exclusively as parkland.
- Provide the estimated costs associated with placing a measure on the ballot.
- Outline the necessary steps and deadlines to meet the November 2026 election cycle.

3. Subject: Study session regarding Various Revenue Tax Options.

Recommended Action: Conduct study session and provide direction to staff to begin preliminary analysis regarding budgetary need for and timeline of potential revenue generating ballot measure, and return to City Council with recommended next steps.

Written communications for this item included emails to the Council.

Acting Director of Administrative Services Jonathan Orozco gave a presentation.

Councilmembers asked questions and made comments.

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

Rhoda Fry

Jennifer Griffin

Planning Commissioner San Rao (representing self)

Peggy Griffin

Mayor Moore closed the public comment period.

Councilmembers asked questions and made comments.

Council unanimously consented to provide the following direction to staff:

- Rank options based on feasibility, likelihood of success, and ease of implementation.
- Prioritize the renewal of the Utility Users Tax (UUT) and other expiring measures before proposing new ones.
- Explore taxes that impact non-residents or specific activities rather than sales tax or property tax increases.
  - Utility Users Tax (UUT) - There was consensus on renewal of UUT but likely not in 2026.
  - Rideshare Tax –There was consensus to explore this as an indirect tax option.
  - Transient Occupancy Tax (TOT) - There was no consensus in pursuing a TOT tax.
  - Vacancy Tax - There was no consensus in pursuing a vacancy tax.
- Conduct the analysis and demonstrate a clear budgetary need before proposing to the voters; and use the second quarter budget update and budget forecasts to identify corresponding budget cuts that would be required if new revenue is not secured. Account for recent changes, such as the water lease funding and investment returns.

Moore requested information on Development Impact Fees; and the handling of how competing cap ballot measures are handled; ensure that a City-led tax increase would not be compounded by a secondary measure and understand how the tax cap

would be managed in that event.

The following informational memorandums were requested by Councilmembers:

- Moore and Chao requested an informational memo from the Finance Division to analyze and compare regional property tax distribution, including a breakdown of the City of Sunnyvale's numbers regarding their police and fire services.
- Chao requested an informational memo from the City Attorney's Office on a cost-benefit and logistical analysis of placing a potential measure on the ballot; provide the estimated legal and administrative costs for drafting the measure and a detailed timeline for submission deadlines.

At 8:29 p.m., Mayor Moore recessed the meeting. The meeting reconvened at 8:34 p.m. with all Councilmembers present.

4. Subject: Study Session to consider possible updates to the City's practices pertaining to its advisory bodies, including its Commissions and Committees.

Recommended Action: Consider and discuss options for updating the City's practices pertaining to its advisory bodies, including (1) increasing community participation via extended nepotism restrictions, (2) filling vacancies and appointing alternates, (3) updating attendance requirements, (4) recognizing commissioner autonomy, and (5) considering the unique characteristics of Committees as compared to Commissions, including the Economic Development Committee and the Audit Committee.

Written communications for this item included emails to the Council.

Interim 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.

Rhoda Fry

Peggy Griffin

Planning Commissioner San Rao (representing self)

Mayor Moore closed the public comment period.

Councilmembers asked questions and made comments.

Council provided the following input for updating the City's practices pertaining to its advisory bodies, including its Commissions and Committees.

- **Nepotism Restrictions**  
There was consensus to include language disfavoring the appointment of family members from the same household to commissions, with a provision to waive this restriction at Council's discretion.
- **Serving on Multiple Commissions**  
There was consensus that serving on two commissions simultaneously is generally disfavored but may be waived by the Council. This would typically be permitted only in cases of a shortage of applicants for a specific vacancy or where expertise is required.
- **Use of Alternates and Commission Attendance**  
There was no consensus on creating alternate positions that would step-in in the case of no quorum or absences.
  - The Council requested the City Attorney bring back language provisions for allowing commission alternates, explaining how that process would work.
  - Keep Council as the final authority to remove a commissioner due to poor attendance.
  - Each commission may adopt a meeting schedule annually to support proper attendance and quorum.

Chao requested clarification regarding who sets the meeting agendas and cancels meetings between the Chair and the Staff liaison.

- **Commissioner Autonomy**  
Commissioners may express personal opinions that differ from a commission's majority vote. The Commissioner's Handbook currently states that it is improper for a commissioner to attempt to persuade the Council toward a minority view.
  - There was unanimous consensus to strike the term "improper" and replace the existing rule with a "required disclosure". The Council requested the City Attorney to draft appropriate language.

Council provided follow-up direction to staff:

- Return to Council with proposed updates based on the direction provided during the meeting.
- Moore and Chao requested an informational memo from the City Manager's Office outlining a list of interagency groups that include City staff.

## ADJOURNMENT

At 9:52 p.m., Mayor Kitty Moore adjourned the Special City Council Meeting.

Minutes prepared by:

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Lauren Sapudar, Acting City Clerk