

CC 3-05-2024

Oral  
Communications

Written  
Communications

**From:** [j w](#)  
**To:** [City Clerk](#)  
**Subject:** Appeal for Assistance - Unjust Retaliatory Fine and Violation of Rights==: Injustice over play house  
**Date:** Tuesday, March 5, 2024 6:48:04 PM

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**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 ignore the last one. Thank you!

Dear respected council,

It's evident that this situation is perceived as retaliation, even by third-party observers. As long-term residents who contribute our funds, and adhere to permits even guided by the City earlier said not needed, not given, and own time and money belongings, experiencing retaliation in every form that suppresses our voices on any matter is utterly unacceptable. The discretionary power wielded by decision-makers must be exercised for the residents, not to embezzlement, ensuring that expenditures are justified and not utilized as a means of retaliation. Council Wei's astute inquiry sheds light on the necessity of scrutinizing cases that may be concealed under the guise of legality. Our city must adhere only strictly to our people, mission, and principles alone.

H Residents

<>notice of immediate correction to the retaliatory filing and lift the ban on<><> deprivation

Hello legal team head Chris,

...We urge you to rescind the retaliatory actions promptly after twice the loss of property, and belongings, preferably within the next 24 hours. Any actions taken after our settlement discussion are unwarranted and excessive. Actions and peril taken after our settlement discussions about a year ago exceed the bar of fairness and reasonableness. Typically, such disputes revolve around belongings, but the retaliation we're experiencing is disproportionate and many folds. residents Huang family

On Thursday, February 22, 2024 at 12:39:55 AM PST, j w <jzw97@yahoo.com> wrote:

continue

Here is the immediate order request almost ten fold original fee they put out in court to get default order and bar any voice, which they manipulate the court to retaliate even further for the default they caused on us. Please see the letter below. We asked for ombudsman and 3rd party Ed selfishly offered to help on settle, we elect you, please, we urgently seek to rectify this situation and restore justice.

Dear Council,

I hope this message finds you well. We are reaching out to bring to your attention a pressing matter that requires your intervention and support. Our community has recently received an unexpected and unjust request to settle a loss of property and belongings, which has been exacerbated by the actions of the City's law firm.

Shockingly, without any prior notice, the City's outside law firm has taken the unprecedented step of obtaining a court order to impose a 'retaliatory' fine, doubling the initial loss. This alarming turn of events

has left us in a state of immediate distress and deprivation of our rights.

We kindly request your assistance in speaking up for our community and raising awareness about the unfair treatment we are currently facing. The actions taken by the City's law firm are not only unjust but also serve to further strip us of our basic rights.

For additional details and to discuss potential avenues for resolution, please feel free to contact SMW Firm at 415-552-7272 and ask for Mrs. Dillinger, Mr. Peta and Dept 6. Your prompt attention to this matter would be greatly appreciated, as we urgently seek to rectify this situation and restore justice.

Thank you for your time and consideration.

Sincerely,  
Huang Resident

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

From: j w <[jzw97@yahoo.com](mailto:jzw97@yahoo.com)>  
To: [citycouncil@cupertino.org](mailto:citycouncil@cupertino.org) <[citycouncil@cupertino.org](mailto:citycouncil@cupertino.org)>; City Clerk <[cityclerk@cupertino.org](mailto:cityclerk@cupertino.org)>  
Sent: Tuesday, February 6, 2024 at 04:33:26 PM PST  
Subject: Fw: Injustice over play house

Please publish. Thank you!

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

From: Andrew  
To: [citycouncil@cupertino.org](mailto:citycouncil@cupertino.org) <[citycouncil@cupertino.org](mailto:citycouncil@cupertino.org)>  
Sent: Wednesday, December 13, 2023 at 03:33:35 PM PST  
Subject: Injustice over play house

Dear council,

Please help this single mother facing the loss of her playhouse and belongings twice, this situation is already profoundly distressing. I urge you to consider the emotional and financial impact this matter has on the family (very young, very ill elder, no money for a roof, only able to patch the leaky park )

We kindly request that you prioritize a discussion on settling the matter before proceeding further with the proposed order. Since the beginning of this year, many requests, were made lasting several months We requested no more cost for each, and we were willing to compromise the belongings, but no there has been response,

Now they enforce legal fees, while not allowing any voice. or resolution to the matter It is most disheartening that we must to remind all parties of the city's commitment to humanity, and justice which would entail the exclusion of legal fees Refer to matter . (Dept 6 judge Pennypacker)

Please find the attached document for your reference. Your understanding and cooperation in this matter are sincerely appreciated.

**From:** [j w](#)  
**To:** [City Clerk](#)  
**Subject:** Fw: Urgent Appeal for Assistance - Unjust Retaliatory Fine and Violation of Rights==: Injustice over play house  
**Date:** Tuesday, March 5, 2024 6:46:10 PM

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Thank you!

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

**From:** Louis Sivo <[scifi\\_reader@yahoo.com](mailto:scifi_reader@yahoo.com)>  
**To:** j w <[jzw97@yahoo.com](mailto:jzw97@yahoo.com)>  
**Sent:** Sunday, February 25, 2024 at 10:38:39 AM PST  
**Subject:** Re: Urgent Appeal for Assistance - Unjust Retaliatory Fine and Violation of Rights==: Injustice over play house

Jane,

These are really good emails. They are short and to the point, and they are easier to understand. Good luck with these. Let me know if the city finally is decent to you and drops the case with the fees against you.

Louis Sivo  
[scifi\\_reader@yahoo.com](mailto:scifi_reader@yahoo.com)

On Friday, February 23, 2024 at 04:16:05 PM PST, j w <[jzw97@yahoo.com](mailto:jzw97@yahoo.com)> wrote:

Dear respected council,

It's evident that this situation is perceived as retaliation, even by third-party observers. As long-term residents who contribute our funds, and adhere to permits even guided by the City earlier said not needed, not given, and own time and money belongings, experiencing retaliation in every form that suppresses our voices on any matter is utterly unacceptable. The discretionary power wielded by decision-makers must be exercised for the residents, not to embezzlement, ensuring that expenditures are justified and not utilized as a means of retaliation. Council Wei's astute inquiry sheds light on the necessity of scrutinizing cases that may be concealed under the guise of legality. Our city must adhere only strictly to our people, mission, and principles alone.

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Thank you for your time and consideration.

Sincerely,  
Huang Resident

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

From: j w <jzw97@yahoo.com>

To: [citycouncil@cupertino.org](mailto:citycouncil@cupertino.org) <[citycouncil@cupertino.org](mailto:citycouncil@cupertino.org)>; City Clerk <[cityclerk@cupertino.org](mailto:cityclerk@cupertino.org)>

Sent: Tuesday, February 6, 2024 at 04:33:26 PM PST

Subject: Fw: Injustice over play house

Please publish. Thank you!

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

From: Andrew

To: [citycouncil@cupertino.org](mailto:citycouncil@cupertino.org) <[citycouncil@cupertino.org](mailto:citycouncil@cupertino.org)>

Sent: Wednesday, December 13, 2023 at 03:33:35 PM PST

Subject: Injustice over play house

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Please find the attached document for your reference. Your understanding and cooperation in this matter are sincerely appreciated.

CC 3-05-2024

Item No. 1

Study Session- Revisions to  
Cupertino City Council  
Procedure Manual

Written Communications

**From:** [Peggy Griffin](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** 2024-03-05 City Council Mtg Agenda Item #1 Study Session-Council Procedures Manual  
**Date:** Sunday, March 3, 2024 11:02:24 PM

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**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 INCLUDE THIS EMAIL AND ANY ATTACHMENTS AS PART OF WRITTEN COMMUNICATIONS FOR THE ABOVE CITY COUNCIL MEETING AGENDA ITEM.

Dear City Council, City Attorney Jensen and Staff,

If you make any changes at all, please add the one Council Training changes below. Training is critical to ensure a well-run meeting.

#### Section 5.6 Council Training

I agree with the required ethics training but also, I believe that Council Training should occur for ALL Council members **in early JANUARY** of the new year, especially after an election. **It should include**

- **Brown Act Training/refresher** including changes effective the new year.
- **Rosenberg's Rules of Order** (how a meeting is run)

Other than the above change, I believe the manual should stay as-is BUT if you insist on changes, here are suggestions:

#### Section 6.5 Decorum

**Please add at end...**"City Manager and staff shall refrain from publicly criticizing Councilmembers for actions and motivations they have taken representing the public and should share any such concerns privately with the Councilmembers.

#### Section 6.6

**Please modify...**"City staff will make every effort to respond in a timely and professional manner..." to add a time limit! One year is not acceptable.

#### Section 7.2 Preparation of Agenda

**Clarify...**It is not clear who this statement refers to "...an item will be scheduled for Council action no sooner than 14 days after receipt of a request to add the item to the future agenda items list."  
Request to add an item from whom?

#### Section 7.6 Supplemental Materials

**PLEASE do not put supplemental materials in Written Communications ever!**

4pm on the day of the City Council meeting to give Councilmembers additional information is very late! Many of our Councilmembers work. Even if they are thoroughly prepared for an item, they have zero time to read this material BEFORE the Council meeting!

**Require that Supplemental Material arriving before 4pm of the day of the meeting be PRESENTED TO COUNCIL.**

We don't want to restrict our candidates to be just retired people. Working people and busy

volunteers have the ability to be Councilmembers, too.

#### Section 8.2

##### **Do not make any changes.**

Keeping as closely to the Rosenberg's Rules of Order without special exceptions makes training much easier. When there are important issues, Council deliberations hopefully leads to compromise and a balanced solution. Keeping closely to Rosenberg's Rules also allows Councilmembers and staff to go on YouTube and other sites to review additional training videos. Please minimize the exceptions to the rules.

#### Section 8.3

IF written reports for Council activities is added then a corresponding requirement for a written report from the City Manger should also be added. Videos are not informative.

#### Section 8.4 Consent Calendar

##### **Do not make any changes.**

I think the current rules have reduced the "pulling of items" significantly but still have allowed occasional items to be discussed which is appropriate. Please keep this as-is.

#### Section 8.5 Public Comment

##### **Do not make any changes.**

-The public is already forced to use their Oral Communications time to address non-agenda items and Informational items.

-The public is already forced to consolidate their comments on Consent Items to one 3-minute period.

-If more than 3-minutes is needed by the public, they must get 5 people to cede their time. That is very difficult so it rarely happens now.

-The Mayor has the ability to reduce the time per speaker on an item.

How much more can you eliminate and still consider it "public comment"?

#### Section 8.8.5 Civility

**Please add...**"City staff shall avoid attacks on the motives, character, or personality of other Councilmembers, City staff and members of the public. The Mayor shall rule out of order ay Staff who engages in such attacks."

It's a two-way street. Respect goes both ways. Both have to abide by the same rules.

#### Section 8.8

##### **Do not make any changes.**

Thank you.

Sincerely,  
Peggy Griffin

**From:** [Jennifer Griffin](#)  
**To:** [City Council](#); [City Clerk](#)  
**Cc:** [grenna5000@yahoo.com](mailto:grenna5000@yahoo.com)  
**Subject:** Comments on Agenda Item 1, Handbook, Cupertino City Council Meeting 3/5/24  
**Date:** Tuesday, March 5, 2024 8:26:07 AM

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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:

These are my comments on the Cupertino City Council Procedures Manual  
For the Cupertino City Council meeting on 3/5/24, Agenda Item 1.

Please include in Public Comments for this Agenda Item.

The City Council might want to consider postponing this item again for sixth months  
as I think the items about trying to further limit public input are bordering on democracy  
Issues, and need to be revised so as not to attempt to limit the public's ability to speak.  
This should not be the focus of such a manual.

Agenda Item Number 1. Section 8.4:

Please do not do anything further to limit the public's ability to comment on items etc.  
The whole reason one has City Council meetings is to interact with the public.

Also, the fact that the number of City Council Meetings have been cut in half is nothing  
To cheer about. The public has had less access to meetings and no one in the public knows  
What the city is doing.

City Council Agenda Recommendations:

Please comment on Informational Items listed at the end of City Council agendas. No one knows what  
These are put on the City Council Agendas for. Please have City Council members comment on  
What they have been doing. It helps the public get to know the City Council member, their style  
Of interacting with the public and what their areas of interest are.

Thank you for your attention to the comments above.

Sincerely,  
Jennifer Griffin

**From:** [Kitty Moore](#)  
**To:** [City Clerk](#); [Kirsten Squarcia](#); [Lauren Sapudar](#)  
**Subject:** Written Communications Item 1 Special Meeting FW: Book Request for the Council Office  
**Date:** Tuesday, March 5, 2024 3:54:36 PM  
**Attachments:** [image001.png](#)

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Dear City Clerk,

Please include the following as written communications for Item 1, RE Policy No. 5.

Thank you,

Kitty Moore

	<b>Kitty Moore</b> Councilmember City Council KMoore@cupertino.gov (408) 777-1389
	

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**From:** Kitty Moore <KMoore@cupertino.gov>  
**Date:** Wednesday, December 6, 2023 at 11:54 AM  
**To:** Pamela Wu <PamelaW@cupertino.gov>  
**Cc:** Matt Morley <MattM@cupertino.gov>, Debra Nascimento <DebraN@cupertino.gov>  
**Subject:** Book Request for the Council Office

Hi Pamela,

I mentioned some books I have found useful and would like to suggest having a shelf in the council office that would remain there. I have marked the books from Solano Press below that I have, and think are very useful for self-study. They total \$715. The entire list is under \$1,000. I already own them all, I was thinking it would be great if the other councilmembers had access to the same without needing to pay for them themselves.

Along with the following list of books, I have also purchased from the League of California Cities, "The California Municipal Revenue Sources Handbook" 5<sup>th</sup> Ed. By Michael Coleman (\$35 <https://www.calcities.org/resource/municipal-revenue-sources-handbook> ), the AEP "CEQA Statutes and Guidelines" (available free online but the hard copy is better if building a reference shelf) and "The CEQA Deskbook" is excellent also - De Anza College has a very affordable CEQA/EIR course which goes through the entire book cover to cover. I did purchase the Planning Commissioner related books on the Solano list, but I am just asking for the Council-related ones. Exclamation marks are for the ones I personally think are more helpful.

Here is the Solano Press link: <https://solano.com/>

Quantity	Title		
	BB	Ballot Box Navigator (2003)	\$50.00
	CC	Planning for Child Care in California (2006)	\$50.00
Yes	CL	California Public Contract Law (2007)	\$65.00
	CW	A Career Worth Planning (2000)	\$36.00
	ED3	Eminent Domain (2015 ~ 3rd Edition)	\$75.00
Yes	ENV2	California Environmental Law and Policy (2017)	\$130.00
	FM	Managing Fire in the Urban Wildland Interface (2010)	\$85.00
	FP	The Forest Practice Act in California (2005)	\$95.00
	GP	The General Plan in California (2015)	\$80.00
Yes!	L38	California Land Use and Planning Law (38th Edition)	\$130.00
Yes Lehigh	ML	California Surface Mining Law (2009)	\$55.00
	G6	Guide to California Planning (6th Edition)	\$70.00
	OS	The Open Space and Land Conservation Handbook (2011)	\$65.00
	PC	The Planning Commissioner and the California Dream (2004)	\$35.00
Yes	PCEQA	Practical CEQA (2020)	\$80.00
	R29	Redevelopment in California (2009 ~ 4th Edition)	\$90.00
	SF	California School Facilities Planning (2006)	\$65.00
	TA	Trail Planning for California Communities (2009)	\$95.00
	TE	Telecommunications (2002)	\$50.00
	TL	California Transportation Law (2000)	\$50.00
	TDR	Putting TDRs to Work in California (1993)	\$25.00
	WE2	Wetlands, Streams, and Other Waters (2004)	\$50.00
	WL	Water and Land Use (2004)	\$50.00
Yes!	X09	Exactions And Impact Fees In California (2012)	\$80.00
Yes if on Valley Water	W3	California Water (3rd Edition)	\$85.00
Yes!	FP	Guide to Local Government and Finance in California (2nd Edition)	\$90.00
	NC	Navigating the California Coastal Act (2018)	\$80.00
	NR	Natural Resource Regulation in California (2019)	\$135.00
			SUBTOTAL

That being said, I realize the budget likely would not allow for such an expenditure, and I don't know if any other councilmembers would want to have such resources available, but I do want the request 'out there' so to speak.

Thank you for your consideration of this idea.

Kitty Moore



**Kitty Moore**  
Councilmember  
City Council  
[KMoore@cupertino.gov](mailto:KMoore@cupertino.gov)  
[\(408\) 777-1389](tel:(408)777-1389)



CC 3-05-2024

Item No. 6

Consider an appeal of  
the Planning  
Commission's decision for  
Shane Co. Signs

Written Communications

**From:** [Rhoda Fry](#)  
**To:** [City Clerk](#); [City Council](#)  
**Subject:** City Council 3/5/2024 Agenda Item #6 - leave it alone  
**Date:** Monday, March 4, 2024 5:17:02 PM

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## City Council 3/5/2024 Agenda Item #6

Dear City Council,

The City Council has appointed the Planning Commission to drill down on the details.

Please uphold their decision.

We've been down this road before and it saddens me that you have considered our Planning Commission to be superfluous.

Thanks,

Rhoda Fry



Virus-free. [www.avg.com](http://www.avg.com)

CC 3-05-2024

Item No. 7

Revisions to City  
Commission and  
Committee Handbook

Written Communications

**From:** [Connie Cunningham](#)  
**To:** [City Council](#); [City Clerk](#); [Pamela Wu](#)  
**Subject:** 2024-03-05 CC Agenda Item 7, Action to revise 3 documents, including Commissioners Handbook  
**Date:** Tuesday, March 5, 2024 3:09:41 PM

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**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 and Manager Wu,

The new Ordinance, and two revised resolutions are well thought out. Thank you for all the work that City Staff has done to bring these documents to Council.

I have a few questions/comments:

1. In the Draft Ordinance, Section 2.b. please update the term from “homeless” to “unhoused” persons. This term is used more frequently in modern writings to be descriptive, and not be negative.

The new Sustainability Commission is a great idea. Using the Climate Action Plan recognizes that there are many synergistic components of climate change. Cities are basic to climate change since cities control so much of land use within its borders.

2. In the Resolution governing rules for appointing commissioners, etc.: how do the changed rules affect Commissioners recently selected if they are business reps but not residents? How does it affect Alternate Commissioners recently selected? Can we assume that Commissioners selected up until now under the old rules will remain?

3. Resolution for appointing commissioners: Page 5. Typo in Para 4. line 5. Add “than” between the words “more” and “three”

4. Commissioner’s Handbook: Excellent changes throughout. Here are three thoughts.

a. Page 5: Can participation in the monthly Mayor’s meeting replace the report required every six months on Page 5? This could simplify the work of the Chair, since a report could require a separate Agenda Item.

b. Page 8. Add a subparagraph to Staff Updates and Commissioners Activity Report  
<!--[if !supportLists]-->a. <!--[endif]-->The Mayor’s Meeting will be discussed under this heading.

c. What are summary minutes? Does liaison keep them? Please add a definition of the two types of minutes.

Thank you again for the excellent work on these documents. They are critical to the smooth operation of the Commissions and Committees.

Best regards,  
Connie Cunningham, Housing Commission, self only

**From:** [Seema Lindskog](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** Important Clarifications Needed in Commissioners Handbook  
**Date:** Tuesday, March 5, 2024 11:19:23 AM

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

Respected Mayor Mohan, Vice-Mayor Fruen, and Councilmembers,

I am writing today in support of adopting a new Commissioners Handbook. It is much needed and will help clarify and cement the role of the Commissions in the city as well as the expectations from Commissioners.

There are two topics covered in the handbook that it is very important to clarify:

**Agenda setting needs to be led by the Commission Chair**

The current language is vague as to who decides what items go on the agenda. It calls for the Chair and the City Liaison to agree together. However, as in all things, disagreements can occur and there needs to be a final decision maker. That person should be the Chair of the Commission because he/she is the person appointed by the City Council to lead the Commission.

*I urge you to clarify the language to indicate that the Chair of the Commission has the final decision making authority for adding items on the agenda, with the caveat that items that require a staff report cannot be added to the agenda without the approval of the City Liaison.*

**Consequences for failing to comply with reporting requirements and training**

The proposed new language for a commissioner failing to comply is very vague. It states the commissioner will be removed from the commission after receiving a "reasonable opportunity to correct the noncompliance". There are instances of commissioners being given years to correct noncompliance, which seems overly generous and defeats the whole intent of this provision.

*I urge you to add specific timeframes for requiring compliance such as giving commissioners 30 days to become compliant failing which they will be removed from the commission.*

Thank you for your time and for everything you do for this city.

Best regards,  
Seema Lindskog

---

"You must be the change you want to see in the world." - Mahatma Gandhi  
*This message is from my personal email account. I am only writing as myself, not as a representative or spokesperson for any other organization.*

**From:** [Jennifer Griffin](#)  
**To:** [City Council](#); [City Clerk](#)  
**Cc:** [grenna5000@yahoo.com](mailto:grenna5000@yahoo.com)  
**Subject:** Comments on Agenda Item 7, City Council Meeting, 3/5/24  
**Date:** Tuesday, March 5, 2024 9:13:31 AM

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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:

Here are my comments on Item Number 7, City Council Agenda on 3/5/24: Public Comments on The Committees and Commissions Organization Etc.

(Please include in public comment for Item 7, City Council Meeting on 3/5/24.)

My comments on Agenda Item 7: Committees and Commissions Organization etc. :

I recommend this item be postponed. The handling of the City Committees and Commissions last year (2023) Was so traumatizing that I personally have not recovered from it. The elimination of three regular Committees, the Environmental Review Committee, the Design Review Committee and the Legislative Review Committee was extremely disruptive to city process. I participated in all three committees Regularly. Also, the circus big top environment conducted during the "supposed" removal of A long-standing commissioner and its simultaneous broadcasting on social media leaves A very distasteful memory of how apparently we are conducting business in Cupertino.

I think we need to regroup and think very carefully about how we are handling our committees And commissions. Consolidating the library commission with other committees is not advisable In most universes.

Thank you for your attention to the comments above.

Sincerely,

Jennifer Griffin

**From:** Carol Stanek <[carolstaneks@gmail.com](mailto:carolstaneks@gmail.com)>

**Sent:** Sunday, March 3, 2024 12:38 PM

**To:** City Council <[citycouncil@cupertino.org](mailto:citycouncil@cupertino.org)>; Cupertino City Manager's Office <[citymanager@cupertino.org](mailto:citymanager@cupertino.org)>; City Attorney's Office <[cityattorney@cupertino.org](mailto:cityattorney@cupertino.org)>

**Subject:** March 5 Council Agenda Item #7 - Commissioners Handbook Revisions

**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 Mohan, Vice Mayor Fruen, Council Members, City Manager Wu and City Attorney Jensen,

Having served on the Parks and Recreation Commission for a number of years, I am delighted to see that the Council is revising the Commissioners' Handbook to bring increased accountability and clarity to the role of Commissioner. It is unfortunate, but necessary, that the consequences for incomplete training or reporting be included in our Handbook and policies.

The proposed requirements, as stated in the Draft Resolution 24-022 and the Handbook, are incomplete and inconsistent. A few changes, recommended below, will improve and clarify the requirements:

1. **Update the requirement for completing training** stated in the Handbook as follows:
  - o "Each member ~~should~~ **must** complete all training required by state or federal law or by a City rule or policy"
2. **Update the language for conditions for removal in both documents to include all mandated training**, not just "legally required" training as follows:
  - o "A member fails to comply with ~~legally required~~ **mandatory** training or conflict of interest reporting requirements..."
3. **The timeframe to correct should be limited and clearly spelled out**, considering that an initial grace period to complete the training or reporting would have already elapsed. I recommend not longer than 30 days.
4. Specify that Commissioners who have not completed mandatory requirements by the initial due date **may not participate in Commission business until they have completed the requirement**.
5. Specify that **missed meetings due to delinquent training or reporting will be marked as an absence** for the purposes of annual Attendance requirements.

Reasons for the above recommendations are as follows:

- Limiting the requirement to "legally required" training or reporting is ambiguous to those who will not be familiar with legal requirements.
- Cupertino should require Commissioners to complete training offered by the City (such as Ethics and Anti-Harassment training) even if legal mandates are eliminated
- Handbook and Cybersecurity training may not be legally required but they are considered mandatory by the City so they should also be covered by the policy and consequences
- Cybersecurity training is especially relevant to keeping Cupertino's networks free from ransom attacks since Commissioners are required to use their City email for commission business
- Including training required by City rule or policy in the stated consequences ensures that Commissioners are trained in these important areas

- The changes will remove the inconsistency between the Handbook and Resolution 24-022 where the Handbook references training required by "City rule or policy" but the Resolution does not.

It is a privilege to participate as a Commissioner at Commission meetings. **Cupertino deserves Commissioners who are compliant with reporting requirements, fully engaged and trained when conducting Commission business.**

Additional Notes:

- 1) The Table of Contents for the Handbook needs to be updated under Commission Membership from "Quorum and Attendance" to "Quorum, Attendance, Training and Reporting", per the revised section in the body of the Handbook.
- 2) The Handbook would be easier to reference if each section were identified by a numbering scheme, similar to the Resolutions, rather than only by page numbers in the Table of Contents.

Sincerely,  
Carol Stanek  
Speaking for myself

**From:** Joel Wolf <[JWolf@cupertino.gov](mailto:JWolf@cupertino.gov)>  
**Sent:** Tuesday, March 5, 2024 3:37:54 PM  
**To:** City Council <[CityCouncil@cupertino.gov](mailto:CityCouncil@cupertino.gov)>  
**Subject:** Agenda Item #7

Dear Mayor Mohan, Vice-Mayor Fruen and Council Members,

I am writing in regard to tonight's Agenda Item #7, and more specifically the agenda item portion related to the **Commissioners' Handbook revisions**. As a past Chair of the Bike-Ped Commission, I believe there needs to be greater clarity on how the commission agendas are set each month. The current language in the Handbook states that "Each commission has a staff liaison responsible for preparing agendas in consultation with the Chair." This language is somewhat vague and provides no direction when there is a disagreement as to whether an item should be placed on the agenda. Sometimes I have left the agenda-setting meeting unsure as to what will actually be placed on the published agenda. I would recommend that the Chair have final decision-making authority as to items placed on the agenda. However, this would **not** include any items requiring preparation of a staff report unless approved by the City Manager (this is the proposed new language in the redlined Commissioners' Handbook).

Thank you for your consideration.

Joel Wolf  
Vice-Chair  
Bike-Ped Commission



**Joel Wolf**  
Bicycle and Pedestrian Commissioner  
[JWolf@cupertino.gov](mailto:JWolf@cupertino.gov)



**From:** [Peggy Griffin](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** 2024-03-05 City Council Meeting AGENDA ITEM 7 - Commissions and Committee changes  
**Date:** Tuesday, March 5, 2024 8:22:38 PM

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PLEASE INCLUDE THE FOLLOWING EMAIL AS PART OF WRITTEN COMMUNICATIONS FOR THE ABOVE CITY COUNCIL MEETING AGENDA ITEM.

Dear City Council,

With regard to City Council Agenda Item #7 – Commissions and Committee changes, please see below.

Sincerely,  
Peggy Griffin

#### ATTACHMENT B

Sustainability Commission

- DO NOT remove a Cupertino based business. We NEED their inputs and perspective! A compromise would be to allow a Cupertino resident that is a business owner elsewhere.
- Add that members cannot be people who could profit from decisions made by this commission.

#### ATTACHMENT D

- DO NOT agree with having the City Manager or designee select the valid applicants! Our democracy is based on checks and balances. The fact that you have reduced it to every other year has reduced the time and effort required BUT leave it at that.
- DO NOT withhold the list of ALL applicants to ALL Councilmembers!
- DO NOT remove the alternate commissioner because
  - Reducing a commission can cause problems in voting.
  - Things happen and primary commissioners may need to drop out and the city needs to have an alternate already selected and ready to step in. It's efficient and saves time.
- AGREE w the training and conflict of interest reporting clause – if paperwork not submitted ON TIME hey should be automatically removed from their commissions.
- VERY IMPORTANT – Address when and how a commission meeting can be cancelled. The Chair of the commission should have a say!

#### ATTACHMENT E

- AGENDAS...”No agenda item requiring preparation of a staff report may be scheduled without approval of the City Manager or their designee.”
  - There are MANY items that can be discussed within a commission meeting w/o requiring a staff report.
  - WHO decided when a staff report is required?
- RECOMMENDATIONS TO COUNCIL by commissions
  - The CC agendized item MUST be presented and discussed AT the commission

meeting with materials BEFORE coming to council.

- CITY WORK PROGRAM

- DO NOT change “will” to “may” reach out to commissions
- Why are you deleting the annual report of progress by commissions?

**From:** [Jean Bedord](#)  
**To:** [City Clerk](#)  
**Subject:** Fwd: Agenda Item #7 Revisions to City Commissions - Housing Commission, March 5, 2024, City Council  
**Date:** Tuesday, March 5, 2024 6:31:43 PM

---

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

Oops, I forgot to copy you on this email. Please include this in written communications for this meeting.

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

**From:** Jean Bedord <[Jean@bedord.com](mailto:Jean@bedord.com)>

**Date:** Tue, Mar 5, 2024 at 11:25 AM

**Subject:** Agenda Item #7 Revisions to City Commissions - Housing Commission, March 5, 2024, City Council

**To:** City Council <[citycouncil@cupertino.org](mailto:citycouncil@cupertino.org)>, Cupertino City Manager's Office <[citymanager@cupertino.org](mailto:citymanager@cupertino.org)>, <[mattm@cupertino.org](mailto:mattm@cupertino.org)>

Mayor Mohan, Vice-Mayor Fruen, Council members and staff,

The proposed changes to commissions and committees are definitely a step forward to improving administration, procedures and governance. However, I disagree with one change to the Housing Commission.

**Section 2 A.**

A. The Housing Commission members must be residents of Cupertino.

While I agree with removing the "business" representative requirement, this should be changed to recognize the importance of multi-unit housing in Cupertino (aren't approximately 40% of Cupertino residents renters?): Instead, substitute:

**A. The Housing Commission may allow up to one representative of a multifamily housing complex in Cupertino, which could be senior housing, affordable housing, disabled housing or rental complexes. Such representative is not required to be a resident of Cupertino. The other commissioners must be residents of Cupertino.**

Most housing managers and housing related agencies can't afford to live in Cupertino, unless they are onsite managers. This wording removes the requirement, which has been problematic for recruiting qualified candidates, but allows this representation if there are qualified applicants. It might be extended to allow a housing advocacy group representative who may not reside in Cupertino.

Resident, former library commissioner and senior housing advocate,  
Jean Bedord

From: Jennifer Shearin <JShearin@cupertino.gov>

Date: March 1, 2024 at 6:04:17 PM PST

To: Kirsten Squarcia <KirstenS@cupertino.gov>

Subject: Re: 3/5/24 Council agenda items for input

Hi Kirsten,

Here are my comments regarding the updated Commission procedures and Handbook.

Overall, I find the updates to Commission Procedures and the Handbook are useful and will help clarify the expectations for commissioners. Thank you for taking time to make this much-needed improvement.

In two areas I have concerns. One is in the Commissioner's Handbook (Attachment G), and one is in Resolution 24-022 (Attachment D).

1. In the Commissioner's Handbook, in the section on Agendas/Future Agenda Setting, it states:

#### Future Agenda Setting

The staff liaison will maintain a list of future agenda items that the commission plans to discuss. The Chair, the staff liaison, or any two commissioners can add an agenda item within their purpose to the future agenda item list and it will be scheduled at the discretion of the Chair and staff liaison.

Clarification on the word "discretion" is needed to avoid conflicts. This line does not make it clear whether the staff liaison can veto scheduling an agenda item the chair would like the to schedule, assuming there is no staff report. Currently, chairs are able to do this.

Likewise, under the unlikely situation that the Chair disagrees with the staff liaison regarding scheduling an agenda item for a particular month, it would be helpful to clarify if the Chair has that veto power.

2. In the Resolution 24-022, it states:

A member fails to comply with legally required training or conflict of interest reporting requirements after receiving notice and a reasonable opportunity to correct the noncompliance.

1. The training requirement should be “mandatory” training, not “legally required”. If the training is mandatory, then it should be tracked by the city and there should be penalties to not completing it in a timely manner.
2. The “reasonable opportunity” should be spelled out somewhere. One recommendation is to have a notice that the mandated training is not complete, and it must then be completed within a month of the notice. While the training is incomplete, commissioners may not participate in commission work.

Thank you,

Jennifer Shearin

Jennifer Shearin

Parks and Recreation Commission Chair

JShearin@cupertino.gov

---

From: Kirsten Squarcia <KirstenS@cupertino.gov>

Sent: Thursday, February 29, 2024 9:05 AM

Cc: Astrid Robles <AstridR@cupertino.gov>; City Clerk <cityclerk@cupertino.gov>

Subject: 3/5/24 Council agenda items for input

Good morning Commission and Committee members (Bcc'd on this email),

As discussed in Monday's training session, the City Council will consider the following items at the Tuesday, March 5 Council meeting (see attached agenda for item details). Your input is welcome. You may provide comments by replying to this email. Your comments will be collected and provided to the Council.

STUDY SESSION at 5:00 PM

1. Subject: Revisions to Cupertino City Council Procedures Manual

REGULAR MEETING at 6:45 PM

7. Subject: Revisions to City commission and committee administration, procedure, and governance, including an ordinance to regularize commissioner appointments and revise commissioner qualifications; and resolutions adopting revisions to advisory bodies appointment process and Commissioners' Handbook.

You may also address the Council directly on these items:

1. Email the City Council [citycouncil@cupertino.org](mailto:citycouncil@cupertino.org)
2. Appear in person at Cupertino Community Hall
3. Attend via Teleconference
  - Online: [https://cityofcupertino.zoom.us/webinar/register/WN\\_YOyG6tsjTt6-4lkrNblRQ](https://cityofcupertino.zoom.us/webinar/register/WN_YOyG6tsjTt6-4lkrNblRQ)
  - By Phone: Dial: 669-900-6833 and enter Webinar ID: 944 5378 0692

Regards, Kirsten

Kirsten Squarcia

City Clerk

City Manager's Office

KirstenS@cupertino.gov

(408) 777-3225

From: Alexander Fung <AFung@cupertino.gov>

Date: March 1, 2024 at 2:19:03 PM PST

To: Kirsten Squarcia <KirstenS@cupertino.gov>

Cc: Astrid Robles <AstridR@cupertino.gov>, City Clerk <cityclerk@cupertino.gov>

Subject: Re: 3/5/24 Council agenda items for input

Good Afternoon Kristen,

Thank you for sharing these updates.

I certainly appreciate the City Council and staff for standardizing and streamlining the process further, but I would recommend that the terms for the existing commissioners be unaffected and that the changes be implemented in the next round of recruitment and/or after the terms of the existing commissioners expire. With the removal of the business representative seats from the Housing and Sustainability Commissions, I recommend that the City consider forming an Economic Development Committee or Commission to ensure that the City continue to stay committed in obtaining feedback and recommendations from business owners, managers, or representatives in key decisions and projects.

Additionally, since I am currently serving as a business representative on the Sustainability Commission (but I am also a resident of Cupertino), would my business seat immediately convert to a community member seat after Council's adoption of the resolution?

Thank you very much again for the opportunity to comment and have a wonderful weekend.

Best,

Alex

Alexander P. Fung, MPP

Commissioner

Sustainability Commission

afung@cupertino.gov

(408) 777-3200

---

From: Kirsten Squarcia <KirstenS@cupertino.gov>

Sent: Thursday, February 29, 2024 9:05 AM

Cc: Astrid Robles <AstridR@cupertino.gov>; City Clerk <cityclerk@cupertino.gov>

Subject: 3/5/24 Council agenda items for input

Good morning Commission and Committee members (Bcc'd on this email),

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  - Online: [https://cityofcupertino.zoom.us/webinar/register/WN\\_YOyG6tsjTt6-4lkkRNbLrQ](https://cityofcupertino.zoom.us/webinar/register/WN_YOyG6tsjTt6-4lkkRNbLrQ)
  - By Phone: Dial: 669-900-6833 and enter Webinar ID: 944 5378 0692

Regards, Kirsten

Kirsten Squarcia

City Clerk

City Manager's Office

KirstenS@cupertino.gov

(408) 777-3225

CC 3-05-2024

Item No. 8

Consider list of agenda  
items requested by City  
Councilmembers

Written Communications

**From:** [Lisa Warren](#)  
**To:** [City Council](#); [City Council](#)  
**Cc:** [City of Cupertino Planning Commission](#); [HousingCommission](#)  
**Subject:** Written Communication for 3/5/24 City Council Agenda Item #8-TBD Agenda List (#3) -- Critically Important to schedule a public study session related to 3rd Draft of 6th Cycle Housing Element 2023-2031  
**Date:** Monday, March 4, 2024 12:45:42 PM

---

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

Mayor and Council,

I am sending the message below as I did not include you on Feb 23, 2024 email to staff and others.

I did remove some of my comments from the later part of the email, as they do not apply to the message I am trying to send to you related to your March 5, 2024 Agenda item 8.... from the 'Action Calendar'. I will also comment that many residents would have preferred that this item be a Public Hearing item.

Thank you.  
Lisa Warren

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

**From:** Lisa Warren <la-warren@att.net>  
**To:** [Housing@cupertino.org](mailto:Housing@cupertino.org) <[housing@cupertino.org](mailto:Housing@cupertino.org)>; [housing@cupertino.org](mailto:housing@cupertino.org) <[housing@cupertino.org](mailto:housing@cupertino.org)>; [cityclerk@cupertino.org](mailto:cityclerk@cupertino.org) <[cityclerk@cupertino.org](mailto:cityclerk@cupertino.org)>; City Clerk <[cityclerk@cupertino.org](mailto:cityclerk@cupertino.org)>  
**Cc:** Luke Connolly <[lukec@cupertino.org](mailto:lukec@cupertino.org)>; [lukec@cupertino.org](mailto:lukec@cupertino.org) <[lukec@cupertino.org](mailto:lukec@cupertino.org)>  
**Sent:** Friday, February 23, 2024 at 03:45:59 PM PST  
**Subject:** Fw: Comments related to 3rd Draft of 6th Cycle Housing Element 2023-2031

RE: 3rd Draft of 6th cycle Housing Element

Hello Luke and additional Staff.

I will start with a thank you for your continuing efforts to 'figure this mess out'. I realize that many, many hours... and tax payer dollars have gone toward this disturbing HE cycle.

I am honestly disgusted with HCD and the power they allowed to wield.

I am one that believes that Cupertino got off on a very bad foot with the first consultant, EMC, under Ande Flowers.

I say this because I participated in the Housing Element discussions beginning with the first public meeting with Flowers introducing things to Housing Commission. This led to several Planning Commission meetings and numerous other study sessions/meetings, workshops, etc.

Once the city finally 'got rid of' EMC, it seemed like the huge, and not truly defined (by HCD) task might be headed in a more productive direction.

I believe that it did. HOWEVER, communication from the city to the Community, Housing Commission, Planning Commission and City Council fell very, very short.

I know that this has expressed by many others over the last year or so.

Now, here we are with what is hoped to be close to the final product - again, thanks to efforts/cartwheels ? from Planning dept and upgraded consultant.

Much of the reason for the comments above is to emphasize that I do not believe 'residents' -- probably the most effected 'stakeholders' -- are getting a fair shake. With very little time to try to digest this current draft of the Housing Element, and without the benefit of 'along the way' information for over a year now, residents (including our electeds and appointed) are at a great disadvantage. This could have, and should have, been avoided. In fact, it could have made the staff's job 'easier' in the end.

I believe that is accurate to say that the city did not fulfill all requirements.

**"Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov Code, 65583. sibd/ (c)(9).)"**

**"Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should CONTINUE to engage the community....."**

***I needed to*** put all of the above info/comments in the communication here.

I hope that you understand that, and that you read far enough to get to this additional comment/suggestion.

### **For Strategy HE-1.3.6 Encourage Missing-Middle Housing Developments**

Definitions of missing middle housing emphasize building at a human scale and heights that are appropriate for single-family neighborhoods or transitional neighborhoods."

Change R3 to R2 (duplexes) to create a better transition for neighborhoods. Duplexes often appear like a single home while they double density. It increases the probability of owner-occupied units. The combination of allowing R2, NOT R3 zoning, with the addition of ADUs on duplex lots, allows for a combination of home ownership (duplex) and rentals (ADUs), both of which provide opportunities for the "missing middle" The current strategy as written, requires units to be rentals and this should NOT be a goal when so much of the higher density housing

being added elsewhere, will NOT allow for ownership... except for investors. Allowing R3-zoning as it is written today, allows for the use of density bonus law to eliminate the height, setbacks and parking requirements which would DESTROY the look and feel of neighborhoods.

**Give everyday people/families a fighting chance to OWN property.  
That is something every generation needs.**

To : City Council March 4, 2024 - RE: An effort to have council direct Staff to schedule a 'joint' study session.

NOTE that:

Additional comments have been removed from this forwarded email sent to Staff in February as comments for Housing Element Draft 3 (6th cycle)

Thank you.  
Lisa Warren

**From:** [Peggy Griffin](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#); [HousingCommission](#); [City of Cupertino Planning Commission](#)  
**Subject:** 2024-03-05 City Council Agenda Item #8-TBD List #3 STUDY SESSION for Current Housing Element  
**Date:** Sunday, March 3, 2024 11:54:05 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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PLEASE INCLUDE THIS EMAIL AS PART OF WRITTEN COMMUNICATIONS FOR THE ABOVE CITY COUNCIL AGENDA ITEM.

Dear City Council,

I implore you to have a STUDY SESSION on our CURRENT DRAFT3 Housing Element submitted on February 27, 2024.

- Focus needs to be on Goals, Policies and Strategies.
- ASAP before HCD has replied, not after!
- Call a Special stand alone meeting so items can actually be presented, discussed, questioned and ANSWERED!
- Allow everyone, yes, even Councilmembers, to ask questions, provide suggestions, comments, etc.

**Please note...**

The city has had NO PUBLIC MEETINGS AT ALL to discuss, comment, question or provide suggestions on **the Housing Element Goals, Policies and Strategies in a public forum.**

From Page 5 of the December 15, 2023 HCD Letter it specifically states that public participation is a **requirement!**

**C. Public Participation**

*Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd. (c)(9).)*

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. HCD particularly encourages the City to continue engaging commenters on this review. Public comments previously

City of Cupertino's 6<sup>th</sup> Cycle (2023-2031) Revised Draft Housing Element  
December 15, 2023

Page 5

- On July 25, 2023 City Staff held a "Study Session and staff presentation on the 6<sup>th</sup> Cycle Housing Element Update" BUT regarding the Goals, Policies and Strategies chapter - NO PRESENTATION OR DISCUSSION WAS ALLOWED! The only discussion was to confirm the sites selection. NOTHING else was allowed.
- Since Mid-2022, almost 2 years, NO MEETINGS have been held/scheduled to allow the public or our Housing and Planning Commissions to discuss, ask questions, and provide input to ANY of

the Goals, Policies and Strategies in the 2023-2031 Housing Element document!

- The Housing and Planning Commissions are both tasked to provide input to our General Plan and the Goals, Policies and Strategies within our General Plan yet they have NOT BEEN ALLOWED TO DO SO – NOT ALLOWED to discuss and provide input publicly on the Housing Element Goals, Policies and Strategies!
- As far back as September 8, 2022, the Housing Commission was begging the City Council and City manager to allow them to contribute to the Housing Element Update (Reference Housing Commission Agenda on 9-9-2022, Item #2)
- Nor have the members of our City Council had an opportunity to be presented with what is proposed, discuss it, ask questions and provide input! NOTHING IN PUBLIC!
- This latest DRAFT3 was posted on February 16, noticed and available for the minimum required 7-day period. That's it. Nothing else.

Please note in the DRAFT3 Housing Element (submitted Feb. 27, 2024), Appendix B1 – Public Participation, PDF Page 16 of 18 (B1-12), they summarize comments and their response to LACK OF PUBLIC PARTICIPATION is

• Request for additional public outreach

There will be at least one meeting with the Housing and Planning Commissions in April 2024 followed by meetings with the City Council in May/June 2024. There will be several community meetings in the spring and summer to discuss rezoning, General Plan and objective design standards in relation to the Housing Element

What this says is:

We will *NOT EVER* have a discussion on Goals, Policies and Strategies! *ZERO DISCUSSIONS* because rezoning and objective design standards will be the focus.

REQUEST:

Please have a focused Study Session on the current 2-27-2024 Housing Element Goals, Policies and Strategies BEFORE the HCD response letter.

Sincerely,  
Peggy Griffin

LINK to entire 2-27-2024 DRAFT3 Housing Element:

<https://engagecupertino.org/public-documents>

LINK to Appendix B1:

[https://ehq-production-us-california.s3.us-west-1.amazonaws.com/3fbb74739b7859007a6d2add636e0df829f613e6/original/1709076585/0971a9f9c13b9034af53c0d9d4df14ed\\_Appendix\\_B1\\_-\\_Public\\_Participation\\_2.27.24v2.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA4KKNOAKICO37GBEP%2F20240303%2Fus-west-1%2Fs3%2Faws4\\_request&X-Amz-Date=20240303T193015Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=681a87ecc4b8dd0e35cfbe788057bb7f97f56f7d6cbb7044a1d5264c78b72e75](https://ehq-production-us-california.s3.us-west-1.amazonaws.com/3fbb74739b7859007a6d2add636e0df829f613e6/original/1709076585/0971a9f9c13b9034af53c0d9d4df14ed_Appendix_B1_-_Public_Participation_2.27.24v2.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA4KKNOAKICO37GBEP%2F20240303%2Fus-west-1%2Fs3%2Faws4_request&X-Amz-Date=20240303T193015Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=681a87ecc4b8dd0e35cfbe788057bb7f97f56f7d6cbb7044a1d5264c78b72e75)

CC 3-05-2024

Item No. 11

Blackberry Farm Golf  
Course Fee Increase

Written Communications

**From:** [Kitty Moore](#)  
**To:** [City Clerk](#); [Kirsten Squarcia](#); [Lauren Sapudar](#)  
**Subject:** Written Communications Item 11  
**Date:** Tuesday, March 5, 2024 3:57:15 PM  
**Attachments:** [Fee Schedule E Recreation.pdf](#)

---

Dear City Clerk,

Please include the attachment for Item 11.

There is a conflict between Resolution 23-094 on page one of the attachment, and Resolution 04-350 regarding how fees are set which needs clarification.

Thank you,

Kitty Moore



**Kitty Moore**  
Councilmember  
City Council  
KMoore@cupertino.gov  
(408) 777-1389



**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**

Recreation classes and excursion fees shall be determined as follows:

Classes

1. Determine the maximum hourly rate paid to instructor.
2. Multiply the instructor's hourly rate by the number of class meetings.
3. Determine the minimum number of participants and divide into the instructor's cost.
4. Add indirect overhead percent - 32%.
5. Add 20% to establish non-resident fee.
6. Add cost for specialized equipment or supplies.

Special Conditions: For classes taught by contract instructors, the indirect overhead is only added to the City's percentage.

Excursions

1. Transportation cost divided by the number of participants plus overhead transfer.
2. Add 20% to establish non-resident fee.
3. Add any admission cost, supplies or leadership cost.

Additional factors that may be used to determine the class or excursion user fee:

The total number of participants in a given activity may generate additional revenue whereby the total program cost may be reduced.

Classes that traditionally have waiting lists may have the user fee increased.

Programs in competition with adjacent cities or the private sector may require fees to be increased or decreased to remain competitive.

Facility Use Fee Schedule (Staff Use Only)

CLASSIFICATIONS:

- Group 1: Cupertino-serving non-profits with 1/3 resident membership/participation, a Cupertino business address, or demonstrated service to Cupertino; government organizations; sponsored clubs; functions held by non-profits that are free and open to the Cupertino public. These organizations must show an official structure and status and maintain current recognition by the IRS as tax exempt (IRS Form 501c).
- Group 2: Non-resident non-profit recreation, education or community service organizations for functions not open to the public. These organizations must show official structure and status and maintain current recognition by the IRS as tax exempt (IRS Form 501c).
- Group 3: Cupertino Residents - Private, special interest or business groups for functions not open to the public. These functions would include parties, banquets, receptions, industrial conferences, seminars, trade shows, etc. Must show proof of 95014 residency.
- Group 4: Non-Residents - Private, special interest or business groups for functions not open to the public. These functions would include parties, banquets, receptions, industrial conferences, seminars, trade shows, etc.

**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**  
**Quinlan Community Center**

ROOM RENTAL SCHEDULE PER HOURS

<u>Cupertino Room</u>	Mon-Fri up to 5:00pm	Overtime Fees*	Fri 5:00pm-Sun	Overtime Fees*
Cupertino Non-Profit (Group 1)	\$30	\$45	\$80	\$120
Non-Profit (Group 2)	\$48	\$72	\$128	\$192
Resident (Group 3)	\$168	\$252	\$280	\$420
Non-Resident (Group 4)	\$224	\$336	\$368	\$552
 <u>Social Room</u>				
Cupertino Non-Profit (Group 1)	\$20	\$30	\$60	\$90
Non-Profit (Group 2)	\$32	\$48	\$96	\$144
Resident (Group 3)	\$72	\$108	\$120	\$180
Non-Resident (Group 4)	\$90	\$135	\$150	\$225
 <u>Craft Room</u>				
Cupertino Non-Profit (Group 1)	\$24	\$36	\$39	\$59
Non-Profit (Group 2)	\$30	\$45	\$48	\$72
Resident (Group 3)	\$48	\$72	\$80	\$120
Non-Resident (Group 4)	\$60	\$90	\$100	\$150
 <u>Conference Room</u>				
Cupertino Non-Profit (Group 1)	\$10	\$15	\$25	\$38
Non-Profit (Group 2)	\$16	\$24	\$40	\$60
Resident (Group 3)	\$31	\$47	\$52	\$78
Non-Resident (Group 4)	\$39	\$59	\$65	\$98

Security Staff

Security staff is required when alcohol is served except for the Conference Room. \$43.00 per hour. Minimum of 6 hours.

Overtime Fee\*

Rentals exceeding, prior to or following the permitted reservation time, shall be charged the overtime fee for any time up to the first half-hour, and the overtime fee per hour for every hour thereafter. This charge will be deducted from the security deposit.

Security Deposit

A security deposit shall be required for all groups. Security deposit is due at time of reservation. The Department Director may also require or alter a deposit based on the nature of an event, deposits on account for other permits, etc. The security deposit will be refunded if no damage occurs, rooms are left in clean condition, and permits conclude on time.

Cupertino Room	\$500
Social Room	\$300

Insurance

General Liability Insurance may be required as determined by Department and stipulated in Department's Facility Use Insurance Requirement Policy.

**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**  
**Community Hall**

ROOM RENTAL SCHEDULE PER HOUR

	Mon-Fri Up to 5:00pm	Overtime Fees*	Fri 5:00pm to Sun	Overtime Fees*
Cupertino Non-Profit (Group 1)	\$30	\$45	\$80	\$120
Non-Profit (Group 2)	\$48	\$72	\$128	\$192
Resident (Group 3)	\$120	\$180	\$200	\$300
Non-Resident (Group 4)	\$200	\$300	\$300	\$450

Security Staff

Security staff is required when alcohol is served. \$43.00 per hour. Minimum of 6 hours.

Overtime Fee\*

Rentals exceeding, prior to or following the permitted reservation time, shall be charged the overtime fee for any time up to the first half-hour, and the overtime fee per hour for every hour thereafter. This charge will be deducted from the security deposit.

Security Deposit

A security deposit shall be required for all groups. Security deposit is due at time of reservation. The Department Director may also require or alter a deposit based on the nature of an event, deposits on account for other permits, etc. The security deposit will be refunded if no damage occurs, rooms are left in clean condition, and permits conclude on time.

Community Hall	\$500
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Insurance

General Liability Insurance may be required as determined by Department and stipulated in Department's Facility Use Insurance Requirement Policy.

Cupertino Library: Will be approved for a select number of uses of Community Hall without fee, based on approval from the use of Community Hall.

**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**

**Monta Vista Recreation Center/Creekside Park Building/Wilson Park Building**

ROOM RENTAL SCHEDULE PER HOUR

**WILSON PARK BUILDING/CREEKSIDE/MONTA VISTA - Multi-Purpose Room, Room 5**

	Mon-Fri Up to 5:00pm	Overtime Fees*	Fri 5:00pm to Sun	Overtime Fees*
Cupertino Non-Profit (Group 1)	\$24	\$36	\$39	\$59
Non-Profit (Group 2)	\$30	\$45	\$48	\$72
Resident (Group 3)	\$48	\$72	\$80	\$120
Non-Resident (Group 4)	\$60	\$90	\$100	\$150

**MONTA VISTA - Room 4**

	Mon-Fri Up to 5:00pm	Overtime Fees*	Fri 5:00pm to Sun	Overtime Fees*
Cupertino Non-Profit (Group 1)	\$20	\$30	\$32	\$48
Non-Profit (Group 2)	\$24	\$36	\$40	\$60
Resident (Group 3)	\$38	\$57	\$64	\$96
Non-Resident (Group 4)	\$48	\$72	\$80	\$120

	Resident	Non-Resident
Bounce House Permit (Memorial and Creekside Park Only)	\$25	\$25

Security Staff

Security staff is required when alcohol is served at the Monta Vista - Multi-Purpose Room. \$43.00 per hour. Minimum of 6 hours.

Overtime Fee\*

Rentals exceeding, prior to or following the permitted reservation time, shall be charged the overtime fee for any time up to the first half-hour, and the overtime fee per hour for every hour thereafter. This charge will be deducted from the security deposit.

Security Deposit

A security deposit shall be required for all groups. Security deposit is due at time of reservation. The Department Director may also require or alter a deposit based on the nature of an event, deposits on account for other permits, etc. The security deposit will be refunded if no damage occurs, rooms are left in clean condition, and permits conclude on time.

Creekside Park building and Monta Vista security deposit is \$100. If alcohol is served security deposit is \$250.

Insurance

General Liability Insurance may be required as determined by Department and stipulated in Department's Facility Use Insurance Requirement Policy.

Wilson Park Building rental would not include access to ceramic wheels, kiln, or specialized art equipment.

**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**  
**Senior Center**

<u>Membership Fees</u>	Resident	Non-Resident
Annual Membership	\$25	\$30
Volunteer Membership*	\$20	\$25

\*Members who have volunteered 20+ hours in the previous calendar year qualify for this rate.

<u>Non-Member - Additional Fees</u>	Resident	Non-Resident
Visitor Pass (per day)	\$5	\$5
Classes (per class meeting)	\$10	\$10
Day Trips (per trip)	\$20	\$20

Drop-In Rate (Members only) for fitness classes shall be determined by multiplying the per-meeting cost by 1.5.

ROOM RENTAL SCHEDULE PER HOUR

<b>Reception Hall</b>	Mon-Fri Up to 5:00pm	Overtime Fees*	Fri 5:00pm to Sun	Overtime Fees*
Cupertino Non-Profit (Group 1)	\$30	\$45	\$80	\$120
Non-Profit (Group 2)	\$48	\$72	\$128	\$192
Resident (Group 3)	\$144	\$216	\$240	\$360
Non-Resident (Group 4)	\$180	\$270	\$300	\$450
<b>Bay Room/ Arts and Craft</b>				
Cupertino Non-Profit (Group 1)	\$22	\$33	\$36	\$54
Non-Profit (Group 2)	\$27	\$41	\$45	\$68
Resident (Group 3)	\$43	\$65	\$72	\$108
Non-Resident (Group 4)	\$54	\$81	\$90	\$135
<b>Classroom</b>				
Cupertino Non-Profit (Group 1)	\$20	\$30	\$32	\$48
Non-Profit (Group 2)	\$24	\$36	\$40	\$60
Resident (Group 3)	\$38	\$57	\$64	\$96
Non-Resident (Group 4)	\$48	\$72	\$80	\$120
<b>Conference Room</b>				
Cupertino Non-Profit (Group 1)	\$10	\$15	\$25	\$38
Non-Profit (Group 2)	\$16	\$24	\$40	\$60
Resident (Group 3)	\$31	\$47	\$52	\$78
Non-Resident (Group 4)	\$39	\$59	\$65	\$98

Security Staff

Security staff is required when alcohol is served at the Reception Hall. \$43.00 per hour. Minimum of 6 hours.

Overtime Fee\*

Rentals exceeding, prior to or following the permitted reservation time, shall be charged the overtime fee for any time up to the first half-hour, and the overtime fee per hour for every hour thereafter. This charge will be deducted from the security deposit.

Security Deposit

A security deposit shall be required for all groups. Security deposit is due at time of reservation. The Department Director may also require or alter a deposit based on the nature of an event, deposits on account for other permits, etc. The security deposit will be refunded if no damage occurs, rooms are left in clean condition, and permits conclude on time.

Reception Hall	\$500
All Other Rooms	\$300

Insurance

General Liability Insurance may be required as determined by Department and stipulated in Department's Facility Use Insurance Requirement Policy.

CITY OF CUPERTINO  
 Resolution 23-094  
 Fees Effective July 19, 2023  
 Schedule E - Recreation  
 Sports Center

	Type	Resident	Non-Resident
<u>Passes</u>			
Day Pass		\$10	\$12
<u>Monthly Memberships</u>			
One Month	Single	\$65	\$78
One Month	Couple*	\$85	\$102
One Month	Family*	\$105	\$126
One Month	Senior	\$50	\$60
One Month	Students	\$30	\$36
<u>Annual Memberships</u>			
One Year	Single	\$440	\$528
One Year	Couple*	\$825	\$990
One Year	Family*	\$920	\$1,104
One Year	Senior	\$395	\$474

*\*Family membership includes up to 2 adults and 1 child under 18. For residents, each additional child is \$100 per year or \$8 per month. For non-residents, each additional child is \$120 per year or \$10 per month.*

*\*Couple and Family memberships must live in the same household.*

ROOM RENTAL SCHEDULE PER HOUR

<b>Conference Room</b>	<b>Current</b>
Cupertino Non-Profit (Group 1)	\$10
Non-Profit (Group 2)	\$16
Resident (Group 3)	\$31
Non-Resident (Group 4)	\$39
<b>Multi-Purpose Room/Sports Court</b>	<b>Current</b>
Resident	\$60
Non-Resident	\$72

ADDITIONAL CONDITIONS

1. The Cupertino Tennis Club will be charged \$12.00/hour during primetime and \$8.00/hour per court during non-primetime for all C.T.C. sponsored activities other than U.S.T.A. leagues and practices.
2. All competitors in C.T.C./U.S.T.A. leagues participating at the Sports Center must purchase an annual membership.

**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**  
**Outdoor Facilities**

Memorial Softball Field

Cupertino residents/Resident business only	\$40/2 hrs
Non-Residents/Non-Resident business	\$60/2 hrs
Field can be reserved for a maximum of 4 hours. THERE IS NO FEE FOR CURRENT SOFTBALL TEAMS PLAYING IN CUPERTINO LEAGUES	
Field preparation (includes dragging, watering, chalking, and bases)	\$37
Field Attendant (2 hour minimum). Field Attendant is required any time lights or field preparation is requested.	\$18/hr
Lights	\$10/hr

Memorial Park Amphitheater

Residents/Cupertino Non-Profit	\$55/2 hours
Non-resident/Non-Profit	\$75/2 hours

Memorial Park Gazebo

Residents/Cupertino Non-Profit	\$55/2 hours
Non-resident/Non-Profit	\$75/2 hours

Picnic Areas (Daily Rate)

	Resident	Non-Resident
Memorial (113 capacity)	\$113	\$154
Linda Vista (136 capacity)	\$136	\$186
Portal (80 capacity)	\$80	\$109
Creekside (80 capacity)	\$80	\$109
Electricity at Memorial or Linda Vista Park	\$25	\$25
Bounce House Permit (Memorial and Creekside Park Rentals Only)	\$25	\$25

Sports Field Fees (Per Athletic Field Use Policy)

City of Cupertino at any field and Cupertino Union School District programs at Joint Use Agreement fields	No Charge
Non-profit organization serving individuals with a disability (*)	No Charge
Resident, non-profit youth organizations (*)	\$10/hour/field
Non-resident, non-profit youth organizations (*)	\$30/hour/field
Resident adult or for-profit youth organizations (*)	\$50/hour/field
Non-resident adult or for-profit youth organizations	\$60/hour/field

\*Sports Field Fees Organization Requirements

Non-profit organization serving individuals with a disability: Organizations must provide documentation, subject to review by the Department Director.  
Resident, non-profit youth organizations: Organizations must maintain Cupertino resident participation of 51% or greater and must be a recognized non-profit 501(c)(3) serving youth ages 18 or younger.  
Non-resident, non-profit youth organizations: Organizations must be recognized non-profit 501(c)(3) serving youth ages 18 or younger.  
Resident adult or for-profit youth organizations: Organizations must maintain Cupertino resident participation of 51% or greater.

CITY OF CUPERTINO  
 Resolution 23-094  
 Fees Effective July 19, 2023  
 Schedule E - Recreation  
 Blackberry Farm

Picnic Areas (Daily Rate) \*

	Resident	Non-Resident
Area 1 - 250 Person Picnic Area- Blackberry Site	\$300	\$600
Area 2 - 100 Person Picnic Area- Sycamore Site	\$120	\$240
Area 3 - 100 Person Picnic Area- Owl Site	\$120	\$240
Area 4 - 50 Person Picnic Area- Steelhead Site	\$60	\$120
Area 5 - 50 Person Picnic Area- Bobcat Site	\$60	\$120
Area 6 - 25 Person Picnic Area- Acorn Site	\$30	\$60
All Sites- 525 Person Picnic Area	\$690	\$1,380
Pool Pass for Picnic Area Groups	\$4	\$5

Day-Use Pass Only

Weekday Tuesday - Friday	\$6	\$8
Weekend Saturday - Sunday	\$8	\$10

Picnic area fees are due in full at the time of reservation.

\* Organizations may rent multiple areas.

Swim Pass Options

	Resident	Non-Resident
10-day Pass	\$60	\$80

Season Swim Pass (May-Sept)

Individual Pass	\$100	\$140
2-Person Pass	\$160	\$200
3-Person Pass	\$170	\$210
4-Person Pass	\$180	\$220
5-Person Pass	\$190	\$230
6-Person Pass*	\$200	\$240
*Each additional person added to a 6-person pass	\$6	\$8

\*Swim pass prices may be adjusted due to current COVID related restrictions.

**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**  
**Environmental Education Center**

ROOM RENTAL SCHEDULE PER HOUR

	No Charge	Overtime Charges*
Contracted Tenants and Partners*		
Cupertino Non-Profit (Group 1)	\$30	\$45
Non-Profit (Group 2)	\$48	\$72
Resident (Group 3)	\$55	\$83
Non-Resident (Group 4)	\$88	\$132

\*Onsite tenants and partnering organizations that have a current lease agreement with the City of Cupertino.

Security Staff

Security staff is required when alcohol is served at any City facility. \$43.00 per hour. Minimum of 6 hours.

Overtime Fee\*

Rentals exceeding, prior to or following the permitted reservation time, shall be charged the overtime fee for any time up to the first half-hour, and the overtime fee per hour for every hour thereafter. This charge will be deducted from the security deposit.

Security Deposit

A security deposit of \$300 will be due at time of booking for rentals. (except for Contracted Tenants and Partners)

Insurance

General Liability Insurance may be required as determined by Department and stipulated in Department's Facility Use Insurance Requirement Policy.

**CITY OF CUPERTINO**  
**Resolution 23-094**  
**Fees Effective July 19, 2023**  
**Schedule E - Recreation**  
**Park Special Events Permits**

Application Fee (per event; non-refundable)	\$75
Civic Center Plaza - per event day; 500 or fewer attendees	\$1,000
Memorial Park - half park per event day; 500 or fewer attendees	\$1,000
Memorial Park - full park per event day; 501 or more attendees	\$2,000
Event Day Staffing - City Staff	At Cost
Event Day Staffing - Sheriff's Office	At Cost

*Memorial Park Special Event Permit for nonprofit/civic organizations only.  
Additional permit fees may be charged for park uses, as determined by the Department Director.*

**Security Deposit**

A security deposit of \$1,000 is due 30 days prior to event. The security deposit payment is required before a Special Event Permit will be issued.

**Insurance**

General Liability Insurance is required as stipulated in the Department's Special Events Permit.

**Community Gardens**

Garden bed annual assessment	\$110
Garden bed annual assessment - PG&E CARES Program Discount	\$55
Garden bed refundable security deposit	\$150
Garden bed refundable security deposit - PG&E CARES Program Discount	\$75

**CITY OF CUPERTINO**  
**Resolution 22-049**  
**Fees Effective July 18, 2022**  
**Schedule E - Recreation**  
**Blackberry Farm Golf Course**

**Daily Green Fee Schedule**

<u>Weekends</u>	Resident	Non-Resident
9-Holes	\$18	\$20
Senior	\$18	\$20
Junior	\$15	\$17
Second 9 Holes (all players)	\$12	\$14
<u>Weekdays</u>		
9-Holes	\$16	\$18
Senior	\$15	\$17
Junior	\$15	\$17
Second 9 Holes (all players)	\$12	\$14

All Groups and Tournaments pay the 9-Hole rate (Cupertino residents still applies). Staff is authorized to set merchandise fees according to current cost.

	<b>Adults (17-50)</b>	<b>Jr/Sr</b>
<u>Monthly Rate*</u>		
Cupertino Residents	\$165	\$150
Non-Residents	\$195	\$180
<u>Annual Rate (Weekdays Only)</u>		
Cupertino Residents	\$1,310	\$1,160
Non-Residents	\$1,610	\$1,460
<u>Semi-Annual Rate (Weekdays Only)</u>		
Cupertino Residents	\$710	\$630
Non-Residents	\$870	\$790
<u>Super Annual Rate (Good on Weekends &amp; Holidays)</u>		
Cupertino Residents	\$1,650	\$1,500
Non-Residents	\$1,950	\$1,800
<u>Super Semi-Annual Rate (Good on Weekends &amp; Holidays)</u>		
Cupertino Residents	\$880	\$800
Non-Residents	\$1,040	\$960

\*Monthly rate valid 7 days a week and Holidays. Based on 1/10th of the Super Annual Rate.

**CITY OF CUPERTINO**  
**Resolution 22-049**  
**Fees Effective July 18, 2022**  
**Schedule E - Recreation**  
**Blackberry Farm Golf Course**

Power Cart Rental Packs

10 Pack	\$65	\$65
20 Pack	\$120	\$120
30 Pack	\$165	\$165
40 Pack	\$200	\$200
50 Pack	\$225	\$225

Rentals

Power Cart	\$7	\$7
Pull Cart	\$3	\$3
Soccer Balls	\$3	\$3
Clubs	\$10	\$10

**Daily Foot Golf Fee Schedule**

Weekends

Adult	\$15	\$15
Junior	\$12	\$12
Spectator Fee	\$5	\$5

Week days

Adult	\$15	\$15
Junior	\$12	\$12
Spectator Fee	\$5	\$5
Second 9 holes	\$12	\$14

\*Specials will be offered on an on-going basis

**CITY OF CUPERTINO**  
**Resolution 22-049**  
**Fees Effective July 18, 2022**  
**Schedule E - Recreation**  
**Blackberry Farm Golf Course**

**Quick Passes**

<u>Base Rate</u>		<u>15</u>	<u>16</u>	<u>17</u>	<u>18</u>	<u>18</u>	<u>20</u>
	Savings	Weekday	Weekday	Weekday	Weekday	Weekend	Weekend
# of Plays	per	Senior	Adult	Senior	Adult	Res.	NR
	round	Res.	Res.	NR	NR		
10	\$1	\$140	\$150	\$160	\$170	\$170	\$190
20	\$2	\$260	\$280	\$300	\$320	\$320	\$360
30	\$3	\$360	\$390	\$420	\$450	\$450	\$510
40	\$4	\$440	\$480	\$520	\$560	\$560	\$640
50	\$5	\$500	\$550	\$600	\$650	\$650	\$750

Golf fees may be increased/decreased at the discretion of the City Manager (Resolution No. 04-350)