

CC 4-03-2024

Oral
Communications

Written
Communications

From: [lidan jiang](#)
To: [City Council](#); [City Clerk](#)
Subject: do not change Bollinger Road to one lane road
Date: Thursday, March 28, 2024 11:56:56 PM

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Hi Cupertino city council members,
I'm shocked to know that you have the Bollinger Road Corridor Design.

Who initialized such a bad idea? Have you done any preliminary study on the traffics on Bollinger road between De Anza and Lawrence Express Way?

As a nearby resident driving through Bollinger every day. Let me tell you how busy this road is:

1. heavy traffic in the morning between 8-10am from Lawrence to De Anza direction. the parents drive the kids to five schools: Hyde Middle, Cupertino high, Lynbrook high, Murdock elementary and Dilworth elementary.
2. after that peak time for school, people are heading from Lawrence to west side for so many apple buildings. And people are heading from west side to Lawrence, the road between Johnson Ave and Lawrence Expr are almost fully parked with the cars waiting to make left turn onto Lawrence. we need to wait for multiple times for the light turning to green.
3. about the 6-7pm when I'm heading home, there two lanes of both direction are all full of cars, especially from the west to Lawrence direction. That should be the workers leaving apple.

Bollinger is an important parallel road to share the traffic burden on Stevens creek blvd. It will be a disaster to change it to a one lane road.

Please serious consider it and give up the stupid plan.

Thanks,
Lidan Jiang
6110 Edenhall Dr, San Jose 95129

From: [Fang Ruan](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Keep Bollinger double lane
Date: Wednesday, March 27, 2024 9:58:12 AM

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Hello,

I'm a resident living near Bollinger road and Miller Ave. I use Bollinger multiple times daily to commute between home, work and my children's schools. I cannot bike as I have to drop off and pick up my young kids and also there are no bus stations between my home and work.

Bollinger has been congested everyday during rush hours. Changing it to single lane will make the situation much worse. Changing Bollinger to single lane will NOT encourage more people to bike as it doesn't solve most of the problems like transportation between schools and work. Please instead make more bus routes and stations.

Fang

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: Oral Communications 4/3/2024 Use of BMR Funds
Date: Monday, March 25, 2024 11:08:51 AM
Attachments: [BMR fund summary.pdf](#)

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From: Rhoda Fry on March 25, 2024
RE: Misallocation of BMR Program Funds

Dear City Council,

As you know, on February 15, 2024, I reported to the City Attorney that our BMR Program Funds had been improperly used to pay for \$15K in stipulated judgements from the frivolous Housing Element lawsuit by YIMBY and California Housing Defense Fund. Then I discovered that the cost of litigation from the firm retained by the City, Goldfarb & Lipman, had also been misallocated along with other questionable expenses. On February 19, I wrote City Council requesting that the Accounts Payable agenda item #6 be removed from the City Council Consent Calendar for the February 21 meeting. Neither the City Manager nor the City Attorney wanted this item to be discussed in a public forum.

I am asking you to please schedule a study session in order to restore some public trust in the City's accounting system and use of BMR funds. Not only for the BMR funds but also for other special funds that are regulated under AB1600.

Below is a description of the BMR Program Rules and attached is a summary the BMR portion of Development Impact Fee Reports, which are found here:
<https://www.cupertino.org/our-city/departments/finance/budget-reports> Reviewing the fund's use over the past decade creates a number of questions about whether the BMR fund has maximized public benefits. Lately, the fund has been used for homeless, which is not an intent of the fund. The cost of administration and studies also raises concerns.

BMR Program Rules Restrict Fees to affordable housing (RESOLUTION NO. 20.055 page 4)
2.2.2 Permitted Use of Fees

A. Affordable housing mitigation fees deposited into the BMR AHF shall only be used for the provision of affordable housing in Cupertino.

B. The options for use of the fee revenue include, but are not limited to the following:

1. BMR Program Administration
2. Land Acquisition
3. New Construction
4. Acquisition and/or rehabilitation of buildings for permanent affordability
5. Preserving "at-risk" BMR Units
6. Substantial Rehabilitation
7. Rental Operating Subsidies
8. Down Payment Assistance
9. Direct gap financing
10. Fair Housing

C. A portion of the BMR AHF will be targeted to benefit the following groups, to the extent that these target populations are found, to be consistent with the needs identified in the nexus study:

1. Extremely low-income households and
2. Persons with special needs (such as the elderly, victims of domestic violence, and the disabled, including persons with developmental disabilities).



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The data below was copied from Development Impact Fee Reports from 2014 to 2023

These reports can be found here: <https://www.cupertino.org/our-city/departments/finance/budget-reports>

As there might be copying errors, please consult the source documents to confirm data

Observations:

1. funds have been used for homeless, which is not an approved category for this fund
2. Interest on these accounts has varied widely
3. 2021 - 2023 staff and admin cost has been disproportionately high as compared with services rendered
4. A significant amount of money has been used for the Housing Element, Studies, Plans, Strategies, and Surveys

USE OF BMR FUNDS 2023 - 2014 as reported in Development Impact Fee Reports

Year	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Balance	5,462,532	6,111,827	6,551,494	6,759,440	6,902,773	10,867,642	11,336,550	11,323,869	7,699,889	699,046
Fees Collected	172,698	39,211	204,931	41,957	159,179	165,324	39,000	299,586	4,051,266	7,229,545
Interest	79,323	70,915	19,651	269,174	134,016	46,912	94,339	97,840	45,016	10,828
Staff & Admin	378,741	329,346	206,461	90,119	61,276	57,266	39,941	53,908	49,686	25,721
Legal	57,476	29,367	68,170	174,249	69,201	144,028	235,878	96,279	41,276	
Placement	265,554	264,296	259,957	190,986	190,294	137,018	123,301	125,818	71,407	127,955
Mediation	50,000	50,000	50,000	50,229	35,771	44,528	203,187	108,740	193,442	
Legal + Mediation										69,995
Housing Element										15,879
Loan						3,672,000				
Renovation					79,986	122,265				
Study				13,495					83,200	
Plan									33,291	
Strategies		7,146	44,955							
De Anza			25,000							
Survey			9,706							
Homeless	13,787	71,224								
Habitat Humanit	3,571	8,043								
Subtotal	769,123	759,421	664,249	519,078	436,528	4,177,105	602,307	384,745	472,302	239,550
End Balance	4,945,424	5,462,532	6,111,827	6,551,494	6,759,440	6,902,773	7,195,642	7,664,550	11,323,869	7,699,889

From: [Tessa Parish](#)
To: [City Clerk](#); [Cupertino City Manager's Office](#); [Hung Wei](#); [Liang Chao](#); [HousingCommission](#); [J.R. Fruen](#); [Kitty Moore](#); [Sheila Mohan](#)
Subject: Cancer spike found near Superfund site - Mountain View Voice
Date: Sunday, March 31, 2024 4:06:53 AM

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Honorable Mayor & City Council,

I urge you to read this news article and perhaps the report it mentions regarding the increase in Cancer in areas closest to superfund and the ingredients mentioned.

Please consider this and urge you to demand the clean up when concerning housing be built without CEQA consideration.

Cancer spike found near Superfund site - Mountain View Voice

<https://www.mv-voice.com/news/2012/10/11/cancer-spike-found-near-superfund-site/>

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: 4/3/2026 follow on to oral communications regarding BMR funds
Date: Wednesday, April 3, 2024 3:06:24 PM
Attachments: [BMR fund summary 2.pdf](#)
[Attachment A Annual Report on Development Impact Fees FY 2021 pages 6 8 9.pdf](#)
[PR24021.pdf](#)
[Moss Adams Finance Page 6.pdf](#)

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Dear City Council,

4/3/2026 follow on to my previous oral communications regarding BMR and Affordable Housing fund

I am concerned that we are using our BMR and Affordable Housing Fund Inefficiently. Can you please schedule a study session, so we can find ways to remedy this? Please also consider that Councilmember Kitty Moore has already asked to drill down on the Developer Fee Mitigation Report under AB1600, but sadly there was a rush to approve it. I think we need to look at ALL of our Special Funds.

To illustrate the perceived inefficiency of our BMR and Affordable Housing fund, I've added a chart to the document that I sent earlier.

You want to see the cost of staff & admin to be far apart if you want the fund to run efficiently.

Unfortunately, you'll see that they've become nearly equal in recent years.

Whereas Cupertino spent nearly \$400K on staff & admin, Palo Alto spent little more than \$40K on two affordable housing funds and had tangible results (see second attachment).

I've also attached transactions from the BMR account. This is from a PRA and the report came with color.

You will notice that the fund paid for unusual things like a subscription to the Mercury News and other expenses unrelated to BMR.

I would also ask that City Council receive an update from Staff on progress from the City's Internal Audit on Finance by Moss Adams found here:

<https://www.cupertino.org/home/showpublisheddocument/31117/637889960212230000>

I think that the problems we're seeing with the BMR fund are a symptom of the weaknesses described in the report.

Thanks Much,
Rhoda Fry



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Observations 1. funds have been used for homeless, which is not an approved category for this fund. 2. Interest on these accounts varies.

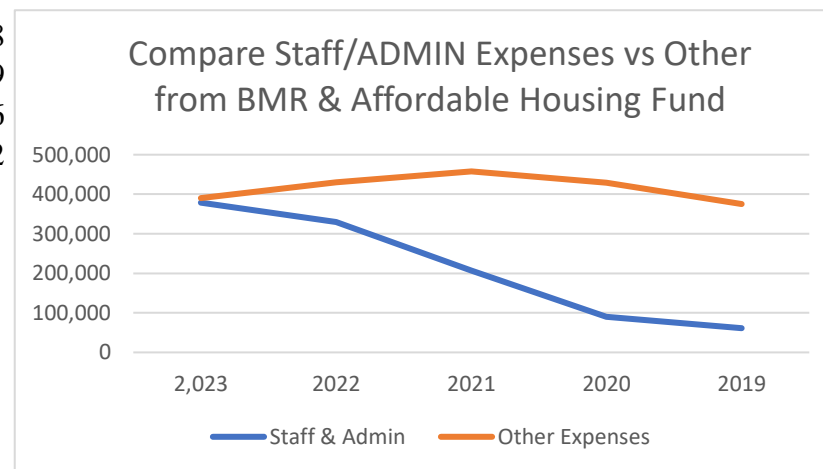
Why? Interest from loan or Chandler? 3. 2021 - 2023 staff and admin cost has been disproportionately high as compared with services rendered

4. A significant amount of money has been used for the Housing Element, Studies, Plans, Strategies, and Surveys

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Subtotal	769,123	759,421	664,249	519,078	436,528
Year	2,023	2022	2021	2020	2019
Staff & Admin	378,741	329,346	206,461	90,119	61,276
Other Expenses	390,382	430,075	457,788	428,959	375,252



Check Transaction Date	Check EFT Number	Vendor Payee	Invoice Number	Invoice GL Date	Invoice Description	Item Description	AP Invoice Entered User	Amount	PO Number	GL Account
7/30/2021	32274	US BANK-PURCHASING CARD PROGRAM	SundariP071521	7/27/2021	9702 CC Charges	Mercury News Monthly Subscription for Housing Division	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
8/20/2021	32376	FOLGER GRAPHICS INC	129236	8/18/2021	CWP Mailer for Housing Survey	CWP Mailer for Housing Survey	Sundari Pilaka	\$ 1,906.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
9/3/2021	32494	RISE HOUSING SOLUTIONS, INC	Cupertino - 003	9/1/2021	BMR Program Administrator 2021/07	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 12,767.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
9/10/2021	728632	City Data Services, LLC	2149	9/8/2021	CDS Monthly Maintenance 2021 July - Sep	Data Management for Housing Programs FY 21-22	Sundari Pilaka	\$ 1,050.00	2022-00000177	265-72-711 700-702 Contract Services General Service Agreement
9/10/2021	728645	VERIZON WIRELESS	9885531295-54	9/1/2021	4084664906 Kerri Heusler Housing Planner	NULL	Sundari Pilaka	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
9/17/2021	32594	US BANK-PURCHASING CARD PROGRAM	SundariP081621	9/9/2021	9702 CC Charges	San Jose Mercury News Online Subscription	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
9/17/2021	728668	COLLEEN LOPEZ	2021-4	9/15/2021	CDBG Consultant 2021/07-08	Housing Consultant FY 21/22	Sundari Pilaka	\$ 1,200.00	2022-00000200	265-72-711 700-702 Contract Services General Service Agreement
10/1/2021	32680	RISE HOUSING SOLUTIONS, INC	Cupertino - 004	9/30/2021	BMR Program Administrator 2021/08	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 13,855.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
10/1/2021	728766	VERIZON WIRELESS	9887702825-51	9/30/2021	4084664906 Kerri Heusler Housing Planner	NULL	Mariela Rodriguez	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
10/8/2021	32717	GOLDFARB & LIPMAN	141058	10/6/2021	Housing Legal Review 2021/06	Housing Legal Review 2021/06	Sundari Pilaka	\$ 522.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
10/8/2021	32717	GOLDFARB & LIPMAN	141596	10/6/2021	Housing Legal Review 2021/07	Housing Legal Review 2021/07	Sundari Pilaka	\$ 493.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
10/8/2021	32717	GOLDFARB & LIPMAN	141599	10/6/2021	Housing Strategies Legal Review 2021/07	Housing Strategies Legal Review 2021/07	Sundari Pilaka	\$ 4,704.00	NULL	265-72-711 750-050 Special Projects Housing Strategies
10/8/2021	32729	RISE HOUSING SOLUTIONS, INC	Cupertino - 005	10/6/2021	BMR Program Administrator 2021/09	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 19,822.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
10/15/2021	32765	GOLDFARB & LIPMAN	141844	10/13/2021	Housing Legal Review 2021/08	Housing Legal Review 2021/08	Sundari Pilaka	\$ 58.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
10/15/2021	32765	GOLDFARB & LIPMAN	141845	10/13/2021	CWP Housing Strategies Legal Review 2021/08	Housing Strategies Legal Review 2021/08	Sundari Pilaka	\$ 2,440.72	NULL	265-72-711 750-050 Special Projects Housing Strategies
10/22/2021	32820	GOLDFARB & LIPMAN	142109	10/20/2021	Housing Legal Review 2021/09	Housing Legal Review 2021/09	Sundari Pilaka	\$ 725.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
10/22/2021	728891	VERIZON WIRELESS	9889887003-51	10/20/2021	4084664906 Kerri Heusler Housing Planner	NULL	Mariela Rodriguez	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
10/29/2021	728934	PROJECT SENTINEL	440-502-093021	10/27/2021	BMR AHF Rental Mediation Q1 FY21-22	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY21-22	Sundari Pilaka	\$ 15,831.02	2022-00000170	265-72-711 600-623 Materials Grant Expenditures
11/5/2021	32939	GILJUAN & KULL - SAN JOSE, INC.	143781	11/2/2021	Mary Ave Street Realignment through 080121-083121	SO #7 Mary Ave Parcel Map	Sundari Pilaka	\$ 2,006.00	2022-00000167	265-72-711 750-052 Special Projects Develop ELI Housing
11/5/2021	32940	GOLDFARB & LIPMAN	142111	11/2/2021	Housing Legal Review 2021/09	Housing Legal Review 2021/09	Sundari Pilaka	\$ 735.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
11/5/2021	32956	RISE HOUSING SOLUTIONS, INC	Cupertino - 006	11/2/2021	BMR Program Administrator 2021/10	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 17,187.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
11/19/2021	729117	COLLEEN LOPEZ	2021-5	11/16/2021	Housing Consultant 2021/09-10	Housing Consultant FY 21/22	Sundari Pilaka	\$ 1,200.00	2022-00000200	265-72-711 700-702 Contract Services General Service Agreement
11/25/2021	33080	GILJUAN & KULL - SAN JOSE, INC.	16757	11/18/2021	Mary Avenue Street Realignment through 090121-093021	SO #7 Mary Ave Parcel Map	Kim Lunt	\$ 2,230.00	2022-00000167	265-72-711 750-052 Special Projects Develop ELI Housing
12/3/2021	33128	City Data Services, LLC	2178	11/30/2021	CDS Monthly Maintenance 2021 Oct - Dec	Data Management for Housing Programs FY 21-22	Sundari Pilaka	\$ 1,050.00	2022-00000177	265-72-711 700-702 Contract Services General Service Agreement
12/3/2021	33134	GOLDFARB & LIPMAN	142636	11/30/2021	Housing Legal Services 2021/10	Housing Legal Services 2021/10	Sundari Pilaka	\$ 551.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
12/3/2021	33134	GOLDFARB & LIPMAN	142638	11/30/2021	Housing Legal Services 2021/10	Housing Legal Services 2021/10	Sundari Pilaka	\$ 352.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
12/3/2021	729222	VERIZON WIRELESS	9892089028-51	12/2/2021	4084664906 Kerri Heusler Housing Planner	NULL	Mariela Rodriguez	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
12/10/2021	33206	RISE HOUSING SOLUTIONS, INC	Cupertino - 007	12/8/2021	BMR Program Administrator 2021/11	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 76,464.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
12/10/2021	33216	US BANK-PURCHASING CARD PROGRAM	SundariP11521	12/2/2021	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 11/2021	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
12/17/2021	729287	COLLEEN LOPEZ	2021-6	12/15/2021	Housing Consultant 2021/11	Housing Consultant FY 21/22	Sundari Pilaka	\$ 600.00	2022-00000200	265-72-711 700-702 Contract Services General Service Agreement
1/14/2022	33403	GILJUAN & KULL - SAN JOSE, INC.	16819	1/6/2022	BMR AHF Rental Mediation Q1 FY21-22	SO #7 Mary Ave Parcel Map	Kim Lunt	\$ 3,713.00	2022-00000167	265-72-711 750-052 Special Projects Develop ELI Housing
1/14/2022	33404	GOLDFARB & LIPMAN	143181	1/12/2022	Housing Legal Review 2021/11	Housing Legal Review 2021/11	Sundari Pilaka	\$ 406.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/14/2022	33404	GOLDFARB & LIPMAN	143182	1/12/2022	Housing Legal Review 2021/11	Housing Legal Review 2021/11	Sundari Pilaka	\$ 576.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/14/2022	33429	RISE HOUSING SOLUTIONS, INC	Cupertino - 008	1/12/2022	BMR Program Administrator 2021/12	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 18,596.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
1/14/2022	33436	US BANK-PURCHASING CARD PROGRAM	SundariP121521	1/6/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 12/2021	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
1/14/2022	729416	MMANIC	5492	1/12/2022	Membership Renewal - Kerri (through 1/27/2023)	Membership Renewal - Kerri (through 1/27/2023)	Cyrach Caburian	\$ 75.00	NULL	265-72-711 600-647 Materials Memberships and Dues
1/21/2022	33463	GOLDFARB & LIPMAN	143426	1/19/2022	Housing Legal Review 2021/12	Housing Legal Review 2021/12	Sundari Pilaka	\$ 1,680.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/21/2022	729478	VERIZON WIRELESS	9894310849-59	1/18/2022	4084664906 Kerri Heusler Housing Planner	NULL	Mariela Rodriguez	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
1/28/2022	33497	GOLDFARB & LIPMAN	143693	1/26/2022	Housing Legal Review 2021/12	Housing Legal Review 2021/12	Sundari Pilaka	\$ 899.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
2/4/2022	729555	PROJECT SENTINEL	PSCBGQ2FY2122	2/2/2022	Below Market Rate Fund (BMR) - Q2	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY21-22	Cyrach Caburian	\$ 18,935.50	2022-00000170	265-72-711 600-623 Materials Grant Expenditures
2/4/2022	729570	VERIZON WIRELESS	9896551278-59	2/2/2022	4084664906 Kerri Heusler Housing Planner	NULL	Janet Liang	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
2/11/2022	33626	US BANK-PURCHASING CARD PROGRAM	SundariP011722	2/3/2022	9702 CC Charges	San Jose Mercury News Online Subscription	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
2/25/2022	729716	VERIZON WIRELESS	9898794026-59	2/23/2022	4084664906 Kerri Heusler Housing Planner	NULL	Janet Liang	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
3/4/2022	33775	RISE HOUSING SOLUTIONS, INC	Cupertino-009	3/2/2022	BMR Program Administrator 2022/01	BMR AHF Affordable Placement Program FY21-22	Cyrach Caburian	\$ 15,830.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
3/4/2022	729729	COLLEEN LOPEZ	2021-7	3/2/2022	CDBG Housing Consultant 2021/12	Housing Consultant FY 21/22	Cyrach Caburian	\$ 6,278.60	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
3/4/2022	729777	The Center for Common Concerns, Inc	1745	3/2/2022	CWP end homelessness administrator 2021/12	City work plan to end homelessness	Cyrach Caburian	\$ 9,476.10	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
3/4/2022	729777	The Center for Common Concerns, Inc	1751	3/2/2022	CWP Homelessness Administrator 2022/01	City work plan to end homelessness	Cyrach Caburian	\$ 12,755.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
3/11/2022	33819	RISE HOUSING SOLUTIONS, INC	Cupertino-010	3/8/2022	BMR Program Administrator 2022/02	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
3/11/2022	33828	US BANK-PURCHASING CARD PROGRAM	SundariP021522	3/4/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 02/2022	Sundari Pilaka	\$ 600.00	2022-00000200	265-72-711 700-702 Contract Services General Service Agreement
3/18/2022	729824	COLLEEN LOPEZ	2021-8	3/16/2022	CDBG Housing Consultant 2022/01-02	Housing Consultant FY 21/22	Cyrach Caburian	\$ 27.14	NULL	265-72-711 600-642 Materials Telephone and Data Services
3/18/2022	729850	VERIZON WIRELESS	9901054103-58	3/15/2022	4084664906 Kerri Heusler Housing Planner	NULL	Janet Liang	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
4/1/2022	33956	Homebase	1789	3/30/2022	CWP Homelessness Administrator 2022/02	City work plan to end homelessness	Cyrach Caburian	\$ 21,445.77	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
4/8/2022	33996	City Data Services, LLC	2211	4/6/2022	CDS Monthly Maintenance 2022 Jan - March	Data Management for Housing Programs FY 21-22	Cyrach Caburian	\$ 1,050.00	2022-00000177	265-72-711 700-702 Contract Services General Service Agreement
4/8/2022	34019	RISE HOUSING SOLUTIONS, INC	Cupertino-011	4/6/2022	BMR Program Administrator 2022/03	BMR AHF Affordable Placement Program FY21-22	Cyrach Caburian	\$ 12,214.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
4/15/2022	34080	US BANK	CyrachP031522	3/16/2022	0363 CC Charges	Housing CA Conference Registration (One day) - Gabe	Cyrach Caburian	\$ 325.00	NULL	265-72-711 600-629 Materials Conference and Training
4/15/2022	34080	US BANK	SundariP031522	3/28/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 03/2022	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
4/29/2022	34154	Homebase	1834	4/20/2022	CWP Homelessness Administrator 2022/03	City work plan to end homelessness	Cyrach Caburian	\$ 12,563.81	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
4/29/2022	730161	GABRIEL BORDEN	2022-00000655	4/20/2022	Travel Reimbursement Housing California Annual Conference 04/22	Travel Reimbursement Housing California Annual Conference 04/22	Cyrach Caburian	\$ 57.75	NULL	265-72-711 600-629 Materials Conference and Training
5/6/2022	34212	GOLDFARB & LIPMAN	144851	4/28/2022	Housing Legal Review 2022/03	Housing Legal Review 2022/03	Cyrach Caburian	\$ 384.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
5/6/2022	730203	VERIZON WIRELESS	9901054104-58	5/2/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$ 10.87	NULL	265-72-711 600-642 Materials Telephone and Data Services
5/6/2022	730203	VERIZON WIRELESS	9903371206-59	5/3/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
5/13/2022	34280	US BANK	SundariP041522	5/5/2022	9702 CC Charges	San Jose Mercury News Online Subscription	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
5/20/2022	730285	VERIZON WIRELESS	9905703460-58	5/16/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
5/27/2022	34353	GOLDFARB & LIPMAN	144110	5/25/2022	Housing Legal Review 2022/01	Housing Legal Review 2022/01	Cyrach Caburian	\$ 3,616.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
5/27/2022	34358	Homebase	1872	5/25/2022	CWP Homelessness Administrator 2022/04	City work plan to end homelessness	Cyrach Caburian	\$ 13,109.32	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
5/27/2022	34381	RISE HOUSING SOLUTIONS, INC	Cupertino-012	5/3/2022	BMR Program Administrator 2022/04	BMR AHF Affordable Placement Program FY21-22	Cyrach Caburian	\$ 14,030.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
6/3/2022	34413	GOLDFARB & LIPMAN	145313	6/1/2022	Housing Legal Review 2022/05	Housing Legal Review 2022/05	Sundari Pilaka	\$ 992.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
6/3/2022	34431	RISE HOUSING SOLUTIONS, INC	Cupertino - 013	6/1/2022	BMR Program Administrator 2022/05	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 19,084.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
6/3/2022	730367	PROJECT SENTINEL	PSQSFY2122	6/1/2022	BMR AHF Rental Mediation Q3 FY21-22	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY21-22	Sundari Pilaka	\$ 13,196.29	2022-00000170	265-72-711 600-623 Materials Grant Expenditures
6/10/2022	34499	US BANK	SundariP051622	6/2/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 05/2022	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
6/24/2022	34581	Homebase	1928	6/7/2022	CWP Homelessness Administrator 2022/05	City work plan to end homelessness	Sundari Pilaka	\$ 6,002.34	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
6/24/2022	34623	US BANK	SundariP061522	6/20/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 06/2022	Sundari Pilaka	\$ 9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
6/24/2022	730542	PROJECT SENTINEL	440-502-0622	6/7/2022	BMR AHF Rental Mediation Q4 FY21-22	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY21-22	Sundari Pilaka	\$ 2,037.14	2022-00000170	265-72-711 600-623 Materials Grant Expenditures
6/24/2022	730548	VERIZON WIRELESS	9908045553-59	6/14/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$ 38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
7/1/2022	34666	RISE HOUSING SOLUTIONS, INC	Cupertino - 014	6/30/2022	BMR Program Administrator 2022/06 FY21-22	BMR AHF Affordable Placement Program FY21-22	Sundari Pilaka	\$ 31,692.00	2022-00000136	265-72-711 600-635 Materials Special Departmental Exp
7/15/2022	34749	GOLDFARB & LIPMAN LLP	145776	6/30/2022	Housing Legal Review 2022/05 FY21-22	Housing Legal Review 2022/05 FY21-22	Sundari Pilaka	\$ 288.00	NULL	265

8/26/2022	35074	Homebase	2035	8/18/2022	CWP Homelessness Administrator 2022/07	City work plan to end homelessness	Cyrach Caburian	\$	2,346.68	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
8/26/2022	730951	VERIZON WIRELESS	9912680067-58	8/22/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
9/2/2022	35121	GIULIANI & KULL - SAN JOSE, INC.	17014	8/25/2022	Mary Avenue Street Realignment through 060122-063022	SO #7 Mary Ave Parcel Map	Kim Lunt	\$	632.00	2022-00000167	265-72-711 750-052 Special Projects Support for the Unhoused
9/9/2022	35189	Rise Housing Solutions, Inc	Cupertino - 016	9/7/2022	BMR Program Administrator 2022/07	BMR Program Administrator FY22-23	Sundari Pilaka	\$	18,597.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
9/9/2022	35189	Rise Housing Solutions, Inc	Cupertino - 015	9/7/2022	BMR Program Administrator 2022/08	BMR Program Administrator FY22-23	Sundari Pilaka	\$	11,342.50	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
9/16/2022	35262	US BANK	SundariP081522	8/22/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 08/2022	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
9/23/2022	731130	VERIZON WIRELESS	9915014797-58	9/19/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
9/30/2022	35340	Homebase	2083	9/27/2022	CWP Homelessness Administrator 2022/08	City work plan to end homelessness	Cyrach Caburian	\$	923.82	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
10/7/2022	35416	Rise Housing Solutions, Inc	Cupertino-017	10/4/2022	BMR Program Administrator 2022/09	BMR Program Administrator FY22-23	Cyrach Caburian	\$	25,135.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
10/14/2022	35479	US BANK	SundariP091522	10/4/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 09/2022	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
10/28/2022	731336	VERIZON WIRELESS	9917376693-58	10/11/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
11/10/2022	35665	GOLDFARB & LIPMAN LLP	146276	11/8/2022	Housing Legal Review 2022/07	Housing Legal Review 2022/07	Sundari Pilaka	\$	892.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
11/10/2022	35665	GOLDFARB & LIPMAN LLP	458952	11/8/2022	Housing Legal Review 2022/09	Housing Legal Review 2022/09	Sundari Pilaka	\$	714.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
11/10/2022	35665	GOLDFARB & LIPMAN LLP	459229	11/8/2022	Housing Legal Review 2022/09	Housing Legal Review 2022/09	Sundari Pilaka	\$	136.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
11/10/2022	35690	US BANK	SundariP101722	10/28/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 10/2022	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
11/18/2022	731463	VERIZON WIRELESS	9919754045-58	11/14/2022	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
11/25/2022	35761	City Data Services, LLC	2330	11/21/2022	CDS Monthly Maintenance 2022 Oct-Dec	Data Management for Housing Programs FY22-23	Cyrach Caburian	\$	1,275.00	2023-00000144	265-72-711 700-702 Contract Services General Service Agreement
11/25/2022	35772	Homebase	2175	11/21/2022	CWP Homelessness Administrator 2022/10	City work plan to end homelessness	Cyrach Caburian	\$	536.55	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
11/25/2022	731521	PROJECT SENTINEL	PSCDBGQ4FY2223	11/21/2022	Below Market Rate Fund (BMR) - Q1	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY22-23	Cyrach Caburian	\$	8,188.50	2023-00000220	265-72-711 600-623 Materials Grant Expenditures
12/2/2022	35832	Rise Housing Solutions, Inc	Cupertino - 018	11/30/2022	BMR Program Administrator 2022/10	BMR Program Administrator FY22-23	Cyrach Caburian	\$	84,332.50	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
12/9/2022	35885	Rise Housing Solutions, Inc	Cupertino - 019	12/6/2022	BMR Program Administrator 2022/11	BMR Program Administrator FY22-23	Cyrach Caburian	\$	13,052.50	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
12/16/2022	35938	US BANK	SundariP115122	11/30/2022	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 11/2022	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
12/23/2022	35973	Homebase	2210	12/20/2022	CWP Homelessness Administrator 2022/11	City work plan to end homelessness	Cyrach Caburian	\$	766.99	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
12/23/2022	731690	MMANC	7032	12/20/2022	Membership Renewal - Kerri Heusler (through January 27, 2024)	Membership Renewal - Kerri Heusler (through January 27, 2024)	Cyrach Caburian	\$	75.00	NULL	265-72-711 600-647 Materials Memberships and Dues
1/6/2023	731747	VERIZON WIRELESS	9922133976-58	1/3/2023	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
1/20/2023	36128	GOLDFARB & LIPMAN LLP	460429	1/11/2023	Housing Legal Review 2022/11	Housing Legal Review 2022/11	Cyrach Caburian	\$	306.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/20/2023	36150	Rise Housing Solutions, Inc	Cupertino - 020	1/11/2023	BMR Program Administrator 2022/12	BMR Program Administrator FY22-23	Cyrach Caburian	\$	9,525.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
1/20/2023	36158	US BANK	CyrachC121522	12/20/2022	0363 CC Charges	Housing CA Conference Registration - Kerri/Alec	Cyrach Caburian	\$	900.00	NULL	265-72-711 600-629 Materials Conference and Training
1/20/2023	36158	US BANK	SundariP121522	1/5/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 12/2022	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
1/26/2023	36185	GOLDFARB & LIPMAN LLP	457757	1/24/2023	Housing Legal Review 2022/08	Housing Legal Review 2022/08	Cyrach Caburian	\$	2,138.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/26/2023	36185	GOLDFARB & LIPMAN LLP	461402	1/24/2023	Housing Legal Review 2022/12	Housing Legal Review 2022/12	Cyrach Caburian	\$	442.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
2/10/2023	36308	Rise Housing Solutions, Inc	Cupertino - 021	2/7/2023	BMR Program Administrator 2023/01	BMR Program Administrator FY22-23	Cyrach Caburian	\$	10,420.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
2/17/2023	36375	US BANK	CyrachC011623	1/17/2023	0363 CC Charges	Housing CA Conference Hotel deposit - Kerri	Cyrach Caburian	\$	269.59	NULL	265-72-711 600-629 Materials Conference and Training
2/17/2023	36375	US BANK	CyrachC011623	1/17/2023	0363 CC Charges	Housing CA Conference Hotel deposit - Kerri	Cyrach Caburian	\$	269.59	NULL	265-72-711 600-629 Materials Conference and Training
2/17/2023	36375	US BANK	CyrachC011623	1/17/2023	0363 CC Charges	Housing CA Conference Hotel corrected deposit - Kerri	Cyrach Caburian	\$	269.55	NULL	265-72-711 600-629 Materials Conference and Training
2/17/2023	36375	US BANK	CyrachC011623	1/17/2023	0363 CC Charges	Housing CA Conference Hotel corrected deposit - Alec	Cyrach Caburian	\$	269.55	NULL	265-72-711 600-629 Materials Conference and Training
2/17/2023	36375	US BANK	CyrachC011623	1/17/2023	0363 CC Charges	Housing CA Conference flight - Kerri	Cyrach Caburian	\$	127.96	NULL	265-72-711 600-629 Materials Conference and Training
2/17/2023	36375	US BANK	CyrachC011623	1/17/2023	0363 CC Charges	Housing CA Conference flight - Alec	Cyrach Caburian	\$	157.96	NULL	265-72-711 600-629 Materials Conference and Training
2/17/2023	36375	US BANK	SundariP011623	2/1/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 01/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
2/24/2023	36388	City Data Services, LLC	2366	2/22/2023	CDS Monthly Maintenance 2023 Jan-Mar	Data Management for Housing Programs FY22-23	Cyrach Caburian	\$	1,275.00	2023-00000144	265-72-711 700-702 Contract Services General Service Agreement
2/24/2023	36400	Homebase	2253	2/22/2023	CWP Homelessness Administrator 2022/12	City work plan to end homelessness	Cyrach Caburian	\$	497.79	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
2/24/2023	36400	Homebase	2294	2/22/2023	CWP Homelessness Administrator 2023/01	City work plan to end homelessness	Cyrach Caburian	\$	303.30	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
2/24/2023	732070	PROJECT SENTINEL	PSCDBGQ4FY2223	2/22/2023	Below Market Rate Fund (BMR) - Q2	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY22-23	Cyrach Caburian	\$	3,452.85	2023-00000220	265-72-711 600-623 Materials Grant Expenditures
2/24/2023	732075	VERIZON WIRELESS	99258913234-58	2/16/2023	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
3/1/2023	36560	Goldfarb & Lipman LLP	462738	3/14/2023	Housing Legal Review 2023/02	Housing Legal Review 2023/02	Cyrach Caburian	\$	63.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
3/17/2023	36581	Rise Housing Solutions, Inc	Cupertino - 022	3/14/2023	BMR Program Administrator 2023/02	BMR Program Administrator FY22-23	Cyrach Caburian	\$	15,500.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
3/17/2023	36590	US BANK	CyrachC021523	2/22/2023	0363 CC Charges	Housing CA Conference Learning Lab #1 (Alec)	Cyrach Caburian	\$	200.00	NULL	265-72-711 600-629 Materials Conference and Training
3/17/2023	36590	US BANK	SundariP021523	3/8/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 02/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
3/17/2023	732174	Advantage Grafix	47348	3/14/2023	Business Cards - Housing Division	Business Cards - Housing Division	Cyrach Caburian	\$	97.12	NULL	265-72-711 600-608 Materials Sml Tools and Equipment
3/31/2023	732308	VERIZON WIRELESS	9929285853-57	3/27/2023	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
4/7/2023	36725	Homebase	2343	4/3/2023	CWP Homelessness Administrator 2023/02	City work plan to end homelessness	Cyrach Caburian	\$	626.50	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
4/14/2023	36761	Alec Vybral	AlecV04/10/2023	4/12/2023	Reimbursement for Housing CA Conference - Alec Vybral	Reimbursement for Housing CA Conference - Alec Vybral	Sundari Pilaka	\$	233.89	NULL	265-72-711 600-629 Materials Conference and Training
4/14/2023	36795	Rise Housing Solutions, Inc	Cupertino - 023	4/12/2023	BMR Program Administrator - March 2023	BMR Program Administrator FY22-23	Sundari Pilaka	\$	43,670.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
4/14/2023	36800	US BANK	SundariP031523	4/4/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 03/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
4/21/2023	36827	GIULIANI & KULL - SAN JOSE, INC.	17256	4/17/2023	20117 Mary Ave Legal Description through 02012023-0228203	SO #7 Mary Ave Parcel Map	Kim Lunt	\$	697.50	2022-00000167	265-72-711 750-052 Special Projects Support for the Unhoused
4/21/2023	36834	KERRI HEUSLER	KerriH0412023	4/18/2023	Reimbursement for Housing CA Conference - Kerri Heusler	Reimbursement for Housing CA Conference - Kerri Heusler	Sundari Pilaka	\$	299.27	NULL	265-72-711 600-629 Materials Conference and Training
4/28/2023	36886	Homebase	2390	4/26/2023	CWP Homelessness Administrator 2023/03	City work plan to end homelessness	Sundari Pilaka	\$	1,532.58	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
5/5/2023	36959	Rise Housing Solutions, Inc	Cupertino - 024	5/3/2023	BMR Program Administrator 2023/04	BMR Program Administrator FY22-23	Sundari Pilaka	\$	10,730.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
5/5/2023	732487	PROJECT SENTINEL	PSCDBGQ4FY2223	5/3/2023	BMR AHF Rental Mediation - Q3	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY22-23	Sundari Pilaka	\$	9,119.74	2023-00000220	265-72-711 600-623 Materials Grant Expenditures
5/5/2023	732499	VERIZON WIRELESS	9931706970-57	4/17/2023	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
5/12/2023	37035	US BANK	CyrachC041723	5/9/2023	0363 CC Charges	MMANC - 2023 WLS Registration for Abby Ayende	Sundari Pilaka	\$	135.00	NULL	265-72-711 600-629 Materials Conference and Training
5/12/2023	37035	US BANK	SundariP041723	4/28/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 04/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
5/19/2023	37055	City Data Services, LLC	2404	5/16/2023	CDS Monthly Maintenance 2023 Apr-Jun	Data Management for Housing Programs FY22-23	Sundari Pilaka	\$	1,275.00	2023-00000144	265-72-711 700-702 Contract Services General Service Agreement
5/19/2023	732579	Chicago Title Company	FWPS-TO23000152	5/10/2023	Map & Title Review	SO #6 Mary Ave Parcel Map (Pagan)	Kim Lunt	\$	1,925.62	2023-00000337	265-72-711 750-052 Special Projects Support for the Unhoused
5/26/2023	37114	Goldfarb & Lipman LLP	464209	5/24/2023	Housing Legal Review 2023/04	Housing Legal Review 2023/04	Sundari Pilaka	\$	7,062.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
6/9/2023	37215	Homebase	2434	5/24/2023	CWP Homelessness Administrator 2023/04	City work plan to end homelessness	Sundari Pilaka	\$	5,672.66	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
6/9/2023	37238	Rise Housing Solutions, Inc	Cupertino - 025	5/24/2023	BMR Program Administrator 2023/05	BMR Program Administrator FY22-23	Sundari Pilaka	\$	17,860.00	2023-00000128	265-72-711 600-635 Materials Special Departmental Exp
6/9/2023	732725	VERIZON WIRELESS	9934094492-53	6/1/2023	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	27.88	NULL	265-72-711 600-642 Materials Telephone and Data Services
6/16/2023	37318	US BANK	SundariP051523	6/7/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 05/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
6/23/2023	37343	Homebase	2480	6/21/2023	CWP Homelessness Administrator 2023/05	City work plan to end homelessness	Sundari Pilaka	\$	579.64	2022-00000407	265-72-711 750-051 Special Projects Support for the Unhoused
7/14/2023	37496	GIULIANI & KULL - SAN JOSE, INC.	17316	6/30/2023	20117 Mary Ave Legal Description through 04012023-0430203	SO #7 Mary Ave Parcel Map	Kim Lunt	\$	77.50	2022-00000167	265-72-711 750-052 Special Projects Support for the Unhoused
7/14/2023	37524	US BANK	SundariP061523	6/29/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 06/2023	Sundari Pilaka	\$	27.86	NULL	265-72-711 600-647 Materials Memberships and Dues
7/21/2023	733058	VERIZON WIRELESS	9924517994-58	6/30/2023	408-466-4906 / K. Housing Planner	NULL	Janet Liang	\$	38.01	NULL	265-72-711 600-642 Materials Telephone and Data Services
7/28/2023	37598	Goldfarb & Lipman LLP	464881	6/30/2023	Housing Legal Review 2023/04	Housing Legal Review 2023/04	Sundari Pilaka	\$	32,850.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
7/28/2023	37598	Goldfarb & Lipman LLP	465713	6/30/2023	Housing Legal Review 2023/06	Housing Legal Review 2023/06	Sundari Pilaka	\$	238.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
7/28/2023	37598	Goldfarb & Lipman LLP	465777	6/30/2023	Housing Legal Review 2023/06	Housing Legal Review 2023/06	Sundari Pilaka	\$	9,185.50	NULL	265-72-711 700-702 Contract Services General Service Agreement
7/28/2023	733085										

12/8/2023	38579	Rise Housing Solutions, Inc	Cupertino - 031	12/4/2023	BMR Program Administrator 2023/11	BMR Program Administrator FY23-24	Jon De Ridder	\$	18,832.00	2024-00000151	265-72-711 600-635 Materials Special Departmental Exp
12/15/2023	38645	US BANK	SundariP111523	12/6/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 11/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
1/5/2024	38735	Goldfarb & Lipman LLP	463698	12/20/2023	Housing Legal Review 2023/4 (2)	Housing Legal Review 2023/4 (2)	Jon De Ridder	\$	409.50	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/5/2024	38735	Goldfarb & Lipman LLP	469410	12/20/2023	Housing Legal Review 2023/11	Housing Legal Review 2023/11	Jon De Ridder	\$	2,607.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/5/2024	38735	Goldfarb & Lipman LLP	469494	12/20/2023	Housing Legal Review 2023/11 (2)	Housing Legal Review 2023/11 (2)	Jon De Ridder	\$	787.50	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/12/2024	38799	Rise Housing Solutions, Inc	Cupertino - 032	1/8/2024	BMR Program Administrator 2023/12	BMR Program Administrator FY23-24	Jon De Ridder	\$	15,635.00	2024-00000151	265-72-711 600-635 Materials Special Departmental Exp
1/12/2024	38810	US BANK	SundariP121523	12/31/2023	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 11/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
1/19/2024	733921	California Housing Defense Fund	Stipulated_Judgm	1/17/2024	Stipulated Judgment re 23CV410817	Stipulated Judgment re 23CV410817	Araceli Alejandre	\$	9,000.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/19/2024	733946	Yes In My Back Yard	Stipulated_Judgm	1/17/2024	Stipulated Judgment re 23CV410817	Stipulated Judgment re 23CV410817	Araceli Alejandre	\$	6,000.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/26/2024	38884	Goldfarb & Lipman LLP	470030	1/11/2024	Housing Legal Review 2023/12	Housing Legal Review 2023/12	Jon De Ridder	\$	306.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/26/2024	38884	Goldfarb & Lipman LLP	470094	1/11/2024	Housing Legal Review 2023/12 (3)	Housing Legal Review 2023/12 (3)	Jon De Ridder	\$	2,282.00	NULL	265-72-711 700-702 Contract Services General Service Agreement
1/26/2024	38884	Goldfarb & Lipman LLP	470181	1/11/2024	Housing Legal Review 2023/12 (2)	Housing Legal Review 2023/12 (2)	Jon De Ridder	\$	94.50	NULL	265-72-711 700-702 Contract Services General Service Agreement
2/9/2024	39002	Rise Housing Solutions, Inc	Cupertino - 033	1/31/2024	BMR Program Administrator 2024/01	BMR Program Administrator FY23-24	Jon De Ridder	\$	13,971.50	2024-00000151	265-72-711 600-635 Materials Special Departmental Exp
2/16/2024	39066	US BANK	SundariP011524	2/2/2024	9702 CC Charges	Mercury News Monthly Subscription for Housing Division - 12/2023	Sundari Pilaka	\$	9.95	NULL	265-72-711 600-647 Materials Memberships and Dues
2/23/2024	734114	PROJECT SENTINEL	440-502-FY24-Q2	2/15/2024	Below Market Rate Fund (BMR) - Q2	Fair Housing & Tenant Landlord Counseling & Dispute Reso FY23-24	Jon De Ridder	\$	7,934.95	2024-00000280	265-72-711 600-623 Materials Grant Expenditures

Attachment A

City of Palo Alto Annual Report on Development Impact Fees for Period Ending June 30, 2021

FUND	Commercial Housing Impact Fee Fund	University Avenue Parking In-Lieu Fund
Purpose and Authority for Collection	Fees imposed on commercial and industrial development to offset the demand that new jobs create for low and moderate- income housing in the City PAMC Ch.16.65 Hotel / Retail / Other Non Residential: \$22.40 per sq. ft. Office/R&D: \$38.48 per sq. ft.	Fees collected from non-residential development within the University Ave. Parking Assessment District in lieu of providing the required number of parking spaces. PAMC Ch 16.57
Amount of the Fee		\$111,861.77 per space
Fund Balance July 1, 2020	\$25,428,649	\$6,384,494
<u>Activity in 2020-21</u>		
Revenues		
Fees Collected	606,996	-
Interest Earnings	159,746	109,638
Unrealized Gain/(Loss) Investments	(206,429)	(69,521)
Total Revenues	560,313	40,117
Expenditures		
Salaries and Benefit	(21,122)	
Liability Insurance	(621)	
Total Expenditures	(21,743)	-
Ending Balance June 30, 2021	\$25,967,219	\$6,424,611
Other Commitments/Appropriations		
Reserve for Notes Receivable include:\$1,290,000 for 2811 Alma, and \$4,137,254 for 801 Alma, \$7,700,000 for Bueva Vista Mobile Home Park. \$10,502,309 Wilton Court	(23,629,563)	
Reserve for Reappropriations	(1,167,061)	
Reserve for unrealized gain on investments	(108,891)	(94,763)
Net Funds Available	\$1,061,704	\$6,329,848
	USE OF FEES: Expenditures in Fiscal Year 2021 are \$21K for salaries and benefits. Reserve for Reappropriation is for Affordable Housing Loan Agreement: 3705 El Camino Real (Wilton Court).	USE OF FEES: No expenditures have been made from this fund in Fiscal Year 2021. FUTURE USE OF FEES: \$5.5M programmed in FY 2023 for New Downtown Parking Garage Project (PE- 15007) as part of the 2022-2026 Capital Improvement Plan (CIP).

Attachment A

City of Palo Alto Annual Report on Development Impact Fees for Period Ending June 30, 2021

FUND	Residential & Non-Residential Community Facilities Libraries	Residential Housing In-Lieu Fund
Purpose and Authority for Collection	Fees imposed on new residential and non-residential development approved after January 28, 2002 for Libraries. PAMC Ch. 16.58	Fees collected from ownership residential developments of three or more units (including mixed used with ownership in housing) in-lieu of providing the required below-market rate units(s) to low and moderate income households. PAMC Chapter 16.65
Amount of the Fee	Residential: Single family \$1,187 per residence (or \$1,766 per residence larger than 3,000 sq ft); Multi-family \$710 per unit (or \$390 per unit smaller than or equal to 900 sq ft) Nonresidential: Commercial/industrial \$299 per 1,000 sq ft or fraction thereof; Hotel/Motel \$126 per 1,000 sq ft or fraction thereof.	Single family \$82.46 per sq. ft. Single family detached; \$54.97 per sq. ft. single family attached. Multi Family \$54.97 per sq. ft. condos.
Fund Balance July 1, 2020	\$1,248,514	\$24,981,378
Activity in 2020-21		
Revenues		
Fees Collected	29,138	4,939,497
Interest Earnings	18,746	147,730
Unrealized Gain/(Loss) Investments	(15,095)	(130,549)
Total Revenues	\$32,789	\$4,956,678
Expenditures		
Salaries and Benefits		(21,122)
Contract Services		(177,888)
Liability Insurance		(621)
Operating Transfer to Capital Projects Fund	(310,000)	
Total Expenditures	(310,000)	(199,631)
Ending Balance June 30, 2021	\$971,303	\$29,738,425
Other Commitments/Appropriations		
Reserve for Encumbrances		(21,973)
Reserve for unrealized gain on investments	(16,435)	(113,952)
Reserve for Notes Receivable include \$375,000 for 3053 Emerson, \$3,504,850 for Tree House Apts, \$747,734 for Sheridan Apts., \$2,285,026 for 801 Alma, \$901,201 for Palo Alto Housing Project, \$600,000 for 2811-2825 Alma St., \$203,561 for Colorado Park Housing, \$149,968 for El Dorado Palace, and \$6,800,000 for Buena Vista Mobile Home Park, \$8,249,601 for Wilton Ct.		(23,816,941)
Net Funds Available	\$954,868	\$5,785,559

Attachment A

**City of Palo Alto
Annual Report on Development Impact Fees
for Period Ending June 30, 2021**

FUND	Residential & Non-Residential Community Facilities Libraries	Residential Housing In-Lieu Fund
	<p>USE OF FEES:</p> <p>Budget transfer \$310K in FY 2021 was made to Capital Improvement Fund Project for Library Auto Material Handling (LB-21000).</p> <p>FUTURE USE OF FEES:</p> <p>\$540K is programmed in FY 2022-2023 for LB-21000 as part of the 2022-2026 CIP. \$300K has been recommended to fund the City archives at the Roth Building (CMR 12307).</p>	<p>USE OF FEES:</p> <p>Expenditures in Fiscal Year 2021 were \$21K for salaries and benefit, \$178K for Palo Alto Housing Corp for BMR admin fees and for consultancy fees.</p>



III. PRIORITIZED P&P WORK PLAN

Policy Area	Type of Gap	Associated Risk	Recommended Priority Level
Accounting and Financial Reporting	Major Gaps	High	1
Accounts Payable	Full Gap	High	1
Budgeting	Major Gaps	High	1
Capital Assets	Major Gaps	High	1
Cash Management	Major Gaps	High	1
Payroll and Timekeeping	Full Gap	High	1
Procurement	Major Gaps	High	1
Revenue and Accounts Receivable	Full Gap	High	1
Debt Management/Tax Bond Compliance	Major Gaps	Medium	2
Gifts and Donations	Major Gaps	Medium	2
Grant Management	Full Gap	Medium	2
Investment Management	Minor Gaps	Medium	2
Credit Cards	Minor Gaps	Low	3
Inventory	Full Gap	Low	3
Travel and Expense Reimbursement	Minor Gaps	Low	3

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: City Council Oral Communications 4/3/2024 Required Financial Disclosures Late
Date: Wednesday, April 3, 2024 3:23:03 PM
Attachments: [Audited Financial Statements Late for COPs.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council,

Please schedule a meeting of your Cupertino Public Facilities Corp.

The City's Audited Financial Statements for the Fiscal Year ending June 30, 2023, as required by the City's Certificates of Participation is late.

Please refer to the attached, which was obtained from EMMA, the Electronic Municipal Market Access website here:

<https://emma.msrb.org/IssuerHomePage/Issuer?id=B9B2B3D550D44B2F21A46FDEFDBD7683>

The end-of-year was on 6/30/2023. Typically, the Annual Comprehensive Financial Report (ACFR) should be made available within 6 months of the end of the fiscal year, that means the end of December.

The ACFR is similar to a company's Annual Report.

The ACFR is due to investors in our City's debt, 9 months after year-end and the City is late. Why?

Furthermore, when the City refinanced its debt in 2020 (at a higher interest rate than we had for reasons unknown), the Cupertino Public Facilities Corp had already lost its Federal tax-exempt status. What is being done to remedy the Tax Exempt Status of the Cupertino Public Facilities Corp? Our City Council members are on the Board of Directors of this Corporation. Shouldn't you know about this?

CUPERTINO PUBLIC FACILITIES CORP

EIN: 77-0131682 | Cupertino, California, United States

Auto-Revocation List

Organizations whose federal tax exempt status was automatically revoked for not filing a Form 990-series return or notice for three consecutive years.
Important note: Just because an organization appears on this list, it does not mean the organization is currently revoked, as they may have been reinstated.

Exemption Type: 501(c)(4) ⓘ

Exemption Reinstatement Date:

Revocation Date: 11-15-2017

Revocation Posting Date: 03-12-2018

Please schedule a meeting of your Cupertino Public Facilities Corp so that our City Council and the public can have a full understanding of our City's debt.

Thanks,
Rhoda Fry



Virus-free. www.avg.com



**NOTICE TO MUNICIPAL SECURITIES RULEMAKING BOARD
FAILURE TO FILE FINANCIAL STATEMENTS**

**\$22,040,000
CITY OF CUPERTINO
2020A Certificates of Participation**

NOTICE IS HEREBY GIVEN that City of Cupertino ("City") has not provided the Audited Financial Statements for the Fiscal Year ending June 30, 2023, as required by the applicable Continuing Disclosure Agreement/Certificate for the above-captioned Bonds. The City anticipates the Audited Financial Statements will be complete and available for posting no later than April 30, 2024.

Dated: March 30, 2024

Urban Futures, Inc., as Dissemination Agent
on behalf of City

I, _____ ("Applicant"), declare and agree:
Employee's printed name

1. That the purpose of this document is to signify my intention to voluntarily resign my position of employment with the City of Cupertino. I agree to voluntarily resign and do hereby voluntarily resign from my employment from the City of Cupertino as Maintenance Worker II, effective at the date of signature below. I further agree that my voluntary resignation is irrevocable. By entering into this Agreement, I am waiving any and all rights I may have with respect to employment by the City of Cupertino, including, but not limited to, the right to bump into another position, reversion rights to a prior classification held, and recall rights to return to employment by the City.

2. That this releases City of Cupertino from any claims or grievances, known or unknown which may exist at the time of execution of this Agreement, and waives any claim to monetary damages that may arise from claims specifically to include, but not limited to, all losses, liabilities, damages, and causes of action arising directly or indirectly out of the employer-employee relationship, as well as related to any federal, state or local labor or employment laws. This agreement specifically includes causes of action under Title VII of the Civil Rights Act of 1964; the Americans with Disabilities Act, 29 USC section 62; Family Medical Leave Act, 29 USC section 28; Fair Employment and Housing Act; California Fair Employment and Housing Act; the California Labor Code; and, the applicable Memorandum of Understanding, the City's Personnel Rules, or other City policies or procedures. However, this list is expressly understood by the parties not to be all-inclusive. It is further agreed that if any agency assumes jurisdiction of any complaint, claim or action against the City of Cupertino, on Applicant's behalf or regarding Applicant, that Applicant will take all reasonable steps within Applicant's control to direct that agency to withdraw from the matter or dismiss the matter with prejudice.

3. That I hereby decline modified and/or alternate employment with City of Cupertino.

By signing this Agreement I acknowledge that I have read this Agreement in its entirety, I understand it, I have been given an opportunity to consult with or obtain representation from an attorney in connection with this Agreement, and consent to all of the Agreement provisions are given freely, voluntarily and with full knowledge and understanding of the Agreement's contents. I further agree and understand that I have received consideration for entering into this Agreement beyond which I would otherwise be legally entitled to receive at this time.

RICARDO ACEVEDO

DATE

From: [Tessa Parish](#)
To: [City Clerk](#); [City Council](#); [Cupertino City Manager's Office](#)
Subject: Oral communication
Date: Wednesday, April 3, 2024 5:12:19 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

for meeting April 3rd.

I am writing to you because I am very concerned about our finance system, staff? and audit efficiency. As I read the endless reports by wonderful residents like Rhoda and Peggy Griffen that take hours and hours of their time to review our finances, it concerns me and I am beginning to question if the city does not need an overhaul of our system or staff and increase hours of committee?

1. First, shouldn't have the finance person know how taxes work? Had the staff made a call to the state for verification?
2. The mishandling of the BMR funds?
3. The financial statements for the Fiscal Year ending in June 30, 2023 that is required for the City's Certificate of Participation are late?

These and so many other discrepancies that I have read about for oral communication in the last year, is staggering.

My question is, is the head of that Div a CPA? is he/she properly trained for the position? how about his/her subordinates? are they trained? who is making these mistakes? I urge you to review this matter. If the staff is not adequately trained, please consider training his/her ahead of any corrections or consequences. In any other business, if someone makes those mistakes they would be reprimanded or fired.

Those are big mistakes and should be seriously considered and acted upon. Otherwise, Council and overseeing staff could be held responsible as well if these mistakes continue unchecked.

Well, that is my opinion. I hope the staff responsible understand this is not an attack against them but more of concern and wanting them to be helped toward a better outcome.

Best Regards,

Tessa Parish
Cupertino Resident

From: [Lisa Warren](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Oral Communications - City Council meeting April 3, 2024 - Lobbyist memos/reports
Date: Wednesday, April 3, 2024 4:24:38 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor and City Council members,

I believe that the decision made by a previous council to contract with a (in Sacramento) lobbying firm was a very good one.

I am more than disappointed that any/all communications from (and between) Joe Gonsalves and Sons and the city of Cupertino are now limited to the shadows of limited Staff members, and not in the public light.

I am someone who use to attend in person meetings with the first lobbying firm that was contracted with.

I also attended LRC meetings when they were on zoom. They were informative and very useful... and publicly open !

Until for what I consider no good reason :

Effective January 25, 2023, the Legislative Review Committee (LRC) was dissolved per City Council action.

I am wanting to know if the reports from the city's lobbyists are available to the public, and how/where they can be found.

I have attempted to find Joe Gonsalves and Sons guidance, via reports to Staff, on the city's website but have not been successful.

Do they exist ?

Is this council given information submitted, or spoken about, by Joe Gonsalves and Sons in any form at all that is not available to the public ?

Tax payer dollars and paying for this resource and it should be readily available to the public.

I hope to get answers to my questions within a week's time.

Thank you.

Lisa Warren

Joe A. Gonsalves & Son is a prominent lobbying firm with a rich history. Founded in 1975 by Joe A. Gonsalves, it has over 50 years of legislative experience representing clients before the California State Legislature and California State Departments. Their commitment lies in advocating for their clients' interests while maintaining a high standard of professionalism, honesty, and ethics.

CC 04-03-2024

Study Session
Item #1

Two-Year FY 2023-2025
City Work Program

Written
Communications

From: [Kitty Moore](#)
To: [City Clerk](#); [Kirsten Squarcia](#)
Cc: [Pamela Wu](#); [Christopher Jensen](#); [Greg Card](#), CPPO
Subject: Amended Re: Written Communications Item 1 CC April 3, 2024
Date: Wednesday, April 3, 2024 2:05:40 PM
Attachments: [C - Description of Carrvovers and Adjustments through December 31 2023 \(1\).pdf](#)
[H – FY 2023-24 Mid-Year Special Projects Update.pdf](#)

Dear City Clerk,

My earlier email of written communications on this item may be removed and replaced with the following which is the same content with additional questions added, if that is possible, to save on file size.

Please include the attachments with this email for written communications item 1 of the Special Meeting today.

I would like to have a greater understanding of the Work Program items definition and what makes an item a 'work program.' Some of the Special Projects appear to be Work Program type of items. Does Council need to approve Special Projects that are not normal maintenance and operations? is there a dollar amount which would require approval, for instance, if staff wanted to work on a software application that would cost \$100,000 to make, would that be a Work Program, and would that need to go to Council?

I noticed there is an economic development type of PR contract here:

<https://records.cupertino.org/WebLink/DocView.aspx?id=1055423&dbid=0&repo=CityofCupertino&searchid=916006c9-4a2f-4dfd-8d7f-6b05efb518d4&cr=1>

This contract is for approximately \$174k and I wonder, since it exceeds the budgeted contract services amount in the Economic Development budget, unit 100-12-705, is this potentially a Work Program item? The included attached file from February 21, 2024 CC meeting agenda item 9: "Attachment C" shows only \$20,000 allocated to economic development strategy.

Additionally, \$400,000 appears to have be granted with a contractor and the "Enterprise Foundation" to small businesses in the following contract, is this a Work Program Item, from which year: <https://records.cupertino.org/WebLink/DocView.aspx?id=1020448&dbid=0&repo=CityofCupertino&searchid=24032241-d89f-4c9c-8f04-373ba55ac062>

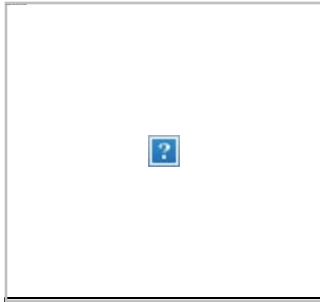
This appears to be a \$400,000 community grant program to small businesses which is coordinated with the "Enterprise Foundation," would you please provide responses to the following transparency questions:

1. When was this Work Program initiated?
2. How much has been granted to date and to which businesses?
3. What are the qualifications of small businesses for being granted funds?
4. Are there any regulations regarding the granting of city funds to for profit businesses?
5. Are these General Funds from the City?
6. Who is the Enterprise Foundation, what is their role in the grant process?
7. Where is the Work Program update for this project so that we can know how it is doing?

I think we need to have a clearer picture of what are city Work Programs, and where the direction regarding spending city funds ultimately arises from to ensure that public funds are being spent appropriately with transparency.

Thank you,

Kitty Moore



Kitty Moore

Councilmember

City Council

KMoore@cupertino.gov

[\(408\) 777-1389](tel:(408)777-1389)



**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
BUDGET CARRYOVERS			
Budget Carryover	100 General Fund	\$14,000 for media training \$5,400 for City logo revamp	19,400
Budget Carryover	100 General Fund	\$80,000 for community survey	80,000
Budget Carryover	100 General Fund	4H Fence replacement	30,000
Budget Carryover	100 General Fund	4H roof/gutter, Milk Barn repainting	36,347
Budget Carryover	100 General Fund	AC2 Traffic Monitoring	77,340
Budget Carryover	100 General Fund	Adaptive Traffic Signaling - Projects in progress	5,970
Budget Carryover	100 General Fund	ad-hoc Council meeting expenses	11,425
Budget Carryover	100 General Fund	AV Social Room,Sports Center,Cupertino Room	33,571
Budget Carryover	100 General Fund	Backflow Prevention Device Repl - on backorder	4,000
Budget Carryover	100 General Fund	Backwater valve replacement - project in progress	13,596
Budget Carryover	100 General Fund	Bench replacements	29,442
Budget Carryover	100 General Fund	Bridge tread repair McClellan	70,000
Budget Carryover	100 General Fund	CAP Vision Summary Doc	10,000
Budget Carryover	100 General Fund	CAPIO conference (2 people)	2,400
Budget Carryover	100 General Fund	City Facility reconfiguration/remodels/return to work	127,404
Budget Carryover	100 General Fund	City Work Plan for Homeless Jobs Program - ongoing	40,040
Budget Carryover	100 General Fund	Commission meeting meals per council policy	1,750
Budget Carryover	100 General Fund	Conf room carpet replacement - project in progress	25,000
Budget Carryover	100 General Fund	Council phone service	3,000
Budget Carryover	100 General Fund	Crowe successor auditor prep and reproduction	700
Budget Carryover	100 General Fund	CSTI and Bay Area UASI	24,600
Budget Carryover	100 General Fund	CWP Electrification Study	50,000
Budget Carryover	100 General Fund	CWP Revisit 5G	250,000
Budget Carryover	100 General Fund	Deferred education due to Covid school closures	60,700
Budget Carryover	100 General Fund	Deferred training due to Covid	9,913
Budget Carryover	100 General Fund	Don Burnett Bridge inspection/median repairs	161,553
Budget Carryover	100 General Fund	Dry rot maint retreat center - project in progress	25,000
Budget Carryover	100 General Fund	Economic Development Strategy	20,000
Budget Carryover	100 General Fund	Electric Cooking	6,400
Budget Carryover	100 General Fund	Emergency preparedness outreach materials	2,500
Budget Carryover	100 General Fund	Employee Commute Program	2,586
Budget Carryover	100 General Fund	Energy Mgmt System Upgrades - project in progress	105,675
Budget Carryover	100 General Fund	EOC System Electrical Upgrades - project in progress	25,000
Budget Carryover	100 General Fund	ERP evaluation training and webinar workshops	16,896
Budget Carryover	100 General Fund	ERP Implementation. Adjunct Staffing	720,673
Budget Carryover	100 General Fund	Fee Study special project ongoing	70,800
Budget Carryover	100 General Fund	Fence replacementMR in parking lot and path repairs	13,483
Budget Carryover	100 General Fund	General Plan special project - ongoing	239,805
Budget Carryover	100 General Fund	General supply purchases - supply chain delay	11,641
Budget Carryover	100 General Fund	Glass replacement - project in progress	20,183

**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
Budget Carryover	100 General Fund	Grassroots Ecology contract	23,240
Budget Carryover	100 General Fund	Greenhouse Gas emission, Climate Corps fellow	27,000
Budget Carryover	100 General Fund	Homeland Security Conf,CESA, Naval Postgrad School APEX	3,240
Budget Carryover	100 General Fund	Housing Element Update - ongoing	108,189
Budget Carryover	100 General Fund	I-280 Wolfe Improvement - project in progress	800,199
Budget Carryover	100 General Fund	Irrigation Controller Settlement	103,785
Budget Carryover	100 General Fund	Library HVAC ventilation maint & repair	42,800
Budget Carryover	100 General Fund	Marina application under review - ongoing	23,317
Budget Carryover	100 General Fund	M-Group contract	50,000
Budget Carryover	100 General Fund	Moss Adams Enterprise Leadership Study	10,175
Budget Carryover	100 General Fund	MRC Rise	6,323
Budget Carryover	100 General Fund	Muni Code update - ongoing	25,000
Budget Carryover	100 General Fund	new PT Business Systems Analyst position	45,162
Budget Carryover	100 General Fund	New staff ergo evals and office equipment	3,028
Budget Carryover	100 General Fund	New staff memberships and dues	3,830
Budget Carryover	100 General Fund	New staff,deferred training due to pandemic	3,411
Budget Carryover	100 General Fund	New staff; defered training due to pandemic	9,171
Budget Carryover	100 General Fund	New staff; deferred training due to pandemic	15,116
Budget Carryover	100 General Fund	Performance Management App HR portal of ERP	32,000
Budget Carryover	100 General Fund	Playground chip - purchase/work in progress	17,824
Budget Carryover	100 General Fund	Portal Park concrete replacement	25,000
Budget Carryover	100 General Fund	PR Strategy contract being finalized in FY24.	15,000
Budget Carryover	100 General Fund	PR Strategy special project	160,000
Budget Carryover	100 General Fund	purchase reusable banners for SCB	7,975
Budget Carryover	100 General Fund	PW Scanning - Project in progress	28,226
Budget Carryover	100 General Fund	Redesign of City Website. Adjunct Staffing	104,396
Budget Carryover	100 General Fund	Regional Emergency Operations	500,000
Budget Carryover	100 General Fund	Residential Mixed Used - ongoing	48,999
Budget Carryover	100 General Fund	SC Corridor Vision Study - Work Plan Item	154,079
Budget Carryover	100 General Fund	Senior Strategy CWP item is ongoing	41,378
Budget Carryover	100 General Fund	Service Center Security project in progress	5,388
Budget Carryover	100 General Fund	Shade structure replacement	65,630
Budget Carryover	100 General Fund	Small to Medium Business Resiliency	500,000
Budget Carryover	100 General Fund	Solar Battery Chargers for potential generator replacements	8,400
Budget Carryover	100 General Fund	Special project - CWP Bicycle facilities	50,000
Budget Carryover	100 General Fund	Special Projects LOS to VMT Standards	130,000
Budget Carryover	100 General Fund	Special ProjectsMunicipal Water System	22,677
Budget Carryover	100 General Fund	Staff augmentation delayed recruitment-Torres Engineering	82,806
Budget Carryover	100 General Fund	Stay Active Fund used for Senior members	40,888
Budget Carryover	100 General Fund	Sustainable Infrastructure Audit	10,000
Budget Carryover	100 General Fund	The Hamptons developer agreement expires 2025	108,640

**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
Budget Carryover	100 General Fund	Tree and concrete work in progress	6,657
Budget Carryover	100 General Fund	Trees and Badges - projects in progress	1,263
Budget Carryover	100 General Fund	Trench work - special project in progress	40,000
Budget Carryover	100 General Fund	Turf supplies not received until FY24	35,512
Budget Carryover	100 General Fund	Vallco Town Center - ongoing	188,680
Budget Carryover	100 General Fund	Vallco Town Center building inspections - ongoing	5,406,634
Budget Carryover	100 General Fund	Vallco Town Center plan review - ongoing	13,500,000
Budget Carryover	100 General Fund	VIA Community Shuttle Pilot Program Work Plan Item	10,574
Budget Carryover	100 General Fund	VTA CMP Member Agency Fees; invoice pending	73,374
Budget Carryover	100 General Fund	VTC-Project in progress	766,777
Budget Carryover	100 General Fund	Zoom Room Improvements	40,316
TOTAL GENERAL FUND			25,990,872
Budget Carryover	210 Storm Drain Improvement	Pumpkin/Fiesta Storm Drain Ph 1 & 2	249,346
Budget Carryover	230 Env Mgmt Cln Crk Strm Drain	New staff; deferred training due to pandemic	3,077
Budget Carryover	230 Env Mgmt Cln Crk Strm Drain	Outfall repairs-unpurchased compost,recology payment	133,791
Budget Carryover	230 Env Mgmt Cln Crk Strm Drain	Outstanding payment for school busing,APN fee audit	39,328
Budget Carryover	265 BMR Housing	City Work plan for low income	234,722
Budget Carryover	265 BMR Housing	City Work Plan for Support for Unhoused - ongoing	50,000
Budget Carryover	270 Transportation Fund	1 additional gateway sign	25,859
Budget Carryover	270 Transportation Fund	Annual asphalt project-work in progress	3,542,503
Budget Carryover	270 Transportation Fund	Annual SW Curb & Gutter project in progress	257,294
Budget Carryover	270 Transportation Fund	Bridge Rehab Minor	492,082
Budget Carryover	270 Transportation Fund	Homestead/De Anza Signal Upgrade	98,132
Budget Carryover	270 Transportation Fund	Orange & Byrne Sidewalk Improvements	399,990
Budget Carryover	270 Transportation Fund	Ph 1 & Ph 2 Pavement digouts, crack seal & fog seal	561,043
Budget Carryover	270 Transportation Fund	SBI Funds-work scheduled - project in progress	818,959
Budget Carryover	270 Transportation Fund	Sidewalk inspections in progress	62,774
Budget Carryover	270 Transportation Fund	Sign survey - project in progress	73,491
Budget Carryover	280 Park Dedication	Granite Rock PO 2022-540	(74,751)
Budget Carryover	280 Park Dedication	Lawrence-Mitty Park	5,940,908
Budget Carryover	280 Park Dedication	Memorial Park Pond Repurposing	1,140,478
Budget Carryover	280 Park Dedication	MRP Community Garden Improvements	32,900
TOTAL SPECIAL REVENUE FUNDS			14,081,926
Budget Carryover	420 Capital Improvement Fund	ADA Improvements, multi-year	120,166
Budget Carryover	420 Capital Improvement Fund	BBF Pool Improvements	710,704
Budget Carryover	420 Capital Improvement Fund	Bike Plan Implementation	8,649,892
Budget Carryover	420 Capital Improvement Fund	California Commercial Fence PO 2021-514	(72,335)
Budget Carryover	420 Capital Improvement Fund	Carmen Road Bridge Right-of-Way	72,700
Budget Carryover	420 Capital Improvement Fund	City Hall & Community Hall Improvements	454,037

**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
Budget Carryover	420 Capital Improvement Fund	City Hall Annex (formerly 10455 Torre Ave) Improv	1,901,522
Budget Carryover	420 Capital Improvement Fund	City Lighting LED Transition Assessment	1,334,310
Budget Carryover	420 Capital Improvement Fund	Citywide Community Garden - project scheduled	34,795
Budget Carryover	420 Capital Improvement Fund	CW Bldg Condition Assess Impl	510,787
Budget Carryover	420 Capital Improvement Fund	De Anza Blvd Buffered Bike Lanes	524,947
Budget Carryover	420 Capital Improvement Fund	EV Parking Expansion - project in progress	208,000
Budget Carryover	420 Capital Improvement Fund	Full-size Outdoor Basketball Court	29,493
Budget Carryover	420 Capital Improvement Fund	G. Bortolotto PO 2023-204	(2,728)
Budget Carryover	420 Capital Improvement Fund	Guerra 3, 2022-11 Wilson Park Basketball Ct	(97,225)
Budget Carryover	420 Capital Improvement Fund	Guerra Construction Group PO 2023-367	(18,086)
Budget Carryover	420 Capital Improvement Fund	Inclusive Play Area Planning	4,315,954
Budget Carryover	420 Capital Improvement Fund	Library Expansion - project in progress	396,144
Budget Carryover	420 Capital Improvement Fund	Mary Ave Protected Bikeway	49,000
Budget Carryover	420 Capital Improvement Fund	McClellan Ranch Parking Lot Improv enviro monitoring	59,037
Budget Carryover	420 Capital Improvement Fund	Memorial Park Specific Plan - project in progress	134,274
Budget Carryover	420 Capital Improvement Fund	MR Community Garden Improv	1,099
Budget Carryover	420 Capital Improvement Fund	Playground Equipment (Creekside & Varian)	602,810
Budget Carryover	420 Capital Improvement Fund	Pub Bldg Solar Service Center	18,571
Budget Carryover	420 Capital Improvement Fund	Regnart Road Improvements	736,500
Budget Carryover	420 Capital Improvement Fund	SCB/Bandley Signal & Median Imps (PM-Stillman)	142,208
Budget Carryover	420 Capital Improvement Fund	School Walk Audit Implementation	939,405
Budget Carryover	420 Capital Improvement Fund	SLTG/280 Ped Bridge Lighting - (dev in lieu)	46,449
Budget Carryover	420 Capital Improvement Fund	St Light Install - Annual Infill - multi-year	74,838
Budget Carryover	420 Capital Improvement Fund	St Light Replacement CW (labor) (PM-Alexander)	99,330
Budget Carryover	420 Capital Improvement Fund	Stelling/Alves Crosswalk Install	54,039
Budget Carryover	420 Capital Improvement Fund	Stevens Crk Bank Repair Concept	30,216
Budget Carryover	420 Capital Improvement Fund	Tree Inventory Stevens Creek Corridor	10,840
Budget Carryover	420 Capital Improvement Fund	TYMAN Construction PO 2023-374	(9,537)
Budget Carryover	420 Capital Improvement Fund	Various Park Amenities - project in progress	471,221
TOTAL CAPITAL PROJECT FUNDS			22,533,377
Budget Carryover	520 Resource Recovery	Calrecycle billing cycle delay	15,216
Budget Carryover	520 Resource Recovery	New Landfill Agreement/Solid Waste	223,859
Budget Carryover	520 Resource Recovery	SB1383 Procurement Requirements	44,640
Budget Carryover	520 Resource Recovery	Single use Plastics Special project	3,986
Budget Carryover	560 Blackberry Farm	BBF Golf Course recent fence repair	5,000
Budget Carryover	560 Blackberry Farm	BBF Golf Renovation/Alt Use	270
Budget Carryover	570 Sports Center	Door refinishing - project in progress	10,775
Budget Carryover	570 Sports Center	HVAC Maint & Repair Special Projects in progress	23,705
Budget Carryover	570 Sports Center	replacement windscreens for the Tennis Courts	72,853
Budget Carryover	570 Sports Center	Sport Center Community Needs Analysis	25,000

**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
Budget Carryover	570 Sports Center	Unforeseen purchase of umbrellas for Sports Center	1,700
Budget Carryover	580 Recreation Program	Quinlan Sustainable Infrastructure	181,329
TOTAL ENTERPRISE FUNDS			608,333
Budget Carryover	610 Innovation & Technology	ActiveNet Additional Readers	6,666
Budget Carryover	610 Innovation & Technology	Business Automation platform additional support	30,000
Budget Carryover	610 Innovation & Technology	CH Ent Server & Storage Tech Ref	140,000
Budget Carryover	610 Innovation & Technology	City Hall Enterprise Server & Storage Tech refresh	275,639
Budget Carryover	610 Innovation & Technology	CWP Cybersecurity Public Education	7,500
Budget Carryover	610 Innovation & Technology	CWP License Plate Readers	60,000
Budget Carryover	610 Innovation & Technology	LaserFiche Scanning	21,550
Budget Carryover	610 Innovation & Technology	PT GIS Tech reclassification and transfer of Web Specialist	24,848
Budget Carryover	610 Innovation & Technology	Security Framework and Audit	60,000
Budget Carryover	610 Innovation & Technology	Senior Center Access Controls	16,000
Budget Carryover	610 Innovation & Technology	Special Project Additional Telematic Devices	5,300
Budget Carryover	610 Innovation & Technology	Special Project Facility Battery	40,037
Budget Carryover	610 Innovation & Technology	upgrade to SaaS solution	30,000
Budget Carryover	630 Vehicle/Equip Replacement	Equipment/vehicle purchase	46,970
Budget Carryover	630 Vehicle/Equip Replacement	Sign shop roof repair - project in progress	56,182
TOTAL INTERNAL SERVICE FUNDS			820,692
TOTAL BUDGET CARRYOVERS			64,035,200

**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
COUNCIL ACTIONS			
Council Action	100 General Fund	SVCE Community Resilience Grant for EV Chargers	233,963
	TOTAL GENERAL FUND		233,963
Council Action	260 CDBG	CDBG fund transfer to BCA CIP Project Snr Cntr Fire Alarm	367,951
Council Action	270 Transportation Fund	CC approved budget transfer for McClellan Rd. Bike Corridor Ph 3	948,552
	TOTAL SPECIAL REVENUE FUNDS		1,316,503
Council Action	420 Capital Improvement Fund	CDBG fund transfer to BCA CIP Project Snr Cntr Fire Alarm	367,951
Council Action	420 Capital Improvement Fund	Council-approved BA-SCB Calabazas Emergency Storm Drain Repair	460,000
Council Action	420 Capital Improvement Fund	CC-approved budget adjustment for Cristo Rey Bike Lanes Project	30,000
Council Action	420 Capital Improvement Fund	CC-approved budget adjustment for Regnart Rd Improv Project	876,766
Council Action	429 Capital Reserve	Council-approved BA-SCB Calabazas Emergency Storm Drain Repair	460,000
Council Action	429 Capital Reserve	CC-approved budget adjustment for Cristo Rey Bike Lanes Project	15,000
Council Action	429 Capital Reserve	CC-approved budget adjustment for Regnart Rd Improv Project	876,766
	TOTAL CAPITAL PROJECT FUNDS		3,086,483
TOTAL COUNCIL ACTIONS			4,636,949

**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
FIRST QUARTER ADJUSTMENTS			
First Quarter Adjustment	100 General Fund	4H Rack Room Building Damage	2,500
First Quarter Adjustment	100 General Fund	CA Volunteer N2N Grant	64,405
First Quarter Adjustment	100 General Fund	Ceramic Room A/C Unit Repair	3,631
First Quarter Adjustment	100 General Fund	Compressor Repair	14,636
First Quarter Adjustment	100 General Fund	Emergency Management Performance Grant	8,000
First Quarter Adjustment	100 General Fund	Fire Sprinkler Repair	2,401
First Quarter Adjustment	100 General Fund	IMPEC Additional Janitorial Services	29,118
First Quarter Adjustment	100 General Fund	Transfer fr I&T Fund for Senior Center Access Controls	16,000
First Quarter Adjustment	100 General Fund	Transfer from F520 for ClimateNav Hub funds	20,000
First Quarter Adjustment	100 General Fund	Transfer from I&T Fund for License Plate Readers	60,000
First Quarter Adjustment	100 General Fund	Unforeseen Breaker Repair	7,882
First Quarter Adjustment	100 General Fund	Unforeseen Generator Repair	14,574
First Quarter Adjustment	100 General Fund	Unforeseen HVAC Repair	10,858
First Quarter Adjustment	100 General Fund	Unforeseen Panel Replacement	8,831
TOTAL GENERAL FUND			262,836
First Quarter Adjustment	230 Env Mgmt Cln Crk Strm Drain	Defund Permeable Pavement Rebate	(12,500)
First Quarter Adjustment	270 Transportation Fund	Transfer from CIP for Street Sign damage at Wilson Park	467
TOTAL SPECIAL REVENUE FUNDS			(12,033)
First Quarter Adjustment	420 Capital Improvement Fund	Transfer from CIP for Street Sign damage at Wilson Park	467
TOTAL CAPITAL PROJECT FUNDS			467
First Quarter Adjustment	560 Blackberry Farm	Tree Maintenance	55,000
First Quarter Adjustment	560 Blackberry Farm	Utilities Adjustment	77,000
TOTAL ENTERPRISE FUNDS			132,000
First Quarter Adjustment	610 Innovation & Technology	Transfer fr Gen Fund for Municipal Code Publishing	7,684
First Quarter Adjustment	610 Innovation & Technology	Transfer from Gen Fund for LaserFiche Conference	2,500
First Quarter Adjustment	610 Innovation & Technology	Transfer from Gen Fund for LaserFiche Consultation	15,900
First Quarter Adjustment	610 Innovation & Technology	Transfer from Gen Fund for LaserFiche Subscription	45,000
First Quarter Adjustment	610 Innovation & Technology	Transfer from Gen Fund for NexSan WORM Device	10,600
First Quarter Adjustment	610 Innovation & Technology	Transfer from General Fund for Salaries Part Time	56,000
First Quarter Adjustment	630 Vehicle/Equip Replacement	Install Wood Chipper Safety Shields	19,187
TOTAL INTERNAL SERVICE FUNDS			156,871
TOTAL FIRST QUARTER ADJUSTMENTS			540,141

**Detailed Budget Carryovers, Council-approved Adjustments, and Encumbrance Carryovers
as of December 31, 2023**

Attachment C

Budget Adjustment Type	Fund	Description	Amount
ENCUMBRANCE CARRYOVERS			
Encumbrance Carryover	100 General Fund	Year End Soft Close	9,723,884
	TOTAL GENERAL FUND		9,723,884
Encumbrance Carryover	210 Storm Drain Improvement	Year End Soft Close	1,566,693
Encumbrance Carryover	230 Env Mgmt Cln Crk Strm Drain	Year End Soft Close	296,053
Encumbrance Carryover	260 CDBG	Year End Soft Close	6,637
Encumbrance Carryover	265 BMR Housing	Year End Soft Close	3,666
Encumbrance Carryover	270 Transportation Fund	Year End Soft Close	1,998,991
Encumbrance Carryover	280 Park Dedication	Year End Soft Close	229,394
	TOTAL SPECIAL REVENUE FUNDS		4,101,434
Encumbrance Carryover	420 Capital Improvement Fund	Year End Soft Close	1,994,887
Encumbrance Carryover	427 Stevens Creek Corridor Park	Year End Soft Close	7,848
	TOTAL CAPITAL PROJECT FUNDS		2,002,735
Encumbrance Carryover	520 Resource Recovery	Year End Soft Close	284,540
Encumbrance Carryover	560 Blackberry Farm	Year End Soft Close	5,858
Encumbrance Carryover	570 Sports Center	Year End Soft Close	7,925
	TOTAL ENTERPRISE FUNDS		298,323
Encumbrance Carryover	610 Innovation & Technology	Year End Soft Close	239,797
Encumbrance Carryover	630 Vehicle/Equip Replacement	Year End Soft Close	761,591
	TOTAL INTERNAL SERVICE FUNDS		1,001,388
TOTAL ENCUMBRANCE CARRYOVERS			17,127,764
BUDGET CARRYOVER, COUNCIL APPROVED ADJUSTMENT, AND ENCUMBRANCE CARRYOVER TOTAL			86,340,054
FY 2023-24 ADOPTED BUDGET			121,765,857
FY 2023-24 AMENDED BUDGET AS DECEMBER 31, 2023 \$			208,105,911

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY24	Administration	120 City Manager	750.239 - PR & Strategic Comm Strategy	100-12-120 - General Fund-City Manager-City Manager	175,000	11,700	In Progress	8/30/2025	
FY19	Administration	122 Sustainability Division	750.018 - Climate Action Plan	100-12-122 - General Fund-City Manager-Sustainability Division	-	-	Transferred		Transferred to Public Works 100-81-122 750.018 in FY24
FY19	Administration	122 Sustainability Division	750.019 - Employee Commute Program	100-12-122 - General Fund-City Manager-Sustainability Division	-	-	Transferred		Transferred to Public Works 100-81-122 750.019 in FY24
FY21	Administration	122 Sustainability Division	750.069 - Sustainable Infrastructure Audit	100-12-122 - General Fund-City Manager-Sustainability Division	-	-	Transferred	8/30/2025	Transferred to Public Works 100-81-122 750.069 in FY24
FY20	Administration	632 Comm Outreach & Neigh Watch	750.056 - Neighborhood Engagement	100-12-632 - General Fund-City Manager-Comm Outreach & Neigh Watch	64,405	-	In Progress	10/2024	
FY24	Administration	632 Comm Outreach & Neigh Watch	750.227 - CWP License Plate Readers	100-12-632 - General Fund-City Manager-Comm Outreach & Neigh Watch	10,000	-	In Progress	10/2024	The \$10,000 is allocated for Block Leader enhancements. Staff will correct this to CWP - Public Safety in residential/commercial areas for transparency and visibility.
FY24	Administration	633 Disaster Preparedness	750.230 - Business Continuity Resilience	100-12-633 - General Fund-City Manager-Disaster Preparedness	500,000	-	Not Started		The \$500k for disaster preparedness is on hold until a permanent EOC is identified.
FY23	Administration	633 Disaster Preparedness	750.240 - MRC Rise	100-12-633 - General Fund-City Manager-Disaster Preparedness	6,323	-	In Progress	3/2024	Special Project from transfer from materials
FY22	Administration	705 Economic Development	750.103 - CWP Regulate Diversified Retail	100-12-705 - General Fund-City Manager-Economic Development	5,000	-	Pending		Recommended Service Level Reduction (Potential Cancellation of this item)

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY23	Administration	705 Economic Development	750.179 - Econ Dev Strategy Outreach	100-12-705 - General Fund-City Manager-Economic Development	20,000	-	Pending		Recommended Service Level Reduction (Potential Cancellation of this item)
FY23	Administration	705 Economic Development	750.221 - CWP Cupertino Store Implementation	100-12-705 - General Fund-City Manager-Economic Development	-	62	Completed		Unanticipated close out expense
FY24	Administration	705 Economic Development	750.230 - Business Continuity Resilience	100-12-705 - General Fund-City Manager-Economic Development	485,000	-	In Progress	7/2024	
FY22	Administration	122 Sustainability Division	750.106 - Electric Cooking Workshop Series	100-12-122 - General Fund-City Manager-Sustainability Division	-	-	Transferred	6/30/2024	Transferred to Public Works 100-81-122 750.106 in FY24
FY24	Administration	122 Sustainability Division	750.176 - Climate AP Vision Summary Doc	100-12-122 - General Fund-City Manager-Sustainability Division	-	-	Transferred	6/30/2025	Transferred to Public Works 100-18-122 750.176 in FY24
FY24	Administration	122 Sustainability Division	750.223 - CWP Electrification Study	100-12-122 - General Fund-City Manager-Sustainability Division	-	-	Transferred	6/30/2024	Transferred to Public Works 100-81-122 750.223 in FY24
FY23	Administrative services	405 Accounting	750.189 - Fee Study	100-41-405 - General Fund-Finance-Accounting	70,800	41,800	In Progress	2/2024	
FY23	Administrative services	426 Budgeting	750.217 - CWP Analyze Potential Rev Measrs	100-41-426 - General Fund-Finance-Budgeting	42,450	-	In Progress	2/2024	
FY23	Community development	700 Community Development Admin	750.104 - CWP Homeless Jobs Program	100-70-700 - General Fund-Planning & Community Development-Community Development Admin	176,935	46,604	In Progress	6/30/2024	For FY 2023-24, the Homeless Jobs Program did not receive funding in the CWP, but was allowed to continue operating with leftover funds from prior years. It is on the list to be reconsidered for the FY 2024-25 CWP, and was recommended to be continued by the Housing Commission in their CWP recommendations.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY17	Community development	701 Current Planning	750.007 - The Hamptons	100-71-701 - General Fund-Planning-Current Planning	108,640	-	Not Started		Waiting for building submittal. Project approval expires in 2026
FY21	Community development	701 Current Planning	750.009 - Marina Plaza	100-71-701 - General Fund-Planning-Current Planning	23,317	-	In Progress	ongoing	Waiting for building permit.
FY22	Community development	701 Current Planning	750.029 - Vallco SB35/Rise	100-71-701 - General Fund-Planning-Current Planning	188,680	-	In Progress	ongoing	Waiting for building permit.
FY20	Community development	702 Mid Long Term Planning	750.032 - General Plan	100-71-702 - General Fund-Planning-Mid Long Term Planning	239,805	-	In Progress	ongoing	Operational item, no completion date
FY20	Community development	702 Mid Long Term Planning	750.049 - MuniCode Updates	100-71-702 - General Fund-Planning-Mid Long Term Planning	25,000	-	In Progress	11/2024	Project delayed due to COVID and department turnover.
FY17	Community development	702 Mid Long Term Planning	750.090 - Residential/Mixed Use Design	100-71-702 - General Fund-Planning-Mid Long Term Planning	202,216	5,147	In Progress	12/2024	Delays in project due to previous contractor/consultant and housing element.
FY22	Community development	702 Mid Long Term Planning	750.101 - CWP RHNA and Gen Plan Update	100-71-702 - General Fund-Planning-Mid Long Term Planning	1,026,581	330,914	In Progress	Spring/Summer 2024	Pending State of California Housing and Community Development Department adoption of Housing Element.
FY22	Community development	702 Mid Long Term Planning	750.135 - Laserfiche planning map scanning	100-71-702 - General Fund-Planning-Mid Long Term Planning	3,990	923	In Progress	Winter 2024	Ongoing operational item.
FY24	Community development	702 Mid Long Term Planning	750.235 - CWP Tree List	100-71-702 - General Fund-Planning-Mid Long Term Planning	50,000	-	In Progress	August 2024	
FY20/FY22	Community development	711 BMR Affordable Housing Fund	750.051 - Support for the Unhoused	265-72-711 - BMR Housing-Housing Services-BMR Affordable Housing Fund	100,000	-	In Progress		Pending budget depletion. \$50k will be defunded in Q3 to true up to the required County match. No completion date.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY20	Community development	711 BMR Affordable Housing Fund	750.052 - Develop ELI Housing	265-72-711 - BMR Housing- Housing Services- BMR Affordable Housing Fund	238,386	-	In Progress		Pending development of Mary Ave, then operational.
FY19	Community development	713 General Building	750.036 - Ongoing Bldg Recrd scan/conversn	100-73-713 - General Fund- Building-General Building	14,387	-	In Progress	Winter 2024	Ongoing operational item.
FY22	Community development	714 Construction Plan Check	750.031 - Westport	100-73-714 - General Fund- Building- Construction Plan Check	98,739	5,285	In Progress	2026	Pending building permit status. The timeline is uncertain however staff estimates the townhome portion should be completed/occupied by end of this year. The Senior BMR apartments should be occupied by Spring 2025. The assisted living parcel will be submitting revisions by 2026.
FY20	Community development	714 Construction Plan Check	750.067 - VTC	100-73-714 - General Fund- Building- Construction Plan Check	14,595,179	-	In Progress		This pertains to building permits and staff estimates that the developer will submit additional building permits in 2024.
FY20	Community development	715 Building Inspection	750.067 - VTC	100-73-715 - General Fund- Building-Building Inspection	5,406,634	-	Not Started		This pertains to building inspections. No construction has been completed, and will occur over the build-out of the project at least 5 years.
FY23	Information Services	300 Administration	750.197 - Aclima & Envirosuite Pilot Ext	610-30-300 - Innovation & Technology-I&T Administration- Administration	66,000	-	Completed	8/15/2023	Funds have been encumbered and awaiting invoices.
FY23	Information Services	300 Administration	750.222 - CWP Cybersecurity Public Edu	610-30-300 - Innovation & Technology-I&T Administration- Administration	7,500	1,317	Completed	9/16/2023	Recommended to be defunded in Q3.
FY23	Information Services	300 Administration	750.227 - CWP License Plate Readers	610-30-300 - Innovation & Technology-I&T Administration- Administration	-	-	Transferred		Transferred to Law Enforcement 100-20-200 750.227 in FY24 and was renamed CWP Block Leader Enhancements. Staff will correct this to CWP - Public Safety in residential/commercial areas for transparency and visibility.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY20	Information Services	305 Video	900.945 - Fixed Asset Acquisition	100-31-305 - General Fund-I&T Video-Video	40,316	-	In Progress	6/30/2024	This account was added in FY20 to account for Video fixed assets acquisitions. These purchases vary from year and were added to special projects for visibility and to maintain ongoing material and contract trendlines.
FY20	Information Services	305 Video	900.995 - Special Projects - CDD/I&T	100-31-305 - General Fund-I&T Video-Video	40,891	8,215	Completed	9/30/2023	Projects delayed due to COVID and will be defunded in Q3 with savings due to descaling a project at Quinlan.
FY22	Information Services	308 Applications	750.120 - Performance Management App	100-32-308 - General Fund-I&T Applications-Applications	32,000	-	Cancelled		Recommended to be defunded in Q3.
FY22	Information Services	308 Applications	750.123 - Redesign of City Website	100-32-308 - General Fund-I&T Applications-Applications	20,700	2,719	In Progress	10/30/2024	
FY23	Information Services	308 Applications	750.181 - ERP (Phase II)	100-32-308 - General Fund-I&T Applications-Applications	94,076	24,910	Pending		Recommended Service Level Reduction (Potential Cancellation of this item)
FY23	Information Services	308 Applications	750.183 - ACA Guide & Wrapper	100-32-308 - General Fund-I&T Applications-Applications	25,000	-	In Progress	6/30/2024	
FY23	Information Services	308 Applications	750.184 - Accela Roadmap	100-32-308 - General Fund-I&T Applications-Applications	23,000	-	In Progress	6/30/2024	
FY23	Information Services	308 Applications	750.186 - Consolidated Code Enf Services	100-32-308 - General Fund-I&T Applications-Applications	22,408	22,133	Completed	2/27/2024	
FY21	Information Services	308 Applications	750.236 - Project Dox	100-32-308 - General Fund-I&T Applications-Applications	129,475	90,820	In Progress	6/30/2024	
FY24	Information Services	308 Applications	750.237 - ERP (Phase III)	100-32-308 - General Fund-I&T Applications-Applications	450,000	-	Pending		Recommended Service Level Reduction (Potential Cancellation of this item)
FY22	Information Services	310 Infrastructure	750.107 - Security Framework and Audit	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	60,000	18,938	In Progress	6/30/2024	

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY22	Information Services	310 Infrastructure	750.124 - ActiveNet Additional Readers	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	9,000	10,999	Completed	2/28/2024	
FY22	Information Services	310 Infrastructure	750.125 - Council Voting System and Timer	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	32,000	-	Cancelled		Recommended to defund in Q3. Vendor did not provide a SaaS solution.
FY22	Information Services	310 Infrastructure	750.130 - Senior Center Access Controls	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	-	-	Transferred	6/30/2024	Transferred to Facilities 100-87-831 750.025 in FY 24
FY22	Information Services	310 Infrastructure	750.171 - Quinlan Touch Screen	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	25,130	321	Cancelled		
FY23	Information Services	310 Infrastructure	750.199 - City Facilities Video Capture	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	6,079	-	In Progress	6/30/2024	
FY23	Information Services	310 Infrastructure	750.200 - CH Ent Server & Storage Tech Ref	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	150,000	150,000	Completed	2/28/2024	
FY23	Information Services	310 Infrastructure	750.203 - Suppl Wi-Fi Exp in Public Areas	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	4,625	-	Pending		Recommended Service Level Reduction (Potential Cancellation of this item)
FY23	Information Services	310 Infrastructure	750.205 - Public Bike Smart Rack DockTech	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	2,000	-	Cancelled		Recommended to be defunded in Q3.
FY18	Information Services	310 Infrastructure	900.945 - Fixed Asset Acquisition	610-34-310 - Innovation & Technology-I&T Infrastructure-Infrastructure	40,037	-	In Progress	6/30/2024	This account was added in FY18 to account for IT fixed assets acquisitions. These purchases vary from year and were added to special projects for visibility and to maintain ongoing material and contract trendlines.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY22	Information Services	986 GIS	750.166 - AR McClellan Ranch	610-35-986 - Innovation & Technology-I&T GIS-GIS	26,667	2,000	In Progress	4/30/2024	
FY23	Information Services	986 GIS	750.207 - Additional Telematics Devices	610-35-986 - Innovation & Technology-I&T GIS-GIS	5,300	5,300	Completed	7/30/2023	
FY24	Information Services	986 GIS	750.211 - Drone Instructor Training	610-35-986 - Innovation & Technology-I&T GIS-GIS	775	775	Completed	8/30/2023	
FY23	Information Services	986 GIS	750.212 - Laserfiche Scanning	610-35-986 - Innovation & Technology-I&T GIS-GIS	22,415	15,591	In Progress	4/30/2024	
FY22	Information Services	986 GIS	750.216 - CIP Management System	610-35-986 - Innovation & Technology-I&T GIS-GIS	10,740	8,405	In Progress	3/30/2024	
FY24	Information Services	986 GIS	750.238 - VR Decarb	610-35-986 - Innovation & Technology-I&T GIS-GIS	112,000	-	In Progress	5/30/2024	
FY23	Law enforcement	200 Law Enforcement SC Sherif	750.227 - CWP Block Leader Enhancements	100-20-200 - General Fund-Law Enforcement-Law Enforcement SC Sherif	60,000	-	In Progress	10/2024	The \$60,000 is allocated for the license plate readers. Transferred from Information Services 610-30-300 750.227 in FY24 and was renamed CWP Block Leader Enhancements. Staff will correct this to CWP - Public Safety in residential/commercial areas for transparency and visibility.
FY19	Public works	122 Sustainability Division	750.018 - Climate Action Plan	100-81-122 - General Fund-Environmental Programs-Sustainability Division	1,236	-	Completed	10/2023	Transferred from Administration 100-12-122 750.018 in FY 24. Remaining amount to be defunded at Q3.
FY19	Public works	122 Sustainability Division	750.019 - Employee Commute Program	100-81-122 - General Fund-Environmental Programs-Sustainability Division	2,586	4,618	Completed	10/2023	Transferred from Administration 100-12-122 750.018 in FY 24. Remaining amount to be defunded at Q3. Project went over budget due to claims exceeding projected budget and will be covered with budget savings. Program is discontinued.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY21	Public works	122 Sustainability Division	750.069 - Sustainable Infrastructure Audit	100-81-122 - General Fund-Environmental Programs-Sustainability Division	10,000	-	Not Started	N/A	Transferred from Administration 100-12-122 750.069 in FY24. This project will most likely not move forward. Recommended to defund in Q3.
FY22	Public works	122 Sustainability Division	750.106 - Electric Cooking Workshop Series	100-81-122 - General Fund-Environmental Programs-Sustainability Division	6,400	-	In Progress	6/30/2024	Transferred from Administration 100-12-122 750.106 in FY24.
FY24	Public works	122 Sustainability Division	750.176 - Climate AP Vision Summary Doc	100-81-122 - General Fund-Environmental Programs-Sustainability Division	10,000	-	In Progress	6/30/2025	Transferred from Administration 100-12-122 750.176 in FY 24.
FY24	Public works	122 Sustainability Division	750.223 - CWP Electrification Study	100-81-122 - General Fund-Environmental Programs-Sustainability Division	50,000	-	In Progress	6/30/2024	Transferred from Administration 100-12-122 750.223 in FY24.
FY21	Public works	800 Public Works Admin	750.071 - Municipal Water System	100-80-800 - General Fund-PW Administration-Public Works Admin	22,677	11,846	In Progress	8/1/2024	
FY24	Public works	801 Resources Recovery	750.041 - HHW and PaintCare	520-81-801 - Resource Recovery-Environmental Programs-Resources Recovery	115,733	70,456	In Progress	Ongoing annual project	No completion date
FY21	Public works	801 Resources Recovery	750.084 - Single Use Plastics Ordinance	520-81-801 - Resource Recovery-Environmental Programs-Resources Recovery	84,716	34,764	In Progress	6/30/2025	

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY22	Public works	801 Resources Recovery	750.137 - SB1383 Procurement Requirements	520-81-801 - Resource Recovery-Environmental Programs-Resources Recovery	112,742	-	In Progress	Ongoing annual project	No completion date
FY22	Public works	801 Resources Recovery	750.174 - New Lndfill Agrmnt/Solid Wst con	520-81-801 - Resource Recovery-Environmental Programs-Resources Recovery	245,697	161,452	In Progress	8/31/2025	
FY23	Public works	802 Non Point Source	750.196 - Storm Water (SWPPP) Update	230-81-802 - Env Mgmt Cln Crk Strm Drain-Environmental Programs-Non Point Source	19,539	-	Completed	3/2023	Remaining amount will be defunded in Q3.
FY19	Public works	804 Plan Review	750.039 - PW Scanning Project	100-82-804 - General Fund-Developmental Services-Plan Review	39,713	21,129	In Progress	6/30/2024	
FY20	Public works	804 Plan Review	750.067 - VTC	100-82-804 - General Fund-Developmental Services-Plan Review	1,961,366	-	In Progress		This pertains to plan review and occurs prior to permit issuance with the City awaiting the latest plan submittal.
FY22	Public works	804 Plan Review	750.105 - CWP Revisit 5G	100-82-804 - General Fund-Developmental Services-Plan Review	250,000	-	In Progress	9/30/2024	Most of the work to date has been completed in-house. Ongoing changes to related laws, limited staffing resources, and other priorities have resulted in delays to finalization.
FY20	Public works	807 Service Center Administration	750.043 - Office Reconfiguration	100-83-807 - General Fund-Service Center-Service Center Administration	189,861	50,445	In Progress	Ongoing annual project	This an ongoing allocation that was added in FY20 to account for the various office reconfigurations need as a result aging City facilities to help mitigate space issues.
FY23	Public works	808 McClellan Ranch Park	750.025 - Special Maintenance	100-84-808 - General Fund-Grounds-McClellan Ranch Park	70,000	-	Pending	2026	McClellan Bridge repair not started due to time and staffing. Quotes in progress. Awaiting preliminary assessment on McClellan Bridge.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY22	Public works	808 McClellan Ranch Park	750.138 - 4H Perimeter Fence Replacement	100-84-808 - General Fund-Grounds-McClellan Ranch Park	30,000	24,600	Completed	9/20/2023	Remaining amount will be defunded in Q3.
FY20	Public works	812 School Site Maintenance	750.025 - Special Maintenance	100-84-812 - General Fund-Grounds-School Site Maintenance	20,000	-	In Progress	6/30/2024	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY20 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts.
FY21	Public works	813 Neighborhood Parks	750.074 - Tot Lot Rubber Resurfacing	100-84-813 - General Fund-Grounds-Neighborhood Parks	17,824	-	In Progress	6/30/2024	Tot lot rubber resurfacing 3 completed June 2022 & May 2023, 1 in progress (Portal Park)
FY22	Public works	813 Neighborhood Parks	750.141 - Basketball Court Resurfacing	100-84-813 - General Fund-Grounds-Neighborhood Parks	20,000	20,000	Completed	12/2023	
FY17	Public works	813 Neighborhood Parks	900.990 - Special Projects - PW	100-84-813 - General Fund-Grounds-Neighborhood Parks	25,000	24,100	Completed	9/2023	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY17 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts. Portal Park concrete replacement is completed.
FY22	Public works	814 Sport Fields Jollyman CRK	750.140 - Backflow Prevention Device Repl	100-84-814 - General Fund-Grounds-Sport Fields Jollyman CRK	4,000	-	In Progress	6/30/2024	
FY22	Public works	814 Sport Fields Jollyman CRK	750.141 - Basketball Court Resurfacing	100-84-814 - General Fund-Grounds-Sport Fields Jollyman CRK	10,000	10,000	Completed	12/2023	

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY19	Public works	820 Sidewalk Curb and Gutter	750.020 - Annual Sidewalk Curb & Gutter	270-85-820 - Transportation Fund-Streets-Sidewalk Curb and Gutter	2,868,400	724,222	In Progress	6/30/2025	This is annual pavement maintenance and was added in special projects for visibility and reporting.
FY13?	Public works	821 Street Pavement Maintenance	900.921 - Annual Asphalt Project	270-85-821 - Transportation Fund-Streets-Street Pavement Maintenance	5,600,754	14,370	In Progress	Ongoing annual project	<p>This is annual pavement maintenance and was added in special projects for visibility and reporting.</p> <p>This is in a dedicated account for SB1 reporting. Should be removed from this list beginning in FY25.</p>
FY23	Public works	824 Overpasses and Medians	750.194 - Trench Work	100-86-824 - General Fund-Trees and Right of Way-Overpasses and Medians	40,000	-	Pending		Recommended to defund in Q3.
FY24	Public works	825 Street Tree Maintenance	750.235 - CWP Tree List	100-86-825 - General Fund-Trees and Right of Way-Street Tree Maintenance	60,000	-	In Progress	6/30/2024	Collaborating with CDD
FY13?	Public works	825 Street Tree Maintenance	900.911 - Trees and Badges	100-86-825 - General Fund-Trees and Right of Way-Street Tree Maintenance	16,263	325	In Progress	Ongoing annual project	This is annual tree badges program and was added in special projects for visibility.
FY22	Public works	827 Bldg Maint City Hall	750.144 - Electrical Preventive Maint	100-87-827 - General Fund-Facilities and Fleet-Bldg Maint City Hall	25,000	-	Completed	2023	Remaining amount will be defunded in Q3. Work was completed. OK to remove, defund as close out this line as we now budget electrical preventative maintenance in base.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY19	Public works	828 Bldg Maint Library	750.025 - Special Maintenance	100-87-828 - General Fund-Facilities and Fleet-Bldg Maint Library	45,000	-	In Progress	6/30/2024	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY19 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts.
FY23	Public works	829 Bldg Maint Service Center	750.025 - Special Maintenance	100-87-829 - General Fund-Facilities and Fleet-Bldg Maint Service Center	40,000	-	In Progress	6/30/2024	
FY15	Public works	829 Bldg Maint Service Center	900.990 - Special Projects - PW	100-87-829 - General Fund-Facilities and Fleet-Bldg Maint Service Center	233,963	-	Pending	4/2024	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY16 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts. Awaiting delivery of materials.
FY20	Public works	830 Bldg Maint Quinlan Center	750.025 - Special Maintenance	100-87-830 - General Fund-Facilities and Fleet-Bldg Maint Quinlan Center	85,000	-	In Progress	6/30/2024	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY20 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY23	Public works	831 Bldg Maint Senior Center	750.025 - Special Maintenance	100-87-831 - General Fund-Facilities and Fleet-Bldg Maint Senior Center	121,675	-	Not Started	6/30/2025	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY20 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts. Senior Center Access Controls 750.130 (\$16,000) was transferred from Information Services. Roof repair, deck dry rot repair, AC replacement - not started due to lack of staffing, need for multiple quotes and multiple vendor contracts
FY23	Public works	831 Bldg Maint Senior Center	900.945 - Fixed Asset Acquisition	100-87-831 - General Fund-Facilities and Fleet-Bldg Maint Senior Center	65,835	65,259	Completed	11/2023	
FY19	Public works	832 Bldg Maint McClellan Ranch	750.025 - Special Maintenance	100-87-832 - General Fund-Facilities and Fleet-Bldg Maint McClellan Ranch	101,347	-	In Progress	6/30/2024	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY19 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts.
FY23	Public works	834 Bldg Maint Wilson	750.025 - Special Maintenance	100-87-834 - General Fund-Facilities and Fleet-Bldg Maint Wilson	7,000	-	Not Started	6/30/2024	Project to start in 2/2024.
FY23	Public works	836 Bldg Maint Sports Center	750.025 - Special Maintenance	570-87-836 - Sports Center-Facilities and Fleet-Bldg Maint Sports Center	50,494	6,789	In Progress	6/30/2024	HVAC is the only project left
FY22	Public works	836 Bldg Maint Sports Center	750.157 - Door Refinishing	570-87-836 - Sports Center-Facilities and Fleet-Bldg Maint Sports Center	10,775	14,337	Completed	10/2023	Budget savings used to cover the overbudget.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY16	Public works	836 Bldg Maint Sports Center	900.990 - Special Projects - PW	570-87-836 - Sports Center-Facilities and Fleet-Bldg Maint-Sports Center			Completed		
FY24	Public works	837 Bldg Maint Creekside	750.025 - Special Maintenance	100-87-837 - General Fund-Facilities and Fleet-Bldg Maint Creekside	12,000	-	Completed	11/2023	Expensed to 900.990 GL account, budget transfer will be initiated to complete transaction.
FY16	Public works	837 Bldg Maint Creekside	900.990 - Special Projects - PW	100-87-837 - General Fund-Facilities and Fleet-Bldg Maint-Creekside			Completed	11/2023	
FY23	Public works	841 BBF Facilities Maintenance	750.025 - Special Maintenance	100-87-841 - General Fund-Facilities and Fleet-BBF Facilities Maintenance	25,000	-	In Progress	Ongoing Maint as needed	Blesch, Byrne and Stocklmeir Maint as needed
FY16	Public works	841 BBF Facilities Maintenance	900.990 - Special Projects - PW	100-87-841 - General Fund-Facilities and Fleet-BBF Facilities Maintenance	-	6,803	Completed	7/2023	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY16 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts. Expenses are located in fixed assets. Expensed to 900.990 GL account, budget transfer will be initiated to complete transaction.
FY23	Public works	844 Traffic Engineering	750.040 - Planned Transportation Project	100-88-844 - General Fund-Transportation-Traffic Engineering	56,023	16,025	In Progress	6/30/2024	
FY20	Public works	844 Traffic Engineering	750.061 - Community Shuttle Pilot Program	100-88-844 - General Fund-Transportation-Traffic Engineering	10,574	-	Completed	6/30/23	Remaining amount will be defunded in Q3.
FY21	Public works	844 Traffic Engineering	750.079 - Adaptive Traffic Signaling	100-88-844 - General Fund-Transportation-Traffic Engineering	18,443	12,473	Completed	8/2023	Remaining amount will be defunded in Q3.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY22	Public works	844 Traffic Engineering	750.163 - VMT to LOS Standards	100-88-844 - General Fund-Transportation-Traffic Engineering	130,000	-	In Progress	6/30/2025	
FY23	Public works	844 Traffic Engineering	750.219 - CWP Bicycle Facilities	100-88-844 - General Fund-Transportation-Traffic Engineering	50,000	-	In Progress	6/30/2024	This has started although no money has been spent. There have been several meetings with the BPC, and most recently staff has been working on completing an MOU with the Rotary to partner on the installation of bike racks on private property. The MOU has now been executed and meetings are ongoing between staff, Rotary, and BPC subcommittee to finalize bike rack installation locations. Once locations are finalized, the division of labor regarding installation will be determined and the bike racks purchased and installed.
FY23	Public works	844 Traffic Engineering	750.231 - SC Corridor Vision Study	100-88-844 - General Fund-Transportation-Traffic Engineering	154,079	-	In Progress	6/30/2025	
FY23	Public works	844 Traffic Engineering	750.242 - AC2 Traffic Monitoring	100-88-844 - General Fund-Transportation-Traffic Engineering	-	27,033	In Progress	6/30/2025	Budgeted funds will be transferred here from 100-88-844 900.923.
FY17	Public works	844 Traffic Engineering	900.923 - Apple Campus 2	100-88-844 - General Fund-Transportation-Traffic Engineering	77,340	-	Completed	6/30/2025	Budgeted in incorrect GL account, departments will initiate a transfer to correct to 100-88-844 750.242. This is a development project that spanned several years. It was added a special project to provide visibility and to maintain relevant baseline expenses in materials and contracts.
FY23	Public works	844 Traffic Engineering	900.964 - I-280/Wolfe Rd Interchange Imprv	100-88-844 - General Fund-Transportation-Traffic Engineering	800,000	800,000	In Progress	Est. completion date unknown as the project is with VTA	Originally budgeted in 750-040 and transferred to Capital Outlay Account 100-88-844 900-964. Advanced payment made to VTA for the City's portion.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY21	Public works	845 Traffic Signal Maintenance	750.079 - Adaptive Traffic Signaling	100-88-845 - General Fund-Transportation-Traffic Signal Maintenance	16,042	-	Completed	10/4/2023	Remaining amount will be defunded in Q3.
FY24	Public works	845 Traffic Signal Maintenance	900.945 - Fixed Asset Acquisition	100-88-845 - General Fund-Transportation-Traffic Signal Maintenance	-	41,529	Completed	7/10/2023	Expensed to 900.945 GL account, budget transfer will be initiated to complete transaction.
FY21	Public works	846 Safe Routes 2 School	750.080 - Pedestrian Education	100-88-846 - General Fund-Transportation-Safe Routes 2 School	10,118	10,118	Completed	11/2023	
FY15	Public works	848 Street Lighting	900.990 - Special Projects - PW	100-85-848 - General Fund-Streets-Street Lighting	230,000	171,163	In Progress	8/30/2024	This account is used for various one-time maintenance projects that vary from year to year. This account was added FY16 to provide visibility to one-time project costs that vary from year to year to assist in showing baseline expenses only in materials and/or contracts.
FY24	Public works	853 Storm Drain Fee	750.062 - Permeable Pavement	230-81-853 - Env Mgmt Cln Crk Strm Drain-Environmental Programs-Storm Drain Fee	-----	-----	Completed		Defunded by council at FY24 Q1
FY23	Public works	853 Storm Drain Fee	750.063 - Rainwater Capture	230-81-853 - Env Mgmt Cln Crk Strm Drain-Environmental Programs-Storm Drain Fee	47,719	12,369	In Progress	Ongoing annual project	No completion date
FY23	Public works	854 General Fund Subsidy	750.064 - Low Income Cost Share	230-81-854 - Env Mgmt Cln Crk Strm Drain-Environmental Programs-General Fund Subsidy	13,162	(52)	In Progress	Ongoing annual project	No completion date. Payments were voided as checks were not cashed.

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY23	Public works	854 General Fund Subsidy	750.065 - CUSD Joint Use Cost Share	230-81-854 - Env Mgmt Cln Crk Strm Drain-Environmental Programs-General Fund Subsidy	8,706	-	In Progress	Ongoing annual project	No completion date
FY24	Public works	855 Storm Drain Maintenance	900.945 - Fixed Asset Acquisition	230-81-855 - Env Mgmt Cln Crk Strm Drain-Environmental Programs-Storm Drain Maintenance	131,000	128,895	Completed	12/2023	Rover storm drain camera purchase
FY09	Public works	985 Fixed Assets Acquisition	900.945 - Fixed Asset Acquisition	630-90-985 - Vehicle/Equip Replacement - Citywide - Non Departmental-Fixed Assets Acquisition	1,264,468	130,222	In Progress	Ongoing annual project	This is annual acquisitions of vehicle and equipment and was added in special projects for visibility.
FY22	Recreation services	601 Rec & Comm Svcs Administration	750.098 - CWP Senior Strategy	100-60-601 - General Fund-Administration-Rec & Comm Svcs Administration	41,378	32	In Progress	6/30/2024	Senior Survey Assessment
FY22	Recreation services	601 Rec & Comm Svcs Administration	750.164 - CWP Dogs Off Leash Area	100-60-601 - General Fund-Administration-Rec & Comm Svcs Administration	5,000	123	In Progress	6/30/2024	
FY23	Recreation services	601 Rec & Comm Svcs Administration	750.226 - CWP Intergenerational Engagement	100-60-601 - General Fund-Administration-Rec & Comm Svcs Administration			Completed	June 2023	
FY24	Recreation services	601 Rec & Comm Svcs Administration	750.241 - CWP Senior Svcs & Youth Engagement	100-60-601 - General Fund-Administration-Rec & Comm Svcs Administration	20,000	239	In Progress	6/30/2024	

FY 2023-24 Mid-Year Special Projects

FY Added	Function	Program	Base And Detail Account With Detail Description	Full Org Set Code And Description	Amended Budget	Actual Amount	Status	Estimated Complete	Notes (e.g., carried over to next fiscal year)
FY15	Recreation services	621 Sports Center Operation	900.959 - Windscreens	570-63-621 - Sports Center- Sports, Safety and Outdoor Rec- Sports Center Operation	72,853	72,162	Completed	September 2023	

From: [Santosh Rao](#)
To: [City Council](#); [Pamela Wu](#); [Matt Morley](#); [City Clerk](#)
Subject: Urgent Appeal: Reconsideration of FY 23-25 City Work Program Projects
Date: Tuesday, April 2, 2024 7:54:42 PM

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Subject: Urgent Appeal: Reconsideration of FY 23-25 City Work Program Projects

[CC: City Clerk]

Dear Mayor Sheila, Esteemed Cupertino City Council Members, and City Manager Wu,

I am compelled to address the current proposal for ongoing projects in the FY 23-25 City Work Program (CWP) and respectfully convey my staunch opposition to several items therein.

In a time where fiscal prudence is paramount, the inclusion of certain projects, notably those outlined below, raises profound concerns about their alignment with our community's priorities and fiscal responsibility:

Development of ELI and BMR housing units: While the aspiration to preserve affordable housing is commendable, the city's focus should remain on core municipal responsibilities. The proposed allocation of resources toward housing initiatives surpasses the city's core charter of services to your housed existing residents and ignores our budgetary constraints.

Collaboration on regional unhoused support: While addressing homelessness is a critical issue, the proposed approach risks overextension beyond the city's core mandate. Fiscal resources should be prioritized towards essential services for residents, rather than expanding into non-core endeavors.

Update to 5G Ordinance: Given the legitimate concerns surrounding 5G technology, a balanced approach is imperative. However, substantial investment in additional studies is unwarranted. We must prioritize the adoption of existing resident-friendly research and enforce safety measures rigorously.

Lowering speed limits: The proposal to lower speed limits lacks empirical justification and may not address the root cause of traffic issues. Instead, resources should be redirected towards enhancing enforcement of existing speed regulations to ensure public safety.

Development of Recycled Water Feasibility Study: While sustainable water management is crucial, the proposed study represents an undue financial burden on the city. We must exercise fiscal restraint and focus on pragmatic solutions that align with our budgetary limitations.

New Bike Ped Plan: The disproportionate allocation of resources towards bike infrastructure projects warrants reassessment. Priority should be given to pedestrian safety initiatives, which serve a broader segment of the community and have been neglected in previous spending allocations.

In light of these concerns, I implore the City Council to reject the current staff recommendation for the above and prioritize projects that adhere to our core municipal responsibilities, align with community needs, and demonstrate fiscal prudence.

Thank you for your attention to this urgent matter. I remain optimistic that our collective efforts will ensure the prudent stewardship of Cupertino's resources and the prioritization of initiatives that serve the best interests of all residents.

Sincerely,

Santosh Rao

From: [Seema Lindskog](#)
To: [City Council](#)
Cc: [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: Work Plan discussion this evening
Date: Wednesday, April 3, 2024 2:20:59 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Respected Mayor Mohan, Vice-Mayor Fruen, and council members,

I am writing to urge you to keep or consider adding the following items to the Work Plan.

- A 5-year Bike Ped Plan or Active Transportation Plan. The current plans are several years out of date. They are separate Bike and Ped plans which creates confusing competing priorities, they don't take into account the new housing developments being planned or other plans that have been created recently such as the Climate Action Plan adopted in 2022. A new Active Transportation Plan is required to be able to apply to multiple grants, so the lack of it has a significant multi-million dollar negative impact on the city's fiscal health.
- A Complete Streets ordinance to be adopted in our municipal code. This is a partner to the Active Transportation Plan and is high impact/low resource. The City of San Jose has adopted an excellent [Complete Streets ordinance in their municipal code](#) which would be a good starting point for us so we can save staff time and not write one from scratch.
- A Small Business revitalization ordinance. Our small businesses are struggling. A few days, the Counter announced it's closing. Empty storefronts are everywhere. While we have an economic development manager and there are provisions in the municipal code that can be considered small-business friendly, they are scattered and there is no organized, concerted effort to pull all these pieces together into a cohesive whole and identify what else can be done, using other cities as benchmarks that have thriving small businesses like Sunnyvale and Mountain View. A Small Business Revitalization ordinance would indicate the city is serious about helping its small businesses and is willing to go beyond "business as usual" to make it happen.
- Streamline Permits for Small Residential Repairs. This would solve a major pain point for city residents and could help spur more renovation and home improvement work, which would increase city revenue and also helps our local businesses.

These last two projects would also help change the narrative of our city governance which has been focused on the battle over housing for years now. It would benefit the city to be seen as being more small business and resident friendly and hopefully bring us some positive press as well.

Best regards,
Seema

"You must be the change you want to see in the world." - Mahatma Gandhi

This message is from my personal email account. I am only writing as myself, not as a representative or spokesperson for any other organization.

From: [Srividya Sundaresan](#)
To: [City Council](#); [Pamela Wu](#); [Matt Morley](#)
Cc: [City Clerk](#)
Subject: Urgent Appeal: Reconsideration of FY 23-25 City Work Program Projects
Date: Tuesday, April 2, 2024 9:57:37 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Sheila, Esteemed Cupertino City Council Members, and City Manager Wu,

I am compelled to address the current proposal for ongoing projects in the FY 23-25 City Work Program (CWP) and respectfully convey my staunch opposition to several items therein.

In a time where fiscal prudence is paramount, the inclusion of certain projects, notably those outlined below, raises profound concerns about their alignment with our community's priorities and fiscal responsibility:

Development of ELI and BMR housing units: While the aspiration to preserve affordable housing is commendable, the city's focus should remain on core municipal responsibilities. The proposed allocation of resources toward housing initiatives surpasses the city's core charter of services to your housed existing residents and ignores our budgetary constraints.

Collaboration on regional unhoused support: While addressing homelessness is a critical issue, the proposed approach risks overextension beyond the city's core mandate. Fiscal resources should be prioritized towards essential services for residents, rather than expanding into non-core endeavors.

Update to 5G Ordinance: Given the legitimate concerns surrounding 5G technology, a balanced approach is imperative. However, substantial investment in additional studies is unwarranted. We must prioritize the adoption of existing resident-friendly research and enforce safety measures rigorously.

Lowering speed limits: The proposal to lower speed limits lacks empirical justification and may not address the root cause of traffic issues. Instead, resources should be redirected towards enhancing enforcement of existing speed regulations to ensure public safety.

Development of Recycled Water Feasibility Study: While sustainable water management is crucial, the proposed study represents an undue financial burden on the city. We must exercise fiscal restraint and focus on pragmatic solutions that align with our budgetary limitations.

New Bike Ped Plan: The disproportionate allocation of resources towards bike infrastructure projects warrants reassessment. Priority should be given to pedestrian safety initiatives, which serve a broader segment of the community and have been neglected in previous spending allocations.

In light of these concerns, I implore the City Council to reject the current staff recommendation for the above and prioritize projects that adhere to our core municipal responsibilities, align with community needs, and demonstrate fiscal prudence.

Thank you for your attention to this urgent matter. I remain optimistic that our collective efforts will ensure the prudent stewardship of Cupertino's resources and the prioritization of initiatives that serve the best interests of all residents.

Sincerely,
Srividya Sundaresan

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: 4/3/2024 City Council Agenda #1 Study Session
Date: Wednesday, April 3, 2024 3:45:34 PM

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4/3/2024 City Council Agenda #1 Study Session

Dear City Council,

We have heard many times that the City Hall is not seismically safe.

If that is true, then let's please fix it and please also complete the work that was started on Torre.

Employee safety should be a priority.

Please be wise with our public money and provide high-level interim cost estimates on projects.

For example, if you're going to look at water use at the golf course and running a recycle water line to the property, please don't spend a lot of time on it.

My guess is that you'd be able to come up with an order of magnitude estimate in less than an hour and then decide whether to drill down some more.

Thanks,

Rhoda



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CC 04-03-2024

Item #5

PlaceWorks Contract

Written
Communications

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: city council 4/3/2024 Agenda #5 Placeworks Contract
Date: Wednesday, April 3, 2024 3:50:23 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: city council 4/3/2024 Agenda #5 Placeworks Contract

Dear City Council,

Before signing off on this contract, please review where we are with the CEQA contract with Placeworks for the Housing Element.

Is there a need to change the CEQA contract pursuant to the litigation with YIMBY?

How much of that contract has been completed?

Will some of it need to be thrown away?

If we have money left on that contract, can we put it toward the contract under discussion today?

Thanks,

Rhoda Fry



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CC 04-03-2024

Item #7 & 8

Cupertino Village Boutique
Project & De Anza Hotel
Project

Written
Communications

From: [Connie Cunningham](#)
To: [Gian Martire](#)
Cc: [Piu Ghosh \(she/her\)](#); [Luke Connolly](#); [Benjamin Fu](#); [Pamela Wu](#); [City Clerk](#); [City Council](#)
Subject: April 3, 2024, Cupertino City Council, Boutique Hotel and De Anza Hotel
Date: Thursday, March 28, 2024 10:25:31 AM
Attachments: [2024 -4-3 CC Boutique Hotel Staff Report.pdf](#)
[2024-4-3 CC De Anza Hotel Staff Report.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Gian Martire,

I was excited to read your excellent Staff Report this morning to learn that you successfully negotiated with both the Boutique Hotel applicant and the De Anza Hotel applicant to accept the Planning Commission's recommended modification to comply with the Bird Safe and Dark Skies Ordinance! Thank you, too, to the Cupertino City management team!

Thank you for your excellent work on behalf of the the city, city residents who fought for this ordinance, and for the Golden-crowned Sparrow that migrates 3000 miles every year from along the Pacific Flyway to live in here in the winter. You will see these beautiful birds, among many other species, in your yards preparing for spring. With our business community, city government and residents pulling together, our city is taking another step forward as a proud leader in Sustainability. As stated on the Environment & Sustainability website, "There is no Planet B".

cupertino.org



This Golden-crowned Sparrow was in my yard.



Warm regards,
Connie Cunningham.
Audubon Member, City Resident
Housing Commission, self only

Attachments

Applicants accept the Bird Safe and Dark Skies Ordinance in these reports.
April 3, 2024 City Council Staff Reports



COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA
95014-3255 TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333
CUPERTINO.ORG

CITY COUNCIL STAFF REPORT

Meeting: April 3, 2024

Subject

Amendment to a Development Agreement for the Cupertino Village Boutique Hotel Project from five to eight years and associated environmental review. (Application No(s): DA-2023-002; Applicant(s): KIMCO (Sunil Plaha); Location: 10801 and 10805 N. Wolfe Rd.; APN: 316 45 017, 316 05 056)

Recommended Actions

That the City Council conduct the public hearing and conduct the first reading of Ordinance No. 24-____ (Attachment A):

1. Find the amendment to the existing development agreement consistent with the project's Mitigated Negative Declaration (State Clearinghouse No. 2018112025) and
2. Adopt the ordinance to amend the existing Development Agreement (DA-2023-002).

Reasons for Recommendation

Project Data:

General Plan Designation:	Commercial/Residential
Special Area:	North Vallco Park Special Area
Zoning Designation:	P (CG, Res) Planned Development Zoning with General Commercial and Residential Uses
Project Consistency with	
General Plan:	Yes
Zoning:	Yes
Environmental Assessment:	Mitigated Negative Declaration (State Clearinghouse No. 2018112025)

Background

The project site is located on the west side of N. Wolfe Rd. between Interstate 280 and Homestead Road, in the North Vallco Park Special Area. The land uses allowed along N. Wolfe Rd., between Interstate 280 and the shared city boundary with Sunnyvale, include residential, Office, and commercial (which allow hotel uses with a Conditional Use Permit).



Figure 1 Site aerial

The site is currently developed with two commercial buildings: a 3,385-sq.-ft. building currently occupied by the Duke of Edinburgh Pub and Restaurant, and a vacant 10,044-sq.-ft. commercial building (former bank). Land uses surrounding the project include the Cupertino Village Shopping Center to the north, residential apartments (Arioso Apartments) to the west, a hotel to the south (Hilton Garden Inn), and office (Apple Park) and residential apartments (Hamptons Apartments) to the west.

Application Request

On July 16, 2019, the City Council approved a General Plan Amendment (GPA-2017-05, Resolution No. 19-091), a Development Permit (DP-2018-04, Resolution No. 19-092) an Architectural and Site Approval Permit (ASA-2017-09, Resolution No. 19-093), a Use Permit (U-2018-03, Resolution No. 19-095), Mitigated Negative Declaration (EA-2017-06, Resolution No. 19-090), Tree Removal Permit (TR-2017-46, Resolution No. 19-094), and subsequently on August 20, 2019, conducted the second reading to adopt a Development Agreement (Attachment 2 – DA-2017-01, Ordinance No. 19-2186) to allow construction of the following development and site improvements:

- A new five-story, 185-room upscale hotel;
- New restaurant with separate bar on the ground floor;
- Rooftop lounge with separate bar;
- Conference Meeting Rooms; and
- Updated landscaping along the perimeter of the property, including updated frontage improvements to provide pedestrian accessibility.

The applicant, Sunil Plaha of KIMCO, applied to amend the approved Development Agreement (DA-2023-002) to extend the total term three years, from five years to eight. If the amendment is not approved, the project approval entitlement would expire on November 19, 2024.

Planning Commission Recommendation

The Planning Commission convened at a regular scheduled hearing on March 12, 2024, to consider the proposed amendment to a Development Agreement. The Planning Commission recommended (4-0, Madhhipatla absent) that City Council adopt the proposed amendments to the Development Agreement as indicated in Exhibit A of Planning Commission Resolution No. 2024-02 (Attachment B), with the following modification:

- Development Agreement to require that the project comply with the bird safe and dark sky ordinance, Cupertino Municipal Code Chapter 19.102: *Glass and Lighting Standards*.

The Planning Commission's recommended modifications have been incorporated into the Draft Ordinance (Attachment A).

Discussion

Development Agreement

In May 2015, the City Council adopted a process by which the Council would authorize projects proposing General Plan Amendments, taking into consideration voluntary community amenities in four categories (School Resources, Public Open Space, Public Facilities, Transportation Facilities) offered with a proposal to request the City consider changing its General Plan. The Development Agreement approved with the Village project includes voluntary community amenities offered by the project applicant through this General Plan Amendment Authorization process. These voluntary community amenities were incorporated as terms of the Development Agreement, which also included terms that offered the conventional certainty regarding regulations, standards, and conditions that would apply to the project during the life of the Development Agreement. The Development Agreement has a five-year term, ending on November 19, 2024.

Impact fees that are standard or required, such as housing and school fees, are not included in the consideration of voluntary community amenities. Voluntary community amenities are characterized as voluntary contributions rather than required fees or requirements. The voluntary community amenities included in the Development

Agreement are outlined below. Key provisions from the 2019 Development Agreement include:

1. *Community Amenity Funding*: The Developer agreed to pay the City \$1,850,000 (\$10,000 per room) that may be used to benefit residents, businesses, and visitors, including on projects that will enhance and enrich the experience of the most proximate City residents, retail and restaurant customers, and hotel guests. Candidates to receive these funds include local transportation facilities, Transportation Management Association start-up costs, local public art, and landscaping beautification improvements in public parks, parkways, or roadway medians. **To date, the applicant has made \$300,000 in payments as obligated.**
2. *Transportation Demand Management (TDM) Program*: The Developer agreed to fund and fully implement a TDM program including transit passes, rideshare facilitation, and bicycle facilities.
3. *Transportation Management Association (TMA)*: In the event a TMA is formed, The developer agreed to pay an annual participation fee, which initially shall not exceed \$10,000 and may be increased annually by the Consumer Price Index.
4. *Shuttle Service*: The Developer agreed to provide access to a shuttle service to hotel guests, people traveling to or from the hotel that use the hotel's meeting rooms for functions, and, subject to availability, nearby residents, businesses, and the general public to travel between the hotel and airports and major employment centers.
5. *Meeting Rooms*: The Developer agreed to allow the City to use the hotel's meeting rooms for official City business purposes, subject to availability.
6. *Reduced Rates*: All people visiting Cupertino for official City business, and dignitaries visiting for City purposes and events, the Developer agreed reduced room rates by at least 10% lower than the hotel's lowest rates.
7. *Internships*: The Developer agreed to offer non-paid educational internships to students from the Fremont High School District, De Anza College or other local colleges interested careers in the hospitality industry.
8. *Minimum Hotel Standard*: The Developer committed to maintaining the project as an upscale boutique hotel, which means that the hotel will charge higher rates and provide superior amenities to most hotels.

The applicant is requesting to extend the total term from five years to eight. As described in the applicant's justification letter (Attachment 3), various factors have contributed to the delay in applying for Building Permits to construct the entitled hotel. Per the justification letter, the lingering effects of the COVID pandemic, which include prices of goods and materials, as well as the business travel industry (which is generally a significant portion of the hotel guests in Cupertino) being slow to recover from

employees not required to return in-person fulltime have affected the hospitality industry. Other extenuating circumstances, such as the increased cost in financing have escalated costs of development.

Once operational, the project is expected to generate net positive fiscal impacts to the City's annual budget due to the collection of Transient Occupancy Taxes (TOT) and property tax increases is estimated to be \$1.2 million a year. As such, City staff has negotiated with the applicant the following amendments to the development agreement to ensure development of the project as approved by City Council:

- The term of the agreement of the agreement extended to the (8th) anniversary of the Effective Date (November 19, 2027).
- In the event the Developer submits for a Building Permit for the core and shell of the hotel within three years of the Effective Date of the 1st Amendment, the Term of the agreement is automatically extended for two additional years, for a total of five years, i.e., until November 19, 2029.
- If Certificate of Occupancy for the Project is issued within five years of the Effective Date of the First Amendment (April 16, 2029) Developer shall be relieved of its obligations to make further Community Amenity Funding payments.
- Any proposed revisions to the amount of parking and/or parking layout, are treated as an Administrative Project Amendment and not subject to an amendment to this agreement.

Staff Analysis

The proposed amendments to the Development Agreement as listed above allow for the developer to submit for building permits at a time that is economically feasible. General Plan Strategy LU-9.1.3: *Economic Development and Business Retention* encourages the City to attract new businesses and retain existing businesses that add to municipal revenues, and contribute to economic vitality to the community. Adding incentives to the Development Agreement for the completion and occupancy of the hotel will add much needed TOT and sales tax revenue to the City's general fund.

Lastly, by streamlining a process for parking modifications by not requiring further amendments to the Development Agreement, the developer is able to save on costs, and timing to encourage the development of the Hotel.

The amendments to the Development Agreement do not revise the scope of the project. The developer will continue to be obligated to meet all other agreements for voluntary community amenities, as well as compliance with all approved aspects of applicable General Plan standards and other development regulations. **The developers of the project have further indicated that they have no objections to the Planning Commission's**

recommended modification requiring that the project comply with the bird safe and dark sky ordinance.

Cupertino Municipal Code Findings

The Cupertino Municipal Code includes 'findings' for approval of various permits necessary to approve the proposed project. These provide a framework for making decisions and facilitating an orderly analysis of the review of a project. Listed below are the findings for the Development Agreement sought by the applicant that the City must make in rendering a decision whether to grant an exception on this project.

Development Agreement (CMC 19.144.110)

- A. Is consistent with the objectives, policies, general land uses and programs specified in the General plan and any applicable specific plan;

General Plan Strategy LU-9.1.3: Economic Development and Business Retention – Encourages the City attract new businesses and retain existing businesses that provide local shopping and services, add to municipal revenues, contribute to economic vitality, and enhance the City's physical environment. Approving the requested amendment supports and facilitates a potential revenue generating use for the City, with added community benefits that include restaurant and community shuttle services. Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on July 16, 2019 and August 20, 2019, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2017-05, Resolution No. 19-091).

- B. Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is or will be located;

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on July 16, 2019 and August 20, 2019, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2017-05, Resolution No. 19-091).

- C. Is in conformity with and will promote public convenience, general welfare and good land use practice;

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on July 16, 2019 and August 20, 2019, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2017-05, Resolution No. 19-091). Extending the expiration of the Development Agreement, or future revisions to the amount of parking and/or parking layout, to be treated as an

Administrative Project Amendment will not be at odds with promoting public convenience, general welfare and good land use practice.

D. Will not be detrimental to the health, safety and general welfare;

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on July 16, 2019 and August 20, 2019, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2017-05, Resolution No. 19-091). Further, on July 16, 2019, the City of Cupertino adopted the Initial Study and Mitigated Negative Declaration, State Clearinghouse (SCH) Number 2018112025, and approved the project. The Development Agreement extends the term of the entitlement up to eight years from the original entitlement, with no changes to the development scope.

E. Will not adversely affect the orderly development of property or the preservation of property values; and

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on July 16, 2019 and August 20, 2019, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2017-05, Resolution No. 19-091). The treatment of the amount of parking or revisions to the parking layout as an Administrative Amendment would not affect the orderly development of the property or the preservation of property values.

F. Will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on July 16, 2019 and August 20, 2019, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2017-05, Resolution No. 19-091). An extension in the number of years for which the project entitlement is valid for and a reduction in the voluntary community amenity payments would promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

Public Outreach and Noticing

The following table is a brief summary of the noticing done for this project:

Notice of Public Hearing and Intent, Site Notice & Legal Ad	Agenda
<ul style="list-style-type: none">▪ Site Signage (<i>10 days prior to the hearing</i>)▪ Legal ad placed in newspaper (<i>at least 10 days prior to the hearing</i>)▪ Public hearing notices were mailed to property owners within 300 feet (<i>10 days prior to the hearing</i>)	<ul style="list-style-type: none">▪ Posted on the City's official notice bulletin board (<i>one week prior to the hearing</i>)▪ Posted on the City of Cupertino's website (<i>one week prior to the hearing</i>)

Public Comments

Please refer to Attachment E for public comments.

Fiscal Impacts

The project will generate net positive fiscal impacts to the City's annual budget due to the collection of Transient Occupancy Taxes (TOT) and property tax increases. This is estimated to be \$1.2 million a year. As previously mentioned, to ensure collection of the TOT, a condition on the project is that reservations may not be made that exceed 29 consecutive nights of stay. Further, onetime payments in the form of impact and permit fees, as well as construction tax are estimated to be \$2.8 million, of which \$1.8 million would be allocated to the City's BMR fund.

However, if Certificate of Occupancy for the Project is issued within five years of the Effective Date of the First Amendment, the Developer will be relieved of its obligations to make further Community Amenity Funding payments, or approximately up to \$1.3 million.

Sustainability Impacts

The project will incorporate a green roof on the second floor and is designed to achieve LEED silver. Further, via the City's Zero Waste Policy will require that the project recover and divert at least 65 percent of the construction waste generated by the project. Further, complying with the bird safe and dark sky ordinance, Cupertino Municipal Code Chapter 19.102: Glass and Lighting Standards, will ensure that lighting will be energy efficient.

California Environmental Quality Act

On July 16, 2019, the City of Cupertino adopted the Initial Study and Mitigated Negative Declaration, State Clearinghouse (SCH) Number 2018112025, and approved the project. The Development Agreement extends the term of the entitlement up to eight years from the original entitlement, with no changes to the development scope. Therefore, the

amended Development Agreement is in conformance with the previously adopted Mitigated Negative Declaration.

Under CEQA guidelines Section 15162, no further environmental review is necessary since there are (1) no substantial changes to the project requiring major revisions to the MND because of new or substantially increased significant environmental effects of the project; (2) no substantial changes in circumstances requiring major revisions to the MND because of new or substantially increased significant environmental effects of the project; and (3) no new, previously unknown or unknowable, information of substantial importance showing: (a) new or substantially more severe significant efforts than were discussed or shown in the MND; (b) that previously infeasible mitigation measures/alternatives are now feasible and would substantially reduce significant efforts; or (c) that considerably different mitigation measures than analyzed in the MND would substantially reduce significant effects.

Prepared by: Gian Paolo Martire, Senior Planner

Reviewed by: Piu Ghosh, Planning Manager

Luke Connolly, Assistant Director of Community Development

Benjamin Fu, Director of Community Development

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Ordinance

B – Planning Commission Resolution No. 2024-03

C- Ordinance No. 19-2186

D- Justification Letter

E – Public Comments



COMMUNITY DEVELOPMENT DEPARTMENT

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CUPERTINO.ORG

CITY COUNCIL STAFF REPORT

Meeting: April 3, 2024

Subject

Amendment to a Development Agreement (DA-2018-01) for the De Anza Hotel Project from five to eight years and associated environmental review. (Application No(s): DA-2023-003; Applicant(s): De Anza Properties (John Vidovich); Location: 10931 N De Anza Blvd.; APN: 326-10-061)

Recommended Actions

That the City Council conduct the public hearing and conduct the first reading of Ordinance No. 24-____ (Attachment A):

1. Find the amendment to the existing development agreement consistent with the project's Mitigated Negative Declaration (State Clearinghouse No. 2019079010) and
2. Adopt the ordinance to amend the existing Development Agreement (DA-2023-003).

Reasons for Recommendation

Project Data:

General Plan Designation:	Commercial/Residential
Special Area:	Homestead Special Area (North De Anza Gateway)
Zoning Designation:	CG-rg –General Commercial with special development conditions per Ordinance No. 436
Project Consistency with	
General Plan:	Yes
Zoning:	Yes
Environmental Assessment:	Mitigated Negative Declaration (State Clearinghouse No. 2019079010)

Background:

The project site is located on the west side of N. De Anza Boulevard between Interstate 280 and Homestead Road, in the North De Anza Gateway within the Homestead Special Area. The General Plan identifies the Homestead Special Area as a major mixed-use corridor that continues to be a predominantly mixed-use area with a series of neighborhood commercial centers and multi-family housing. The land uses allowed along N. De Anza Boulevard, between Interstate 280 and the shared city boundary with Sunnyvale, include residential and commercial (which allow hotel uses with a Conditional Use Permit).



Figure 1 Location of Subject Property

The existing use of the site is a 8,323-square-foot auto repair center, Goodyear Tires. Access to the site is via two driveways from N. De Anza Boulevard, along the north and south property lines, both of which also provide access for the Homestead Shopping center and its loading/service areas, located to the west of the project site. Other surrounding uses include a strip shopping center to the north, a 96-unit, three-story condominium complex to the southwest, the four-story Cupertino Inn (126 rooms) to the south and the 140-unit, three-story, Aviare apartment development to the east, across N. De Anza Boulevard. Heights of the various buildings range from one story to four stories up to a maximum height of 45 feet.

Application Request

On March 3, 2020, the City Council approved a General Plan Amendment (GPA-2018-01, Resolution No. 20-006), a Development Permit (DP-2018-01, Resolution No. 20-007) an Architectural and Site Approval Permit (ASA-2018-02, Resolution No. 20-008), a Use Permit (U-2018-02, Resolution No. 20-009), Mitigated Negative Declaration (EA-2018-03, Resolution No. 20-005), and subsequently on April 21, 2020, conducted the second reading to adopt a Development Agreement (Attachment 2 - Ordinance No. 20-2195) to allow construction of the following:

- A new seven-story, 155-room hotel;
- New restaurant with separate bar on the ground floor;
- Rooftop lounge with separate bar;
- Conference Meeting Rooms; and

- Updated landscaping along the perimeter of the property, including updated frontage improvements to provide pedestrian accessibility.

The applicant, John Vidovich of De Anza Properties, applied to amend the approved Development Agreement (DA-2023-003) to extend the total term by three years, from five years to eight. If the amendment is not approved, the project approval entitlement would expire on April 21, 2025.

Planning Commission Recommendation

The Planning Commission convened at a regular scheduled hearing on March 12, 2024, to consider the proposed amendment to a Development Agreement. The Planning Commission recommended (4-0, Madhhipatla absent) that City Council adopt the proposed amendments to the Development Agreement as indicated in Exhibit A of Planning Commission Resolution No. 2024-03 (Attachment B), with the following modification:

- Development Agreement to require that the project comply with the bird safe and dark sky ordinance, Cupertino Municipal Code Chapter 19.102: *Glass and Lighting Standards*.

The Planning Commission's recommended modifications have been incorporated into the Draft Ordinance (Attachment A).

Discussion

Development Agreement

In May 2015, the City Council adopted a process by which the Council would authorize projects proposing General Plan Amendments, taking into consideration voluntary community amenities in four categories (School Resources, Public Open Space, Public Facilities, Transportation Facilities) offered with any proposal requesting the City to consider changing its General Plan. The Development Agreement approved with such projects include voluntary community amenities offered by the project applicant through this General Plan Amendment Authorization process. These voluntary community amenities were incorporated as terms of the Development Agreement, which also included terms that offered the conventional certainty regarding regulations, standards, and conditions that would apply to the project during the life of the Development Agreement. The DeAnza Hotel Development Agreement has a five-year term, ending on April 21, 2025.

Impact fees that are standard or required, such as housing and school fees, are not included in the consideration of voluntary community amenities. Voluntary community amenities are characterized as voluntary contributions more than required fees or requirements. The voluntary community amenities included in the DeAnza Hotel Development Agreement are outlined below. Key provisions from the 2020 Development Agreement include:

1. *Community Amenity Funding*: The Developer agreed to pay the City \$500,000 in installments, which is available for the City's use in any part of the City to benefit residents, businesses, and visitors, including on projects that will enhance and enrich the experience of City residents, retail and restaurant customers, and hotel guests closest to the project. Candidates to receive these funds include local transportation facilities, Transportation Management Association start-up costs, local public art, and landscaping beautification improvements in public parks, parkways, or roadway medians. **To date, the applicant has made \$250,000 in payments as obligated.**
2. *Shuttle Service*: The Developer agreed to provide access to a shuttle service to hotel guests, people traveling to or from the hotel that use the hotel's meeting rooms for functions, and, subject to availability, nearby residents, businesses, and the general public to travel between the hotel and airports and major employment centers.
3. *Meeting Rooms*: The Developer agreed to allow the City and Cupertino public schools the use of the hotel's meeting rooms for official business for up to 12 days per year, subject to availability.
4. *Rooftop Amenity*: The Project would include an enclosed publicly accessible rooftop amenity including, but not limited to, outdoor deck seating, bar, or restaurant, not to exceed the height of any rooftop mechanical equipment enclosure, for as long as the Project is in operation, all or in part, as a hotel.
5. *Minimum Hotel Standard*: The Developer committed to maintaining the project as an upscale boutique hotel, which means that the hotel will charge higher rates and provide amenities superior to most hotels.

The applicant is requesting to extend the total term from five years to eight. As described in the applicant's justification letter (Attachment 3), various factors have contributed to the delay in applying for Building Permits to construct the entitled hotel. Per the justification letter, the lingering effects of the COVID pandemic, which include prices of goods and materials tripling, as well as the business travel industry (which is generally a significant portion of the hotel guests in Cupertino) being slow to recover from employees not required to return in-person fulltime have affected the hospitality

industry. Other extenuating circumstances, such as the conflict in the Ukraine, have stalled necessary delivery and availability of aluminum and elevator systems.

Once operational, the project is expected to generate net positive fiscal impacts to the City's annual budget due to the collection of Transient Occupancy Taxes (TOT) and property tax increases is estimated to be \$1 million a year. As such, City staff has negotiated with the applicant the following amendments to the development agreement to ensure development of the project as approved by City Council:

- The term of the agreement extended to the (8th) anniversary of the Effective Date (April 21, 2028).
- In the event the Developer submits for a Building Permit for the core and shell of the hotel within three years of the Effective Date of the 1st Amendment, the Term of the agreement is automatically extended for two additional years, for a total of five years, i.e., until April 21, 2030.
- If Certificate of Occupancy for the Project is issued within five years of the Effective Date of the First Amendment (April 21, 2029) Developer shall be relieved of its obligations to make further Community Amenity Funding payments.
- Any proposed revisions to the amount of parking and/or parking layout, are treated as an Administrative Project Amendment and not subject to an amendment to this agreement.

Staff Analysis

The proposed amendments to the Development Agreement as listed above allow for the developer to submit for building permits at a time that is economically feasible. General Plan Strategy LU-9.1.3: *Economic Development and Business Retention* encourages the City to attract new businesses and retain existing businesses that add to municipal revenues, and contribute to economic vitality to the community. Adding incentives to the Development Agreement for the completion and occupancy of the hotel will add much needed TOT and sales tax revenue to the City's general fund.

Lastly, by streamlining a process for parking modifications by not requiring further amendments to the Development Agreement, the developer is able to save on costs, and timing to encourage the development of the Hotel.

The amendments to the Development Agreement do not revise the scope of the project. The developer will continue to be obligated to meet all other agreements for voluntary community amenities, as well as compliance with all approved aspects of applicable General Plan standards and other development regulations. **The developers of the project have further indicated that they have no objections to the Planning Commission's**

recommended modification requiring that the project comply with the bird safe and dark sky ordinance.

Cupertino Municipal Code Findings

The Cupertino Municipal Code includes findings for approval of various permits necessary to approve the proposed project. These provide a framework for making decisions and facilitating an orderly analysis of the review of a project. Listed below are the findings for the Development Agreement sought by the applicant that the City must make in rendering a decision whether to grant an exception on this project.

Development Agreement (CMC 19.144.110)

- A. Is consistent with the objectives, policies, general land uses and programs specified in the General plan and any applicable specific plan;

General Plan Strategy LU-9.1.3: Economic Development and Business Retention – Encourages the City attract new businesses and retain existing businesses that provide local shopping and services, add to municipal revenues, contribute to economic vitality, and enhance the City’s physical environment. Approving the requested amendment supports and facilitates a potential revenue generating use for the City, with added community benefits that include restaurant and community shuttle services. Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on March 3, 2020 and April 21, 2020, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2018-01, Resolution No. 20-006).

- B. Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is or will be located;

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on March 3, 2020 and April 21, 2020, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2018-01, Resolution No. 20-006).

- C. Is in conformity with and will promote public convenience, general welfare and good land use practice;

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on March 3, 2020 and April 21, 2020, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2018-01, Resolution No. 20-006). Extending the expiration of the Development Agreement, or future revisions to the amount of parking and/or parking layout, to be treated as an

Administrative Project Amendment will not be at odds with promoting public convenience, general welfare and good land use practice.

D. Will not be detrimental to the health, safety and general welfare;

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on March 3, 2020, and April 21, 2020, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2018-01, Resolution No. 20-006). Further, on March 3, 2020, the City of Cupertino adopted the Initial Study and Mitigated Negative Declaration, State Clearinghouse (SCH) Number 2019079010, and approved the project. The Development Agreement extends the term of the entitlement up to eight years from the original entitlement, with no changes to the development scope.

E. Will not adversely affect the orderly development of property or the preservation of property values; and

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on March 3, 2020, and April 21, 2020, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2018-01, Resolution No. 20-006). The treatment of the amount of parking or revisions to the parking layout as an Administrative Amendment would not affect the orderly development of the property or the preservation of property values.

F. Will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

Nothing in the Development Agreement Amendment revises the scope of the project as approved by the City Council on March 3, 2020, and April 21, 2020, in which the project was found to be in conformance with the General Plan and Zoning standards applicable to this site, as well as those standards that were amended as part of General Plan Amendment (GPA-2018-01, Resolution No. 20-006). An extension in the number of years for which the project entitlement is valid for and a reduction in the voluntary community amenity payments would promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

Public Outreach and Noticing

The following table is a brief summary of the noticing done for this project:

Notice of Public Hearing and Intent, Site Notice & Legal Ad	Agenda
<ul style="list-style-type: none">▪ Site Signage (<i>10 days prior to the hearing</i>)▪ Legal ad placed in newspaper (<i>at least 10 days prior to the hearing</i>)▪ Public hearing notices were mailed to property owners within 300 feet (<i>10 days prior to the hearing</i>)	<ul style="list-style-type: none">▪ Posted on the City's official notice bulletin board (<i>one week prior to the hearing</i>)▪ Posted on the City of Cupertino's website (<i>one week prior to the hearing</i>)

Public Comments

Please refer to Attachment E for public comments.

Fiscal Impacts

The project will generate net positive fiscal impacts to the City's annual budget due to the collection of Transient Occupancy Taxes (TOT) and property tax increases. This is estimated to be \$1 million a year. As previously mentioned, to ensure collection of the TOT, a condition on the project is that reservations may not be made that exceed 29 consecutive nights of stay. Further, onetime payments in the form of impact and permit fees, as well as construction tax are estimated to be \$2.9 million, of which \$2 million would be allocated to the City's BMR fund.

However, if Certificate of Occupancy for the Project is issued within five years of the Effective Date of the First Amendment, the Developer will be relieved of its obligations to make further Community Amenity Funding payments.

Sustainability Impacts

The project will incorporate a green roof on the second floor and is designed to achieve LEED silver. Further, via the City's Zero Waste Policy will require that the project recover and divert at least 65 percent of the construction waste generated by the project. **Further, complying with the bird safe and dark sky ordinance, Cupertino Municipal Code Chapter 19.102: Glass and Lighting Standards, will ensure that lighting will be energy efficient.**

California Environmental Quality Act

On March 3, 2020, the City of Cupertino adopted the Initial Study and Mitigated Negative Declaration, State Clearinghouse (SCH) Number 2019079010, and approved the project. Since this Development Agreement Amendment extends the term of the entitlement up to eight years from the original entitlement with no changes to the development scope,

the agreement is still in conformance with the Mitigated Negative Declaration and no further environmental review is necessary.

Under CEQA guidelines Section 15162, no further environmental review is necessary since there are (1) no substantial changes to the project requiring major revisions to the MND because of new or substantially increased significant environmental effects of the project; (2) no substantial changes in circumstances requiring major revisions to the MND because of new or substantially increased significant environmental effects of the project; and (3) no new, previously unknown or unknowable, information of substantial importance showing: (a) new or substantially more severe significant efforts than were discussed or shown in the MND; (b) that previously infeasible mitigation measures/alternatives are now feasible and would substantially reduce significant efforts; or (c) that considerably different mitigation measures than analyzed in the MND would substantially reduce significant effects.

Prepared by: Gian Paolo Martire, Senior Planner

Reviewed by: Piu Ghosh, Planning Manager

Luke Connolly, Assistant Director of Community Development

Benjamin Fu, Director of Community Development

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Ordinance

B – Planning Commission Resolution No. 2024-03

C- Ordinance No. 20-2195

D- Justification Letter

E – Public Comments

From: [Connie Cunningham](#)
To: [City Clerk](#); [City Council](#); [Pamela Wu](#)
Subject: 2024-4-3 CC Public Hearing: Agenda Item 8 De Anza Hotel Project
Date: Tuesday, April 2, 2024 5:49:41 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

2024-4-3 CC Public Hearing: Agenda Item 8 De Anza Hotel Project

Dear Mayor Mohan, Vice-Mayor Fruen, Councilmembers and City Manager,

I compliment Gian Martire, Senior Planner, for his excellent Staff Report. I am excited to see that the applicant, De Anza Properties, John Vidovich, has agreed to comply with Cupertino's Bird Safe Design and Dark Skies Ordinance! It was a thrill on March 12, 2024, to see the Planning Commission vote to make the recommendation that the project comply with the ordinance. Thank you, John Vidovich, for taking this step.

Birds cannot protect themselves as their habitat changes. Only people can protect them. Studies have shown millions of birds die each year from colliding with glass. Millions more are harmed because their night migration is disrupted by city lights. Cupertino is located on the Pacific Flyway. Birds like the Yellow-crowned Sparrow migrate 3000 miles to spend the winter here. This De Anza Hotel will be 7 stories tall with a rooftop lounge with separate bar. Complying with the Cupertino Ordinance will protect night-time migrating birds, and birds that will hit glass during the day.

I urge Council to approve the application as recommended.

I urge Council to ask this question about the Cupertino Bird-Safe and Dark Skies Ordinance for every project that comes before the Council.

I urge the City Manager to ask this question of every project in Cupertino.

This Golden-crowned Sparrow was in my yard. This particular bird flew 3000 miles from Alaska to live here! There are 40 other species of birds that live in or near my neighborhood. Western Bluebirds, Cedar Waxwings, Red-Shouldered Hawks, Red-Tailed Hawks.... It is a joy to me to see them fly and hear them sing.



Sincerely, Connie L Cunningham

Housing Commission Chair, self only

Audubon member

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: City Council 4/3/2024 Hotel Item 7 - please make sure that latest and greatest building codes + bird safe/dark skies are used for this project
Date: Wednesday, April 3, 2024 3:29:59 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council,
For City Council 4/3/2024 Hotel Item 7 - please make sure that latest and greatest building codes + bird safe/dark skies are used for this project
Thanks, Rhoda Fry



Virus-free. www.avg.com

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: City Council 4/3/2024 Hotel Item 8 - please make sure that latest and greatest building codes + bird safe/dark skies are used for this project
Date: Wednesday, April 3, 2024 3:30:33 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council,
For City Council 4/3/2024 Hotel Item 8 - please make sure that latest and greatest building codes + bird safe/dark skies are used for this project
Thanks, Rhoda Fry



Virus-free. www.avg.com

CC 04-03-2024

Item #9

Memorial Park Specific
Plan Design

Written
Communications

From: [A Wu](#)
To: [City Clerk](#)
Subject: News Article on Mercury News about Pickleball in Cupertino and the Memorial Park Revitalization Plan
Date: Tuesday, April 2, 2024 3:29:11 PM
Attachments: [2024-04-01 Mercury News.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Clerk,

Would you forward the following email to all Councilmembers. This is relevant to a group of the pickleball community speaking about Item 9 in the April 3 City Council meeting. Thank you!

- Albert Wu

Dear Councilmembers,

Mercury News has recently interviewed the Cupertino Memorial Park pickleball community, and an article was published a day ago. I believe Mercury News will follow up on the April 3 Council Meeting and continue reporting the story.

The link to the article is

<https://www.mercurynews.com/2024/04/01/cupertino-to-deliberate-adding-pickleball-courts-to-memorial-park-re-design/>

The text is as follows:

Cupertino to deliberate adding pickleball courts to Memorial Park re-design

By Stephanie Lam

PUBLISHED: April 1, 2024 at 3:51 p.m.

UPDATED: April 2, 2024 at 4:35 a.m.

The Cupertino City Council will deliberate Wednesday whether to approve a re-design of Memorial Park that includes eight long-desired pickleball courts, part of an ongoing plan to improve the area's amenities. Located along Stevens Creek Boulevard just east of Highway 85, two of the six tennis courts at Memorial Park are reserved for pickleball under the city's trial program. Although the courts are small, locals say the sport is so popular that more than 80 players can be seen playing and queuing at a time. They are urging the council to approve the design, which includes a designated pickleball court area located in the southeast corner of the park. "Pickleball is that sport which binds a community," local player Catherine Chiu said in a statement, "and is one that this City Council would want to nurture." Currently, only one court is striped for pickleball, and players need to bring their own striping and nets for the other. Determined to make the court and equipment accessible for all, a group of players even

launched a GoFundMe in December 2023 to raise money for painter's tape, four nets and other items for public use.

"If there's one word to summarize the pickleball experience at (Memorial Park), it is joy," Chiu said. "We feel joy of the sport on the courts, and joy among new-found friends off the courts."

The re-design of Memorial Park is part of a wider city plan to improve the infrastructure and accessibility within the park. The total project cost to revitalize the park is estimated to be approximately \$83 million. Online surveys, community webinars and interviews were conducted in 2022 and 2023 to determine what the new design should include. Popular amenities include multi-use pathways, bike-friendly access points, expanded picnic areas, nature and inclusive playgrounds and dedicated pickleball courts.

"We did a good deal of public outreach over the last couple of years," said Susan Michael, Capital Improvement Programs Manager in Cupertino. "We had over 3,000 people respond and give us their opinions about what they wanted. The pickleball community definitely spoke up, and the pickleball courts are already quite well used. That's why we put it in the design." Requests to add designated pickleball courts in city spaces have been widespread in California, especially in the Bay Area. With more than 700 places to play, California has more pickleball courts than any other state. California will need to build 3,748 courts at a projected cost of \$131.2 million to keep up with demand over the next five to seven years, according to a 2023 Sports & Fitness Industry Association report.

In the Bay Area, new courts have been established in dozens of cities, including nearby Los Gatos and Sunnyvale. Milpitas is considering making its temporary courts permanent, a move that has been met with enthusiasm from players and resistance by some locals.

Memorial isn't the only city park getting an upgrade. Nearby Jollyman Park will be the site of Cupertino's first all-inclusive playground, which is slated to start construction this summer. The play area will address the needs of all ages and abilities, including those with Autism Spectrum Disorder, sensory challenges, visual and auditory impairments, cognitive, developmental and physical disabilities, as well as medically fragile people.

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I am attaching a PDF file of the article to this e-mail. I am one of the organizers of the Cupertino Pickleball Club, which has over 470 members as of today. We do hope very much that the City Council will approve the revitalization plan that includes eight dedicated pickleball courts. Refinement of the design can be done with inputs from the community. We thank you all.

Sincerely,
Albert Wu
albertwu38@gmail.com

<https://www.mercurynews.com/2024/04/01/cupertino-to-deliberate-adding-pickleball-courts-to-memorial-park-re-design/>

Cupertino to deliberate adding pickleball courts to Memorial Park re-design
By Stephanie Lam

PUBLISHED: April 1, 2024 at 3:51 p.m. | **UPDATED:** April 2, 2024 at 4:35 a.m.

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"Pickleball is that sport which binds a community," local player Catherine Chiu said in a statement, "and is one that this City Council would want to nurture."

Currently, only one court is striped for pickleball, and players need to bring their own striping and nets for the other. Determined to make the court and equipment accessible for all, a group of players even launched a GoFundMe in December 2023 to raise money for painter's tape, four nets and other items for public use.

"If there's one word to summarize the pickleball experience at (Memorial Park), it is joy," Chiu said. "We feel joy of the sport on the courts, and joy among new-found friends off the courts."

The re-design of Memorial Park is part of a wider city plan to improve the infrastructure and accessibility within the park. The total project cost to revitalize the park is estimated to be approximately \$83 million. Online surveys, community webinars and interviews were conducted in 2022 and 2023 to determine what the new design should include. Popular amenities include multi-use pathways, bike-friendly access points, expanded picnic areas, nature and inclusive playgrounds and dedicated pickleball courts.

"We did a good deal of public outreach over the last couple of years," said Susan Michael, Capital Improvement Programs Manager in Cupertino. "We had over 3,000 people respond and give us their opinions about what they wanted. The pickleball community definitely spoke up, and the pickleball courts are already quite well used. That's why we put it in the design." Requests to add designated pickleball courts in city spaces have been widespread in California, especially in the Bay Area. With more than 700 places to play, California has more pickleball courts than any other state. California will need to build 3,748 courts at a projected cost of \$131.2 million to keep up with demand over the next five to seven years, according to a 2023 Sports & Fitness Industry Association report.

In the Bay Area, new courts have been established in dozens of cities, including nearby Los Gatos and Sunnyvale. Milpitas is considering making its temporary courts permanent, a move that has been met with enthusiasm from players and resistance by some locals.

Memorial isn't the only city park getting an upgrade. Nearby Jollyman Park will be the site of Cupertino's first all-inclusive playground, which is slated to start construction this summer. The play area will address the needs of all ages and abilities, including those with Autism Spectrum Disorder, sensory challenges, visual and auditory impairments, cognitive, developmental and physical disabilities, as well as medically fragile people.

From: [SUZANNE ABECKET](#)
To: [City Clerk](#)
Subject: Please post to the City's website re Apr 3 Council Meeting
Date: Tuesday, April 2, 2024 2:25:21 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Cupertino City Council Members,

As a concerned homeowner of The Commons of Cupertino, I am writing to express my strong opposition to the proposal to install 8 pickleball courts and additional parking along Anton Way in Memorial Park. This project would have severe negative consequences for our residential community, the Park itself, and the City's commitment to environmental stewardship.

Key concerns:

1. Significant noise pollution: Pickleball generates high-decibel noise, with paddles registering between 1,100-1,200 hertz and reaching a near-harmful range of 85+ decibels when striking the ball. This noise level is comparable to an alarm clock or vacuum cleaner, and prolonged exposure can lead to hearing damage and other health issues. The increased noise from players, car doors, and traffic would significantly disrupt our neighborhood's peace and quiet.
2. Close proximity to homes: The proposed courts and parking are located in close proximity to our homes, amplifying the noise and traffic issues. Court lighting would also be intrusive. This infringement on our right to peaceful enjoyment of our property is unacceptable and could lead to decreased property values and a lower quality of life.
3. Lack of community outreach: The city failed to engage our community in discussing the potential problems or exploring alternative options. This lack of transparency and communication demonstrates a disregard for the concerns and well-being of local residents.
4. Inconsistency with resident preferences: Past surveys (2016 and 2017) have consistently shown that Cupertino residents prioritize access to natural open spaces and park trails. The 2020 Parks and Recreation System Master Plan also emphasizes preserving natural habitats and creating environments that foster social cohesiveness. Installing pickleball courts contradicts these preferences and goals, signaling a lack of commitment to the wishes of Cupertino residents.
5. Environmental impact: Converting green spaces into concrete courts would be detrimental to the environment, contributing to urban heat island effects, reduced biodiversity, and increased stormwater runoff. This contradicts the city's stated goal of achieving a balance

between built and natural environments in the park and its overall commitment to environmental sustainability.

6. Fairness and equity: It is unjust to prioritize the interests of a small group of people (pickleball players, compared to the total Cupertino population), over the wishes of the majority of Cupertino residents who value the park's serene setting and natural beauty. The city should strive to make decisions that benefit the entire community, not just a select few.

Furthermore, numerous cities across the United States have faced similar issues with pickleball noise disrupting residential communities. In some cases, homeowners have resorted to legal action to protect their rights and quality of life. By moving forward with this proposal, the City of Cupertino risks exposing itself to potential lawsuits and damaging its reputation as a community that values its residents' well-being.

I urge you to reconsider this proposal and explore alternative locations for pickleball courts that would not have such a profound negative impact on our community and Memorial Park. Please prioritize the preferences, health, and well-being of Cupertino residents by preserving the park's natural environment and tranquility.

Thank you for your attention to this critical matter.
Suzanne a'Becket, Cupertino, CA 95014

From: ab.zannie@gmail.com <ab.zannie@gmail.com>

Sent: Monday, April 1, 2024 2:14 PM

To: Sheila Mohan <smohan@cupertino.gov>; Hung Wei <hwei@cupertino.org>; J.R. Fruen <jrfruen@cupertino.gov>; Kitty Moore <kmoore@cupertino.gov>; Liang Chao <lchao@cupertino.gov>; Chad Mosley <chadm@cupertino.org>; Rachelle Sander <rachelles@cupertino.org>

Subject: FYI RE APRIL 3 AND PICKLEBALL PROBLEMS

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Pickleball noise is fueling neighborhood drama from coast ...

Los Angeles Times

<https://www.latimes.com> › california › story › picklebal...

Mar 3, 2022 — Researchers have shown that the **sound** of a solid **pickleball** paddle hitting one of the sport's hard plastic wiffleball-like balls can be more ...

Homeowners are increasingly taking legal action over ...

KPBS

<https://www.kpbs.org> › quality-of-life › 2023/09/05 › h...

Sep 5, 2023 — **Pickleball noise** is pitting homeowners **against** players, and some disputes are winding up in **court**.

The real pickleball wars are off the court

New York Post

<https://nypost.com> › pickleball-creates-headaches-lawsuits

Oct 20, 2023 — Various communities across the US are grappling with **noise complaints**, sparking disputes and even **lawsuits**. Some residents are fed up with the ...

EXCLUSIVE: More residents are threatening legal action because of pickleball noise | ARLnow.com : r/law - Reddi



Reddit - Dive into anything

From: Nori N <noriko.y@sbcglobal.net>

Sent: Wednesday, March 27, 2024 3:02 PM

To: Sheila Mohan <smohan@cupertino.gov>; J.R. Fruen <jrfruen@cupertino.gov>; Liang Chao <lchao@cupertino.gov>; Kitty Moore <kmoore@cupertino.gov>; Hung Wei <hwei@cupertino.org>; Chad Mosley <ChadM@cupertino.org>; Susan Michael <susanm@cupertino.org>; Rachelle Sander <RachelleS@cupertino.org>

Subject: URGNT: Please stay Pickleball courts where they are now. Not to move to Anton

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mayor Mohan, Vice Mayor Fruen, Councilmember Chao, Councilmember Moore, Councilmember Wei, Public Works Director Mosley, CIA Manager Michael, and Park and Recreation Director Sander,

We, residents in the Commons next to the Memorial Park are devastated and very concerned the news of placing 8 pickleball courts next to our complex on Anton Way. Anton Way is narrow road. The high pitch loud noise impact many people, not only pickleball noise, but also loud shouting players' sound. Hearing the noise all day may cause hearing and health problem.

The current tennis court is the ideal location away from the playground, Amphitheater, Passive Garden Walk or Veterans Memorial.

I talked to pickleball members. They are happy where they are now. They can sit at bleachers area and watch other games and chat as the social gathering. They want City to allow 2 tennis courts to be designated Pickleball courts. I walk Memorial park everyday.

Tennis courts are often not fully used. 1 or 2 courts are often empty. In fact, all tennis courts were empty this afternoon. Only pickleball players were playing. So, it is the best location for pickleball players continue to use 2 tennis courts. They are happy where they are now. In addition, City can save \$1,200,000.

Pease leave the pickleball courts where they are now and allow those 2 courts to be designated for Pickleball. City also save \$1,200,000.

Please kindly consider us, residents in the Commons complex.

Regards,
Nori

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: city council meeting 4/3/2024 Memorial Park #9
Date: Wednesday, April 3, 2024 3:57:53 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Regarding city council meeting 4/3/2024 Memorial Park #9

How much money did we spend on this proposal?

The proposed cost is outrageous. \$87M???

And we haven't even started work on Jollyman Park yet, which was supposed to have started last fall – what happened? (and in hindsight would we have been better off money-wise with rainbow bridge?)

Memorial Park is functional now.

Please wait until we know what the status is of the CDTFA audit - - - do we or do we not owe the State \$80M?

And we've seen charts of a structural deficit going 10 years out – what happens at year 11 and beyond?

The community is being asked to give up all sorts of things because the City is unable to increase its sales-tax-base – we don't need another vanity project.

And we need to fix our infrastructure that is broken rather than start more new projects.

I thought we had seismic issues at City Hall that have been in need of repair since 2005. Is that not true anymore?

Let's get our priorities straight.

For now, please do nothing with this project.

Thanks,

Rhoda Fry



Virus-free. www.avg.com

From: [Barry Whall](#)
To: [City Clerk](#)
Subject: Input for the 4/3/24 City Council Meeting
Date: Wednesday, April 3, 2024 3:43:37 PM

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Cupertino City Council,

Was hoping to attend the meeting tonight, but we will likely still be awaiting discharge by the time of the meeting so not able to attend. Do want offer a note regarding item #9, the Memorial Park Specific Plan, on the agenda tonight. Specifically, the plans for pickleball courts near the residential homes next to the park. We are one of the residents on Congress place.

I am torn on the pickleball question. I have played a few times with friends and enjoyed it and plan to play more now that I am retired. I have even walked to the courts in memorial park rackets in hand and left because the line was so long. Our house backs up to Memorial Park (10115 Congress Place) on the far side from the tennis courts, facing the Gazebo. At night we can hear the pickleball noise from the current courts, but it is pretty faint so not an issue. But as we walk around and get closer to the courts it is pretty loud. I have not walked off the distance from our house to the proposed courts, but the folks close to the proposed site will get the noise for sure.

We back-up to the park and some of the events get a bit loud, but that is only for a few hours on about a dozen weekends and a dozen Thursday nights a year. So having the park with events and some noise is a fine trade-off. The issue with pickleball for the folks who live near the courts is that they get noise, both from the ball and the players. Assuming folks play from 8am to 10pm anytime the weather is good that is 14 hours a day 7 days a week any time it is not raining. Quick math indicates that is around 30,000 hours a year of noise. I think that is too much to ask of homeowners for a community benefit.

My suggestion would be for the city to reach agreement on an acceptable distance between the public courts and housing to manage court placement. I googled the question as preparation for our talk and saw estimates of 1000 feet. I would err on the side of a longer distance, even well beyond 1000-feet, given that we are asking folks to tolerate it as a constant noise irritant and not an occasional issue. Can we use the current set-up in the park as a testing area for placing a few markers at 500 feet, 1000 feet, 1500 feet, and 2000 feet for people to experience the exact distances. Also, not sure if other cities have found non-ugly fencing or plantings to help mitigate the noise. Might help.

Not sure if placing courts parallel to Steven Creek near the sidewalk is an option vs along Anton Way, that would open some distance to the houses. Not great for the Senior Center, but that is not a residential building so less of a burden. Seems like the city has a decent amount of room between Anton Way and the patch of trees near the Senior Center.

Given that once the courts are built, we will not likely change course, would suggest waiting to close out the plan until any open questions are addressed. Assume whatever plan we develop for Memorial Park can apply to other requests in Cupertino.

So net/net I am in favor of adding courts with a long distance and good sound proofing to residential housing, erring on the side of having a good deal of extra distance given they will get used 14 hours a day (or 10 to 12 hours w/o lights).

Also saw as a part of the proposal to allow parking on Anton Way. Currently that street is too narrow for traffic when vehicles are parked. Hopefully not planning to pave more of the park for parking with De Anza collage parking right across the street and Mary Avenue typically not full.

-Barry Whall and Carol Ozaki

From: [Skyler Berry](#)
To: [City Clerk](#)
Subject: Opposition to Proposed Pickleball Courts in Memorial Park
Date: Wednesday, April 3, 2024 2:38:25 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Cupertino City Council/City Clerk,

I am writing to you as the grandson of a concerned resident who lives across the street from Memorial Park. My grandmother has recently brought to my attention the proposed plan to install pickleball courts and parking along Anton Way in the park. As someone who hopes to one day inherit my grandmother's home and continue to be a part of this wonderful community, I must express my strong opposition to this proposal.

The installation of pickleball courts in such close proximity to residential homes would create a significant amount of noise pollution, with studies showing that the high-decibel, persistent noise generated by pickleball can reach up to 85 decibels, which is comparable to the noise levels of leaf blowers or power tools. This level of noise would not only be a nuisance to nearby residents but could also pose serious health risks, particularly to older individuals like my grandmother. Moreover, the increased traffic and congestion brought about by the pickleball courts would further diminish the quality of life for those living in the area.

As a young person who values the importance of green spaces and natural environments, I am deeply concerned about the potential removal of greenery and its replacement with concrete courts. The City of Cupertino has invested significant resources in recent years to enhance the natural beauty of Memorial Park, creating a space where people can relax, study, and enjoy the outdoors. It would be a shame to see this progress undone, especially when the city's own surveys have shown that the majority of residents want the park to remain a place of nature, with a focus on trails and natural open spaces.

Furthermore, I believe that the city should prioritize the utilization of existing resources, such as the pickleball courts already present within Memorial Park and the underutilized tennis courts that could be repurposed for pickleball, before considering the construction of new courts. The Cupertino Sports Center also offers both tennis and pickleball facilities, which could be better promoted to meet the demand for these sports without infringing upon the peace and well-being of nearby residents.

As a future homeowner and taxpayer in Cupertino, I urge the City Council to reject this proposal and instead focus on maintaining and enhancing the natural beauty of Memorial Park. By preserving this green space and prioritizing the wishes of the community, you will be ensuring that Cupertino remains a desirable place to live for generations to come.

Thank you for your consideration of this important matter.

Sincerely,
Skyler Berry
Concerned Future Resident of Cupertino

From: [Rajvi Shah](#)
To: [City Clerk](#); [Hung Wei](#); [Sheila Mohan](#); [J.R. Fruen](#); [Liang Chao](#); [Kitty Moore](#); [Rachelle Sander](#)
Subject: Memorial Park Redevelopment Plan and Pickle Ball Court Placements
Date: Wednesday, April 3, 2024 1:43:12 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello all,

I am a resident of Commons of Cupertino and writing to put on record my serious concerns about the several elements of the Memorial Park Specific Plan Design and the lack of community outreach to the residents that are directly impacted as a result of this plan.

As part of the final plan, there is a proposal to relocate 8 Pickleball courts and new parking stalls parallel to the Anton Drive. Here are some of our concerns -

- (1) An extremely high noise level from Pickle Ball courts that may directly impact the residents of Commons of Cupertino for almost 14 hours a day, 7 days a week.
- (2) Traffic congestion at Anton Dr - This is an already narrow street without any side walks. Installing more parking stalls and creating more traffic flow where the street barely allows for a two way traffic creates significant risks of traffic accidents.
- (3) We understand the popularity of Pickleball and need for the courts - there can be a better location for the court within the park. Court alignment parallel to the Stevens Creek Blvd - and away from any residences would be a better design.

There has been no outreach from the city with respect to the relocation of the Pickleball court to the residents who will be directly impacted by these courts. **Please reconsider the MPSP design as proposed.** This will negatively impact daily quality of life of residents of our neighborhood.

Regards,

Rajvi Shah
Resident - 10125 Congress Pl, Cupertino CA

From: [Avinash Padmanabhan](#)
To: [City Council](#); [Pamela Wu](#); [Matt Morley](#)
Subject: NO on Memorial Park updates
Date: Wednesday, April 3, 2024 6:30:49 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I am writing in to voice my opposition to the use of city funds to the tune of \$84 million for Memorial Park upgrades.

The city is already running a deficit and it would not be prudent to spend this much amount for the park. And to top it off, there are plans to reduce the tree cover which is ill advised

Best,
Avinash Padmanabhan

From: [Amit Barave](#)
To: [City Council](#); [Pamela Wu](#); [Matt Morley](#); [City Clerk](#)
Subject: Concerns around Memorial Park renovation spend
Date: Tuesday, April 2, 2024 6:04:09 PM

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Respected Office bearers,

I am writing as a grateful Cupertino resident who loves the city and respects the effort and consideration city council members and staff put in.

I got to know about Memorial Park renovation agenda item from a post on Nextdoor and immediately got concerned and thought of sharing those with you all.

While a face-lift to memorial park will be amazing, the spend projected in the document totals up to \$84M. Should we be signing up to spend such an amount while the city may be staring at a debt? Not too long ago, there was a proposal to re-purpose CSC (sports center) since the city might be short of funds; there are active concerns within the residents on school closures or lack of funds for schools.

We should be able to provide a face lift to the memorial park with a much smaller spend based on what has been done to some of the other parks. If we are going to spend such an amount can we first put in place some guardrails so we won't go back to putting CSC in jeopardy or cut school funding or support moves that result in public school closures while private schools pop up?

Thank you for your kind consideration.

Best regards,
Amit Barave

From: Caryl Gorska
To: Sheila Mohan; Hung Wei; Kitty Moore; Liang Chao; J.R. Fruen
Cc: City Clerk; City Attorney's Office
Subject: No pickleball courts in Memorial Park!
Date: Wednesday, April 3, 2024 1:27:29 PM

Dear Mayor Mohan and esteemed City Council members,

I live in the Commons of Cupertino, a community of 60 homes bordered on two sides by Memorial Park. I understand you are planning to put eight pickleball courts directly across the street from us. Please don't do it. Pickleball courts have no business being near people's homes.

If you google "pickleball noise" you get a deluge of articles, like this one from the NY Times:

Shattered Nerves, Sleepless Nights: Pickleball Noise Is Driving Everyone Nuts

The incessant pop-pop-pop of the fast-growing sport has brought on a nationwide scourge of unneighborly clashes, petitions, calls to the police and lawsuits, with no solution in sight.

1. Pickleball is LOUD. In fact, within a 100-foot radius the **volume** is 70 db, against Cupertino law: https://codelibrary.amlegal.com/codes/cupertino/latest/cupertino_ca/0-0-0-85999)

Land Use at Point of Origin	Maximum Noise Level at Complaint Site of Receiving Property	
	Nighttime	Daytime
Residential	50 dBA	60 dBA
Nonresidential	55 dBA	65 dBA

*Frequent pickleball sounds are typically about 70 dBA at about 100 feet away from the strike of the ball. Residents in homes located in a quiet residential area, that are within 100 feet from pickleball courts are used to noise levels of 40 dBA, therefore the level of pickleball noise is 30 decibels louder. And, remember, each time you increase a sound level by 10 decibels, it will sound twice as loud. So, an increase of 30 decibels is (10dB+10dB+10dB) or 2x as loud x 2x as loud x 2x as loud, or 8 times as loud. That's a significant increase in loudness. <https://crazypickleballlady.com/2021/07/13/the-sound-of-pickleball-a-detailed-explanation-and-what-you-need-to-consider-before-building-courts/>

2. But it's not just the volume. It's the pitch.

Professor Kausik Sarkar at George Washington University, who studies complex sonic problems, says, "Most of the noise made by hitting a tennis ball is in the low frequencies, below the zone to which we are most sensitive. A pickleball strike has a higher pitch, meaning our ears catch more of the noise it makes. It's that higher frequency that makes the clamor of pickleball clearer from farther away compared to tennis." <https://www.wusa9.com/article/news/verify/pickleball-neighborhood-noise-science-behind-the-sound/65-ba57280d-a46f-4de3-b51d-f6e630192f7c>

"We're not equally sensitive to all frequencies, so we have a very nonlinear frequency response," said American University audio technology professor Braxton Boren. Put simply, our ears are really good at picking up mid-frequency noises, even when they're relatively quiet. "A certain amount of sound pressure at those frequencies will actually sound louder than the same amount of sound pressure at a very low frequency or at a very high frequency," Boren said. <https://www.wusa9.com/article/news/verify/pickleball-neighborhood-noise-science-behind-the-sound/65-ba57280d-a46f-4de3-b51d-f6e630192f7c>

3. And the irregularity of the sound. Like dripping water.

Some sounds are scientifically more annoying, like dripping water compared to flowing water. It's the irregularity of the sound. (same source as #2).

4. And it will be like this All Day. Long (and as late as 10 pm?) for our residents

I don't see how you won't be sued about this because we have children, families, people who work from home, and quiet retirees living at The Commons who won't have any peace to live. Pickleball courts tend to be in constant use.

perpetual pickleball pops
constant repetitive (but irregular) noise
the clatter is clearer from far away

5. And we can afford this, but not Shakespeare in the Park?

And a complete overhaul of Memorial Park nobody asked for that will cost tens of \$millions when we just are now getting to enjoy our grass? Your priorities and financial prudence are what seem in need of an overhaul.

Caryl Gorska
10103 Senate Way

From: Carol So <carolso.lsv@gmail.com>
Sent: Wednesday, April 3, 2024 3:18 PM
To: Carol So <carolso.lsv@gmail.com>
Subject: Fwd: Save Memorial Park

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Dear All,

I'm sure you have already received many emails from our neighbors about not installing new pickleball courts. I have recorded some footage for you to experience our concerns. Please help to save our memorial park by not building any pickleball courts in it.

<https://youtu.be/5IUGQNPXrP0>

--

Blessings,
Carol So
Freedom Drive, Cupertino

From: Michael Hsu <michael.ta.hsu@gmail.com>

Sent: Wednesday, April 3, 2024 3:22 PM

To: Susan Michael <susanm@cupertino.org>

Subject: Program Manager Susan Michael | Cupertino City Council Meeting April 3, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Susan,

I have a lot of respect and appreciation for you and your team - it's not easy making decisions knowing not everyone can be happy.

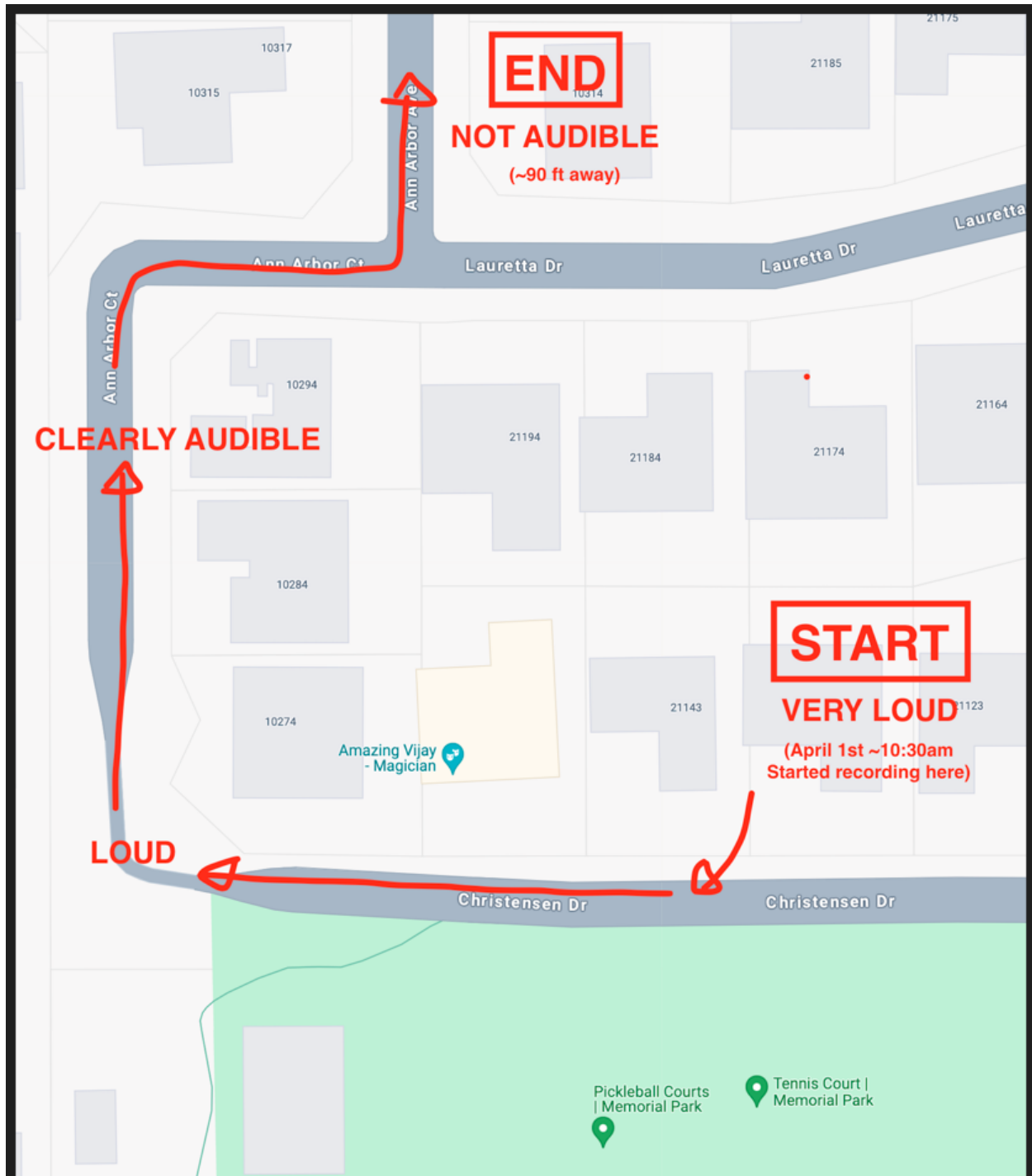
Yesterday, out of curiosity, I put myself in the shoes of someone who lives next to these pickleball courts. I stood outside at 10:30am - **Very Loud**. Walked 30 ft away - **Loud**. Walked 60 ft away - **Clearly Audible**. Walked 90 ft away - **Finally Silence**. ([video of start of walk](#), [video of full walk](#), [map of walk attached](#)).

I respectfully request that we all stay curious. Imagine ourselves in their shoes. Better yet, go, and experience it. Sit there, and listen. Imagine being at home, forced to listen to that sound every day from morning till 10pm.

How would you feel, and how would you vote?

Thank you,

Michael Hsu
21125 Freedom Dr.
Cupertino, CA 95014
408.896.3393



From: [Kitty Moore](#)
To: [City Clerk](#); [Pamela Wu](#)
Subject: April 3, 2024 Agenda Item 9 Written Communications and Questions
Date: Wednesday, April 3, 2024 4:11:46 PM

Dear City Clerk and City Manager,

Good afternoon, the following is for agenda item 9:

The Memorial Park Specific Plan Phase 1 Environmental Site Assessment by *Cornerstone Earth Group* in Appendix E indicates there was a business with a name which sounded like an historic cleaners at 21269 Stevens Creek Blvd. which first shows up as "Oaks Hygena Dry Clg." in 1985, then "Astoria Cleaners" in 1992, 1995, and 2000. This would be the location of the current Westport project. The Westport DEIR did not appear to reference this business or show the businesses at each address which the *Cornerstone Earth Group* assessment did include (se PDF 743/1277 through PDF 756/1277). This could of course have been a laundromat or some other business.

Questions:

1. Was there an historic dry cleaners at 21269 Stevens Creek Blvd.?
2. I noticed some soil borings from about 9-10 years ago were included in the "Limited Site Characterization" of the Oaks site:
<https://www.cupertino.org/home/showpublisheddocument/25500/637085631433500000>
3. Was soil vapor testing conducted near this location, or deemed unnecessary?
4. What is the potential impact, if any, to Memorial Park?

Thank you,

Kitty Moore



From: [Tessa Parish](#)
To: [City Clerk](#); [City Council](#)
Subject: Pickle ball courts
Date: Wednesday, April 3, 2024 5:16:04 PM

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I think the location of the Pickle ball courts should be surveyed along with the other options for the park. The location chosen is unsightly and I believe allows for too much smog on the players. Please consider getting resident input and/or studied better.

Tessa Parish