

CC 11-01-2022

Oral
Communications

Written
Communications

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#); [Cupertino City Manager's Office](#)
Subject: 11/1/2022 City Council Oral Communications
Date: Tuesday, November 1, 2022 4:04:03 PM
Attachments: [Purchasing Policy Cupertino.pdf](#)
[purch_policy_revision- 2021_redline_fc.pdf](#)

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

Dear City Council,

I'm writing you about blinding night lights and purchasing.

Lately there have been blinding lights coming from the quarry.
They are a distraction for drivers and shine into some resident homes.
Does the quarry have land-use authority for this use?
Is there a conditional use permit?
Why weren't residents notified?
It has been a bit of a nuisance.



Regarding Purchasing (Procurement).

Thank you again for investing in the Moss Adams audit.

It turned up many issues in finance as shown in the image below.

I'd like to see some more work done in the area of purchasing agreements and understand that this has been part of the plan. It would be good to get this done sooner than later.

Attached you will find the relative lean Cupertino purchasing policy as compared with the Los Altos purchasing policy.

Los Altos has about half as many residents as we do.

Here is information on purchasing in the City of Mountain View:

<https://www.mountainview.gov/depts/fasd/purchasing/default.asp>

And it would be great for our City to have a centralized purchasing dept as well like other cities of our size (as reported in the Moss Adams report.

Thanks Much,
Rhoda Fry

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

From: [Nicholas Egan](#)
To: [City Clerk](#)
Subject: Dear Council, please fix our Housing Element Process
Date: Tuesday, November 1, 2022 3:28:28 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.

City Clerk Kirsten Squarcia,

Dear Cupertino City Council,

I am a resident who has lived in Seven Springs for about 25 years. I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it. Why? In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon.

Even I currently live in a single-family home, and I know that our housing strategy shouldn't bend just for us - I never asked you to! I want to see more options and more opportunities for other families and people to come into Cupertino that DON'T just look like mine. Make more types of housing! Please!

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Why are we focusing on an area that won't actually get built? Meanwhile, several Heart of the City locations had expressed owner interest but were not included. Please communicate them, and work with enthusiastic folks that are already in our city and want to be in our process. Otherwise, we're

just giving away the city to developers - the exact same thing the current council keeps claiming they aren't doing.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.
2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.
3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

Please do not stall this process any longer - these feel like standard governing procedures that you were elected for, and obstruction only hurts all of us.

Nicholas Egan

nsmegan@gmail.com

11735 Rldge Creek Ct.

Cupertino, California 95014

From: [Shuge Luo](#)
To: [City Clerk](#)
Subject: Cupertino needs to be more accountable in the Housing Element Process
Date: Tuesday, November 1, 2022 3:10:07 PM

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City Clerk Kirsten Squarcia,

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2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

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3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Shuge Luo

shuge.luo@gmail.com

1730 La Loma Avenue

Berkeley, CA, California 94709

From: [Julie Moncton](#)
To: [City Clerk](#)
Subject: Make the Housing Element a priority
Date: Tuesday, November 1, 2022 2:48:54 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.

City Clerk Kirsten Squarcia,

I am deeply disappointed at the failure of the City Council with regard to the Housing Element Process. We are last in the county and it is evident that you will not complete this by the due date. This means that we will be subjected to the Builder's Remedy. I am tired of the City Council not representing the city, but only executing on their own selfish desire to stall any type of development in Cupertino.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

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3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Julie Moncton

jwumoncton@gmail.com

10376 Avenida Lane

Cupertino, California 95014

From: [Michael Mar](#)
To: [City Clerk](#)
Subject: I am worried about our Housing Element
Date: Tuesday, November 1, 2022 2:01:29 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.

City Clerk Kirsten Squarcia,

I am a Cupertino resident who is concerned about the upcoming Housing Element deadline. I am aware of the costs that our city will face if we do not meet the January 31st deadline, and I do not feel that the city is taking these consequences seriously.

I attended several of the community outreach meetings, and I found them extremely unhelpful. 99% of the meetings just consisted of the two city council members hemming and hawing, and basically no community input was heard. I understand that these are difficult decisions that make few people happy, but I think the council needs to step as leaders of our community and make the hard choices that need to be made.

Regarding the public outreach, I do wish that the community stakeholder group could have had some more input on the process. If the council dislikes the Cupertino4All group, that's fine, but we should have at least heard from some more diverse voices. Personally, I felt like there was zero opportunity for me to provide feedback to city other than the site map, which was one of the least user friendly ways I could imagine for feedback.

On the actually housing element, I would like to see the plan be less reliant on The Rise and The Hamptons. It feels a bit like putting all our eggs in to just two baskets. Both of those developers have been reluctant to start construction so our plan should reflect that. There are other developers interested in building in Cupertino (several in Heart of the City), and our plan Housing Element should support those eager to build housing. The housing crisis is real, and we should do our part to help build more homes.

Michael Mar
megamar88@gmail.com
19503 Stevens Creek Blvd #226
Cupertino, California 95014

From: [Yuzhang Chen](#)
To: [City Clerk](#)
Subject: Regarding the Housing Element Process
Date: Tuesday, November 1, 2022 1:34:46 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.

City Clerk Kirsten Squarcia,

I have recently read about how the City of Cupertino is delayed in the housing element process. Originally, I didn't think it was an issue that the process would be completed after the January 31st, 2023 deadline, but when I heard that Cupertino may lose local land use control due to the builder's remedy (which I honestly had to look up), I felt like I had to act.

I have lived across the street (literally) from this wonderful city for all of my adolescent years. Being in the school district, I attended Lawson Middle School and Cupertino High School. I have had much fond memories of spending my teenage years in Cupertino, and a lot of my formative experiences occurred within the city.

I do understand that we have a housing crisis in the area. I am also aware of our desire to maintain high property values for those who already own property here. However, I do think that we can make cheaper housing available for workers who are just starting their careers (even in tech some of my friends share rooms, this is truly unacceptable!). I also believe that we should perhaps demolish some of the older construction in favor of creating more earthquake ready, more community focused environments in the heart of our city. Let's not relegate people to areas of the city where you don't want to live in.

To that end, we should do the following

1. Community outreach with members of the community who are perhaps not your most ardent supporters or your best friends...those who may not like you...because Cupertino is a city for them as well as you.
2. Site Inventory: We should actually build homes in places that we want to live in. Let's consider changing 'already developed' areas in the center of our town. I would like to see us become a more populated place where there's more stuff to do after sunset, and more cultural events. And please, we have all seen what a disaster pipeline projects like the 'Vallco Mall' is. Let's actually build things and see where it goes.

I'd hate to see our town become dictated by outside interests. But if this is what the city council wants, then I'll just let it be. But if not, we should act with urgency to fulfill our responsibility and to ensure that Cupertino remains the city that we want it to be.

Yuzhang Chen
chenyz55@gmail.com

798 Doyle Road
San Jose, California 95129

From: [Rebecca Smith](#)
To: [City Clerk](#)
Subject: Speed up the Housing Element Process
Date: Tuesday, November 1, 2022 1:08:26 PM

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City Clerk Kirsten Squarcia,

I encourage City Council to move forward with the housing element process in a timely manner. My understanding is that if we are late with our housing element proposal, we might lose local planning control due to the builder's remedy.

This situation is reminiscent of what happened with the original project proposal at Vallco. After months of meetings and forums where the City solicited input from residents as to what elements we wanted at the new Vallco development, a subgroup of Cupertino residents decided that we should resist any and every plan for Vallco. They put Measure C on the ballot. It lost. The developer put Measure D on the ballot. It also lost, but garnered about 5% more votes than measure C.

At the time, candidates promised to hold a referendum on Vallco to hear directly from the electorate, but when they won their election, they decided not to hold the promised referendum. Instead, they continued in opposition to the plans for Vallco.

Now we have lost many community benefits and lost local control over the Rise. I fear we will, similarly, lose local control over other developments in Cupertino due to the builder's remedy. It is November. We have 3 months to complete our housing element. We need to move forward quickly with a plan that meets the needs of our community for affordable housing for families, seniors, teachers, and young people, who will be the future of our city - if they can afford to live here.

Becky Smith
35-year resident of Cupertino

Rebecca Smith
beckys100@hotmail.com
10339 Byrne Ave
Cupertino, California 95014-2811

From: [Kamyab Mashian](#)
To: [City Clerk](#)
Subject: Please Comply with State Housing Law
Date: Tuesday, November 1, 2022 11:44:15 AM

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City Clerk Kirsten Squarcia,

I am reaching out to express my concern with Cupertino's Housing Element process. Given that we are less than three months from the deadline, it seems increasingly unlikely that we will have a compliant Housing Element by then. If this comes to pass, the city will be subject to the builder's remedy and lose local land use control.

The Housing Element process exists to ensure that local governments provide the housing that is necessary to keep up with regional needs. I am extremely worried that this City Council is trying to dodge this responsibility. The Council must take the need for housing and the consequences of noncompliance seriously.

I have been following the Housing Element process closely, and have been disappointed in the actions of the Council at a number of levels. The required community outreach for the Housing Element has been repeatedly botched. This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

Furthermore, the proposed site inventory is unlikely to be adequate. It relies heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years. Failing to do this (in addition to exacerbating the housing crisis) will likely get the Housing Element rejected by the state.

I strongly urge the City Council to take the necessary steps to bring our Housing Element back on track. The Council should revive the stakeholder group, reduce reliance on pipeline projects,

and make a good-faith effort to comply with state regulations generally. The Council must take the Housing Element seriously, both to avoid the builders remedy and just because we need more housing, period. The Council's current attitude will hurt the city.

Kamyab Mashian

kamyab.mashian@gmail.com

240 2nd Street, Apt #2

Davis, California 95616

From: [Eric Crouch](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 11:08:15 AM

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City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Eric Crouch
crouch.eric@gmail.com
10221 Phar Lap Drive,
Cupertino, California 95014

From: [Sydney Ji](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 9:08:46 AM

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City Clerk Kirsten Squarcia,

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3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Sydney Ji
sydney.y.ji@gmail.com
10056 Mann Drive
Cupertino, California 95014

From: [Eric Sun](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 12:40:06 AM

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City Clerk Kirsten Squarcia,

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We cannot afford to stall this process longer. We must act with urgency.

Eric Sun

ercsun801@gmail.com

2290 HARRISON ST

SANTA CLARA, California 95050

From: [Gauri Chawla](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 12:18:11 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.

City Clerk Kirsten Squarcia,

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Gauri Chawla

gauribchawla@gmail.com

20488 Stevens Creek Blvd #2214

Cupertino, California 95014

From: [Sean Hughes](#)
To: [City Clerk](#)
Subject: Lack of Ambition & Urgency in the Housing Element
Date: Monday, October 31, 2022 11:55:47 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.

City Clerk Kirsten Squarcia,

The lack of urgency, seriousness, and ambition in Cupertino's Housing Element process has been extremely disappointing. I urge the Council and City to take the responsibility to plan for our future seriously, moving forward with a more likely compliant HE update with robust policies.

Cupertino is last jurisdiction in our county, and based on publically available info, has not even started to comment period for the EIR phase of the update. The current timeline puts Cupertino on track to finish the housing element process after the January 31st, 2023 deadline.

I am concerned that this City Council, along with its appointed commissioners, are not taking the Housing Element process seriously to proactively address the housing crisis. Repeatedly, throughout city-run (commission meetings, council debate, comment periods) and public (in-person, social media platforms) forums, members of the council and commissions (particularly the planning commission) have disregarded the seriousness of the process (suggesting that they intend to submit a non-compliant element), interfered with required community outreach (disbanding and creating their own "stakeholder" meetings), and spreading misinformation around the process (ranging from a re-categorization of what counts as transit, no recognition of establish IPCC-backed guidance around the sustainability impacts of land use decisions and denser building, ignorance and purposeful misuse of the jobs-to-housing metric, re-tellings of historical events to cast past actions in a better light, dismissing resident concerns around the feasibility of sites and similarities to other HE's heavily reliant on pipeline sites, and finally, consistently fear-mongering and spreading misguided information about state housing laws, like SB 9 and 10.

We started this process, I provided comment that said this process could be fun, and could be a hopeful one, as there is no better way to address Cupertino's largest problems as a city: exclusivity (affordability and the lack of housing opportunities across all income levels), and unsustainable design (both in terms of community and climate adaptation). Both could be addressed by a more ambitious housing element focused on transit oriented development, re-zoning, removal of parking minimums, streamlining the permitting process and removing idiosyncratic processes that have negligible value adds (like our duplicative density bonus update, and portions or proposed SB 9 ordinances)- and so much more.

But instead, I am more cynical and dismayed than ever. It seems that this council and its

appointees seem content to do the bare minimum, pay for op-eds and do press conferences to do PR damage control. Ironically, they also like to complain about state govt overreach, yet their actions are all but guaranteeing state intervention and further loss of local control.

In summary, a new housing element should be focused on actually creating housing, rather than avoiding it. In an ideal world, I'd like to see:

1. Actual Community outreach: This City Council assembled a diverse stakeholder group and then disbanded it for seemingly political reasons.

In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. The outreach programming, has been purely informative, often with more moderators than actual residents participating. In particular, the representation of renters has been dismal, with few participating or even responding to surveys.

Moreover, it is unclear how this outreach is coordinated with the housing element process, and how Cupertino will ground its programs and policies based on the outreach feedback, as required by the State.

It often appears that this Council and appointees have been selective in which feedback they act upon—having a strong preference for their own political base, or supporters of a non or minimal development status quo.

2. Insufficient and Unambitious Site Inventory: As commented previously and in similarity to SF, the current site inventory relies heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8-years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing, and the lack of transit options within this neighborhood.

Meanwhile, several Heart of the City locations had expressed owner interest but were not included. What's more, planning commissioners hand-waved away the idea of incorporating an update to the Heart of the City general plan, despite the obvious synergy it would have in encouraging and concentrating development in our areas of highest opportunity, and most transit service. Based on misguided readings of AFFH guidance in other cities, and in particular, an insistence by the planning chair that the sites be "spread out" - the commission opted out of updating that plan until after the HE process. We should recognize the uncertainty in development, because we are dependent on the market for projects, and plan appropriately. Moreover, we shouldn't just defer to the subjective takes of one planning commissioner when deciding the Cupertino's future plan for development.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Even though we are behind, this outreach can be down in tandem with other actions as long as it is complete before policy development. Incorporate

diverse perspectives beyond homeowners: renters, youth, seniors, commuters into the city, students coming into De Anza. This stakeholder group should have actual involvement and meaningful impact on the resulting programs and policies (as required by law).

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

I hope this process will be taken more seriously, even if not for me, at least for future generations.

Sean Hughes

jxseanhughes@gmail.com

7752 Huntridge Lane

Cupertino, California 95014

From: [Shaohong Guo](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 11:12:46 PM

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City Clerk Kirsten Squarcia,

I'm Shaohong Guo, a long time resident in Cupertino since 1994. I strongly believe that we must follow the state requirement for the housing project. Both my boys went to Eaton Elementary School, Lawson Middle School and Cupertino High School. They have enjoyed their lives from the apartment to single family house in Cupertino. We all love Cupertino as our hometown and hope that we can still enjoy the rest of our lives freely here.

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners:

renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Shaohong Guo

snow_guo@hotmail.com

10411 lansdale Ave.

Cupertino , California 95014

From: [John Zhao](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 10:13:40 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.

City Clerk Kirsten Squarcia,

I am the former Chair of the Housing Commission and a longtime Cupertino resident. I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the requirements of the process such as public comment period and EIR review, our city is projected to finish the housing element process after the January 31st, 2023 deadline, which will trigger the Builder's Remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While I appreciate West Valley Community Services and their programming, I don't see how it will be helpful for developing policies and programs for our housing element. It seemed more like educational panels that tokenized people with marginalized backgrounds. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons redevelopment would displace hundreds of renters and was even recently renovated! I understand that there is a plan in place to relocate tenants, but there are much better options out there where we don't have to displace residents. The Council also decided to concentrate planned housing on Bubb Road, a 1-lane road with limited capacity, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years, and plan for it smartly along transit and commercial corridors like Stevens Creek Blvd and De Anza Blvd. There is a reason why these areas were selected for the Heart of the City plan, and we should honor it.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.
2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.
3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

John Zhao

jzhao098@gmail.com

10411 Lansdale Ave

Cupertino, California 95014

From: [Kevin Zhao](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 10:03:04 PM

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City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Kevin Zhao
kzhao682@gmail.com
10411 Lansdale Ave
Cupertino, California 95014

From: [Margaret Butko](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 8:54:51 PM

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City Clerk Kirsten Squarcia,

I am a Cupertino resident and home-owner of 9 years, and we have two children in CUSD schools. I am concerned with the City of Cupertino's Housing Element progress. Cupertino is extremely behind in the process and may not complete the process until well after the January 31st, 2023 deadline. I think it is unacceptable that we cannot meet this deadline and I think it is socially unacceptable that our community has not come up with solutions to meet the clear housing need to ensure that all residents are given their basic human right to housing.

From my perspective, it appears like the City Council is not taking the Housing Element process seriously. Our leaders should be proactively working together to debate ideas and find solutions, but all I keep hearing is about tactics to delay and block to keep additional housing out of Cupertino. The new housing element should be focused on actually creating housing, rather than avoiding it. I appreciate that this is a challenging task, but I hope that the leaders that represent my city and my community are up for the challenge or should consider stepping down to make room for people that are ready to address this challenge.

I appreciate that you conducted community outreach. I eagerly filled out all the surveys, including the very time-consuming Sites Inventory. I was not able to attend community engagement meetings because they were always at times that a young, working parent could not attend. I hope my feedback from the surveys was considered.

We find that many families in our childrens' classes at school only stay in Cupertino for a few years due to high rent prices and limited housing options within their price range (and these are biotech and tech workers with high salaries). We are losing incredible families that would add so much vibrancy to our community and schools because of our poor response to the housing crisis. In addition, one thing I love about Cupertino is its cultural diversity, and I think we are losing a key socioeconomic diversity in our school district by not having adequate housing for people that serve our community in a variety of different professions. Did you know that my children do not know any kids in the area whose parents are police, firefighters, or teachers in the community? What a missed opportunity for our Cupertino children not to know members of our community that serve in our community!

I urge the City Council to make dramatic changes to bring our Housing Element back on track. Please make a good faith effort to comply with state regulations and ensure that our housing element will affirmatively further fair housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Margaret Butko

mmbutko@gmail.com

10281 Lockwood Dr.

Cupertino, California 95014

From: [Marilyn Beck](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: housing element update
Date: Monday, October 31, 2022 8:52:31 PM

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Hi, I live in Cupertino and I'm concerned about the lack of progress being made on the housing element.

As I understand it, early next year, if we don't have a certified housing element, Cupertino will lose local land use control under the builder's remedy. This would be an unwelcome development for the city. I don't want the city to spend lawsuits with the state - you, the city council, must take the housing element seriously.

I also think it's important that there be a stakeholder group involved that represents the community, including de Anza students and lower income workers. Not everyone in Cupertino is fortunate enough to own their residence.

This is a really important issue for the future of the city. The deadline is coming up soon. Does the city council have a real plan to meet the deadline?

Thank you,
Marilyn Beck

From: [Derek Hu](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 8:23:04 PM

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City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Derek Hu

derekhu1996@gmail.com

20635 Kirwin Lane

Cupertino, California 95014

From: [John Geis](#)
To: [City Clerk](#)
Subject: The Housing Element Process Needs Catch-up!
Date: Monday, October 31, 2022 7:32:23 PM

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City Clerk Kirsten Squarcia,

I am very concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy - which would be truly terrible.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than stalling.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency please!

John Geis

jgeis4401@gmail.com

10714 Deep Cliffe Dr

Cupertino, California 95014

From: [Neil Park-McClintick](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 2:11:00 PM

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City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Neil Park-McClintick
cupertinoforall@gmail.com
801 Miller Avenue
CUPERTINO, California 95014

From: [Donald Williamson](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 12:38:16 PM

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City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Donald Williamson
gmfordw@gmail.com
1088 Milky Way
Cupertino, California 95014

From: [Connie Cunningham](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Monday, October 31, 2022 12:14:19 PM

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City Clerk Kirsten Squarcia,

I am writing for myself as a resident, not as a Housing Commissioner. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. This will result in Cupertino losing local land use control. What a very, very, very scary thought.

I have spoken out before about not using the Hamptons or other properties that will displace residents. Hamptons alone will displace hundreds of families. Once a family leaves the area, even if it is planned to be temporary, the move will cut the person's ties with Cupertino. After the years required for construction, the family may not be able to return at all.

I am concerned that there have been no proactive statements from the Council about the kinds of policy changes that will be made to allow multi-family buildings.

Site Inventory: Separately from the issue of family displacement, the State law has specific rules about pipeline projects. The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons. These two projects have been approved for years, but have not yet been built with no signs that they will be built in the future.

I have urged before that we build in Heart of the City locations. Several owners have expressed interest but were not included in our current Housing Element. These locations have transportation access, as well as access to schools, stores and other places residents need or want, like restaurants.

In summary, I urge the City Council to make dramatic changes to bring our Housing Element back on track. As required by law:

1. Revive the stakeholder group. Incorporate diverse perspectives: renters, youth, seniors, etc. This stakeholder group should have meaningful involvement and input over programs and policies.
2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.
3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

The City cannot afford to stall this process longer. I urge the Council to act now!

Connie Cunningham
cunninghamconniel@gmail.com
1119 Milky Way
Cupertino, California 95014

From: [Debra Timmers](#)
To: [City Clerk](#)
Subject: Let's get the Housing Element done
Date: Monday, October 31, 2022 10:36:07 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.

City Clerk Kirsten Squarcia,

Many residents and I have spent hours in Community Engagement Process Meetings on the Housing Element and on the surveys, including the sites inventory survey, which, for me took around 6 hours to complete. I thought we were well on our way to complete the process, but now I am extremely concerned. Cupertino is way behind our surrounding neighbors. I just don't see how our city is projected to finish the housing element process by the January 31st, 2023 deadline. And I certainly don't want to lose local land use control due to the builder's remedy starting on Feb. 1, which is active until we reach compliance.

It almost seems like the process is being slow-walked and we're trying to avoid taking responsibility of meeting our housing obligations. This puts us at odds with our surrounding neighbors who would be forced to take on our housing responsibilities. It also puts us at risk of the already-mentioned builder's remedy, and well as fines and even lawsuits.

I appreciate the work of the City Staff and the contractor, as I believe they are doing the best they can.

I urge the City Council to bring our Housing Element back on track. Please make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Debra Timmers
datimmers@gmail.com
22701 Medina Lane
Cupertino, California 95014

From: [Brian Strom](#)
To: [City Clerk](#)
Subject: Lead a credible Housing Element Process
Date: Sunday, October 30, 2022 8:48:29 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.

City Clerk Kirsten Squarcia,

I am concerned that this City Council is not taking the Housing Element process seriously. It could be a well-intentioned process to benefit the wider community. Instead, by fighting it and delaying action we lose flexibility and agency to chart our future.

Ever since the Vallco redevelopment plan was up-ended, we've seen the council waste time and money saying no, and offering no alternative.

I'm tired of it.

Please make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

Brian Strom
brian.strom@me.com
7744 Robindell Way
Cupertino, California 95014-5013

From: [Sarat Khilnani](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Sunday, October 30, 2022 8:47:33 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.

City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.
2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites,

especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Sarat Khilnani

skhilnan@yahoo.com

1149 Derbyshire Drive

Cupertino , California 95014

From: [Marieann Shovlin](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Sunday, October 30, 2022 2:21:04 PM

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

City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

1. Community outreach: This City Council correctly assembled a diverse stakeholder group and then disbanded it for seemingly political reasons. In its place, the City has done a poor job of meaningfully engaging and empowering diverse stakeholders (students, renters, immigrants, unhoused people, service workers, etc.) in the housing element process. While there has been outreach programming, it has not been well coordinated with the housing element process, and it is unclear how Cupertino will ground its programs and policies in the outreach feedback, as required by the State. This Council has also been extremely selective in terms of which feedback they act upon—having a strong preference for their own political base.

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2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Marieann Shovlin

m.shovlin@comcast.net

10277 Vista Knoll Blvd.

Cupertino, California 95014-1033

From: [Yvonne Thorstenson](#)
To: [City Clerk](#)
Subject: We need a valid housing plan now!
Date: Sunday, October 30, 2022 12:02:45 PM

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

City Clerk Kirsten Squarcia,

Developing a housing plan is a critical role for every city government. I am extremely worried about the mismanagement of the City of Cupertino's Housing Element process. The delays are compromising the future of our city. The housing crisis is real and if we don't make a plan the state will take over via the builders remedy.

I urge you to take the HE process seriously. Here are the steps we need right now to get back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.
2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.
3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Yvonne Thorstenson
yrthor@gmail.com
7744 Robindell Way
Cupertino CA, California 95014

From: [Peter Rovegno](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Wednesday, November 2, 2022 8:13:39 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.

City Clerk Kirsten Squarcia,

As a lifelong Cupertino resident (aside from when I was off at college (Reed, '04) and graduate school (UCSC, '13)), I am one of the many non-homeowners living in the city. I work as a full-time academic tutor with AJ Tutoring, helping to provide what many parents feel is an essential service for their students, and the only reason I'm still able to live in the area is because I'm able to rent an extra room in my parents' house. Those of us not making software-engineer, lawyer, or doctor levels of income are the ones most impacted by our affordable-housing shortage, and I have watched for years as the city council has done everything in its power to make sure that the day never comes where I'll be able to get a place of my own in the area.

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

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2. Site Inventory: The current site inventory relies too heavily on pipeline projects which are not guaranteed to be built. The pipeline projects account for 77% of our RHNA, most of which are from The Rise and The Hamptons, projects that have been approved for years, but have no indication they will be built out within the next 8 years. The Hamptons would displace hundreds of renters and was even recently renovated! The Council also decided to concentrate planned housing on Bubb Road, despite a strong lack of owner interest to build housing. Meanwhile, several Heart of the City locations had expressed owner interest but were not included. We

should plan for housing that will actually get built within the next 8 years.

I urge the City Council to make dramatic changes to bring our Housing Element back on track.

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We cannot afford to stall this process longer. We must act with urgency.

Peter Rovegno

peter.rovegno@gmail.com

10497 Chace Dr

Cupertino, California 95014

From: [Connie Cunningham](#)
To: [City Clerk](#); [City Council](#)
Subject: City Council Meeting, November 1, 2022, Oral Communications
Date: Tuesday, November 1, 2022 8:23:50 PM
Attachments: [2022-11-1 CC Housing Element Oral Communications.docx](#)
[Housing Commission Chair Memo 090822.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.

From: Connie Cunningham <cunninghamconniel@gmail.com>
Date: November 1, 2022 at 4:06:59 PM PDT
To: Cunningham Connie <CunninghamConnieL@gmail.com>
Subject: **City Council Meeting, November 1, 2022, Oral Communications**

From: [Joshua Citajaya](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 8:07:30 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.

City Clerk Kirsten Squarcia,

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3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Joshua Citajaya

josh.citajaya@gmail.com

20917 Fargo Drive

Cupertino, California 95014

From: [Stanley Young](#)
To: [Kirsten Squarcia](#); [Kathy Tran](#)
Cc: [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: RE: IFPTE Local 21 Letter - 11/1 Cupertino Council Meeting
Date: Tuesday, November 1, 2022 7:34:38 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[FW IFPTE Local 21 Letter - 111 Cupertino Council Meeting.msg](#)

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Good evening Kirsten,
I have resubmitted the letter to you on a separate email now that it is the oral communication period.

Kind regards,

Stanley Young
Representative/Organizer
IFPTE Local 21, South Bay Office
4 North Second St, #595
San Jose, CA 95113
Phone 408.291.2200
Fax 408.291.2203
syoung@ifpte21.org
<https://ifpte21.org/endorsements/> = contact me directly to help us win elections for these endorsed candidates
[Homepage - IFPTE Local 21 \(ifpte21.org\)](http://Homepage - IFPTE Local 21 (ifpte21.org))

From: Kirsten Squarcia <KirstenS@cupertino.org>
Sent: Tuesday, November 1, 2022 6:06 PM
To: Kathy Tran <ktran@ifpte21.org>
Cc: Stanley Young <syoung@ifpte21.org>; City Clerk <CityClerk@cupertino.org>; Cupertino City Manager's Office <citymanager@cupertino.org>
Subject: RE: IFPTE Local 21 Letter - 11/1 Cupertino Council Meeting

Good evening Kathy (Council moved to Bcc), your comments have been received by the City Clerk's Office and will be posted with the written comments for Oral Communications, which is reserved for matters not on the agenda. To be read aloud during the meeting, please submit your comments when the Mayor announces and opens the public comment period for Oral Communications. Comments must be received before the first public commenter is done speaking.

Regards, Kirsten



Kirsten Squarcia

City Clerk
City Manager's Office
KirstenS@cupertino.org
(408) 777-3225



From: Kathy Tran <ktran@ifpte21.org>
Sent: Tuesday, November 1, 2022 5:18 PM
To: City Council <CityCouncil@cupertino.org>; City Clerk <CityClerk@cupertino.org>; Kirsten Squarcia <KirstenS@cupertino.org>; Cupertino City Manager's Office <citymanager@cupertino.org>
Cc: S Young <syoung@ifpte21.org>
Subject: IFPTE Local 21 Letter - 11/1 Cupertino Council Meeting

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 on behalf of IFPTE Local 21/CEA. Please see attached a letter that we request to be submitted as public comment at today's city council meeting. We also request for this letter to be read as part of the written record. Thank you.

Best,

Kathy

Kathy Tran (She/her/hers)
Communications and Political Specialist
ktran@ifpte21.org

IFPTE Local 21, South Bay Office
4 North 2nd St Ste 595, San Jose CA 95113
www.ifpte21.org



PROFESSIONAL & TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO
An Organization of Professional, Technical, and Administrative Employees

TO: Cupertino City Council

RE: Kitty Moore comments

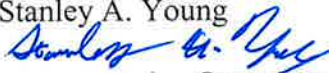
Dear Cupertino City Council,

I am writing on behalf of the International Federation of Professional and Technical Engineers Local 21/Cupertino Employees Association (IFPTE Local 21/CEA) in the City of Cupertino. Our union members have worked diligently and tirelessly throughout the course of the global pandemic providing essential services to the residents. We are proud to represent public employees who serve the public.

IFPTE Local 21/CEA is concerned by the recent negative comments and accusations made by Councilmember Kitty Moore on Twitter and Next Door towards our membership. The comments are unprofessional, unacceptable, and inaccurate. Councilmember Moore has accused IFPTE Local 21/CEA of buying politicians. Our union members are engaging in our democracy by volunteering for our endorsed candidates in their spare time after work hours. I was shocked and disappointed that an elected official would share such hurtful statements to the employees that help make the City of Cupertino run. In our opinion, the rhetoric she used is false, alarming, and a form of union busting to intimidate our members and their union from participating in the political process.

Our members have first amendment rights and the freedom to express themselves politically. I am happy to speak with any of you about this matter, but I would highly encourage you to denounce and take objection to the negative comments made by Councilmember Moore towards the city employees that make up our membership

Sincerely,

Stanley A. Young

Representative Organizer
IFPTE Local 21
San Jose Office

CC: City Manager Pamela Wu, City Clerk Kirsten Squarcia, CEA members



IFPTE Local 21 @IFPTE21 · Oct 19

...

The election is only 3 weeks away! 🗳️ Yesterday, we made calls to voters in Cupertino to get out the #vote for JR Fruen & Sheila Mohan for City Council! @JRfromCupertino



1

3

16



Some of your mutual follows often like this Tweeter



Kitty Moore

@thekittymoore

...

Replying to @IFPTE21 and @JRfromCupertino

@CityofCupertino So the planners of Cupertino who belong to IFPTE21 are calling voters to support candidates which you hope will what? Give you big raises? What's your goal? How do you treat all of City Council as staff? Fairly?

Some of your mutual follows often like this Tweeter



Kitty Moore @thekittymoore · Oct 22

...

Replying to @IFPTE21 and @JRfromCupertino

@CityofCupertino So the planners of Cupertino who belong to IFPTE21 are calling voters to support candidates which you hope will what? Give you big raises? What's your goal? How do you treat all of City Council as staff? Fairly?



2



J.R. Fruen for Cupertino City Council 2... @JRfromCupert... · Oct 22

...

Replying to @thekittymoore @IFPTE21 and @CityofCupertino

Do they cease to have First Amendment rights, Councilmember? Thanks for showing us that authoritarianism wears many faces.



1



14



Kitty Moore @thekittymoore · Oct 22

...

Replying to @JRfromCupertino @IFPTE21 and @CityofCupertino

Thanks for letting us know you shill for the planners.



4



1



From: [Caitlin Huang](#)
To: [City Clerk](#)
Subject: Oral Communications to Read
Date: Tuesday, November 1, 2022 7:24:24 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.

**Honorable Mayor, Vice-Mayor and City
Council Members:**

**This election has caused me to get many very
bad and untrue mailers delivered to my house.**

**I was very upset to see a big collection of lies
being said by several former Cupertino
Mayors, including Richard Lowenthal and
Rod Sinks.**

**In talking to people that came to my house to
talk to me and my husband, I learned that
Rod Sinks was one former mayor that caused
the City to waste about half million dollars by
firing the City Attorney Hom who sued the
City.**

**I also received a letter from the County Voter
Registrar explaining that three candidates,
Claudio Bono, Sheila Mohan, and Joseph**

Fruen refused to sign the campaign spending limit agreement and then I saw on Nextdoor that they have collected huge contributions from many special interest groups that want to elect City Council members that will do them special favors so they can make more money and hurt our City more.

I also learned that Joseph Fruen was one of the people responsible for closing Regnart Elementary. Even though my children went to Sedgwick Elementary, I feel bad for the parents who now have to drive their children to Lincoln Elementary or send them to private schools. Joseph Fruen was also the cause of former City Manager Deb Feng leaving after only two years and he also contributed to the City Attorney Hom being fired.

I wish that the City Council could issue a statement that explains the lies that the former mayors are telling people so voters understand that they are lying just to try to get back control for the companies that are hurting Cupertino.

Thank You

Caitlin Huang

From: [Kylie Clark](#)
To: [City Clerk](#)
Subject: WVCS Public Comment: Cupertino Housing Element
Date: Tuesday, November 1, 2022 7:23:48 PM
Attachments: [Cupertino Housing Element.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.

Hello!

Attached is a public comment letter from West Valley Community Services regarding the Cupertino Housing Element. Please don't hesitate to reach out with any questions.

Thank you so much,

Kylie

(Pronouns: she, her, hers)

[*Yes, We Live on Ohlone Land. But What Does That Mean?*](#)

-

Kylie Clark

Assistant Manager of Advocacy & Public Policy

West Valley Community Services, Inc.

[10104 Vista Drive, Cupertino, CA 95014](#)

Email: kyliec@wvcommunityservices.org, Direct: 408.471.6122 | Main: 408.255.8033 | Fax: 408.366.6090

**Please support us in uniting the community to fight hunger and homelessness
by [donating now!](#)**

[Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#) | [LinkedIn](#) | [WVCS Blog](#)
[Chefs of Compassion](#) | [WVCS in The News](#)



From: [j w](#)
To: [City Clerk](#); [City Clerk](#)
Subject: Fw: how can we be heard? residential place
Date: Tuesday, November 1, 2022 7:23:23 PM
Attachments: [Petta Declaration re Fees and Costs for Special Motion to Strike.pdf](#)

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

From: j w <jzw97@yahoo.com>
To: "citycouncil@cupertino.org" <citycouncil@cupertino.org>; "citycouncil@cupertino.org" <citycouncil@cupertino.org>
Sent: Tuesday, November 1, 2022, 07:18:39 PM PDT
Subject: Fw: how can we be heard? residential place

Dear Council,

Here is the summary of our effort to reach the City,

We'd like to have neutral person we can talk to or if not, the person, we know or retired one, we both agree to. We have tried to reach you and left msgs while back and more last few weeks to legal dept., city mgr office, etc. several times. Sadly, as long term residents, who often involve in community service lot more before, now barely could sleep due to the tragedy under the hands of pulic servant-- city's mission is to serve the city residents, who we 'feed'. Few self serving ones again try to 'shoot' us more maliciously after we told them the whole sequence of events as they say they didn't know. Please feel free to reply or call us back. Thx. H resident

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

From: j w <jzw97@yahoo.com>
To: "citycouncil@cupertino.org" <citycouncil@cupertino.org>
Sent: Wednesday, October 12, 2022, 02:38:45 AM PDT
Subject: how can we be heard? residential place

Dear Council,

We asked to have ombudsman for the residents a while back (some city called it public /community relation personnel) as the legal firm and few city legal dept personals Araceli Alejandre, Chris Jensen , etc. have behaved egregiously, at no time listening to us/acting as residents/citizen servant, doing whatever they want. Now, they drafted their own judgment everywhere, having received the the green light, to include frivolous sanctions with no restraint; having got notice they filed with the Court again after default (total lack of communication) to 'sanction punitive fines' on us after the property twice gone; taken away, including belongings with no notice. After endless pleas, notice not heard, but with more retaliation. Still have leaking roof, hundreds thousands dollars lost, unable to support very young, elder. Please help us to stop this malicious persecution, retaliation, etc. Thx. long term Resident

In Him.

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

Dear mgr,

We had unbearable tragedy, trauma, etc. in the hand of few self serving city personal, legal dept, and/or outside law firms, etc., who uses their 'skills' to do so much harm. Took newer property twice and belonging, we don't even get notice, which didn't have any addition, adu or development, etc. ever They are still doing more, or harm, We'd like to have talk with you, Thx. Huang resident

>>

background We wanted to present the case where we were informed that a permit would not be necessary. Told not needed, we did as told, had no neighbor issue first torn down as well (even then was ok not ok back forth) and wall well removed away from anyone, far away from anyone and only might affected one got no issue. For the approximately 90sf 12ft height play structure shed with non-commercial use, we got a 'symbolic' permit, but the City took all the buildup plus personal belongings too under them now they want to do even more harm

There is no addition or adu to the place, no other accessory building on it, We need all your help.

From: [Cupertino ForAll](#)
To: [City Council](#); [Cupertino City Manager's Office](#); [City Clerk](#)
Subject: Oral Communications - 11.01.22
Date: Tuesday, November 1, 2022 7:09:27 PM
Attachments: [Oral Communications 2022-11-01.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.

Hello,

Please review the attached file, representing oral communications from our organization, for the November 1st, 2022 City Council meeting.

Thank you,
Steering Committee, Cupertino for All

From: [Howard Ji](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 7:06:23 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.

City Clerk Kirsten Squarcia,

I am extremely concerned with the City of Cupertino's Housing Element process. Cupertino is extremely behind in the process and is the slowest jurisdiction in our county. Based on the required timeline, our city is projected to finish the housing element process after the January 31st, 2023 deadline. I recently learned that Cupertino is projected to lose local land use control due to the builder's remedy.

I am concerned that this City Council is not taking the Housing Element process seriously to proactively address the housing crisis. The new housing element should be focused on actually creating housing, rather than avoiding it.

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I urge the City Council to make dramatic changes to bring our Housing Element back on track.

1. Revive the stakeholder group. Incorporate diverse perspectives beyond homeowners: renters, youth, seniors, etc. This stakeholder group should have actual meaningful involvement and input over programs and policies as required by law.

2. Reduce reliance on pipeline projects. Add a larger buffer and include more housing sites, especially within the Heart of the City, an already designated special area that has major corridors, bike-ped infrastructure, community amenities, and transit lines.

3. Make a good faith effort to comply with state regulations. Ensure that our housing element will Affirmatively Further Fair Housing and include projects that will realistically be built.

We cannot afford to stall this process longer. We must act with urgency.

Howard Ji

hji168@gmail.com

930 Gomes Ln

Milpitas, California 95035

From: [Yane An](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 5:59:11 PM

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Yane An

ahnyane@gmail.com

1313 Niagara Drive

San Jose, California 95130

From: [Lee Moncton](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 5:43:09 PM

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

City Clerk Kirsten Squarcia,

I moved to Cupertino 43 years ago and have lived or worked here since then. There have been many changes in Cupertino in that time. We love our cities' growth, even through managed, controlled changes. One of the things that wasn't successfully managed was the evolution of Valco. The playbook that was used cost the city millions and led to the loss of control. Now we are no longer managing change, but being controlled by others. It appears that the same playbook is being used all over again with the Housing Plan requirements. Please do not again act like you can lawyer up and win against the state requirements. This smells like a play from the MAGA playbook. If you were the quarterback for the 49ers you would be benched and traded because you didn't learn from your past mistakes. Please focus on the work required to complete the plan. This is Cupertino, a proud, capable, changing city. Don't fail us again. Don't lose control.

Lee Moncton
lsmoncton@comcast.net
10376 Avenida Ln
Cupertino, California 95014

From: [Jennifer Shearin](#)
To: [City Clerk](#)
Subject: Our Housing Element Process has gone off the rails...and I'm asking for the Council to fix it.
Date: Tuesday, November 1, 2022 5:41:18 PM

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

City Clerk Kirsten Squarcia,

Now is the time to act to fix our Housing Element. I ask today that you add a larger buffer to offset the pipeline projects, add more housing sites within the Heart of the City, and allow greater density in the chosen locations. Further, the Housing Element needs more attention to get it on track and on time. Doing this will help us to comply with state regulations and avoid a potential "free for all" by developers on February 1.

From the time that the City Council rejected the recommendations from their consultant for a stakeholders group and replaced it with a "Strategy Team" comprised of hand-picked Councilmembers and Planning Commissioners--appointed by those same Councilmembers--I've been concerned about our Housing Element being inclusive of all stakeholder voices.

My initial concerns were regarding input from key stakeholders, especially those that need the housing that we will build (renters, students, service workers, teachers, unhoused people, and many more). The community outreach special informational sessions gave them a voice to speak to the community, but there were no signs that those voices were included in the process itself. The housing sites, density and heights were chosen during meetings where the Strategy Team and general community members--both overwhelmingly comprised of single-family homeowners--had the greatest amount and most decisive input.

The input into the process, therefore, was largely one local political point of view, and did not represent the full community. Renters in particular are 30-40% of Cupertino residents, and did not have even close to a proportional voice. Sites in the Heart of the City--close to shops and transportation and showing interest from property owners--were rejected, while sites in the last remaining light industrial area in Cupertino with no property owner interest were included.

Further concerns were that meeting our goals uses "pipeline" projects, which may never be built. One of these, The Hamptons, has been able to build for six years but there has been no progress. It would require them to displace hundreds of their current residents, a major disincentive. The State takes a dim view of using these types of projects to fulfill the required number of new homes, and has rejected other California cities' plans when they tried to include them.

Lastly, the process output is now incredibly late. We are extremely likely to not make the mandated January 31 deadline, allowing for what is called a "Builder's Remedy", or the ability

for developers to build whatever they want with few restrictions. I can't imagine that anyone would prefer a loss of local control over development in our city. We need to have more attention placed on this incredibly important issue that affects everyone in our city.

It is unlikely that we have time to include input from residents and community members that should have been in the process, but there is still time to fix the issues with the project list. Adding a larger buffer to offset the pipeline projects, and adding more housing sites within the Heart of the City zone would be a step in the right direction. Allowing greater density in areas would also help, such as the Furniture Store location at E. Estates and Stevens Creek Boulevard. These two items would help all of us as a City to make a good faith effort to comply with state regulations.

Thank you for your time and consideration of these issues. I hope that our city can meet its obligations on time and in full.

Jennifer Shearin
shearin.jen@gmail.com
19511 Howard Ct
Cupertino, California 95014

From: [Derek Chen](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 5:22:48 PM

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Derek Chen

derepkchen@gmail.com

20071 Pacifica Dr

Cupertino, California 95014

From: [Kathy Tran](#)
To: [City Council](#); [City Clerk](#); [Kirsten Squarcia](#); [Cupertino City Manager's Office](#)
Cc: [S Young](#)
Subject: IFPTE Local 21 Letter - 11/1 Cupertino Council Meeting
Date: Tuesday, November 1, 2022 5:17:59 PM
Attachments: [IFPTE Local 21 Letter Re Kitty Moore Comments to Members.pdf](#)
[Twitter Kitty Moore.png](#)
[Twitter Kitty Moore 2.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 on behalf of IFPTE Local 21/CEA. Please see attached a letter that we request to be submitted as public comment at today's city council meeting. We also request for this letter to be read as part of the written record. Thank you.

Best,

Kathy

Kathy Tran (She/her/hers)
Communications and Political Specialist
ktran@ifpte21.org

IFPTE Local 21, South Bay Office
4 North 2nd St Ste 595, San Jose CA 95113
www.ifpte21.org

From: [Noel Eberhardt](#)
To: [City Clerk](#)
Subject: Fix the Housing Element Process!
Date: Tuesday, November 1, 2022 5:17:47 PM

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We cannot afford to stall this process longer. We must act with urgency.

Noel Eberhardt

neberhardt@sbcglobal.net

21407 Krzich Place

Cupertino, California 95014

cc 11/1/22 oral
communications

City Council
City of Cupertino
Re: Council Meeting of November 1, 2022
Public Comment - Oral Communications



Mayor Paul and Members of the City Council:

We write to you this evening on behalf of Cupertino for All, which seeks to create a more inclusive, sustainable, and vibrant Cupertino now and into the future. Key to our mission is education and advocacy in relation to how the city uses the land in its jurisdiction.

We are deeply concerned about the state of Cupertino's draft Housing Element. Per the review timeline under the Department of Housing and Community Development's (HCD) guidelines, we must adopt a substantially compliant Housing Element for the 2023 - 2031 6th Cycle RHNA planning period by January 31, 2023. Those same guidelines establish that a first draft must be made available for public comment for thirty (30) days before submission, and that the city must take an additional ten (10) days to incorporate public feedback provided. Upon submission of the draft, HCD will then review the document for ninety (90) days. Provided that the city can satisfy noticing requirements and that our first draft is legally sufficient, the shortest time possible between draft publication and adoption is 130 days—a date in late September, 2022. That date is behind us.

As such, it is not possible for Cupertino to adopt a Housing Element update with HCD feedback prior to the regulatory deadline. This fact will have repercussions for Cupertino's access to affordable housing and infrastructure funds that are contingent on the city having a state-certified Housing Element. More urgently, it will leave Cupertino vulnerable to the "builder's remedy" of the Housing Accountability Act. Under this provision, a property owner or its agent may bring forward a residential development project (as defined) of *any* residential density on *any* parcel of land in Cupertino zoned for commercial and/or residential use, provided that such project offers 20% deed-restricted low-income housing units or 100% deed restricted moderate-income housing units, and the city's ability to regulate or deny such projects would be severely curtailed. Put simply, the city would lose much of its land use authority over almost all of the city. See, e.g., HCD Letter of Technical Assistance Re 3030 Nebraska Avenue to the City of Santa Monica, dated October 5, 2022 (noting that builder's remedy project rights vest upon application while city Housing Element remains out of compliance).

This degree of loss of control dramatically diminishes our ability to channel development into areas of the city with the best infrastructure to accommodate them and to build in a thoughtful, environmentally and socially sustainable way. Cities that have failed to take the builder's remedy seriously in Southern California have seen numerous projects for thousands of unplanned, sometimes poorly located, units come forward. Santa Monica is perhaps the best example. After eight months of exposure to the builder's remedy, and with clarifying guidance from HCD, that city must now contend with 16 builder's remedy projects totalling over 4000 new and unplanned homes. Santa Monica features similar land use economics to Cupertino. We should reasonably expect builder's remedy applications starting February 1, 2023.

In order to restore our own land use authority so that we can extract the best possible benefits from future development, we urge you to act with all deliberate haste to produce a substantially compliant Housing

Element that HCD will accept. Much remains to be done. Now that Palo Alto has signaled that it will submit its first draft to the Department of Housing and Community Development (HCD) next Monday, Cupertino will become the last city in Santa Clara County to submit a draft. Cupertino, however, remains very far from being in a position to submit any draft. Thus far, we have assembled a site inventory, and have conducted a number of outreach sessions. However, we have conducted no housing needs assessment that would be acceptable to HCD. We have conducted no constraints analysis. We have no draft policies for a Housing Element update. No environmental impact report has been commissioned or scoped. All of these are steps that must occur prior to finalization of any draft for submission. With the separation of EMC Planning, we now lack a planning consultant to aid our completion. Our own Planning Department is short over a third of its staff.

Given the impending consequences, we ask that you focus your efforts, staff's efforts, and the efforts of an eventual consultant on completing a draft Housing Element and to leave other distractions aside. We also urge you to reexamine the work already done for its sufficiency. As recently as the last council meeting, discussion between Mayor Paul and the City Attorney revealed that the justification to be offered for why large pipeline projects in our site inventory should count every unit is that, as approved projects, they are more likely to be built than potential projects that owners have expressed interest in building. If that were truly sufficient as substantial evidence, then there would be no need for substantial evidence for pipeline projects at all. Yet, HCD guidance explicitly requires it for pipeline projects. The argument to be offered is a legal tautology, not evidence. It swallows the rule whole in violation of basic interpretive principles like the rule against surplussage. If we are already going to miss the January 31, 2023 deadline, then we should at least make sure that HCD accepts our first draft in order to limit our exposure. It can be done if we focus our energies on this task and are unafraid to make difficult compromises. Thus far, both Emeryville and Alameda have managed to achieve compliant Housing Elements on the first draft. They did so by being intentional, ambitious, and careful at each stage of the process. We should look to these success stories so that we can minimize our risk. We stand ready to help as a community.

Sincerely,

Steering Committee
Cupertino for All

CC 11-01-2022

Item # 3

Consider veterans
appreciation
proclamation
honoring veterans
and military
families

Written
Communications

CITY COUNCIL Remarks

John Swensson from De Anza College, so I've worked in Cupertino for 34 years

And Dennis Whittaker. We are both Veterans of Viet Nam, and Dennis is a Cupertino Resident

Invite you and your friends, constituents, colleagues to our Veterans Celebration on 11 Nov at The Cupertino Veterans Memorial in Memorial Park. Sadly, Sandy James, our President, is leaving, so Dennis and I are trying to fill in. The theme this year is Gold Star Families (Like the Axelsons) and we will hear on that subject from Maj Gen Mike Myatt, USMC, Ret. Also speaking, a former Navy Seal who will speak on

We have the full support of Cupertino City government headed by the City Manager, Pamela Wu and the Parks and Rec Department headed by Rashell Sanders and Sonya Lee Looking forward to great support from Randolph Viajar of Parks and Rec.

The Mayor, Mr. Paul, and Pres Lloyd Holmes from De Anza will issue greetings

The West Valley Community Band and a choir from Miller Middle School will also attend and perform. Dennis will play his tuba, I mean saxophone.

City Council Remarks 11-01-2022

I am a proud resident of Cupertino of 48 years.

I served in the US Army at Fort Ord, Fort Benning, and in I Corps, (northern part) South Vietnam from February 28, 1969 to November 18, 1971—only 33 months.. Lt. Col. John Swensson served in the US Army for more than 25 years. He is a West Point graduate and served two tours in Vietnam.

As a reference to Veterans, since 1776, only 1% of all Americans were in the military service, AND only 1% of that number served in combat.

I would like to read a well-known definition of a Veteran:

“ A Veteran is someone who, at one point in their life, wrote a blank check made payable to the United States of America for an amount of up to and including their life. That is an honor.”

Veterans are gratefully acknowledged by our Country 3 days in the year: Memorial Day, Veterans Day and Wreaths Across America Day.

I invite our citizens and others to our Veterans Day celebration on November 11 at the Cupertino Veterans Memorial at Memorial Park, and please also consider joining us for our Wreaths Across America celebration at the Gate of Heaven Cemetery on December 17th.

Donations to both our Cupertino Veterans Memorial and/or to our American Legion Post 642's Wreaths Across America event would always be welcomed.

We greatly appreciate our relationship with our City and our partnership with the Cupertino Chamber of Commerce.

Most important, we wish to thank Sandra James for her listening to constituents while Mayor, envisioning what could become a wonderful Memorial, planning, organizing, seeking funding and for overseeing

the Cupertino Veterans Memorial to completion. Moreover, Sandy has organized, planned, presided over successful annual events for nearly two decades. Sandy put her heart and soul into this project, and we Veterans are extremely grateful for her going 'over, above, and beyond the call of duty.' Sandy has also MC'd our Wreaths Across America Event for 6 years, and she is our MC for this year as well.

I would like to request our City Council publicly acknowledge and support both Veterans Day and Wreaths Across America Day, and please consider thanking Sandy for her giving to her community.

Thank you.

Dennis Whittaker

CC 11/1/22 Item #3
American Legion Stevens Creek Post 642

(a 501C19 non profit organization)

P.O. Box 302 Cupertino, CA 95015

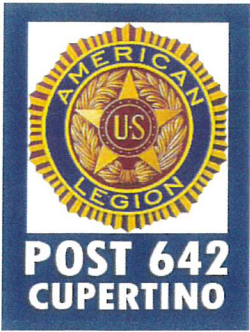
TAX ID 510186536

is Sponsoring ...

Wreaths Across America



Remember Honor Teach



Duty Honor Country

Sat. Dec. 17, 2022

A NATIONWIDE CELEBRATION

Our Ceremony is at 10:00 AM

Location: **GATE OF HEAVEN CEMETERY**
22555 Cristo Rey Dr.
Los Altos, CA 94024

Purpose: **TO LAY WREATHS ON EACH VETERANS GRAVE.**
Freedom is not free. It was paid for by our country's
veterans many of whom have passed on to a higher mission.

\$15 per wreath payable to American Legion Post 642.
All proceeds from this event will go towards supporting veteran programs.

Guest Speakers

Francis J. Harvey
19th Secretary of
U.S. Army

MG Eldon Regua
U.S. Army Reserve

Mail to: American Legion Post 642
c/o Dennis Whittaker
P.O. Box 302
Cupertino, CA 95015



For more information on or to purchase a Wreath from American Legion Post 642 Please visit:

www.americanlegionpost642.com/waa

For more information about Wreaths Across America Please visit:

www.WreathsAcrossAmerica.org

CC 11-01-2022

Item #11
Consider
approval of the
Electric Vehicle
Parking
Expansion

Written
Communications

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#); [Cupertino City Manager's Office](#)
Subject: Public Comment 11/1/2022 Agenda Item #11 EV Parking
Date: Tuesday, November 1, 2022 4:28:01 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 City Council,

I have 2 general comments on this item.

1. Procurement
2. Locations

1. Procurement

I think that the City needs to be completely transparent in its business dealings.

I was surprised to see that the City is proposing that this project not go out for bid.

If the City were to award this project to Chargepoint it could appear that there was some sort of favoritism going on because former Mayor Lowenthal is a co-founder of the company. Conversely, if it didn't go to Chargepoint, it could appear that there had been discrimination.

There are easily 15 to 20 different EV companies.

We should be putting projects out to bid whenever possible.

And – even consider getting paid to place these stations :)

2. Locations

Given that the City Hall is about to be remodeled and we have yet to understand the details, I think that it is premature to place an EV where it could interfere with construction. I'm also puzzled by the Blackberry Farm location. So I phoned the Parks & Rec department and they were unaware of this proposal. I think that Public Works needs to consult with Parks & Rec (and vice versa) so they can share best practices. Contrary to the report, the Blackberry Farm parking lot is not open 24x7 (the gate broke years ago). Like other parks, it officially closes 1 hour after sunset. In the off-season, there are very few cars. Our former public works director, Ralph Qualls, described the access area as a choke point and safety issue. My recollection of the 2006 MND was that there should not be lighting there at night in order to protect wildlife (so that would include vehicles driving through). You might recall that just a few years ago, a mountain lion ate a goat at McClellan Ranch, so we do know that they frequent the area. If there is a desire to have an EV station on this side of town, the Monta Vista Rec Center, where there is year-round programming and is more accessible, would be a superior location.

Regards,
Rhoda Fry

From: [Clint Uyeh](#)
To: [City Clerk](#)
Subject: Item 11
Date: Tuesday, November 1, 2022 10:32:06 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.

Hello Council members.

Question on the charging station. From my understanding the purpose of the charging station is for promoting EV. I do not see how these few charging stations would motivate adoption of EV and I do not believe city govt should not be in the business of promoting EV.

Also, it seems like RFP is front loading the savings by offloading the initial design. This may create a blind spot in terms of transparency, overall cost and liability. Is there a minimum number of vendors required for an RFP proposal? Seems there should be a minimum number otherwise it should be shelved.

--

Clinton Uyehara

CC 11-01-2022

Item #15

Councilmember Wei's
Written Comments

Written
Communication

The State defines objective standards as:

*Standards that involve **no personal or subjective judgment by a public official** and are uniformly verifiable by reference to **an external and uniform benchmark or criterion available** and knowable by both the development applicant or proponent and the public official prior to submittal.*

Is there an external and uniform benchmark or criterion available to justify the following four limitations of the proposed the SB9 Ordinance?

What purposes do these limitations serve?

- 1) Disallowance of second story decks and balconies
- 2) The larger unit in a duplex development may be no more than 200 square feet larger than the smaller unit
- 3) No units developed under the provisions of SB 9 shall exceed 2,000 square feet of living space
- 4) Disallowance of basements

On September 28, 2022, Planning Staff hosted a community meeting to offer general information related to SB 9 to the public and to receive feedback related to the proposed regular ordinance. Of the 101 attendees, 86 attended via Zoom while 15 attended in person. Polls were conducted on the attendees' thoughts on proposed standards. #1, #3, and #4 received majority votes against the recommended restrictive standards, while there was no poll for #2.

1) Disallowance of Second-story decks and balconies (Page#324-325)

At the September 28th community meeting, approximately 64% of respondents indicated that they thought the City should allow balconies on development proposed pursuant to SB 9 with the majority of indicating that these features should be allowed without further restriction.

What are the reasons to disallow balconies, in perpetuity, on any units developed pursuant to the provisions of SB9 in both R1 and RHS zones as recommended by the Planning Commission? What purpose does this limitation serve? Why did the Planning Commission not listen to resident input from the Community Meeting?

For example: A very large lot designing a duplex under SB9 should be allowed the flexibility of second story decks or balconies if the decks/balconies overlook into its own backyard and there are no privacy issues. This one-size-fits-all disallowance is not a reasonable standard. The City already has privacy objective standards in place for second story decks and balconies that will be applied to SB9 projects.

2) The larger unit in a duplex development may be no more than 200 square feet larger than the smaller unit (Page#329)

This 200 square feet limitation does not allow residents to build a duplex to fit a family of 4 and a smaller unit to accommodate a parent/in-law. For example:

A 5000 square feet lot (which is a common lot size) with 45% Floor Area Ratio can accommodate 2,250 square feet building space including garage. Taking 400 square feet off for a 2-car garage, this leaves 1,850 square feet of living space.

The resident needs a 3-bedroom/2-bath home for a family of 4 and a smaller unit for a parent/in-law. With this 200 square feet limitation, the resident is limited to one 1,025 square feet unit and one 825 square feet unit, with neither unit large enough to accommodate a 3-bedroom/2-bath home for the family of 4.

Without this 200 square feet limit, the resident can design a 1,250 square feet unit with 3 bedrooms/2 baths for the family of 4 and a 600 square feet one-bedroom unit for a parent/in-law.

This provision that limits “the larger unit in a duplex development may be no more than 200 square feet larger than the smaller unit” is not a reasonable standard based on the expected development under SB9. What purpose does this limitation serve? Why isn’t it enough that there simply two units?

3) No units developed under the provisions of SB 9 shall exceed 2,000 square feet of living space (Page#329)

******At the September 28th community meeting,**

approximately 61% of respondents indicated that they thought the city should either increase the maximum allowable square footage or remove the limit entirely.

****Research indicates that this limitation impacts approximately 100 of the close to 17,000 R1-zoned lots in Cupertino, which is about 0.5% of the total lots

Why did the Planning Commission and City Council not listen to resident input from the Community Meeting?

Since this limitation only impacts less than 0.5% of the total lots, why add this arbitrary limitation of 2000 square feet of living space to such a small % of lots?

For example: A 17,000 square feet lot with 45% Floor Area Ratio can accommodate 7,650 square feet building space including garage. Taking 800 square feet off for two 2-car garages, this leaves 6,850 square feet of living space. The resident wants to build two units or a duplex on this lot via SB9.

With the 2,000 square feet limitation on each unit, the resident can only build two 2,000 square feet units, which adds up to 4,000 square feet, which is 2,850 square feet short of the standard 45% Floor Area Ratio allowed per standard City code.

Therefore, in order to build up to the standard 45% Floor Area Ratio allowance, the resident will be forced to split the lot into 2 lots and build two duplexes (4 units).

However, the resident does not want to do a lot split for two duplexes (4 units). S/he would like to build two units with ample living space to accommodate two families (perhaps siblings living side by side), each with ample space for family entertainment.

Why not allow this resident to build two units or a duplex up to 3,425 square feet per unit on a lot of 17,000 square feet? Why force the resident to go for a lot split in order to have the standard 45% Floor Area Ratio allowance?

The argument that the 2,000 square feet limitation will “ensure homes remain affordable” does not apply to homes in Cupertino with large lots such as the above example. Also, since this limitation impacts less than 0.5% of the total lots, the rest 95.50% lots are more likely to ensure homes remain affordable.

The argument that properties impacted by the 2,000 square feet unit size limitation may continue to develop homes under the City’s other development pathways may be considered as a chilling effect to deter residents from SB9?

This provision that limits “2,000 square feet of living space per unit” is not a reasonable standard based on the expected development under SB9

4) Disallows basements in SB 9 development in both R1 and RHS zones per Planning Commission’s recommendation (Page #331)

****At the September 28th community meeting,

approximately 73% of respondents indicated that they thought the City should allow basements in development proposed pursuant to SB 9, with the majority of indicating that the basement should be allowed without further restriction.

Why did the Planning Commission not listen to resident input from the Community Meeting?

The argument that construction of basement will significantly increase cost thus affect home affordability does not really apply because the basement construction cost constitutes a very small percentage of home values in Cupertino. If a resident wants to design a basement for esthetic or neighborhood style conforming consideration and can afford to do so, why not allow such design to happen?

This provision that disallows basements in all SB9 projects is not a reasonable standard based on the expected development under SB9.

Restricting basements just limits the configuration of new homes and encourages taller, wider buildings. How does this further any goal the City has? Why limit this flexibility?

CC 11-01-2022

#15

SB 9 Municipal Code
Amendments

Written
Communication

From: [Tracy Hsu](#)
To: [City Council](#)
Cc: [Emi Sugiyama](#); [Piu Ghosh \(she/her\)](#)
Subject: SB-9 - concern on the ratio of 2nd floor to 1st floor
Date: Monday, October 31, 2022 3:54:50 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,

In 2020, Cupertino adapted the statewide ADU rule to allow ADU up to 800sf. When counting the ratio of second story to first story, the ADU living space has been counted towards to the first story space since 2020. Last week, city planner mentioned ADU won't be counted towards first floor living space when validating the ratio of second story to first story for a SB-9 property. The result of this new rule would set the maximum living space on the second floor to 750SF which can only accommodate 2 bedrooms and 2 baths. Most of family has 2 kids or more, a three bedrooms on the second floor would be highly desired.

City already put the strict rules like maximum 2000SF living space, and two daylight planes on SB9. It's unclear why city is making the ratio of second story to first story more strict now. I would like to ask city council members to allow ADU living space to be counted towards to the first story living space when validating the ratio of second story to first story for both R-1 and SB-9 R-1 properties.

Thanks,
-Tracy