



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Friday, December 12, 2025

SPECIAL MEETING

At 9:03 a.m., Mayor Kitty Moore called the Special City Council Meeting to order in City Hall Conference Room C, 10300 Torre Avenue, Cupertino, CA 95014.

Present: Mayor Kitty Moore, Vice Mayor Liang Chao, and Councilmembers J.R. Fruen, Sheila Mohan, and R “Ray” Wang. Absent: None.

CITY COUNCIL TRAINING

1. Subject: City Council Training
Recommended Action: Conduct City Council Training

Written communications for this item included a staff presentation.

The following members of staff provided presentations on their departments and responsibilities:

City Manager Tina Kapoor provided an overview of City Council–Staff relationships, the duties and responsibilities of the City Manager’s Office, its Staff Divisions, and the Commissions overseen by the office. Additional topics included the Council and Mayor’s Budget, Councilmember Committee assignments, and the City Work Program.

City Attorney Floy Andrews provided an overview of Rosenberg’s Rules of Order, Conflict of Interest requirements, the Brown Act, and legislative updates including the Political Reform Act (“Levine Act”), SB 707 (Brown Act updates), and SB 827 (Ethics and Fiscal Training).

Interim Deputy City Manager/City Clerk Kirsten Squarcia provided an overview of the City Clerk’s Office duties, including the City Council agenda setting and publication processes, and guidance on participation in political activities.

Director of Parks and Recreation Rachelle Sander provided an overview of the Department, including Department Divisions, Commissions overseen by the Department, Boards, and Volunteer Opportunities. The discussion also covered Department Activities, including Key Projects and Events.

Director of Community Development Ben Fu provided an overview of the Department, including Department Divisions, Commissions and Committees overseen by the Department, and Department Activities and Key Projects.

Director of Public Works Chad Mosley provided an overview of the Department, including Department Divisions, Commissions overseen by the Department, and Key Projects.

Director of Administrative Services Kristina Alfaro provided an overview of the Department, including Department Divisions, the Committee overseen by the Department, Cupertino Public Facilities Corporation, and Department Activities.

Chief Technology Officer Teri Gehardt provided an overview of the Innovation and Technology Department, including Department Divisions, the Commission overseen by the Department, Department Activities, and Technology Reminders.

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

Housing Commissioner Connie Cunningham (representing self) discussed the presentation content.

Mayor Moore closed the public comment period.

Councilmembers asked questions and made comments.

Council conducted the City Council training.

ACTION CALENDAR

2. Subject: 1) Conduct Study Session on the Mary Avenue Project ("Project"), including project history, project siting, the conditional transfer of City-owned property rights, affordability restrictions, and remaining steps prior to entitlement and closing on the Project; and 2) Consider Appointing Negotiator(s) for the possible transfer of certain rights to City-owned property (APN: 326-27-053), in the form of a ground lease or a sale with the City's future right to repurchase (Continued from December 2, 2025)

Recommended Action: 1: Study Session completed on December 2, 2025. No further

action to be taken.

2: Appoint the City Manager and the Interim City Attorney as Negotiators with the Nonprofit Public Benefit Corporation, Charities Housing Development Corporation of Santa Clara County (the "Developer"), regarding the possible transfer of property rights in the form of a ground lease or sale with the City's future right to repurchase. (The public comment period for this item was conducted and closed on December 2, 2025; the public comment period remains closed such that no further public comment will be taken.)

Written communications for this item included emails to the Council.

City Attorney Floy Andrews reviewed the item.

SUBSTITUTE MOTION: Chao moved and Wang seconded a substitute motion to Appoint the City Manager and the Interim City Attorney as Negotiators with the Nonprofit Public Benefit Corporation, Charities Housing Development Corporation of Santa Clara County (the "Developer"), regarding the possible transfer of property rights in the form of a ground lease or sale with the City's future right to repurchase; and staff take input from the entire Council and address the public concerns. The substitute motion failed with the following vote: Ayes: Chao and Wang. Noes: Moore, Mohan, and Fruen. Abstain: None. Absent: None.

Councilmembers asked questions and made comments.

Mayor Moore called for a vote on the original (main) motion. Chao objected to the call for a vote on the motion. The objection was rejected with the following vote: Ayes: Chao and Wang. Noes: Moore, Mohan and Fruen. Abstain: None. Absent: None.

MOTION: Fruen moved and Moore seconded to approve the staff recommendation, as amended to:

1. Appoint the City Manager and the Interim City Attorney as Negotiators with the Nonprofit Public Benefit Corporation, Charities Housing Development Corporation of Santa Clara County (the "Developer"), regarding the possible transfer of property rights in the form of a ground lease or sale with the City's future right to repurchase; and to negotiate either: 1) a Disposition and Development Agreement with repurchase option or 2) a long-term Ground Lease;
 2. Direct staff to perfect:
 - Surplus Land Act exemption
 - Right-of-way vacation, and
 - Prepare Entitlements for future Council action
 - Maintain timeline to support 2026 9% Tax Credit Application; and
 3. Staff and Developer: Consider prioritizing Cupertino residents (further prioritized
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based on length of residency) within the City's BMR program for this development and exploring whether the project could be dedicated entirely to housing for individuals with developmental disabilities.

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

ADJOURNMENT

At 10:46 a.m., Mayor Kitty Moore adjourned the Special City Council Meeting.

Minutes prepared by:

Kirsten Squarcia, City Clerk