

CC 9-04-2024

Oral
Communications

Written Comments

From: [Santosh Rao](#)
To: [City Council](#); [Cupertino City Manager's Office](#); [City Clerk](#); [David Stillman](#); [Chad Mosley](#)
Subject: Oral comments: 09/04/24 city council meeting. Cancel the DeAnza Blvd lane removals.
Date: Wednesday, September 4, 2024 4:07:57 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 Clerk,

Please include the below in written communications for 09/04/24 council meeting. Thank you.

Dear Mayor Sheila, Cupertino City Council members, Manager Wu, David and Chad,

I wish to bring to your attention feedback from the San Jose residents of changes made on Saratoga Ave by way of the experiences shared on Nextdoor. Many council members monitor nextdoor and several even respond there. As our council does not I am sharing this for your benefit to learn from the experience of Saratoga Ave lane changes that have been a source of great anguish to residents of that area.

Please do not repeat the same with DeAnza. Please cancel or halt the lane elimination on DeAnza Blvd immediately. At a minimum please halt the project until this is put on agenda as an explicit item to be voted on.

Please see the neighborhood feedback below on Saratoga Ave.

Thank you.



Laura Morales

San Tomas West · 16 Apr ·



I do not understand how Saratoga Ave was allowed to reduce lanes from Williams to Prospect for Bikes. This causes drivers to make right turns right at the last minute and slow down traffic even more. In 35 years in the area I have seen maybe 15 bikes on Saratoga Ave. On top of that

they want to put Costco in the area which will increase traffic on Saratoga between those streets. Who is in charge of these changes?

❤️ 142 💬 403



Reactions

❤️ 99 +1 30 😲 7 😞 4 😊 2

🔗 All Comments



Kathy H. · Burbank



I'm curious to know who raises an issue & makes decisions for major rd modifications. Backed up traffic where maybe 5 bikes a week drive on Leigh, for instance.

20w ❤️ +1 19

Like Reply Share



Marc B. · Hathaway



Kathy this can be from the Mayor



Laura Morales

San Tomas West · 16 Apr · 🌐

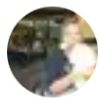


Kathy The comments section on the Mercury News website (back when they still allowed comments) would

constantly have back and forth arguments on this subject with the majority against the lanes. From what I read a few years back, the bike lobby shows up in force at these city council meetings and petitions for these changes. No-one from the other side is there to push back. At least that is how it was a few years back.

20w 😊❤️ 6

Like Reply Share



Kathy H. · Burbank

...

Ruth my dad always said. "Squeaky wheel gets the grease." No where near the majority. If that's still a thing. The majority?

20w



Like Reply Share



Amy B. · Lone Hill Highlands

...

I so agree with you. Some places they have put those green sticks and the right turn is a mess, as have to wait for all the cars in front to go straight before getting a really small window of time to turn right!
I also wonder who is deciding all this for us? (edited)


- <  **Laura Morales** San Tomas West · 16 Apr · 🌐 ⋮
-  **Pam McCracken** · Belwood-Belgatos ⋮

Amy agree! And the cones are often way out into the road making a right turn very tight too - almost into oncoming traffic in some places - which feels very unsafe for drivers.

19w   2 Like Reply Share

-  **James F.** · Vineyards of Saratoga ⋮

You all voted for the San Jose City Council that adopted these policies. We get what we vote for. We are to blame.

20w    18 Agree Reply Share

-  **Laura Morales** Author · San Tomas West ⋮

James I think it's time for a recall.

20w    35 Agree Reply Share

-  **Sonja Perkovic** · Country Lane ⋮

James Really wow

20w Like Reply Share


-  **Kathy H.** · Burbank ⋮

James Exactly. Get more involved .

Civic duty 😊 lessons. I don't know where to get the voting record? Basically need to Google search a list of representatives bottom u... [See more](#)

 **Eric Guo** · Westgate Village ...

James Totally agree! Those who were elected should have taken and passed the IQ test as well.

20w  1 [Like](#) [Reply](#) [Share](#)

 **Jennifer Green** · Arroyo De Arguello ...

A big brain messed up the lanes on Saratoga Ave. Installed stupid sticks along the road. I hate it! It is impossible to make a legal u turn. Our tax dollars at work in the worst possible way!!! (edited)

 **Laura Morales** ...
San Tomas West · 16 Apr · 🌐

 **Steven Wright** · Willow Glen-South ...

You're forgetting something. City planners don't care about you. It's all about state money for next year. If you dont spend, you don't get.

20w    17 [Agree](#) [Reply](#) [Share](#)



Sara Ludwig · Country Lane



This morning a woman was driving between the curb and the white posts, obviously in the bike lane, when I was waiting to turn right from Country Lane onto Saratoga Ave. Confusing for some and in my opinion such an eyesore with those ugly white posts everywhere. Apparently the cities are getting money from the state for these changes and the bicycle lobbyists have quite a bit of sway as well which gives us all the road diet. It seems as though the idling traffic is much worse from my experience.

20w  12

[Agree](#) [Reply](#) [Share](#)



Jason H. · Hacienda



Sara before we speak any ills about some mythical "bicycle lobbyists", let's first recognize that there is a very real highway lobby that includes



Laura Morales



San Tomas West · 16 Apr · 



Ruth Ann · Strawberry Park



Jason The bike lobby is real and

documented at these city council meetings. Go back and read some old Mercury News articles on the subject.

20w  7

[Like](#) [Reply](#) [Share](#)



Sara Ludwig · Country Lane



Jason I'm not surprised to see a response from you as I often see your comments on other posts on Nextdoor.

Lobbyists for bicyclists are hardly "mythical." If you get a chance to look up SVBC (Silicon Valley Bicycle Coalition) you will find a page they dedicate to wins in their efforts to lobby for safer streets. Not a bad thing, just a fact. Right? Many groups have lobbyists as you so noted. They are also listed on California's portal for lobbyist information for 2023-2024.

Also, interesting article entitled Bike Lobby Gaining Influence, from a while back but nonetheless interesting. Here's the link but it basically says at the beginning that these groups are "changing the way your neighborhoods



Laura Morales



San Tomas West · 16 Apr · 🌐

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Also, interesting article entitled Bike Lobby Gaining Influence, from a while back but nonetheless interesting. Here's the link but it basically says at the beginning that these groups are "changing the way your neighborhoods look." Not my words, by the way.

https://www.nbcbayarea.com/news/local/bike-lobby-gaining-influence/2095754/?_osource=db_npd_nbc_kntv_eml_sh
[r](#)

Good, bad, right, wrong regarding people or groups lobbying, no judgment here. Just a fact they exist

judgment here. Just a fact they exist
and have a vested interest, obviously.
But, again, from seeing past posts from
you on other topics, not the least bit

<  **Laura Morales** ...
San Tomas West · 16 Apr · 🌐


 **Amanda Griggs** · Country Lane ...

This has caused so much confusion with drivers, no one knows which lane is a lane and now we are jammed up in the two lanes and then there are the cars parked in the middle of the road between Payne and Doyle, it's the worst traffic design I have seen yet.

20w   14 [Agree](#) [Reply](#) [Share](#)

 **Jason H.** · Hacienda ...

Amanda If things like "paint" and "lane markers" are confusing drivers... I wouldn't call that an issue with road design. That's an issue with the drivers themselves.

20w    10 [Like](#) [Reply](#) [Share](#)

 **Randy Breunling** · Starbird ...

Jason I disagree...somewhat. When the white posts initially went up on Saratoga...I did wonder if you could still go to the right of them when making a right turn...for example.



Bill B. · Strawberry Park



Jason - overnight, with no advance warning to the public, we went from having right turn lanes, and merging lanes, to being expected to make abrupt, sharp right turns - of course people were confused! I am sure many people shared my thoughts of "Surely the city did not make this right turn more difficult and dangerous overnight - who would do such a thing? Aren't they supposed to make things safer, not worse?"



Erin Patil · Country Lane



In the last six months I've seen a total of two separate bicyclists in the lanes. Two.

20w 15

Like **Reply** **Share**



Jennifer Green · Arroyo De Arguello



Erin 😬, exactly my point!!

20w 9

Like **Reply** **Share**



Alexander 'Kirby' Quentin · San Tomas... ...

Laura write your City Council woman Rosemary Kamei and look up the head of the "Roads and Airports" department head. From my past citizen service, I think that person has a say if not actually the outright person who made the decision. Your City Council Woman is always a good start.

20w 2

Like Reply Share



Rae Williams · West Valley ...

Laura Hi Laura, may someone please look into Laura's correct suggestion-- find out why and who is authorizing our money be spent on these unnecessary vehicle lane changes and expense.

20w 3

Like Reply Share



Daniel S. · Eden ...

Laura I think we need to start a petition roll back this ill-thought out change.
(edited)

20w 3

Like Reply Share



David Peterson · Fairglen Eichlers



1. Somebody is making a lot of money on the sticks, the green bike lane paint, etc.,
2. "Engineers" have to use all the crazy ideas they learned in college, 3.
Implementation of Agenda 2030, which forces everyone to be miserable in order to be "sustainable."

20w   13

[Agree](#) [Reply](#) [Share](#)



Mark Whittiker · Strawberry Park



I was in Texas last week and every town I visited they were adding lanes to streets, highways and freeways. Contrast to California where every major city is "road dieting." The problem of removing lanes is that the other lane(s) have to absorb the removing lane traffic thus more cars in fewer lanes causing congestion. The original road design was developed and designed by traffic engineers and then built to their specifications. Fast forward and a city council without input from traffic engineers arbitrarily vote to remove lanes. Total nonsense.



Genie M. · Easterbrook



We ALL need to flood our own councilman's(woman) office and ask what the hell happened and how to get it reversed. "We the people" need to be heard. Rosemary Kamei [\(408\) 535-4901](tel:4085354901). (From her website) (edited)

20w  4

[Like](#) [Reply](#) [Share](#)



Jane P. · Eden



It's insane!!! I've been driving down that road for 50 years. Don't think I've ever seen a bike and now you have slow way down to make a right turn at a green light and worry that the car behind you isn't going to slam into you. It just makes no sense!

20w   4

[Agree](#) [Reply](#) [Share](#)



Laura Black · Willow Glen-West



I agree that that change was not very smart. It causes so much traffic on an already traffic filled street. I used to take Saratoga to the freeway after work to get home. Now I take San Thomas to Hamilton to 17. It's ridiculous.

20w 😬 1

Wow Reply Share



Mike Campfield · Greater Rose Garden

...

It has nothing to do with safety for the bike riders. It has nothing to do with safety for the cars. The whole thing is a convenient ruse, like a magician's sleight of hand. Pay no attention to the shiny object, look over here instead. The ENTIRE purpose is to inflict pain and inconvenience on the car people to "nudge" them in the direction of



Mike Campfield · Greater Rose Garden

...

It has nothing to do with safety for the bike riders. It has nothing to do with safety for the cars. The whole thing is a convenient ruse, like a magician's sleight of hand. Pay no attention to the shiny object, look over here instead. The ENTIRE purpose is to inflict pain and inconvenience on the car people to "nudge" them in the direction of getting out of their cars. "Nudging" is a technique. The bike lane thing is simply a technique, it gets us all fighting among ourselves, looking away from the steady progression of the plan.



Techniques like these tap into "useful idiots" (look it up), who are not part of the

plan, but they sincerely advocate for things that just happen to help the plan, so their participation in the advocacy is encouraged. If you happen to watch the news you will see this technique in action on a daily basis all over the world. I can often tell when this is happening, even when I have no idea of the ultimate goal is. Here's a small clue, whenever you anybody protesting about anything - regardless of their affiliation - there is a fantastic probability that this is what is happening, and although sometimes the agitators who organize these might have an inkling of the

3:58



  **Laura Morales** 
San Tomas West · 16 Apr · 

 **ERIC HERNANDEZ** · Oster 

They are following a top down agenda which has nothing to do with actual local conditions.

19w  1

Like Reply Share

 **Yolanda Moreno** · Miller 

We have some poor city planners. Why would you oout a Costco on Lawrence expressway/Prospect road where there is a highschool! On to of that they're to build 997 "homes" in the shopping center where the AMC theaters. Por city management!!!



Pat Casey · Country Lane



The person in charge obviously doesn't live in the neighborhood. Just another example of our tax dollars at work. The businesses off of Saratoga don't like it either because the traffic backs up and they are seeing less customers now. Someone should be held accountable for this stupidity. No wonder people are leaving California. I may be right behind them. Are other nearby cities doing the same, eg, Santa Clara, LG, Saratoga?

19w 4

Like Reply Share



Bill B. · Strawberry Park



Pat - yes, other cities are doing this kind of thing too. There is a big multi-country "plan", I think from Sweden (are we Sweden??) called "Vision Zero" (which is such a good name for something that shows ZERO VISION).



Laura Morales



San Tomas West · 16 Apr ·



RICK BECK · ROLLING HILLS



Peter Then they too must realize how stupid these barriers are. In my humble opinion, it's now much more dangerous for

opinion, it's now much more dangerous for cyclists. Case in point, driving north on Saratoga Ave, making a turn into Westgate requires a 90 degree turn at the very last second. This causes the car behind to slam on the brakes and if the cyclist isn't watching the split second between the car and crossing the bike path is very dangerous. Not to mention all the distracted drivers and even cyclists using cells could cause a car to swerve right over the barriers and take the bike out. At least before there was a break in the bike lane in which to merge. Crazy.

19w  3

Like Reply Share



Sam Robinson · Westmont ...

We as residents of San Jose need to take back our streets. The city council and the rest of the worthless politicians work for US. We know what is better for our neighborhoods than they do.

19w  2

Like Reply Share



Darrin Wicker · Willow Glen-West ...

The city doesn't care



Laura Morales ...

San Tomas West · 16 Apr · 



execution seems VERY FLAWED. There's no debate about the importance of promoting cycling. Here are the problems:

1. Unaesthetic Design and Poor Signage: Shouldn't city beautification be a priority? The current setup with poles and flimsy cardboard signs detracts from the area's aesthetics. Additionally, dust accumulates between the poles, creating an unkempt appearance.

2. Inefficient Space Utilization: The poles are positioned too close to car lanes. Every lane should have a buffer zone in case vehicles swerve or need to avoid objects on the road. There's excessive wasted space between the poles and the bike lanes! See image below.

3. Traffic Flow Disruption: Studies show that inefficient traffic flow leads to driver impatience and erratic maneuvers. I drive this area almost every day and have observed numerous drivers making sharp turns to avoid stopping traffic or the poles themselves. Was this an intended consequence? Especially concerning is the turn area towards Westgate. There's ample space to dedicate a lane for drivers to make a smooth turn into the mall.

Overall, it's clear WHY many people are

commenting on this, and why a majority
seem dissatisfied with the changes. (edited)



Mike Campfield · Greater Rose Garden



Although I have written at obnoxious length here already about how none of this has anything to do with bike lanes - it's all about control of the populace, regarding why something like this can happen...

For "big" things (I don't know - maybe "should the 49ers move to Santa Clara"), there are often two (or more) sides that are going to be arguing back and forth in the press and in numerous city, county, state level official meetings. People are passionate on both sides. Donations get made to politicians who are advocating for one side or the other. Professional lobbyists get involved.

For "little" things - and in the scheme of things in the world, bike lanes fall into this category - there are MAYBE two sides, but more often than not there is only one side. I have NO INFORMATION to back this up, but I would guess that there are some vocal pro-bike lane folks out there. I'm sure that they have been lobbying for years about adding bike lanes. They are probably somewhat organized.



Laura Morales

San Tomas West · 16 Apr · 🌐



Now go back five or ten years. Does anyone think that there was a well organized, vocal "ANTI bike-lane" group fighting to keep our beautiful, wide-open streets bike-lane free? I can't say for sure, but I tend to doubt that there was such a thing. Lots of people might not have ever been in favor of bike-lanes, or maybe not even even thought about them. But if they are like me, there are a ton of things that I am "against", but there are way too many of those things for me to go out and actively campaign against all of them.

But, when there are people that are "for" something, a single topic issue (think about the single issue voters), there are going to be very passionate people who are willing to put time and effort into the furtherance of that single issue

There lies the answer. The squeaky (bike) wheel, gets the grease. I'm fairly certain that 5 to 10 years ago there were lots of committee meetings where the pro bike lane folks were strongly represented, and the "anti" bike lane people were off somewhere else. living their lives. Based

on the responses here, I'm sure that if they had some of those same committee meeting today the demographic of the attendees would be vastly different

From: [Liana Crabtree](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: written communication: 9/4/2024 City Council meeting
Date: Wednesday, September 4, 2024 3:21:11 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 Mayor Mohan, Vice Mayor Fruen, Council Members Chao, Moore, and Wei:

Please include this letter as part of written communication (oral communication) for the 9/4/2024 City Council meeting.

I respect and appreciate the dedication and work of current and recent past resident-focused Council Members Kitty Moore, Liang Chao, Steven Scharf, Darcy Paul, and Jon Willey. All have centered listening and responding to all residents and their concerns in their public service.

It seems financial interests blame prior resident-focused Councils for the State's decision to delay its certification of Cupertino's sixth cycle Housing Element (2023-2031), which is ridiculous.

According to Cupertino's own timeline, the 6th Cycle Housing Element submissions that were rejected happened during the term of today's Council majority (2023-2024), where Kitty Moore opposed changes introduced by Council majority members because they deviated from staff recommendations.

Engage Cupertino: <https://engagecupertino.org/public-documents>

Redevelopment will happen throughout existing communities, but must move forward incrementally. Some forced upzoning by the State through construction-mandate legislation was probably necessary to relax local rules about adding ADUs and modest height (3-4 stories) multi-family homes in and adjacent to existing neighborhoods. But, there must be a plan to pay for infrastructure improvements and maintenance beyond saddling significant costs on current residents. And, punitive measures, such as the State-mandated "Builder's Remedy", to force disproportionate, high-density redevelopment islands in neighborhoods with insufficient infrastructure just serves to anger and distract residents.

I support the re-election of Council Member Kitty Moore and the election of former Planning Commissioner Ray Wang to the Cupertino City Council in November 2024. I believe both will prioritize Cupertino residents' needs and concerns in their work as council members.

Sincerely,

Liana Crabtree

Cupertino resident

From: [Ram Namita Sripathi](#)
To: [City Clerk](#)
Date: Wednesday, September 4, 2024 2:33:56 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 Clerk, Please include in written communications for oral comments for 09/04/24 city council meeting. This is for the de anza bike lane project Thank you.

From: [Santosh Rao](#)
To: [City Clerk](#)
Subject: Fw: Please postpone or suspend DeAnza Blvd lane reductions.
Date: Wednesday, September 4, 2024 2:01:38 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.

Dear Coty Clerk,

Please include in written communications for oral comments for 09/04/24 city council meeting. Thank you.

Begin forwarded message:

On Thursday, August 29, 2024, 7:26 PM, Santosh Rao <santo_a_rao@yahoo.com> wrote:

Dear Mayor Sheila Mohan, City Council Members, Manager Wu, Chad, and David,

I recently learned of the plan to eliminate one lane in each direction on DeAnza Boulevard, and I am deeply concerned about both the decision and the process by which it was reached. As someone who regularly attends City Council meetings, I was surprised that such a significant change was not explicitly brought before the Council or the broader public. This project stands to impact every resident and commuter in Cupertino, and yet it seems to have moved forward without the transparency and public input that a decision of this magnitude warrants.

I urge you to immediately halt this project and reassess the plan in light of the following concerns:

1. **Lack of Explicit Agendization:** The lane reductions were not clearly listed as an agenda item in any City Council meeting, depriving residents of a direct opportunity to engage with and understand the implications of this decision.
2. **Inadequate Public Input:** The decision was not subjected to the robust public consultation that it deserves. The Bike Pedestrian Commission, while important, does not

sufficiently represent the views of the majority of road users, and its meetings are not widely attended or accessible.

3. **Insufficient Traffic Studies:** It appears that a comprehensive traffic study was either not conducted or not shared publicly. Without a full analysis of the potential impacts, this decision lacks a solid foundation.
4. **Lack of Council Oversight:** The City Council was not given the opportunity to weigh in on this critical change, nor were council members presented with the findings of any studies or analyses that may have been conducted.
5. **Failure to Inform Residents:** Both Cupertino residents and those in neighboring cities were not adequately informed about this project. A change of this scale should have been communicated clearly and openly to all who would be affected.
6. **No Collaboration with Neighboring Cities:** There was no effort to collaborate or communicate with adjacent cities like Sunnyvale, Saratoga, and San Jose, whose residents and commuters will also feel the impact of these lane reductions.
7. **Lack of Regional Consideration:** This decision was not agendaized or discussed in the city councils of neighboring jurisdictions, effectively excluding input from the wider community of commuters who rely on DeAnza Boulevard daily.
8. **Absence of Broader Public Engagement:** The broader public, including commuters from other cities, was not given a chance to provide input on this change, despite the fact that it will significantly affect their daily lives.
9. **Overreliance on the Bike Pedestrian Commission:** The sole reliance on the Bike Pedestrian Commission for input is concerning. This commission, while valuable, does not represent the broader spectrum of roadway users and its meetings do not facilitate wide public engagement.
10. **Lack of Transparency on lane reductions**

during Funding Approval: When seeking funding approval for this project, the lane reductions were not disclosed to the City Council or the public, undermining trust in the decision-making process.

Given these serious stakeholder engagement gaps and the potential negative impacts on our community, I strongly urge you to halt this project immediately. It is crucial that decisions of such significance are made transparently, with comprehensive analysis and meaningful public involvement. DeAnza Boulevard is a vital thoroughfare, and any modifications to it must be carefully considered with input from all stakeholders.

I trust that you will take swift action to correct this situation and ensure that future decisions are made with the transparency and public engagement that the residents of Cupertino deserve.

Sincerely,

Santosh Rao

Cupertino resident

Driving on DeAnza Blvd daily and often multiple times a day since 1998

From: [Connie Cunningham](#)
To: [City Clerk](#); [City Council](#); [Pamela Wu](#)
Subject: 2024 Sep 4, City Council, Oral Communications,
Date: Wednesday, September 4, 2024 1:03:45 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.

Good evening, Mayor Mohan, Vice Mayor Fruen, Councilmembers, City Manager and City Staff:

I am Connie Cunningham, Chair, Housing Commission, speaking for myself only.

I want to thank the City Council and City Manager and Staff for having created and passed a remarkable Housing Element that has been approved by the state. Thank you, too, for the excellent rezoning effort that will allow homes to be built on the housing element sites.

I am disappointed that the City Council votes were not unanimous. I am disappointed that two of the Councilmembers, Kitty Moore and Liang Chao, are not serious about working together with the region to combat scarcity of housing for all incomes and abilities.

Because these two Councilmembers have not been serious about the Housing Element, many residents remain confused about why there are builders remedy projects within our city limits. Residents need to know that the previous city council, including these two Councilmembers, delayed the housing element for so long, that our city lost its local control. If residents understand that simple point, they will know who let them down.

It is easy to divide us residents, because of the fear that people have of change. The fear that new neighbors will be different, that new neighbors will not want the same things that the existing residents want. Things like safety, clean air and water, and good schools.

We are, in fact, all of us residents, wanting those things. The fears are in how we will maintain those things while growing the number of residents. Fear is caused by avoiding the facts and thinking new neighbors will be different from us.

I ask that the City Council and all residents take pride in the accomplishment of the housing element with its rezoning. By inviting new neighbors into our city, we will increase all the things that we would like to have, and together will solve any issues with parking or traffic that may happen.

Let us seriously approach the lack of housing in our region. I urge Councilmember Moore and Councilmember Chao, to reconsider their approach. I ask them to become serious about helping people of all incomes and abilities to have a chance at housing within our city borders. We are not expected to solve all the problems of the region. We are asked to do our fair share. Please be serious.

Sincerely,
Connie Cunningham

From Connie's iPhone

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: City Council 9/4 Oral Communications
Date: Wednesday, September 4, 2024 12:00:41 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.

Dear City Council,

In mid-February I reported the mis-allocation of funds from our below market rate housing fund toward other uses.

We have yet to be informed as to whether or how this has been rectified.

I ask that you provide a full accounting for the last five years of this fund and also explain the staff hours that were allocated to it – because it seems so high.

Today you have before you a potential affordable housing project that could benefit from these funds – let us make sure that we have money to give to it when that time comes.

Related to the Housing Element and Builder Remedy and SB330 projects, can the City please provide a study session?

There has been an inordinate amount of misinformation floating around and I hope that the city can set it straight.

Thanks,
Rhoda



Virus-free. www.avg.com

From: [Santosh Rao](#)
To: [Sheila Mohan](#); [City Council](#); [Pamela Wu](#); [Kirsten Squarcia](#)
Subject: Request to move oral comments to after ceremonial items and before presentations.
Date: Tuesday, September 3, 2024 7:23:41 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.

Hello Mayor Sheila,

I request you to please move oral comments to after ceremonial items and before presentations for the 09/04/24 city council meeting.

Oral comments allows for comments for items not on the agenda. As council has not met in a while a large number of comments may be pending. I request you to be considerate to residents and not keep them waiting for presentations items to complete.

Thank you.

Thanks,
Santosh Rao

From: [Neil Park-McClintick](#)
To: [City Council](#); [City Clerk](#)
Subject: Re: Council owes the community honest around BR projects and the HE
Date: Wednesday, September 4, 2024 7:19:56 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.

Apologies—this was meant for oral communications

On Wed, Sep 4, 2024 at 7:03 PM Neil Park-McClintick <neil.parkmcclintick@gmail.com> wrote:

Dear Mayor and Members of the City Council,

My name is Neil Park-McClintick, and I am writing as a member of the community with deep roots in Cupertino, having lived, worked, and gone to school for over 15 years combined.

Thank you staff and Council for bringing our city into compliance around the housing element, which is more than just meeting some kind of legal mandate. This is a contract that can and will bring us together as a community, around issues of planning which have long divided our neighborhoods and led to hate, bullying, harrassment, and a degradation of our values.

We have a real opportunity to heal deep wounds in our politics, but it starts with ALL members of the City Council being honest with the public by setting the record straight when it comes to the Housing Element update and the resulting builder's remedy discoure that threatens to bring back that toxicity and division.

Honesty in this case means being willing to tell the numerous residents—who presently feel caught off guard and agitated around the builders' remedy—the truth: that we lost our local control because of the last City Council's poor governance around the housing element and the repeated obstructionism of Councilmembers presently still on the dais, like Councilmember Moore, who had the privilege of getting to use the rest of Council as a protective buffer as she repeatedly abstained or voted no throughout the housing element process.

Cupertino was subject to the Builder's Remedy because the city did not have a state-certified Housing Element providing for 4,588 homes by the state deadline of January 31, 2023 because leaders like CM Moore and former Commissioner Ray Wang failed to take meaningful action around housing.

But beyond this too, we need to continue to be honest with our community that we have to build homes at all income levels, even when it might feel unnatural at certain densities or in certain neighborhoods, and even if it's not politically opportunistic to do so.

We deserve leaders who prioritize the rule of law and housing community members above their own personal political agendas.

From: [Sherman Wang](#)
To: [City Clerk](#)
Subject: Fwd: Please Postpone Lane Reductions on De Anza Blvd
Date: Wednesday, September 4, 2024 5:34:37 PM
Attachments: [A. Project Area De Anza Blvd.pdf](#)
[B. Project Plans De Anza Blv.pdf](#)
[D. July 16, 2023 Minutes.pdf](#)
[C. Dec 22, 2022 Minutes.pdf](#)
[E. June 6, 2023 Staff Report.pdf](#)
[F. April 16, 2024 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 City Clerk,
Please include the email below in written communications for oral comments for today's (9/4/24) City Council meeting.
Thank you,
Sherman

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

From: **Sherman Wang** <sherman.wang@gmail.com>
Date: Tue, Aug 6, 2024 at 11:52 PM
Subject: Please Postpone Lane Reductions on De Anza Blvd
To: <smohan@cupertino.gov>

Dear Mayor Mohan,
I am a 35-year resident of Cupertino living on Rodrigues Ave. A recent [news article](#) on San Jose Spotlight brought to my attention a very concerning change to De Anza Blvd slated for construction later this month. I am asking that you please postpone this project until City Council has had a chance to further study its impact on all residents and local businesses.

Details of the De Anza Blvd buffered bike lane project are attached and below:

- City [website](#) describing the project
- Attachment A: the project on De Anza Blvd spans from Homestead to Bollinger
- Attachment B: the project plans to:
 - Reduce traffic lanes from 4 lanes down to 3 lanes going northbound between Stevens Creek and Lazaneo (see pages 8-10 of the pdf);
 - Reduce traffic lanes from 4 lanes down to 3 lanes going southbound between Stevens Creek and Bollinger (see pages 11-17 of the pdf). The news article incorrectly states that lane reduction will only happen between Stevens Creek and McClellan.
 - Narrow existing lanes in 3-lane traffic areas on De Anza Blvd
- City's [2016 Bicycle Transportation Plan](#) from the Bicycle Pedestrian Commission that describes the origins of the project

Reasons to postpone this project for further study:

- **Traffic Effect:** De Anza Blvd is the major corridor in Cupertino serving residents going

northbound towards 280/Sunnyvale and southbound towards 85/Saratoga. De Anza Blvd is severely jammed during morning and afternoon rush hours and weekends. What effect would narrowing existing lanes and removing one lane altogether have on our traffic? In my conversation with the City's Transportation Manager David Stillman, David said (paraphrased):

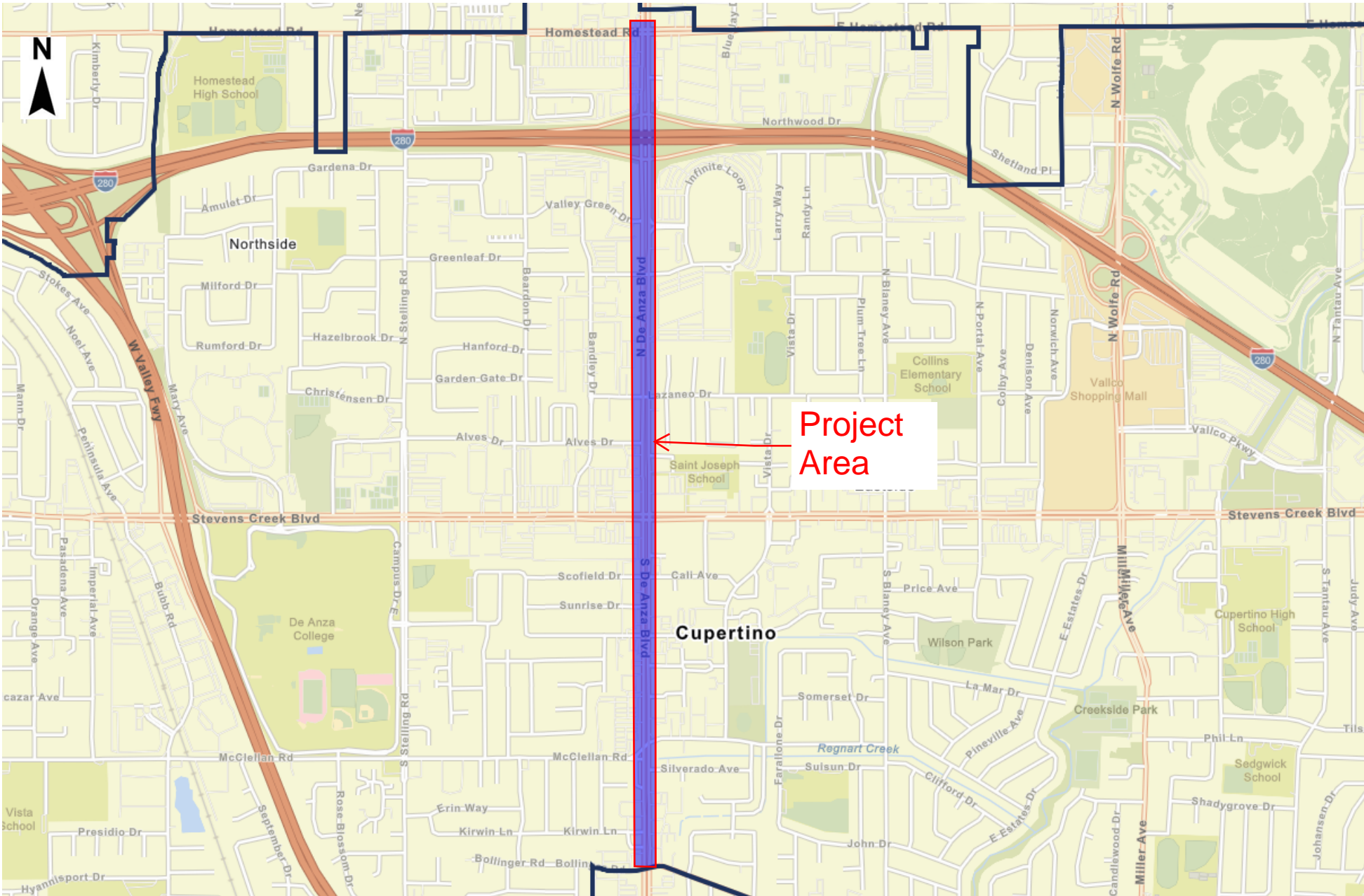
- "No recent traffic study has been done to calculate the effect of this project." David pointed me to the [2016 Bike Plan](#). However, the 2016 Bike Plan does not have or reference any traffic simulations performed or data collected. In fact, the meeting minutes from the Bicycle Pedestrian Commission meeting on December 22, 2022 and July 19, 2023 (Attachment C & D, highlighted on Page 4 for both pdfs) confirms that no simulation or data collection was performed for this project even though it was planned to be done.
- "Reducing lanes does not affect traffic flow. Timing of lights will be done so that no meaningful impact on traffic will occur." Respectfully, and anecdotally, I disagree. There are a number of retail, office and after-school care businesses along De Anza Blvd in which entering cars back up onto the street or slow down traffic significantly. Reducing a lane on De Anza Blvd is undoubtedly going to cause further congestion. Also, if lights will be better timed to help traffic flow, why isn't that already being done?
- **Outreach to Residents:** According to Suyesh Shrestha, the Public Works project manager on this project, he is not aware of any notification or solicitation of input from residents or businesses for this project. When I asked David, he stated that the 2016 Bike Plan received input from the public during Bicycle Pedestrian Commission meetings. This seems to me, at its best, an oversight. Imagine if the Teen Commission decided to make Memorial Park only available for Teens and no other residents during the weekends, stating that they received input from the public during Teen Commission meetings. Understandably, the wider public is not expecting a commission's decision to have such far-reaching effects, and they should have a chance to voice their support or opposition.
- **City Council Review:** As far as I can tell, the only discussions that City Council has had regarding this project occurred on June 6, 2023 and April 16, 2024 (Attachment E & F) related to funding. The staff reports do not provide an accurate description of the lane reductions and only describe the effect as "narrowing existing vehicle traffic lanes." The project description on the city [website](#) similarly only states that the project will result in "narrower vehicle lanes." If it hasn't already, City Council (I imagine) would want to perform further diligence on the effects of permanently narrowing its major corridor.

Timing is of the essence.

While City Council is currently on summer hiatus, David Stillman said that the contractor for this project has already been hired and will likely start in a few weeks at the end of August. I respectfully ask that you consider postponing this project until City Council, residents and local businesses can further study and provide input on its lasting effect.

Thank you,
Sherman Wang

*I find it important here to note that I am not opposed to the spirit of this project, which is to provide further means of safe bike transportation in our city. I support that goal but am concerned that the project as currently designed will be detrimental in ways that should be studied more thoroughly.



Project Area

Cupertino

Northside

N De Anza Blvd
S De Anza Blvd

Homestead High School

Collins Elementary School

De Anza College

Wilson Park

Cupertino High School

Sedgwick School

Creekside Park

Regnart Creek

Stevens Creek Blvd

Stevens Creek Blvd

Homestead Rd

Homestead Rd

Northwood Dr

N Wolfe Rd

Amulet Dr

Gardena Dr

Valley Green Dr

Millford Dr

Greenleaf Dr

Hanford Dr

Rumford Dr

Hazelbrook Dr

Garden Gate Dr

Christensen Dr

Alves Dr

Alves Dr

Saint Joseph School

Valco Shopping Mall

Valco Pkwy

Stevens Creek Blvd

Stevens Creek Blvd

McClellan Rd

McClellan Rd

Silverado Ave

La Mar Dr

E Estates Dr

Presidio Dr

Erin Way

Kirwin Ln

John Dr

Shadygrove Dr

Hyannisport Dr

Bollinger Rd

Candlewood Dr

Johansen Dr

September Dr

Rose Blossom Dr

Kirwin Ln

Bollinger Rd

Pineville Ave

E Estates Dr

September Dr

Rose Blossom Dr

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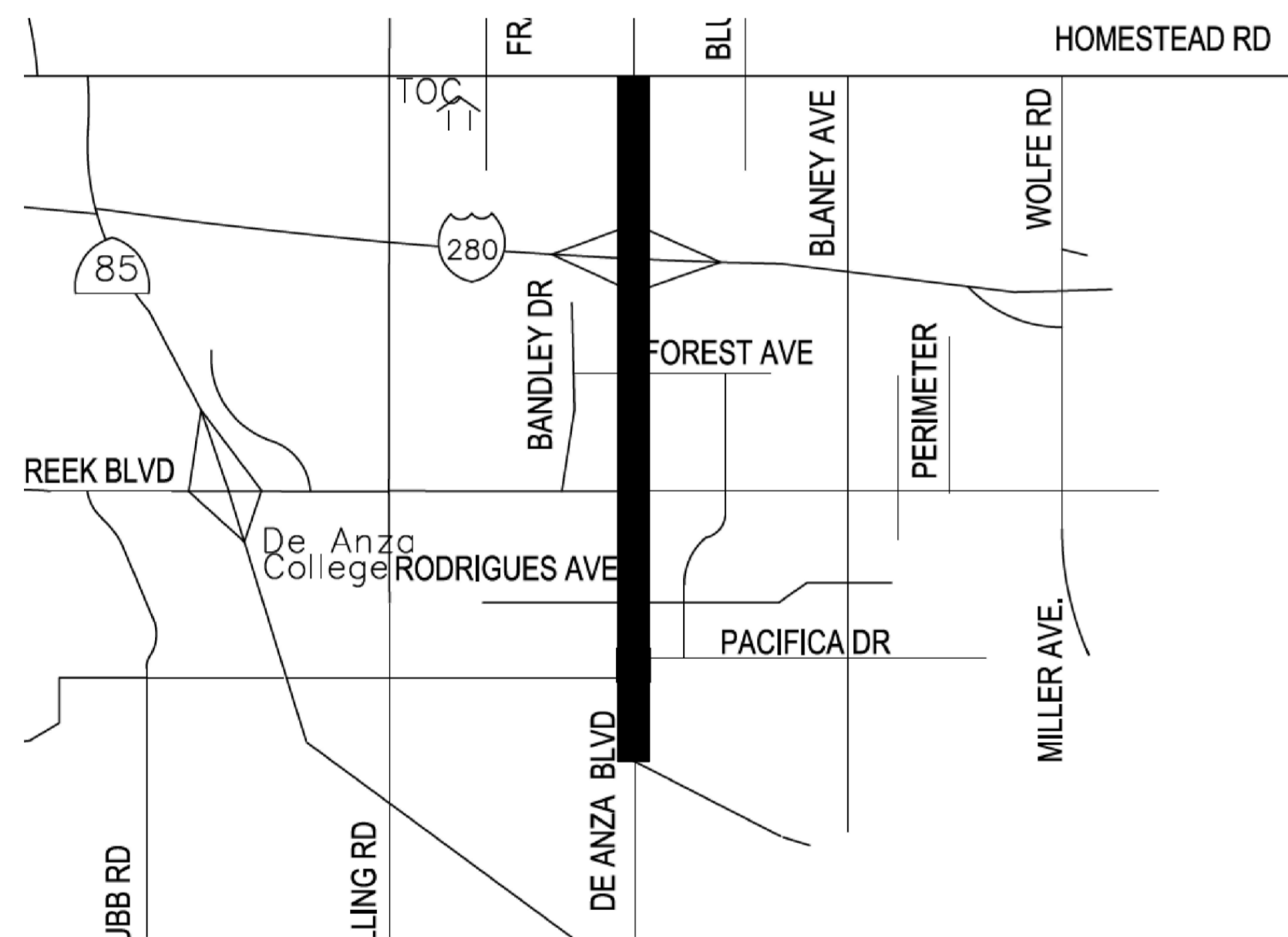
September Dr

CITY OF CUPERTINO

DE ANZA BLVD BUFFERED BIKE LANES

STRIPING PLANS FOR THE CORRIDOR OF DE ANZA BLVD

CITY PROJECT NO. 2023-01



VICINITY MAP

CALTRANS STANDARD PLANS & STANDARD SPECIFICATIONS (DATED 2023) AND THE CITY OF CUPERTINO STANDARD DETAILS AND SPECIFICATIONS

SHEET INDEX		
1	CV-01	TITLE SHEET
2 - 17	SS-01 TO SS-16	STRIPING PLAN
18	DT-01	STRIPING DETAILS

APPROVED BY: 	6/11/2024 DATE
CHAD MOSLEY, CITY ENGINEER	

DESIGN: MA	CHECKED:	NO.	REVISION:	DATE:
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APPROVED BY:				

CITY OF CUPERTINO
DEPARTMENT OF PUBLIC WORKS

SCALE
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CV-01
SHEET 1 OF 18



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CITY OF CUPERTINO
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SCALE
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SS-01
SHEET 2 OF 18

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CITY OF CUPERTINO
DEPARTMENT OF PUBLIC WORKS

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SS-02
SHEET 3 OF 18



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CITY OF CUPERTINO
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SCALE 3/4"=1'
 SS-03
 SHEET 4 OF 18



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SCALE 3/4"=1'
SS-04
SHEET 5 OF 18



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SHEET 6 OF 18



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SS-06
SHEET 7 OF 18



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SS-07
SHEET 8 OF 18

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SS-08
SHEET 9 OF 18



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SS-09
SHEET 10 OF 18

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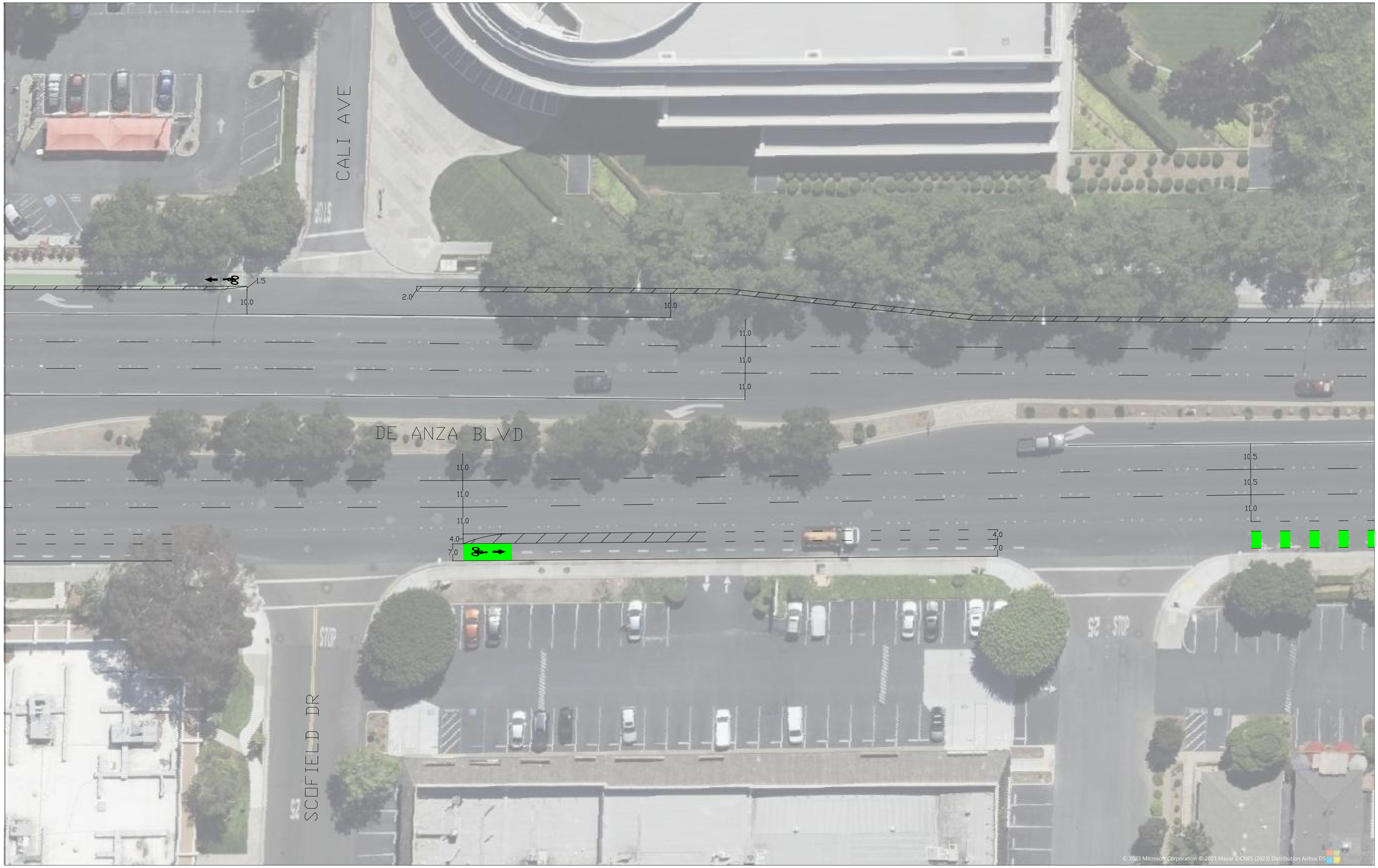
STEVENS CREEK BLVD

DE ANZA BLVD

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SHEET 11 OF 18



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CITY OF CUPERTINO
DEPARTMENT OF PUBLIC WORKS

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SS-11
SHEET 12 OF 18



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CITY OF CUPERTINO
DEPARTMENT OF PUBLIC WORKS

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SHEET 13 OF 18



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CITY OF CUPERTINO
 DEPARTMENT OF PUBLIC WORKS

SCALE 3/4"=1'
 SS-13
 SHEET 14 OF 18



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CITY OF CUPERTINO
DEPARTMENT OF PUBLIC WORKS

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SHEET 15 OF 18



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CITY OF CUPERTINO
DEPARTMENT OF PUBLIC WORKS

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SS-15
SHEET 16 OF 18



DE ANZA BLVD

BOLLINGER RD

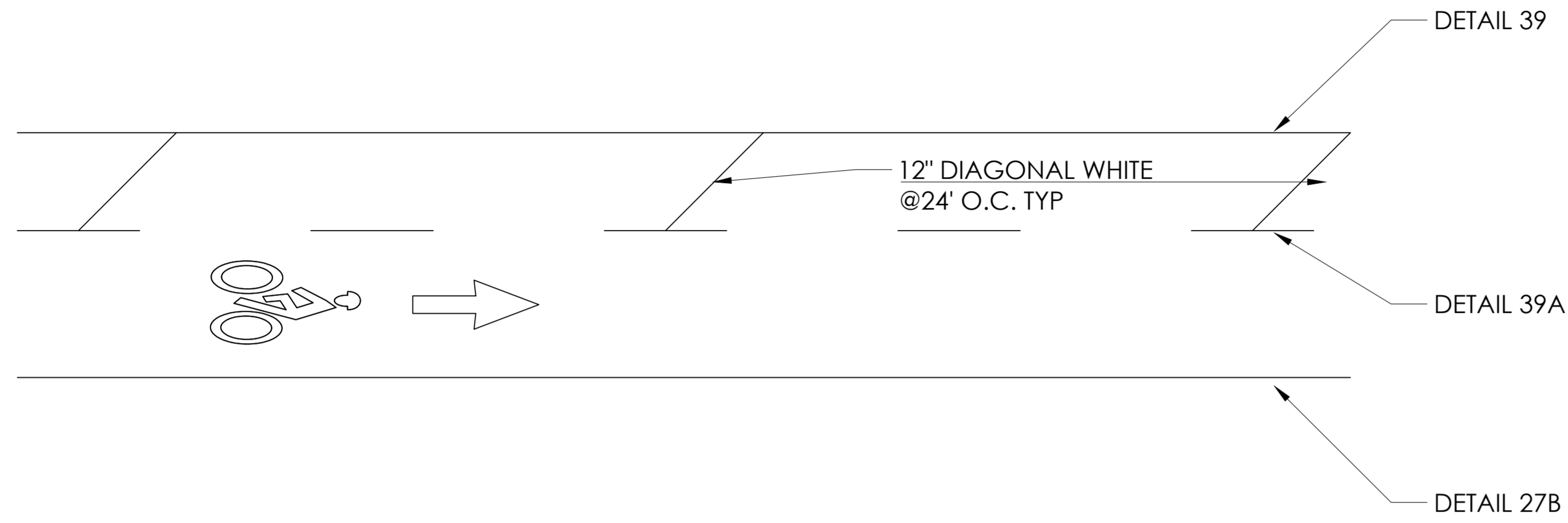
KIRWIN LN

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CITY OF CUPERTINO
DEPARTMENT OF PUBLIC WORKS

SCALE
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SS-16
SHEET 17 OF 18



BIKE BUFFER DETAIL (TYP)

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DRAWN BY: MA	DATE: 6/03/24			
APPROVED BY:				



**FINAL MINUTES
MINUTES OF THE REGULAR MEETING OF THE
BICYCLE PEDESTRIAN COMMISSION
December 21, 2022**

Final Minutes

The meeting was called to order at 7:00 p.m.

ROLL CALL:

Present: Jack Carter (VC), Gerhard Eschelbeck, Ilango Ganga (C), Grace John, Erik Lindskog

Absent: None

Staff: David Stillman, Staff Liaison

Others Present: Marlon Aumentado, Assistant Engineer

APPROVAL OF MINUTES

1. November 16, 2022 Bicycle Pedestrian Commission Minutes

MOTION: Commissioner Eschelbeck moved, seconded by Vice Chair Carter to approve the minutes as presented.

MOTION PASSED: 5-0

POSTPONEMENTS

No Postponements

ORAL COMMUNICATIONS

Jennifer Shearin, public speaker sent the Bicycle Pedestrian Commission a letter with proposed locations for new bike racks. It was important that bike racks be placed in locations that were useful. She also mentioned debris found in bike lanes, and the bike lanes did not seem to ever be cleaned.

Chair Ganga mentioned that the comments were received and there was a plan to bring this item on the agenda in January 2023.

WRITTEN COMMUNICATIONS

None

OLD BUSINESS

2. Future Agenda Items (Ganga)

Carmen Road Bridge

Education on How to Use Two-Stage Left Turn Boxes

Path between Lincoln Elementary and Monta Vista High School

The Impact of Semi-Rural Designation on Bike and Ped Projects/Priorities

Reassess the Intersection at Bubb Road/McClellan Road

Stevens Creek Boulevard, Phases 1-3

Vision Zero (Workplan Item)

Lead Pedestrian Walk Interval (LPI) (start the pedestrian green before vehicles)

Lawson Middle School Bike Path

Input from Seniors on the Bicycle Pedestrian Improvements

Bollinger Road Safety Corridor Project

AB 43 – Summary and how Commission can support implementation (to what extent we can reduce speed limits)

Bicycle Licensing (to prevent bike theft)

Bicycle Facilities (Workplan Item)

Land Donation from Richard Lowenthal (Carter)

Review Progress toward BPC Objectives (Six months to annually)

BPC Input at the VTA BPAC Meeting Regarding Adult Bicycle Education (Lindskog/Ganga)

League of American Bicyclists Application – Due 2/2023

Review Bicycle/Pedestrian Improvements and Provide Input from the Public

Pedestrian Safety around Shopping Centers

Update from Safe Routes to School (SR2S)

Examine Pedestrian Walkways for Safety

Chair Ganga wanted a link of the future agenda items posted on the website. David Stillman, Transportation Manager said that could be done.

3. Cristo Rey Drive Bicycle Striping Improvements (Stillman)

David Stillman, Transportation Manager gave a presentation on Cristo Rey Drive Bicycle Striping Improvements.

Jennifer Shearin, public speaker said the road was extremely curvy and that made it a safety risk. A hybrid option was the most confusing, and most expensive; Class 2 lanes were the best for cyclists.

Matt W, public speaker relied on Cristo Rey Drive to access to the City of Cupertino. He echoed Ms. Shearin's comments and said there should be some physical separation, but of the options presented, Class 2 bike lanes were the best.

Commission Lindskog inquired if a Class 2 bike lane were installed, were there places that the bike lane would be along where cars were parked. Mr. Stillman said there was no parking on the section of Cristo Rey Drive within the City limits and the City had no jurisdiction over the portion of Cristo Rey within the City of Los Altos city limits. Commissioner Lindskog thought Class 2 bike lanes would be the best solution.

Vice Chair Carter recalled there was about 30 feet of pavement, which left five feet on either side for bicyclists. Bicyclists were going at speed when going downhill and having to ride on five feet of road was tight.

Commission John felt it was hard to maneuver around cars when going downhill. Cristo Rey Drive was like Bollinger Road. She did notice cars parked on the street. She was not convinced about staff's proposal but did not have answers either.

Commissioner Eschelbeck repeated that there were constraints and agreed that the Class 2 bike lane was the best option. Chair Ganga thought, ideally, it was good to have Class 2 bike lanes on both sides and it was confusing to divide the road into segments where some parts were Class 2, and some parts were sharrows. There was a lot of traffic on the weekends, and he wanted to make sure the roads were safe for bicyclists.

Chair Ganga inquired if it was possible to widen the road to add a Class 2 bike lane on both sides, and secondarily, would the other jurisdictions be able to share the cost. Mr. Stillman clarified that Class 2 bike lanes could exist with the existing road width. It was not practical to widen the roads currently due to substantial grade changes, and it would be an expensive project. That option was a possibility but that would be a much longer-term solution.

Vice Chair Carter preferred a Class 2 bike lane going uphill and sharrows going downhill. That allowed for more room in the road. Chair Ganga preferred to do Class 2 on both sides.

Commissioner Eschelbeck inquired if it was possible to further reduce the speed for vehicles. Mr. Stillman said a speed survey would need to be done to determine what the speed was, and he needed to follow the California Vehicle Code recommendations. Commissioner Eschelbeck asked, assuming the Commission settled on a Class 2 bike lane tonight if the speed reduction survey could be done independently. He did not want to delay the one for the other. Mr. Stillman said the striping of the bike lanes would help in reducing the speed limits because it provided a visually narrower lane for vehicles to drive in, which forced drivers to slow down.

Chair Ganga asked about the parking issue. Commissioner John did see cars parked. Mr. Stillman said it was illegal to park along the Cupertino section of Cristo Rey Drive. He saw them parked outside the City's boundary and there were no parking signs as well.

Chair Ganga wanted to know if there was any data about vehicle counts and bicycle usage. Mr. Stillman said there were some counts done back in 2018 and 2019 but he did not have any data at hand. There were not bike counts on Cristo Rey Drive.

Commissioner Lindskog commented that if a Class 2 lane was made on the downhill side, the bicyclists could take the vehicle lane. If there were problems with the parking, the installation of a Class 2 bike lane discouraged that. He suggested a buffered bike lane along where there were parked cars.

Chair Ganga was concerned about hazards in relation to the vehicle shoulder because there was only five feet on either side. Mr. Stillman understood there was a standard curb and gutter on both sides. A thorough look into the area was to be done before striping started. If the Commission wanted additional studies, this could be done, and then this item could be brought back to the Commission.

MOTION: Commissioner Eschelbeck moved, seconded by Commissioner Lindskog to recommend that:

1. Staff survey the street for unsafe conditions prior to installation of Class II bike lanes; and
2. Recommend to the City Council to:
 - a. Install Class II bike lanes in both directions on Cristo Rey Drive in Cupertino; and
 - b. Survey and adjust, if appropriate, the speed limit following Class II striping installation.

MOTION PASSED: 3-2, Carter and John No

NEW BUSINESS

4. De Anza Boulevard Buffered Bike Lane Project

Marlon Aumentado, Assistant Engineer gave a presentation on the De Anza Boulevard Buffered Bike Lane project.

Vice Chair Carter wanted to know what happened to the bicycles going north, after the lane reduction, understanding some cars needed to do a lane change to get onto the freeway. Mr. Aumentado replied there was still a bike lane there and it was easy to put a two-foot buffer.

Chair Ganga wanted to know if any traffic studies were done. Mr. Aumentado said not lately.

Seema Lindskog, public speaker wanted to know why there were separated bike lanes being proposed, as opposed to protected bike lanes; separated bike lanes were worse. Given that striping the road did not work, why would separated bike lanes be pursued.

Jennifer Shearin, public speaker agreed with Ms. Lindskog. The bolt down barriers were cheaper than what was done on McClellan Road. The buffered bike lanes were going to be a

vast area of conflict between cars merging on the freeway and bicyclists going straight. She wanted to know if there was going to be a change in signals.

Commissioner Lindskog pointed out that the City of San Jose made buffered bike lanes on De Anza Boulevard and reduced their lanes, so he did not see why the City could not do the same. He wanted the vehicle lanes as narrow as possible to make room for bicyclists, as well as removing a lane on the road. Vice Chair Carter agreed and said taking a lane away right before Home Depot eliminated the bottle neck in that area. He was more concerned about the area by the freeway.

Commissioner Eschelbeck wondered why bollards would not be placed on De Anza Boulevard in this phase. Mr. Aumentado commented that the budget was the main constraint and agreed to look at the cost. Commissioner Eschelbeck asked if one side could have a separated bike lane installed and then have the other side installed later. Mr. Aumentado said that was not in the Work Plan. Mr. Stillman remarked that the intent of the project was to fulfill the objective of the Bike Plan, which was vetted through the Commission. There were some other reasons why the buffered bike lanes were moving forward, as opposed to the protected bike lanes. These included higher speeds on De Anza Boulevard, which introduced other potential safety problems, additional cost, and ongoing maintenance and upkeep of the protected bike lanes. He recommended continuing with the buffered bike lane and said it provided an extra layer of protection beyond what was there now. This did not preclude installing a protected bike lane in the future. Chair Ganga agreed with Mr. Stillman and said this project was already approved by the Council.

Vice Chair Carter asked about bus stops and wanted to know if the proposed work was going to make it harder to install bus stops later. Mr. Aumentado said no.

Commissioner Lindskog remarked that if there was a concern for high speeds on De Anza Boulevard, was it not better to install the concrete barriers. If more aggressive planning was made, was there a possibility for grants. Mr. Stillman reiterated that the project that was approved was the buffered bike lane.

Chair Ganga asked about studies and remarked that it was always good to have data on hand. Mr. Aumentado said traffic collection data was to be done.

NO ACTION TAKEN

5. Bicycle Safety Aspects Including Stop Sign Behavior, Lights and Helmet Use, Education and Enforcement (Ganga)

David Stillman, Transportation Manager gave a presentation on bicycle safety aspects in the City of Cupertino.

Seema Lindskog, public speaker suggested using data to guide decisions. The best way to make things safer was to build safer cycling infrastructure.

Jennifer Shearin, public speaker thought improving safety was good but giving away items such as bike lights or helmets worked. Education was needed for motorists as well as bicyclists.

Commissioner Lindskog remarked that both cars and bicyclists did not follow the rules but the impact for vehicles not following the rules had a much bigger impact. It was difficult to enforce bicyclists stopping at stop signs. He suggested having the police encourage bicycle safety rather than enforce it. He suggested focusing on vehicle safety first, then bicycle safety.

Commissioner Eschelbeck thought enforcement needed to be equal to both parties. He commented about the hours of darkness, especially in the winter, and the lack of lighting for bicyclists. This was a problem.

Vice Chair Carter felt rules did not seem to apply to bicyclists. He found that because so many bicyclists did not follow the rules that it confused drivers when bicyclists did follow the rules. Both groups needed to follow the rules. Since bicycle tests were not required like vehicle tests were required, people did not know how to ride on the roads.

Commissioner John thought bike safety was everyone's responsibility. There needed to be some type of program to encourage bike safety and the resources needed to be easily available. Proactive education programs needed to be encouraged more. She suggested having the rules posted on the website.

Chair Ganga remarked that the discussion was not about motorists verses the bicyclists. While pedestrian infrastructure was being made safer, it also needed to be ensured that bicyclists followed the right guidelines so accidents were avoided. Preventative measures were the subject at hand, it was better to be defensive, so collisions did not happen. He saw people not following the correct guidelines for bicyclists, which could cause harm. He discussed resources available and referenced Valley Transportation Authority, Silicon Valley Bicycle Coalition, and others in San Francisco. He encouraged continued partnership with Safe Routes to School. Regarding enforcement that was established, he wanted to have an open discussion and ensure things were done safely.

Commissioner Lindskog pointed out that there were violations for vehicles, which needed to be enforced better, such as speeding and many others. Education was needed for drivers, but it was clear they did not know what rules to follow.

Vice Chair Carter felt that if there were classes for drivers that got ticketed, then there should be classes for bicyclists. The same was the case for pedestrians needing to follow traffic laws. Enforcement was needed for all groups.

MOTION: Commissioner Lindskog moved, seconded by Vice Chair Carter to recommend that staff consider the following action plan:

- 1) Bicycle and pedestrian safety education resource availability
- 2) Encourage third-party education classes to come to the City of Cupertino

- 3) Driver safety education with respect to bicyclists and pedestrians, for example flyers
- 4) Programs related to bicycle lights

MOTION PASSED: 5-0

STAFF AND COMMISSION REPORTS

6. Staff Update and Commission Activity Report (All)

David Stillman, Transportation Manager relayed that there was a kick-off meeting with the Vision Zero consultant. The first public meeting and an update to the Bicycle Pedestrian Commission was coming soon. A survey was to be open from January 6-30, 2023, for the naming of the I-280 trail. The pedestrian scramble at Bubb Road/McClellan Road was expected to be activated January 23, 2023.

Commissioner Lindskog gave a presentation on the VTA BPAC Meeting on December 7.

Vice Chair Carter reported that the Mayor's meeting was cancelled and the Safe Routes to School meeting did not happen for December. Vice Chair Carter volunteered to attend these meetings in January 2023.

ADJOURNMENT

Meeting adjourned at 9:40 p.m.

SUBMITTED BY:

David Stillman

David Stillman, Staff Liaison

Note: Any attachments can be found on the Cupertino Website
<https://www.cupertino.org/our-city/agendas-minutes>



FINAL MINUTES
MINUTES OF THE REGULAR MEETING OF THE
BICYCLE PEDESTRIAN COMMISSION

July 19, 2023

Final Minutes

The meeting was called to order at 7:02 p.m.

ROLL CALL:

Present: Ilango Ganga, Hervé Marcy (VC), Joel Wolf (C), John Zhao

Absent: Grace John

Staff: Marlon Aumentado, Staff Liaison

Others Present: Timothy Weisburg, Deputy Director, Marketing

APPROVAL OF MINUTES

1. June 21, 2023 Bicycle Pedestrian Commission Minutes

MOTION: Commissioner Zhao moved, seconded by Vice Chair Marcy to approve the minutes as presented.

MOTION PASSED: 3-0, Ganga, John Absent

POSTPONEMENTS

No Postponements

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

None

OLD BUSINESS

2. Future Agenda Items (Wolf)

Work Plan

- Vision Zero – In Progress
- Bicycle Facilities – In Progress

- Lawson Middle School Bikeway – Completed
- New Bicycle Pedestrian Plan (FY 24-25)

Grants

- Know/Understand Fed Grant Funding with Caltrans on updated bike ped planning
- Understand/Educate on what funding standards are (Fed/State)

Studies / Plans

- Staff update - Rodrigues Ave Speed Study and Street Crossing Behavior
- Staff update - Stevens Creek Corridor Vision Study
- Path between Lincoln Elem and Monta Vista HS
- Examine Pedestrian Walkways for Safety

Projects

- Staff update - Stevens Creek Boulevard, Phases 2-3
- Staff update - Safe Routes to School (SR2S)
- Carmen Road Bridge
- Homestead Bike Lane Study (City of Sunnyvale Project)

Education

- Impact of Semi-Rural Designation on Bike and Ped Projects/Priorities – more information required
- Leading Pedestrian Walk Interval (LPI) – Start pedestrian green before vehicles
- AB 43 – Summary: How commission can support implementation to reduce speed limits – more information required
- Adult Bicycle Education

Miscellaneous

- Status – VTA BPAC Adult Bicycle Education (Lindskog)
- Bicycle Licensing (Theft Prevention)
- Review Progress toward BPC Objectives & Grant Applications (6mo)
- Review Bike Ped Improvements and Gather Public Input / Senior Input
- VTA Pedestrian Access to Transit Plan – Focus Area J: Cupertino (SCB & Stelling)

Commissioner Ganga joined the meeting at 7:14 p.m.

NO ACTION TAKEN

NEW BUSINESS

3. Go Safely, California – Education Program Presentation from the California Office of Traffic Safety (Weisburg)

Timothy Weisberg, Deputy Director Marketing, California Office of Traffic Safety gave a presentation on Go Safely, California, an education program from the California Office of Traffic Safety.

Vice Chair Marcy asked about a graphic on the PowerPoint that was greyed out. Mr. Weisberg replied that represented the total fatalities since 1980.

Commissioner Ganga noticed a steep rise in crashes. There were three main causes, driving under the influence, distracted driving and speeding but he wanted to know who the most affected were. Mr. Weisberg said pedestrians because they did not have the protection a person would have in a vehicle, such as seatbelts and airbags. There was a drastic increase involving pedestrians since 2010. Before 2010 fatalities in California were below 3,500, after 2010, they increased between 4,200 and 4,300; impairment and speeding made things dangerous.

Commissioner Ganga wanted to know how COVID-19 effected this data. Mr. Weisberg said there was a plateau in 2019, then there was an increase in vehicle speeds because people were not facing the traffic they had before the pandemic. It's speculated that during the pandemic, alcohol played a part in reckless driving. When the pandemic was over, reckless driving continued. There were a lot more people walking and biking during the pandemic as well.

Commissioner Ganga wanted to know if there was anything specific the City of Cupertino could do, such as partnering with other programs through Go Safely. Mr. Weisberg proposed bike rodeos, bike programs, outreach, and said Go Safely was promoting their survey; he suggested having City staff fill out their survey. This December, Go Safely was able to fund some grants for education programs but the money was only to support events related to safety awareness, no capital improvements.

Commission Zhao suggested sharing the survey at the Bike Fest in September 2023. Mr. Weisberg agreed to table an event. Vice Chair Marcy asked if it was possible to promote the survey in the Cupertino Scene. Marlon Aumentado, Assistant Engineer agreed to check that.

Chair Wolf heard that the Office of Traffic Safety (OTS) gave out grants for large amounts of money. Mr. Weisberg commented that the Federal government was heavily invested in pedestrian and bicycle safety and there were a lot of funds being given out. Go Safely worked with over 100 agencies and processed over 450 grant applications.

Commissioner Ganga wondered if the grant funds were able to be used for the development of Cupertino's Vision Zero program. Mr. Weisberg said it depended on what the money was specifically used for; if it was used to educate, inform, or develop some type of plan that had an objective for Vision Zero, such as an education campaign, then yes. Go Safely was pushing education on new infrastructure, such as the two-way bike boxes Cupertino has.

Commissioner Ganga suggested adding an item on Future Agenda Items regarding education programs and grants the City could apply for.

NO ACTION TAKEN

4. Cupertino Transportation Division Presentation (Aumentado)

Marlon Aumentado, Assistant Engineer, gave an overview of the Transportation Division, who the team is and what projects were being worked on.

Commissioner Zhao asked about McClellan Road Ph. 3 and wanted to know the scope. Mr. Aumentado said it was an intersection modification where the effort was to connect the two Class 4 bike lanes on McClellan Road and Pacifica Drive. The intersection needed to be realigned, vehicle movements reconfigured, new mast arm poles were installed, the road was widened, amongst other things. Commissioner Ganga asked if the plan was on the website. Mr. Aumentado was in the process of building a webpage.

Chair Wolf inquired about the simulation (sim) project on Bollinger Road. Mr. Aumentado explained there was going to be a micro-sim of the corridor, which was a small model of the roadway used to understand what would happen to the traffic with proposed changes, in this case a road diet. For Bollinger Road, the simulation showed traffic impacts if the road was reduced from two lanes to one.

Commissioner Ganga inquired if the sim took real data and projected 'what if' scenarios. Mr. Aumentado replied that the sim would be fit into the scope of work for the project. The sim was able to use existing traffic data. He explained a Request for Proposals would be initiated for traffic consultants, then staff would choose which company had the best approach to simulate the corridor.

Chair Wolf wanted to know if a demonstration could be done where lanes were narrowed to one, temporarily. Mr. Aumentado did not think that was advisable.

Commissioner Ganga wanted to know if a micro-sim was put in place on De Anza Boulevard for the De Anza Buffered Bike Lane Project. Mr. Aumentado said a sim was not performed for that project, and the information for that project was based off existing traffic data and traffic observations.

Vice Chair Marcy asked if the Transportation Planner was working part-time on the Via Cupertino Shuttle (now Silicon Valley (SV) Hopper). Mr. Aumentado replied that the Transportation Planner mainly worked on the SV Hopper amongst a number of other things.

Vice Chair Marcy wanted to know if the recent grant of \$8.6 million covered the entire cost of SV Hopper. Mr. Aumentado said yes and commented that the City of Santa Clara was also participating in an expansion phase. Vice Chair Marcy wanted to know how big the fleet was for SV Hopper. Mr. Aumentado did not have that information at this time.

NO ACTION TAKEN

STAFF AND COMMISSION REPORTS

5. Staff Update and Commissioner Activity Report (All)

Marlon Aumentado, Assistant Engineer relayed that the Pavement Maintenance Project was finishing, there were new buffered bike lanes as part of that on Prospect Road. The City Council approved the Cristo Rey Bike Lanes project and work for that was going to start in the fall. Last night the City Council approved the Highway Safety Improvement Project (HSIP) grant.

Commissioner John was supposed to attend the Mayor's meeting. Commissioner Zhao wanted to know if there was an update from the Subcommittee on the Bike Fest. Vice Chair Marcy said there was communication to have the Public Works Director set up a meeting with a representative of the Rotary Club and Chamber of Commerce for installation of the bike racks on private property. When racks were installed on private property, the City still had input because they contributed money toward the racks. The Rotary Club was looking at artistic bike racks.

Chair Wolf announced the thirteenth annual Bike Summit on August 24. There was a \$40 registration fee. They were going to discuss various bike issues in Santa Clara County.

Vice Chair Marcy planned to attend next month's Mayor's meeting and Safe Routes to School (SR2S) meeting.

Mr. Aumentado reported that Erik Lindskog, VTA BPAC representative, said there was no VTA BPAC report.

ADJOURNMENT

Meeting adjourned at 9:01 p.m.

SUBMITTED BY:

Marlon Aumentado

Marlon Aumentado, Staff Liaison

Note: Any attachments can be found on the Cupertino Website
<https://www.cupertino.org/our-city/agendas-minutes>



PUBLIC WORKS DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333
CUPERTINO.ORG

CITY COUNCIL STAFF REPORT

Meeting: June 6, 2023

Subject

Consider adoption of a Resolution to request the Metropolitan Transportation Commission (MTC) allocate Fiscal Year (FY) 2023/2024 Transportation Development Act Article 3 (TDA 3) Pedestrian/Bicycle Project funding for the De Anza Boulevard Buffered Bike Lanes Project.

Recommended Action

Adopt Resolution No. 23-XXXX (Attachment A) requesting the MTC allocate \$166,259 from FY 2023/2024 TDA 3 Pedestrian/Bicycle Project funding to the City of Cupertino's De Anza Boulevard Buffered Bike Lanes Capital Improvement Programs (CIP) Project.

Reasons for Recommendation

The Transportation Development Act (TDA) has long been a cornerstone of California State (State) transit funding. The State TDA funding allows counties to establish a quarter-cent sales tax to finance a wide variety of transportation projects. Specifically, TDA 3 provides funding annually for bicycle and pedestrian projects.

Santa Clara County's (County) "Guarantee" is a share of MTC's TDA 3 funds, which are distributed to jurisdictions based on 2022 California Department of Finance population figures. These funds may be saved for up to four years, plus one year for the programming of funds. The City has accumulated a total of \$414,955, which includes saved funds and rescinded funding requests from prior years.

Proposed TDA 3 projects must be ready to implement within one year of their submittal in the application cycle. The following project types are eligible for TDA 3 funding:

1. Construction and/or engineering of bicycle or pedestrian projects.
2. Maintenance of a Class I shared-use path and Class IV separated bikeways.
3. Bicycle safety education programs (no more than 5% of County total).
4. Development of comprehensive bicycle or pedestrian facilities plans (allocations to a claimant for this purpose may not be made more than once every five years).
5. Restriping of Class II bicycle lanes and buffered bicycle lanes.

In 2019, the Public Works Department requested \$166,259 to help fund a Bike Boulevards Project but rescinded the funding request in February 2022 because the scope of the project had changed. Since TDA 3 funds may only be saved for up to four years, the City must program the rescinded funds, at the latest, in FY 2023/2024 to avoid having the funds revert to the Countywide pool in the next cycle.

The Department of Public Works recommends \$166,259 of FY 2023/2024 TDA 3 Pedestrian/Bicycle Project funding be allocated to the De Anza Boulevard Buffered Bike Lanes Project. The project was initiated in FY 2022/2023 as part of the approved CIP project fund and is currently funded by the City at \$525,000.

The TDA program requires each participating jurisdiction to have a Bicycle and Pedestrian Advisory Committee review and prioritize TDA 3 bicycle and pedestrian projects and plans. On April 19, 2023, Cupertino's Bicycle Pedestrian Commission recommended that the City Council approve Cupertino's TDA 3 allocation request for use on the De Anza Boulevard Buffered Bike Lanes Project.

In accordance with MTC Resolution 875, all claimants that have received an allocation of TDA 3 funds are required to submit an annual fiscal and compliance audit to MTC and to the Secretary of the Business and Transportation Agency within 180 days after the close of each fiscal year. All TDA audits are due to MTC by December 31 of each year.

Sustainability Impact

The recommended improvements are intended to encourage bicycle use, which will reduce single occupancy vehicle trips and lead to reduced vehicle emissions. This will help the City achieve air quality and greenhouse gas emission reduction goals.

Fiscal Impact

The approval of this Resolution satisfies the MTC/TDA requirement, resulting in the City receiving TDA 3 funds in the amount of \$166,259. These funds will be appropriated to the De Anza Boulevard Buffered Bike Lanes CIP Project (420-99-262 440-438). The project's current City-funded appropriation (\$525,000, explained above) can be offset by the amount of the grant funds received. The balance of the TDA 3 funds are targeted to complete an update and consolidation of the City's Bicycle and Pedestrian Master Plans.

California Environmental Quality Act (CEQA)

This project was found to be categorically exempt from CEQA pursuant to CEQA Guidelines section number 15301, existing facilities, as bicycle lanes previously existed within the same right-of-way of the project.

Prepared by: Marlon Aumentado, Assistant Civil Engineer
Reviewed by: David Stillman, Transportation Manager

Reviewed by: Susan Michael, Capital Improvement Programs Manager

Reviewed by: Chad Mosley, Interim Director of Public Works

Reviewed by: Matt Morley, Assistant City Manager

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Resolution and Application



PUBLIC WORKS DEPARTMENT

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CITY COUNCIL STAFF REPORT

Meeting: April 16, 2024

Subject

Award a construction contract for the De Anza Boulevard Buffered Bike Lanes Project in the amount of \$529,680 and approve a budget modification in the amount of \$5,533.

Recommended Action

1. Award a construction contract for the De Anza Boulevard Buffered Bike Lanes Project (Budget Unit 420-99-262) in the amount of \$529,680 to Chrisp Company;
2. Authorize the City Manager to execute the contract when all conditions have been met; and
3. Adopt Resolution No. 24-XXX approving budget modification #2324-237, approving an appropriation of \$5,533 in the Capital Improvement Fund (420) and a transfer of \$5,533 from the Capital Reserve Fund (429) to the project (budget unit 420-99-262 900-905) for a total authorized project expenditure of \$529,680.

Reasons for Recommendation

In June 2016, the City Council adopted the Bicycle Transportation Plan (BTP). The BTP is a long-range planning document designed to address the present and future needs of bicycling within the City of Cupertino. Infrastructure projects are identified in the BTP and organized into three tiers. Tier 1 projects have the highest priority with expected implementation within five years. Tier's 2 and 3 projects score lower than Tier 1 projects with respect to priority, however, implementation of these tiers can be initiated sooner to take advantage of funding or other opportunities, or to complement the development of other transportation improvements.

The construction of Class II buffered bike lanes on De Anza Boulevard between Homestead Road and Bollinger Road (Project) is identified in the BTP as the highest-ranking Tier 2 project. De Anza Boulevard is a major north-south principal arterial across Cupertino, a designated truck route along most of its length, and has a posted speed limit of 35 mph. Currently, standard Class II bike lanes exist along both directions of De Anza Boulevard within Cupertino, and no buffer zone exists to increase the separation between bicycle and vehicle traffic.

The project will enhance the safety of existing Class II bikeway facilities on De Anza Boulevard between Homestead Road and Bollinger Road by narrowing existing vehicle travel lanes and installing a painted buffer zone to create separation between the bicycle lanes from the vehicle lanes. Recently the City of San Jose completed the installation of a painted buffer zone separating the Class II bike lanes from vehicle traffic lanes along De Anza Boulevard within their City limits south of Bollinger Road. The improvements from the project will enhance safety for cyclists by providing a continuation of buffered bike lanes into the City’s jurisdiction in addition to calming vehicular traffic speeds.

The Project was included in the approved Fiscal Year (FY) 2022-2023 Capital Improvement Program (CIP) budget, with a total funding amount of \$525,000. The project funding was supplemented by \$166,259 in funding from the Transportation Development Act Article 3 (TDA 3), administered by the Metropolitan Transportation Commission (MTC). The TDA 3 funding does not increase the overall CIP project budget but does decrease the amount of City funds required to construct the project.

The City advertised the Project for bid on February 16. On March 12, the City received one responsive bid (detailed in the table below).

Bidder	Total Bid Amount
Chrisp Company	\$529,680.00

The Department of Public Works reviewed the Chrisp Company bid documents for completeness, confirmed the contractor’s experience and qualifications, and determined the bid to be responsible, per the Instructions to Bidders, and the Cupertino Municipal Code. Therefore, staff recommends awarding a construction contract to Chrisp Company for a total contract amount of \$529,680. Since this contract amount exceeds the project funding by approximately \$5,000, a budget modification will be required if this contract is awarded.

A construction contingency allows for unforeseen conditions and is a typical contracting practice. Due to the nature of the project and scope of work, staff is not recommending a construction contingency for this project.

A draft construction contract is included as Attachment A, while the full project specifications can be found on the City’s “Business Opportunities” webpage and <https://apps.cupertino.org/bidmanagement/index.aspx>. Construction is expected to begin in May 2024 and be completed in June 2024 in tandem with CIP Project 2020-12, De Anza Boulevard and McClellan Road/Pacifica Drive Intersection Modifications.

Sustainability Impact

The recommended improvements are intended to encourage bicycle use, which will reduce single-occupancy vehicle trips and lead to reduced vehicle emissions. This will help the City achieve air quality and greenhouse gas emission reduction goals.

Fiscal Impact

The FY 2022/2023 budget allocated \$525,000 for the Project, which is partially offset by grant funds received (\$166,259).

Awarding a construction contract to Chrisp Company for a total contract amount of \$529,680 exceeds the project funding by \$5,533. A budget modification and transfer of \$5,533 from the Capital Reserve Fund (429) to the Capital Improvement Fund (420) is required to address the funding shortfall.

Current Fiscal Summary:

Current Funding Status	Amount
Budgeted Funds for De Anza Boulevard Buffered Bike Lanes	\$525,000
TDA 3 funding allocated	\$166,259
Reduction of City Funding required for the project	(\$166,259)
Traffic Data Collection	(\$800)
CEQA Filing Fee	(\$53)
Design (In-house)	(\$0)
Remaining Budget: Funding available after Expenses/Expenditures to date	\$524,147

Estimated Funding Impact	Amount
Estimated Construction Total (<i>this agreement</i>)	(\$529,680)
Proposed Budget Modification: transfer from Capital Reserve	\$5,533
Remaining Budget: projected Funding available after Construction Contract award	\$0

California Environmental Quality Act (CEQA)

This project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 (maintenance of existing facilities), as bicycle lanes previously existed within the same right-of-way of the project.

Prepared by: Marlon Aumentado, Assistant Civil Engineer

Reviewed by: Chad Mosley, Director of Public Works

Reviewed by: Matt Morley, Assistant City Manager

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Contract
B – Draft Resolution

From: [Sherman Wang](#)
To: [City Clerk](#)
Subject: Fwd: Inappropriately approved CIP Project
Date: Wednesday, September 4, 2024 5:32:18 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 Clerk,
Please include the email below in written communications for oral comments for today's (9/4/24) City Council meeting.
Thank you,
Sherman

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

From: Sherman Wang <sherman.wang@gmail.com>
Date: Mon, Aug 19, 2024 at 12:27 AM
Subject: Inappropriately approved CIP Project
To: <CityManager@cupertino.org>, <CityAttorney@cupertino.org>
Cc: <tinak@cupertino.org>, <smohan@cupertino.gov>

Hi Pamela and Christopher,
I am a Cupertino resident concerned about the inappropriately approved De Anza Buffered Bike Lane Project. This CIP was originally approved by City Council in the FY2022-2023 budget on June 9, 2022, with a budget modification and contract awarded on April 16, 2024.

In both instances, when Staff presented this project to City Council for budget approval, there was specifically no mention of lane reductions that would occur on De Anza Blvd to accommodate the buffered bike lanes. This was a blatant omission of a key element to this project that would have likely changed or garnished additional discussion from City Council on the project's merits. In fact, I have confirmed with at least one Councilmember present for both meetings that they were unaware of the lane reductions associated with the project.

I would ask that you:

1. Postpone any scheduled work on lane reductions on De Anza Blvd. According to the City Transportation Manager, work is likely to start in the next week or so.
2. Add this to the next City Council agenda for discussion. Councilmembers must be apprised of the full scope of the project and vote on whether to keep it in the CIP budget.

Please see below regarding the historical communications that were provided to City Council regarding this project:

On June 7, 2022, the [supplemental staff report](#) described the project as:
"The scope of this project includes adjustment of current lanes along DeAnza Boulevard, which will provide the space for the addition of a buffer to separate the bike lanes from the

vehicle travel lanes, as recommended in the bike plan and by the Bicycle Pedestrian Commission. The project does not include physical delineators or barriers in the buffer area."

On April 16, 2024, the [staff report](#) described the project as:

"The project will enhance the safety of existing Class II bikeway facilities on De Anza Boulevard between Homestead Road and Bollinger Road by narrowing existing vehicle travel lanes and installing a painted buffer zone to create separation between the bicycle lanes from the vehicle lanes."

The [2016 Bicycle Transportation Plan](#) that is referenced in both staff reports does not actually describe the scope of the project. On Page 3-13, the notes on the project state:

"Study reconstruction of medians and/or lane reduction in both directions to accommodate buffered bike lanes; coordinate with City of San Jose & VTA. See Studies section"

Thank you, and I look forward to your reply.
Sherman Wang



PRESS RELEASE

United Sovereign Americans Files Lawsuit Against Michigan Election Officials

SEPTEMBER 2, 2024

Amidst fears that noncitizens will impact the electoral outcome of 2024 races nationwide, United Sovereign Americans has filed suit against Michigan Secretary of State Jocelyn Benson, alleging that she failed to verify the authenticity of at least 57,978,855 facially invalid voter data records, regardless of citizenship status, and authorized at least 369,107 potentially illegal votes from questionable registrants in the 2022 general election. Also named as defendant is Attorney General Dana Nessel, who Plaintiffs allege has failed to enforce state laws that would have prevented this civil rights injury to all qualified Michigan voters, and US Attorney General Merrick Garland, who has failed to enforce federal law. Petitioners assert these officials did not provide a legally reliable election in the 2022 general election, according to the standards set by the United States Congress.

In the Help America Vote Act, Congress set a maximum error rate for a reliable federal election of 1 in 10,000,000 *ballot positions* (though Petitioners here have used the more Respondent-friendly number of 1 in 500,000 to make the point even more clear). This number translates into 1 out of 125,000 *ballots* in error permitted by law. A ballot position is a circle on a ballot. After careful analysis of Michigan official state records regarding the 2022 midterm, that accuracy requirement appears to have been ignored. Plaintiffs allege that Michigan state officials counted 17,973 more votes than their raw data records show voters having voted. Meanwhile Michigan state officials counted 3,168 more votes than the county Poll Book records show voters having voted. In addition, Michigan state officials counted 14,058 more votes than their "Official" list of voters records show having voted. In a reliable election, there would have been no more than 36 errors statewide.

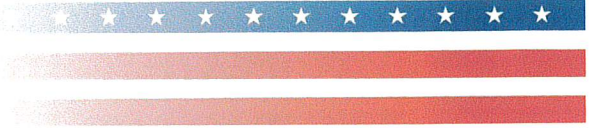
Joining United Sovereign Americans are Michigan Fair Elections Institute, Timothy Mauro-Vetter, Braden Giacobazzi, Phani Mantravadi, Philip O'Hallorin, Donna Brandenburg, and Nick Somberg. Representing the plaintiffs is Bruce L. Castor, Jr. of van der Veen, Hartshorn, Levin & Lindheim. They argue that, "While Petitioners cannot state with certainty that the 2022 Michigan General Election produced "winning" candidates who should not have won, Petitioners believe and therefore aver that Michigan officials cannot state with certainty that all "winning" candidates received more votes than the "losing" candidates because the election itself was compromised by the State's failure to conform to the requirements of federal law designed to ensure reliable election results."

Petitioners have made numerous attempts to inform state officials of this problem, yet Defendants and their respective offices remain unwilling to examine evidence and bring the Michigan voting system into compliance. The Mandamus action seeks a court order that the 2024 election be conducted according to all applicable constitutional, federal, and state laws protecting the fundamental right of every American to choose representatives in a fairly and honestly conducted election.



UNITED SOVEREIGN AMERICANS

...for Freedom!



States have a dual responsibility under the United States Constitution to protect against denial of the vote, and dilution of valid votes with invalid ballots procured by corruption. In the presence of uncertainty, the law presumes fraud and the State of Michigan must produce records proving accuracy. Defendants have been unwilling to do so. The concern Plaintiffs raise is that the civil rights harm sustained by every qualified Michigan voter in 2022, absent intervention by the court, will occur again in 2024 and subsequent federal elections. When a state fails to protect voting rights, federal apportionment can be reduced. While the State of Michigan prefers everyone to believe these are "innocent" mistakes, the law requires investigation before certifying results.

United Sovereign Americans is also suing state officials in Maryland, Pennsylvania, Florida, North Carolina, Texas, and Ohio, and plans to continuing filing lawsuits until every state provides their citizens with Constitutionally valid elections.

Media inquiries are to be directed to:

Marly Hornik, CEO
United Sovereign Americans
167 Lamp & Lantern Village, Suite 194
Chesterfield, MO 63017
info@Unite4Freedom.com
845-204-3343



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PRESS RELEASE

United Sovereign Americans Files Lawsuit Against North Carolina Election Officials

AUGUST 30, 2024

Amidst fears that noncitizens will impact the electoral outcome of 2024 races nationwide, United Sovereign Americans has filed suit against the North Carolina State Board of Elections, alleging that it failed to verify the identity and eligibility of at least 1,122,761 facially invalid voter registrants, regardless of citizenship status, and authorized at least 514,008 potentially illegal votes from these questionable registrants in the 2022 general election. Also named as defendant is Attorney General Josh Stein, who Plaintiffs allege has failed to enforce state laws that would have prevented this civil rights injury to all qualified North Carolina voters, and US Attorney General Merrick Garland, who has failed to enforce federal law. Petitioners assert these officials did not provide a legally reliable election in the 2022 general election, according to the standards set by the United States Congress.

In the Help America Vote Act, Congress set a maximum error rate for a reliable federal election of 1 in 10,000,000 *ballot positions* (though Petitioners here have used the more Respondent-friendly number of 1 in 500,000 to make the point even more clear). This number translates into 1 out of 125,000 *ballots* in error permitted by law. A ballot position is a circle on a ballot. After careful analysis of North Carolina official state records regarding the 2022 midterm, that accuracy requirement appears to have been ignored. Plaintiffs allege that North Carolina state officials counted 392 more votes than their records show voters having voted. In a reliable election, there would have been no more than 30 errors statewide.

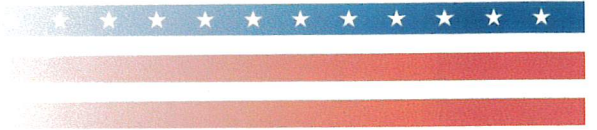
Joining United Sovereign Americans is Richard Yost, a North Carolina voter who has submitted expert reports to NCSBE. Representing the plaintiffs is Bruce L. Castor, Jr. of van der Veen, Hartshorn, Levin & Lindheim. They argue that, “While Petitioners cannot state with certainty that the 2022 North Carolina General Election produced “winning” candidates who should not have won, Petitioners believe and therefore aver that North Carolina officials cannot state with certainty that all “winning” candidates received more votes than the “losing” candidates because the election itself was compromised by the State’s failure to conform to the requirements of federal law designed to ensure reliable election results.”

Petitioners have made numerous attempts to inform state officials of this problem, yet Defendants and their respective offices remain unwilling to examine evidence and bring the North Carolina voting system into compliance. The Mandamus action seeks a court order that the 2024 election be conducted according to all applicable constitutional, federal, and state laws protecting the fundamental right of every American to choose representatives in a fairly and honestly conducted election.



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States have a dual responsibility under the United States Constitution to protect against denial of the vote, and dilution of valid votes with invalid ballots procured by corruption. In the presence of uncertainty, the law presumes fraud and the State of North Carolina must produce records proving accuracy. Defendants have been unwilling to do so. The concern Plaintiffs raise is that the civil rights harm sustained by every qualified North Carolina voter in 2022, absent intervention by the court, will occur again in 2024 and subsequent federal elections. When a state fails to protect voting rights, federal apportionment can be reduced. While the State of North Carolina prefers everyone to believe these are "innocent" mistakes, the law requires investigation before certifying results.

United Sovereign Americans is also suing state officials in Maryland, Pennsylvania, Florida, Texas, Michigan and Ohio, and plans to continuing filing lawsuits until every state provides their citizens with Constitutionally valid elections.

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PRESS RELEASE

United Sovereign Americans Files Lawsuit Against Texas Election Officials

AUGUST 30, 2024

Amidst fears that noncitizens will impact the electoral outcome of 2024 races nationwide, United Sovereign Americans has filed suit against Texas Secretary of State Jane Nelson, alleging that she failed to verify the identity and eligibility of at least 1,352,202 facially invalid voter registrants, regardless of citizenship status, and authorized at least 196,658 potentially illegal votes from these questionable registrants in the 2022 general election. Also named as defendant is Attorney General Ken Paxton, who Plaintiffs allege has failed to enforce state laws that would have prevented this civil rights injury to all qualified Texas voters, and US Attorney General Merrick Garland, who has failed to enforce federal law. Petitioners assert these officials did not provide a legally reliable election in the 2022 general election, according to the standards set by the United States Congress.

In the Help America Vote Act, Congress set a maximum error rate for a reliable federal election of 1 in 10,000,000 *ballot positions* (though Petitioners here have used the more Respondent-friendly number of 1 in 500,000 to make the point even more clear). This number translates into 1 out of 125,000 *ballots* in error permitted by law. A ballot position is a circle on a ballot. After careful analysis of Texas official state records regarding the 2022 midterm, that accuracy requirement appears to have been ignored. Plaintiffs allege that Texas state officials counted 17,159 fewer votes than their records show voters having voted. Meanwhile Texas county officials counted 18,306 *more* votes than their records show voters having voted. In a reliable election, there would have been no more than 65 errors statewide.

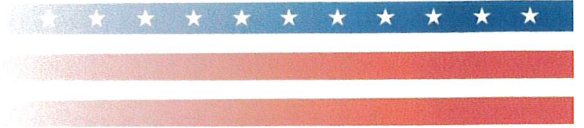
Joining United Sovereign Americans is the nonpartisan, nonprofit 501c3 Citizens Defending Freedom, and a candidate for US Congress, Bernard Johnson. Representing the plaintiffs is Bruce L. Castor, Jr. of van der Veen, Hartshorn, Levin & Lindheim. They argue that, “While Petitioners cannot state with certainty that the 2022 Texas General Election produced “winning” candidates who should not have won, Petitioners believe and therefore aver that Texas officials cannot state with certainty that all “winning” candidates received more votes than the “losing” candidates because the election itself was compromised by the State’s failure to conform to the requirements of federal law designed to ensure reliable election results.”

Petitioners have made numerous attempts to inform state officials of this problem, yet Defendants and their respective offices remain unwilling to examine evidence and bring the Texas voting system into compliance. The Mandamus action seeks a court order that the 2024 election be conducted according to all applicable constitutional, federal, and state laws protecting the fundamental right of every American to choose representatives in a fairly and honestly conducted election.



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States have a dual responsibility under the United States Constitution to protect against denial of the vote, and dilution of valid votes with invalid ballots procured by corruption. In the presence of uncertainty, the law presumes fraud and the State of Texas must produce records proving accuracy. Defendants have been unwilling to do so. The concern Plaintiffs raise is that the civil rights harm sustained by every qualified Texas voter in 2022, absent intervention by the court, will occur again in 2024 and subsequent federal elections. When a state fails to protect voting rights, federal apportionment can be reduced. While the State of Texas prefers everyone to believe these are "innocent" mistakes, the law requires investigation before certifying results.

United Sovereign Americans is also suing state officials in Maryland, Pennsylvania, Florida, North Carolina, Michigan and Ohio, and plans to continuing filing lawsuits until every state provides their citizens with Constitutionally valid elections.

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PRESS RELEASE

United Sovereign Americans Files Lawsuit Against Florida Election Officials

AUGUST 28, 2024

Election validity watchdog United Sovereign Americans, alongside various Florida candidates and eligible citizen voters, has filed in federal court against Secretary of State Cord Byrd and Attorney General Ashley Moody. Represented by Bruce L. Castor, Jr. of Van der Veen, Hartshorn, Levin & Lindheim, Petitioners assert these officials failed to provide a legally reliable election in 2022, according to the standards set by the United States Congress.

Petitioners have made numerous efforts to inform state officials of this problem, yet Defendants and their respective offices remain unwilling to examine evidence and bring the Florida voting system into compliance. The Mandamus action seeks a court order that the 2024 election be conducted according to all applicable constitutional, federal, and state laws protecting the fundamental right of every American to choose representatives in a fairly and honestly conducted election.

In the Help America Vote Act, Congress set a maximum error rate for a reliable federal election of 1 in 10,000,000 ballot positions, or 1 out of 125,000 ballots in error. A ballot position is a circle on a ballot. After careful analysis of Florida state official records regarding the 2022 midterm, that accuracy requirement appears to have been ignored. Plaintiffs allege that Florida officials counted 145,309 more votes than their records show voters having voted. Additionally, official state data shows that 88,635 voters submitted entirely blank ballots, an unlikely event.

Most concerning are the 564,732 voters whose registration records fail to meet any standard of legal accuracy, yet many of them voted. From the complaint:

“Petitioners believe and therefore aver that of the identified 114,266 uncertain/illogical/invalid registrations, **39,946 people voted** and had their votes *counted* in the 2022 General Election, each of which **Florida election officials should have confirmed eligibility to vote before counting that vote and Petitioners aver such officials did not**. Petitioners believe and therefore aver that of the total of 293,605 registrations that violated election laws in one way or another, **38,149** people holding such registrations *cast votes that were counted* in the 2022 General Election, each of which **Florida election officials should have confirmed eligibility to vote before counting that vote and Petitioners aver did not.**”



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States have a dual responsibility under the United States Constitution to protect against denial of the vote, and dilution of valid votes with invalid ballots procured by corruption. In the presence of uncertainty, the law presumes fraud and the State of Florida must produce records proving accuracy. Defendants have been unwilling to do so. The concern Plaintiffs raise is that the civil rights harm sustained by every valid Florida voter in 2022, absent intervention by the court, will occur again in 2024 and subsequent federal elections. When a state fails to protect voting rights, federal apportionment can be rescinded. While the State of Florida prefers everyone believe these are "innocent" mistakes, the law requires investigation before certifying results.

United Sovereign Americans is also suing state officials in Maryland, Pennsylvania, Texas, North Carolina, Michigan and Ohio, and plans to continuing filing lawsuits until every state provides their citizens with legally valid elections.

Media inquiries are directed to:

Bruce L. Castor, Jr.

Attorney-at-Law

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Philadelphia, PA 19107

215.546.1000 (Main)

215.422.4194 (Direct)

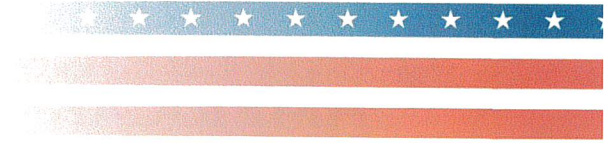
215.546.9329 (FAX)

Web: www.mtvlaw.com

Bio: <https://www.mtvlaw/our-firm/bruce-l-castor-jr/>



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PRESS RELEASE

United Sovereign Americans Files Lawsuit in Ohio to Ensure a Legally Valid 2024 Election

AUGUST 8, 2024

United Sovereign Americans, Concerned Citizen Voters of Ohio, and various individual plaintiff voters, represented by Bruce L. Castor, III of Thomas A. Will & Associates, have filed a federal lawsuit against the State of Ohio, Secretary of State Frank LaRose, state election officials, Ohio Attorney General Dave Yost, and United States Attorney General Merrick Garland regarding errors in the certified results of the 2022 election in Ohio which rendered those results unreliable. This lawsuit is similar to actions already filed by United Sovereign Americans in Maryland and Pennsylvania, and in progress in multiple states.

Congress set minimum standards for every federal election to be considered reliable. According to Plaintiffs, Respondent election officials failed to meet those minimum standards in Ohio's 2022 federal election, upon notice failed to correct the errors that led to such failure and are thus doomed to repeat them in 2024. Additionally, law enforcement officials responsible for assuring that legally required safeguards were in place did not protect the civil right of all Ohio citizens to a reliable election, and are poised to fail to do so again in 2024. Congress has mandated that in a federal election no more than 1 out of 125,000 errors in counting ballots may occur before rendering an election unreliable. With a total of 4.2 million votes tabulated for the 2022 midterm, the law allowed Ohio a maximum of 34 such errors.

The Plaintiffs cited 1,203,438 facially invalid registrations that accounted for 602,631 improperly counted votes, as well as a discrepancy of over 1 million more votes counted than voters who voted at the time of certification, and over 3,000 more votes counted than voters who voted when the election was later reconciled, exposing the plain fact that Ohio certified the election before all of the records were finalized correctly. Plaintiffs asserted in the suit the following:

1. Respondents have denied Petitioners' right to a fair vote.
2. Respondents appear to have implemented procedures that have obscured the ability to audit the 2022 General Election, thereby rendering the outcomes factually unknowable at the time of certification.
3. Respondents have violated multiple federal and state laws, or negligently allowed such violations to occur, while loudly proclaiming the infallibility of Ohio's election results.
4. Respondents insist that Petitioners have adequate voting rights, while simultaneously fighting from every conceivable angle to prevent Petitioners from attempting to protect those rights. Respondents' collective actions in refusing to address the problem extinguish and undermine the very meaning of the right to vote in a fair democracy.



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PRESS RELEASE

Petitioners further allege that these errors were not uniformly distributed across Ohio. For example, election results in Franklin County's 2022 midterm were especially problematic regarding the City of Columbus, where the state's records plainly show that one in every three voters who voted in that election was registered to vote on a January 1st between the years of 1901-2022, when all government offices were closed.

Petitioners contend that it is reasonable to believe that systemic issues which occurred in the 2022 Federal election in Ohio will continue uncorrected in 2024, 2026, 2028, etc., absent Court intervention. The Writ of *Mandamus* seeks the Court to order Respondents to perform their *ministerial* functions by taking actions to rectify reliability issues evident in the 2022 election before certifying future federal elections beginning in 2024.

The suit seeks the Court order Respondents to ensure that only properly registered *citizen* voters cast votes in federal elections, that Ohio counts only votes properly cast, that Ohio complies with critical infrastructure standards making voting systems compliant, and ensuring every ballot is correctly tabulated. Plaintiffs seek relief from the Court to make certain that, upon challenge, Ohio can prove the authenticity of every ballot counted by an unbroken chain of custody from the voter's hand to the final certified result.

Lastly, Petitioners' suit asks the Court to clarify that in Ohio "to certify" an election means that an election official attests under oath that Ohio election workers complied with all federal and state laws in certifying the final result.

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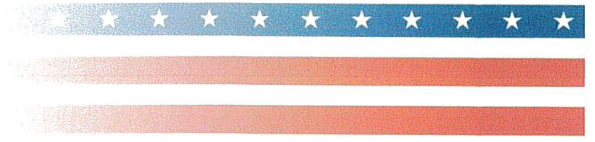
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PRESS RELEASE

NONPARTISAN ELECTION VALIDITY GROUP RELEASES SHOCKING FINDINGS

New analysis from 20 states representing 338 electoral votes shows millions of errors.

7/30/2024

(St. Louis, Missouri) United Sovereign Americans, a nonpartisan, all-volunteer organization dedicated to honest elections, has just released a report detailing millions of errors discovered in state voter databases in twenty states that account for 338 electoral votes. The report can be found at <https://unite4freedom.com/progress/>

Their team of data analysts has over 700 years of big-data and auditing experience. They have acquired multiple copies of actual state voter databases for 2022, and their peer-reviewed analyses have discovered 29 million apparently ineligible voter registrations, 10 million votes cast by those ineligible registrations, and 2 million more votes counted than voters who voted, leading to a 13% vote error rate, where the legally allowed error rate is 0.0008% (1/125,000).

Every entry in a state voter database is a potential vote, and this level of error means bad actors can inject votes into an election that appear to be completely valid.

"Our auditors found 29 million voter registrations that need to be removed, explained or adjudicated and repaired," says Marly Hornik, CEO of United Sovereign Americans, "Is this malice, arrogance, or incompetence? We demand comprehensive investigations on how these illegal records got into our voting systems. It appears that our election officials are derelict in their duties to follow existing election laws. Until these errors are fixed, every reported election result in the country is, tragically, unreliable."

Harry Haury, Chairman of USA, an expert in elections and cybersecurity, was involved with the authoring of the Help America Vote Act (HAVA) of 2002. He says "This is not simply verifying accuracy. This is a wholesale abdication of duty. Are we looking at fraud? Congress and the courts thought so in the 1800's, but now with opaque, unprovable systems we seem to have forgotten our lessons from over a century ago."

The organization has filed two federal lawsuits, one in Maryland, which is on appeal, and another in Pennsylvania which cites 3,192,069 apparent errors in the registration records resulting in 1,089,750 uncertain votes, as well as a discrepancy of over 9,000 more votes tabulated than voters who voted. Nevertheless, Commonwealth officials certified the 2022 election.

The organization is preparing legal action in 18 more states and expects to be heard before the Supreme Court in time to impact the 2024 election.

Results: 20 state summary of apparently ineligible voter registrations: 1,972,555 incomplete registrations, 3,407,281 registered too late, 1,763,975 registrations appear to be invalid, 10,921,180 invalid registration dates, 3,062,531 invalid activity status, 1,647,447 invalid addresses, 3,246,431 duplicate registrations, 3,208,120 registrations appear to have been altered, totaling 29,229,520 errors for 20 states.



Please direct all media inquiries to:
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— ★ *Resolution* ★ —
for a Legally Valid 2024 General Election

Whereas It is a recognized civil right in the United States for every citizen to have free and fair elections. “And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” (Reynolds v. Sims, 377 U.S. 533 (1964))

Whereas It is the duty of our election officials to guarantee our elections are accurate and free from distortion or manipulation. “Congress seeks...to guard the election of members of Congress against any possible unfairness by compelling... everyone concerned in holding the election to a strict and scrupulous observance of every duty devolved upon him while so engaged... The evil intent consists in disobedience to the law.” (In Re Coy, 127 U.S. 731 (1888)).

Whereas Our constitutional system of representative government only works when the following four tenets of an election are upheld:

1. The Voter Rolls Must Be Accurate (National Voter Registration Act, 1993).
2. Votes Counted Must Be From Eligible Voters (US Constitution, Fourteenth Amendment, Section Two).
3. The Number of Votes Counted Must Equal the Number of Voters Who Voted.
4. There Can Be No More Than One in 125,000 Ballots in Error by the Voting System (Help America Vote Act, 2002).




Whereas An open-source audit of the California 2022 General Election conducted by California citizens has uncovered evidence of massive inaccuracies that appear to violate both federal and state laws, including:

- ◆ **5,886,198** ineligible or uncertain registration violations found within the California state voter roll database.
- ◆ **2,776,939** votes cast by ineligible or uncertain registrants.
- ◆ **123,785** more votes counted than voters who voted. No one knows who cast them.
- ◆ **2,776,849** apparent voting violations in excess of the legal standard of system accuracy for a valid federal election. Maximum allowable system errors for the 2022 general election in California was **90**.
- ◆ Certification as defined by law, an attestation of accuracy and compliance, appears to have been fraudulent and illegal.

Whereas These findings trample legal accuracy requirements of the voting system during a Federal Election. Accuracy is defined as the ability of the system to capture and report the specific selections, and absence of selections, made by a voter without error.

Whereas The intent of the voters must be known factually before certification can be lawfully conducted. Certification of an election that varies from the law is an abridgement of the civil rights of the citizens, a fraud *ab initio*. (United States v. Throckmorton, 98 U.S. 61 (1878)). “From time immemorial, an election to public office has been, in point of substance, no more and no less than the expression by qualified electors of their choice of candidates.” (United States v. Classic, 313 U.S. 299 (1941))

Whereas California’s 2022 General Election appears to have been invalid, depriving us of the guaranteed protection of our Natural Rights under a government duly and provably chosen by us, the American people, resulting in incalculable damage to our families, our way of life, and the fabric of these United States.



Therefore We call upon our Representatives to provide relief to the people, and the assurance of domestic tranquility, by joining us in demanding a VALID 2024 General Election that upholds these existing laws, and equitable principles of law:

1. Proof of citizenship, identity and eligibility to register and vote, not anonymous attestation.
2. Voter rolls certified accurate and available for public review and challenge 30 days before the start of early voting. Voters added after that date must bring proof of citizenship, identity, and address in person to a qualified official at each polling place.
3. Hand-marked, secure ballots similar to currency. Where imaging technology is used for tabulation, the security features must be verifiable in the ballot image.
4. Systems, machines, security measures, infrastructure and conduct are required to be compliant with federal law for fraud prevention regarding risk assessment, certification, testing, and implementation.
5. Adjudication must be signed-off by party, candidate, and trained citizen witnesses after being given full and effective observation rights. Candidates and trained citizens must be allowed immediate access to ballots, ballot images and CVRs.
6. Ballots, regardless of entry source, election operations, and systems must maintain end-to-end chain of custody from voter to vote count to final canvass, including auditability and witnessed transfer with paper records.
7. A NIST-compliant, randomized, statistically valid end-to-end audit, with a 95% confidence level, of all elections pursuant to the 14th Amendment, Section 2 must be performed. These audits are to be conducted by qualified, insured and bonded security, forensics or financial auditors, not personnel from within the election system. Reconciliation will include the vote count, real physical ballots, adjudication, CVRs, ballot count, qualified voter count, custody transfer, and all other paper and electronic election systems, including logs.
8. If the total of all unique variances above is more than 10% of the margin of victory, a new election must be held in the state for those candidates affected, unless the issues can be provably corrected by a manual hand recount and a full review of records.
9. Waiver of requirements is not allowed. Only end-to-end system compliance, from registration through certification, can guarantee the intent of the people is accurately recorded.

— *Resolution on following page* —



Be it Resolved

That the Cupertino City Council, Cupertino, California stands in support with the concerns and remedies presented here. We implore the Santa Clara Board of Supervisors, California Legislators, Federal Legislators, Law Enforcement, Federal and State Prosecutors, Judges, and both Secretary of State and County Registrars of Voters to cooperate and fulfill these firm requests of the people.

RESULTS OF THE VOTE	YEA	NAY	SIGNATURE
Mayor Sheila Mohan	_____	_____	_____
Vice Mayor J.R. Fruen	_____	_____	_____
Council Member Llang Chao	_____	_____	_____
Council Member Ketty Moore	_____	_____	_____
Council Member Hung Wei	_____	_____	_____

As recorded on the _____ of _____, 2024.



Appendix to the Resolution

Research Sources for the Open-Source Audit by California Citizens:

- Data from CA statewide voter registration database, October 9, 2023.

Relevant Laws applicable to an End-to-End Audit:

- US Constitution; Article 1, Section 4.
- H.R. 2 The National Voter Registration Act of 1993 (Pub. L. 103-31).
- H.R. 3295 The Help America Vote Act of 2002 (Pub.L. 107-252).
- Federal Election Assistance Commission Voting System Standards Volume I: Performance Standards, April, 2002.
- Federal Information Security Modernization Act of 2014 (Public Law 113-283). Originally Federal Information Security Management Act of 2002 (Public Law 107-347 (Title III).
- National Institute of Standards and Technology SP 800-53: Security and Privacy Controls for Information Systems and Organizations.
- FIPS 199 - Standards for Security Categorization of Federal Information and Information Systems.
- U.S. Code: Title 52; Subtitle I—Voting Rights (§§ 10101 – 10702), Subtitle II—Voting Assistance and Election Administration (§§ 20101 – 21145) including:
 - ◆ 52 USC § 10101(b)—Intimidation, threats, or coercion.
 - ◆ 52 USC § 10307(c)—False Information in, and Payments for, Registering and Voting.
 - ◆ 52 USC § 20701—Retention and preservation of records and papers by officers of elections.
 - ◆ 52 USC § 20702—Theft, destruction, concealment, mutilation, or alteration of records or papers.
 - ◆ 52 USC § 21081—Voting systems standards (HAVA).
 - ◆ 52 USC § 21083—Computerized statewide voter registration list requirements and requirements for voters who register by mail.
- 18 USC § 241—Conspiracy Against Rights.
- 18 USC § 242—Deprivation of Rights Under Color of Law.
- 18 USC § 1519—False Records in the Administration of a Federal Matter.
- 18 USC § 1028A—Aggravated Identity Theft.
- 18 USC § 514—Fictitious obligations.



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From: [Yoshio Chou](#)
To: [City Clerk](#)
Subject: Fwd: Object to Summer-hill home (on Linda vista Dr) and Vista Heights
Date: Thursday, September 5, 2024 1:51:37 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 City Clerk:

Please include in written communications for the next city council meeting.

Much appreciated,
Tom Chou

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

From: **Yoshio Chou** <chouyu@gmail.com>
Date: Wed, Sep 4, 2024 at 11:00 PM
Subject: Object to Summer-hill home (on Linda vista Dr) and Vista Heights
To: <citycouncil@cupertino.gov>, <cityclerk@cupertino.gov>

Dear Cupertino City Council members,

I am a Cupertino resident living in Linda Vista Dr for more than 15 years. All of my neighbors and I are worrying about potential fire hazards and irreversible environmental impact. We would like to further emphasize a few points demonstrating the infeasibility of, and therefore strong objection, to these plans.

My family and neighbors could see wild deer walk down from the ridge near Linda Vista Park to the neighborhood from time to time. The ridge adjacent to Linda Vista Park is the safe passage for wild deer to access the park and roads around Monta Vista. This open-space, low-elevation habitat is rare for wildlife animals in the Bay Area, in our human-crowded South Bay - when was the last time you got to see wildlife roaming in low-elevation close to human habitat these days in Bay Area cities? It is simply rare and precious.

Second, this development proposal would bring many more people into the neighborhood. **They would have to access Bubb and McClellan road for daily commute.** Every day, there are numerous students that need to use these two roads to get in and out of Abraham Lincoln Elementary School, John F. Kennedy Middle School and Monta Vista High School. The traffic congestion around schools is already a severe problem, with a student getting killed just a few years ago in front of 7-11 because of heavy traffic on McClellan. We can't worsen traffic conditions on these main arterials of the neighborhood any further. Allowing such plans next to this neighborhood design where existing traffic infrastructure already cannot sustain and has led to student death is simply irresponsible.

We ask council members to change the zone back to R1 and remain the original residential density.

Sincerely yours,
Tom Y.H. Chou
Linda Vista Dr. Cupertino

From: [WILL](#)
To: [City Clerk](#)
Subject: Re: Opposition to Proposed 20-Unit Condominium Development at 20739 Scofield Drive
Date: Thursday, September 5, 2024 12:21:00 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 City Clerk,

Please include my previous email in written communications for the next city council meeting. Thank you.

On Wed, Sep 4, 2024 at 10:41 PM WILL <renbohan0129@gmail.com> wrote:

Dear Officer,

I hope this email finds you well. My name is Bohan Ren, a homeowner at 20671 Rodrigues Ave in Cupertino, and I am writing to express my strong opposition to the proposed development at 20739 Scofield Drive. The recent proposal to replace a single-family home with a five-story, 20-unit condominium in an R1-10 zoning district raises significant concerns for me and many of my neighbors.

First and foremost, the safety of our community is a critical issue. The proposed site is just two blocks away from William Faria Elementary School, an area already congested during the morning and afternoon school rush. The introduction of a multi-family building of this scale will inevitably lead to increased traffic, further exacerbating these congestion issues and posing serious risks to children and families. Additionally, the narrow residential streets will not be able to accommodate the increased volume of vehicles, and there will likely be insufficient parking for 20+ cars, leading to further strain on the neighborhood's infrastructure.

Moreover, this project would dramatically change the character of our neighborhood. Cupertino's R1-10 zoning districts are intended for single-family homes, which contribute to the quiet, suburban atmosphere that residents cherish. A five-story multi-family building is completely out of scale with the surrounding properties and would create a precedent for further high-density developments in areas where they are not suitable. I strongly believe that this site should remain dedicated to single-family homes, as altering it to a multi-family development would fundamentally change the character of our community.

Additionally, I am concerned about the environmental impact of this project. The removal of trees and the construction of a large building will alter the landscape significantly, potentially disrupting local ecosystems. The loss of green space and mature trees, which provide essential shade and contribute to air quality, is not something to be taken lightly. The long-term effects on the environment must be carefully considered before proceeding with such a development.

While I understand the need for housing, I believe that developments should be thoughtful and considerate of the existing community. This proposal, however, is not in harmony with our neighborhood's character and would introduce a host of safety, environmental, and

aesthetic issues that could degrade the quality of life for current residents.

I respectfully urge the city to reconsider this proposal and work towards a solution that better aligns with the needs and values of our community. I would be grateful for the opportunity to discuss this matter further and to share the concerns of my fellow neighbors.

Thank you for your time, consideration, and respect for our neighbors' opinions and interests.

Sincerely,
Bohan Ren

--

Cheers,
Bohan Ren

From: [Nancy Chang](#)
To: [City Clerk](#); [Benjamin Fu](#); [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#)
Subject: Oppose Summer-Hill Homes and Vista Heights Project
Date: Wednesday, September 4, 2024 11:47:37 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 City Clerk and Members of the Cupertino City Council,

Please include in written communications for the next city council meeting. Thank you.

We are writing to express my deep concerns regarding the proposed redevelopment of **10857 Linda Vista Drive and Linda Vista Park (Summer-Hill Homes and Vista Heights)** area into a higher-density residential neighborhood. While we understand the need for housing, we strongly believe that this project would significantly harm the quality of life in our community, which has long been cherished for its quiet and peaceful environment.

Traffic and Safety Concerns

Linda Vista Drive and its surrounding streets are small, residential roads that are not designed to handle the increased traffic that **hundreds of additional housing units/cars would bring**. The influx of cars would create significant congestion, particularly during school drop-off and pick-up times. Our community is home to three schools where young children walk and bike to school every day. The safety of these children should be our top priority.

In addition to the daily traffic, the construction phase of this project would introduce heavy machinery and trucks to our streets for several years. This not only endangers pedestrians, particularly young students, but also poses a serious risk of accidents. We must not forget the tragic death of Ethan Wong, a Monta Vista High School student on October 27, 2014, who lost his life after being struck by a construction truck while biking to school. The proposed development increases the likelihood of such heartbreaking incidents, bringing to light the serious safety risks that arise when construction and increased traffic intersect with areas heavily used by students.

This incident underscores the dangers that come with increased vehicle presence, particularly large construction trucks, in residential and school zones. The tragic loss of a young life is a stark reminder that safety must be prioritized when planning any developments in our community.

Environmental and Fire Safety Hazards

Cupertino is a community that values its natural environment, and the current low-density

neighborhoods contribute to our city's green spaces and tranquility. Increasing the density of housing in this area would put a strain on local infrastructure, including emergency services. Higher density inevitably brings more people, more vehicles, and potentially more fires. In the event of an emergency, evacuation could become chaotic and life-threatening, particularly given the narrow streets that could easily become gridlocked. Increased congestion, both from residents and construction vehicles, can slow down emergency response times. In an emergency, even a few minutes can make the difference between a small emergency and a catastrophic one.

Moreover, higher density housing means more combustible materials in a smaller area, leading to a greater fire load. In the event of a fire, this could cause the fire to spread more quickly and intensely, making it harder for firefighters to control. The very nature of townhomes, often being built close together, increases the risk of a fire spreading from one unit to another. This close proximity reduces the effectiveness of firebreaks and makes it easier for flames to leap from roof to roof.

Moreover, the added pressure on our water supply, sewage systems, and other utilities could lead to long-term environmental degradation, reducing the livability of our community. This development could also disturb the local wildlife and increase pollution levels, further detracting from the peaceful and healthy living conditions we currently enjoy.

Impact on Community Character

The character of Cupertino has always been defined by its quiet, suburban feel—a refuge from the hustle and bustle of the surrounding urban areas. Transforming the Linda Vista area into a high-density neighborhood would fundamentally alter this character. We would lose the very essence of what makes Cupertino special: a safe, family-friendly environment where neighbors know each other and where children can play outside without fear.

We urge the City Council to reconsider this proposal. While we recognize the need for additional housing, we believe that there are more appropriate areas in Cupertino for such developments—areas that would not compromise the safety of our children, the peace of our neighborhoods, or the environmental integrity of our city.

Thank you for considering our concerns. We look forward to your response and hope that you will prioritize the well-being of our community in your decision-making process.

Regards,

Nancy Wu

Resident at Castleton St., Cupertino

CC 9-04-2024

#1

Closed Session - City
Manager Evaluation

Written Comments

From: [Eric Schaefer](#)
To: [City Clerk](#)
Cc: [City Council](#)
Subject: City Council Meeting Sept. 4, 2024
Date: Tuesday, September 3, 2024 8:25:06 AM

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City Clerk,
Please add my comments to the public record.
Thank you.

Re: Agenda #1, PERFORMANCE EVALUATION OF THE CITY MANAGER

If we measured how much power the City Manager has accumulated, she would get a high rating. However, the City Manager's role is to serve the Council and ultimately the residents. The residents and Council have been sidelined as many significant decisions are removed from public debate by placement in the Consent Calendar. The direct democratic process that involves the community is diminished.

Council members are held at arms length from Staff and cannot get the information they need to make informed decisions. The process of representative democracy is diminished.

My city government has become less responsive to it's constituents through the concentrated power of the City Manager.

--

Eric Schaefer
Cupertino Resident

"Diversity jolts us into cognitive action in ways that homogeneity simply does not."

— Katherine Phillips

From: [Anne Ezzat](#)
To: [City Council](#); [City Clerk](#)
Subject: City Manager's Evaluation
Date: Wednesday, September 4, 2024 12:04:08 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 Council Members,

I understand that Ms. Wu's performance is being evaluated today and as a resident I felt compelled to weigh in on her performance. I had high hopes that Ms. Wu would do a good job when she began her employment with the City of Cupertino, but no more. She interrupts and corrects staff while on the dias. She treats residents curtly and dismissively, promising to get back to them regarding their issue, but comes across as trying to silence discussion in a public forum. She has taken over the council member's office--don't council members deserve working space in city hall?

Please encourage Ms. Wu to act in a fashion that brings credit to her employer, not in a fashion that makes residents cringe when they need to interact with her.

Best regards,

Brooke Ezzat.

From: [Peggy Griffin](#)
To: [City Council](#); [Kristina Alfaro](#); [City Clerk](#)
Subject: 2024-09-04 City Council Meeting ITEM1 - City Manager Evaluation
Date: Wednesday, September 4, 2024 12:00:57 PM
Attachments: [image001.png](#)
[2024-06-18 CC Mtg-Supplemental Reports.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, City Clerk and Director Alfaro,

REQUESTS:

1. Please include this email and the attachment as part of Written Communications for the 2024-09-04 City Council Closed Session Item #1 City Manager Wu's Evaluation.
2. Please also include this in her personnel file.

City Manager Wu has not followed the powers and duties of her position as City Manager.

1. She has created new positions without approval. (2.28.040 D)
2. She has not kept the City Council fully informed regarding the financial conditions/needs of the City. (2.28.040 G)
3. She has not followed City Council directions. (2.28.040 O)

The following are details in support of the above statements.

2.28.040 D. "The power to appoint...does not include the power to create a new position..."

Yet, City Manager Wu created the Economic Development Manager position without approval!



2.28.040 G. "To keep the City Council at all times fully advised as to the financial conditions and needs of the City;"

Not only has this not been done, but the information has been late, delayed and misleading.

- The Council and public has been told we are in a financial crisis then she continues to authorize non-essential studies, projects and consultants spending millions of dollars while cutting services to residents.

Contracts are “approved” by Council then 1-2 months later appended to add more!

- She continues to mislead the Council and the public.
 - EXAMPLE: Recently, she described the 19400 Stevens Creek Blvd building as a “turnkey” building. This implies it is ready to move in without alterations which is no where near the truth! This is an old building requiring significant seismic and other upgrades! She has already hired an architect yet the building has not been purchased, nor should it.
 - EXAMPLE: City Hall...the actual plans and needs have not been discussed in public. The “wisdom of the purchase” must be discussed in public before any purchase is considered. The Council and the public has no idea what has been decided behind closed doors spending money we don’t have.
 - EXAMPLE: She stopped the progress of the Torre Ave Annex without notifying or discussing it with Council! It just quietly was stopped and only disclosed when it came up in some other discussion.
 - EXAMPLE: Continually dodges direct questions regarding the plans for City Hall, the EOC and the Sherriff’s Office. These are key financial, health and safety issues that need to be addressed in public and the Council and the public should have a right to know how our tax dollars will be spent on these items yet she continually evades and refuses to put them on the agenda to be discussed!

2.28.040 O. To make reports and initiate recommendations as may be desirable or as requested by the City Council.

- City Manager Reports continue to be video ads for the city rather than actual informative reports to Council. We used to get CM reports that were of substance rather than fluff pieces produced by someone else.

When City Manager Wu spoke at a recent Cupertino Rotary meeting, she presented information on the state of the city that one would expect to be presented to Council and the public but never was presented to Council.

<https://vimeo.com/915834364?share=copy>

- In addition, at that same Cupertino Rotary meeting, City Manager Wu divulged Closed Session information of the name of the Cupertino business that was being audited in the CDTFA audit!
- City Manager Wu has NOT followed Council direction regarding what to do about City Hall renovation. She was directed to look into but NOT execute! She has yet to present the options, the costs, what is and is not available to the Council. This would allow them to make a decision yet she has decided for them! She is attempting to purchasing a building without a “plan” approved by Council and discussed in public.

I have attached her 2024-06-18 City Council Supplemental Report for reference so you can go back and listen to the meetings for yourself to see what was directed.

Sincerely,
Peggy Griffin

CC 06-18-2024

#12

Consider acquisition of
property located at 19400
Stevens Creek Blvd

Supplemental Report

CITY COUNCIL MEETING

Lead Negotiator for a
Property Transaction

June 18, 2024



Background

- Aging infrastructure, seismic deficiencies, inadequate space
- Subcommittee and Council discussions about this topic since 2022
- Cost of renovation estimated at \$27.5 M, cost of a new City Hall estimated at \$80 M



Prior Council Direction

- **November 15, 2022:** include a City Hall retrofit project in the CIP
- **February 21, 2023:** suspend work on renovation plan and explore options for a new City Hall
- **October 17, 2023:** pursue conceptual development with financing strategies for new or renovated City Hall; bring back examples of public private partnership projects and pursue potential partnerships

Key Elements and Opportunities

- Turnkey office space located at 19400 Stevens Creek Boulevard
- 1.2-acre lot, 20,700 square feet of office
- Accessible location for the community
- Could serve as an interim City Hall while potential partnership and funding options are explored for current site

Recommendation

Authorize the City Manager to act as the lead negotiator for purchase of the property located at 19400 Stevens Creek Boulevard

Lead Negotiator for a Property Transaction



CUPERTINO

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: City Council 9/4/24 Agenda 1 City Manager Eval
Date: Wednesday, September 4, 2024 11:43:42 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 City Council,

My opinions pertaining to the city manager have not changed since the previous eval.

I find that troubling because our public funds have gone toward training her in order for her to improve her performance

We have lost transparency. So many council meetings and planning commission meetings canceled.

Excuses made for \$50M sitting in a zero-interest checking account and then quietly investing it instead of thanking councilmember Moore for finding the problem publicly and fixing it publicly and explaining what happened.

And, way back in mid-February, I found that our precious BMR funds were mis-allocated and there has been no resolution. Why?

I am so very disappointed.

Please also refer to previous comments made.

Sincerely,

Rhoda Fry, 40-year resident

CC 9-04-2024

#10

Amendments to the City
of Cupertino Conflict of
Interest Code of officials
and designated
employees

Written Comments

From: [Kitty Moore](#)
To: [City Clerk](#); [Pamela Wu](#); [Kirsten Squarcia](#)
Subject: Item 10 Pull Written Communications Question
Date: Wednesday, September 4, 2024 10:44:57 AM
Attachments: [A - Draft Resolution and Conflict of Interest Code \(redline\).pdf](#)
[RES80672 San Jose.pdf](#)
[Resolution Sunnyvale.pdf](#)

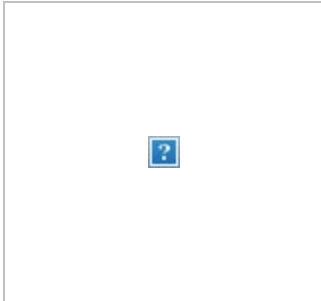
Dear City Clerk and City Manager,

Please pull item 10 from Consent.

Attached please find the proposed Cupertino, and current San Jose and Sunnyvale reporting disclosure resolutions to include in the written comments for this item.

Thank you,

Kitty Moore



Kitty Moore
Councilmember
City Council
KMoore@cupertino.gov
(408) 777-1389



RESOLUTION NO. 24-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
RESCINDING RESOLUTION NO. 22-120 AND AMENDING THE
CITY OF CUPERTINO CONFLICT OF INTEREST CODE
FOR OFFICIALS AND DESIGNATED EMPLOYEES**

WHEREAS, the Political Reform Act of 1974, Government Code section 81000 *et seq.* (the “Act” or “Political Reform Act”) governs the disclosure of political campaign contributions and spending by candidates and ballot measure committees, and sets ethics rules for state and local government officials that impose strict limits on decisions or votes that affect the official's financial interests; and

WHEREAS, the City Clerk is the local filing officer for all filings and statements required by the Political Reform Act including campaign contribution and expenditure reports from candidates for City Council, controlled committees and independent expenditure committees, as well as Statements of Economic Interest from current City officials, officers and designated employees, per the City's Conflict of Interest Code; and

WHEREAS, the Political Reform Act requires every state or local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the City Council last updated the City’s Conflict of Interest Code on September 20, 2022 by adoption of Resolution No. 22-120; and

WHEREAS, the City Council now desires to amend the City’s Conflict of Interest Code to update the list of designated positions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUPERTINO DOES HEREBY RESOLVE AS FOLLOWS:

1. That Resolution No. 22-120 is hereby rescinded; and
2. That the terms of Title 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the FPPC shall, along with the Code entitled, “City of Cupertino Conflict of Interest Code for Officials and Designated Employees” as set forth in Exhibit A along with attached appendices A and B, in which members, consultants, and employees are

designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Cupertino; and

3. That all Statements of Economic Interest shall be filed electronically with the City Clerk.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Cupertino this 4th day of September 2024, by the following vote.

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED: _____ Sheila Mohan, Mayor City of Cupertino	_____ Date
ATTEST: _____ Kirsten Squarcia, City Clerk	_____ Date

EXHIBIT A

CITY OF CUPERTINO CONFLICT OF INTEREST CODE FOR OFFICIALS AND DESIGNATED EMPLOYEES

The Political Reform Act, Government Code section 81000 *et seq.* requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code Regs. section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act. Therefore, the terms of 2 Cal. Code Regs. section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendices A and B in which members, consultants, and employees are designated and disclosure categories are set forth shall constitute the conflict of interest code of the City of Cupertino.

Officials and designated employees under Government Code section 87200 shall file electronic statements of economic interests (Form 700) with the City Clerk who will make the statements available for public inspection and reproduction. (Gov. Code, § 81008,)

Upon receipt of the statements (Form 700) of the City of Cupertino City Council, City Manager, City Attorney, City Treasurer, and Planning Commissioners, the agency shall electronically forward the original of these statements to the Fair Political Practices Commission. The City Clerk will electronically retain original statements for all other designated employees.

It has been determined that the positions listed below manage public investments and will file a statement of economic interests (Form 700) pursuant to Government Code section 87200:

City Treasurer (Director of Administrative Services)
Deputy City Treasurer (Finance Manager)

APPENDIX A

DESIGNATED POSITIONS AND
APPLICABLE REPORTABLE INTEREST CATEGORIES

Title	Assigned Disclosure Category
ADMINISTRATIVE SERVICES, FINANCE & HUMAN RESOURCES	
Director of Administrative Services (Treasurer)	1 (Gov. Code § 87200 filer)
Finance Manager (Deputy City Treasurer)	1 (Gov. Code § 87200 filer)
Human Resources Manager	2
Budget Manager	2
Purchasing Manager	2
Senior Management Analyst	5
Human Resources Analyst I/II	5
Accountant I/II	5
Senior Accountant	5
Account Clerk I/II	5
Accounting Technician	5
APPOINTED OR ELECTED OFFICIALS & COMMISSIONS	
City Council	1 (Gov. Code § 87200 filers)
Audit Committee	2
Bicycle Pedestrian Commission	4
Fine Arts and Culture Commission	4
Housing Commission	1
Library Commission	4
Parks and Recreation Commission	4
Planning Commission	1 (Gov. Code § 87200 filers)
Public Safety Commission	4
Sustainability Commission	4
Technology, Information, & Communications Commission	3
Economic Development Committee	6
CITY ATTORNEY'S OFFICE	
City Attorney	1 (Gov. Code § 87200 filer)

<u>Title</u>	<u>Assigned Disclosure Category</u>
Deputy City Attorney	1
Senior Assistant City Attorney	1
Assistant City Attorney	1
Legal Services Manager	1
CITY MANAGER'S OFFICE	
City Manager	1
Assistant City Manager	1
Deputy City Manager	1
<u>Administration</u>	
Assistant to the City Manager	1
Sustainability Manager	6
Management Analyst	6
Senior Management Analyst	6
Emergency Services Coordinator	6
Analyst (Three-Year Limited Term)	6
Executive Assistant to the City Manager	6
City Clerk's Office	
City Clerk	1
Deputy City Clerk	1
Communications & Public Information	
Public Affairs Manager	3
Public Information Officer	3
Communications and Marketing Coordinator	
Multimedia Communication Specialist	3
<u>Emergency Management</u>	
Assistant to the City Manager	1
Management Analyst	6
Community Relations Coordinator	6
Economic Development	
Economic Development Manager	6

COMMUNITY DEVELOPMENT	
Director of Community Development	1
Assistant Director of Community Development	1
Planning	
Planning Manager	1
Senior Planner	1
Title	Assigned Disclosure Category
Associate Planner	6
Senior Housing Coordinator	6
Assistant Planner	6
Management Analyst	6
Permit Technician	6
Building	
Building Official	4
Deputy Building Official	4
Senior Building Inspector	4
Building Inspector	4
Permit Center Manager	6
Permit Technician	6
Plan Check Engineer	6
Housing	
Housing Manager	1
Senior Planner	1
Assistant Planner	6
Senior Housing Coordinator	6
Code Enforcement	
Senior Code Enforcement Officer	4
Code Enforcement Officer	4
Consultants	
Consultants (see Appendix B definitions)	As determined by City Manager
INNOVATION & TECHNOLOGY	

Chief Technology Officer	1
Innovation and Technology Manager	5
GIS Program Manager	5
Business Systems Analyst	5
Multimedia Communication Specialist	3
Management Analyst	6
PUBLIC WORKS	
Director of Public Works	1
Assistant Director of Public Works	1
Capital Improvement Programs Manager	1
Transportation Manager	1
Title	Assigned Disclosure Category
Senior Public Works Project Manager	1
Public Works Projects Manager	1
Environmental Programs Manager	1
Service Center Superintendent	5
Public Works Supervisor	6
Senior Planner <u>City Engineer</u>	1
Public Works Inspector	6
Senior Management Analyst	6
Management Analyst	6
Environmental Services & Environmental Affairs	
Environmental Programs Manager	1 6
Environmental Programs Specialist	5 6
<u>Environmental Programs Assistant</u>	5
Environmental Compliance Technician	6
Traffic & Engineering	
Senior Planner <u>City Engineer</u> (<u>Transit and Transportation</u>)	1
Assistant Engineer	4 1
Transportation Manager	1
Senior Civil Engineer	1 4
Title	Assigned Disclosure Category
Associate Civil Engineer	4
Senior Engineering Technician	6

Engineering Technician	6
Plan Check Engineer	6
Environmental Programs Assistant (Safe Routes to School)	5
PARKS AND RECREATION	
Director of Parks and Recreation	1
Assistant Director of Parks and Recreation	1
Park Restoration and Improvement Manager	6
Recreation Manager	5
Recreation Supervisor	5
Senior Management Analyst	6
Management Analyst	6

Appendix B

DISCLOSURE CATEGORIES AND DEFINITIONS

1. FULL DISCLOSURE

What to report? All investments, positions in business entities, sources of income (including gifts, loans, and travel payments), and interests in real property.

What Form 700 schedules? All Schedules (A through E)

2. ALL INCOME

What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments).

What Form 700 schedules? A, C, D, E

3. CITY-RELATED INCOME

What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services of the type utilized by or subject to the review or approval of the City.

What Form 700 schedules? A, C, D, E

4. CITY-RELATED INCOME, REAL PROPERTY

What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services, of the type utilized by or subject to the review or approval of the City and all interests in real property.

What Form 700 schedules? All Schedules (A through E)

5. DEPARTMENT-RELATED INCOME

What to report? All investments, positions, in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services of the type utilized by or subject to the review or approval of the department in which that person is employed.

What Form 700 schedules? A, C, D, E

6. DEPARTMENT-RELATED INCOME & REAL PROPERTY

What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services of the type utilized by or subject to the review or approval of

the department in which that person is employed, and all interests in real property.

What Form 700 schedules? All Schedules (A through E)

Definitions

For the purposes of these disclosure categories, the definitions and regulations contained in the Political Reform Act, Government Code Sections 81000 et seq., and the Fair Political Practices Commission regulations at 2 Cal. Code Regs. Section 18730 shall apply.

RESOLUTION NO. 80672

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING THE CONFLICT OF INTEREST CODE FOR THE CITY OF SAN JOSE

WHEREAS, pursuant to Government Code Sections 87300 and 87302, the City Council of the City of San José (“City Council”) has adopted and incorporated by reference the terms of the standard model conflict of interest code adopted by the Fair Political Practices Commission (FPPC) by Title 2, Division 6, California Code of Regulations (the “Regulations”), Section 18730; and

WHEREAS, the City Council has thereby approved a list setting forth (1) designated positions of officers, employees, temporary employees, members, newly created positions and consultants of the City; and (2) required conflict of interest disclosure categories; and

WHEREAS, that list should be amended and updated due to changes in organization and authority of City departments, boards, commissions and committees;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSÉ THAT:

1. In accordance with Government Code Sections 87300, 87302 and 87306, the City of San José Conflict of Interest Code is amended in its entirety by this Resolution and the appendices attached hereto.
2. The terms of Section 18730 of the Regulations, and any amendments to Section 18730 or to the Regulations, taken with appendices attached to this Resolution and incorporated by reference constitute the Conflict of Interest Code for all City of San José departments, boards, commissions and committees.

3. Persons holding designated positions listed in the attached Appendix I, including temporary employees of the City of San Jose, and consultants and newly created positions who are required to disclose pursuant to Appendix II, must file the Form 700 – Statement of Economic Interests when required by the California Political Reform Act or notified to do so by the City Clerk or designee or by the terms of an employee or consultant agreement with the City in accordance with the Act.
4. Nothing in this Resolution should be construed to allow any consultant retained by the City to make or participate in making or in any way attempt to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Disqualification in the event of a conflict of interest is governed by the California Political Reform Act in Section 87100 and following of the Government Code and its Regulations.
5. All agreements with consultants, whether or not such a consultant is required to file a disclosure statement in accordance with this Resolution, shall provide that the consultant shall avoid all conflicts of interest or appearances of conflicts of interest in performing the agreement.
6. Pursuant to the City Auditor’s reports in Audit 08-02 and Audit 11-09, in the event a designated filer does not file his or her Form 700 in a timely manner, and after the City Clerk has sent one reminder to the filer, the City Clerk will notify the Department Director that the filer – whether he or she is an employee, member of a board, commission or committee, temporary employee or consultant – has not complied with the disclosure requirements. If the designated filer is an employee, he or she may be recommended for disciplinary action by the Department.
7. This revised Conflict of Interest Code supersedes the Conflict of Interest Code approved on September 29, 2020, under Resolution No. 79731 of the Council of the City of San José.

ADOPTED this 13TH day of September, 2022, by the following vote:

AYES: ARENAS, CARRASCO, COHEN, DAVIS, ESPARZA,
FOLEY, JONES, JIMENEZ, MAHAN, PERALEZ.

NOES: NONE.

ABSENT: LICCARDO.

DISQUALIFIED: NONE.

VACANT: NONE.



SAM LICCARDO
Mayor

ATTEST:



TONI J. TABER, CMC
City Clerk

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: City Council			
Mayor*	Yes	Yes	Yes
Council Members*	Yes	Yes	Yes
Mayor's Executive Officer	Yes (1)	Yes	Yes (2)
Council Aide U PT	Yes (1)	Yes	Yes (2)
Council Assistants U (FT/PT)	Yes (1)	Yes	Yes (2)
Council Assistant U (FT/PT)	Yes (1)	Yes	Yes (2)
Council Chief of Staff	Yes (1)	Yes	Yes (2)
Council Community Relations Aide (FT/PT)	Yes (1)	Yes	Yes (2)
Council Community Relations Coordinator (FT/PT)	Yes (1)	Yes	Yes (2)
Council Community Relations Director (FT/PT)	Yes (1)	Yes	Yes (2)
Council Community Relations Representative (FT/PT)	Yes (1)	Yes	Yes (2)
Council Policy & Legislative Advisor (FT/PT)	Yes (1)	Yes	Yes (2)
Council Policy & Legislative Aide	Yes (1)	Yes	Yes (2)
Council Policy & Legislative Analyst	Yes (1)	Yes	Yes (2)
Council Policy & Legislative Director (FT/PT)	Yes (1)	Yes	Yes (2)
Mayor's Senior Policy Advisor U	Yes (1)	Yes	Yes (2)
Senior Council Assistant U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

* Indicates Officials listed in California Government Code Section 87200.

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Attorney			
City Attorney U*	Yes	Yes	Yes
Assistant City Attorney U	Yes	Yes	Yes
Associate Deputy City Attorney U	Yes (1)	Yes	Yes (2)
Chief Deputy City Attorney U	Yes (1)	Yes	Yes (2)
Deputy City Attorney I U (FT/PT)	Yes (1)	Yes	Yes (2)
Deputy City Attorney II U (FT/PT)	Yes (1)	Yes	Yes (2)
Deputy City Attorney III U (FT/PT)	Yes (1)	Yes	Yes (2)
Deputy City Attorney IV U (FT/PT)	Yes (1)	Yes	Yes (2)
Legal Services Administrator U	Yes (1)	Yes	Yes (2)
Legal Services Manager U	Yes (1)	Yes	Yes (2)
Senior Deputy City Attorney	Yes (1)	Yes	Yes (2)
Senior Deputy City Attorney I U (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Deputy City Attorney II U (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Deputy City Attorney III U (Ur) (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Deputy City Attorney IV U (FT/PT)	Yes (1)	Yes	Yes (2)
Temporary Unclassified	Yes (3)	Yes (3)	Yes (3)

* Indicates Officials listed in California Government Code Section 87200.

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Auditor			
City Auditor U	Yes	Yes	Yes
Supervising Auditor (U)	Yes (1)	Yes	Yes (2)
Senior Program Performance Auditor U	Yes (1)	Yes	Yes (2)
Program Performance Auditor I / II U	Yes (1)	Yes	Yes (2)
Temporary Unclassified	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions Dept: Office of the City Manager – Executive Leadership	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
City Manager U*	Yes	Yes	Yes
Assistant City Manager U	Yes	Yes	Yes
Deputy City Manager U	Yes	Yes	Yes
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions Dept: Office of the City Manager – Administration, Policy and Intergovernmental Relations	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Director, Administration, Policy, and Intergovernmental Relations U	Yes	Yes	Yes
Assistant to the City Manager U	Yes (1)	Yes	Yes (2)
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions Dept: Office of the City Manager – Budget Office	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Budget Director U	Yes	Yes	Yes
Assistant Director U – Budget	Yes	Yes	Yes
Deputy Director U – Budget	Yes	Yes	Yes
Assistant to the City Manager U	Yes (1)	Yes	Yes (2)
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

* Indicates Officials listed in California Government Code Section 87200.

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Manager – Communications			
Director, Communications U	Yes	Yes	Yes
Assistant to the City Manager U	Yes (2)	Yes	Yes (2)
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Manager – Emergency Management			
Director, Emergency Management U	Yes	Yes	Yes
Deputy Director U	Yes (1)	Yes	Yes (2)
Senior Executive Analyst	Yes (1)	Yes	Yes (2)
Senior Analyst	Yes (1)	Yes	Yes
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Manager – Office of Employee Relations			
Director, Employee Relations U	Yes	Yes	Yes
Assistant Director U, Employee Relations	Yes	Yes	Yes
Assistant to the City Manager	Yes	Yes	Yes
Executive Analyst I U/ II U	Yes (1)	Yes	Yes (2)
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Manager, Office of Economic Development			
Director, Economic Development U	Yes	Yes	Yes
Assistant Director of Economic Development U	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Division Manager	Yes	Yes	Yes
Public Information Manager	Yes	Yes	Yes
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Executive Analyst I U/ II U (FT/PT)	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Manager, OED/Office of Cultural Affairs (OCA)			
Deputy Director (OCA) U	Yes	Yes	Yes
Economic Development Manager	Yes	Yes	Yes
Senior Executive Analyst U	Yes	Yes	Yes
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Manager, OED/Real Estate & Administration			
Administrative Officer	Yes (1)	Yes	Yes (2)
Assistant to the City Manager U (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Manager, OED/Work2Future			
Division Manager	Yes (1)	Yes	Yes (2)
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Office of the City Clerk			
City Clerk U	Yes	No	Yes
Assistant City Clerk U	Yes	No	Yes
Senior Analyst (FT/PT)	Yes (1)	No	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions Dept: Airport	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Director, Aviation U	Yes	Yes	Yes
Assistant Director U	Yes	Yes	Yes
Assistant to the Director	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes (2)	Yes (3)
Air Service Development Manager	Yes (1)	Yes (2)	Yes (3)
Airport Noise Abatement Manager	Yes (1)	Yes (2)	Yes (3)
Airport Operations Manager I/II	Yes (1)	Yes (2)	Yes (3)
Airport Operations Superintendent I/II	Yes (1)	Yes (2)	Yes (3)
Building Maintenance Superintendent	Yes (1)	Yes (2)	Yes (3)
Building Management Administrator	Yes (1)	Yes (2)	Yes (3)
Department Information Technology Manager	Yes (1)	Yes (2)	Yes (3)
Division Manager	Yes (1)	Yes (2)	Yes (3)
Environmental Services Program Manager	Yes (1)	Yes (2)	Yes (3)
Maintenance Superintendent	Yes (1)	Yes (2)	Yes (3)
Planner I/III	Yes (1)	Yes (2)	Yes (3)
Planner II (FT/PT)	Yes (1)	Yes (2)	Yes (3)
Planner IV	Yes (1)	Yes (2)	Yes (3)
Principal Accountant	Yes (1)	Yes (2)	Yes (3)
Principal Property Manager	Yes (1)	Yes (2)	Yes (3)
Program Manager I, II	Yes (1)	Yes (2)	Yes (3)
Property Manager I/II	Yes (1)	Yes (2)	Yes (3)
Senior Accountant	Yes (1)	Yes (2)	Yes (3)
Senior Analyst (FT/PT)	Yes (1)	Yes (2)	Yes (3)
Senior Architect/Senior Landscape Architect	Yes (1)	Yes (2)	Yes (3)
Senior Engineer	Yes (1)	Yes (2)	Yes (3)
Senior Property Manager I/II	Yes (1)	Yes (2)	Yes (3)
Supervising Accountant	Yes (1)	Yes (2)	Yes (3)
Supervisor, Trades	Yes (1)	Yes (2)	Yes (3)
Temporary Unclassified (4)	Yes (4)	Yes (4)	Yes (4)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in, doing business in or planning to do business in the City.
- (2) Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City and/or within the Airport Noise Impact Area.
- (3) Gifts from sources located in, doing business in, or planning to do business in the City.
- (4) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Community Energy			
Director, Community Energy U	Yes	Yes	Yes
Assistant Director U	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Division Manager	Yes (1)	Yes	Yes (2)
Program Manager	Yes (1)	Yes	Yes (2)
Power Resources Specialist I/II	Yes (1)	Yes	Yes (2)
Principal Power Resources Specialist	Yes (1)	Yes	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Senior Accountant	Yes (1)	Yes	Yes (2)
Senior Analyst (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Environmental Program Manager	Yes (1)	Yes	Yes (2)
Senior Power Resources Specialist	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Environmental Services			
Director, Environmental Services U	Yes	Yes	Yes
Assistant Director U	Yes	Yes	Yes
Assistant to the Director U	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes	Yes (2)
Associate Engineer (FT/PT) (NE)	Yes (1)	Yes	Yes (2)
Department Information Technology Manager	Yes (1)	Yes	Yes (2)
Division Manager	Yes (1)	Yes	Yes (2)
Environmental Compliance Officer	Yes (1)	Yes	Yes (2)
Environmental Inspector I/II	Yes (1)	Yes	Yes (2)
Environmental Inspector, Senior	Yes (1)	Yes	Yes (2)
Environmental Laboratory Manager	Yes (1)	Yes	Yes (2)
Environmental Services Program Manager	Yes (1)	Yes	Yes (2)
Environmental Sustainability Manager	Yes (1)	Yes	Yes (2)
Planner IV	Yes (1)	Yes	Yes (2)
Principal Accountant	Yes (1)	Yes	Yes (2)
Principal Engineer/Architect	Yes (1)	Yes	Yes (2)
Program Manager I	Yes (1)	No	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Sanitary Engineer (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Analyst (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Engineer	Yes (1)	Yes	Yes (2)
Senior Environmental Program Manager	Yes (1)	Yes	Yes (2)
Senior Public Information Representative	Yes (1)	Yes	Yes (2)
Supervising Applications Analyst	Yes (1)	No	Yes (2)
Supervising Environmental Services Specialist	Yes (1)	Yes	Yes (2)
Wastewater Facility Manager	Yes	Yes	Yes
Water Systems Operations Manager	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the San Jose/Santa Clara Water Pollution Control Plant service area (including San Jose, Milpitas, Santa Clara, Campbell, Los Gatos, Monte Sereno, Saratoga, Cupertino and the unincorporated areas of Santa Clara County).
- (2) Gifts from sources located in or doing business in the San Jose/Santa Clara Water Pollution Control Plant service area (including San Jose, Milpitas, Santa Clara, Campbell, Los Gatos, Monte Sereno, Saratoga, Cupertino and the unincorporated areas of Santa Clara County).
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Finance			
Director, Finance U*	Yes	Yes	Yes
Assistant Director U *	Yes	Yes	Yes
Assistant to the Director	Yes (1)	No	Yes (2)
Deputy Director - Accounting U	Yes	Yes	Yes (2)
Deputy Director - Purchasing & Risk Management U	Yes	Yes	Yes (2)
Deputy Director – Revenue Management	Yes	Yes	Yes (2)
Deputy Director – Debt & Treasury Management U*	Yes	Yes	Yes (2)
Administrative Officer	Yes (1)	Yes	Yes (2)
Analyst I/II (PCNs: 16511, 21160, 21163, 22735, 22737)	Yes	No	Yes (2)
Buyer I/II/III	Yes	No	Yes (2)
Debt Administrator	Yes (1)	Yes	Yes (2)
Department Information Technology Manager	Yes (1)	No	Yes (2)
Division Manager (PCN: 22136)	Yes (1)	No	Yes (2)
Investment Officer*	Yes	Yes	Yes
Financial Analyst	Yes (1)	No	Yes (2)
Principal Accountant	Yes (1)	No	Yes (2)
Program Manager	Yes (1)	No	Yes (2)
Risk Manager	Yes (1)	No	Yes (2)
Senior Analyst	Yes (1)	No	Yes (2)
Senior Financial Analyst	Yes (1)	No	Yes (2)
Senior Investigator Collector	Yes (1)	No	Yes (2)
Supervising Accountant* (PCN: 22732)	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

* Indicates Officials listed in California Government Code Section 87200.

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions Dept: Fire Department	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Fire Chief U	Yes	Yes	Yes
Assistant Fire Chief U	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Deputy Fire Chief U	Yes	Yes	Yes
Division Manager	Yes (1)	Yes	Yes (2)
Administrative Officer	Yes (1)	Yes	Yes (2)
Arson Investigator	Yes (1)	Yes	Yes (2)
Associate Engineer (FT/FT/PT) (NE)	Yes (1)	Yes	Yes (2)
Automotive Equipment Specialist	Yes (1)	Yes	Yes (2)
Battalion Chief - Assistant Fire Marshall	Yes (1)	Yes	Yes (2)
Battalion Chief - EMS	Yes (1)	No	Yes (2)
Battalion Chief - Facilities Chief	Yes (1)	No	Yes (2)
Battalion Chief – Training	Yes (1)	No	Yes (2)
Building Maintenance Superintendent	Yes (1)	Yes	Yes (2)
Contract Medical Advisor - EMS Medical Advistor	Yes (1)	No	Yes (2)
Fire Captain – EMS	Yes (1)	No	Yes (2)
Fire Captain – Arson Captain	Yes (1)	Yes	Yes (2)
Fire Captain – Bond Projects	Yes (1)	No	Yes (2)
Fire Captain - BFP	Yes (1)	Yes	Yes (2)
Fire Division Chief	Yes (1)	Yes	Yes (2)
Fire Equipment Technician	Yes (1)	No	Yes (2)
Fire Prevention Inspector	Yes (1)	Yes	Yes (2)
Hazardous Materials Inspector I/II	Yes (1)	Yes	Yes (2)
Nurse Practitioner	Yes (1)	Yes	Yes (2)
Permit Specialist, Senior	Yes (1)	Yes	Yes (2)
Permit Specialist	Yes (1)	Yes	Yes (2)
Principal Permit Specialist	Yes (1)	Yes	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Program Manager	Yes (1)	No	Yes (2)
Senior Engineer	Yes (1)	Yes	Yes (2)
Senior Hazardous Materials Inspector	Yes (1)	Yes	Yes (2)
Supervising Public Safety Dispatcher (FT/PT)	Yes (1)	No	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Housing			
Director, Housing U	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes	Yes (2)
Assistant to the Director	Yes (1)	Yes	Yes (2)
Building Rehabilitation Inspector I/II	Yes (1)	Yes	Yes (2)
Building Rehabilitation Supervisor	Yes (1)	Yes	Yes (2)
Community Programs Administrator	Yes (1)	Yes	Yes (2)
Development Officer	Yes (1)	Yes	Yes (2)
Division Manager	Yes	Yes	Yes (2)
Housing Policy and Planning Administrator	Yes	Yes	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Senior Accountant	Yes (1)	Yes	Yes (2)
Senior Analyst (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Development Officer	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in, doing business in, or planning to do business in the City.
- (2) Gifts from sources located in, doing business in, or planning to do business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Human Resources			
Director, Human Resources U	Yes	Yes	Yes
Assistant Director U	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Division Manager	Yes (1)	No	Yes (2)
Program Manager II	Yes (1)	Yes	Yes (2)
Administrative Officer	Yes (1)	No	Yes (2)
Senior Analyst (FT/PT)	Yes (1)	No	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Independent Police Auditor			
Independent Police Auditor U	Yes	Yes	Yes
Assistant Independent Police Auditor U	Yes	Yes	Yes
Temporary Unclassified (1)	Yes (1)	Yes (1)	Yes (1)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Information Technology			
Director, Information Technology U	Yes	Yes	Yes
Assistant Director U	Yes	Yes	Yes
Deputy Director	Yes	Yes	Yes
Division Manager	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes	Yes (2)
City Information Security Officer U	Yes	Yes	Yes
Program Manager I/II	Yes (1)	Yes	Yes (2)
Senior Analyst (FT/PT)	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Information Technology – Office of Civic Innovation			
Director, Civic Innovation U	Yes	Yes	Yes
Assistant to the City Manager U	Yes	Yes	Yes
Senior Executive Analyst U	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Library			
City Librarian U	Yes	Yes	Yes
Program Manager	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Administrative Officer	Yes (1)	No	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Supervising Applications Analyst	Yes (1)	Yes	Yes (2)
Community Programs Administrator	Yes (1)	No	Yes (2)
Division Manager	Yes	No	Yes (2)
Senior Librarian	Yes (1)	No	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Parks, Recreation & Neighborhood Services			
Director, Parks, Recreation, & Neighborhood Services U	Yes	Yes	Yes
Assistant Director U	Yes	Yes	Yes
Deputy Director, Parks, Recreation, & Neighborhood Services U	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes	Yes (2)
Assistant Arborist	Yes (1)	Yes	Yes (2)
Building Maintenance Administrator	Yes (1)	Yes	Yes (2)
Division Manager	Yes (1)	Yes	Yes (2)
Parks Facilities Supervisor	Yes (1)	Yes	Yes (2)
Parks Manager	Yes (1)	Yes	Yes (2)
Planner IV	Yes (1)	Yes	Yes (2)
Program Manager I	Yes (1)	Yes	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Recreation Superintendent	Yes (1)	Yes	Yes (2)
Recreation Supervisor	Yes (1)	Yes	Yes (2)
Senior Analyst (FT/PT)	Yes (1)	Yes	Yes (2)
Senior Architect/Senior Landscape Architect	Yes (1)	Yes	Yes (2)
Senior Engineer	Yes (1)	Yes	Yes (2)
Supervising Environmental Services Specialist	Yes (1)	Yes	Yes (2)
Temporary Unclassified	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Planning, Building & Code Enforcement			
Director, Planning, Building & Code Enforcement U	Yes	Yes	Yes
Assistant Director, Planning, Building & Code Enforcement U	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes	Yes (2)
Assistant to the Director	Yes (1)	Yes	Yes (2)
Associate Engineer	Yes (1)	Yes	Yes (2)
Building Inspection Manager	Yes (1)	Yes	Yes (2)
Building Inspector Combination (FT/PT)	Yes (1)	Yes (3)	Yes (2)
Building Inspector Combination Certified I	Yes (1)	Yes (3)	Yes (2)
Building Inspector Combination Certified II/III	Yes (1)	Yes (3)	Yes (2)
Building Inspector Combination Certified, Senior	Yes (1)	Yes (3)	Yes (2)
Building Inspector Supervisor Certified I/II	Yes (1)	Yes (3)	Yes (2)
Code Enforcement Inspector I/II	Yes (1)	Yes	Yes (2)
Code Enforcement Supervisor	Yes (1)	Yes	Yes (2)
Environmental Inspector I/II	Yes (1)	Yes	Yes (2)
Department Information Technology Manager	Yes (1)	Yes	Yes (2)
Division Manager	Yes (1)	Yes	Yes (2)
Permit Specialist	Yes (1)	Yes	Yes (2)
Permit Specialist, Senior	Yes (1)	Yes	Yes (2)
Planner I/II/III	Yes (1)	Yes	Yes (2)
Planner II (FT/PT)	Yes (1)	Yes	Yes (2)
Planner IV	Yes (1)	Yes	Yes (2)
Principal Permit Specialist	Yes (1)	Yes	Yes (2)
Principal Planner	Yes (1)	Yes	Yes (2)
Program Manager I	Yes (1)	Yes	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Senior Analyst	Yes (1)	Yes	Yes (2)
Senior Engineer	Yes (1)	Yes	Yes (2)
Supervising Applications Analyst	Yes (1)	Yes	Yes (2)
Supervising Environmental Service Specialist	Yes (1)	Yes	Yes (2)
Temporary Unclassified (4)	Yes (4)	Yes (4)	Yes (4)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in, doing business in, or planning to do business in the City.
- (2) Gifts from sources located in, doing business in, or planning to do business in the City.
- (3) Investments or interests in real property and income received from any person, business entity, or parcel of real property which was the subject of a case assignment during the period covered by the statement.
- (4) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions Dept: Police Department	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Chief of Police U	Yes	Yes	Yes
Assistant Police Chief U	Yes	Yes	Yes
Deputy Chief of Police	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Administrative Officer	Yes (1)	No	Yes (2)
Assistant Police Communications Manager	Yes (1)	No	Yes (2)
Crime Prevention Supervisor	Yes (1)	No	Yes (2)
Crisis Intervention Training Manager	Yes (1)	No	Yes (2)
Department Information Technology Manager	Yes (1)	No	Yes (2)
Division Manager	Yes (1)	No	Yes (2)
Latent Fingerprint Examiner Supervisor	Yes (1)	No	Yes (2)
Police Captain	Yes	Yes	Yes
Police Communications Manager	Yes (1)	No	Yes (2)
Police Lieutenant	Yes (1)	No	Yes (2)
Police Officer – Gaming Control (PCN 1179, 1356)	Yes (1)	No	Yes (2)
Police Property Supervisor	Yes (1)	No	Yes (2)
Police Sergeant – Air Support (PCN 730)	Yes (1)	No	Yes (2)
Police Sergeant – Bomb (PCN 5198)	Yes (1)	No	Yes (2)
Police Sergeant – Canine (PCN 707)	Yes (1)	No	Yes (2)
Police Sergeant – City Attorney’s Office (PCN 821)	Yes (1)	No	Yes (2)
Police Sergeant – Crisis Intervention Training (PCN 712)	Yes (1)	No	Yes (2)
Police Sergeant – Human Trafficking (PCN 8252)	Yes (1)	No	Yes (2)
Police Sergeant – Internet Crimes Against Children (PCN 731)	Yes (1)	No	Yes (2)
Police Sergeant – Police Activities League (PCN 683)	Yes (1)	No	Yes (2)
Police Sergeant – Range (PCN 715)	Yes (1)	No	Yes (2)
Police Sergeant – Training (PCN 13242, 8256)	Yes (1)	No	Yes (2)
Program Manager I	Yes (1)	No	Yes (2)
Program Manager II	Yes (1)	No	Yes (2)
Senior Analyst (FT/PT)	Yes (1)	No	Yes (2)
Senior Auditor – Gaming Control	Yes	No	Yes
Supervising Applications Analyst	Yes	No	Yes
Supervising Community Service Officer	Yes (1)	No	Yes (2)
Supervising Auditor – Gaming Control	Yes	No	Yes
Temporary Unclassified	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in, doing business in, or planning to do business in the City.
- (2) Gifts from sources located in, doing business in, or planning to do business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Public Works			
Director, Public Works U	Yes	Yes	Yes
Assistant Director U	Yes	Yes	Yes
Deputy Director, Public Works	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes	Yes (2)
Air Conditioning Supervisor	Yes (1)	Yes	Yes (2)
Animal Shelter Veterinarian (FT/PT)	Yes (1)	Yes	Yes (2)
Associate Architect/Landscape Architect (FT/PT)	Yes (1)	Yes	Yes (2)
Associate Construction Inspector	Yes (1)	Yes	Yes (2)
Associate Engineer (FT/PT)	Yes (1)	Yes	Yes (2)
Associate Structure/Landscape Designer	Yes (1)	Yes	Yes (2)
Building Inspector Combination Certified I (FT/PT)	Yes (1)	Yes	Yes (2)
Building Inspector Combination Certified II/III	Yes (1)	Yes	Yes (2)
Building Inspector Combination Certified. Senior	Yes (1)	Yes	Yes (2)
Building Inspector Supervisor Certified I/II	Yes (1)	Yes	Yes (2)
Building Management Administrator	Yes (1)	Yes	Yes (2)
Chief of Surveys	Yes (1)	Yes	Yes (2)
Contract Compliance Coordinator	Yes (1)	Yes	Yes (2)
Contract Compliance Specialist (FT/PT)	Yes (1)	Yes	Yes (2)
Construction Manager	Yes (1)	Yes	Yes (2)
Division Manager	Yes (1)	Yes	Yes (2)
Electrician Supervisor	Yes (1)	Yes	Yes (2)
Equipment Maintenance Supervisor I/II	Yes (1)	Yes	Yes (2)
Fleet Manager	Yes (1)	Yes	Yes (2)
Land Surveyor	Yes (1)	Yes	Yes (2)
Maintenance Contract Supervisor	Yes (1)	Yes	Yes (2)
Mechanical Parts Supervisor	Yes (1)	Yes	Yes (2)
Principal Accountant	Yes (1)	Yes	Yes (2)
Principal Construction Inspector	Yes (1)	Yes	Yes (2)
Principal Engineer/Architect	Yes (1)	Yes	Yes (2)
Principal Engineering Technician	Yes (1)	Yes	Yes (2)
Program Manager I/II	Yes (1)	Yes	Yes (2)
Radio Communications Supervisor	Yes (1)	Yes	Yes (2)
Security Services Supervisor	Yes (1)	Yes	Yes (2)
Senior Architect/Senior Landscape Architect	Yes (1)	Yes	Yes (2)
Senior Automotive Equipment Specialist	Yes (1)	Yes	Yes (2)
Senior Construction Inspector	Yes (1)	Yes	Yes (2)
Senior Engineer	Yes (1)	Yes	Yes (2)
Senior Events Coordinator	Yes (1)	Yes	Yes (2)
Senior Transportation Specialist	Yes(1)	Yes	Yes (2)
Supervising Environmental Services Specialist	Yes (1)	Yes	Yes (2)
Supervising Traffic Signal Technician	Yes (1)	Yes	Yes (2)
Supervisor, Animal Services	Yes (1)	Yes	Yes (2)
Supervisor, Trades	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

APPENDIX I

- (1) Investments (in), business positions (in) and income (from) any business entity located in, doing business in, or planning to do business in the City.
- (2) The Department of Public Works' Gift Policy is meant to more narrowly limit the acceptance of gifts beyond the laws already in place within the San Jose Municipal Code (Chapter 12.08: Prohibition of Gifts, Sections 12.08.010-12.08.050) and the California Fair Political Practices Commission regulations (Section 18945). Although the Department Gift Policy states that no gifts are to be accepted from any person or company subject to the decision-making authority of the City, there are exceptions to this general rule. Please see Department Gift Policy for details.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Retirement Services			
Chief Executive Officer*	Yes	Yes	Yes
Assistant Director U* (Chief Investment Officer)	Yes	Yes	Yes
Deputy Director U (Chief Operations Officer)	Yes	Yes	Yes
Accounting Division Manager	Yes (1)	No	Yes (2)
Benefits Division Manager	Yes (1)	No	Yes (2)
Department Information Technology Manager	Yes	Yes	Yes
Financial Analyst	Yes (1)	No	Yes (2)
Retirement Investment Officer*	Yes	Yes	Yes
Senior Retirement Investment Officer U*	Yes	Yes	Yes
Retirement Investment Analyst I	Yes	Yes	Yes
Retirement Investment Analyst II	Yes	Yes	Yes
Retirement Investment Operations Supervisor U	Yes	Yes	Yes
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

* Indicates Officials listed in California Government Code Section 87200.

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Department of Transportation			
Director, Transportation U	Yes	Yes	Yes
Assistant Director	Yes	Yes	Yes
Deputy Director U	Yes	Yes	Yes
Administrative Officer	Yes (1)	Yes	Yes (2)
Arborist	Yes (1)	Yes	Yes (2)
Assistant Arborist	Yes (1)	Yes	Yes (2)
Department Information Technology Manager	Yes (1)	Yes	Yes (2)
Division Manager	Yes (1)	Yes	Yes (2)
Operations Manager	Yes (1)	Yes	Yes (2)
Parking Manager I/II	Yes (1)	Yes	Yes (2)
Parking & Traffic Control Supervisor	Yes (1)	Yes	Yes (2)
Principal Construction Inspector	Yes (1)	Yes	Yes (2)
Principal Engineer/Architect	Yes (1)	Yes	Yes (2)
Program Manager I (PCN 17870, 19320)	Yes (1)	Yes	Yes (2)
Public Information Manager	Yes (1)	Yes	Yes (2)
Senior Construction Inspector	Yes (1)	Yes	Yes (2)
Senior Engineer	Yes (1)	Yes	Yes (2)
Senior Parking & Traffic Control Officer	Yes (1)	Yes	Yes (2)
Senior Transportation Specialist	Yes (1)	Yes	Yes (2)
Temporary Unclassified (3)	Yes (3)	Yes (3)	Yes (3)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Gifts from sources located in or doing business in the City.
- (3) Any Temporary Unclassified employee, including a Rehired Retiree, is a designated employee if their assigned duties, responsibilities, and authority are substantially similar to the duties, responsibilities, and authority of a designated employee and the Temporary Unclassified employee must file using the same Reportable Disclosure Categories identified for the similar employee.

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Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Dept: Boards & Commissions			
Airport Commission	Yes (1)	Yes (2)	Yes (3)
Appeals Hearing Board	Yes (1)	Yes	Yes (3)
Arts Commission	Yes (1)	Yes	Yes (3)
Civil Service Commission	Yes (1)	Yes	Yes (3)
Deferred Compensation Advisory Committee*	Yes	Yes	Yes
Downtown Parking Board	Yes (1)	Yes	Yes (3)
Board of Fair Campaign and Political Practices	Yes	Yes	Yes (3)
Federated City Employees Retirement System Board of Administration*	Yes	Yes	Yes
Historic Landmarks Commission	Yes (1)	Yes	Yes (3)
Housing & Community Development Commission	Yes (1)	Yes	Yes (3)
Planning Commission*	Yes	Yes	Yes
Police & Fire Department Retirement Plan Board of Administration*	Yes	Yes	Yes
Community Energy Department Risk Oversight Committee	Yes	Yes	Yes
Salary Setting Commission	Yes (1)	Yes	Yes (3)
San José Arena Authority	Yes (1)	Yes	Yes (3)
Voluntary Employee Beneficiary Association (VEBA) Committee*	Yes (1)	Yes	Yes (3)
Work2Future (SVWIN) Board	Yes (1)	Yes	Yes (3)

* Indicates Officials listed in California Government Code Section 87200 (Added Retirements Boards to 87200)

If no limitation is described, the reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.

Reportable economic interests are limited as follows:

- (1) Investments (in), business positions (in) and income (from) any business entity located in or doing business in the City.
- (2) Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City and/or eligible for treatment under the Airport Acoustical Treatment Program (ACT).
- (3) Gifts from sources located in or doing business in the City.

Appendix II Conflicts Consultant & Newly Created Positions Appendix

I. Consultant

A. Consultant's Disclosure

- (1) Each "consultant" as defined by the Political Reform Act (Government Code 81000, et seq.) and the implementing regulations adopted by the Fair Political Practices Commission is required to file disclosure Form 700 with the Agency.
- (2) Only those interests which are relevant to the consultant's engagement are required to be disclosed. The appropriate interests to be disclosed shall be determined by the responsible Appointing Authority or designee, such as directors or heads of the various City of San Jose offices or departments. Appointing Authorities are those officers of the City appointed by the City Council pursuant to the City Charter. The interests to be disclosed shall be set forth in the agreement for services between the consultant and the City of San Jose.
- (3) Disclosure shall be made as to the interests of each person performing under the agreement, to the extent required by the Political Reform Act.

B. Disqualification

- (1) Nothing in this Resolution should be construed to allow any official, employee, or consultant of the City of San Jose to make or participate in making or in any way attempt to influence a governmental decision in which he knows or has reason to know he has a financial interest. Disqualification in the event of a conflict of interest is governed by Section 87100 and following of the Government Code and the implementing regulations promulgated pursuant to the Political Reform Act.
- (2) All agreements with consultants, whether or not such a consultant is required to file a disclosure statement in accordance with this Resolution, shall provide that the consultant shall avoid all conflicts of interest or appearances of conflicts of interest in performing the Agreement.

II. Newly Created Position

A newly created position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest of the position-holder, and which specific position title is not yet listed in an agency's conflict of interest code is included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The City Clerk may determine in writing that a particular newly created position, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the broadest disclosure requirements, but instead must comply with more tailored disclosure requirements specific to that newly created

position. Such written determination shall include a description of the newly created position's duties and based upon that description, a statement of the extent of disclosure requirements. All such determinations are public records and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code § 81008.)

The City Clerk's office shall promptly enter the actual position title of the newly created position into its electronic Form 700 record management system and ensure that the name of any individual(s) holding the newly created position is entered under that position title in the record management system.

Additionally, within 90 days of the creation of a newly created position that must file statements of economic interests, the City shall update this conflict-of-interest code to add the actual position title in its list of designated positions. (Gov. Code § 87306.)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE CONFLICT OF INTEREST CODE FOR DESIGNATED CITY OFFICERS AND EMPLOYEES (RESOLUTION NO. 905-18) AS REQUIRED BY THE POLITICAL REFORM ACT AND REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION

WHEREAS, the Political Reform Act requires certain City officials specified in section 87200 of the California Government Code, to file economic disclosure forms (“Form 700”) and abstain from making or participating in governmental decisions which have a reasonably foreseeable material effect on an economic interest; and

WHEREAS, the Political Reform Act requires the City to adopt a local conflict of interest code that enumerates specific City positions other than those specified in Government Code section 87200 which involve making or participating in making decisions which have a reasonably foreseeable material effect on an economic interest, and to designate for each position the types of investments, business positions, interests in real property and sources of income which are reportable based on the scope of the decision-making authority of the position; and

WHEREAS, on November 13, 2018, the City Council adopted a Conflict of Interest Code in compliance with the provisions of the Political Reform Act, Government Code Sections 81000, *et seq.*, through the adoption of Resolution No. 905-18; and

WHEREAS, the City Council has reviewed and considered administratively suggested changes to the listing of designated positions of City officials and employees, along with assigned disclosure categories, in the Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. Adoption of Conflict of Interest Code. The City of Sunnyvale Conflict of Interest Code, attached hereto as Appendix A and incorporated herein by this reference, is hereby adopted and includes the following:

- (a) The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in

the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the City of Sunnyvale, the Successor Agency to the Former Sunnyvale Redevelopment Agency, and the Oversight Board for the Successor Agency to the Former Redevelopment Agency.

Public officials and employees shall file Statements of Economic Interests (FPPC Form 700) with the City Clerk, who is designated as the Filing Officer. The City Clerk shall administer this Conflict of Interest Code at the local level and shall notify each public official and employee of his or her filing obligation. Public officials and employees are required to file an Assuming Office Statement when they assume a designated position, an Annual Statement each year and a Leaving Office Statement within thirty days of resignation or termination. Once filed the FPPC Form 700 is a public record and the City Clerk shall make all statements available for public inspection and reproduction, pursuant to Government Code Section 81008. Individuals holding designated positions shall file their statements of economic interests with the City, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). All statements will be retained by the City.

- (b) As the code reviewing body for the Successor Agency to the Former Redevelopment Agency of the City of Sunnyvale and the Sunnyvale Finance Authority, the City Council has determined that the Successor Agency and Finance Authority (i) are not new agencies for the purposes of the Political Reform Act; (ii) do not require the adoption of separate conflict of interest codes; and (iii) will be covered by the City's Conflict of Interest Code as amended hereto.
- (c) Filing statements. Designated officials and employees shall file Statements of Economic Interests in compliance with the provisions of California Code of Regulations Section 18730(b)(5).

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

CITY OF SUNNYVALE – CONFLICT OF INTEREST CODE
DESIGNATED CITY POSITIONS REQUIRED TO FILE

Position	Disclosure Category
Accountant	1
Administrative Analyst	1
Administrative Librarian	1
Administrative Services Manager	1
Affordable Housing Manager	1
<u>Applications Analyst/Project Coordinator I/II</u>	<u>1</u>
Applications Development Manager	1
Assistant City Attorney	1
Assistant City Engineer	1
Assistant City Manager	1
Assistant Director of Community Development	1
Assistant Director of Finance	1
Assistant Director of Public Works/City Engineer	1
Assistant to the Director of Parks and Recreation	1
Assistant Planner	1
Associate Planner	1
Budget Analyst I/II	1
Building Inspector I/II	1
Buyer I/II	1
Chief Building Official	1
Chief Information Officer	1
City Clerk	1
City Property Administrator	1
Civil Engineer	1
<u>Civilian Assistant Fire Marshal</u>	<u>1</u>
Civilian Fire Marshal	1
Communications Officer	1
Community Resources Manager	1
Community Services Manager	1
Deputy City Attorney	1
<u>Deputy Chief Public Safety</u>	<u>1</u>
Deputy City Clerk	1
Deputy City Manager	1
Director of Community Development	1
Director of Environmental Services	1
Director of Employment Development	1
Director of Human Resources	1
Director of Library and <u>Community Recreation</u> Services	1
<u>Director of NOVA Workforce Services</u>	<u>1</u>
Director of Public Safety	1
Director of Public Works	1
Economic Development Manager	1
Employment Training Manager	1
Environmental Compliance Inspector	3

Environmental Engineering Coordinator	2
Environmental Programs Manager	1
Finance Manager	1
<u>Fire Protection Engineer</u>	<u>3</u>
Fire Protection Inspector	3
Fleet Manager	2
Golf Operations Manager	2
Hazardous Materials Coordinator	3
Hazardous Materials Inspector	3
Housing Programs Analyst	1
Housing Officer	1
Housing Programs Technician	1
Human Resources Analyst	1
Human Resources Manager	1
Information Technology Coordinator	1
Information Technology Services Manager	1
<u>Laboratory/Pretreatment Manager</u>	<u>1</u>
Library Circulation Manager	1
Management Analyst	1
Manager of Business Operations <u>Manager</u>	2
Manager of Job Seeker Services <u>Manager</u>	1
Neighborhood Preservation Manager	1
Operations Manager: Facilities	3
Parks Manager	2
Payroll Supervisor	1
Permit Technician	1
Permit Center Coordinator	1
Permit Center Manager	1
Plan Check Engineer	1
Plan Checker I/II	1
Planning Officer	1
Principal Accountant	1
Principal Buyer	1
Principal Human Resources Analyst	1
Principal Network <u>& Systems</u> Engineer	1
Principal Planner	1
Principal Programmer <u>Applications</u> Analyst/ <u>Project Manager</u>	1
Principal Storekeeper	1
Principal Transportation Engineer/Planner	1
Programmer Analyst	1
Public Safety Captain	1
Public Safety Communications Manager	1
Public Safety Deputy Chief	1
Public Safety Records Manager	1
Public Works Construction Inspector	3
Public Works Supervisor	2
Purchasing Officer	1
<u>Recreation Manager</u>	<u>1</u>
Regulatory Programs Division Manager	1

Risk Manager	1
Senior Accountant	1
Senior Assistant City Attorney	1
<u>Senior Applications Analyst/Project Coordinator</u>	<u>1</u>
Senior Building Inspector	1
Senior Buyer	1
<u>Senior Construction Inspector/Coordinator</u>	<u>1</u>
Senior Engineer	1
<u>Senior Environmental Compliance Inspector</u>	<u>1</u>
<u>Senior Environmental Engineer</u>	<u>1</u>
<u>Senior Hazardous Materials Inspector</u>	<u>1</u>
Senior Housing Rehabilitation Specialist	1
Senior Human Resources Analyst	1
Senior Environmental Compliance Inspector	1
Senior Environmental Engineer	1
Senior Construction Inspector/Coordinator	1
Senior Management Analyst	1
Senior Plan Check Engineer	1
Senior Planner	1
Senior Traffic Engineer	1
Senior Transportation Engineer	1
Senior Transportation Planner	2
Street Operations Manager	1
Solid Waste Contract Administrator	2
Solid Waste Programs Division Manager	1
Storekeeper/Buyer	1
Storekeeper I/II	1
Superintendent of Facilities Maintenance	1
<u>Superintendent of Libraries</u>	<u>1</u>
Superintendent of Parks and Golf	1
Superintendent of Community Services	1
Superintendent of Public Works Operations	1
<u>Superintendent of Recreation Services</u>	<u>1</u>
Supervising Librarian	1
Transportation and Traffic Manager	1
Urban Landscape Manager	1
Utility Billing Manager	1
Wastewater Operations Manager	1
Water and Sewer Systems Division Manager	1
Water Operations Manager	1
Laboratory/Pretreatment Manager	1
Water Pollution Control Maintenance Manager	1
Water Pollution Control Operations Manager	1
Water Pollution Control Plant Division Manager	1
Youth and Family Resources Manager	1
Newly created positions between conflict code amendments	As applicable*
Consultants	As applicable**
Retired Annuitants	As applicable***

<u>Casual Employees performing work similar to a designated position</u>	<u>As applicable***</u>
Designated appointees:	
Member, Board of Building Code Appeals	1
Member, Heritage Preservation Commission	1
Member, Housing and Human Services Commission	1
Member, Executive Director, Successor Agency Attorney, Secretary and Treasurer to Successor Agency to the Former Sunnyvale Redevelopment Successor Agency	1
Member, Executive Director, Authority Attorney, Secretary and Treasurer to Sunnyvale Financing Authority	1
State Required Filers: The following positions are <u>NOT</u> covered by the code because they must file under Government Code Section 87200 and are listed for informational purposes only:	
Councilmembers	1
City Attorney	1
City Manager	1
Director of Finance	1
Member, Planning Commission	1
An individual holding one of the above listed positions (State Required Filers) may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by section 87200.	

CITY'S CONFLICT OF INTEREST CODE
DISCLOSURE CATEGORIES

Category 1

A designated employee in this category must report all investments, interests in real property owned in the City of Sunnyvale, sources of income including gifts, loans and travel payments, and business entities in which he or she is a director, officer, partner, trustee, employee or holds any position of management.

Category 2

A designated employee in this category must report sources of income including gifts, loans and travel payments, and business entities in which he or she has an investment or is a director, officer, partner, trustee, employee or holds any position of management, if the business entity or source of income is of the type which has done business with the City of Sunnyvale within the previous two years.

Category 3

A designated employee in this category must report sources of income including gifts, loans and travel payments, and business entities in which he or she has an investment or is a director, officer, partner, trustee, employee or holds any position of management, if the business entity or source of income is of the type which within the previous two years has provided services, equipment, lease space, materials or supplies to the City.

*-City Clerk to work with appropriate department and City Attorney to determine appropriate disclosure category for any newly created position.

**Consultants and/or Casual employees are included in the list of designated positions and shall disclose pursuant to Category 1, subject to the following limitation:

The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Section 81008.)

***Retired annuitants may be included in the list of designated employees when the City Manager, or his or her designee, determines that they are performing work that is the functional equivalent of a designated position. If such a determination is made, then disclosure shall be pursuant to the disclosure category required by this Code for the comparable designated staff position.

CC 9-04-2024

#12

Approve an agreement
with Sweeping Corp of
America for Street
Sweeping Services

Written Comments

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: Public Comment City Council 9/4/2024 Agenda item #12 increase in street sweeping costs
Date: Wednesday, September 4, 2024 12:06:09 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,

The amount of street tree maintenance has been cut back.

What is there anything that we can do to reduce the cost on street sweeping?

More importantly, can the City please work hard to not approve useless studies like the \$172K study to figure out how to partner with developers and put housing on our sports center, city hall and community hall?

Thanks,

Rhoda



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CC 9-04-2024

#13

Award a construction
contract for the 2024
Concrete
Reconstruction Project

Written Comments

From: [Peggy Griffin](#)
To: [City Council](#); [Pamela Wu](#)
Cc: [City Clerk](#); [Chad Mosley](#)
Subject: 2024-09-04 City Council Meeting ITEM 13 - PULL ITEM 13, \$1.6M Contract with no information!
Date: Tuesday, September 3, 2024 8:33:29 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.

PLEASE INCLUDE THIS EMAIL AS PART OF WRITTEN COMMUNICATION FOR THE ABOVE ITEM.

Dear City Council and Staff,

Please PULL ITEM #13 regarding the \$1.6M contract for curbs, gutters and sidewalks for many reasons:

1-The contract is incomplete. It is missing the “details” of what actual work is being done. When a street pavement contract is brought for your consideration they actually list which streets are to be re-paved. I expect the same for this contract.

2-The Staff Report does not mention anything regarding details of the work, why these need to be suddenly done when 2 months ago the city was prepared to have the residents take over sidewalks.

3-Provide a list of which curbs, gutters and sidewalks are being repaired. Break it down...

-How much of this contract is replacing good ramps with yellow bumps?

-How much is sidewalks and where?

-Is there any other work being done and if so what and why?

4-Where is the \$1.6M coming from?

-Was it budgeted-if so, is this within budget? If not, why not?

-What fund is it being drawn from?

-Is any of this being covered by a grant? If so, is there a deadline, requirements, etc.?

Expecting the Council to approve spending \$1.6M without any information is poor management and prevents them from performing the financial oversight they were elected and are expected to do. This is tax payer money!

Sincerely,
Peggy Griffin

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Cc: [Chad Mosley](#)
Subject: Public Comment 9/4/2024 Item #13 sidewalk work
Date: Wednesday, September 4, 2024 12:36:09 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,

Thank you for doing the supplemental report although I would have preferred to see a more fleshed out agenda so that residents and council members wouldn't feel like they needed to ask questions.

The amount of street tree maintenance has been cut back.

Is there anything that we can do to reduce the cost of sidewalk, curb and gutter work?

More importantly, can the City please work hard to not approve useless studies like the \$172K study to figure out how to partner with developers and put housing on our sports center, city hall and community hall?

Our projected sales-tax revenue has dipped to between \$9M and \$11M per year.

This \$1.5M expenditure represents about 15% of our projected sales tax revenue. That's a lot of money!

And some of the money from this project is funded by the General Fund.

I tried to review the link in the staff report but I was unable to do so because I do not have a log-in or password to do so.

If you're going to link to documents that require an id and password, please provide instructions on how to access them.

In order to make a proper decision, the public and council need to know the necessity of this project.

I suppose that the City Manager will say that what is before you is whether or not to accept the contract.

I'd urge you to say no until we understand the details.

If something is hazardous, then yes, by all means, let's fix it. I tried to get through to Public Works on this but was unable to do so.

But if it isn't critical, let's please wait until we know our financial situation.

Thanks,
Rhoda



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