

CC 03-01-2022

#10

Vacation of a
Public Pedestrian
Walkway Easement
through Tract 9405

Written Comments

From: [Jean Bedord](#)
To: [City Council](#); [Cupertino City Manager's Office](#); [City Attorney's Office](#); [City Clerk](#)
Subject: Agenda Item #10 Violation of process for considering closure of walking path at Regnart Trail - March 1, 2022
Date: Tuesday, March 1, 2022 2:52:12 PM

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

Mayor Paul and councilmembers,

I urge you to vote NO on "gifting" this valuable public property to the Lazano Lane Homeowners' Association, a private entity, to create their own private park.. When faced with resident concern with regard to safety, in the past, the city has done a study to establish the facts. NO study was done in this case. The Regnart Creek Trail is not yet open, so there is no measure of the level of usage, only unverifiable concerns about perceived safety. NO documentation is provided in the staff report.

Admittedly, there may be a safety issue regarding the lack of a crosswalk to access the pathway, but this is quite solvable as shown by the crosswalk at McClellan Ranch. Establishing a crosswalk would also have the positive side effect of slowing down traffic on Rodrigues Avenue. NO information was provided regarding this alternative.

In addition, the staff report includes "gifting" \$4,368 to the HOA to cover the city costs to process the paperwork.

Approval of this action would be an **irresponsible and unprecedented action** by the city council to create a private park. I urge you to **vote NO**.

Warm regards,
Jean Bedord
Cupertino resident

From: [Christina Yang](#)
To: [City Council](#); [City Clerk](#)
Cc: [Ivan Corneillet](#); [Mehdi Kalai](#); [Moshe Broudo](#); [Vivian Corneillet](#); [Daniel Kau](#); [Min Li](#); [s hong](#); [Xingchi He](#); [Longkins; lili kalai](#); [Gary Wong](#); [Yong Chen](#); [Hai Han](#); [Yong Chen](#); [Qi Zhu](#)
Subject: Close Lozano easement path
Date: Tuesday, March 1, 2022 1:02:45 PM
Attachments: [image.png](#)

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

Dear Cupertino City Council,

I am writing today to urge you to **close** the Lozano Lane easement access path to the Regnart Creek Trail and vote YES on March 1.

Background the easement

When we purchased the home, we signed CC&Rs which contains agreement to Pedestrian Pathway Easement, dated 06/18/2002, that states “Declarant, as required by City, has constructed a pedestrian pathway that passes through the Project, from Rodrigues Avenue to the Regnart Creek walkway. The pathway may be used during daylight hours (only) by the public to walk between Rodrigues Avenue and the Regnart creek walkway.”

The necessity of the original easement was to serve as the westerly entrance of the old Regnart Creek walkway, ensuring that the pedestrian access does not simply end at the westerly end of the trail.

New Regnart Trail Project and changes it brings to the easement

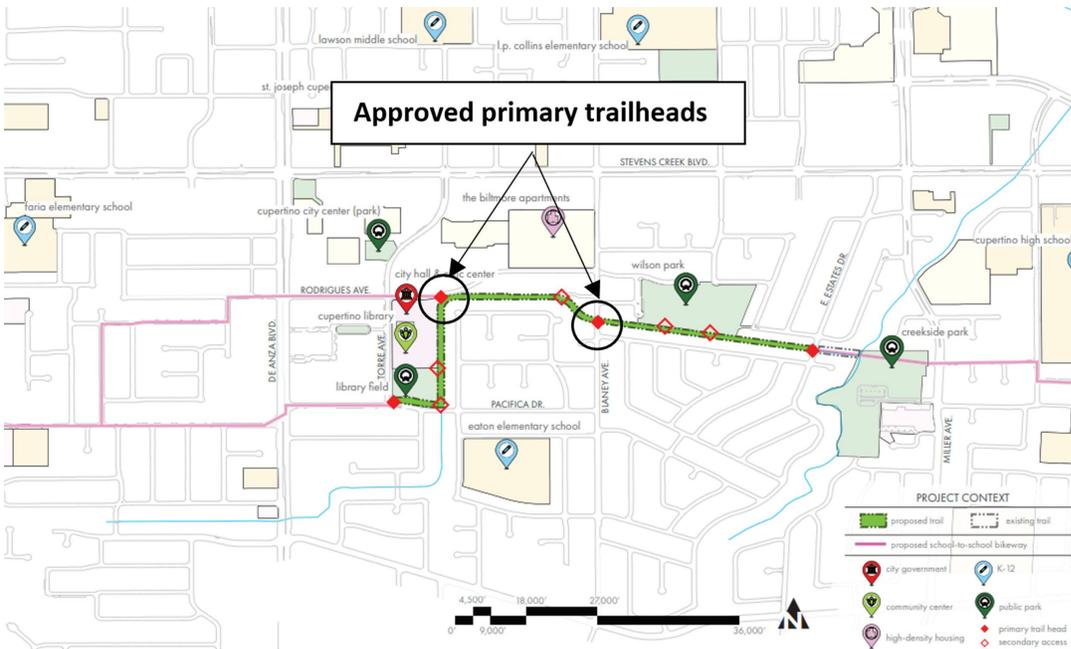
In 2017, the Regnart Trail Project was initiated and the City Council approved the [Regnart Creek Trail Feasibility Study](#) on August 21, 2018. Based on the approved plan, a proposed school-to-school bikeway was added to connect to the existing Regnart creek walkway on the westerly end.

Important note:

- The approved primary and secondary accesses to the new project are shown below in Graph 1. Campo de Lozano easement was **not** planned as a trailhead to the new project.
- The original easement is for a pedestrian pathway **not** a bikeway

Again, in the 2020 Initial Study/Mitigated Negative Declaration (IS/MND, [link](#)), section 3.1.2.3 confirmed the trailheads locations. To ensure pedestrian safety, the document pointed out that “A high visibility pedestrian crosswalk with Rectangular Rapid Flash Beacons (RRFBs) and Americans with Disabilities Act (ADA) ramp and curb improvements would be constructed at the South Blaney Avenue trail crossing” which showed consistency with City’s effort to ensure the public safety when planning for this project.

Graph 1 - Regnart Creek Trail Feasibility Study Project Map ([Link](#))



Important note:

- With the development of the new Regnart Creek Trail including the new trailheads on Rodrigues and S. Blaney with appropriate infrastructure including high visibility pedestrian crosswalks to guide hikers/bikers of the new trail, the original necessity of easement is no longer as needed. In fact, keeping the easement open **invite unsafe, illegal crossing between the two sides of Rodrigues (including young kids going to neighborhood schools) to access easement and misuse** (biking on the easement, night time use, etc.)
- The owners of Campo de Lozano have overwhelming **concerns of safety, liability, and maintenance cost issues** after the new trail project is completed and put in use, and will present our findings of safety issues in the public hearing on Mar 1st.

Inaccurate information spreading across Cupertino community

It was also brought to our attention that there are organized efforts, lacking the knowledge of the easement terms and conditions and quoting inaccurate statements, to influence the general public’s judgement of the easement evaluation. We do not wish to call out in Public hearing of the inaccurate information spreading widely in the Cupertino community (brought to our attention from various friends and neighbors) and we would like to address them prior to the public hearing to avoid friction and prolonged arguments in the public hearing.

1. CupertinoMatters.org published a letter ([link](#)) to general public in which the org indicated “(Cupertino) council will consider “gifting” a pedestrian path worth approximately \$1M to the Lazano Lane Homeowners’ Association”, implying and misleading hundreds of people to believe that the Campo de Lozano homeowner association is benefiting financially from the owners revisiting necessity of the easement and the changing condition on which the easement was originally created 20 years ago.
2. Walk Bike Cupertino also posted on their website ([link](#)) that states “Every one of the eight homeowners signed an HOA agreement allowing this path to be there as a connection to a future Regnart Trail when their home was purchased. Having a trail there is factored into their home prices already.” As we stated in the opening statement, the owners of Campo de Lozano home association only signed CC&R documents when purchasing our homes to grant easement to the city based on the specific terms and conditions 20 years ago. We did not sign any document to grant easement to connect to a “future Regnart Trail”. The appraisals of home purchased did not factor in the value “having a trail”.
3. Wike Bike Cupertino also stated “giving away access to this land is a \$1 million

unnneeded loss for Cupertino. If we have a spare \$1 million, let's use it for something everyone can enjoy." Similar to CupertinoMatters.org, they are deriving unverified economic value of the easement and misunderstood the legal terms of the easement. The easement was an incorporeal right granted to the city of Cupertino by Campo de Lozano homeowner association based on the terms both parties agreed to. It is not a right of occupancy as such or a right to profit from the land. The easement is not transferrable and can not be "used for something everyone can enjoy".

4. Moreover, Campo de Lozano homeowner association has been paying for the maintenance of the easement, landscaping (trees, plants, etc.) along the easement and bears the duty of care as well as financial liability of damages, etc. If the traffic increases dramatically after the new trail is put in use, our Campo de Lozano homeowners will bear higher financial liability.

In conclusion, we would like to show our support to the Cupertino Regnart Creek Trail and believe that the City Council put public safety as always, the No. 1 priority. Please agree to close the Lozano Lane easement access path to the Regnart Creek Trail and vote YES on March 1.

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Christina Qinxin Yang, CFA, CPA
Statistics & Economics | UC Berkeley
Email: christinay.berkeley@gmail.com | Cell: (510)604-2953

From: [Qi Zhu](#)
To: [City Clerk](#)
Cc: [Qi Zhu](#)
Subject: Wish to share document for Cupertino City Council Meeting March 1
Date: Tuesday, March 1, 2022 10:17:01 AM
Attachments: [item-10-public-walkway-iz.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 Sir/Madam,

I'm Cupertino resident wish to speak for item 10 in today's City Council meeting March 1.

"Consideration of Vacation of a Public Pedestrian Walkway Easement through Tract 9405, which runs through Campo De Lozano subdivision, located near 20138 Rodrigues Avenue."

I wish to use attached document/picture to make my point.
Please help to share it when I speak in the meeting.

The document has the location picture and a car hit a pillar on the location in past.

Thank you and appreciate your help.

John Z

From: [Seema Lindskog](#)
To: [City Council](#)
Cc: [Cupertino City Manager's Office](#); [City Clerk](#)
Subject: Similar easements to Lozano Lane access path to Regnart Creek trail
Date: Monday, February 28, 2022 9:38:32 PM
Attachments: [Neighborhood Easements.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.

Respected Mayor Paul, Vice Mayor Chao, and council members,

Attached is a document showing a dozen access paths across the city that are very similar to the Lozano Lane access path to the Regnart Creek trail.

As you can see, several of these paths go quite close to multiple homes. They have all been open for decades with zero complaints. Many are used quite heavily on a daily basis. There is no reason to believe that the Lozano Lane access path will cause any more problems than any of these other easements.

If the council votes to close the Lozano Lane access path, then it needs to be prepared to close these other dozen easements too, or justify why these eight homeowners are getting special treatment.

You have received **80** or more letters or more in support of keeping the access path open. It's an enormous number of residents who took the time to tell you their views on this issue, and they should not be ignored or required to keep asking for the same thing again and again. Please listen to the residents.

Thanks,
Seema

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

From: [Marilyn Beck](#)
To: [City Council](#)
Subject: Lazano Lane Homeowners' Association public easement Regnart Creek Trail
Date: Monday, February 28, 2022 5:09:36 PM

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

Dear Cupertino city council members,

Please do not give up the public easement to Regnart Creek Trail, as the Lazano Lane HOA wants you to do. People from the neighborhood deserve access to this trail that you have spent so much of our taxpayer money on. Everyone in Cupertino should be able to access our trails, and giving up a public easement is bad in this case and sets a bad precedent.

Please preserve all public access points to this trail. The Lazano Lane homeowners are going to enjoy this trail, and the neighborhood should be able to enjoy it too.

Thank you,
Marilyn Beck

From: [Olivia Shearin](#)
To: [City Council](#); [City Clerk](#); [Jim Throop](#)
Subject: Don't close Lozano Lane access or delay it until later (Agenda Item 15)
Date: Monday, February 28, 2022 5:01:57 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 Councilmembers and Mayor Paul:

On March 1, there is an agenda item to consider closing the access path to the Regnart Creek Trail that is currently open along Lozano Lane. I ask that you vote to keep it open by voting NO.

As a long-time Cupertino resident who not only attended Eaton Elementary by bike and Cupertino High School by walking, bicycle safety for student commuters is incredibly important to myself and my peers. We were the same age as Ethan Wong when he was killed biking to Monta Vista; we shared friends with him. It was an incredibly tragic and preventable loss that left a deep impact on an entire generation of Cupertino residents. I can assure you, we will surely remember which council members supported childrens' bicycle and pedestrian safety when the next election rolls around.

Every homeowner in the Lozano and DePalma condominiums signed an agreement to acknowledge the city-owned path behind their housing units, an easement that was ultimately planned to connect to a trail. This is not a unique situation for homeowners to be in; there are similar easements proximate to other homes elsewhere in Cupertino. Yet, the Lozano and DePalma condominium owners seem to uniquely take issue with the city using the easement for its intended use—a use that they were made aware of from the moment they purchased their homes, no less. It is baffling that the City Council is even considering closing this access path, a necessity for Eaton Elementary students to get to and from school safely, because an incredibly small minority of homeowners no longer wishes to comply with a contractual agreement. Worse, they are putting children directly in harm's way by doing so.

Residents have overwhelmingly spoken out in favor of the Regnart Creek Trail for the past six years. It's no surprise, considering the hundreds of residents at Waterfall Condominiums and Biltmore Apartments that use the Lozano Lane path to get to Eaton Elementary or go to Cupertino library safely and easily. I've heard concerns that a crosswalk may be needed at Rodriguez to handle this traffic. It is a no-brainer that adding a crosswalk is the solution, rather than closing the trail—it is absolutely mind boggling that these residents are trying to make this access path being used as intended into a justification for the path being closed!

Again, I urge you to vote NO on March 1. Furthermore, this should not be delayed for a vote again after the trail reopens. You can help prevent further tragedies.

Sincerely,
Olivia Shearin

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Incoming DDS Student - University of California, San Francisco

Pronouns: she/her/hers

Cell: (408) 458-6101 | olivia.shearin@gmail.com

From: [Joel Wolf](#)
To: [City Council](#)
Subject: Resolution No. 22-024 -Vacation of Public Pedestrian Walkway Access from Rodriguez Ave to Regnart Creek Trail
Date: Monday, February 28, 2022 3:51:35 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 am a 35 year+ resident of Cupertino and was extremely dismayed/angry when I recently learned of the council's consideration to relinquish the easement access from Rodriguez Ave. to the Regnart Creek trail. I recently learned of this consideration when I saw the public posting at the walkway entrance. I believe the council should be doing everything it can to facilitate access to the trail and not remove an access point. This walkway provides a very convenient trail access point to the nearby residents and is supported by the above-average residential density of the Cupertino Waterfalls and Biltmore developments. I note that the walkway already has lighting and is fully developed for trail entry. I cannot for the life of me understand why the city would even consider giving up such a valuable piece of property that provides a clear public good. The residents who own the adjoining properties knew of this easement at the time of purchase and had to have been aware of the potential future development of the Regnart trail. A prior council (20+ years ago) had the obvious wisdom to plan for the trail access by obtaining this easement. Please do not give up this access which would benefit far more citizens of Cupertino than the privacy gained by a few property owners adjacent to this walkway.

I ask you to vote NO on this resolution

Joel Wolf

From: [Neil Park-McClintick](#)
To: [City Council](#); [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: In support of keeping the Lozano Access path to the regnart creek trail
Date: Monday, February 28, 2022 3:35:44 PM
Attachments: [LazanoRegnartTrailSupport.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 Mayor, Council, and Staff,

On behalf of the executive steering committee of Cupertino for All, I am writing to you today to request that you keep the Lozano easement access path to Regnart Creek Trail. Trails are not a public harm—nor are they a harm to homeowners. They are of great public benefit, and should be treated as such.

Please see our full letter of support for keeping the Lazano Access Path to the Regnart Creek Trail, as well as our ask to not further waste taxpayer dollars on a handful of residents.

Sincerely,
[Neil Park-McClintick](#)
[President, Cupertino for All](#)

From: [Michael Northrop](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please keep public access to the Lozano Lane path to Regnart Creek Trail
Date: Monday, February 28, 2022 12:23:36 PM

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

Respected Mayor Paul and Councilmembers,

I am writing today to urge you to keep open the Lozano Lane easement access path to the Regnart Creek Trail and vote No on March 1.

Trails need multiple access points to be truly useful for all residents in the neighborhood. It is especially important for seniors with mobility issues and families with young children to have an entrance close to their homes.

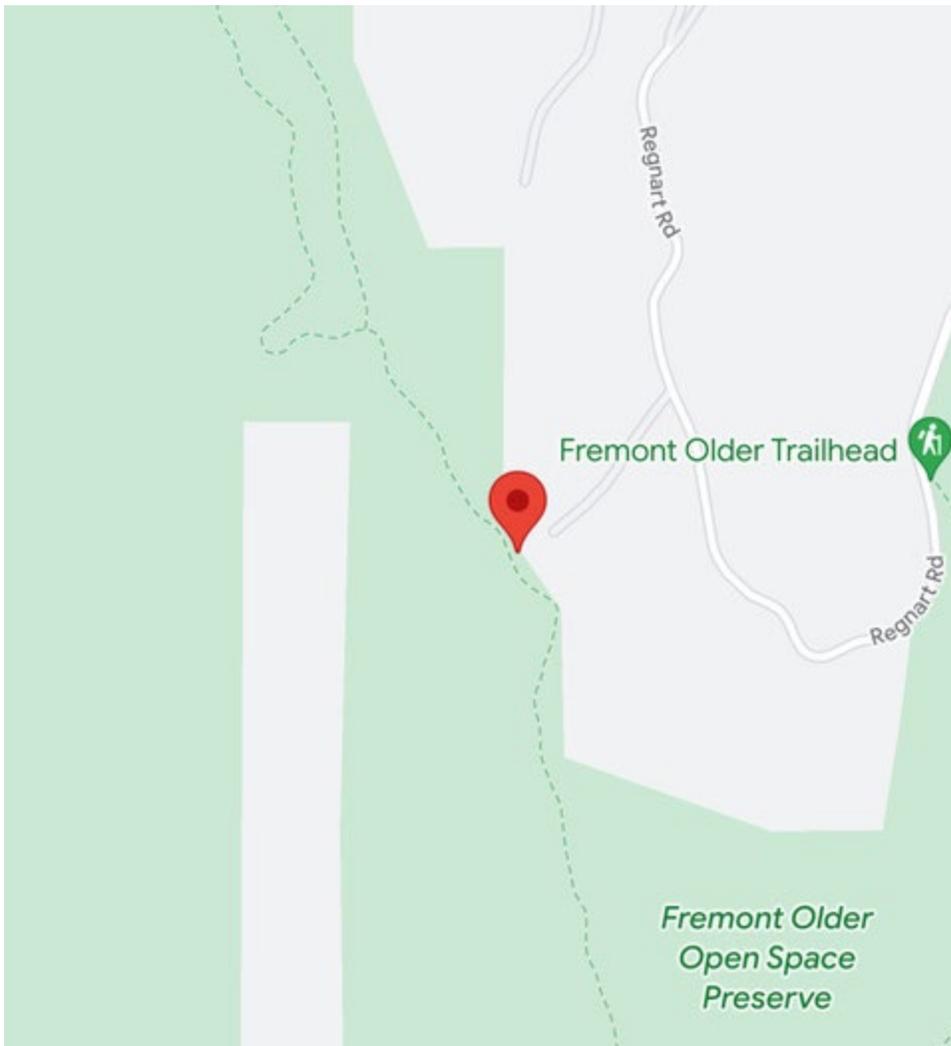
The current design of the Regnart Creek trail was reviewed and voted on year after year for over 4 years before construction started. The council has already heard from residents adjacent to the trail many times over the years and has allocated nearly \$2 million to address their concerns. There is no new information that would justify closing this access path.

There are a dozen similar easements throughout the city that have been used daily for decades with zero complaints from residents in the adjacent homes. An excellent example is the 75ft of stairs that provide a pedestrian shortcut through the McClellan hairpin bend near Deep Cliff golf course. It is a heavily trafficked path, used daily by students to get to Monta Vista HS, and by residents to get to McClellan Ranch, Blackberry Farm and the new Linda Vista trail. It passes close to 3 homes and yet has existed peacefully for decades, as have a dozen other access paths throughout the city. There is no reason to believe the easement at Lozano Lane is going to be any different.

If the city gifts the easement to the Lozano Lane HOA, it will be an unprecedented, and frankly indefensible, \$1 million gift of public funds to 8 homeowners at the detriment of thousands of other city residents. Not only is this fiscally irresponsible, but it will also create a legal justification for residents near other easements to demand a similar gift from the city. Further, it will open the council to charges of financial malfeasance.

Please keep your promise to the thousands of residents who have come out to meeting after meeting over the past 4 years and keep the Regnart Creek trail as designed. Leave the Lozano Lane easement access path open as it is currently and vote NO on March 1.

In addition, I encourage the council to please establish access/easement to the Coyote Ridge Trail gate near 22332 Regnant Rd, Cupertino CA. Currently only local residents can enter the park at this entrance, but it should be publicly accessible, at least to foot & bike traffic. Thanks in advance for your help.



Sincerely,
Michael Northrop
20400 Via Pavisio, A35
Cupertino, CA 95014
415-753-3395

From: [GEOFFREY PAULSEN](#)
To: [City Council](#)
Cc: seema3366@gmail.com; shearin.jen@gmail.com; [Larry Dean](#); [Jean Bedord](#)
Subject: Please save Regnart Creek Trail access
Date: Monday, February 28, 2022 11:45:32 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.

Honorable members of the Cupertino City Council:

From my 14 years serving on various Cupertino Commissions as well as the board of the Friends of Stevens Creek Trail, I came to fully understand the importance of...

- a) access to recreation facilities, and
- b) saving money.

So - for the City Council to...

- a) revoke a public access route to the Regnart Creek Trail, and
 - b) give away a valuable easement
- ... contradicts both of these principles.

So please, I'm asking you to hold off on giving away this easement to the Lozano Lane HOA and work with them to explore other ways to allay their concerns.

But we must also keep in mind that if you live in a city, you have to accept the fact that people will be walking near your home. And having people walk past your home on a public trail...

- reduces crime.
- increases property values.
- reduces pollution.
- promotes personal health.

It's a win-win-win-win situation.

So - again, please vote to keep this valuable access open.

Regards, Geoff Paulsen

From: [Juliet Shearin](#)
To: [City Council](#)
Cc: [City Clerk](#); [Jim Throop](#)
Subject: Agenda Item #15 - Please vote NO on closing Lozano Lane easement
Date: Sunday, February 27, 2022 4:57:31 PM

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

Dear Mayor Paul and Councilmembers,

I am writing today about Agenda Item 15 on the upcoming council meeting agenda, to consider closing the path near Lozano Lane that will allow access to the Regnart Creek Trail. As a high school representative for Safe Routes to School and a long-time bicycle-pedestrian advocate, **I urge you to vote no on gifting the easement to homeowners.**

One of the many positives of the Regnart Creek Trail is how it will improve connectivity and allow more students to walk and bike to school. Many high schoolers live in the Biltmore Apartments and Waterfall Condominiums, and would greatly benefit from the safer commute that the Lozano Lane path offers them. Likewise, students and residents who want to access the City Center and Cupertino Library would benefit from this safe bike/ped-friendly access path. An enormous number of residents — fully 80% of those surveyed in the city — support increasing the number of trails and paths in the city. Closing off this access point directly conflicts with their, and my, wishes.

On top of the clear benefits of keeping the Lozano Lane access path open, returning the easement to residents who live along the street is both fiscally irresponsible and a harmful precedent to set. The land is worth approximately \$1 million dollars, which could be used to benefit the thousands of people who live in Cupertino; giving it away to benefit just eight households is contrary to the interests of the city. In addition, many other Cupertino residents live next to similar easements, such as the one I regularly use to access Wilson Park from Vicksburg Drive. Setting the precedent of closing these access paths opens the way to a less connected, more car-dependent future, not the opposite.

Ultimately, I urge you to do what is best for the many, not the few, and vote no on giving the Lozano Lane easement to homeowners. I hope that we as a city can move towards a more connected, equitable and sustainable future, one step — or one easement — at a time.

Sincerely,
Juliet Shearin

From: [Peter Ludemann](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please keep open the Lozano Lane easement path to Regnart Creek Trail
Date: Sunday, February 27, 2022 2:23:36 PM

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

Respected Mayor Paul and Councilmembers,

Please keep open the Lozano Lane easement access path to the Regnart Creek Trail and vote No on March 1.

I live near Cupertino, in south Los Altos (our daughters' high schools are in Cupertino); I would visit Cupertino more and spend money at businesses there more, if it were more welcoming to bicyclists. Cupertino needs a lot more alternatives to automobiles for getting around; and these alternatives are only useful if they form a complete network, of which the Regnart Creek Trail is one part. Please don't let a few noisy home owners, whose concerns have already been addressed at significant cost, block the rest of the community.

Sincerely,

Peter Ludemann

From: [Shiv Shah](#)
To: [City Clerk](#)
Subject: Public Comment for Lozano Lane Access Path March 1 City Council Meeting
Date: Sunday, February 27, 2022 2:19:33 PM

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

Good Evening Councilmembers,

Please leave the Lozano Lane access to Regnart Creek Trail Open. This will make it easier for people to access the trails and it will make it easier for people to get around without cars. Thank you.

From, Shiv Shah

From: [Alexander Espinosa Pieb](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Keep open the Lozano Lane easement path to Regnart Creek Trail
Date: Saturday, February 26, 2022 10:28:29 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.

Respected Mayor Paul and Councilmembers,

I am writing today to urge you to keep open the Lozano Lane easement access path to the Regnart Creek Trail and vote No on March 1.

Trails need multiple access points to be truly useful for all residents in the neighborhood. It is especially important for seniors with mobility issues and families with young children to have an entrance close to their homes.

The current design of the Regnart Creek trail was reviewed and voted on year after year for over 4 years before construction started. The council has already heard from residents adjacent to the trail many times over the years and has allocated nearly \$2 million to address their concerns. There is no new information that would justify closing this access path.

There are a dozen similar easements throughout the city that have been used daily for decades with zero complaints from residents in the adjacent homes. An excellent example is the 75ft of stairs that provide a pedestrian shortcut through the McClellan hairpin bend near Deep Cliff golf course. It is a heavily trafficked path, used daily by students to get to Monta Vista HS, and by residents to get to McClellan Ranch, Blackberry Farm and the new Linda Vista trail. It passes close to 3 homes and yet has existed peacefully for decades, as have a dozen other access paths throughout the city. There is no reason to believe the easement at Lozano Lane is going to be any different.

If the city gifts the easement to the Lozano Lane HOA, it will be an unprecedented, and frankly indefensible, \$1 million gift of public funds to 8 homeowners at the detriment of thousands of other city residents. Not only is this fiscally irresponsible, but it will also create a legal justification for residents near other easements to demand a similar gift from the city. Further, it will open the council to charges of financial malfeasance.

Please keep your promise to the thousands of residents who have come out to meeting after meeting over the past 4 years and keep the Regnart Creek trail as designed. Leave the Lozano Lane easement access path open as it is currently and vote NO on March 1.

Sincerely,
Alexander Espinosa Pieb

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All the best,
Alexander Espinosa Pieb
(Pronouns: *they/them/theirs, Mx.*)

From: [Sue Conde](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Keep open the Lozano Lane easement path to Regnart Creek Trail
Date: Saturday, February 26, 2022 9:48:33 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.

Respected Mayor Paul and Councilmembers,

I am writing today to urge you to keep open the Lozano Lane easement access path to the Regnart Creek Trail and vote No on March 1.

Trails need multiple access points to be truly useful for all residents in the neighborhood. It is especially important for seniors with mobility issues and families with young children to have an entrance close to their homes.

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Please keep your promise to the thousands of residents who have come out to meeting after meeting over the past 4 years and keep the Regnart Creek trail as designed. Leave the Lozano Lane easement access path open as it is currently and vote NO on March 1.

Sincerely
Sue Cancilla-Conde

From: [Sue Young](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Keep open the Lozano Lane easement path to Regnart Creek Trail
Date: Saturday, February 26, 2022 8:42:44 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.

Respected Mayor Paul and Councilmembers,

I am writing to urge you to keep open the Lozano Lane easement access path to the Regnart Creek Trail and vote NO on March 1.

In these times, it is especially important to maintain/improve and expand infrastructure for walking and bicycling to reduce pollution, encourage the use and appreciation of our great weather and natural outdoor spaces. Trails need multiple access points to be truly useful for all residents in the neighborhood. It is especially important for seniors with mobility issues and families with young children to have an entrance close to their homes.

I recently learned that the current design of the Regnart Creek trail was reviewed and voted on year after year for over 4 years before construction started. The council has already heard from residents adjacent to the trail many times over the years and has allocated nearly \$2 million to address their concerns. There is no new information that would justify closing this access path.

There are a dozen similar easements throughout the city that have been used daily for decades with zero complaints from residents in the adjacent homes. An excellent example is the 75ft of stairs that provide a pedestrian shortcut through the McClellan hairpin bend near Deep Cliff golf course. It is a heavily trafficked path, used daily by students to get to Monta Vista HS, and by residents to get to McClellan Ranch, Blackberry Farm and the new Linda Vista trail. It passes close to 3 homes and yet has existed peacefully for decades, as have a dozen other access paths throughout the city. There is no reason to believe the easement at Lozano Lane is going to be any different.

If the city gifts the easement to the Lozano Lane HOA, it will be an unprecedented, and frankly indefensible, \$1 million gift of public funds to 8 homeowners at the detriment of thousands of other city residents. Not only is this fiscally irresponsible, but it will also create a legal justification for residents near other easements to demand a similar gift from the city. Further, it will open the council to charges of financial malfeasance.

Please keep your promise to the thousands of residents who have come out to meeting after meeting over the past 4 years and keep the Regnart Creek trail as designed. Leave the Lozano Lane easement access path open as it is currently and vote NO on March 1.

Thank you for your service,

Sincerely,
Sue Young

From: [Baoming Tang](#)
To: [City Council](#)
Subject: Vote NO on closing the Lozano Lane access path
Date: Friday, February 25, 2022 9:33:33 PM

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

Hi,

We want to voice out that we want to say no to closing the Lozano Lane access path~

Best
Btang

From: [ShanxinTang](#)
To: [City Council](#)
Subject: Say NO on closing the Lozano Lane access path
Date: Friday, February 25, 2022 9:32:27 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.

Hi All,

We all want to enjoy the Regnart Creek trail and please keep the Lozano Lane access path
OPEN!!!

Best,
Shanxin

From: [Joan Bodway](#)
To: [City Council](#)
Cc: [City Clerk](#); [Joan Bodway](#)
Subject: Keep open the Lozano Lane easement path to Regnart Creek Trail
Date: Friday, February 25, 2022 8:03:36 PM

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

Respected Mayor Paul and Councilmembers,

I am writing today to urge you to keep open the Lozano Lane easement access path to the Regnart Creek Trail and vote No on March 1.

Trails need multiple access points to be truly useful for all residents in the neighborhood. It is especially important for seniors with mobility issues and families with young children to have an entrance close to their homes.

The current design of the Regnart Creek trail was reviewed and voted on year after year for over 4 years before construction started. The council has already heard from residents adjacent to the trail many times over the years and has allocated nearly \$2 million to address their concerns. There is no new information that would justify closing this access path.

There are a dozen similar easements throughout the city that have been used daily for decades with zero complaints from residents in the adjacent homes. An excellent example is the 75ft of stairs that provide a pedestrian shortcut through the McClellan hairpin bend near Deep Cliff golf course. It is a heavily trafficked path, used daily by students to get to Monta Vista HS, and by residents to get to McClellan Ranch, Blackberry Farm and the new Linda Vista trail. It passes close to 3 homes and yet has existed peacefully for decades, as have a dozen other access paths throughout the city. There is no reason to believe the easement at Lozano Lane is going to be any different.

If the city gifts the easement to the Lozano Lane HOA, it will be an unprecedented, and frankly indefensible, \$1 million gift of public funds to 8 homeowners at the detriment of thousands of other city residents. Not only is this fiscally irresponsible, but it will also create a legal justification for residents near other easements to demand a similar gift from the city. Further, it will open the council to charges of financial malfeasance.

Please keep your promise to the thousands of residents who have come out to meeting after meeting over the past 4 years and keep the Regnart Creek trail as designed. Leave the Lozano Lane easement access path open as it is currently and vote NO on March 1.

Sincerely,

Joan Bodway
20142 Pacifica Drive
Cupertino, CA 95014

From: [Seema Lindskog](#)
To: [City Council](#); [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: Please keep the Lozano Lane access path OPEN
Date: Friday, February 25, 2022 6:44:32 PM

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

Respected Mayor Paul, Vice-Mayor Chao, and councilmembers,

I am writing today to ask you to vote no on agenda item 15 in the upcoming Council Meeting on March 1.

As one of the community leaders of the grassroots resident campaign in support of the Regnart Creek trail, I've heard from many neighbors over the years.

There are several people I want to tell you about: Ronald Meulman is 75 years old and lives in the Waterfall Condominiums where he is one of the original homeowners. He wrote you an email asking you to keep the access path open to make it more convenient for seniors with mobility issues to use the Regnart Creek trail. Stuart Chessen helped create the path when the Lozano Lane HOA homes were built. He remembers the promise that was made to keep the access path open for all residents of the city to reach the Regnart Creek trail. He has written to you too, reminding you of this promise. Caroline Stanley lives in the Biltmore Apartments with her three small children. She writes that the access path would make a big difference in her children's ability to enjoy the trail. John Zhao grew up in the Biltmore Apartments. He knows from experience how useful this path would be to residents along Rodrigues. I could go on and on.

Closing this access path will have far-reaching implications for the dozen of similar access paths around the city. If you close this path, residents adjacent to all these other paths will have a legal precedent to rely upon to demand that those paths be closed as well, impacting the quality of life of thousands of Cupertino residents.

Giving the land back to the HOA will leave the council vulnerable to charges of financial malfeasance. It is not fiscally responsible to give away land of approx \$1 million in value to eight private homeowners and very hard to justify treating these eight homeowners differently than the homeowners adjacent to other similar easements around the city.

This is a Pandora's Box that is best left closed.

I urge you to prioritize the needs of the thousands of residents along Rodrigues Ave over the request of eight homeowners who bought their homes knowing full well there was an access path there to a future Regnart Creek trail. Please vote No on March 1 and keep the access path at Lozano Lane open.

Best regards,
Seema Lindskog
Executive Board Chair
Walk-Bike Cupertino

Cupertino resident since 2006

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

From: [Emma Shearin](#)
To: [City Clerk](#); [City Council](#); [Jim Throop](#)
Subject: Agenda Item #15 - Please vote NO to closing Lozano Ln path
Date: Friday, February 25, 2022 6:01:01 PM

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

Dear Mayor Paul and Councilmembers Wei, Moore, Chao and Willey,

I write today as a resident of Cupertino who has grown up here attending Eaton Elementary, Lawson, and Cupertino High School. I've been active in walking and biking advocacy since high school as well.

Agenda item 15 on the upcoming Council meeting agenda is to consider closing the path that is adjacent to Lozano Lane that will connect and access the Regnart Creek Trail. **I ask that you vote NO to closing this walking path.**

The hundreds of residents of the Waterfall Condominiums and the Biltmore Apartments will use this path next year to safely travel to Eaton Elementary and Cupertino High more safely than I did as a child. (If a new crosswalk needs to be added on Rodrigues to connect to the path I absolutely support that-- I've definitely had issues biking on Rodrigues that the crosswalk would improve!)

There are similar easements that run between homes elsewhere in Cupertino, such as into Wilson Park from Vicksburg Dr-- why do you want to give away this one that has significant benefit to the community? Apparently, when the homeowners bought their homes when the condos were built 20 years ago, the path was already in use, and they signed an agreement acknowledging the path and that it was planned to connect to a trail! Eliminating this easement is not only a bad precedent for the other easements within the city, but would signal a continued change to city fiscal policy to continue putting money into the pockets of these specific residents (nearly \$1 million of Regnart Creek Trail funds going to these Lozano and De Palma homes already).

This is a bizarre decision with \$1+ million of impact to benefit eight residents. This seems fiscally irresponsible and frankly, I would like a free \$125,000 as well. Can every resident of Cupertino have \$125,000 of free city land? Here is the bold statement the city would be making-- that it favors these eight residents enough to be worth 83x more than every other citizen, as the city spends (equivalent) 1 million on 8 residents vs a \$89.6 million budget on the other c. 60,000 residents.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1 at the Council meeting.

Best,
Emma Shearin

From: jim@crewdavis.com
To: [City Council](#)
Subject: Vote No on closing the Lozano Lane Access Path to the Regnart Creek Trail
Date: Friday, February 25, 2022 12:03:38 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 Cupertino City Council,

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

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

As a long-time taxpayer in Cupertino I object to giving away valuable assets. It is fiscally irresponsible and sets a dangerous precedent which would undoubtedly have future consequences. It's puzzling why the city council would spend its time on the desires of a small group at the expense of the entire community.

Please focus council energy and efforts on the greater good to our community, not special interest groups.

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

Sincerely,

Jim Davis

Cupertino Resident for 38 years

From: [J Shearin](#)
To: [City Clerk](#); [City Council](#); [Jim Throop](#)
Subject: Agenda Item #15 - Please vote NO to closing Lozano Lane path
Date: Friday, February 25, 2022 11:58:31 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 Mayor Paul and Councilmembers Wei, Moore, Chao and Willey:

I write today as a 10 year+ resident of Cupertino who has been active in walking and biking advocacy for many years now. Agenda item 15 on the upcoming Council meeting agenda is to consider closing the path that is adjacent to Lozano Lane that will connect and access the Regnart Creek Trail. **I ask that you vote NO to closing this walking path.**

Cupertino residents want more walking paths and connectivity in their city, not less. The survey from the approved Parks & Recreation Master Plan states that 80% of residents desire “more trails and paths”, and 85% want “improved access to natural open spaces”, such as parks. Closing this path would be the opposite of what the overwhelming number of residents wish for and the city’s own goals.

The hundreds of residents of the Waterfall Condominiums and the Biltmore Apartments in particular would be affected. They could use this path, once the Regnart Trail is open, to safely and easily travel to Eaton Elementary—a much better walk than along busy Blaney Avenue—or to travel to the library or to head east go to Cupertino High. If a new crosswalk ultimately needs to be added on Rodrigues, that’s not a bad thing; there are many cars that speed along it right now, and slowing down traffic in this residential area would be an improvement for everyone.

Furthermore, having an easement for a walking path such as this one is not a unique situation in Cupertino. There are similar easements that run between homes elsewhere in Cupertino, such as into Wilson Park from Vicksburg Drive, and the long stairway path from top of McClellan (at the turn) down to base of McClellan. The Lozano access path using an easement has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. Eliminating this easement is a bad precedent for the city for future connectivity, and for the other easements within the city, too.

Lastly, it’s a great concern (and frankly a bit bewildering) that the Council is considering gifting a legal and long-standing easement that is estimated to be worth about \$1 million to an HOA of eight homeowners because they asked for it. Not only does this seem fiscally irresponsible, but the priorities of the city must be for the greater good of all of its residents, not just a handful. It is clear that Council cares about individual concerns—the almost \$2 million spent in privacy mitigation spending for this trail shows that—but the overall benefit of the Regnart Trail for all the city’s residents should not be decreased as a consequence.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1 at the Council meeting.

Best Wishes,

Jennifer Shearin
19511 Howard Ct.

From: [Anne Ng](#)
To: [City Council](#)
Subject: item 15, lozano access to regnart creek trail
Date: Friday, February 25, 2022 10:26:23 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.

Honorable Mayor and Councilmembers:

Please vote NO next Tuesday on Item 15, which would close access to Regnart Creek Trail through the Lozano property. Please honor Cupertino's Climate Action Plan and General Plan, which both promote improving pedestrian and bike access and connectivity. This particular already existing short path will improve access to Regnart Creek Trail for the many people who live directly across Rodriguez Avenue in apartments and condos. (A crosswalk there would be an excellent safety and traffic calming addition in the middle of a very long block.) Thank you.

Anne Ng
6031 Bollinger Road
Cupertino

From: [David Marancik](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Friday, February 25, 2022 9:19:18 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 Councilmembers and Mayor Paul:

Gifting this land back to an HOA and removing it from public access is just a bad idea. Please keep this corridor open to the community.

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

From: [Adrienne Harber](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote NO to closing path at Lozano Lane to the Regnart Trail
Date: Friday, February 25, 2022 7:37:17 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 Councilmembers and Mayor Paul:

Please vote "No" to closing the path along Lozano Lane that connects to the future Regnart Trail, a change that you are considering on March 1.

Residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary School and the Cupertino Library more safely and easily than if they were to walk or bike on the streets. They could also enjoy a nice walk or to get to Main Street via Creekside Park.

The City of Cupertino is now working on the bike/pedestrian path next to the creek, which residents voted to approve after much discussion. To close a path that leads to a trail goes against what the residents want: more, not less, connectivity and trails. Making this change goes against what the residents want and what the city says are its goals. It's unreasonable to make a change to benefit a small handful of homeowners over what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It sets a bad precedent to remove it now.

Please consider the needs of the many people that use and enjoy this path now and who will use it even more once the Regnart Creek Trail opens. Vote "No" on March 1. Thank you.

Sincerely,

Adrienne Harber, proud Cupertino resident

From: [Eric Crouch](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Friday, February 25, 2022 3:47:55 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 Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,
Eric Crouch

From: [Buffy Joseph](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Don't close the path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 11:19:11 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.

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

We need all the paths we can get in Cupertino, not to close any of them. There is absolutely no reason to close this path.

We want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

Elizabeth Joseph
19782 Bixby Dr, Cupertino

Sent from my iPad

From: [Mona Schorow](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 9:39:47 PM

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

Dear City Councilmembers and Mayor Paul:

Please keep Lozano Lane open to the Regnart Trail. I and my neighbors look forward to using it. Please vote NO on March 1.

Mona Schorow

iPhone

From: [Brian Feinberg](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 9:31:24 PM

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

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

I've lived in Cupertino for over twenty years. I attended several of the meetings at which the trail was discussed, and was very excited and pleased to see that previously closed off area become accessible and useful to us here. To see a tiny group of people try to make an end run around multiple previous decisions on this trail, yet again, is very disappointing and upsetting.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

Brian Feinberg

From: [Chris Takimoto](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 3:27:23 PM

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

Dear City Council Members and Mayor Paul:

I would like you to consider this topic carefully. Please think about voting no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

From: [Kai Wiedman](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 3:20:13 PM

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

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

From: [Patti Schmidt](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 3:06:41 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 Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

This easement is important for many many residents who will use this access point to the Regnart Trail. Why would you want to do this and make this important path less functional? So many students will use this access for travel to school or the library or to the ball field. Other residents will access the trail here, too.

If trails are not accessible at various points they become somewhat useless - tubes with a portal at each end and not helpful to those who live along the pathway and need to enter midway.

By closing off this access point you set a dangerous precedent for other pathways to be subpar.

I want Cupertino to be bike and pedestrian friendly. Cities that have established systems outside of roads create healthier living, an important goal of most new residents.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

Patti Schmidt
938 Ferngrove Drive

From: [Eric Berggren](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 2:36:15 PM

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

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

Eric Berggren

From: [Martin Gothberg](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 2:05:42 PM

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

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

Martin J Gothberg

From: [Linda vanderhule](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 2:03:28 PM

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

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,
Linda

From: [gary virshup](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote NO to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 1:42:22 PM

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

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Personally I am aghast that this is even under consideration.

Sincerely,

gary virshup
753 Stendhal Lane
Cupertino, CA 95014
650/799 5774 (cell)
408/255-9954 (home)

From: [Stephanie Miller](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Thursday, February 24, 2022 11:26:38 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 Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for. This project has already frustrated many of us city residents and taxpayers, knowing that MILLIONS of dollars are being paid for private fencing for just a few. Don't make another egregious mistake and limit the trail access to all residents. What happened to considering the greater good as opposed to the interests of the few?

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

I am often at the library and have been watching in anticipation for this trail to open. It will add such a lovely path for residents to enjoy and connect around Cupertino.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting **NO on March 1**.

Sincerely,

Stephanie Miller

From: [Jaydeep Inamdar](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Wednesday, February 23, 2022 11:04:11 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.

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

From: [Dino Sakkas](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Lozano Lane to the Regnart Trail Access - Please VOTE NO to keep the access in place!
Date: Wednesday, February 23, 2022 2:07:27 PM

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

Dear City Councilmembers and Mayor Paul:

I am a 30+ year resident of Cupertino and an avid walker and cyclist. I am writing to urge you to VOTE NO on closing the path along Lozano Lane to the Regnart Creek Trail a change you are considering on March 1st.

As a walker, cyclist, and a parent, I try to stay off busy roads whenever possible because it makes for a more enjoyable trip with the added benefit of being safer. Shortcuts like the Lozano Lane easement make it easier to walk or bike during my daily activities by giving more route options that keep me off main roads. Closure of this path will force me onto Blaney and/or Rodrigues - both busy roads.

As a parent, I encourage other families to allow their children to walk or bike to school. Studies show that the most common concern of the parents is safety, specifically cars. The city is spending millions of dollars to provide safer routes to school and drive to zero accidents in response to these concerns. As you know, many of the efforts include separating the bike lanes when possible or creating dedicated trails like the Regnart Creek Trail. In order to optimize the benefit to the community of this effort, it is critical to provide multiple options for entrance and exits from the trails to minimize the time our children spend on busy roadways prior to getting on safe routes.

As a citizen, I like it when I see my neighbors walking and cycling, it creates a sense of community. I would like to thank everyone in our city government for all the effort and budget put into making our city more pedestrian-friendly, such as creating separated bike lanes, redesigning intersections for pedestrians, and pedestrian trails. It would be a shame to reduce access to this excellent infrastructure by giving away the access / easements agreed upon by the Lozano Lane HOA as a condition for construction of the homes. Not to mention that other home owners might be encouraged to petition for removal of easements citing this precedent.

It is not apparent that sufficient consideration was given to the impacts of the proposal to close this access point. On the benefits side there are 8 HOA residents; on the impacts side there are hundreds of people living in the Biltmore Apartments and surrounding area that would be able to get onto the Regnart Creek Trail sooner. A pedestrian or student is more likely to be hurt if forced to stay on Rodriguez and or Blaney on the way to school or simply enjoying an evening walk. Furthermore, a survey in the Parks & Recreation Master Plan indicated that over 80% of residents wish for more trails and connecting paths in our community. Reducing access to dedicated pedestrian trails does not seem consistent with the wishes of our community.

Thank you for spending time to consider my perspective on this proposal. I urge you to do the right thing for our community and VOTE NO on closing the path along Lozano Lane to Regnart Creek Trail on March 1st.

Sincerely,

Dino Sakkas

From: [Michael Sharpe](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Tuesday, February 22, 2022 6:01:28 PM

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

Dear City Councilmembers and Mayor Paul:

Please vote no to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Michael Sharpe

Sincerely,

From: [John Zhao](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please Vote NO to closing path at Lozano Lane to the Regnart Trail
Date: Tuesday, February 22, 2022 4:23:52 PM

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

Dear Mayor Paul and City Councilmembers:

I urge you to **vote no on gifting the pedestrian path along Lozano Lane connecting Rodrigues Ave to the Regnart Creek Trail.**

Connectivity is key. As somebody who grew up in Biltmore as a child, I know how useful this pedestrian path could be for residents in Biltmore Apartments and Waterfall Condominiums. From a connectivity perspective, it simply does not make sense to cut off an access point to the trail.

The City must be a good steward of public resources. If the City goes through with donating the land, the Lozano Lane HOA intends to fence off this pathway to restrict access. First, why does the City want to donate land worth \$1 million? What is the purpose of privatizing public land and restricting access to the public? What are the policies that would guide this decision? This seems antithetical to the reason for the Regnart Creek Trail, which is to increase connectivity and encourage people to make better use of our public resources. This does not seem like good stewardship of City resources.

Let's reframe what "impact" this path may have. The Lazano Lane pedestrian path will only "impact" 8 houses in the complex. And when I say "impact," I don't even mean that it would necessarily be negative. With high foot and wheel traffic in this area, there should be few safety concerns, as there would be many eyes on the street. Please also consider the epidemic of social isolation in suburbs. From comparing my personal experience of living in the Cupertino suburbs and in urban settings, I know that simply being in the presence of more people can help alleviate a sense of social isolation. In the midst of the COVID-19 pandemic, I think many people could benefit from more social (and distanced) interactions, however minor they are. Even if there were any negative impacts, I urge City Council to consider the benefit that increased connectivity will bring to our city.

City Council must be consistent with its logic. Even if there were negative impacts to Lozano Lane homeowners, what makes this any different than the impact to residents living along Regnart Creek Trail? If City Council believes that Lozano Lane pedestrian path should be closed down to reduce impact on neighboring residents, the same reasoning should apply to Regnart Creek Trail. Clearly, we have already made a policy choice to move forward with Regnart Creek Trail. **Clearly, City Council has already made a decision that values better connectivity, walkability, and bikeability for the larger population over the potential discomfort of neighboring residents.**

So I urge you to have the courage to be consistent and vote in favor of connectivity and preserving our commons. Please vote NO to gifting the pedestrian path to Lazano Lane HOA.

Sincerely,
John Zhao

From: [Ross Heitkamp](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Please vote no to closing path at Lozano Lane to the Regnart Trail
Date: Tuesday, February 22, 2022 4:17:52 PM

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

Dear City Councilmembers and Mayor Paul:

I am opposed to closing the path along Lozano Lane that connects to the future Regnart Trail, a change you are considering on March 1. The more access points a trail has reduces the load on each one. This is public land that should remain open as an important connection. Additionally, it would be fiscally irresponsible to give up this valuable land at anything below market rate.

Hundreds of residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane path to connect to the Regnart Trail to get to Eaton Elementary and the Cupertino Library much more safely and easily. They could also use it to just to enjoy a nice walk or to get to Main Street via Creekside Park. Closing this path makes the trail less useful to many residents.

The city's residents want more, not less, connectivity and trails. Surveys done by the City of Cupertino have shown this many times. For six years now residents have been asking for the Regnart Creek Trail to be built. Making this change goes against what all those residents want and what the city says are its goals. It's just not reasonable to make a change to benefit a small handful of homeowners against what so many wish for.

This access path has been in use since the Lozano and DePalma condominiums were built almost 20 years ago. When the homeowners bought their homes, they signed an agreement acknowledging the path location and that it was planned to connect to a trail. There are similar easements that run between homes elsewhere in Cupertino, so there is no argument this is a unique case. It's a bad precedent to take it out now.

Thank you for considering the needs of the many people that use and enjoy this path and will even more once the Regnart Creek Trail opens by voting NO on March 1.

Sincerely,

Ross Heitkamp

From: [Larry Dean](#)
To: [City Council](#)
Cc: [Larry Dean](#)
Subject: Please do not consider removing the easement right of way between Rodriguez Avenue and DePalma Lane
Date: Tuesday, February 22, 2022 1:39:48 PM

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

Dear Mayor Paul and Fellow Council –

Please do not consider and approve the recent proposal to close off the public access and walking right of way from DePalma Lane to Rodriguez Avenue. It is unnecessary, a significant take away from residents and sets a very negative precedent to the community. A major goal of the city's master plan is to integrate and connect neighborhoods. This proposal does the exact opposite of that.

Why has this proposal come out from “nowhere” and posted to be the last item in the most recent council agenda? This smacks of pandering and sets a very poor example of reversing the general plan philosophy and specific/approved projects.

Trails, walkways and access points should be “permeable” - provide a variety of access points and integrated into the surrounding community. It should not be a “pipe” – that has entry/exit points only at the beginning and end of the route.

We very well understand certain residents' security caution regarding this access, but this is unwarranted. Cupertino has many examples of neighborhood walkways and trails that are adjacent to residents' properties. There have been zero safety issues – and that should be used as a basis for moving forward and not modifying the Regnart Creek Trail plan.

Thank you for doing all that you can to make Cupertino the Bay Area's beacon for safe walking and cycling.

Sincerely,

Larry Dean

From: [Linda Wegner](#)
To: [City Council](#); [City Clerk](#); [Jim Throop](#)
Subject: Don't close path along Lozano Lane to the Regnart Trail - Vote no on March 1
Date: Sunday, February 20, 2022 4:57:25 PM

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

Dear Mayor Paul and Cupertino City Councilmembers,

At the upcoming City Council meeting, you will discuss whether to close the current access path to the Regnart Creek Trail along Lozano Lane. I ask that you vote NO to closing this path.

City Council has considered the Regnart Trail exhaustively for the past 6 years, with votes every year. Residents want more walking paths and connectivity in the city, not less and the Council has reaffirmed this through its formal master plans. Making this change goes against the wishes of all of the huge number of residents who have spoken for this trail again and again and the goals of Cupertino. It's time to get it done as designed and make it as useful as possible to the maximum number of people.

The many residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane easement to connect to the trail. It's an important access path for seniors and students as it would be the most direct and safest way to get to Eaton Elementary or the Cupertino library. Closing this makes it less useful to them and many others. If a crosswalk is ultimately needed on Rodrigues, that can be studied and added later.

The residents in the HOA that are asking for this change knew about this path and its connection to the planned trail when they purchased their homes, and have had a path there for 20 years. Their needs have been considered by the city, with almost \$2 million dedicated in city funds to address privacy concerns about the trail. Elsewhere in Cupertino there are easements for paths in use that run between homes—this isn't unique.

For all these reasons and more, it's the right thing for Cupertino to vote no on removing this access path. I ask you to do so at the Council meeting.

Sincerely,

Linda & Glenn Wegner

10200 Hillcrest Rd

Cupertino

From: [Sharon Walker](#)
To: [City Council](#); [City Clerk](#); [Jim Throop](#)
Subject: Lozano Lane to the Regnart Trail Vote no on closing March 1
Date: Sunday, February 20, 2022 2:30:54 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.

To Mayor Paul and Cupertino City Council members,
Please **vote NO** on closing Lozano Lane on March 1.

I am opposed to closing the Lozano Lane access path to the Regnart Creek Trail. It is one of several strategically located access paths to the Regnart Creek Trail. If we start closing designated easements we start down a slippery slope of others making the same request for other easements. The easements were created for reason and the Regnart Creek Trail is one of the best reasons as it provides a trail for all of Cupertino to enjoy. We walked Lozano Lane today and feel that it has been there for a long time and we don't feel the homes near there are going to be affected anymore now than they were in the past.

Please vote NO at the council meeting on closing the Lozano Lane Trail!

Sincerely,

Sharon Walker

10902 Canyon Vista Dr.

Cupertino, CA 95014

From: [Scott Swail](#)
To: [City Council](#); [City Clerk](#); [Jim Throop](#)
Subject: Don't close path along Lozano Lane to the Regnart Trail - Vote no on March 1
Date: Sunday, February 20, 2022 9:11:43 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 Mayor Paul and Cupertino City Councilmembers,

At the upcoming City Council meeting, you will discuss whether to close the current access path to the Regnart Creek Trail along Lozano Lane. I ask that you vote NO to closing this path.

City Council has considered the Regnart Trail exhaustively for the past 6 years, with votes every year. Residents want more walking paths and connectivity in the city, not less and the Council has reaffirmed this through its formal master plans. Making this change goes against the wishes of all of the huge number residents who have spoken for this trail and the goals of Cupertino. It's time to get it done as designed and make it as useful as possible to the maximum number of people.

The many residents at Waterfall Condominiums and Biltmore Apartments can use the Lozano Lane easement to connect to the trail, as it would be the most direct and safest way for students to get to Eaton Elementary or the very popular Cupertino library. Closing this makes it less useful to them and many others. If a crosswalk is ultimately needed on Rodrigues, that can be studied and added later.

The residents in the HOA that are asking for this change knew about this path and its connection to the planned trail when they purchased their homes, and have had a path there for 20 years. Their needs have been considered by the city, with almost \$2 million dedicated in city funds to address privacy concerns about the trail. Elsewhere in Cupertino there are easements for paths in use that run between homes—this isn't unique.

For all these reasons and more, it's the right thing for Cupertino to vote no on removing this access path. I ask you to do so at the Council meeting.

Sincerely,

Scott

From: [Stuart Yahoo](#)
To: [City Council](#); [City Clerk](#); [Jim Throop](#)
Subject: Vote no to closing the access to Regnart Creek Trail at Lozano Lane
Date: Sunday, February 20, 2022 7:45:15 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 Mayor Paul and Cupertino City Councilmembers,

I ask today that you vote NO on closing the Lozano Lane access path to the Regnart Creek Trail. This path should remain open for the use of ALL Cupertino residents.

This trail opening was agreed upon by the developer in order to build multi dwellings on this property. Please don't close this up.

There are hundreds of residents at Waterfall Condominiums and Biltmore Apartments who could use the Lozano Lane access path to connect to the Regnart Creek trail, including many senior citizens, for whom it would be much more difficult to walk to the further entrances. It would also be the most direct and safest path for student walking to Eaton Elementary or the library. Not having it open will reduce the usefulness of the trail needlessly. If a crosswalk ends up being needed on Rodrigues, that is something that can be studied and added later.

The residents in the HOA that are asking for this change are actually asking the city to gift them approximately \$1 million worth of land, even though they signed that they knew about the easement when they purchased their homes over the past 20 years.

There are a dozen similar easements around the city which are used daily by residents, too—it is not a unique situation in Cupertino to have a city easement with a walking path on it.

We residents have asked for the Regnart Trail to be built in Council meeting after meeting, year after year. We want more walking paths and connectivity in the city, not less. This has also been a stated priority for the city in its master plans. Making this change goes against the wishes of thousands of residents and the goals of the city itself.

Please vote NO on closing the Lozano Lane access path to the Regnart Creek trail.

Sincerely,

Sent from my iPad

From: [Sundar Rajan](#)
To: [City Council](#); [City Clerk](#); [Jim Throop](#)
Subject: Please vote NO on closing the Lozano Lane access path to Regnart Creek trail
Date: Saturday, February 19, 2022 9:03:42 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 Mayor Paul and respected councilmembers,

I am a ten year resident and homeowner in Cupertino, and I am appalled at the possibility of this closure, and urge you to vote NO on closing the Lozano Lane access path to the Regnart Creek trail.

Easements are created for important public access reasons, and removing them comes with large negative consequences to our community. As elected officials, we depend on and expect from you, actions that will protect, not remove, public benefits.

- There are many similar easements in Cupertino. If you agree to give this land back to the 8 homeowners in the Lozano Lane HOA, you set a dangerous precedent. Why wouldn't the residents along the other easements ask to have their easements closed too? This would hurt the quality of life of hundreds of residents who use these easements on a daily basis.

- Thousands of residents will benefit from this access. For hundreds of residents at Waterfall Condominiums and Biltmore Apartments, the Lozano Lane easement would be the easiest way to connect to the trail. If a crosswalk is needed on Rodrigues, it will slow down the traffic on that road.

- It looks like favoritism. Treating this easement differently than all the other easements in Cupertino gives the impression of an improper sweetheart deal for a handful of residents. Why are these 8 home owners being given \$1 Million worth of Cupertino land 20 years after the legal creation of the easement, to the detriment of the rest of the tax paying Cupertino community? Each of these homeowners knew about the existence of the easement when they bought their property.

- One of the city's core priorities is greater connectivity among neighborhoods and residents. Preserving and increasing, NOT decreasing, the entry points to Regnart Trail allows for increased walking and biking along Regnart Trail with neighbors meeting neighbors and forming friendships. Per the Parks & Recreation Master Plan, over 80% of residents wish for more trails and connecting paths in our community.

Please vote NO on closing the Lozano Lane access path to the Regnart Creek trail.

Thanks,
Sundar Rajan
10834 E Estates Dr, Cupertino, Ca 95014

Melissa Robertson

From: Joseph Fruen <jrfruen@gmail.com>
Sent: Tuesday, March 1, 2022 4:30 PM
To: City Clerk; Darcy Paul; Liang Chao; Jon Robert Willey; Hung Wei; Kitty Moore
Cc: Kirsten Squarcia
Subject: Re: Item 10: Vaction of public easement

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

Mayor Paul and Councilmembers:

I write to you to ask that you consider delaying tonight's action on Item 10. The public easement at Rodrigues and Lozano Lane was a condition of approval for the homes at Campo de Lozano. With the installation of the Regnart Creek Trail, this access point takes on increased significance, rather than less. Before giving up such public access--and the monetary value it represents--council would benefit from more information so that it can better weigh the interests concerned.

Indeed, without the Regnart Creek Trail yet open to present use and in the absence of supporting evidence, concerns about impacts from access are speculative. Delaying tonight's action would also allow time to study the potential of installing a crosswalk that would provide safer access to the Regnart Creek Trail from this point.

Many thanks for your consideration,

J.R. Fruen
Cupertino resident

From: [Xingchi He](#)
To: [City Council](#); [City Clerk](#); [Darcy Paul](#); [Liang Chao](#); [Jon Robert Willey](#); [Hung Wei](#); [Kitty Moore](#)
Cc: [Ivan Corneillet](#); [Mehdi Kalai](#); [Moshe Broudo](#); [Vivian Corneillet](#); [Daniel Kau](#); [Min Li](#); [s hong](#); [Xingchi He](#); [Longkins](#); [lili kalai](#); [Gary Wong](#); [Yong Chen](#); [Hai Han](#); [Yong Chen](#); [Qi Zhu](#)
Subject: Close Lozano easement walkway - Thank you
Date: Tuesday, March 1, 2022 11:19:32 PM

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

Dear Mayor Darcy, Vice-Mayor Chao, dear Council Members,

I would like to thank you for the time and effort that you invested tonight and before to scrutinize tonight's agenda item 10 (Vacation of Public Pedestrian Walkway Easement), especially when we, the Lozano residents, are such a small group, and are portrayed so negatively with tremendous misinformation by other community members who are strongly opinionated against this proposal.

We all want a safer and more walking and biking friendly community. I would like to echo with the following bullet points that you recognized in the meeting:

1. The original purpose of the easement is no longer valid and it is necessary to re-examine the current usage, risks and benefits of the Lozano walkway.
2. The Lozano walkway is not a planned trail head. We have two well-constructed trail heads on both the east (De Palma) and west (Rodrigues) sides (with ADA access and much better safety measures).
3. The Lozano walkway has been misused (night time, biking, etc.) in the past two decades. It is expected to be used more extensively by the public. It is NOT fair for our small HOA (eight families) to bear the financial cost and the liability.
4. People will always take shortcuts, if we provide one. You have observed frequent pedestrian crossing on Rodrigues even now, which is likely to worsen after Regnart trail is opened. Crosswalks are not recommended by the City Staff. Without crosswalks, it will be even more dangerous to cross Rodrigues.

It is a serious safety concern, regardless if it is legal or not. Both you and I have first hand observation about the traffic around city hall. Speeding on Rodrigues is often seen. This, combined with the curvy turn west to our community on Rodrigues, and pedestrian crossing randomly, will lead to more accidents. While I'm supportive of data-driven approaches in general, this is the data I would rather not see if we can take preemptive measures.

When revisiting this proposal, please take consideration of these bullet points. We would love to continue this discussion with you and your team.

Best,
--
Xingchi

From: [Christina Yang](#)
To: [City Council](#); [City Clerk](#)
Cc: [Ivan Corneillet](#); [Mehdi Kalai](#); [Moshe Broudo](#); [Vivian Corneillet](#); [Daniel Kau](#); [Min Li](#); [s hong](#); [Xingchi He](#); [Longkins; lili kalai](#); [Gary Wong](#); [Yong Chen](#); [Hai Han](#); [Yong Chen](#); [Qi Zhu](#)
Subject: Re: Close Lozano easement path
Date: Tuesday, March 1, 2022 11:00:43 PM
Attachments: [image.png](#)

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

Dear Mayor and Council members of Cupertino,

I would like to thank you all for taking the time tonight and to hear from us in the public hearing and propose motions on this matter. Tonight's discussion was productive and enlightening, hearing from both sides of the argument come forward and express opinions on a public easement situated on private land. as well as hearing from City staff presenting their due diligence research/recommendations. Thank you for prioritizing public safety and for aiming to make data-driven decisions.

I want to reiterate that we are not the enemies of walk bike associations, nor are we the selfish greedy HOA group portrayed by the other audiences of the community, leading to framing bias towards us and derailing from stating facts. We are long-term residents of Cupertino and care about our community just as much as other community members, if not more.

We believe re-visiting the public walkway easement is our legitimate right based and our proposal is rational, cost-efficient and safety-driven which benefits the entire Cupertino community.

Thank you again for your time and consideration tonight! I look forward to continuing this relationship and to future meetings with both you and your dedicated staff. In the meantime, if I can be of any assistance, please do not hesitate to contact me.

On Tue, Mar 1, 2022 at 1:02 PM Christina Yang <christinay.berkeley@gmail.com> wrote:

Dear Cupertino City Council,

I am writing today to urge you to **close** the Lozano Lane easement access path to the Regnart Creek Trail and vote YES on March 1.

Background the easement

When we purchased the home, we signed CC&Rs which contains agreement to Pedestrian Pathway Easement, dated 06/18/2002, that states "Declarant, as required by City, has constructed a pedestrian pathway that passes through the Project, from Rodrigues Avenue to the Regnart Creek walkway. The pathway may be used during daylight hours (only) by the public to walk between Rodrigues Avenue and the Regnart creek walkway."

The necessity of the original easement was to serve as the westerly entrance of the old Regnart Creek walkway, ensuring that the pedestrian access does not simply end at the westerly end of the trail.

New Regnart Trail Project and changes it brings to the easement

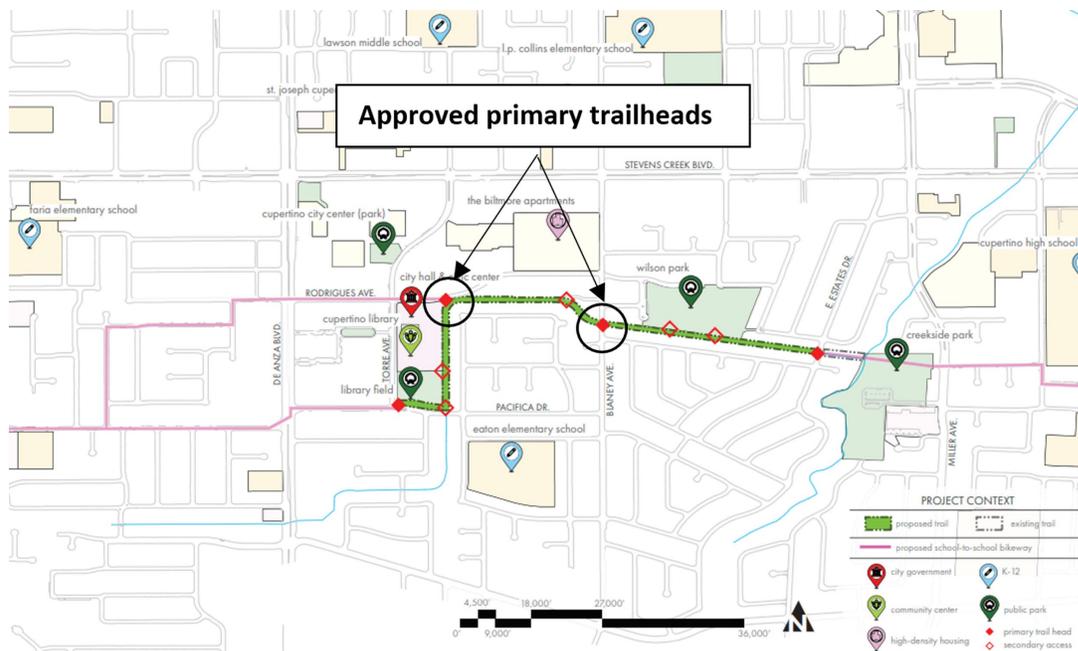
In 2017, the Regnart Trail Project was initiated and the City Council approved the Regnart Creek Trail Feasibility Study on August 21, 2018. Based on the approved plan, a proposed school-to-school bikeway was added to connect to the existing Regnart creek walkway on the westerly end.

Important note:

- The approved primary and secondary accesses to the new project are shown below in Graph 1. Campo de Lozano easement was **not** planned as a trailhead to the new project.
- The original easement is for a pedestrian pathway **not** a bikeway

Again, in the 2020 Initial Study/Mitigated Negative Declaration (IS/MND, [link](#)), section 3.1.2.3 confirmed the trailheads locations. To ensure pedestrian safety, the document pointed out that “A high visibility pedestrian crosswalk with Rectangular Rapid Flash Beacons (RRFBs) and Americans with Disabilities Act (ADA) ramp and curb improvements would be constructed at the South Blaney Avenue trail crossing” which showed consistency with City’s effort to ensure the public safety when planning for this project.

Graph 1 - Regnart Creek Trail Feasibility Study Project Map ([Link](#))



Important note:

- With the development of the new Regnart Creek Trail including the new trailheads on Rodrigues and S. Blaney with appropriate infrastructure including high visibility pedestrian crosswalks to guide hikers/bikers of the new trail, the original necessity of easement is no longer as needed. In fact, keeping the easement open **invite unsafe, illegal crossing** between the two sides of Rodrigues (including young kids going to neighborhood schools) to access easement and **misuse** (biking on the easement, night time use, etc.)
- The owners of Campo de Lozano have overwhelming **concerns of safety, liability, and maintenance cost issues** after the new trail project is completed and put in use, and will present our findings of safety issues in the public hearing on Mar 1st.

Inaccurate information spreading across Cupertino community

It was also brought to our attention that there are organized efforts, lacking the knowledge of the easement terms and conditions and quoting inaccurate statements, to influence the general public’s judgement of the easement evaluation. We do not wish to call out in Public hearing of the inaccurate information spreading widely in the Cupertino community (brought to our attention

from various friends and neighbors) and we would like to address them prior to the public hearing to avoid friction and prolonged arguments in the public hearing.

1. CupertinoMatters.org published a letter ([link](#)) to general public in which the org indicated "(Cupertino) council will consider "gifting" a pedestrian path worth approximately \$1M to the Lazano Lane Homeowners' Association", implying and misleading hundreds of people to believe that the Campo de Lozano homeowner association is benefiting financially from the owners revisiting necessity of the easement and the changing condition on which the easement was originally created 20 years ago.
2. Walk Bike Cupertino also posted on their website ([link](#)) that states "Every one of the eight homeowners signed an HOA agreement allowing this path to be there as a connection to a future Regnart Trail when their home was purchased. Having a trail there is factored into their home prices already." As we stated in the opening statement, the owners of Campo de Lozano home association only signed CC&R documents when purchasing our homes to grant easement to the city based on the specific terms and conditions 20 years ago. We did not sign any document to grant easement to connect to a "future Regnart Trail". The appraisals of home purchased did not factor in the value "having a trail".
3. Wike Bike Cupertino also stated "giving away access to this land is a \$1 million unneeded loss for Cupertino. If we have a spare \$1 million, let's use it for something everyone can enjoy." Similar to CupertinoMatters.org, they are deriving unverified economic value of the easement and misunderstood the legal terms of the easement. The easement was an incorporeal right granted to the city of Cupertino by Campo de Lozano homeowner association based on the terms both parties agreed to. It is not a right of occupancy as such or a right to profit from the land. The easement is not transferrable and can not be "used for something everyone can enjoy".
4. Moreover, Campo de Lozano homeowner association has been paying for the maintenance of the easement, landscaping (trees, plants, etc.) along the easement and bears the duty of care as well as financial liability of damages, etc. If the traffic increases dramatically after the new trail is put in use, our Campo de Lozano homeowners will bear higher financial liability.

In conclusion, we would like to show our support to the Cupertino Regnart Creek Trail and believe that the City Council put public safety as always, the No. 1 priority. Please agree to close the Lozano Lane easement access path to the Regnart Creek Trail and vote YES on March 1.

--

Christina Qinxin Yang, CFA, CPA
Statistics & Economics | UC Berkeley
Email: christinay.berkeley@gmail.com | Cell: (510)604-2953

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Christina Qinxin Yang, CFA, CPA
Statistics & Economics | UC Berkeley
Email: christinay.berkeley@gmail.com | Cell: (510) 604-2953

From: [Byron P. Rovegno](#)
To: [City Clerk](#)
Subject: Lazano Lane Access, item #10 tonight
Date: Tuesday, March 1, 2022 5:20:06 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,

Due to a medical emergency of a family member I will not be able to speak tonight. Instead I'm providing the following to be read into the public response record.

Thank you.

Byron Rovegno
10497 Chace Drive
Cupertino

PUBLIC COMMENT 3/1/22

THANK YOU FOR THE OPPORTUNITY TO ADDRESS COUNCIL TONIGHT.

WHEN PERMITTING DEVELOPMENT ON LOZANO LANE, THE DEVELOPER AGREED TO "YES IN THESE BACKYARDS."

WHEN PEOPLE BOUGHT HOMES THERE, THEY ACCEPTED THEIR LOT LINES AND THE PUBLIC RIGHT OF WAY THROUGH THE DEVELOPMENT. THEY KNEW THIS WAS IN THEIR BACKYARD.

TODAY THE REQUEST IS "NOT IN THEIR BACKYARDS."

MY PREFERRED OUTCOME IS TO DENY ANY CHANGES. COUNCIL SHOULD PUT THIS TO REST NOW AND RECOGNIZE THE PUBLIC GOOD OF THIS ACCESS.

IF COUNCIL DECIDES TO ACCEPT CHANGES, THEN AN EXPLANATION OF THE BENEFIT TO THE COMMUNITY IS REQUIRED ALONG WITH REMUNERATION TO THE TAXPAYERS. TO ME THIS MEANS THAT HOMEOWNERS BE REQUIRED TO PURCHASE THE PROPERTY AT FAIR MARKET VALUE. THE CITY CANNOT JUST GIVE THEM A GIFT. WE ALREADY SPENT AN EXTRA MILLION PLUS ON SPECIAL FENCING FOR THESE FOLKS.

ALTERNATIVELY COUNCIL COULD DECIDE TO KICK THE CAN DOWN THE ROAD. IN THIS CASE IT WOULD BE PRUDENT TO WAIT UNTIL AFTER THE TRAIL IS OPEN WITH FULL ACCESS FOR SIX TO TWELVE MONTHS AND THEN HAVE CITY STAFF REVIEW THEIR RECOMMENDATION. LISTEN TO ANY HOMEOWNER GRIEVANCES AND, IF ANY, THEN PROVIDE POSSIBLE COURSES OF ACTION TO ADDRESS THEM. THIS DOESN'T HAVE TO BE A RUSH NOW EVEN BEFORE THE TRAIL IS OPENED.

THANK YOU

Sent from [Mail](#) for Windows

From: [MARK SHAFFER](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Keep open the Lozano Lane easement path to Regnart Creek Trail
Date: Tuesday, March 1, 2022 5:19:22 PM

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

Respected Mayor Paul and Council members:

I am an 83-year-old walker and bicyclist. I no longer drive a car. Exercise at a little distance from traffic and in a greener space is satisfying and I may say necessary to my well-being, as I imagine it is for families with young children seeking to access the Regnart Creek trail from Rodrigues Avenue.

The current design of the Regnart Creek trail was reviewed and voted on year after year for over 4 years before construction started. The council has already heard from residents adjacent to the trail many times over the years and has allocated nearly \$2 million to address their concerns. There is no new information that would justify closing this access path.

There are a dozen similar easements throughout the city that have been used daily for decades with zero complaints from residents in the adjacent homes. An excellent example is the 75ft of stairs that provide a pedestrian shortcut through the McClellan hairpin bend near Deep Cliff golf course. It is a heavily trafficked path, used daily by students to get to Monta Vista HS, and by residents to get to McClellan Ranch, Blackberry Farm and the new Linda Vista trail. It passes close to 3 homes and yet has existed peacefully for decades, as have a dozen other access paths throughout the city. There is no reason to believe the easement at Lozano Lane is going to be any different.

If the city gifts the easement to the Lozano Lane HOA, it will be an unprecedented, and frankly indefensible, \$1 million gift of public funds to 8 homeowners at the detriment of thousands of other city residents. Not only is this fiscally irresponsible, but it will also create a legal justification for residents near other easements to demand a similar gift from the city. Further, it will open the council to charges of financial malfeasance.

Please keep your promise to the thousands of residents who have come out to meeting after meeting over the past 4 years and keep the Regnart Creek trail as designed. Leave the Lozano Lane easement access path open as it is currently and vote NO on March 1.

Sincerely,

Margaret Shaffer
Sent from my iPad

CC 03-01-2022

#12

Housing Element
Update

Written Comments

From: [Connie Cunningham](#)
To: [City Council](#); [City Clerk](#)
Subject: March 1 Agenda Item 12 Housing Element
Date: Tuesday, March 1, 2022 1:43:32 PM
Attachments: [4 - Sites for Planning Commission review.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 Mayor, Vice-Mayor, and Councilmembers:

Regarding the Housing Element Agenda Item 12, I urge the City Council to review the list of sites carefully to maintain Cupertino's goals of environmental stewardship when making decisions about housing.

> I urge that areas in the hills (Stevens creek canyon rim) not be a part of the housing element .

Better sites for the Housing Element lie within already developed areas in the City.

Below is the list of Sites for Planning Commission review PDF presented at the Feb 22 Planning Commission meeting.

>

I have seen this list, but have not had the opportunity to review it with a map. It is critical that the City maintain its goals of environmental stewardship when making decisions about housing. Native trees and plants, as well as wildlife from mammals to birds to insects, need cities like ours to protect the little remaining wild habitat under our jurisdiction.

Sincerely,
Connie Cunningham
34 year resident
Audubon Society Member

> Sites for review presented at the Feb 22 Planning Commission meeting.

From: [Jenny Griffin](#)
To: [City of Cupertino Planning Commission](#); [City Clerk](#)
Subject: Fwd: City Park Areas Being Considered for Housing Element Sites
Date: Tuesday, March 1, 2022 1:43:33 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.

FYI. Please add to the Public Record for Item 12 on City Council agenda for March 1, 2022 City Council meeting. Thank you.

----- Original Message -----

Subject: City Park Areas Being Considered for Housing Element Sites
From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Tuesday, March 1, 2022, 1:39 AM
To: CityCouncil@Cupertino.org
CC: grenna5000@yahoo.com

Dear City Council:

I understand that the Villa Montalvo Park Area in Saratoga may be considered As a possible Housing Element site. This is an example of how far out of line The Housing Element Numbers are for this RHNA cycle.

A city is considering destroying a historic house from 1910 that is a cultural and Park and recreational icon to build high density housing on? Villa Montalvo Provides an architectural heritage from the home from 1910 and also provides Areas for theatre on its grounds. It also has an important arboretum of trees from Other countries. I visited the arboretum with a good friend to see species of trees And plants from her homeland in South America.

Villa Montalvo has lovely grounds which allow families to enjoy picnics outside while Listening to bands and musical entertainment.

It has hiking trails which are used by local schools and colleges to teach students to learn to identify plants And creatures in their native habitats. These trails also provide recreational hiking opportunities for Individuals and families.

To take away such a valuable public asset as Villa Montalvo to put high density housing on Its premises just to satisfy the ginormous number of housing units this Housing Element Cycle is requiring of cities across California shows what a complete farce this Housing Cycle

is

And the circus it is becoming as cities are desperate to try to fulfill outrageous RHN A Numbers. California cities are having to give up their parkland to be rezoned into Some pie in the sky housing numbers that have been dreamed up by some oligarch Infrastructure in the state.

It is time to return to Redevelopment Agencies if we are making Saratoga rezone Villa Montalvo for some one else's high density housing numbers. And they have to rezone it By January, 2023. And it can't be downsized once it is forced to be upzoned? Wow. Who Dreamed up that rush job?

Talk about being in a land of oligarchs. We in California are not allowed to have Parks? We get no say in the way our public resources are given away or taken away? We are not even citizens in our own state?

Yes, time for Redevelopment Agencies to come back and oligarchy to stay out of Taking away local control here in California, in Oregon, in Washington State, In Colorado, in Texas, in Washington DC, all over the country. Our parks are our Parks and no matter what you say, you don't get to take them away from us or The rest of our land for that matter, either.

Sincerely,

Jennifer Griffin

From: [Jenny Griffin](#)
To: [City of Cupertino Planning Commission](#); [City Clerk](#)
Subject: Fwd: Housing Element Stakeholder Groups
Date: Monday, February 28, 2022 1:24:48 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.

FYI. Please add to the Public Record for Item 12, Cupertino City Council Meeting, March 1, 2022. Thank you.

----- Original Message -----

Subject: Housing Element Stakeholder Groups
From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Monday, February 28, 2022, 1:22 PM
To: CityCouncil@Cupertino.org
CC: grenna5000@yahoo.com

Dear City Council:

Why are there Stake Holder Groups for this RHNA Cycle? We have never had a Stake Holder Group before in the other RHNA Cycles. Why do we need a Stake Holder Group in this Cycle? No one ever said a Stake Holder Group was required.

What are these people going to do? Can the public to go there meetings? I think the Public should be allowed to attend this meetings. I don't think there should be a Stake Holder Group. What are these people going to do? Rezone the land in Cupertino? Why would a special group be required to do that? If we are going to rezone the whole Land, the whole city should be involved, not some secret group.

This whole Housing Element RHNA Cycle is turning out to be some sort of secret plan To up zone land so no one know's what is going on. And now the rush to rezone the Land! Like it was some race? Why? Why are we doing this? Why do we have to have All this land in Cupertino rezoned by a certain date? Who came up with that rule?

I really have some very grave concerns about this entire RHNA Cycle and all of the very Bizarre things going on with it. Also, why do we have to have a Stake Holder Group When we have never had one before? That smacks of something very unusual Going on that the public is not supposed to know about.

Let's please get rid of the Stake Holder Group and just have meetings with the public involved. What is trying to be kept hidden from the public in this whole process?

We have enough issues not being able to be involved in any of the Housing Bill passages
Or say in them, and now people are trying to rezone the land in secret?

No thank you to this process!

Sincerely,

Jennifer Griffin

Melissa Robertson

From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Tuesday, March 1, 2022 3:51 PM
To: City of Cupertino Planning Commission; City Clerk
Subject: Fwd: Los Angeles Housing Element Rejected by HCD, City Must Rezone in 1 Year, Instead of 3

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.

Fyi. Please add to Public Record for Item 12, City Council agenda, Mar 1,2022. Thank you.

----- Original Message -----

Subject: Los Angeles Housing Element Rejected by HCD, City Must Rezone in 1 Year, Instead of 3
From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Tuesday, March 1, 2022, 3:48 PM
To: CityCouncil@Cupertino.org
CC: grenna5000@yahoo.com

Dear City Council:

Today (March 1)the HCD rejected the city of Los Angeles Housing Element and is requiring that City to rezone it's land in one year, instead of three as reported by McKenzie Locke, in an article Of the California Planning and Development Report from March 1, 2022.

The article states "the Department of Housing and Transportation has rejected Los Angeles' Housing Element and ordered the city to rezone to add over 250,000 new homes by mid October, 2022. Per state law, cities with Jon-compliant housing elements must rezone in one year Rather than three years."

Why does this sound like highway robbery by the HCD? What kind of society are we living in Now?

What a simple way to get land rezoned. Just refuse to certify? Wow. Is this Putin Russia?

Sincerely,

Jennifer Griffin

From: [Jennifer Griffin](#)
To: [City of Cupertino Planning Commission](#); [City Clerk](#)
Subject: Fw: West Valley Community Services Involvement in Housing Element
Date: Tuesday, March 1, 2022 11:39:20 PM

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FYI. Please add to the Public Record for Item 12 on the City Council meeting on March 1, 2022. Thank you.

----- Forwarded Message -----

From: Jennifer Griffin <grenna5000@yahoo.com>
To: citycouncil@cupertino.org <citycouncil@cupertino.org>
Cc: Jennifer Griffin <grenna5000@yahoo.com>
Sent: Tuesday, March 1, 2022, 11:37:16 PM PST
Subject: West Valley Community Services Involvement in Housing Element

Dear City Council:

Why is West Valley Community Services involved in the Housing Element process and why are they doing activities with the consultant?

No one appointed West Valley Community Services to be involved at this point.

Thank you.

Sincerely,

Jennifer Griffin

From: [Peggy Griffin](#)
To: [City Council](#)
Cc: [City Clerk](#); [Jim Throop](#); [City of Cupertino Planning Commission](#)
Subject: 3-1-2022 CC Meeting, Agenda Item #12 Housing Element
Date: Tuesday, March 1, 2022 4:57:51 PM

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

Dear City Council Members and Staff,

I've reviewed all the material for the Housing Element Update/Stakeholders Group Selection and have suggestions and concerns/questions below.

SUGGESTIONS:

1. Send emails/notice blasts out EVERY TIME
 - a. HE appears in a city meeting i.e. CC, PC, Housing, Workshop, Study Session, etc.
 - b. When there's a new version of the simulator tool announce it! Blast it out to solicit/encourage people to try again.

CONCERNS/QUESTIONS: These are regarding "Attachment A – 6th Cycle Housing Element Update – Public Engagement Activities to date":

1. Page 1 of 3, Working with WVCS
 - a. Meeting bi-weekly since Sep. 2021
 - : Are meeting minutes/action items being documented?
 - : Can these documents be posted for the public?
 - b. Educational fliers
 - : Can these be posted for the public?
 - c. "...other community-based organizations"
 - : Which ones?
2. Page 2 of 3, Posts
 - a. eNotification Reach = 15,010. Several of us have not gotten any emails!
 - : In the last PC meeting, Mr. Flowers stated that actually emails were NOT going out so how can you ve 15,010 reaches?
 - : When will this be fixed?

Sincerely,
Peggy Griffin

From: [Jennifer Griffin](#)
To: [City of Cupertino Planning Commission](#); [City Clerk](#)
Subject: Fw: Stake Holder Meetings
Date: Tuesday, March 1, 2022 11:30:33 PM

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

FYI.. Please add this to the Public Record for the Item 12 of the City Council meeting from March 1, 2022. Thank you.

----- Forwarded Message -----

From: Jennifer Griffin <grenna5000@yahoo.com>
To: citycouncil@cupertino.org <citycouncil@cupertino.org>
Cc: grenna5000@yahoo.com <grenna5000@yahoo.com>
Sent: Tuesday, March 1, 2022, 11:28:37 PM PST
Subject: Stake Holder Meetings

Dear City Council:

I attended a lot of the meetings on the San Jose Urban Village meetings several years ago. There were Advisory Committees set up for each of these Urban Villages.

These Advisory Committees were hand picked and often did not contain members of the public. These groups took no input from the public.

There was not much transparency in these meetings. I am concerned that a Stake Holder Group for Cupertino's Housing Element would be conducted the same way as the San Jose Urban Village Advisory Committees. And that was not a transparent process.

Thank you.

Sincerely,

Jennifer Griffin