

Cyrah Caburian

From: City of Cupertino Written Correspondence
Subject: FW: Resending, Recipient Correction: Agenda Item 9, Request to Repeal/Rescind Vallco Town Center Specific Plan Approvals, 5/7/2019 City Council Meeting

From: Liana Crabtree [mailto:lianacrabtree@yahoo.com]
Sent: Friday, May 03, 2019 5:06 PM
To: Steven Scharf <SScharf@cupertino.org>; Liang Chao <LiangChao@cupertino.org>; Darcy Paul <DPaul@cupertino.org>; Rod Sinks <RSinks@cupertino.org>; Jon Robert Willey <JWilley@Cupertino.org>
Cc: City Clerk <CityClerk@cupertino.org>; City Attorney's Office <CityAttorney@cupertino.org>; R Wang <RWang@cupertino.org>; Vikram Saxena <VSaxena@cupertino.org>; David Fung <DFung@cupertino.org>; Kitty Moore <Kmoore@cupertino.org>; Alan Takahashi <ATakahashi@cupertino.org>
Subject: Resending, Recipient Correction: Agenda Item 9, Request to Repeal/Rescind Vallco Town Center Specific Plan Approvals, 5/7/2019 City Council Meeting

Dear Office of the City Clerk:

Please consider this letter as the public record document. The previous version included a recipient error.

Thank you,

Liana Crabtree
representing myself only

Honorable Mayor Scharf, Vice Mayor Chao, and Council Members Paul, Sinks, and Willey:

Please add my letter to the public record for the 5/7/2019 City Council meeting, Agenda Item 9, "Options Regarding 3 Referendum Petitions Challenging Approvals Related to the Vallco Town Center Specific Plan".

Please accept my request for Council to repeal/rescind the Vallco Town Center legislation that was challenged successfully by residents in October 2018 in accordance with the State of California's referendum process. Repeal/Rescind the following pending Vallco Town Center legislation: Development Agreement (Ordinance 18-2179); General Plan Amendment (Resolution 18-085); and Specific Plan (Resolution 18-086).

As the dependent ordinances (Municipal Code, Ordinance 18-2177; Zoning, Ordinance 18-2178) cannot be enacted independent of the General Plan Amendment and Specific Plan that are subject to the referenda effort, initiate the process to repeal/rescind these ordinances following lawful procedures including, but not necessarily limited to, a Planning Commission hearing and advisory vote, a follow-up City Council hearing and vote, and final vote by Council as part of the consent calendar.

The Vallco Town Center Specific Plan, if enacted as specified in Resolution 18-086, would increase demand for housing by adding approximately 3x the jobs relative to the housing provided. The Specific Plan also shortchanges the community by severely undercutting the General Plan requirement to add 3 acres of parkland for every 1,000 new residents anticipated by this development plan. The resulting ground-level parkland shortfall affects neighborhoods that many already describe as "park-starved".

While the Vallco Town Center Specific Plan may enjoy support by the Property Owner and various special interest groups, the urban development plan is unpopular with residents who vote, as evidenced by the following:

(A) On December 4, 2014, Four (4) Council Members approved a General Plan amendment affecting the retail-only Vallco Shopping District site to add 2 MILLION square feet of office, a placeholder amount of housing, and the right of the Property Owner to set its own height limit for structures to be built there. (Maximum building height had been 45 feet, with an exception to accommodate an inexplicably tall sign to advertise a movie theater.) In 2019, only one (1) of the approving Council Members remains as an elected representative in Cupertino (Rod Sinks). Two (2) approving Council Members have termed out (Gilbert Wong [2016], Barry Chang [2018]) and have been replaced by two (2) Council Members who openly opposed efforts to add office and urbanize the Vallco Shopping District site (Steven Scharf [2016], Jon Willey [2018]). One (1) approving Council Member ran for re-election in 2018 (Savita Viadhyathan) but was defeated by a newcomer who openly opposed efforts to add office and urbanize the Vallco Shopping District site AND received the 2nd highest number of votes ever cast during a Cupertino City Council election (Liang Chao [2018], 8,529 votes). The one (1) Council Member who opposed the approval of the 2014 General Plan amendment that added the office, housing, and open-ended building height to the Vallco Shopping District site and who opposed 5 of 6 legislative documents required to move forward the Vallco Town Center Specific Plan was re-elected in 2018 with the highest number of votes ever cast during a Cupertino City Council election (Darcy Paul, 9,518 votes),

(B) In November 2016, voters rejected the Property Owner's Specific Plan ballot measure that would have built urban towers 20+ stories tall to include 2 MILLION square feet of office, 800 housing units, and half the retail square footage that was included as part of the existing Vallco Mall. The Property Owner's ballot measure was defeated despite a total marketing budget estimated at \$7 MILLION.

(C) In October 2018, three (3) Council Members approved the 5 legislative documents that would have allowed the Property Owner to build its Vallco Town Center. As stated previously, only one (1) of the three (3) approving Council Members remains on Council today.

(D) By the end of October 2018, residents had gathered sufficient referenda signatures to undo the Council approvals of the Vallco General Plan Amendment (16% of voters signed the referendum petition to undo Resolution 18-085), the Specific Plan (14% of voters signed the referendum petition to undo Resolution 18-086), and the Development Agreement (14% of voters signed the referendum petition to undo Ordinance 18-2179).

Consider that residents who opposed the urbanization of the Vallco Shopping District site in 2014 have channeled their opposition to unbridled growth into action to bring forward a future plan that will serve the needs and interest of the residents who live here.

I encourage Council to follow lawful procedures and timelines to repeal/rescind all aspects of the October 2, 2018 approval of the Vallco Town Center Specific Plan. With unpopular legislation removed, move forward with an independent community engagement process that results in a Specific Plan for the Vallco Town Center site, including: (a) flat, ground-level, public-access parkland as required by the General Plan; (b) inclusive housing--if/when the site is cleared for residential use--that provides at least 15% total below market rate housing, which would be comparable in size and quality with market rate housing and offered equitably to individuals and families with extremely low income, very low income, low income, and moderate income; and (c) other elements as decided through the independently operated community engagement process.

Sincerely,

Liana Crabtree
Cupertino resident
representing myself only

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From: lianacrabtree@yahoo.com

Cyrah Caburian

From: City of Cupertino Written Correspondence
Subject: FW: Request to Repeal/Rescind Vallco Town Center Specific Plan, 5/7/2019 City Council Meeting

From: Eric Schaefer [mailto:sericar7@gmail.com]

Sent: Friday, May 03, 2019 11:01 PM

To: Steven Scharf <SScharf@cupertino.org>; Liang Chao <LiangChao@cupertino.org>; Darcy Paul <DPaul@cupertino.org>; Rod Sinks <RSinks@cupertino.org>; Jon Robert Willey <JWilley@Cupertino.org>

Cc: City Clerk <CityClerk@cupertino.org>; City Attorney's Office <CityAttorney@cupertino.org>; R Wang <RWang@cupertino.org>; Vikram Saxena <VSaxena@cupertino.org>; David Fung <DFung@cupertino.org>; Kitty Moore <Kmoore@cupertino.org>; Alan Takahashi <ATakahashi@cupertino.org>

Subject: Request to Repeal/Rescind Vallco Town Center Specific Plan, 5/7/2019 City Council Meeting

Dear Mayor Scharf, Vice Mayor Chao, and Council Members Paul, Sinks, and Willey:

Please add my letter to the public record for the 5/7/2019 City Council meeting, Agenda Item 9, "Options Regarding 3 Referendum Petitions Challenging Approvals Related to the Vallco Town Center Specific Plan".

It is time to repeal and rescind the Vallco Town Center plan that was challenged by residents in October 2018 by California's referendum process.

The Vallco Town Center Specific Plan (VTC) is unpopular with residents who vote, as evidenced by the 2018 council elections. The voters overwhelmingly chose candidates that oppose the VTC plan:

- Councilman Darcy Paul was in the minority when he voted against the VTC plan in 2018. Then he received the most votes of any candidate in Cupertino Council history.
- Councilwoman Liang Chao was a vocal opponent of the VTC plan and received the 2nd most votes of any council candidate.
- Councilman Jon Willey was also a vocal opponent of the VTC plan. Without significant previous exposure in local elections, Willey was preferred over the incumbent Savita Vaidhyathan.
- The three candidates that were proponents of the VTC plan--Mahoney, Wei, Vaidhyathan--were rejected by voters in 2018.

Voters in 2018 were catalyzed by the referenda against the VTC plan. The referenda were enthusiastically embraced by voters, and offer further evidence of the popular rejection of the VTC plan.

It's time to put the failed VTC plan behind us and move forward with a plan for Vallco that has broad appeal. Now is the time to prepare the way for a plan that is responsive to all stakeholders and worthy of a vote in the general election of 2020.

Repeal/Rescind the following pending Vallco Town Center legislation: Development Agreement (Ordinance 18-2179); General Plan Amendment (Resolution 18-085); and Specific Plan (Resolution 18-086).

Because the dependent ordinances (Municipal Code, Ordinance 18-2177; Zoning, Ordinance 18-2178) cannot be enacted without the General Plan Amendment and Specific Plan that are subject to the referenda effort, initiate the process to repeal/rescind these ordinances also.

It's time to move forward. It's time to honor the will of the constituents.

Sincerely,

Eric Schaefer
Cupertino resident

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Cyrah Caburian

From: Danessa Techmanski <danessa@pacbell.net>
Sent: Saturday, May 04, 2019 12:41 PM
To: Steven Scharf; Liang Chao; Jon Robert Willey; Darcy Paul; Rod Sinks
Subject: 5/7/2019 City Council meeting, Agenda Item 9, " Options Regarding 3 Referendum Petitions Challenging Approvals Related to the Vallco Town Center Specific Plan".

Dear Mayor Scharf, Vice Mayor Chao, and Council Members Paul, Sinks, and Willey:

I implore you to support the majority will of our residents by repealing and rescinding the Vallco Town Center Specific Tier II Plan that was clearly opposed by our residents as per their support of the October 2018 Referendum.

Our 2018 election results further evidence the unpopularity of the Vallco Town Center Specific Plan (VTC):

- Councilman Darcy Paul was in the minority when he voted against the VTC plan in 2018. Then he received the most votes of any candidate in Cupertino Council history.
- Councilwoman Liang Chao was a vocal opponent of the VTC plan and received the 2nd most votes of any council candidate.
- Councilman Jon Willey was also a vocal opponent of the VTC plan. Without significant previous exposure in local elections, Willey was preferred over the incumbent Savita Vaidhyathan.

Note that the three candidates who were proponents of the Vallco Tier Two Plan, Mahoney, Wei, and Vaidhyathan were not only rejected by voters, but they also lost a great deal of credibility for siding with the developer and against the residents whom it is their job to support and represent. The 2018 Referenda was a turning point and hallmark that both solidified and clarified resident sentiment about what the public will and will not tolerate at one of the largest developments in Cupertino's history (beyond Apple II).

The failed charrettes process and the ensuing very unpopular Vallco Tier II plan generated much mistrust and disappointment among our residents. This is clearly an opportunity to restore confidence in our City governance and change the course of our City's future. By repealing or rescinding the pending Vallco Town Center legislation: Development Agreement (Ordinance 18-2179); General Plan Amendment (Resolution 18-085); and Specific Plan (Resolution 18-086) we can finally clear the air to move forward with a plan that is more fitting, sustainable, viable, and beneficial to the people who matter the most: our residents. How we move forward with this will be a game changer for the future of our City. It also gives us the opportunity to clean up elements of our General Plan that are grey or deficient in terms of what constitutes park space, tree removal, and most critically our balance of office to housing.

Because the dependent ordinances (Municipal Code, Ordinance 18-2177; Zoning, Ordinance 18-2178) cannot be enacted without the General Plan Amendment and Specific Plan that are subject to the referenda effort, it is imperative that you please initiate the process to repeal/rescind those ordinances as well.

I see this not as an end, but as a new beginning and a golden opportunity to set things right for the betterment of both our City's and our community's future.

Please add my letter to the public record for the 5/7/2019 City Council meeting, Agenda Item 9, "Options Regarding 3 Referendum Petitions Challenging Approvals Related to the Vallco Town Center Specific Plan".

Sincerely,

Danessa Techmanski
30-year Cupertino resident

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Cyrah Caburian

From: Caryl Gorska <gorska@gorska.com>
Sent: Monday, May 06, 2019 2:00 PM
To: Steven Scharf; Jon Robert Willey; Liang Chao; Rod Sinks; Darcy Paul
Cc: Grace Schmidt, MMC; City Clerk
Subject: Please rescind / repeal all VTC legislation

Dear Mayor Scharf and City Council Members;

Please add my letter to the public record for the 5/7/2019 City Council meeting, Agenda Item 9, "Options Regarding 3 Referendum Petitions Challenging Approvals Related to the Vallco Town Center Specific Plan".

The 2018 elections and referenda petitions tell the story: Cupertino residents DON'T want the Vallco Town Center plan.

Please repeal or rescind ALL resolutions and ordinances passed by the former city council last year in approving the VTC plan.

Like many residents, I want to spend the next year and a half making a plan the community can get behind, NOT impatiently waiting for the 2020 election to vote this one down.

Regards,

Caryl Gorska
10103 Senate Way

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Cyrah Caburian

From: GEOFFREY PAULSEN <geoffpaulsen@yahoo.com>
Sent: Monday, May 06, 2019 9:28 PM
To: City Council
Cc: City of Cupertino Planning Commission; Grace Schmidt, MMC; Jean Bedord; Danessa Techmanski ; Sandra James; Cupertino City Manager's Office
Subject: Please let the people vote on Vallco.

Hello, Honorable members of the Cupertino City Council.

I recommend that you give the citizens of Cupertino an opportunity to vote in November 2020 on Vallco. Here's why:

1) In a time when "listening to the people" has become a popular concept (and for good reason), an election will give the people an opportunity to thoughtfully consider all the issues and make a decision through the peaceful and private process of marking their ballots.

2) As the staff report states, it will save money.

Best regards, Geoff

Geoffrey Paulsen
Former Chair, Cupertino Planning Commission
Board member, Canopy.org

408/480-7509 cell

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From: geoffpaulsen@yahoo.com

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Cyrah Caburian

From: Wynne Dobyns <wdobyns@jfwmdoby.com>
Sent: Monday, May 06, 2019 10:03 PM
To: City Council
Cc: Steven Scharf; Liang Chao; Rod Sinks; Darcy Paul; Jon Robert Willey; Cupertino City Manager's Office; City of Cupertino Planning Commission
Subject: Referenda regarding the Vallco Specific Plan

Dear Council Members:

I will not be able to attend the City Council meeting on Tuesday, May 7, at which you are scheduled to vote on the referenda regarding the Vallco Specific Plan, but I want you to be aware of my opinion in this matter. I am a 35-year resident of Cupertino and I DO NOT favor your rescinding approval of the Specific Plan. We need managed development of the Vallco site, and many Cupertino residents provided their recommendations in developing the various options for the site and diligently reviewed those options before selecting the plan that became the Specific Plan. This is a far more beneficial plan for Cupertino than the state-mandated SB35 Vallco Town Center project. We need more housing and retail in Cupertino. We can work to manage growth, and the Specific Plan includes provisions for more housing, lower building heights, less office space, more retail space, traffic mitigation, bicycle and pedestrian trail improvements, substantial school benefits, and a new city hall. All of this benefits Cupertino and our residents. I favor placing the Plan and its related ordinances before the voters as a ballot measure on the March 2020 primary election. Waiting until the November general election is too long. This issue has already been under consideration and discussion for far too long. We need to approve the Specific Plan and move forward.

Respectfully,
Wynne Dobyns
10117 Lamplighter Square
Cupertino, CA 95014

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To: jwilley@cupertino.org
From: wdobyns@jfwmdoby.com

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Cyrah Caburian

From: Chi Yeh <ckyeh@sbcglobal.net>
Sent: Tuesday, May 07, 2019 6:14 AM
To: City Council
Subject: Why another referendum of past issue

Dear council members, when is the time to stop wasting the community money of keeping the referendum coming back again and again?

Growing is the trend of the whole world, please keep in mind - the community could have stopped us coming to Cupertino if they rejected us to come to this city, Cupertino should be still an orchard city if that's what your thought - we should all move out and keep Cupertino as it used to be then!
Please stop the referendum proposal !

You want everybody's voice to be heard, my voice is keep our community as peaceful as it used to be, stop wasting our tax money on issues which were passed already!

Best,

Chi Yeh

Sent from my iPhone

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From: ckyeh@sbcglobal.net

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Cyrah Caburian

From: Brock Carpenter <brockcarpenter@comcast.net>
Sent: Tuesday, May 07, 2019 7:00 AM
To: City Council
Subject: Moving forward on the Vallco Specific Plan

Dear City Council,

I support placing Vallco Specific Plan before the voters as a ballot measure at an upcoming election and strongly urge you to do the same. Since Staff currently recommends the least expensive option at \$153,741 for putting the resolutions on the November 2020 general election ballot, we all should support that option to conserve precious city dollars.

We must avoid letting the state-mandated SB 35 Vallco Town Center project be built instead of the Specific Plan. The SB 35 Plan is based on the state's priorities and the developer's preference not our citizens' views. The Specific Plan has more housing, lower building heights, less office space, plus traffic mitigation, substantial school benefits, a new city hall, bicycle and pedestrian trail improvements, and more retail space.

Sincerely,
Brock Carpenter
20776 Greenleaf Drive, Cupertino

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From: brockcarpenter@comcast.net

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Cyrah Caburian

From: Gary Jones <gjoneshome@yahoo.com>
Sent: Tuesday, May 07, 2019 10:49 AM
To: Cupertino City Manager's Office; City of Cupertino Planning Commission; City Clerk; Grace Schmidt, MMC; City Council; Steven Scharf; Liang Chao; Rod Sinks; Darcy Paul; Jon Robert Willey
Cc: cupertino2040@icloud.com
Subject: Letter for tonight's council meeting Vallco agenda item
Importance: High

With respect,

My wife Barbara and I submit the request that the council move tonight to put the Vallco Specific Plan to the voters by placing the Referenda on the June 2020 ballot.

Respectfully

Gary & Barbara Jones, 43 year residents of Cupertino

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Cyrah Caburian

From: City of Cupertino Written Correspondence
Subject: FW: The residents have already voted

From: Rahul [mailto:rahulvasanth@protonmail.com]
Sent: Tuesday, May 07, 2019 10:51 AM
To: City Council <CityCouncil@cupertino.org>
Subject: The residents have already voted

Honorable Mayor and Councilmembers,

I am writing to support a complete repeal of the October 12, 2018 Vallco Town Center legislation (GPA, Resolution 18-085; SP, Resolution 18-086; Development Agreement, Ordinance 18-2179).

I also request that Council then begin the process of undoing the dependent ordinances (Municipal Code, Ordinance 18-2177; Zoning 18-2178) contingent on the GPA and VSP.

Significant portions of the voting population of Cupertino signed the referenda in a matter of weeks. Given more time, the proportion would have been much greater. The election itself saw Councilmember Darcy Paul, who spoke and voted against the VTC plan both in 2014 and 2018, re-elected with the highest number of votes any Cupertino candidate has ever received. Councilmember Liang Chao and Councilmember Jon Willey took strong positions against VTC with Councilmember Chao receiving the second highest number of votes any Cupertino Councilmember has ever received and Councilmember Willey defeating an incumbent who supported and voted for the VTC plan.

Despite the developer spending around \$7M in 2016 on marketing, voters rejected the ballot measure which included 2M sq ft in office space. The current plan is even worse and exacerbates the affordable housing crisis it claims to solve. The voters have spoken.

It would be a "win-win" for the developer--which has repeatedly expressed interest in hearing out the residents and supporting the community--for you to Repeal/Rescind Vallco Town Center Specific Plan Approvals. Losing a year and a half until 2020 to waste millions and be rejected once more does not "pencil-out."

The signatures and election results are a clear indicator on how Cupertino residents truly feel. We shouldn't remain frozen in time for a year and a half for residents to once again vote (many signed referenda and voted in a pro-resident majority) to reject a plan that we don't want. Would it not be better to have an open process, accountability, and a chance to vote for something we *do* want? Let us move forward and begin an *independent* process of genuine community engagement.

Sincerely,
Rahul Vasanth

Representing myself only.

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To: citycouncil@cupertino.org
From: rahulvasanth@protonmail.com

Message Score: 1
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Cyrah Caburian

From: Lori Ekman <lori.ekman@gmail.com>
Sent: Tuesday, May 07, 2019 12:13 PM
To: Jon Robert Willey
Subject: Vallco referendum

Dear Councilman Willey,

I have really appreciated your integrity and ethical behavior you have exhibited during your time on council so far. It is very refreshing to see this in politics these days and I commend you for this.

When you were campaigning this past fall you supported the referendum and your campaign flyer said that you would put it before the voters to choose in either 2020 or a special election earlier.

5. RESIDENTS DECIDE

the voters could choose between a better Vallco plan or the 2018 mega Vallco-Specific plan

Please remain true to the statements and promises that you made during your campaign and vote to put the referendum on the ballot. Let the residents decide.

Thank you for all the time you have given our community in trying to make it a better place. I know it can be a time consuming and thankless job.

Lori Ekman
Resident of Cupertino

--
"A foolish consistency is the hobgoblin of little minds"~Ralph Waldo Emerson

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To: jwilley@cupertino.org
From: lori.ekman@gmail.com

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Cyrah Caburian

From: Lori Ekman <lori.ekman@gmail.com>
Sent: Tuesday, May 07, 2019 1:37 PM
To: Liang Chao
Subject: Vallco referendum

Vice Mayor Chao,

I urge you to uphold your campaign promises tonight and put the referendum on the ballot. As I am sure you are aware, our community is very divided at this time. The best way to mend this divide is to put the referendum on the ballot and let the community decide this. As your campaign flyer promised.

5. RESIDENTS DECIDE

At the ballot in 2020 or a special election earlier, the voters could choose between a better Vallco plan or the 2018 mega Vallco Specific plan.

You also promised a to let the residents be the drivers. If you truly believe this you will let the referendum go to ballot.

I hope you remain true to the promises you made during your election. Integrity is important and honoring your promises would be a sure way to demonstrate your



- It's-got-to-be-BEST** Transparency, evidence-based decision making and fiscal responsibility for equitable solutions that benefit residents and local businesses.
- Residents are the drivers** We, the people — not outside forces — should decide what we build, or don't build, in our own city. There is no excuse for tolerating hyper-growth that will permanently burden infrastructure.
- Families and schools are the center** School overcrowding and traffic congestion affect our family lives every day. Our children depend on us for quality education and safety.
- Healthy environment** What we do here and now will impact generations to come.

integrity.

Thank you,

Lori Ekman
Cupertino Resident

--
"A foolish consistency is the hobgoblin of little minds"~Ralph Waldo Emerson

Cyrah Caburian

From: Lori Ekman <lori.ekman@gmail.com>
Sent: Tuesday, May 07, 2019 1:47 PM
To: Darcy Paul
Subject: Vallco Referendum

Dear Councilman Darcy,

On your website you state "I do my best to be honest and responsive to anyone who asks for help." I am writing today to ask for your help in healing our community. Our community has been torn apart by Vallco. By voting to put the referendum on the ballot you would be taking great strides in helping to heal our community. In allowing the referendum go to the ballot everyone would get to feel like their voice is heard. I am of the belief that residents not feeling like they have a voice is what is causing this divide in our community. Residents getting to be able to vote and have their say will lead to healing within our community.

Please vote to have the referendum on the ballot and let the healing begin.

Thanks,

Lori Ekman
Cupertino Resident

--
"A foolish consistency is the hobgoblin of little minds"~Ralph Waldo Emerson

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To: dpaul@cupertino.org
From: lori.ekman@gmail.com

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Cyrah Caburian

From: Lori Ekman <lori.ekman@gmail.com>
Sent: Tuesday, May 07, 2019 2:03 PM
To: Steven Scharf
Subject: Vallco referendum

Mayor Scharf,

I urge you to vote to put the referendum on the Ballot. Our community is divided and the best way to heal this divide is to let residents have a voice and decide the fate of the Vallco Specific Plan.

Thanks,

Lori Ekman

--
"A foolish consistency is the hobgoblin of little minds"~Ralph Waldo Emerson

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From: lori.ekman@gmail.com

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ATT00001

Dear Councilman Sinks,

I urge you to vote in favor of putting the Vallco referendum on the ballot.

Thank you,

Lori Ekman
Cupertino Resident

--
"A foolish consistency is the hobgoblin of little minds"~Ralph Waldo Emerson

Cyrah Caburian

From: Lori Ekman <lori.ekman@gmail.com>
Sent: Tuesday, May 07, 2019 2:13 PM
To: Cupertino City Manager's Office; City of Cupertino Planning Commission; City Clerk
Subject: Vallco referendum

Follow Up Flag: Follow up
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To Whom it may concern,

I am writing to urge the city to put the Vallco referendum to ballot. Referenda is a direct [vote](#) in which an entire [electorate](#) is invited to vote on a particular proposal. The entire electorate should get to make this decision not just the council.

Thank you,

Lori Ekman
Cupertino Resident

--

"A foolish consistency is the hobgoblin of little minds"~Ralph Waldo Emerson

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To: cityclerk@cupertino.org
From: lori.ekman@gmail.com

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Cyrah Caburian

From: Liz Mulford <lmulford@pacbell.net>
Sent: Tuesday, May 07, 2019 2:14 PM
To: Steven Scharf; lianchao@cupertino.org; Rod Sinks; Darcy Paul; Jon Robert Willey; Cupertino City Manager's Office; planningcommission@cupertino.org; Grace Schmidt, MMC; City Council
Subject: Development of Vallco

As a 38 year residents of Cupertino, I strongly urge you to support the General Plan Amendment, and the Specific Plan to allow the development of Vallco in accordance with the previous agreement between Sand Hill and the City.

Having participated in several sessions, I know all the thought and expertise that were brought to bear on the decision. To allow a small group to cost us anything in legal fees (and I am a retired lawyer!) is simply to waste money which would be far more wisely spent on other things—such as development more housing to serve the needs of all segments of our community.

Respectfully,

Liz Mulford,
10366 Tonita Way,
Cupertino

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From: lmulford@pacbell.net

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Cyrah Caburian

From: Lori Ekman <lori.ekman@gmail.com>
Sent: Tuesday, May 07, 2019 2:20 PM
To: City Council
Subject: Vallco Referendum

Dear Council Members,

I am writing to urge the city to put the Vallco referendum to ballot. Referenda is a direct [vote](#) in which an entire [electorate](#) is invited to vote on a particular proposal. The entire electorate should get to make this decision not just the council.

Thank you,

Lori Ekman
Cupertino Resident

--

"A foolish consistency is the hobgoblin of little minds"~Ralph Waldo Emerson

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To: citycouncil@cupertino.org
From: lori.ekman@gmail.com

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Cyrah Caburian

From: Connie Cunningham <cunninghamconniel@gmail.com>
Sent: Tuesday, May 07, 2019 3:03 PM
To: City Council
Subject: Item 9 Vallco- Vote March 2020

Dear City Council:

Of the choices available, the Option to choose March 2020 will give you support of Cupertino voters in your final decision. At a reasonable price. The Million dollar option would cost you funds that many constituents would like for urgent city needs like safety, traffic, and bicycle paths.

Sincerely,
Connie Cunningham

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From: cunninghamconniel@gmail.com

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Cyrah Caburian

From: Joe Cleaver <joepacleaver@gmail.com>
Sent: Tuesday, May 07, 2019 3:41 PM
To: City Council
Subject: Vallco

I'm a concerned Cupertino citizen and urge you to support with your vote on the Vallco specific plan. There is too much to lose, by ignoring its value to Cupertino.

Joe Cleaver
22105 Dean Court; Cupertino
(408) 838-5982

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To: citycouncil@cupertino.org
From: joepacleaver@gmail.com

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Cyrah Caburian

From: Tom Scannell <tscannell01@earthlink.net>
Sent: Tuesday, May 07, 2019 3:43 PM
To: City Council
Cc: Cupertino City Manager's Office; City of Cupertino Planning Commission; City Clerk
Subject: Agenda Item #9

To the members of the City Council

As a close to 40 year resident of Cupertino, I cannot think of a single agenda item as critical to the future of our City than agenda item #9 tonight.

I am writing you to support the putting of the Valco Specific Plan resolutions to the voters of Cupertino. Too much community effort was put into these and it is too critical of an issue to simply be reversed by a vote by The City Council.

I also fear that if they are simply reversed it will result in the developer being able to equally simply impose their SB35 plan on the City

I also support putting it on the ballot in the March 2020 primary election. This appears to be the low cost solution and gives enough time for the issues to be thoroughly vetted amongst the voters of Cupertino.

Tom Scannell
10208 Cass Place

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To: citycouncil@cupertino.org
From: tscannell01@earthlink.net

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Cyrah Caburian

From: David Fung <dfung@symian.com>
Sent: Tuesday, May 07, 2019 3:40 PM
To: City Council; Steven Scharf; Liang Chao; Rod Sinks; Darcy Paul; Jon Robert Willey; City of Cupertino Planning Commission; Cupertino City Manager's Office; City Clerk
Cc: David Fung
Subject: Approve a VOTE on the Vallco Specific Plan

Dear Council and Staff -

I'm writing to ask that you place the Vallco Specific Plan elements contested by referendum before the voters in an upcoming election, Item #9 on your agenda tonight. I currently serve as a member of the Planning Commission, but I'm speaking in this message as a 33-year involved resident and voter in Cupertino.

There are a number of reasons why putting the Vallco Specific Plan to a vote is your only real choice:

1. The referendum was brought forward under the claims of its proponents that a decision by only 5 people - even though they were duly elected and met all governmental standards granting the approval - could not render an equitable decision in a divided community. Today, the community continues to be divided on this issue, and the only difference today are the names of the Council members.

It is hypocritical to say that the situation is different today, especially if you are newly elected to the Council based on a campaign that challenged our elected officials' right to approve the Vallco Specific Plan.

2. The qualification level to bring a referendum to voters is only 10% of registered voters; the final signature levels represented 14-16%. There is no realistic conclusion that can be drawn correlating the referendum signers to a majority of the general electorate.

Signature collection for the referendum occurred during height of the high-turnout Nov 2018 election, when there were 29,914 total voters. Both Liang Chao and Jon Willey campaigned in opposition to the Vallco Specific Plan approval, yet the referendum signature numbers reflect only HALF the number of votes cast for Chao.

The only way to know the true motivations of the voters on this issue is to let them vote.

3. The last time the issue of Vallco redevelopment was before the voters was in Nov 2016 with the competing Measures C and D. Both those measures differ from the question of the Vallco Specific Plan approval today, but qualitatively, this measured the public's sentiment on a large-scale mixed-use redevelopment at Vallco vs. no redevelopment action which does correlate to the current situation. In the 2016 election, Measure D supporting Vallco redevelopment received more than +10% more votes than Measure C opposing redevelopment, so it's clear that voters considered what was before them and made a choice for redevelopment. There is no fact-based reason to believe the situation is different today.

Some would argue that there were active campaigns on both sides to influence the decisions of voters. This, of course, will also happen heading into a future referendum vote. Allowing advocates to

promote their viewpoints leading in to an election is as much a part of the process as allowing the voters to decide, and is why you should put the VSP up to public vote.

4. The claims about the cost of election being a factor are not legitimate. The estimated cost of a public vote on VSP in 2020 ran from \$153,741-\$185,223. This pales in comparison to the approximately \$1.8 million already spent on the development and approval of the Vallco Specific Plan. Should the VSP be rescinded, there will be additional major costs in development of an alternative plan - and with calls that that be an "independent" specific plan that is not reimbursed by the property owner, this can be a \$1M+ expense to the taxpayers. While hardly trivial, the cost of an election time is minimal in the overall program cost and the only way to determine the real sentiment of the people.

As a further benchmark of cost, I will note that the cost to taxpayers in the unsuccessful legal challenge of the election booklet verbiage was over \$225,000. The cost of democracy was not cheap, but necessary, both in then and now.

The choice before you is simple. There is simply no way to know what the public's opinion is on this issue without holding an election.

As our duly elected representatives, you have a chance to recognize a genuine divide in the community and your responsibility to represent ALL voters. That can only happen when the Vallco Specific Plan is put to a vote.

Thank you,

David Fung

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Cyrah Caburian

From: Gary Jones <gjoneshome@yahoo.com>
Sent: Tuesday, May 07, 2019 10:49 AM
To: Cupertino City Manager's Office; City of Cupertino Planning Commission; City Clerk; Grace Schmidt, MMC; City Council; Steven Scharf; Liang Chao; Rod Sinks; Darcy Paul; Jon Robert Willey
Cc: cupertino2040@icloud.com
Subject: Letter for tonight's council meeting Vallco agenda item

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

With respect,

My wife Barbara and I submit the request that the council move tonight to put the Vallco Specific Plan to the voters by placing the Referenda on the June 2020 ballot.

Respectfully

Gary & Barbara Jones, 43 year residents of Cupertino

Cyrah Caburian

From: Eleanor Chan <eleanorchan6@yahoo.com>
Sent: Tuesday, May 07, 2019 4:17 PM
To: City Council
Subject: Agenda item #9

Hello Council of Cupertino,

I was made aware that you are planning to vote to throw away all the work the Community did working on the Vallco plan because of your friends at Better Cupertino. There were many more residents working many hours with the developer making suggestions and tweaking the plan to come up with something for everyone. Doesn't that count for anything?

This project is not for you to decide. And it is not for BC to decide.

So, it is in the best interest of the City of Cupertino to let the residents decide by placing the item on the March 2020 ballot.

Thanks.

Eleanor Chan

Sent from my iPhone

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From: eleanorchan6@yahoo.com

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Cyrah Caburian

From: David Rolnick <daverol@sbcglobal.net>
Sent: Tuesday, May 07, 2019 4:23 PM
To: City Council; Steven Scharf; Liang Chao; Darcy Paul; Rod Sinks; Jon Robert Willey
Cc: City Clerk; Cupertino City Manager's Office
Subject: Vallco Specific Plan Initiatives

Follow Up Flag: Follow up
Flag Status: Flagged

Members of the Cupertino City Council,

I urge you to vote to place the three initiatives regarding the Vallco Specific Plan on the ballot in March 2020. Better Cupertino campaigned on allowing a vote of the citizens. This pledge should be honored. It is also important to have a vote before it is too costly for Sand Hill Properties to do anything else other than build their SB35 plan.

Regards,

David Rolnick

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Cyrah Caburian

From: Cupertino ForAll <cupertinoforall@gmail.com>
Sent: Tuesday, May 07, 2019 4:48 PM
To: City Council; City Clerk; Cupertino City Manager's Office; Jon Robert Willey; Darcy Paul; Steven Scharf; Rod Sinks; Liang Chao
Subject: Public Comment for 5/7/2019 Council Meeting, Agenda Item 9

Mayor Scharf and members of the City Council,

I write to you on behalf of Cupertino for All, a grassroots organization of Cupertino residents and neighbors that advocates for a more sustainable, equitable, and vibrant Cupertino. Today we ask that you honor past campaign pledges and public statements, and the referenda themselves (see attachment at end), by setting the Vallco referenda before the voters at the earliest reasonable opportunity.

As our city council, you act in the best interests of the whole city. You're all well aware that the Vallco issue has divided this community for years, and it's time to give our city the opportunity it needs to put this behind us and to heal. That can only happen if we allow the entire community to choose. As I've said before in public comment, the 15% of voters who signed the referenda do not constitute a majority—allowing them to decide for the rest of us will only widen the divide. Given how important this is, we should do everything we can to mitigate the possibility of the vote happening after project-specific work has already begun at Vallco. That would render the vote meaningless, and we think that's a waste of everyone's time and money.

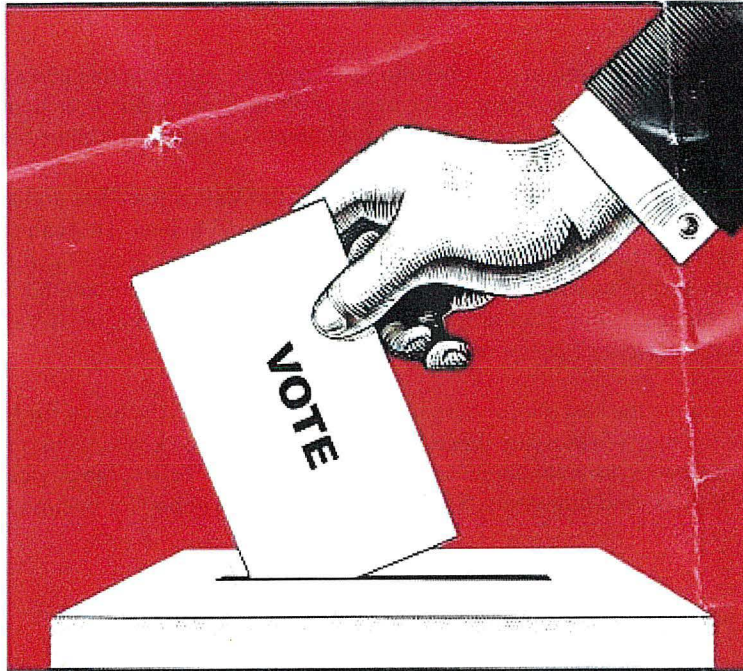
That said a special election costs far too much. We believe the best choice here is to set the referenda to the ballot for March 2020. Holding it then instead of November recognizes the urgency of resolving this as soon as possible, while keeping costs reasonable. If the city can justify spending \$15,000 on Vice-Mayor Chao's property appraisal so she could vote on Vallco, the city can justify the cost of the March election so its voters can vote on Vallco. And ultimately, \$30,000 is a small price to pay for community healing and for democracy.

—
Marie Liu – Chair
Cupertino For All

An example of a referenda flyer calling for a vote.

REFERENDUM

The only way to put Vallco to a public vote



1. WHAT IS A REFERENDUM?

A referendum is a time-honored tradition in California politics written into the California Constitution to provide the much-needed check-and-balance when the public is frustrated by an unresponsive government controlled by powerful elites.

The referendum would put a city council decision up for a public vote so that every voter has a say.

The referendum process ensures that city council decisions cannot stray too far from the majority of voters' wishes.

2. HOW I CAN SUPPORT IT?

SIGN: Cupertino Registered Voters please sign all four petitions (RED, GREEN, BLUE) in October in front of Cupertino Library. Refer to www.bettercupertino.org for updated information.

DONATE to help the referendum at www.bettercupertino.org/donate

VOLUNTEER

3. WHAT IS THE NEXT STEP?

After we collect the required number (Cupertino voters) for all 4 documents the Plan will be voted on in a future election. Residents will have a chance to vote on the plan. It could also be adopted by Council.

THE TRUTH ABOUT VALLCO SPECIFIC PLANS

- Double or even triple the traffic
- 7,000–10,000 added workers
- 7,800 new residents (in 2,668 homes)
- 14-story buildings towering over our neighborhoods
- No real park — just concrete plaza with a 1/4-acre lawn area
- Only 400,000 sq. ft. of retail (the Westgate Valley Fair will have 2 million sq. ft.)
- No free parking, causing people to leave neighborhoods

ONLY DARCY PAUL, STEVEN SCHARF VC

This aggressive Vallco plan passed a Council on September 19th, with R. Chang and Savita Vaichyanathan voting in favor.

Cyrah Caburian

From: Fredi Whiteside <frediwhiteside@gmail.com>
Sent: Tuesday, May 07, 2019 5:01 PM
To: City Council; City Clerk; planningcomission@cupertino.org
Subject: Valco Development

It is important for all CUPERTINO residents to give input on the Valco Specific Plan which is a community driven plan. The city council needs to place this issue for vote on the March 2020 ballot. This is the least expensive option to give all residents a voice. Please do the right thing.

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From: frediwhiteside@gmail.com

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