# CC 05-19-20

# Oral Communications

Written Comments

**From:** Peggy Griffin < griffin@compuserve.com>

**Sent:** Tuesday, May 19, 2020 6:58 PM

**To:** City Clerk

**Subject:** RE: 2020-05-19 CC ORAL COMMUNICATIONS slide for Peggy Griffin

Attachments: CORRECTED-Oral Communication-Peggy Griffin.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.

Hi Kirsten,

I had to make one edit. Please replace my slides with the attached here.

Thanks,

Peggy Griffin

From: Peggy Griffin <griffin@compuserve.com>

**Sent:** Tuesday, May 19, 2020 6:45 PM **To:** 'City Clerk' <CityClerk@cupertino.org>

Subject: 2020-05-19 CC ORAL COMMUNICATIONS slide for Peggy Griffin

Hi Kirsten,

I plan to speak during Oral Communications tonight. Please show this 2-page item while I speak.

Thank you, Peggy Griffin

# **OAKS/WESTPORT PROJECT**

# **CITY GIVING UP** key General Plan and Density Bonus requirements:

- 1. Height double the max height
- 2. Setbacks decreased by up to half
- 3. Distribution of BMR all consolidated in 2 buildings

### IN EXCHANGE FOR FEATURES

- GROUND FLOOR RETAIL 24,000 sf available to the public
- ALL SENIOR RENTAL HOUSING in Building #1 and #2
- 48 BMR units
  - 9 in Building #1 DISPERSED THROUGHOUT BUILDING #!
  - o 39 in Building #2
- AMENITIES IN BOTH BUILDINGS ACCESSIBLE TO ALL RESIDENTS
  - Building #1 Amenities
    - Roof Deck 2000 sf
    - Library
    - Theatre
    - Lounge
    - Exercise Room
    - Vehicle drop off/pickup
    - Retail 17,600 sf
    - Any other amenities
  - Building #2 Amenities
    - Roof Deck 1200 sf
    - Community Room
    - Retail 2,400 sf
    - Any other amenities
- 88 FOR SALE Townhouses/Rowhouses

PLEASE PROTECT all the residents' rights, the City's/public's best interests, now and in the future!

### **REQUESTS:**

- 1) PREVENT BONUS DENSITY DOUBLE DIPPING
- 2) DEED RESTRICTIONS on both parcels
- 3) RECORDED PRIOR TO ISSUING ANY construction document
- 4) Establish a legal way to enforce and penalize non-compliance, regardless of change in ownership or management.

# CC 05-19-20

Special Meeting

Study Session #1, Proposed FY 2010-2021 Budget

Written Comments

From: Connie Cunningham <cunninghamconniel@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:43 PM

**To:** City Clerk

**Subject:** Budget Study Session 2020 May 19 5:30 pm

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# 2020-5-19 City Council Meeting

Study Session: FY 2020-21

Good evening Mayor, Vice-Mayor, Councilmembers, City Manager and Staff, and everyone that is on Zoom in the audience.

My Name is Connie Cunningham, a resident of Cupertino and a Housing Commissioner, (self only)

I know that there are many things of which to be proud of in the performance of our City's duties. I know that the work covered in this budget is commendable in many ways. Thank you and the City Staff for all of that.

However, there was one New Initiative that caught my eye on Page 15 of the Budget Message, Attachment F.

I refer to the Homeless Encampments item at the top of the page. It says:

The Code Enforcement Office is currently working on creating a Standard Operating Procedure and contract to have public camping sites removed from the Public Right-of Way and public property. The City of Cupertino has seen a growth of illegal camping sites along Wolfe Road and 280. The goal of this project is the removal of unlawful encampments and the mitigation of health, safety and access issues while respecting the rights

of the occupants and <u>Listen carefully</u>: informing them of alternative resources within the community.

It does not include any mention about what an alternative resource might be. One resource could be West Valley Community Services

WVCS is the non-profit agency to whom the City has provided grants to assist many categories of vulnerable citizens. These grants include funding for Rental Assistance due to COVID-19, as well as annual grants for operating various programs to help those who are vulnerable to loss of food, medicine or housing — living paycheck to paycheck. This includes helping the elderly as well as people suffering from homelessness.

It is unimaginable to me that this sort of New Initiative is being considered at this time of severe need and the likelihood that there will be more people who lose their homes in the coming months. Governor Newsom has created a number of different initiatives and funding sources, from trailers to hotel rooms. He has, also, urged cities, counties and other legal districts to find buildings that can be used.

Another idea, for those homeless who cannot accept living in a shelter: Camping is another activity that people do all the time for fun. Portable toilets, portable hand-washing machines, and portable showers/laundromats. There are ideas that can be taken from that activity that could inform ideas about how to house people safely and healthfully. Forest service campgrounds would be a good place to start looking. Another possibility to research is the type of camps pulled together after natural disasters.

It is essential to the good financial running of the City as well as our good health, to ensure safety and health for everyone. That means EVERYONE!

Thank you for your attention.

# CC 05-19-20

Item #22

Plan Bay Area 2050 RHNA Study Session

Written Comments

From: Cupertino ForAll <cupertinoforall@gmail.com>

**Sent:** Tuesday, May 19, 2020 7:49 PM

**To:** City Clerk; City Council; Cupertino City Manager's Office; Darcy Paul; Jon Robert Willey; Liang Chao;

Rod Sinks; Steven Scharf; Kirsten Squarcia

**Subject:** For public comment: Council Meeting 05/19/2020, Item 22 - Plan Bay Area 2050 and RHNA Study

Session

**Attachments:** RHNA Study Session comment.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.

Mme. City Clerk:

Please accept the attached document for public comment on Item 22 of tonight's agenda.

Many thanks,

Cupertino for All

May 19, 2020

Cupertino City Council 10300 Torre Ave, Cupertino Cupertino, CA 95014

For public comment re: Item 22: RHNA Study Session



Mayor Scharf and Members of the City Council:

We realize that the RHNA numbers presented in today's study session may seem daunting. Please look at them and begin to think of a plan to meet them, instead of how to fight them. The lesson that the Vallco SB 35 project should teach is that if we don't plan for the change we want (or at least can tolerate), then we will get change designed by others. We ask that you regard tonight's study session as the first step toward planning a better, more inclusive Cupertino for all its people. This will be a long and potentially divisive process. It doesn't have to be. You are in a position to make it a uniting and reconciling experience for the community. We encourage you to recognize this opportunity for what it is, and to work toward common ground so that we can craft a new Housing Element that meets the community's needs and satisfies the California Department of Housing and Community Development.

On behalf of Cupertino for All and its membership,

Neil Park-McClintick

Chair, CFA

J.R. Fruen

Chair, CFA Housing Policy Committee

# CC 05-19-20

Item #23

Ord. No. 20-2203

Municode

Amendments

Written Comments

**From:** Peggy Griffin < griffin@compuserve.com>

**Sent:** Tuesday, May 19, 2020 8:31 PM

**To:** City Clerk

**Subject:** CC Agenda Item 23-Second Reading of MC Changes-Slide for Peggy Griffin

**Attachments:** Agenda Item23-Second Reading MC-Peggy Griffin.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.

Hi Kirsten,

Here's my slide for speaking during Agenda Item #23-Second Reading of Muni Code changes.

Thanks for your help, Peggy Griffin If a development project is approved in exchange for public retail, BMR, access to amenities, etc.,

- Q1: What mechanisms are in place to ensure these promised items <u>come to fruition</u>?
- Q2: How does the City <u>enforce the continued availability</u> of promised items, even across changing owners or changing management?
- Q3: What and how are penalties administered relative to this law?

# CC 05-19-20

Item #24

Below Market Rate Housing Mitigation

Written Comments

From: Cupertino ForAll <cupertinoforall@gmail.com>

**Sent:** Tuesday, May 19, 2020 7:03 PM

**To:** City Clerk; City Council; Cupertino City Manager's Office; Darcy Paul; Jon Robert Willey; Liang Chao;

Rod Sinks; Steven Scharf; Kirsten Squarcia

**Subject:** For public comment: Council Meeting 05/19/2020, Item 24 - BMR Housing Program Update

Attachments: BMR Manual Update Comment.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.

Mme. City Clerk:

Please accept the attached document for public comment on Item 24 of tonight's city council agenda.

Many thanks,

Cupertino for All

May 19, 2020

Cupertino City Council 10300 Torre Ave, Cupertino Cupertino, CA 95014

For public comment re: Item 24: BMR Housing Program Update



Mayor Scharf and Members of the City Council:

The city's below market rate housing program offers a key tool in ensuring the actual production of affordable housing in our city. We support the aim of tonight's effort—to increase the availability of affordable housing in Cupertino. However, as most housing is produced on a for-profit property development model in this country, finding the sweet spot between BMR requirements and private return on investment makes the difference between actually producing the affordable housing we all want, and expressing mere aspiration in the BMR Manual.

Our view is that this strategy would only be successful in the present economic environment if paired with significant re-zoning and upzoning of sites along major thoroughfares, or in mixed-use commercial and office zones, or near transit stops. Increased densities and flexibility of use would allow housing development to occur at reduced risk. In the present economic uncertainty, defraying such risk takes on added meaning. If you simply raise the inclusionary requirement for new housing projects without any other changes, new rates may operate more like a tax on new homes and reduce the incentive to produce the housing that the BMR program seeks to foster. Afterall, 20% of 0 feasible homes yields 0 affordable homes, whereas 15% of 100 feasible homes yields 15 affordable homes.

Indeed, we are concerned that the staleness of the Strategic Economics report on which tonight's action is based would expose the city to legal risk by creating a requirement that would be confiscatory in current economic conditions. Circumstances have dramatically changed since last year, prior to the onset of the COVID-19 pandemic. Even the city, per tonight's budget study session, projects a two-year recession which would seem to concede the point that economic circumstances have radically changed in the months since Strategic Economics conducted its analysis. The Keyser Marston Associates February 20, 2020 peer review of the Strategic Economics report makes no mention of the COVID-19 pandemic, and has not incorporated any analysis of the current change in circumstances. Consequently, reliance on the Strategic Economics report for today's hearing is misplaced.

We encourage you instead to incorporate changes to the city's BMR requirements in the planning for the upcoming RHNA cycle. In today's agenda, you have also set yourselves to study the current RHNA cycle process. Per the staff reports for that session, we now know that Cupertino should expect to have to plan for roughly 5,000 to 6,000 new homes. The re-zoning and upzoning that fashioning a new HCD-certified Housing Element would require offer the perfect opportunity to re-examine the city's BMR requirements with an eye toward maximizing the production of affordable housing.

Email: Cupertinoforall@gmail.com - Website: Cupertinoforall.org - Twitter: @Cupertino4All

Should you prefer to enact new BMR requirements sooner, then we would encourage you to work with the rest of the region to obtain the same standards elsewhere and to do so at a moment of improved economic certainty.

On behalf of Cupertino for All and its membership,

Neil Park-McClintick

Chair, CFA

J.R. Fruen

Chair, CFA Housing Policy Committee

# CC 05-19-20

Item #25

Regnart Creek Trail
Adoption of
Mitigated Negative
Declaration

Written Comments

From: Celia House <celiahouse@yahoo.com>

**Sent:** Tuesday, May 19, 2020 6:06 PM

**To:** City Council

**Subject:** Support Regnart Trail

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.

You already voted on this. Keep your word! Get it done. Make Cupertino a place for everyone.

Celia House Cupertino resident since 2010

From: Jan Edbrooke <jan\_edbrooke@yahoo.com>

**Sent:** Tuesday, May 19, 2020 6:06 PM

**To:** City Council

**Cc:** Walk-Bike Cupertino

Subject: Re: ☞☞ URGENT - We need letters in support of Regnart Creek trail before 6:30pm TODAY ☜☜

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 Councilors**

I would like to re-iterate my support for the Regnart Creek bike/walk trail. This trail will add enormously to the enjoyment of the city. We see a lot of effort being put in to COVID-19 safety, please help us with some safety for bikers and walkers to be able to use the trails and get off the roads.

Thank you

Jan Edbrooke long time Cupertino resident

Walk, Bike Cupertino | P.O. Box 670, Cupertino, CA 95014

<u>Unsubscribe jan edbrooke@yahoo.com</u>

<u>Update Profile | About Constant Contact</u>

Sent by info@walkbikecupertino.com

From: Swabha Kumar <swabha@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:14 PM

To: City Council
Subject: Save Regnart Trail

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We need more open space for people. Specially in the given situation where do many of the activities are no longer available and times if social distancing.

Swabha

Best regards,

From: Seema Lindskog <seema3366@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:08 PM **To:** City Council; Deborah L. Feng

**Cc:** Jennifer Shearin

**Subject:** Please approve the Regnart Creek trail tonight

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

Dear City Council members and respected Mayor,

I'm writing to urge you today to please adopt both resolutions connected to the Regnart Creek trail so that the project can keep moving forward. As you know, it has gone through extensive review and discussion and been approved several times by the city council. It has also been fully funded by you in Sept 2019.

In the current situation with the pandemic, it is more vital than ever to create recreation paths and spaces for our community. Cities around the world and in the Bay Area are closing down streets to create walking paths for their residents because they don't have trails. We have a trail. We need to make it available for residents' use.

I would actually urge you to open the gates and let residents use the trail right now. Since the school yards and many local parks are closed and residents are stuck at home, they need access to more nature trails. We've discussed doing that before, and all city council members were positive to the idea. It would be a fantastic gift to our residents and create a lot of positive feeling in the community.

Seema Lindskog			

<sup>&</sup>quot;You must be the change you want to see in the world." - Mahatma Gandhi

**From:** Juliet Shearin < juliet.shearin@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:19 PM

**To:** City Clerk

**Subject:** Please Continue Progress on the Regnart Creek Trail

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

Hello Mayor, Vice-Mayor, and City Council,

In this letter, I am acting only as a private resident, and I am not intending to represent the views of the CIty of Cupertino.

I would like to advocate again for the passing of the Regnart Creek Trail. It would be an enormous benefit to the community for a multitude of reasons. The trail would contribute to traffic reduction, create safer commutes for walking and biking students, and function as a critical green space for public recreation. No reasonable safety concerns about the trail exist. Furthermore, the Regnart Creek Trail has already been passed; this is simply the approval of a Mitigated Negative Declaration.

Cupertino traffic currently poses a large problem, and the Regnart Creek Trail would be an important step towards reducing that concern by making non-car transportation a more appealing option. Bicycle-pedestrian paths are a safe, pleasant, and functional way to get around Cupertino. In addition, the Regnart Creek Trail represents an especially important junction in the Cupertino Loop; strangling this one project holds negative implications for the walkability of Cupertino in its entirety.

In addition, the Regnart Creek Trail would make commuting to the Cupertino City Center easier for all residents, above all students of many FUHSD and CUSD schools. Safer access to the Cupertino Library would be a boon for students of Eaton Elementary, and would improve the commutes of the many Cupertino High School students who already use the library frequently.

Cupertino students would also have a safer and easier way to bike to school were the trail implemented. Many parents cite traffic as a major reason why they fear allowing their children to bike or walk to school; ameliorating this concern would decrease the number of vehicles on the roads at the high-traffic hours around school drop-off and pick-up times, as well as make Cupertino a more environmentally friendly city.

The Regnart Creek Trail would also function as an important recreation space for joggers, recreational cyclists and pedestrians, and families. Public green space is a desirable asset for a city, and one which improves quality of life for all citizens. A safe, enjoyable space away from cars is an important public resource, and one which I urge you to allow the citizens of Cupertino to benefit from.

Moreover, there is little to no safety risk posed by the Regnart Creek Trail. Sergeant Rich Urena from the Santa Clara Police Department has publicly stated that it is, "a safe place to walk [...] a safe place to have a trail," in relation to the possibility of increased crime. In fact, making the Trail publically accessible would likely decrease crime by increasing the likelihood that perpetrators would be seen by passersby, and police would have access to the trail. Studies of comparable trails have also shown that the proposed width of the trail would not increase any safety risk, nor would the proximity of the trail to the creek.

Perhaps the most important consideration today, however, is this: the Regnart Creek Trail has already been approved. All that is happening today is the confirmation of a Mitigated Negative Declaration with regards to environmental impacts. The debate has already been heard out, and a judgement has been rendered.

Reneging on that decision would be inappropriate and contrary to both the stated wishes of the community, the positive impact the trail will have on the community.

Councilmembers, I urge you to not hear out any debate today, and instead to follow through on the motion you have already passed and the decision you have already made. Please continue forward with the construction of the Regnart Creek Trail.

Thank you for your time.

Best, Juliet Shearin

**From:** Jennifer Shearin <shearin.jen@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:22 PM

**To:** City Clerk

**Subject:** Fwd: Agenda Item #25, Regnart Trail Mitigated Negative Declaration

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.

#### Begin forwarded message:

From: Jennifer Shearin < <a href="mailto:shearin.jen@gmail.com">shearin.jen@gmail.com</a>>

Subject: Agenda Item #25, Regnart Trail Mitigated Negative Declaration

Date: May 19, 2020 at 6:16:33 PM PDT

To: citycouncil@cupertino.org

Dear Mayor Scharf and Councilmembers,

I am a 10+ year resident of Cupertino and a Bicycle-Pedestrian Commission member, though I write to you today solely as a resident.

Two considerations have become clear in the current pandemic: (1) how important caring about our community above our our personal interests is, and (2) how important good governance is.

The first of these determines whether the Regnart Creek Trail *should* be built for the benefit of all residents. This consideration was debated and decided definitively by the City Council in September of last year. I will not further in this letter the discussions of improved property values, benefits to schoolchildren, connection to other bike facilities, and increased walking and biking recreational possibilities, all of which have been shown.

The second is a key consideration in the decision to be made today by the City Council. The city staff and consultants have made an exhaustive review of environmental issues, including responding clearly and to any and all questions raised by the opposing residents who back to the trail. This work which culminated in a recommendation for a Mitigated Negative Declaration was clearly thorough and scientific, and was approved by both the Environmental Review Committee and the Planning Commission. It would seem that good governance would be to approve this work and the reviews of our committee and commission. I urge you to do so today.

One final note is that as a resident that has a wooden fence that personally backs to the Farmer's Market parking lot as well as only a hundred or so feet from the busy Creekside Park (now even busier with everyone doing their exercise outdoors, not in gyms) I can attest that even the much greater noise of residents enjoying park recreational activities such as soccer games is not a disturbance in my backyard. The results of the careful and scientific noise study by the City Staff consultants for the Regnart Creek Trail confirm this.

I urge you to approve the recommendations made by the staff today based on sound, data-driven evidence and study.

Thank you for your consideration, and for your hard work on behalf of the City cf Cupertino.

Best Wishes,

Jennifer Shearin

From: Brock Carpenter <br/> brockcarpenter@mac.com>

**Sent:** Tuesday, May 19, 2020 6:25 PM

**To:** City Clerk

**Subject:** Agenda Item #25, Regnart Trail Mitigated Negative Declaration

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

Dear Mayor Scharf & Council members,

I am a 45 year resident of Cupertino.

I urge you to approve the recommendations made by the staff today based on sound, data-driven evidence.

Thank you for your consideration, and for your hard work on behalf of the City cf Cupertino.

Best Regards,

**Brock Carpenter** 

From: Emma Shearin <eeshearin@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:15 PM

**To:** City Council

**Subject:** Support for the Regnart Creek Trail

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,

My name is Emma Shearin, and I am a resident of Cupertino. I attended Eaton Elementary, Lawson Middle School and Cupertino High. I biked nearly daily to elementary school, which for me included a trip through Creekside Park and then down La Mar and across Blaney. I know there are many other elementary, middle and high schoolers who would have a safer trip to school on the Regnart Creek Trail.

I strongly urge you to continue your support for the Regnart Creek Trail because of the benefit to the residents and voters of Cupertino.

Best, Emma Shearin

From: Matt Widmann <mattwdmn@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:26 PM

**To:** City Council; City Clerk

**Subject:** Re: Support for Regnart Creek Trail

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.

Adding the City Clerk, in case the study session has already started.

Please see the email I sent below. I urge you to approve the Mitigated Negative Declaration.

- Matt
- > On May 19, 2020, at 6:00 PM, Matt Widmann <mattwdmn@gmail.com> wrote:
- > Hi City Council,
- > I'm a resident of Cupertino and I'd like to register my continued support for the Regnart Creek Trail. I didn't realize there was any question that it would be built after the designs were approved last year, but it's crucial that it be built as a connector between Library Park and Creekside Park, without needing to walk along a street. This is a key issue for me-
- please make it happen!

> - Matt

**To:** City Clerk

**Subject:** Regnart Creek Trail [RCT]

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

Please support the MND for RCT. Thank you for the consideration. Byron Rovegno

Sent from Mail for Windows 10

From: Eben Haber <eben@habers.us>
Sent: Tuesday, May 19, 2020 6:28 PM

To: City Council Cc: City Clerk

**Subject:** Writing in support of the Regnart Creek Trail

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

To whom it may concern,

I just heard that there is another vote on the Regnart Creek Trail this evening. I came and spoke at the large meeting several months ago, my sentiments are still the same: please vote in favor of the trail! My cycle commute to work goes down McClellan, Pacifica, up to La Mar, and through Creekside Park. While the traffic has been much reduced lately, once the traffic returns to normal it will be hugely valuable to have more off-street options to get across town, both for people like me, and all the kids I see on their way to schools.

Regards,

-Eben Haber Cupertino

From: Mark LeBlanc <markleblanc32@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:22 PM

**To:** City Council

**Subject:** Regnart Creek trail letter of support

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,

I am writing this in strong support of the Regnart creek trail project. The trail would be invaluable to me when I take my daily walks instead of crossing many busy streets. When the shelter in place is over I would very much enjoy the use of that trail to keep me safe and enjoy the scenic walk amongst nature.

Best regards,

Mark A. LeBlanc

**From:** Govind Tatachari <gtc2k7@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:29 PM

To: Steven Scharf; Darcy Paul; Liang Chao; Rod Sinks; Jon Robert Willey; Cupertino City Manager's Office;

City Clerk; City Attorney's Office

**Subject:** Agenda item 20-7311- FY2020-21 Proposed Budget related (1 of 2)

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 Scharf, Vice Mayor Paul, Council Members Chao, Sinks, and Willey, and City Manager Feng, City Attorney Minner and City Clerk Squarcia:

Please include this as part of the public record. (Please ignore the earlier email with the same subject).

I have gone through major points of the 516-page FY2020-21 proposed budget at the link (id=27577, name=FY202021ProposedBudgetwTOC.pdf) in the City council meeting notice.

Thank you City Manager for the cover letter which spells out the fiscal uncertainty due to current outbreak and your overview organized as Budget balancing strategies (3.2 + .85 + .67 + 1.0 + 0.5 = 6.22 Million), Long-Term financial planning, Virtual activities, meetings, and services, and Embracing change and innovation.

I wish to thank the City for virtual budget study session (agenda item 20-7311). Here are some questions and few suggestions to consider and help with discussions and deliberations, if any.

#### 1) Uncertainty

Our understanding of gravity of outbreak and its potential multiyear occurance, containment strategy requirements (including SIP) and extent of impact on different businesses and livelihood are quite unknown and evolving.

#### 2) City council, residents and study session

Successive City council with inputs from residents and management have taken decisions to ensure the City continues to have a solid financial foundation. A one-hour study session seems insufficient to get inputs from residents and deliberate on such an important topic.

#### 3) Overall observation

City budget influences City services provided to residents. To help with better understanding and useful discussion, the council and residents can benefit from a budget presentation that covers multiple scenarios: worst case, projected / actuals and best case. The rest of this email will assume it.

#### 4) Revenue Management Challenges and Scenarios

W.r. to City's top three revenue sources have been property, sales, and transient occupancy taxes.

i) Sales tax related - need multiple scenarios

#### ii) Property tax related (pgs 97-99)

pg 97 pie-chart: While it is known that the % breakdown are decided based on certain statutory conditions, a comparative view of the % breakdown across different cities in Santa Clara county will be very helpful.

iii) Transient occupancy taxes (TOT) related - need multiple scenarios

#### iv) Encouraging Property improvement

To help stimulate local economy and also help with sustainability and housing goals, can we discuss how the city can incentivize and increase existing residential property improvements to move towards net-zero goals and make it more affordable to add ADUs.

- 4) Expense Management Challenges and Scenarios (in next email  $2\ of\ 2$ )
- 5) Others (in next email 2 of 2)

Thank you for your consideration,

Govind Tatachari Cupertino Resident

From: Dinelle Rudd <dinelle.rudd@yahoo.com>

**Sent:** Tuesday, May 19, 2020 6:27 PM

**To:** City Council

**Subject:** In support of the Regnart Creek Trail

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

To whom it may concern,

It has come to my attention that there is a vote this evening on the future of the trail. I would like to again, enthusiastically support this trail as a feature to keep our pedestrian citizens safe. I believe that this trail is a good step towards a more walkable, bike-able and see if Cupertino.

Many thanks,

Dinelle Rudd

Lindenbrook Lane

From: Sandeep Sukhija <sukhija@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:31 PM

To: City Council

**Subject:** Please approve the bike trail!!!

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: Revathy Narasimhan <revnar@yahoo.com>

**Sent:** Tuesday, May 19, 2020 6:33 PM

**To:** City Council; Seema Lindskog; Jennifer Shearin; City Clerk

**Subject:** Re: Continue on Regnart Creek Project

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.

On Tuesday, May 19, 2020, 06:24:52 PM PDT, Revathy Narasimhan <revnar@yahoo.com> wrote:

#### **Dear City Council Members**

I was one of the speakers that stayed well into the early hours of the morning to speak in support of the trail when the council unanimously voted on the Regnart Creek Trail.

I am writing again to express my support. We need the Regnart Creek Trail to promote walking/safe biking in the city. Please continue with the project.

thanks Revathy Walk Bike Cupertino

From: Robert Bergman <robert@apttl.com>
Sent: Tuesday, May 19, 2020 6:34 PM

To: City Council Cc: City Clerk

**Subject:** Regnart Creek Trail

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 would like to add my strong support for the Regnart Creek Trail Proposal on your agenda. I bike in Cupertino locally whenever I can. It's Important to have safe routes around the city and the Regnart Creek Trail will make cycling in Cupertino that much safer and enjoyable, avoiding the risks of automobile traffic.

Ever since this proposal got off the ground, and with the approval of the latest plan, I've been looking forward riding and walking on this trail.

Thank you,

Robert Bergman 10461 Mary Ave Cupertino, Ca 95014

From: Dolly Sandoval <dolly@dollysandoval.com>

**Sent:** Tuesday, May 19, 2020 6:33 PM

**To:** City Council

**Subject:** Supporting Regnart Creek Trail

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.

Thanks Cupertino City Council for hearing the Regnart Creek Trail proposal and voting later this evening. As a longtime resident in Cupertino, I urge you to cast a yes vote in support of the this trail. I believe this amenity will add a high quality of life to residents.

Thanks very much!

Dolly

Dolly Sandoval Quick typing - please excuse typos.

Spread kindness everyday.

From: Jan Edbrooke <jan\_edbrooke@yahoo.com>

**Sent:** Tuesday, May 19, 2020 6:36 PM

**To:** City Clerk

**Subject:** In support of Regnart Creek trail b

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 Councilors**

I would like to re-iterate my support for the Regnart Creek bike/walk trail. This trail will add enormously to the enjoyment of the city. We see a lot of effort being put in to COVID-19 safety, please help us with some safety for bikers and walkers to be able to use the trails and get off the roads.

Thank you

Jan Edbrooke long time Cupertino resident

Walk, Bike Cupertino | P.O. Box 670, Cupertino, CA 95014

<u>Unsubscribe jan edbrooke@yahoo.com</u>

<u>Update Profile | About Constant Contact</u>

Sent by info@walkbikecupertino.com

From: Dennis Cunningham <BikeC2C@Comcast.net>

**Sent:** Tuesday, May 19, 2020 6:39 PM

**To:** City Council

**Cc:** Cupertino City Manager's Office; City Clerk; David Stillman

**Subject:** Continue to Approve Regnart Bike Path

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.

#### Council members,

I wrote this letter (below) to you several months ago. At that time, I was very pleased to see that you largely provided the support I was requesting. Now, I have learned that some people are once again urging you to effectively reverse your decision.

Don't do it. Don't reverse direction.

Everything I said then is still true.

The opposition is still a very small group; only their ability to focus is large. The vast majority of the city's citizens do not oppose this trail.

Stick to your previous commitment; don't reward this behind-the-back behavior.

Thank you

**Dennis Cunningham** 

40-year+ Cupertino resident

Longtime bicycle enthusiast

Senior citizen wanting more protection than in my younger years

Grandparent

Grandparent

Grandparent

Grandparent

Grandparent

Grandparent

\*\*\*\*\*\*\*\*\*\*\*

#### Council Members,

I'm writing to strongly urge you to support the proposed Regnart Trail bike path.

In your role you are asked to make many hard and important decisions. This one is is important, but not hard.

Cars and bicycles do not play well together. Signs & painted lines do not separate cars from bicycles.

Cupertino need LOTS more separate bike paths to keep people safe (especially the most vulnerable people).

This proposal uses an existing pathway that the City could never afford to purchase on the open market. And it connects parts of the City that should be connected. This is a true no-brainer.

Yes, of course some citizens will be unhappy - a few dozen out of a population of about 60,000. Most decision-makers would take those odds.

#### So...

- Approve the proposed path
- Pave it
- Provide homeowner mitigation as reasonably practical
- Be proud that you have improved Cupertino and made it safer.

#### **Dennis Cunningham**

40-year Cupertino resident

Longtime bicycle enthusiast

Senior citizen wanting more protection than in my younger years

Grandparent

Grandparent

Grandparent

Grandparent

Grandparent

Grandparent

Watch out for typos; Siri might be on duty.

From: Charles Poulter <cpoulter8@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:40 PM

**To:** City Council

**Subject:** Support of Regnart Creek Trail

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

Hi Cupertino City Council,

Please support the Regnart Creek Trail. We need more options to get outside with the family, especially in this new world.

Thanks,

**Charles Poulter** 

From: Tara C. <taraichang@gmail.com>
Sent: Tuesday, May 19, 2020 6:40 PM

**To:** City Clerk; City Council **Subject:** Regnart Creek Trail Support!

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.

Hope this gets to you in time for the vote - but I am writing in full support of the Regnart Creek Trail. We need more safe walk/bike routes in Cupertino!!

Sincerely,

Tara Chang

From: Doron <dorondru@gmail.com>
Sent: Tuesday, May 19, 2020 6:39 PM

To: City Council

**Subject:** Support for Regnart trail!

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.

Sent from my iPhone

From: Bryan Boot <bboot1@gmail.com>
Sent: Tuesday, May 19, 2020 6:04 PM

**To:** City Council **Subject:** Need trail

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.

Do not cancel the regnart trail plans. Need trail for kids.

Thanks, Bryan 415-589-8826

--

[+] Add me to your address book

From: James Davis <jowend@crewdavis.com>

**Sent:** Tuesday, May 19, 2020 6:54 PM

**To:** City Clerk

**Subject:** In support of the Renart Creek Trail

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 support the Renart Creek Trail and have attended numerous meetings on the topic, leading up to the Wed Sept 18th meeting in which the city council unanimously agreed to fund the feasibility and full construction of the Regnart Creek trail Option D.

It is unfortunate that every time we have a trail update at the council, time is wasted rehashing already aired comments/complaints from those that have not accepted the decision. Of course supportors are called on send the council support messages to counterbalance the anti-trail folks. It's not a productive use of time.

So let's move forward on this trail, and let you spend your time other "bigger fish to fry".

Thank You. Jim Davis Cupertino Resident

From: garywong@ix.netcom.com

Sent: Tuesday, May 19, 2020 6:53 PM

To: City Clerk; Kirsten Squarcia

Subject: Comment - Agenda Item 25K

**Attachments:** Public Comment Land Swap\_MGWong 20\_0518.pptx

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.

I submitted the attached yesterday and it is included in the written comments. The Agenda is very long and I'm uncertain at what time this item is open for public comment. If I do not appear, please read the slides for me, at 3 pages, it should be within 3 minutes.

Thank you.

Gary Wong, Cupertino resident

# **Public Comment**

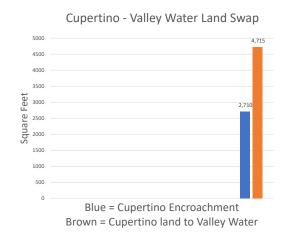
Agenda Item 25 - Regnart Creek Trail Project Land Swap — Wilson Park Land/Valley Water City Council Meeting

> May 19, 2020 Submitted by Gary Wong, Cupertino Resident

1

# Proposed Cupertino – Valley Water Land Swap

- 1. Why is Cupertino giving more land to Valley Water than it is encroaching? 1.74x more
- 2. Is park land less valuable than an access road?
- 3. Why is there no appraisal?
- 4. Why is there no consent or concurrence from Parks & Rec, Accounting Department?
- 5. Why is there no Fairness Opinion that the Swap is fair to the City of Cupertino?



2

# Stewardship of Community Assets

- 1. City Council and staff have a fiduciary responsibility to care for the assets of the community.
- 2. What is the value of this land swap?
- 3. Though no cash is exchanged, any value differential should be included in the Regnart Creek capital budget.
- 4. How do maintenance and operating costs change with this land swap?
- 5. How does the City proceed without knowing the value of the land?
- 6. Why is this land swap "buried" in Item 25, Section K? Shouldn't this be a separate item and not part of the environmental review?
- 7. City accounting and finance policy seems to be silent on procedures for such transactions and should be updated for due diligence, disclosure and approval.

3

# Recommended Action

- City Council should not approve the land swap until an appraisal is completed
- Council should not approve the land swap until there is a satisfactory answer as to why the City is not swapping a like amount of square footage but offering 74% more land
- The City should not approve the land swap without the concurrence of Parks & Recreation Commission and an analysis by the accounting department

From: Lars Thomsen <admin@trailheadcyclery.com>

**Sent:** Tuesday, May 19, 2020 7:08 PM

To: City Council Cc: City Clerk

**Subject:** Yay Regnart Trail :-)

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!

We are so very excited about the Regnart Trail. I heard there was still some needed feedback from the community for this trail and so let me be the voice of countless customers that are very much in favor of this trail. We service so many local resident here at Trail Head Cyclery and every one of them can't wait to have this vital addition to the neighborhood.

Thank you for improving the cycling opportunities in Cupertino :-)

Ride on, Lars

Lars Thomsen \ O\_]\<sup>o</sup>
Captain \ O
Trail Head Cyclery \
www.trailheadcyclery.com \
408-369-9666 \
lars@trailheadcyclery.com |

From: Peter Ludemann <peter.ludemann@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:28 PM

To: City Council Cc: City Clerk

**Subject:** In support of Regnart Creek Trail

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.

We need more bicycling, more walking, and alternatives to cars - the pandemic has shown the need.

Please vote in favor of the Regnart Creek Trail and don't listen to the noisy ill-informed minority.

#### thanks,

peter ludemann
 (Los Altos, but in Cupertino school districts)

From: Paula Wallis <wallis.paula@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:32 PM

**To:** City Clerk

**Subject:** Fwd: In Support of Regnart Creek Trail

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, I'm a forwarding an email I sent to the city council. I hope it's not too late.

Begin forwarded message:

From: Paula Wallis < wallis.paula@gmail.com > Subject: In Support of Regnart Creek Trail Date: May 19, 2020 at 6:31:02 PM PDT

To: citycouncil@cupertino.org

Hello Members of the City Council,

Thank you for your time and dedication on this very important issue of safe bicycle access for students and residents. Separating bikes and traffic whenever possible is a great move.

I hope you will vote to approve this much needed trail to improve the quality of life in Cupertino.

Thanks you,
Paula Wallis
Cupertino Resident

From: maya & pree kolari <pkolari@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:48 PM

**To:** City Clerk; City Council

**Subject:** In support of Regnart Creek Trail

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.

My family living on 10515 Farallone Dr, Cupertino, CA 95014 fully support Regnart Creek Trail project and would like you to continue the work.

-pree kolari.

From: Katriina Laihia <katriina.laihia@gmail.com>

**Sent:** Tuesday, May 19, 2020 7:10 PM

To: City Council Cc: City Clerk

**Subject:** In Support Of Regnart Creek Trail

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.

Esteemed City Council Members,

It has been brought to my attention that you are once again voting on the Regnart Creek Trail project, and for some reason the project's future might be on the line – again.

After working with this project for a long time and sitting through two tough and long council meetings till the wee hours of the night - once with my middle school daughter in tow - I was assuming that the approving vote the project finally got was really that: approving the project.

I hope the very small and limited minority of opponents does not get to decide what the residents of this city get. With the lockdown, bicycle sales have gone up tremendously, people in the neighborhoods are walking more than ever. Let's capitalize on that and build more routes for people to do so while we have the chance.

Best regards,

Katriina Laihia,

Fairgrove neighborhood resident of 16 years and mother of two CHS students

Sent from my iPhone

From: Ron Lin <ron.lin@outlook.com>
Sent: Tuesday, May 19, 2020 6:30 PM

To: City Council
Subject: Regnart Trail

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.

I support the Regnart Trail project. The Mclellan bike lanes are great!

Ron

Sent from my iPhone

From: Laurie Bryson < laurie.bryson@ymail.com>

**Sent:** Tuesday, May 19, 2020 6:34 PM

**To:** City Clerk

**Subject:** Fwd: Regnart Trail

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.

Sent from my iPhone

Begin forwarded message:

From: Laurie Bryson < laurie.bryson@ymail.com>

Date: May 19, 2020 at 6:08:48 PM PDT

To: citycouncil@cupertino.org

**Subject: Regnart Trail** 

Please continue with the Regnart Trail. Now more than ever, people need safe, off road, multi-use trails.

Thank you for your consideration.

Sincerely,

Laurie Bryson

From: Kelly Duran <kellymduran@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:38 PM

**To:** City Council **Subject:** Regnart Trail

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 there!

I'd like to ask that the trail not be opened for public use. Crime will go up, and the people living in the homes that back the trail don't need the extra noise and crime. We have plenty of sidewalks and bike lanes for public use. Thank you for your consideration,

Kelly Duran

From: Marilyn Beck <beck1739@gmail.com>
Sent: Tuesday, May 19, 2020 7:11 PM

**To:** City Clerk

**Subject:** Fwd: Regnart trail

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.

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

From: Marilyn Beck < beck1739@gmail.com >

Date: Tue, May 19, 2020 at 7:10 PM

Subject: Regnart trail

To: < citycouncil@cupertino.org >

I support it!

From: Larry Dean < Idean95014@comcast.net>

**Sent:** Tuesday, May 19, 2020 7:34 PM

To: City Clerk
Cc: City Council

**Subject:** Accepting Regnart Creek Trail Environmental Report

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

Dear Council Person - As you progress forward with this important project, the team and supporters of Walk-Bike Cupertino urge and thank you for accepting the report from the environmental committee.

The many thousands of members and citizens who support safe bicycling in our Cupertino community look forward to the acceptance and completion of this important project.

Thank you for your service to our community!

Best regards,

Larry Dean Walk-Bike Cupertino

From: Wayne Gmail <wgrubbs13@gmail.com>

**Sent:** Tuesday, May 19, 2020 7:45 PM

**To:** City Clerk

**Subject:** Fwd: Regnart Creek Trail

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.

I sent this earlier. Just saw a note to copy the city clerk. See below support.

Wayne

Begin forwarded message:

From: Wayne Grubbs <wgrubbs13@gmail.com>

Date: May 19, 2020 at 6:16:29 PM PDT

To: citycouncil@cupertino.org Subject: Regnart Creek Trail

I have been a citizen of Cupertino for over 20 years, living at 20230 John Dr, Cupertino, CA 95014. I have reviewed the material for the Regnart Creek Trail and I am in favor of that trail. We have used the trail between E. Estates and Creekside in the past with our children. The Regnart Creek Trail would be a very welcome expansion.

https://www.cupertino.org/our-city/departments/public-works/transportation-mobility/bicycle-and-pedestrian-travel/bicycle-transportation-plan-implementation/regnart-creek-trail

Regards,

\_.

Wayne Grubbs

From: David Schorow <dschorow@sbcglobal.net>

**Sent:** Tuesday, May 19, 2020 6:45 PM

**To:** City Clerk

**Subject:** Fwd: Please support the Regnart Creek Trail

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

Please make sure this email gets into the packet for tonights Cupertino City Council meeting.

Thanks,
David Schorow

Begin forwarded message:

From: David Schorow < dschorow@sbcglobal.net > Subject: Please support the Regnart Creek Trail

Date: May 19, 2020 at 6:18:52 PM PDT

To: citycouncil@cupertino.org

The Regnart Creek bike and pedestrian trail provides a very useful and safe way for kids and adults to get across Cupertino. Please support getting this trail built so that all local residents can benefit. Five years from now, everyone will be glad it is available.

Thank you,
David Schorow
President, Western Wheelers Bicycle Club and local resident

**From:** gail marzolf <gailmarzolf@gmail.com> **Sent:** Tuesday, May 19, 2020 7:54 PM

**To:** City Clerk

**Subject:** Fwd: Please support the Regnart Creek Trail

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.

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

From: gail marzolf < gailmarzolf@gmail.com >

Date: Tue, May 19, 2020 at 6:08 PM

Subject: Please support the Regnart Creek Trail

To: <citycouncil@cupertino.org>

Hello council members,

As a 54 year resident of Cupertino, I am 100% in support of the Regnart Creek Trail and after attending city council meetings, I know a majority of Cupertino residents feel the same as I do.

Thank you, Gail Marzolf 1138 Kentwood Ave Cupertino



Virus-free. www.avg.com

From: Connie Cunningham <cunninghamconniel@gmail.com>

**Sent:** Tuesday, May 19, 2020 9:19 PM

**To:** City Council; City Clerk

Subject: Agenda Item 25, Regnart Creek Trail - Support the ERC, JPA and land exchange

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

Dear Mayor, Vice-Mayor, Councilmembers,

I am writing in support of the Regnart Creek Trail this evening. YES on the Adoption of the Mitigated Negative Declaration; the Joint Use Agreement; and the Land Exchange with Santa Clara Valley Water District. It is good to see the project moving forward as approved!

Many people will enjoy this trail for bicycling and walking, including older residents wanting to maintain their active lifestyles as they age in place. It will, also, be a boon to the environment as well, by taking more cars off the road. The fresh air that we have now, due to SIP distancing, will need to continue to be protected as we move forward to the new normal.

Sincerely, Connie Cunningham Resident, Bicyclist

From: June Ni <june.ni@gmail.com>
Sent: Tuesday, May 19, 2020 9:56 PM

**To:** City Clerk

**Subject:** Fwd: Support Regnart Creek Trail

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.

#### Sent from my iPhone

Begin forwarded message:

From: June Ni <june.ni@gmail.com> Date: May 19, 2020 at 8:12:34 PM PDT

To: citycouncil@cupertino.org

**Subject: Support Regnart Creek Trail** 

Dear City council,

My family and I would like to express our support to the Regnart Creek Trail project, again. My kids, 8 and 12, students of Eaton and Lawson both attended the last public hearing. My 12 year old spoke up and made the statement in front of council to show her support.

We thought the council had a decision with regard to the project, so we are surprised to learn that there are still objections coming your way. Our silence thus far doesn't mean that we no longer support the project, only that we thought the decision was made. I would like to urge the council to consider the fact that this project is supported by many residents in close proximity of the neighborhood. Please do not put the project on halt because you only heard loud objections from a small group of people. Thanks!

Jun

Oakville Ave

Sent from my iPhone

From: George <gvc76@yahoo.com>
Sent: Tuesday, May 19, 2020 10:27 PM

To: City Council

**Subject:** I support the Regnart Trail.

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.

I'm voting for proceeding with the Regnart Trail.

George Tziviskos

**From:** Peggy Griffin <griffin@compuserve.com>

**Sent:** Tuesday, May 19, 2020 11:09 PM

**To:** City Clerk

**Subject:** CC Agenda Item #25 Regnart Creek Trail-slide for Peggy Griffin Attachments: Agenda Item 25-Regnart Creek Trail-slides for Peggy Griffin.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.

Hi Kirsten,

Me again. Here is my slide for Agenda Item #25 Regnart Creek Trail.

Thank you, Peggy Griffin

# **AGENDA ITEM #25 Regnart Creek Trail**

- I'm addressing just the section south of Library Field
  - The Environment Review <u>did not study the intersection of Pacifica</u> and <u>Torre!</u>
  - The 2016 Cupertino Bicycle Transportation Plan <u>DOES NOT</u> <u>INCLUDE south of Library Field</u> as part of RCT.
  - Why/who decided to add this section?
  - This section does not enhance the trail yet has significant cost.
  - This section
    - Potentially harms well-established trees used for shade and enjoyment of Library field users.
    - Adds a very small section that goes no where.
    - Adds confusion and safety issues at the intersection of Pacifica and Torre.
- O SUMMARY:
  - This is a very costly section of RCT and
  - Does not match the 2016 Cupertino Bike Transportation Plan.
- Asking the City Council to add to a future agenda
  - Remove this section from the RCT plan
  - Make Library Field an official park. We desperately need it on the east side.

**From:** benaifer dastoor <bddastoor@yahoo.com>

**Sent:** Tuesday, May 19, 2020 11:36 PM

**To:** City Clerk

**Subject:** Comments for Item#25 Regnart Creek Trail

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

#### Dear City Clerk, Please read the following from Benaifer Dastoor

Dear City Council members,

This comment is regarding a message that went out today to the members of an advocacy group led by one of one of the city's bike-ped commissioners. In the message, the commissioner encourages members to write emails to the council by explicitly naming private residents living along the creek who had reached out to city council to seek protections. In the past the homes of these residents living on the trail were mapped and circulated among the members of that group by this very commissioner.

Targeted messages inciting members against private residents from organized advocacy groups demonstrate what we are up against and why we need the city to ensure that the privacy and safety of the residents impacted by this project is protected by providing a concrete wall separating the homes from the trail.

The following is an excerpt from the message that was sent by the group earlier this evening to it's members:

#### "The vote is tonight on Regnart Creek Trail

We just checked and there's over 10 letters from anti-trailers. Ilango Ganga has written 4 letters, Viji (his wife), Benaifer Dastoor, 2 people on De Palma Lane, Fari Aberg, and several more. There's not a single letter in support of the trail.

We need your help! Please take 5min and send a quick email to <u>citycouncil@cupertino.org</u> expressing your support for the trail. It has to get there before 6:30pm tonight.

All the best, Seema and Jennifer"

The full email has been attached to this communication.



Hello.

>> PLEASE NOTE: We just found out that we need to copy the city clerk on the email to make sur it gets into the packet for tonight. If you've already sent your email, please forward it to her. Emi is cityclerk@cupertino.org. Thank you!!! <<

# The vote is tonight on Regnart Creek Trail

We just checked and there's over 10 letters from anti-trailers. Ilango Ganga has written 4 letters, Vi (his wife), Benaifer Dastoor, 2 people on De Palma Lane, Fari Aberg, and several more. There's not single letter in support of the trail.

We need your help! Please take 5min and send a quick email to citycouncil@cupertino.org expressing your support for the trail. It has to get there before 6:30pm tonight.

All the best. Seema and Jennifer

Keep up with the latest information on the trail and get answers to your questions at regnartcreek.com.

Happy walking and biking,

Your friends at Walk-Bike Cupertino Working to make it safer and easier to walk and bike

**From:** sun.dalvi@gmail.com

**Sent:** Tuesday, May 19, 2020 6:47 PM

**To:** City Clerk

**Subject:** Comments to be read for Item #25

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

Hi Kristen,

Can you help read out my comments during the city council meeting?

"As a resident of La Mar adjoining the proposed Regnart creek trail, I feel defeated. Defeated by the fact that the City Council refuses to acknowledge the security and noise concerns that we raise and defeated by the fact that the city keeps promising that they would work with residents towards a fence solution but fail to do so.

The city believes that the trail will do a greater good, and I have made my peace with that fact. Go ahead, build the trail but please also listen to the resident concerns and address them. It is disappointing that the city is not caring at all about the impact to the residents who are within 2 feet of the trail. The city promised to work with me on noise suppressing fence options but the COVID situation has made them push out the meeting twice.

I would urge the City council members to solve the resident issues (security and noise) before moving ahead with any more decisions on this trail. I don't believe this is an unreasonable request."

Regards Suraj Dalvi

From: Suraj Dalvi <sun.dalvi@gmail.com>
Sent: Tuesday, May 19, 2020 11:36 PM

**To:** City Clerk

**Subject:** Comments to be read for Item #25

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

Hi Kirsten,

Can you help read this comment during the city council meeting?

"As a resident of La Mar adjoining the proposed Regnart creek trail, I feel defeated. Defeated by the fact that the City Council refuses to acknowledge the security and noise concerns that we raise and defeated by the fact that the city keeps promising that they would work with residents towards a solutions but fail to do so.

The city believes that the trail will do a greater good, and I have made my peace with that fact. At this point, I am not opposed to building the trail but please also listen to the resident concerns and address them. These are real concerns and are NOT being raised to derail this project. It is disappointing that the city is not caring at all about the impact to the residents who are within 2 feet of the trail. The city promised to work with me on noise suppressing fence options but the COVID-19 situation has made them push out the meeting twice.

I would urge the City council members to solve the resident issues (security and noise) before moving ahead with any more decisions on this trail. I believe this is a very reasonable request and would really appreciate an appropriate response."

Thanks Suraj

From: swati.gawde@gmail.com

**Sent:** Tuesday, May 19, 2020 6:49 PM

**To:** City Clerk

**Subject:** Comments for Item #25

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.

Can you please help read this during the city meeting?

I reside on La Mar which will be very close to the trail. I have indicated that I am very concerned with the noise and security impact. We have to be naive to assume that a wooden fence will help with any noise impact. Why is the city not making any progress with addressing resident concerns while they are making forward progress with the trail. City Council, please help.

Thanks Swati

Sent from my iPhone

From: Jeonghee Yi <jeonghee.yi@gmail.com>

**Sent:** Tuesday, May 19, 2020 5:09 PM

To: Steven Scharf
Cc: City Council

Subject: Re: Comments for Cupertino City Council Meeting (Item 25) - Tuesday, May 19, 2020

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

#### Dear Mayor Scharf:

Thanks for your reply and sharing your opinion on the homeless issues.

I respect your opinion that adding legitimate usage could discourage homeless encampment.

As we observe them even on the open space with legitimate usage, such as homeless camps near the 280 entrance, however, the openness alone is not sufficient for that the prevention. Once they start settling down, it's very hard to relocate them away as the city has already experienced so far.

That's why the residents direly want to make sure they do not come and start settling down on the trail outside of our backyard by closing the gate at night everyday and enforcing everyone leave the trail before the gate closure once the trail is open.

I think that'd be very effective measure of prevention. Spending an additional 50K per year would be a very sensible spending and that would end up being even cheaper by preventing their settling into the area than having to deal with them and other consequences in the future after having them move into the area.

Please remind how hard it is to deal with them once they start settling down. The city manager once told us that the city moved them away only to see them coming back shortly after. Since then, I observe their camp site is only growing in numbers. And it looks like they are building their own community near the 280 entrance.

There already is long running thread on Nextdoor about homeless camps in Rancho Rinconada area of Cupertino, too. Some La Mar Dr residents abutting the trail already have received an early indication of home owners' insurance premium increase due to the increased exposure to fire risk by the homeless people once the trail is open. The prevention is the key to control homeless issues.

Please kindly consider allocating the additional budget for gate closures. That would not only alleviate the security concern of the residents, but also help the city itself by not creating headache in the future.

With kind regards,

Jeonghee

On Tue, May 19, 2020 at 4:19 PM Steven Scharf cupertino.org wrote:

We need to be cognizant of the homeless situation and what happens on land along waterways that is not being used for a public purpose. We've already seen this problem along Saratoga Creek between Lawrence Expressway and Sterling Avenue and it could spread to other areas if we fail to act to add legitimate usage to these waterway areas and have them being used by residents.

From: Jeonghee Yi < <u>jeonghee.yi@gmail.com</u>> Sent: Tuesday, May 19, 2020 11:26 AM

To: City Clerk < <a href="mailto:CityClerk@cupertino.org">CityCouncil@cupertino.org</a>>

Cc: Jeonghee Yi < jeonghee.yi@gmail.com >

Subject: Comments for Cupertino City Council Meeting (Item 25) - Tuesday, May 19, 2020

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 live on La Mar Dr abutting the Regnart Creek trail. Recently, I was surprised to see a few young strangers casually walking on the trail behind my backyard. What surprised me further was how much I could hear them from MY ROOM facing the trail with the window left open! The noise was high enough to catch my attention while I was working and I was able to hear their conversations. This was a sober reminder that passerby's could hear us speaking even in our rooms, not to mention in our backyard.

The MND dismisses noise impact based on a flawed study that measured 6 feet from the property line that is farther from even the center of the 10-feet wide trail. Yet my real world experience confirms noise and the loss of privacy would be real and severe unless mitigated by a sound wall or better noise protection material than a wooden fence.

Homeless encampment and the consequences are of big concern, too. But the only response from a city official is that they would not come if people can see them. That argument has been proven to be wrong. They have settled down near the 280 entrance even with intense public sights and the city has kept on failing to relocate them away. The best strategy is always a prevention, and we need to close the gates every night and enforce everyone leave before the gates are closed.

The privacy and security concerns are not out of paranoia, but real.

Through many channels residents have requested for the mitigations, but we have't heard any progress on that yet. I understand the additional protection requires more budget. I urge the council to allocate additional budget and direct the city to provide the necessary mitigations. Protecting the citizens is the duty of the city and the council.

Lastly, the recent COVID-19 outbreak has brought great challenges to the city's budget and the city must focus on only essential projects. RCT is not essential. It should wait until the budget situation improves enough to be able to afford proper mitigations to the impacted residents, if budget is the limiting them doing so.

In summary, I urge the city council do not approve the flawed MND. postponing the RCT construction.	Further, the city and council	should consider
Sincerely,		
Jeonghee Yi		
Cupertino resident		
 Thanks,		
Jeonghee		

From: Shannon Lee <shanmanpat@gmail.com>
Sent: Wednesday, May 20, 2020 5:48 AM

**To:** City Council

**Subject:** Support of Regnart Creek trail!

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.

We wholeheartedly support the Regnart Creek trail and very hopeful the city council will pass and approve its funding to complete 100%

Sincerely, Shannon & Susan Lee Creekline Drive

From: Sandra Gant <gantnels@pacbell.net>
Sent: Wednesday, May 20, 2020 6:21 AM

**To:** City Council

**Subject:** Regnart Creek Trail - vote YES

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.

I've probably missed the deadline to write in support of the opening of the Regnart Creek Trail. Further, I'm a Saratoga resident so my opinion probably doesn't matter much. As you can guess, I am a walker and a bicyclist. I've enjoyed other bike trails around the Bay Area and would love to have this one close to where I live. If opened, I promise to treat the trail and the residents along the trail with utmost respect.

Please show your support for biking in Cupertino and vote to develop and open the Regnart Creek Trail.

Thank you Sandra Gant Cell# 408-472-9324

From: Adrian Taylor <ade@hohum.me.uk>
Sent: Tuesday, May 19, 2020 6:14 PM

**To:** City Council **Subject:** Regnart creek trail

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

Hi

I would like to write in support of the Regnart Creek trail. My wife and I commute by bike through Cupertino (over the I-280 bike bridge from Saratoga to Mountain View) and we rarely stop as it feels like a bike-hostile environment. We would absolutely stop and use your restaurants, shops and bars if Cupertino were a bit more bike-compatible. Dedicated bike ways are far better for all types of cyclist than roadside lanes. The Regnart Creek Trail would be a fantastic first step in that direction!

Thanks,

Adrian Taylor Saratoga 669 204 5399

From: Wayne Grubbs <wgrubbs13@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:16 PM

To: City Council

**Subject:** Regnart Creek Trail

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.

I have been a citizen of Cupertino for over 20 years, living at 20230 John Dr, Cupertino, CA 95014. I have reviewed the material for the Regnart Creek Trail and I am in favor of that trail. We have used the trail between E. Estates and Creekside in the past with our children. The Regnart Creek Trail would be a very welcome expansion.

https://www.cupertino.org/our-city/departments/public-works/transportation-mobility/bicycle-and-pedestrian-travel/bicycle-transportation-plan-implementation/regnart-creek-trail

Regards,

--

Wayne Grubbs

From: Charles Bombelyn <chuckker@aol.com>

**Sent:** Tuesday, May 19, 2020 6:24 PM

**To:** City Clerk

**Subject:** Fwd: Regnart Creek Trail

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.

#### Begin forwarded message:

From: Charles Bombelyn < <a href="mailto:chuckker@aol.com">chuckker@aol.com</a>>

**Subject: Regnart Creek Trail** 

Date: May 19, 2020 at 6:02:58 PM PDT

To: citycouncil@cupertino.org

Hello city council,

I am writing to express my support for the Regnart Cerek Trail. I believe it would be terrific asset for the town and would not be much of an inconvenience

To people that live along the creek.

Best wishes,

Charles Bombelyn

From: DIANNE STAUFFER <dstauffer@aol.com>

**Sent:** Tuesday, May 19, 2020 6:27 PM

**To:** City Clerk

**Subject:** Fwd: Regnart Creek Trail

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.

Sent from my iPad

Begin forwarded message:

From: DIANNE STAUFFER <dstauffer@aol.com>

Date: May 19, 2020 at 6:24:42 PM PDT

To: citycouncil@cupertino.org Subject: Regnart Creek Trail

Dear City Council Member,

Please vote for the Regnart Creek Trail this evening. It is an outstanding project.

Thank you,
Dianne Stauffer
10281 Torre Avenue #818
Cupertino, CA 95014

Sent from my iPad

From: Helen Wiant <helenwiant@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:32 PM

To: City Council Cc: City Clerk

**Subject:** Regnart Creek Trail

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 been and continue to be a strong supporter of the Regrart Creek trail. It is a wonderful opportunity to have an off street path for students and all residents to enjoy. I particularly like it because it provides a natural trail in the east side of Cupertino and connects a number of other trails. This is something that we don't have currently and I'm looking forward to its completion.

Many thanks, Helen Wiant

Cupertino resident since 1977

**From:** Peggy Griffin < griffin@compuserve.com>

**Sent:** Tuesday, May 19, 2020 6:33 PM

To: City Council Cc: City Clerk

**Subject:** Regnart Creek Trail

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

Dear Mayor Scharf and Council members,

Please add this to the written communication for tonight's City Council meeting's Agenda Item #25 Regnart Creek Trail.

I oppose the RCT going along the southern end of Library Field.

I would like the southern portion of the RCT that goes along the southern portion of the Library Field to be deleted from the plan. I have sent multiple emails regarding my concerns about damage to the trees, less open space and safety issues to bicyclists, pedistrians and vehicles.

Sincerely, Peggy Griffin

From: Tom Scannell <tscannell01@earthlink.net>

**Sent:** Tuesday, May 19, 2020 6:40 PM

**To:** City Clerk

**Subject:** Fwd: Regnart Creek Trail

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

FYI

Tom Scannell 408-612-5644 Sent from my mobile

Begin forwarded message:

From: Tom Scannell <tscannell01@earthlink.net>

Date: May 19, 2020 at 6:08:35 PM PDT

To: citycouncil@cupertino.org
Subject: Regnart Creek Trail

I am writing in support of the Regnart Creek Trail. I spoke in favor of it at the last public session and I am still a big supporter. Please approve it

Tom Scannell 40 year Cupertino resident 408-612-5644 Sent from my mobile

From: Tyrone Mendez <tyronem@gmail.com>

**Sent:** Tuesday, May 19, 2020 6:43 PM

**To:** City Council

**Subject:** Regnart Creek Trail

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 though this was already a done deal, but it pains me to hear that there people trying still trying to stop this much needed project.

Safety for bikers, and especially children bikers, should be one of the City's highest concerns. And every city of the future, should be working toward a greener future by providing necessary paths and protections for said bikers. Meanwhile, the people against this really don't have any good reason to oppose it. They mention privacy, but it's behind their fences and the city has offered money for plants to increase their privacy. They will still have much better privacy than others whose backyard butts up against another property. I really don't understand this.

They mention the protection of the creek, but the creek that leads to Creekside Park, with a trail already along it, is doing really great. In fact, I fun pointing out turtles and birds to my son as we ride along it.

Thirdly, it has been shown from other studies that property values mostly improve when there is a bike trail along it.

There really is no good reason to keep putting our kids in danger. Lets give the kids and everyone in the city of Cupertino a great way to get around town and to school and parks, safely.

Thank you for your time!

-Tyrone Mendez

16 year resident of Cupertino and father of two.

From: Victoria Morgan <hunter@mac.com>
Sent: Victoria Morgan <hunter@mac.com>

**To:** City Council **Subject:** Regnart Creek Trail

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.

As a citizen of Cupertino, I support Regart Creek Trail. Please continue this effort to make our city walk/bike and kid friendly.

- Victoria Morgan 10450 Miller Ave Cupertino CA 95014

Sent from my iPhone

From: Lisa Nakamatsu < lisanakamatsu@gmail.com>

**Sent:** Tuesday, May 19, 2020 7:57 PM

To: City Council
Subject: Regnart Creek Trail

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

#### To Whom It May Concern,

I do not understand why every time I turn around the city of Cupertino is trying to put a qua-bash on their citizenry having access... safe access... to being outdoors. The last I attended a meeting at City Hall, it was about bike lanes. Now it is about nature trails. Why can't we as a city promote outdoor activities?

I am an avid hiker/mountain biker and having more accessible trails to people cannot be a bad thing! Please do not discourage people having access to the outdoors! We live in the Bay Area... which is a pressure cooker... and having the ability to decompress will only promote mental and physical health. This will directly affect this community! Not to mention, the pride it will promote to be part of this city!

I am a teacher and can say that advocating for mental welfare is like putting money in the bank; it can only add to the quality of our lives. The only people who would not advocate for opening a trail is someone who is selfish; who doesn't want someone parking in front of their house or doesn't want unnecessary rift-raft coming into their neighborhood. Well, I live next to City Hall/Cupertino Library... this our town center and mecca for "outsiders" showing up to indulge in various activities. I can attest, though, that there has NEVER been an issue people coming here. We constantly have notices announcing parking being limited for fun runs and children-related activities in the park constantly. This only brings people who want to indulge in physical/mental wellness to my neighborhood. It gets noisy and crowded here, but it is a good thing. Let's promote our city rather than selfishly barring others from benefiting from living in this glorious city.

Sincerely, Lisa

From: Leslie <leslie.ericksen@yahoo.com>
Sent: Tuesday, May 19, 2020 8:42 PM

**To:** City Council **Subject:** Regnart Creek Trail

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

Please accept my and my families support of the Regnart Creek Trail!! We are big supporters of this trail. We use all the trails and this trail in our local neighbor would be a welcome addition.

Leslie Ericksen Cold Harbor Ave Cupertino

Sent from my iPhone please excuse typos.

From: Dick Blaine <dick@theblaines.net>
Sent: Wednesday, May 20, 2020 7:42 AM

**To:** City Clerk

**Subject:** Regnart Creek Trail

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.

I want to express my support for this bike/pedestrian trail.

This will be a valuable resource for our school children and adults.

--

Dick Blaine Cupertino, Ca

From: Yuanyuan Sun <ysquaresun@gmail.com>
Sent: Wednesday, May 20, 2020 9:31 AM

To: City Council
Subject: Regnart creek trail

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

Hi city council,

Please keep the Regnart Creek trail open for public use. Cupertino does not have many trails that residents can walk/bike/run around. It is important to keep this one open for us.

Thank you,

Yuanyuan Sun, 10439 plum Tree Ln, Cupertino, Ca 95014

From: Taghi <tsaadati@sbcglobal.net>
Sent: Wednesday, May 20, 2020 2:07 PM

To: City Council Cc: City Clerk

**Subject:** Regnart Creek Trail

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

Honorable Mayor and City Council,

My wife an I have lived in Cupertino over 30 years. We enjoy walking and biking in this beautiful city. We strongly support the construction of Regnart Creek Trail as it Will provide a safe rout to various locations.

We ask you to vote yes to complete the project ASAP.

**Best Regards** 

Taghi & Louise Saadati

Sent from my iPhone

From: Koray Oner <koray\_oner@yahoo.com>
Sent: Wednesday, May 20, 2020 2:11 PM

**To:** City Clerk

**Subject:** Regnart Creek trail voting

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

Hi,

I am surprised to hear that there is still voting for Regnart Creek trail. I thought this was voted and approved already. I don't know what is this new voting is for, but like all of the previous people supporting the trail, I am still supporting this trail. Please don't change the previously voted decisions while we are all stuck at home.

Thanks.

Koray Oner

From: Mark Hlady <markahlady@gmail.com>
Sent: Wednesday, May 20, 2020 2:24 PM

**To:** City Council; City Clerk

**Subject:** In support of the Regnart Creek Trail

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

#### Hi Cupertino -

One of the bright spots of the shelter-in-place and work-from-home directives has been the huge numbers of families and kids out walking and biking our neighborhoods. Luckily the car traffic has been light too and that aspect won't last, but I hope to see all these families and kids continuing to use our roads and trails for the long term.

The Regnart Creek Trail, like many existing neighborhood connector trails, adds a huge value for relatively low infrastructure cost, and will be of benefit to thousands of local families, both those near enough to use this for school access and those from farther away who might get there on weekend adventures through Cupertino. I hope the council will keep supporting the trail, even if a few local residents don't agree with the majority of area residents.

Regards, Mark Hlady