

## Lauren Sapudar

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**From:** Keith Warner <keith@pacificworkplaces.com>  
**Sent:** Tuesday, July 31, 2018 12:47 PM  
**To:** City Council; Darcy Paul; Steven Scharf; Rod Sinks; Savita Vaidhyanathan; Barry Chang  
**Cc:** Cupertino City Manager's Office; Economic Development; City Clerk  
**Subject:** No Employee Tax

Honorable Mayor Paul and City Council:

I am writing to share my serious concerns about the City of Cupertino's lack of transparency and community engagement in the development of this new business tax. Given that the City of Cupertino is seeking to multiply their business tax revenues by at least 10 times, I think the wise thing for the City Council to do is to consider a more deliberate community engagement process.

Furthermore, while it has been indicated that the increased business tax revenues will fund transportation improvement projects, there is no guarantee that the funds will be used for that purpose. The revenue measure resolution is drafted to direct tax monies into the city's general fund, which can be spent at the discretion of the current and future City Councils.

Even if the Council adopts a resolution, it is not binding and future City Councils can change their spending priorities, at any time for any reason. Without a clear link as to how increased revenue will fund the stated transportation improvement projects, there is no relationship between the tax and its justification.

As a Cupertino Business Owner, I urge you to please take a more deliberative process and engage the community. Do not place the business headcount tax on the November 2018 ballot.

Regards,

Keith



[www.PacificWorkplaces.com](http://www.PacificWorkplaces.com)



**Keith Warner**  
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## Lauren Sapudar

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**From:** Connie Cunningham <cunninghamconniel@gmail.com>  
**Sent:** Tuesday, July 31, 2018 12:34 PM  
**To:** City Council  
**Subject:** Change in Tax Structure

Dear Mayor, Vice-Mayor and Councilmembers:

I was disappointed to read that the City staff is not recommending the tax change to the city for 2018, although I agree that the business community should be working with the city to come up with a good transportation plan. It is clear that our tax structure is outdated. It is clear the Apple is not particularly interested in helping the community. Perhaps the city and business community will continue to make headway on a transportation plan without the tax measure. However, I think that rarely do such things happen without significant pressure. I hope that Cupertino can maintain the pressure to move forward on a joint plan without the pressure of a tax change. 2020 will be a critical year, indeed, on so many levels.

I will attend the Special Meeting July 31. I would vote for a tax measure that would come forward in 2018 for the simple reason that I am not persuaded that the business community will be serious about helping the city with its transportation needs. This is based on the simple fact that they have not yet come forward with such plans. Apple Park was approved in 2012. Traffic conditions were bad then. Even with Apple providing some of their own employees with busses, the traffic situation has worsened for the community, including those busses.

Government and business relationships are complicated at best. It is not at all unusual for major transportation systems to be funded jointly. Waiting until desperation strikes usually gives rise to poorly thought out plans. Given the overall quagmire of governmental entities, business organizations, joint government, NGO's, and business entities, I have become increasingly skeptical that anything short of a "shot at the wallet" will be effective.

I remain hopeful because this Council has been able to find solutions in the past, such as the Vallco Special Plan Charette Process.

Sincerely,

Connie Cunningham  
31 year Resident

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## Lauren Sapudar

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**From:** Catherine Thaler <catherinethaler@gmail.com>  
**Sent:** Tuesday, July 31, 2018 11:17 AM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** Agenda Item #5-Restructuring the Business Tax

Dear council Members,

I strongly urge that you postpone putting this matter on the ballot until the year 2020. Although transportation is a critical issue it is not just a Cupertino issue, it is a regional issue. At this time there is no 'plan' to address this serious issue, therefore you are trying to tax for a possible future solution.

Postponing the ballot choice allows Cupertino and surrounding cities to come up with some solutions to this growing problem. I know that many of the cars driving in our city are simply passing through on their way to or from work and their drivers live in San Jose, Saratoga, Los Gatos or other cities. How do they pay their fair share? Maybe some people come through Santa Clara or Sunnyvale to work and only drive half a block on Cupertino streets.

This will not be easy but it certainly deserves time and effort by all neighboring jurisdictions to develop some solutions. Once that happens, then a way to pay for it should be presented to the people.

Thank you,  
Cathy Thaler

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## Lauren Sapudar

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**From:** Connie Cunningham <cunninghamconniel@gmail.com>  
**Sent:** Tuesday, July 31, 2018 10:50 AM  
**To:** City Council  
**Subject:** Win-Win Idea re: Meeting to decide jobs tax, Tues., July 31, 6pm, Cupertino Community Hall

Dear Mayor, Vice-Mayor, and Councilmembers:

I sent the following email to Mr. Kitson, Director of Communication , Cupertino Chamber of Commerce. I believe that the Chamber of Commerce and local businesses need to show concrete progress soon in order to show good faith that they will be working with Cupertino to find solutions for our transportation issues.

There are \$1.5 million dollars needed for the State Route 85 Transit Guideway Study.

The Chamber, or its individual businesses, could urge VTA to find the money, or the Chamber or its individual businesses could advance the money to the VTA to restart the Study process. This is a major project that will be funded by the government once the 2016 Measure B funds are available.

Sincerely,  
Connie Cunningham

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"Dear Mr. Kitson:

Thank you for your thoughts. I understand that the 2018 tax would be a general tax, with an inherent issue that future city councils could possibly change the focus of the tax money. My biggest concern is that waiting until 2020 for a specific tax plan could allow business and city leaders to become distracted by other issues, of which there are many facing our community. There might not be any progress on transit at all by 2020, even though we have been aware of this problem since Apple Park was approved in 2012.

Possible Win-Win First Step:

One step that would show commitment is that our businesses would either 1) urge the VTA to find money, 1.5 million, to fund the [State Route 85 Transit Guideway Study](#) or 2) find the 1.5 million dollars themselves to fund that study. When the lawsuit against 2016 Measure B that has prohibited VTA from proceeding on this project is concluded, that money would become available to repay the advance. The financial technicalities of how to make that happen are knowable by government and business leaders. It takes focus to make it happen. As we all know, delays in a study create a problem of data becoming old as time drags on. Phase 1 of the study completed in March 2018. Therefore, four months of valuable time for Phase 2 of the study have been lost.

After Phase 2 is funded, the process for the State Route 85 Transit Guideway Study could go forward with the money that local residents have already voted for in the 2016 Measure B. Win-Win!

It would be heartening to me and other transit supporters to see that our businesses, city government and county government could work together to move this State Route 85 Transit Guideway Study forward in the near future. I think this would show good faith. It is not the final fix for our transportation issues.

That would be an important first step for public/private partnerships, and cost nothing to the businesses in the long run, since it is a government project. Can this be done?

Since it has been stated that our tax structure is obsolete, then I will certainly be watching closely to see how leadership in Cupertino moves forward. At minimum, a restructuring of the tax seems to be in order, even if the amount of tax were not changed overall.

Best regards,

Connie Cunningham  
31 year Cupertino Resident  
Vallco Charette process supporter  
Transit supporter"

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