

CC 10-18-2022

Oral
Communications

Written
Communications

From: [Peggy Griffin](#)
To: [City Council](#); [City of Cupertino Planning Commission](#); [City of Cupertino Bike and Ped Commission](#)
Cc: [City Clerk](#)
Subject: Fwd: Lawson Car Counts by Neighbors
Date: Tuesday, October 18, 2022 9:12:17 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[2022-10-17 Lawson Car Counts by Neighbors.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, Planning Commission and Bike Ped Commission,

Please look at the attached PDF. It is random car counts from February-October 2022 done by any neighbor who had the time to text me the counts as they drove/walked down Vista Drive.

The Walk-Bike Cupertino group is saying that the Lawson Bike Path that was proposed early this year would remove less than 10 spaces (<10 spaces) on the school side of Vista Drive, in front of Lawson MS. Yet I have data to prove otherwise. As much as 45 cars have squeezed into the school side of Vista Drive. Regularly, it's in the high teens/low 20's when school or sports are active.

Their statement is not only false, it's misleading to the public and appalling! I have passed this onto David Stillman (see email below).

Sincerely,
Peggy Griffin

Begin forwarded message:

From: David Stillman <DavidS@cupertino.org>
Date: October 17, 2022 at 7:47:51 PM EDT
To: Peggy Griffin <Griffin@compuserve.com>
Cc: Brooke Ezzat, Christine Jacobs
Subject: RE: Lawson Car Counts by Neighbors

Thanks Peggy, I'll pass this along to the consultant.

It looks like our first community meeting will be November 10. We just set the date and haven't advertised this yet (you're the first to know!) but feel free to pass the word along. You'll see more formal noticing soon. The meeting will most likely be at 3:30, in person at Lawson.

Thanks!
David



David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
[\(408\) 777-3249](tel:(408)777-3249)



From: Peggy Griffin <griffin@compuserve.com>
Sent: Monday, October 17, 2022 4:31 PM
To: David Stillman <DavidS@cupertino.org>
Cc: Brooke Ezzat, Christine Jacobs
Subject: Lawson Car Counts by Neighbors

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Hi David,

Sorry this took me so long to send. Attached is a PDF of the Lawson car count data I've been collecting from neighbors since February 2022. Anytime a neighbor drives or walks by Lawson they count the cars and text me the info. If they cannot do both sides, the priority is to count the school-side.

REQUEST: Please pass this info onto the consultants doing the Lawson analysis so they have this information.

As you can see, there are far more than "just 10 spaces" if the school side Vista Drive parking were removed. I hope this helps provide additional information.

I've copied 2 neighbors: Brooke Ezzat and Christine Jacobs on this email. All 3 of us are interested in attending any meetings that are being held. Thank you for your help!

Sincerely,
Peggy Griffin

P.S. If requested, I can provide the Excel spreadsheet with this data.



CUPERTINO
CHAMBER OF COMMERCE

20455 Silverado Avenue
Cupertino, CA 95014
Tel (408) 252-7054
www.cupertino-chamber.org

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Executive Director

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Cupertino Union School District

October 18, 2022

Honorable Mayor Paul and Councilmembers
10300 Torre Avenue
Cupertino, CA 95014

Subject: Municipal Regulation Enforcement

Hon. Mayor Paul and Councilmembers;

The Cupertino Chamber of Commerce has hosted the Diwali festival for 19 years, most recently on Saturday, October 8th.

That morning, I got a call about Steven Scharf. Mr. Scharf was upset that he did not have a booth at Diwali. Although there are no records of Mr. Scharf ordering a booth it is understandable that he was disappointed, since candidates are always at festivals.

About an hour later, Councilmember Kitty Moore approached me at the festival and told me that an urgent matter needed attention. She told me and three sheriff's deputies present that political candidates are not allowed to have booths nor to bring signs, brochures, or any other campaign material, and insisted they all be removed.

This entire exchange was witnessed by a DiyaTV reporter, and the three deputies with their body cams. I am sorry the body cam footage is not available for this meeting.

Because of Councilmember Moore's insistence, a parks and recreation staff member was put on the spot and told the deputies that the city did not allow campaign signs on city property. Based on this information the deputies informed me that they would issue tickets to the city council candidates unless all political signs were removed. The city council and school board candidates decided to pack up and leave.

Researching the rules and regulations for the conduct of festivals in Cupertino, one finds there is nothing related to a prohibition on political campaigning at festivals.

Fwd: Finances of the City

Public Comment/Now

From: Anne Ezzat <aezzat95014@gmail.com>
To: Fryhouse <fryhouse@earthlink.net>
Subject: Fwd: Finances of the City
Date: Oct 18, 2022 5:59 PM

PLEASE agency

READ INTO RECORD

----- Forwarded message -----

From: Anne Ezzat <aezzat95014@gmail.com>

Date: Tue, Oct 18, 2022 at 5:40 PM

Subject: Finances of the City

To: <dpaul@cupertino.org>, Liang Chao <liangchao@cupertino.org>, Jon Robert Willey <jwilley@cupertino.org>, Kitty Moore <kmoore@cupertino.org>, City Clerk <cityclerk@cupertino.org>, Kirsten Squarcia <KirstenS@cupertino.org>

Dear Mayor Paul, Vice Mayor Chao, Council Member Wiley, and Council Member Moore,

I hope the council will continue to look into the finances of the city and get Cupertino on track and bring it into the digital age, regardless of the outcome of the election. It is hard to believe that the city had evergreen contracts that went unexamined and "verbal contracts" without deliverables until the current council did some investigating. Verbal contracts and evergreen contracts are bad on so many levels--things change, and contracts need to be examined and adjusted depending on circumstances and economics. I would argue that this way of doing business is patently absurd.

Some argue that the city no longer has a good relationship with non-profits, including a former mayor. Well, I would probably want to maintain a "good relationship" with the city if I was getting money for no reason. I am happy that the gravy train is coming to an end.

To Mayor Paul and Council member Wiley, I want to express my appreciation for all that you have done over the last years to improve our city. You have been honest when it was painful. You have spent time away from your children, listened to whining residents, dealt with messy personnel issues, and been pressured by big money interests all for the common good. Thank you.

Best regards,

Brooke Ezzat .

From: [Anne Ezzat](#)
To: [Darcy Paul](#); [Liang Chao](#); [Jon Robert Willey](#); [Kitty Moore](#); [City Clerk](#); [Kirsten Squarcia](#)
Subject: Finances of the City
Date: Tuesday, October 18, 2022 5:40:23 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.

Dear Mayor Paul, Vice Mayor Chao, Council Member Wiley, and Council Member Moore,

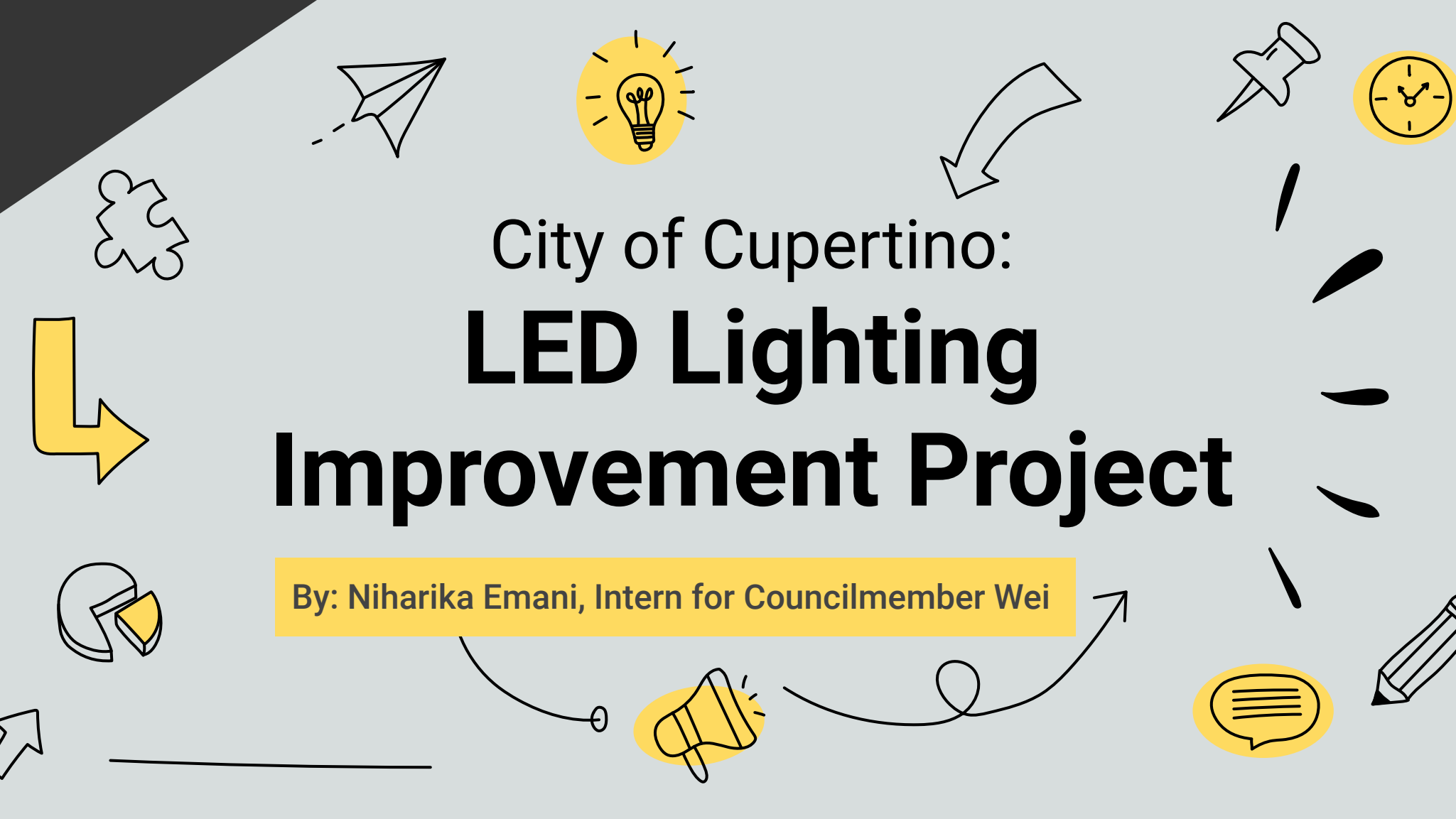
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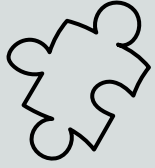
Best regards,

Brooke Ezzat. .



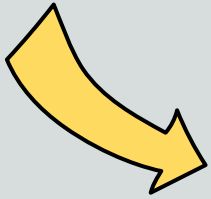
City of Cupertino: **LED Lighting Improvement Project**

By: Niharika Emani, Intern for Councilmember Wei

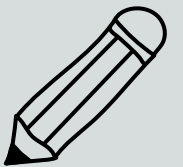
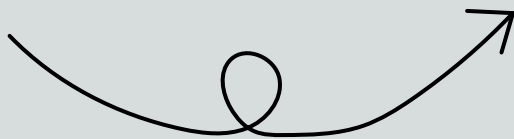


Introduction

The LED improvements project is centered around sustainability.

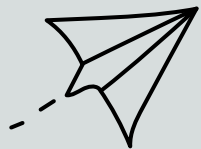


- Goal: transition the city's induction-based lighting system to entirely LED infrastructure
- Satisfy city's own provisions for private lighting development:
 - Dark Sky Ordinances
- Overall 2500 lights will be modified across the city in order to be more environmentally-friendly



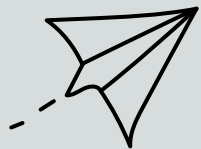
Background: “Dark Sky” Ordinances Cont.

- Dark Sky lighting works by directing light downwards
 - Lighting directed into the sky causes excess light pollution
- Regulations were met with positive feedback
 - Signified long-awaited step towards sustainability
- City wishes to hold itself to similar standards as it does private institutions
- Current lighting system was nearing the end of its useful life - so LED came into the picture



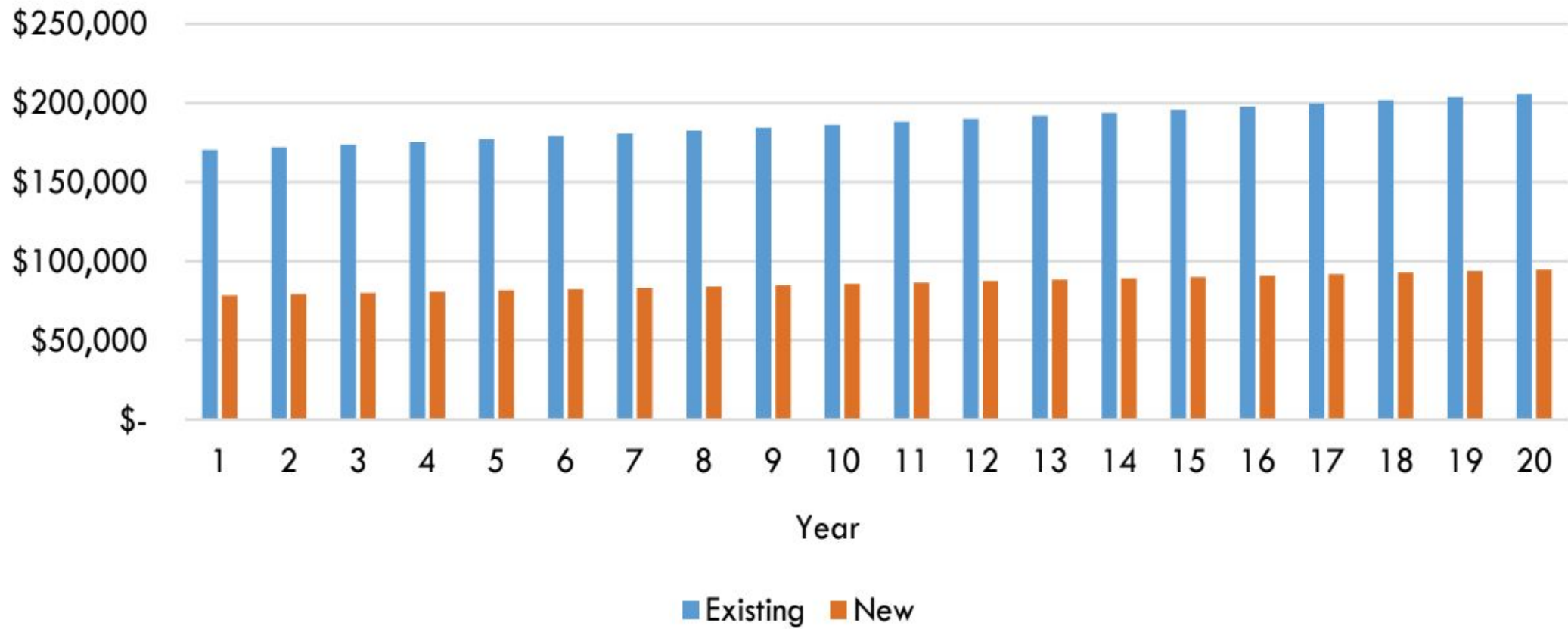
Budgeting & Financial Analysis

- Current Evaluation:
 - Short term financial costs vs long-term savings
 - Total conversion cost: \$1 million to \$1.3 million
 - Cost is not unusual for a lighting projects
 - Errs on the lower side
 - Long term:
 - Maintenance costs are less for LEDs (~\$100,000 less annually for the first five years)



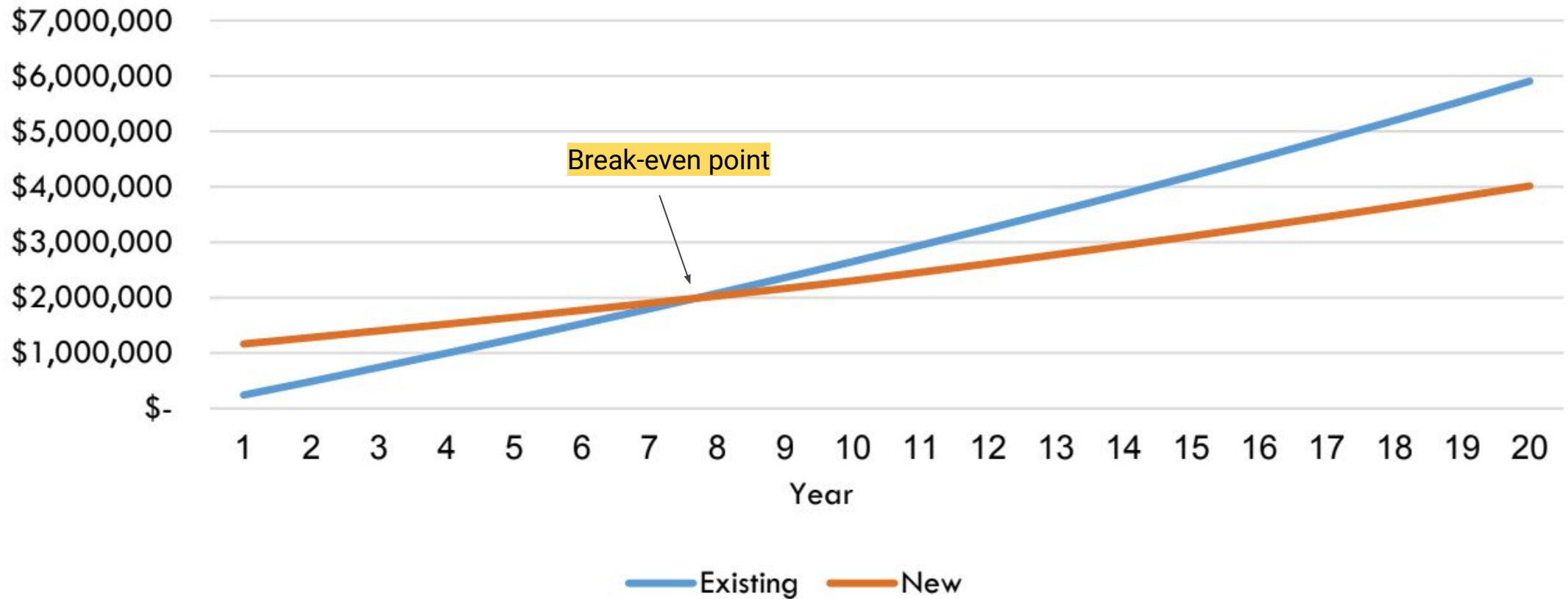


Graph 1
LED Conversion of the City-Owned Lights
Annual Energy Costs



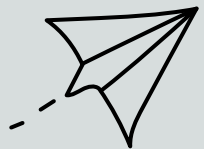


Graph 2
LED Conversion of the City-Owned Lights
Cumulative Annual Costs



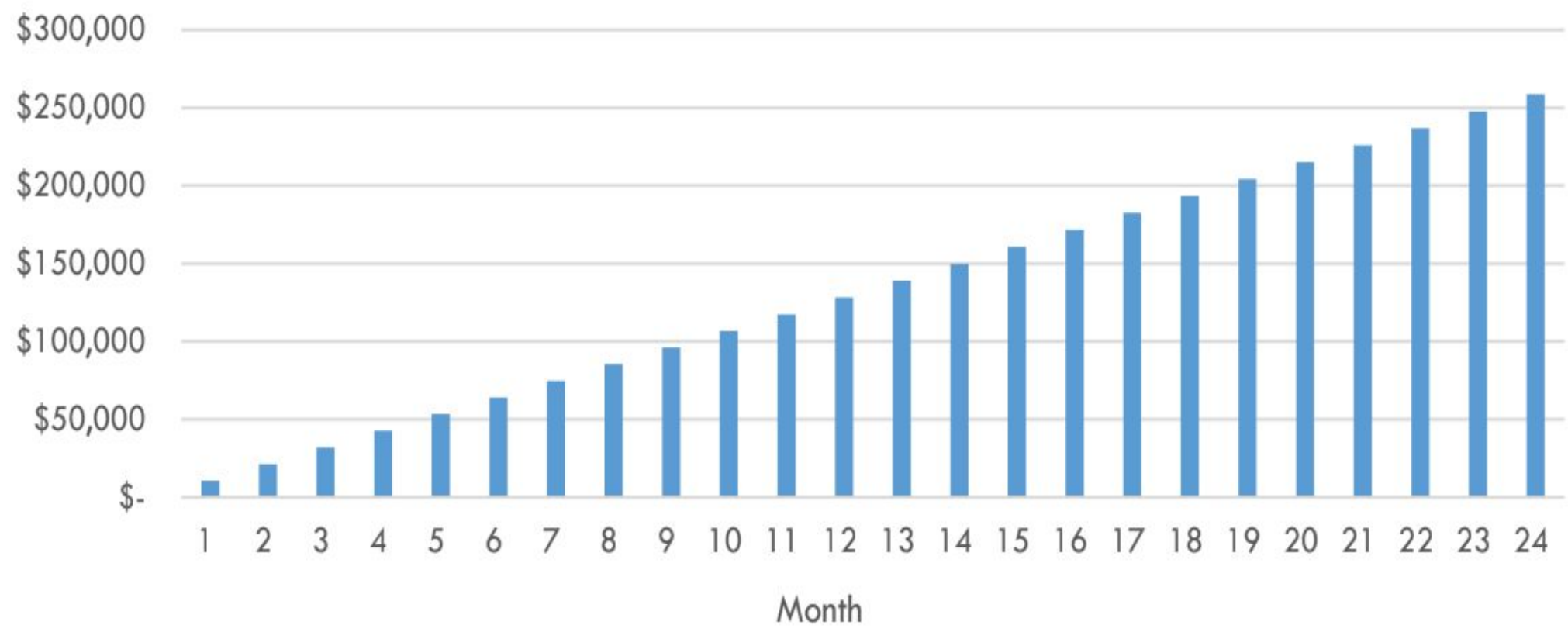
Budgeting & Financial Analysis Cont.

- Current Evaluation cont.
 - About \$115,000 in savings per year for maintenance costs (half the cost of the current system)
 - About \$2 million dollars in 20 years (cumulative savings)
 - Time is another factor:
 - Break-even point occurs 7-8 years after installment
 - Initially, cost of the new system will exceed that of the old (as expected)





Graph 3
LED Conversion of the City-Owned Lights
Cumulative Opportunity Costs



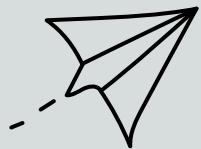
Sustainability

- LED is an additional step towards long-term sustainability
- Ecological benefits:
 - LED lighting achieves energy savings 50% to 70% greater than induction lighting
 - LED known for creating the least amount of emissions (one bulb creates 451 lbs per year in CO₂ emissions compared to the avg of 1051 lbs/year)
- Need for action is apparent:
 - 15 million tons of CO₂ generated per year by unsustainable outdoor lighting



Sustainability cont.

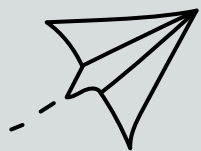
- Light pollution around the world is steadily increasing (6% per year in North America)
- Adverse effects on natural processes
- Dark sky lighting helps by directing light to the ground
 - Shields top and sides of the light bulb
 - Reduces manmade skyglow
 - Directing light towards ground reduces artificial skyglow



Conclusions: Cost-Benefit Analysis

Benefits:

- Holds public institutions to the same standards as private companies
- Solidifies Cupertino's commitment to sustainable development
- Reduces light pollution
 - Mitigates effects of light pollution
- Encourages others to follow in Cupertino's footsteps
- Long-term savings (\$2 mil in 20 years)

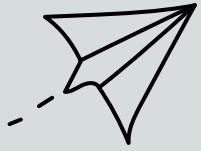
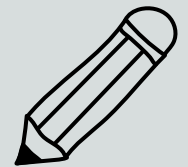
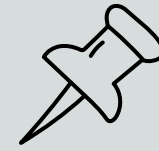


Costs:

- Short-term costs
 - \$1 to \$1.3 million
- Time:
 - Project will take a 7-8 years to break even
 - Costs will initially be higher
 - See graph for more details



**THANK YOU
FOR
LISTENING!**



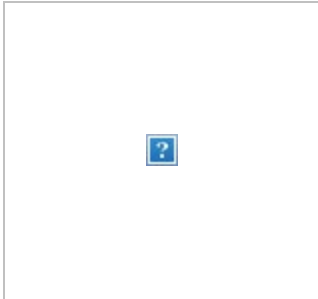
CC 10-18-2022

Item #14

Professional Turf
Management contract for
Blackberry Farm Golf
Course

Written
Communications

From: [Pamela Wu](#)
To: [Kirsten Squarcia](#); [Lauren Sapudar](#)
Subject: FW: Public Comment – Item 14: BBF Golf Course Maintenance Contract
Date: Tuesday, October 18, 2022 3:39:39 PM
Attachments: [City Council – BBF Golf Course maintenance contract.pdf](#)



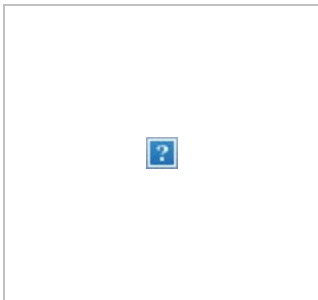
Pamela Wu
City Manager
City Manager's Office
PamelaW@cupertino.org
[\(408\)777-1322](tel:(408)777-1322)



From: Darcy Paul <DPaul@cupertino.org>
Sent: Tuesday, October 18, 2022 3:36 PM
To: Christopher Jensen <ChristopherJ@cupertino.org>; Pamela Wu <PamelaW@cupertino.org>
Subject: Fwd: Public Comment – Item 14: BBF Golf Course Maintenance Contract

fyi

Sent from my iPhone



Darcy Paul
Mayor
City Council
DPaul@cupertino.org
[\(408\) 777-3195](tel:(408)777-3195)



Begin forwarded message:

From: EAC Chair <eac@scvas.org>
Date: October 18, 2022 at 3:33:42 PM PDT
To: City Council <CityCouncil@cupertino.org>
Cc: Cupertino City Manager's Office <citymanager@cupertino.org>, Rachele Sander <RacheleS@cupertino.org>, Jacinta Liang <JacintaL@cupertino.org>, Shani Kleinhaus <shani@scvas.org>
Subject: **Public Comment – Item 14: BBF Golf Course Maintenance Contract**

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Dear Mayor Paul and Councilmembers,

We would like to pull Item 14 regarding the Blackberry Farm Golf Course Maintenance Services Contract from the Consent Calendar. Please see attached for our comments.

Regards,

Annie Yang

Annie Yang
Environmental Action Committee Chair
Santa Clara Valley Audubon Society
22221 McClellan Rd
Cupertino, CA 95014
eac@scvas.org



October 18, 2022

RE: Item 14 – Award and authorize the City Manager to execute a maintenance services contract with Professional Turf Management for the Blackberry Farm Golf Course

Dear Mayor Paul and Councilmembers,

We would like to pull Item 14 regarding the Blackberry Farm Golf Course Maintenance Services Contract from the Consent Calendar. The 2022 contract lacks many of the wildlife protection provisions that were in the 2016 contract. We understand that the City is currently considering whether to retain the golf course or to convert it to natural habitat. Regardless of the Council's future decision, this current maintenance contract should and can include protections for the existing wildlife and for Stevens Creek.

The wildlife and creek protection sections from 1) the 2016 *Blackberry Farm Golf Course Maintenance Technical Provisions*¹ and where it is addressed, and 2) any equivalent language from 2022 *Attachment A: Scope Of Work And Technical Specifications Blackberry Farm Golf Course Maintenance* are included in the table below. We also included 3) our comments on those sections with specific edits. The following is a summary of the main points.

- The 2016 document includes specific actions that would ensure compliance with state regulations and protect terrestrial and aquatic life while the 2022 document does not. For example, the 2016 denotes best practices for protecting birds during nesting season, requiring minimal use of outdoor lighting, and ways to avoid chemical runoff.
- The language on nesting bird protection should be added and clarified to include surveys for nests prior to trimming of all trees during the nesting season.
- While both documents prohibit chemical, pesticide, or fertilizer runoff, neither require monitoring or testing. This should be required to ensure runoff does not occur.

We hope that you add these protections into the contract.

Regards,

Annie Yang

Cupertino Resident
Environmental Action Committee Chair
Santa Clara Valley Audubon Society
22221 McClellan Rd
Cupertino, CA 95014
eac@scvas.org

¹ [A - Historical background of maintenance services at Blackberry Farm](#), p. 527-531

2016 Blackberry Farm Golf Course Maintenance Technical Provisions	2022 Attachment A: Scope Of Work And Technical Specifications Blackberry Farm Golf Course Maintenance	SCVAS Recommendations
<p>16. RECYCLING OF VEGETATION</p> <p>16.01 RECYCLING REQUIRED: Contractor shall recycle all vegetative material generated. No clippings may be dispersed in the rough or on the fairways. Clippings may be recycled in out of play areas in amounts and locations approved by the City. Clippings may not be recycled on the creek bank or within 8 feet of the creek edge or in a manner that might result in clippings getting into the creek channel at any time. If build up of pine needles, leaves and grass clippings become excessive in these areas the Contractor will be required to remove them and place them in the vegetation recycling containers provided by the City.</p>		<p>Retain “Clippings may not be recycled on the creek bank or within 8 feet of the creek edge or in a manner that might result in clippings getting into the creek channel at any time.”</p>
<p>17. WILDLIFE CONSIDERATIONS</p> <p>Contractor is to note that a number of federally- and state-protected wildlife species inhabit the Stevens Creek corridor and portions of the golf course. Among the species are steelhead fish, turtles, woodrats, various birds of prey such as hawks, owls and white-tailed kites, and various migratory birds and songbirds. These animals and their habitat are protected by various federal and state regulations. Those regulations affect activities that could affect wildlife directly or indirectly, including actions on the golf course that could affect the creek and its water quality. Such actions include fertilizer use, pesticide use, irrigation practices, operation of the golf course ponds, vehicle washing, and other procedures.</p> <p>Contractor shall meet with City staff and representatives annually to review maintenance activities relative to these considerations. Contractor is encouraged [sic] meet with City representatives more frequently as needed to ensure compliance. Further considerations are noted below.</p>		<p>The new guidelines remove protections and regulatory framework. Please retain the 2016 Wildlife requirements. In addition, please update these requirements to apply protections for nesting birds on all trees in the golf course. During the nesting period, require surveys for nesting birds on the entire golf course prior to tree trimming or removal.</p>
<p>18. TERRESTRIAL WILDLIFE</p> <p>VEGETATION TRIMMING AND REMOVAL: No vegetation along the creek edge shall be trimmed or removed from February 1 to August 31, unless it has been reviewed for presence of</p>		<p>Retain 2016 Terrestrial Wildlife section. Include the following edit:</p> <p>“No vegetation along the creek edge or any</p>

<p>nests and protected wildlife by a biologist or qualified professional or the City Naturalist.</p> <p>TREE REMOVAL: Certain trees are protected by City ordinance. No tree shall be removed or significantly pruned without advance approval by the City representative.</p> <p>BIRD BREEDING SEASON: Breeding season for raptors, birds of prey such as hawks and owls, is normally from February 1 to August 31, with highest activity usually from early or mid March onward. Most such birds and their nests and breeding are protected by law. Routine golf course operations may proceed during breeding season.</p> <p>However, during this time contractor shall endeavor to reduce disturbing activities, such as loud noises or vibration, within 250 feet of a raptor nest site and within 400 feet of a white-tailed kite nest site. Songbird nests are generally protected within a 100 foot radius.</p> <p>RODENTICIDE USE: Use of any and all rodenticides [to poison squirrels, gophers, mice, rats] or chemicals is banned, unless authorized in advance in writing by the City.</p> <p>LIGHTING: Contractor is to minimize use of nighttime lighting, especially in the vicinity of the creek. Contractor is to operate the golf maintenance facility in a manner that minimizes use of outdoor lighting to the extent feasible. Lights shall only be used when workers are present, unless the City provides advance authorization in writing. This stricture applies to outdoor lighting of the maintenance yard.</p> <p>EMISSIONS: Contractor is to minimize the use of exhaust- and emission-producing equipment to the extent compatible with performance of the work. Contractor shall favor the use of equipment powered by electrical, batteries or hand rather than diesel, gas or oil, as feasible.</p> <p>WILDLIFE REPORTING:</p> <ul style="list-style-type: none"> ● Contractor shall report any observations of the following to the City representative within 1 working day: ● active raptor nests ● turtles ● woodrats [potentially San Francisco dusky-footed woodrat] ● frogs [potentially California red-legged frog] ● salamanders [potentially California tiger salamander] 		<p>trees in any location on the golf course shall be trimmed or removed from February 1 to August 31, unless it has been reviewed for presence of nests and protected wildlife by a biologist or qualified professional or the City Naturalist.”</p>
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<ul style="list-style-type: none"> • other potentially protected wildlife 		
<p>19. AQUATIC WILDLIFE</p> <p>Federally-threatened steelhead inhabit the section of Stevens Creek that is adjacent to the golf course, year round. This fish species is highly protected. Their survival depends on clean cool water, free of harmful levels of fertilizers, pesticides, storm water runoff pollutants, and organic waste. The principal methods to achieve this are minimizing total use of these contaminants, restricting the type of inputs, and having an acceptable method of application via an Integrated Pest Management Plan (IPM). The City has adopted such a plan as discussed elsewhere in this document.</p> <p>Contractor is strongly encouraged to operate in conformance with Pilot Salmon Safe Certification Standards for Golf Courses, latest version (March 2014, draft 1.3) available at www.salmonsafe.org.</p> <p>Due to adverse impacts on fish an [sic] aquatic wildlife, use of the following pesticides is not allowed.</p> <p>If use of any of these pesticides is desired, Contractor must submit written documentation to City to demonstrate a clear need for use of the pesticide, that no safer alternatives exist, and that the method of application (such as timing, location, and amount used) represents a negligible risk to water quality and fish habitat. Contractor must secure authorization in advance from City and any involved regulators including Resource Agencies that use of the pesticide may proceed.</p> <p>[List of pesticides used in urban applications that pose a high risk to salmon and aquatic life]</p> <p>Note that some of these pesticides are included on the San Francisco Reduced Risk Pesticide List (“SF List”). They are hereby deleted from the SF List since they are not suitable for use near creeks and include but are not limited to:</p> <ul style="list-style-type: none"> • Triclopyr <p>These pesticides are not to be used on the golf course unless written authorization is secured in advance.</p>		<p>Retain 2016 Aquatic Wildlife section. Update this section with any State updates to the list of pesticides and practices that protect the creek.</p>
<p>20. WATER QUALITY CONSIDERATIONS: Protection of creek & ponds</p>	<p>1.8 PROTECTION OF CREEK</p>	<p>Retain 2016 Water Quality Considerations section. Include a</p>

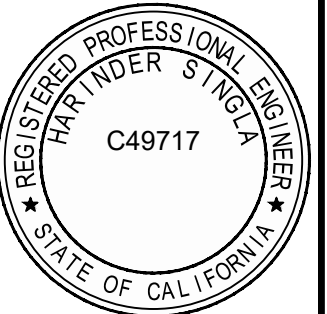
<p>RUNOFF: No runoff from any applications of chemicals, pesticides or fertilizer shall flow into creeks or ponds, including runoff from allowable products. No runoff other than clean rainwater shall flow into the creek. Contractor shall consider weather conditions and watering regimes in order to schedule application of fertilizer, pesticides and chemicals in a manner that prevents runoff to creeks or ponds. Contractor shall operate irrigation system and watering activities in a manner that prevents irrigation runoff as well.</p> <p>EQUIPMENT WASHING: All equipment shall be washed within the equipment washoff area in the golf maintenance yard, or in an equivalent offsite facility that filters wash water and is connected to the sanitary sewer system. Screens shall be cleaned of grass clippings and other material after each use. No washing is permitted elsewhere.</p> <p>POND MAINTENANCE: Ponds shall be kept free of excessive vegetation. Vegetation removal shall be done with hand or mechanical means. Such removal shall be timed to avoid wildlife breeding seasons in consultation with the City. Timing will ordinarily be September to January, or potentially as late as mid March if nesting and protected wildlife are not present.</p> <p>A pond outlet/overflow pipe within the lower pond provides an emergency discharge to the creek. This outlet pipe must be capped at all times with a tight, sturdy, secure, 3/32" square mesh or tighter screen that is acceptable to City. If slotted the maximum opening width is 1/16". Pond water level shall be maintained sufficiently below the outlet pipe elevation such that NO POND WATER ENTERS THE OUTLET nor flows to the creek. Contractor shall check the screen to ensure that it is tight, intact and clear at least monthly and shall maintain the mesh in a clear clean condition.</p> <p>When ponds are in operation, ponds shall be maintained with adequate water level to maintain habitat for existing fish and wildlife populations, unless the City authorizes otherwise. Ponds shall be operated in a manner that prevents algae growth. Avoid over fertilization that contributes to algae growth.</p>	<p>No runoff from fertilizer, pesticide, or chemical applications shall flow into creeks or ponds nor to drainage inlets that discharge to creeks or ponds.</p> <p>3.9, 4.7, 5.6 PROTECTION OF CREEK</p> <p>No runoff from fertilizer, pesticide, or chemical applications shall flow into creek areas, nor to drain inlets that discharge to creek areas.</p>	<p>requirement for the contractor to monitor and test for runoff of any chemicals, pesticides, or fertilizer to ensure runoff does not occur.</p> <p>Revise pond maintenance requirements to allow planting of locally native vegetation, and avoid vegetation management during the nesting season.</p>
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CC 10-18-2022

#16

20860 McClellan Road
Development

Written Communications

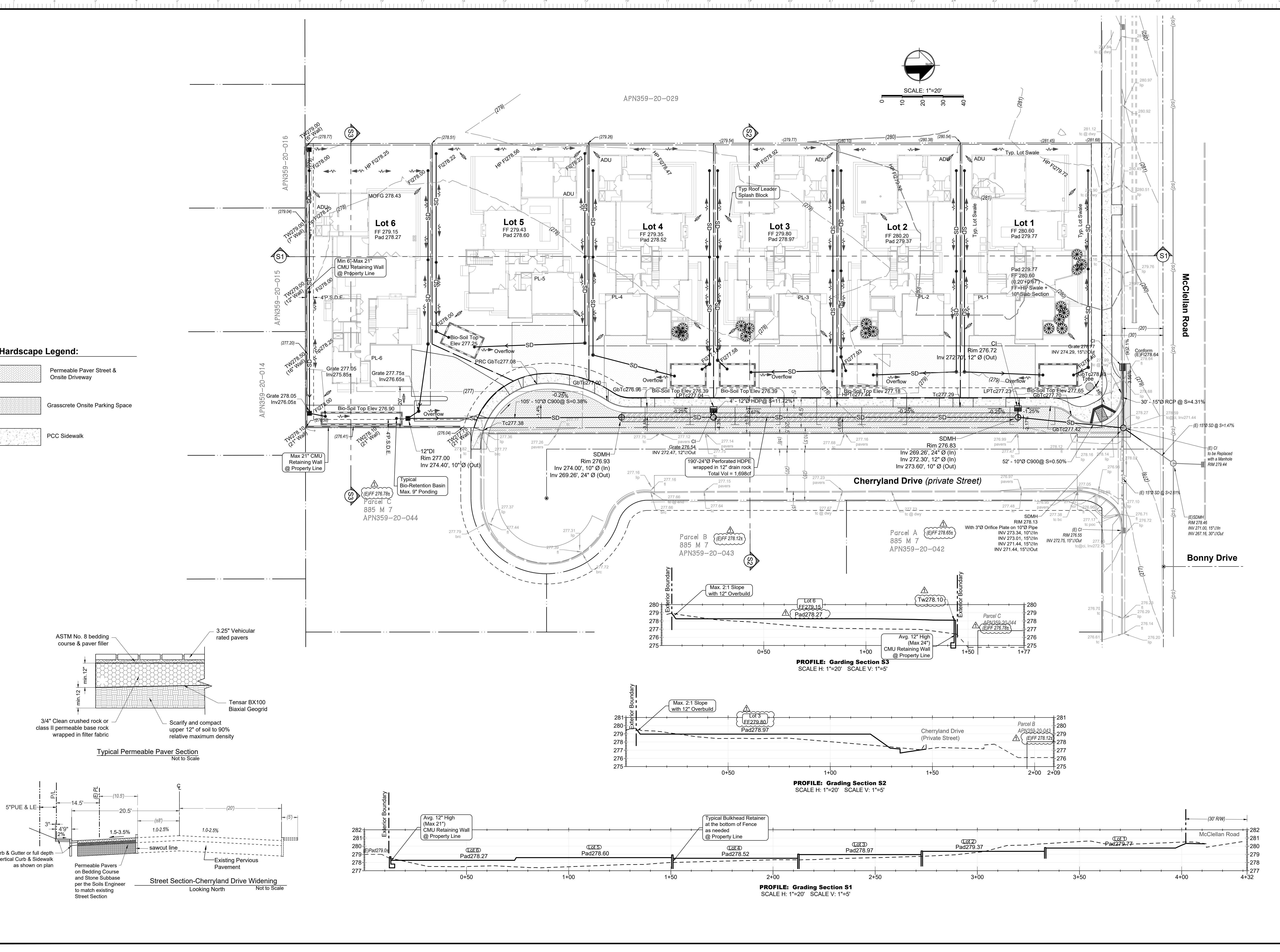


Updated Elevations 10-18-22

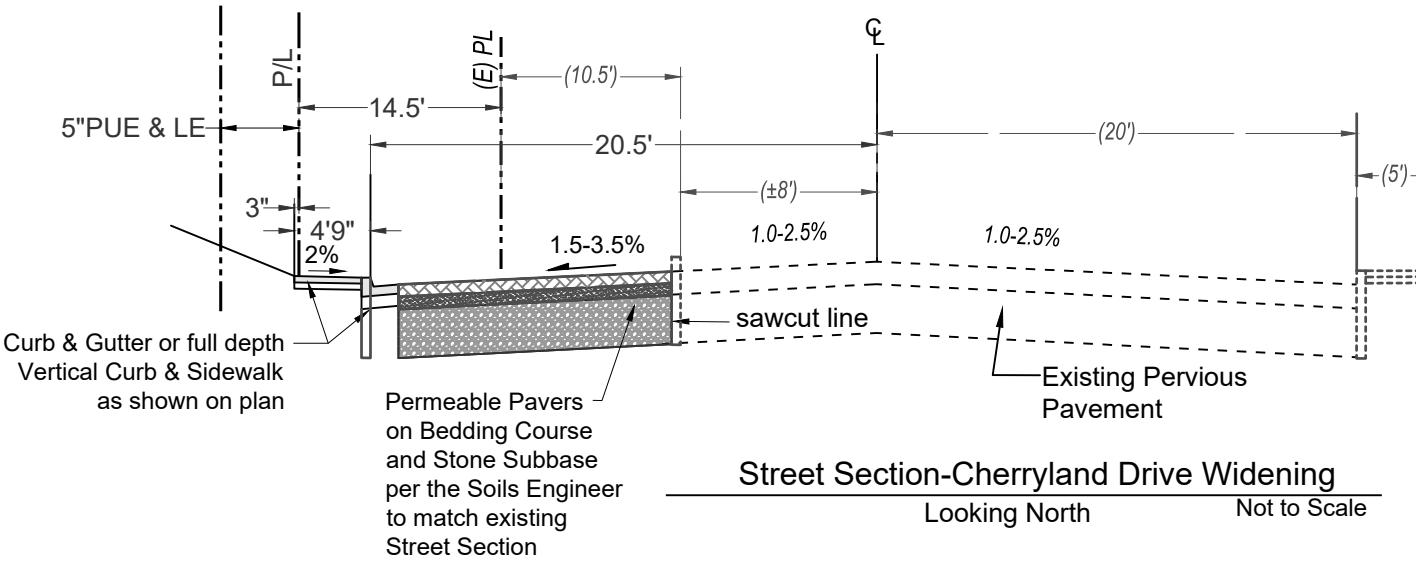
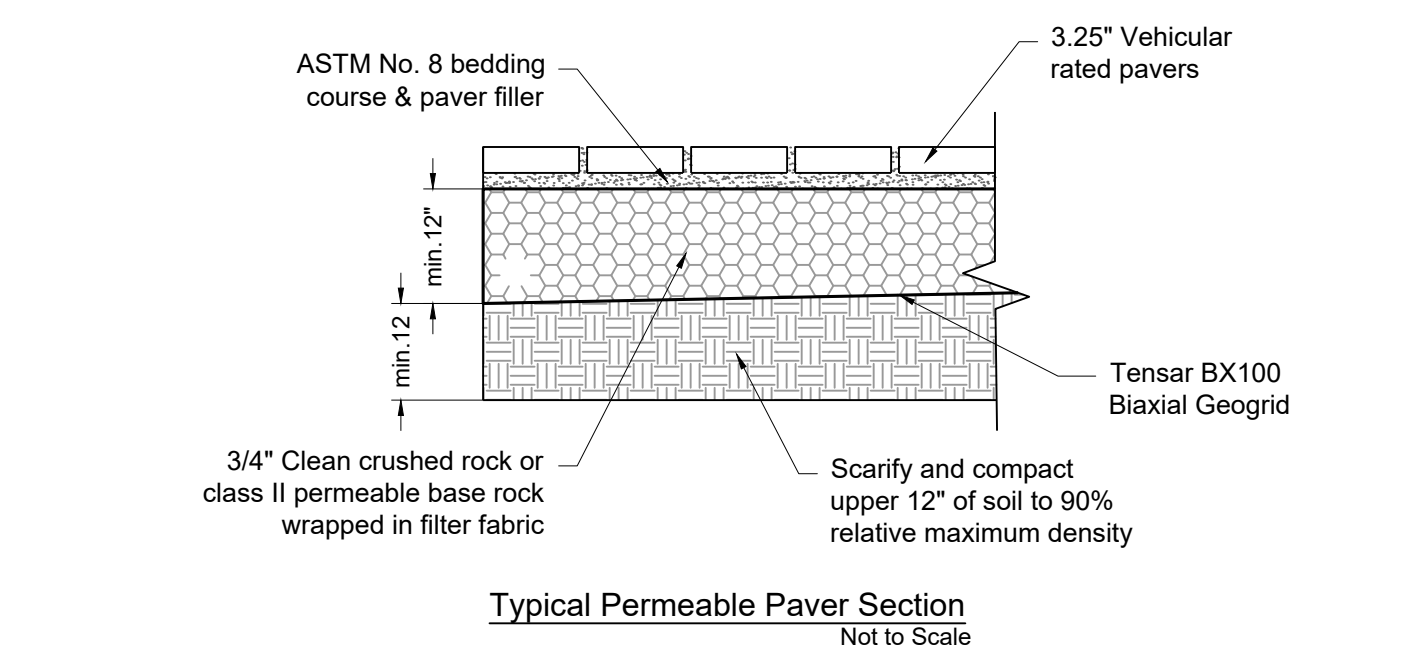
M.H. Engineering Co.
Morgan Hill, CA 95037
16075 Vineyard Boulevard

Preliminary Grading & Drainage Plan
20860 McClellan Road

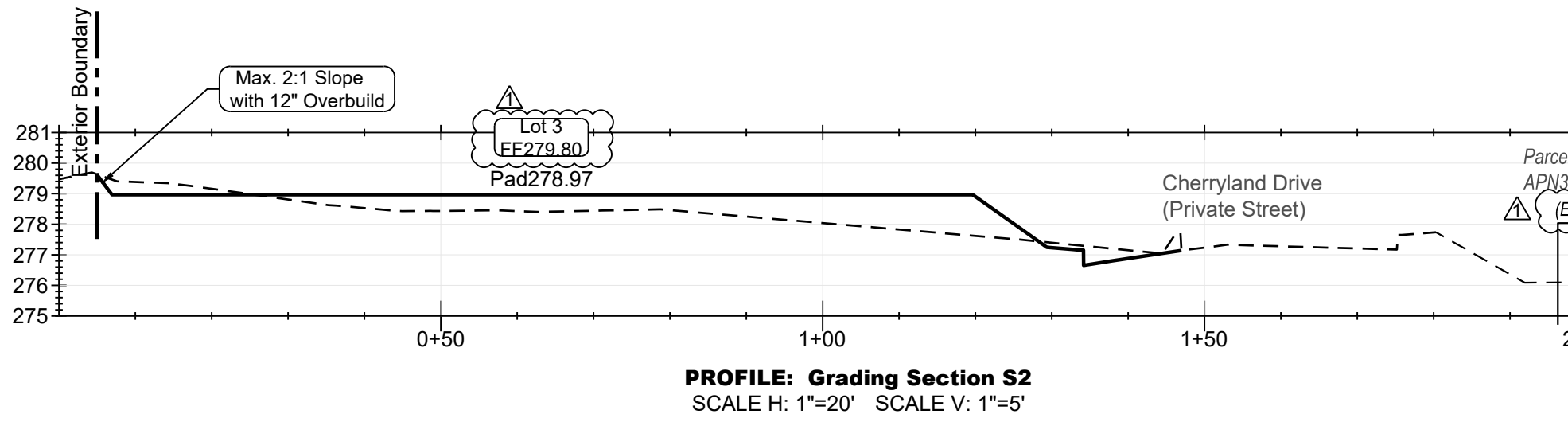
DATE: Oct 2022
SCALE: 1"=20'
DRAWN BY: IMF
CHECKED BY: HS
JOB NO: 221047
SHEET: C3
OF: 5



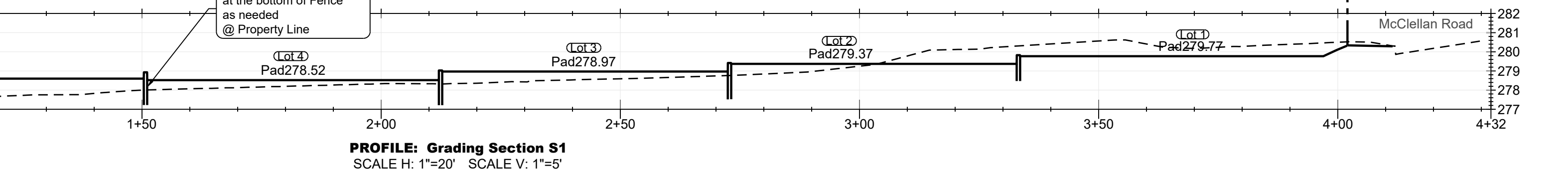
- Hardscape Legend:**
- Permeable Paver Street & Onsite Driveway
 - Grasscrete Onsite Parking Space
 - PCC Sidewalk



PROFILE: Grading Section S3
SCALE H: 1"=20' SCALE V: 1"=5'



PROFILE: Grading Section S2
SCALE H: 1"=20' SCALE V: 1"=5'



PROFILE: Grading Section S1
SCALE H: 1"=20' SCALE V: 1"=5'

From: [Kirsten Squarcia](#)
To: [Kitty Moore](#)
Cc: [City Clerk](#)
Subject: RE: Item 16
Date: Tuesday, October 18, 2022 9:43:32 PM
Attachments: [image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)

Good evening Councilmember Moore, your additional comments will be posted with the late written communications for the October 18 City Council meeting, Item 16. Regards, Kirsten



Kirsten Squarcia

City Clerk
City Manager's Office
KirstenS@cupertino.org
[\(408\) 777-3225](tel:(408)777-3225)



From: Kitty Moore <ckittymoore@gmail.com>
Sent: Tuesday, October 18, 2022 9:22 PM
To: Kirsten Squarcia <KirstenS@cupertino.org>
Subject: Item 16

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.

Please include the following document for public record on this item tonight.

<https://cupertino.legistar.com/View.ashx?M=F&ID=10890532&GUID=02350643-19DA-4ACC-9D39-B68C3CCC7887>

Thank you

Kitty Moore

From: [Kirsten Squarcia](#)
To: [Kitty Moore](#)
Cc: [City Clerk](#)
Subject: RE: Item 16
Date: Tuesday, October 18, 2022 9:43:06 PM
Attachments: [image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)

Good evening Councilmember Moore, your comments will be posted with the late written communications for the October 18 City Council meeting, Item 16. Regards, Kirsten



Kirsten Squarcia

City Clerk
City Manager's Office
KirstenS@cupertino.org
[\(408\) 777-3225](tel:(408)777-3225)



From: Kitty Moore <ckittymoore@gmail.com>
Sent: Tuesday, October 18, 2022 9:23 PM
To: Kirsten Squarcia <KirstenS@cupertino.org>
Subject: Item 16

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 Kirsten,

<https://cupertino.legistar.com/View.ashx?M=F&ID=10890534&GUID=DA58B5FF-CED3-46D4-B784-DC10E1D4D667>

Please include in this item.

Kitty

From: [Larry Harrison](#)
To: [City Council](#)
Subject: Council Agenda Oct 18, 2022, Public Hearing item 16
Date: Tuesday, October 18, 2022 1:37:04 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.

I am the adjacent property owner at 7601 Erin Way of 20860 McClellan Road. Close to the development south property fence line, there is a mature established row of Italian Cypress Trees on our property that currently act as a privacy screen and would, in the future, serve the same purpose for the new adjacent lot development.

I do not necessarily see a problem, however I would like to assure that any lot grading and other construction work is done carefully to avoid any compromise to the health of these trees.

In addition, in past communications, the developer has indicated a commitment to install a new brick fence along our adjacent property line. I would like to establish a firm commitment for this fence.

Arthur Harrison
7601 Erin Way
Cupertino, CA

CC 10-18-2022

#17

Lozano Lane crosswalk

Written Communications

From: [Seema Lindskog](#)
To: [City Council](#); [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: Please follow staff recommendations on Lozano Lane Access path
Date: Tuesday, October 18, 2022 2:39:23 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.

Mayor Paul and councilmembers,

The community is excited to start using the Lozano Lane access path to get to the Regnart Creek Trail. Many residents who live on Rodrigues, especially those in the Biltmore Apartments and Waterfall Condominiums are anxiously waiting for the trail to open.

The city does not have any data currently to assist with a decision on

- whether a crosswalk is needed or
- where it should be located.

I urge you to follow the staff recommendation and gather data for one year after the Regnart Creek trail opens before making any decisions on whether to add a crosswalk and if so, where to locate it.

If you are determined to add a crosswalk today, without any data to justify the decision, then Option B is the best choice that will benefit the most residents, based on feedback received from residents on Rodrigues. There are parents who live in the Biltmore Apartments whose small kids will use the access path to get on Regnart Creek trail to go to Eaton, Wilson Park, and Creekside Park. They view Option B as the safer alternative. There are senior citizens living on Rodrigues who have mobility issues, who have stated that it would be easier for them to use Option B.

At the end of the day, the council needs to make a fact and data-based decision that will benefit the biggest number of residents. This is why the staff recommendation to gather data for a year after the Regnart Creek trail opens is the best course of action.

The signage proposed by the staff is good and should be adopted. It addresses all the concerns raised by the residents in the Lozano Lane HOA.

Thank you for your consideration.

Regards,
Seema Lindskog

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

From: [Leslie](#)
To: [City Council](#)
Subject: Bike Path
Date: Tuesday, October 18, 2022 2:16:30 PM

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- Please support keeping Lozano Lane open. My family and I have used this lane for years for our walks. We should use data, if a crosswalk is needed, to decide where the crosswalk should go. Most studies show that it should be as close to where people want to go to make sure it is used. Otherwise, it defeats the purpose and just wastes our city's money. If a decision needs to be made tonight—without that data—then it's clear which of the concepts should be considered. (see attached image)
 - Concept A makes no sense as it is farthest away from the path.
 - Concept B or C are much more likely to be used, with Concept B better as would be more likely to be used by people living in both Waterfall and Biltmore.
- The signage asking those on bikes to dismount is reasonable and adequate. There's no sign of bikes going through there now. People are reasonable and will be willing to walk their bikes for the short distance to get to the main Trail.

Sincerely,
Leslie Ericksen

Sent from my iPhone please excuse typos.

From: [Sharon Walker](#)
To: [City Council](#)
Cc: [Jim *\(ICE\) Walker](#)
Subject: Lozano Lane access path
Date: Tuesday, October 18, 2022 2:06:14 PM

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We totally support the Lozano Lane access path. We have walked the path and feel it's important to approve for the many people who will benefit.
Sharon & Jim Walker

From: [J Shearin](#)
To: [City Council](#)
Subject: Fwd: Follow City Staff recommendations for Agenda item 17- Lozano Lane crosswalk
Date: Tuesday, October 18, 2022 12:46:51 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 Councilmembers and Mayor Paul:

I ask today that you follow the recommendation of the City Staff on Agenda item 17 for both studying the area on Rodrigues for a crosswalk for one year and for the signage at the walking path. I know that you wish to make your decisions based on data, and following their recommendation will ensure that it is.

The City Staff's recommendation—based upon their many years of experience and expert training (they are Civil Engineers, and many PE's as well) is reasoned and thoughtful. They would like to get some data for one year after the Regnart Trail opens to determine whether a crosswalk is needed across Rodrigues near the Lozano Lane pathway. **I encourage you to follow their recommendation to get data before making any decision on whether and where to build a crosswalk.** As an engineer myself—albeit an electrical engineer—I know that they have amassed the skills and experience to create a sound judgement on an item in their field of expertise.

If you feel a decision must be made today, then Concept B seems like it would make the most sense, as it would be beneficial to the most amount of people near Biltmore and Waterfall, and would be close to the path that it would connect to. Many studies show that people will walk the most obvious line and if a crosswalk is placed at Concept A then likely it would not be useful for the Lozano pathway.

I'd also like to support the sign that the city staff have proposed. As someone who bikes regularly for errands to the library and shopping, I know that there are places when I must dismount, and the proposed sign is a great way to show that this is one of those places. The vast majority of people are reasonable and follow signage.

Though this is not listed on your agenda for this evening, I'd also like to emphasize here that giving away the easement to the 10 homeowners in the adjacent HOA would not be the best for our city. Residents use and enjoy this pathway to walk today, and would continue to do so especially after the Regnart Creek Trail opens. This pathway was designed as a walking path to connect to the trail prior to the Lozano HOA homes being built, and each homeowner signs that they know there is a pathway there when their house is purchased. There is no evidence that the pathway has issues with undue accidents or criminal mischief.

Thank you for considering the input of one of your residents. I don't live in that neighborhood, but I've talked to many of the people there—one of my daughters' best friends lived in Biltmore until recently—and I care as a neighbor about making sure they don't lose a great connector to the soon-to-open trail.

Sincerely,

Jennifer Shearin
19511 Howard Ct, Cupertino

From: [Ross Heitkamp](#)
To: [City Council](#)
Subject: Regnart Creek Trail and Lozano Lane
Date: Tuesday, October 18, 2022 12:09:43 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 Honorable City Council Members,

I'm writing you about the possibility of a crosswalk near the walkway through Campo de Lozano on Rodrigues Ave. I agree with the Staff Report that this area should be studied after the Regnart Creek Trail is opened and this walkway starts having greater use. This will also help to provide data on the need and on the best location for such a crossing.

I also think the "Trail Rules" signs are an appropriate addition at each end of the walkway. However, I do wonder about the title of "Trail Rules". This is an access walkway with different rules than the trail itself and users may misconstrue these rules as applying to the whole trail.

I'd like to emphasize how important I think it is for a trail like Regnart Creek Trail to have as many access points as possible. This maximizes the trail's availability to the neighborhood and lessens the demands on any one access point. This walkway has long been an important part of the Regnart Creek Trail plan. It will bring the trail closer to many residents and enable more options for including the trail in neighborhood walks.

Ross Heitkamp

From: jim@crewdavis.com
To: [City Council](#)
Subject: Vote NO on closing the Lozano Lane access path to the Regnart Creek Trail
Date: Tuesday, October 18, 2022 11:56:16 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.

Dear Cupertino City Council,

I am writing today to urge you to vote NO on closing the Lozano Lane access path to the Regnart Creek Trail. This idea makes no sense and is ill-conceived and ill-advised.

It's quite exciting to see the progress that is being made on the trail! The City of Cupertino has shown its commitment to walking and biking connectivity, and as such should be encouraging the use of this trail, including providing clear signage and convenient access. Taking away this access point is clearly counter-productive to the many Cupertino residents who will use this trail. More access points make for convenience and usability, plain and simple.

As a long-time taxpayer in Cupertino I object to giving away valuable assets. It is fiscally irresponsible and sets a dangerous precedent which would undoubtedly have future consequences. It's puzzling why the city council would spend its time on the desires of a small group at the expense of the entire community. Please focus council energy and efforts on the greater good to our community, not special interest groups.

In summary, there is no community-beneficial reason to close this access. Please vote NO.

Sincerely,

Jim Davis

Cupertino Resident for 39 years

From: [Yvonne Strom](#)
To: [City Council](#)
Subject: In support of the Lozano path, agenda item 17
Date: Tuesday, October 18, 2022 10:30:02 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.

Hello,

I am writing in support of the Lozano path connector (agenda item 17.) The whole community benefits when there are numerous, safe places to walk. I agree with the city staff who recommended reviewing the trail usage one year after it opens to see if a crosswalk is necessary. The crosswalk option, if necessary, should be chosen to be the most convenient for pedestrians. If a decision on a crosswalk cannot be deferred for one year, then the best option is Option B because it is more likely to be used by nearby residents. The signage for the trail looks adequate.

Yvonne Thorstenson

From: [Taghi Saadati](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Lozano Lane
Date: Tuesday, October 18, 2022 9:37:41 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.

I urge you to keep the Lozano Lane open and revisit this issue after one year of the Regnart Creek Trail opening. At this time there is not sufficient data as to the potential impact of the trail on the Lazaro Lane. Also it would be reasonable to put a walk your bike signs at each end of Lazaro.

Thank you.

Taghi Saadati

Sent from my iPhone

From: [Tom Scannell](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Item 17 on tonights agenda--Rodrigues Avenue Crosswalk Options
Date: Tuesday, October 18, 2022 4:33:42 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.

Honorable Members of the City Council

I would like to support the City Staff recommendation of waiting a year to determine the correct location of pedestrian crosswalk across Rodrigues near the "about-to-be-opened" Regnart Creek Trail. If we wait a year we will have some data on which to base the decision. I am in favor of the proposed wording on the signage.

What I would **not** be in support of is any action by the City Council this evening to once again (re)consider closing this path in response to the local HOA. The City Council has considered this topic multiple times. I myself have spoken/written in support of the trail itself and against the special carve out for the folks in this HOA. I believe the citizens of Cupertino have made it clear that this path remain open as designed.

Thank you for your attention to this matter

Tom Scannell
Cupertino Resident for 42 years.