

CC 06-16-20

Oral  
Communications

Written Comments

## Cyrah Caburian

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**From:** City of Cupertino Written Correspondence  
**Subject:** FW: When, per State law, were the Loop Road easements vacated by a CA Legislative body?

**From:** James Moore <cinco777@icloud.com>  
**Sent:** Sunday, June 7, 2020 5:14 PM  
**To:** City Attorney's Office <CityAttorney@cupertino.org>  
**Cc:** Steven Scharf <SScharf@cupertino.org>; Darcy Paul <DPaul@cupertino.org>; Jon Robert Willey <JWilley@cupertino.org>; Liang Chao <LiangChao@cupertino.org>; Rod Sinks <RSinks@cupertino.org>; Cupertino City Manager's Office <manager@cupertino.org>; City Clerk <CityClerk@cupertino.org>  
**Subject:** When, per State law, were the Loop Road easements vacated by a CA Legislative body?

**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 Attorney Minner,

Residents would like to know **When, per State law, were the Loop Road easements vacated by a CA Legislative body?**

These west and east "Loop Roads" connect N Wolfe Road to the Perimeter Road, a roadway which borders the Vallco Shopping Mall site of ~ 50 acres. The four included images show the west Loop Road, Tunnel under N Wolfe Road (a City easement), and east Loop Road, as of Saturday, 6/6/2020.

You can find additional information on these easements in my and Catherine Moore's e-mails and Oral Communications to our City Council, in the hyper-linked VPO Title report of 12/2017 (Exception #81, etc.), in recorded documents at the SCC Recorder's Office, and in the March 27, 2018 proposed VTC project plans and drawings (P-0202A and P-0307A).

[http://www.easylawlookup.com/California-Law/Streets-and-Highways-Code/par-6161/easylookup.blp?GO=Prepare&site=easy&print=&data=streets&p\\_start=262&p\\_end=267&p\\_para=6161&p\\_epara=6292&par=6161&displayer=YES](http://www.easylawlookup.com/California-Law/Streets-and-Highways-Code/par-6161/easylookup.blp?GO=Prepare&site=easy&print=&data=streets&p_start=262&p_end=267&p_para=6161&p_epara=6292&par=6161&displayer=YES)

Thank you for providing a response to our request as we are confounded by the VPO project plans to construct buildings on top of these Loop Roads protected by City easements.

Jim Moore  
Resident volunteer

\*\*\*\*\* Please include in the Public Record \*\*\*\*\*









## Cyrah Caburian

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**From:** Jim Moore <maxcinco@comcast.net>  
**Sent:** Monday, June 15, 2020 11:40 AM  
**To:** Steven Scharf; Liang Chao; City Attorney's Office  
**Cc:** Jon Robert Willey; Darcy Paul; Rod Sinks; Cupertino City Manager's Office; City Clerk  
**Subject:** Residents request you hold the promised Study Session on Easements, and deny Pau/VPO's construction of buildings atop our Public lands  
**Attachments:** Add\_Easement\_Study\_Session\_To\_Agenda\_Stated\_By\_Mayor\_At\_20191217\_CCC\_Mtg\_Extracted\_Video\_02m30s.mp4

**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 Member Chao, and City Attorney Minner,

Please refresh your memories on your statements regarding easements during the December 17, 2019, Cupertino City Council Meeting. You can easily and quickly refresh them by viewing the attached short video clip (02m30s) extracted by residents from this meeting's video record.

In light of your comments during this 12/17/2019 meeting held six months ago, and the mayor's statement to hold a, yet unscheduled, Study Session on "Easements", please re-read the e-mails and attachments you received this past week from residents on our growing concerns that Peter Pau and his VPO entity will usurp and construct buildings atop our Loop Roads, roads protected by a City Easement accepted by our CCC and recorded in 1975, and never vacated, per State Law, by a CA Legislative Body.

In case you are still being told that the recently decided (5/6/2020) SB35 VTC lawsuit precludes you from informing Pau and VPO that our Loop Road easement was never vacated and, therefore, disallows their construction of buildings atop them, please recognize that Judge Helen Williams' Order Denying Petition For Writ Of Mandate never uses the terms "easement", "road", "loop", "vacate", or "map" within her order. Her lengthy judicial order does not supersede or nullify the CA

State law requiring "vacation", by a Legislative Body, of roadway easements.

Residents request that you, our elected City Council, take action now to hold a Study Session on "Easements", and inform Pau and VPO they can not construct buildings atop our Loop Road easement comprising 1.5 acres of Publicly owned land.

Requested by over Twenty concerned residents/voters (15 of us also signed the 12/16/2019 e-mail you received)

\*\*\*\*\* Please include this with the 6/16/2020 CCC Meeting  
Written Communications \*\*\*\*\*



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## Cyrah Caburian

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**From:** James Moore <cinco777@icloud.com>  
**Sent:** Thursday, June 11, 2020 10:57 PM  
**To:** Steven Scharf; Darcy Paul; Jon Robert Willey; Liang Chao; Rod Sinks; Cupertino City Manager's Office; City Attorney's Office  
**Cc:** City Clerk  
**Subject:** Please inform VPO that the Loop Road Easement is not theirs to build on

**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.

Since all existing documentation indicates that the Loop Road Easement was never vacated, and residents have received no response from our City attorney indicating otherwise, we request that our City Council and City Attorney inform the Vallco Property Owner (VPO) that these 1.554 acres of public land are not theirs to build on.

In addition, to ensure full public transparency on this Easement, please place a City Resolution on the next CCC Agenda to reaffirm Resolution 3974, a Resolution passed by the Cupertino City Council on July 7, 1975. On this same Agenda, publicly disclose the City's letter to VPO, a letter which denies its use of these Public lands in constructing their Vallco Town Center.

Obviously, no City permits can be issued for any VPO construction on these Public lands.

Sincerely,

Jim Moore and other residents/voters

\*\*\*\*\* Please include this as part of the Public Record \*\*\*\*\*

## Cyrah Caburian

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**From:** James Moore <cinco777@icloud.com>  
**Sent:** Monday, June 15, 2020 12:47 PM  
**To:** Steven Scharf  
**Cc:** Liang Chao; Jon Robert Willey; Darcy Paul; Cupertino City Manager's Office; City Clerk  
**Subject:** Re: Please inform VPO that the Loop Road Easement is not theirs to build on

**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 Steve,

Thank you for responding to residents.

SB35 law **superseding** the CA State law requiring "vacation" of roadway easements by a Legislative Body is a **brand new assertion** residents have not been privileged to hear previously from our City attorney or electeds.

I guess practicing transparency or even responding to resident requests is not something that Heather Minner, our City Attorney, does. I'm pleased that our City is not paying her and SMW with taxpayer money.

Please ask your employee, Ms Minner, to cite, with details, where the SB35 law "supersedes" the CA State law that requires roadway easements be vacated by a CA Legislative Body. When (date/time) did Ms Minner respond to residents e-mailed requests and their Oral Communications on this Loop Road easement? Residents must have all been asleep.

Residents would really like to know this information on her SB35/easement assertions, especially after waiting six months since December 2019, and really ever since June 2018 (a different City Attorney), when the FoBC lawsuit was filed.

I do appreciate you being a messenger for Ms Minner. Residents are always grateful to hear from those we elected.

Jim Moore  
Resident volunteer

PS: When is Ms Minner and SMW's contract up?

\*\*\*\*\*. Please include this in the 6/16/2020 Written Communications \*\*\*\*\*

On Jun 15, 2020, at 12:05 PM, Steven Scharf <[SScharf@cupertino.org](mailto:SScharf@cupertino.org)> wrote:

The City Attorney responded to this a long time ago but she will send out the information again.

I believe that she will repeat the same thing she has said in the past: the easement was vacated as part of the ministerial approval of the SB-35 project. The SB-35 law supersedes CA State law requiring "vacation", by a Legislative Body, of roadway easements. I don't like this any more than you do, but as you know, the ministerial approval was done without the City Council's approval, by two former employees of the City.

The City Attorney is going to re-send the information on easements sometime this week.

A study session on easements is still planned but we have a lot of study sessions planned and we need to prioritize them.

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**From:** James Moore <[cinco777@icloud.com](mailto:cinco777@icloud.com)>

**Sent:** Thursday, June 11, 2020 10:57 PM

**To:** Steven Scharf <[SScharf@cupertino.org](mailto:SScharf@cupertino.org)>; Darcy Paul <[DPaul@cupertino.org](mailto:DPaul@cupertino.org)>; Jon Robert Willey <[JWilley@cupertino.org](mailto:JWilley@cupertino.org)>; Liang Chao <[LiangChao@cupertino.org](mailto:LiangChao@cupertino.org)>; Rod Sinks <[RSinks@cupertino.org](mailto:RSinks@cupertino.org)>; Cupertino City Manager's Office <[manager@cupertino.org](mailto:manager@cupertino.org)>; City Attorney's Office <[CityAttorney@cupertino.org](mailto:CityAttorney@cupertino.org)>

**Cc:** City Clerk <[CityClerk@cupertino.org](mailto:CityClerk@cupertino.org)>

**Subject:** Please inform VPO that the Loop Road Easement is not theirs to build on

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Obviously, no City permits can be issued for any VPO construction on these Public lands.

Sincerely,

Jim Moore and other residents/voters

\*\*\*\*\* Please include this as part of the Public Record \*\*\*\*\*

## Cyrah Caburian

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**From:** Revathy Narasimhan <revnar@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 4:49 PM  
**To:** City Clerk; City Council  
**Subject:** Speaker at 6/16 Cupertino City Council meeting  
**Attachments:** WhatsApp Image 2020-05-31 at 4.36.38 PM.jpeg; WhatsApp Image 2020-06-13 at 10.30.46 AM.jpeg

**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 a resident of the city and have registered for the webinar to attend the city council meeting virtually tonite. Here are my speaker notes for the meeting. I would like to address the council during the oral communications part of the agenda.

thanks  
Revathy

Name: Revathy Narasimhan  
Address: Hollyhead Lane, Cupertino, CA 95014

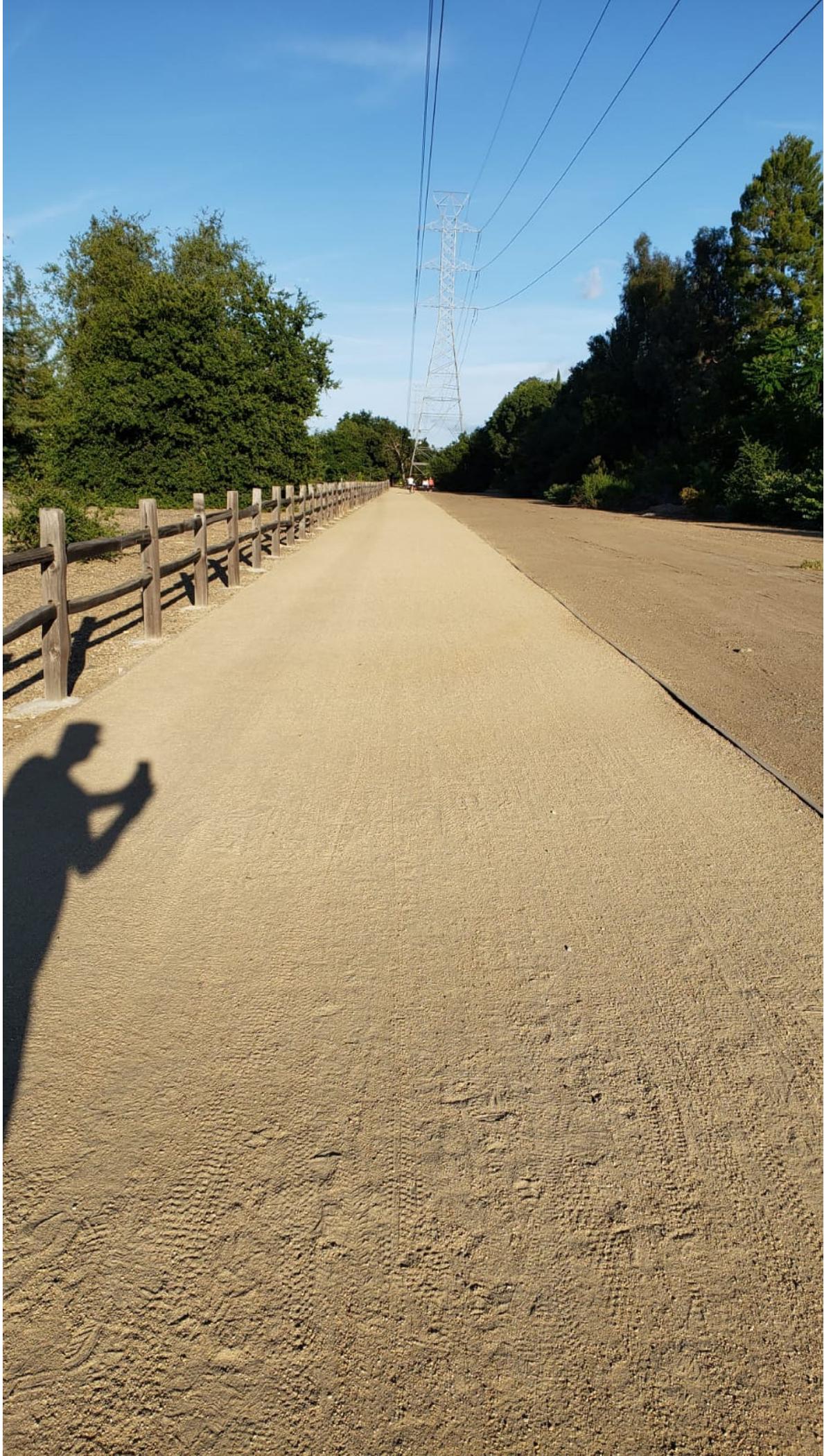
*Since the shelter-in-place began, our family has been taking regular walks along the trails in our neighborhood. We like the trails better than the roads because of having exclusive access for walkers and bikers without having to stop or watch for cars. In addition, having large, mature trees along the path helps with the shade especially as the days get warmer with summer. We also as a bonus get to meet other city residents at an outdoor setting where we can socialize while maintaining distancing.*

*First, Here are two pictures from our routine route along the UP trail from Rainbow Dr to Prospect Dr. Beyond Prospect, the trail becomes paved and is a part of Joe's trail as maintained by the City of Saratoga. It would be great if Cupertino prioritizes trails and paves with minimal investment, so the Cupertino portion of the trail can be steady and well-paved as the Saratoga part.*

*Second, as a community and the city council, we've spent hours and hours doing workshops, walks, 1:1 meetings, and not the mention of the marathon 9-hour meeting last September to finalize the one trail you agreed unanimously as a council to fund. I was just another city resident at that long meeting, and you heard from students, seniors, and several community supporters about the trail that helped you make that informed decision. Can we please stick to it and continue funding and building it? The reopening of a closed decision, to rediscuss the budget, asks, would be a disservice to the community, and all of us who came together to support that effort and needs a strong justification from the city council on if and why it would choose to do so.*

*Please prioritize the trails.*

*Thank you!  
Revathy  
Walk Bike Cupertino*





## Cyrah Caburian

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**From:** Jim Moore <maxcinco@comcast.net>  
**Sent:** Tuesday, June 16, 2020 5:05 PM  
**To:** City Clerk  
**Subject:** My remarks on Easements for this evening's Oral Communications  
**Attachments:** Easements associated with the Vallco Shopping Mall.doc

**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 rushed but didn't finish this 1st draft until now. Include it if you can. If not, that is OK too. I was late.

Jim Moore

Resident volunteer



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## Easements associated with the Vallco Shopping Mall

### Oral Communications to City Council on 6/16/2020

Residents have four Questions after our quick review of the City Manager's 6/16/2020 8:39 AM e-mailed response to our six e-mailed requests of June 8 – 15:

- 1) Where in Judge Williams' Order can residents find the text showing her "Approval of the Vallco SB 35 tentative map"? A page# is sufficient.
- 2) If the Vallco project undergoes significant changes in content (housing, office, retail, green roof), will the City (Planning Commission? Planning Department? City Council?) require new tentative subdivision maps to approve or disapprove?
- 3) What \$\$\$ amount will Vallco pay for an encroachment permit if they request that the non-vacated Loop Roads be closed?
- 4) Both tentative street maps, TM 4.0 and TM 5.0. show, in red text, "An Air Rights Easement Over Wolfe Road". This easement previously allowed the Vallco Shopping Mall to construct a bridge for retail use over N Wolfe Road connecting the two halves of the Mall. Will this easement be vacated/removed by the City since there is no longer a Mall?

Thank you for confirming that the existing Loop Road easement has not been vacated, for providing legal case references for background research, and for identifying the multiple methods for abandoning public lands and roadways.

Jim Moore, Resident volunteer

## Cyrah Caburian

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**From:** tessa parish <tessa@parishrealestategroup.com>  
**Sent:** Tuesday, June 16, 2020 6:21 PM  
**To:** Steven Scharf; Liang Chao; Jon Robert Willey; Darcy Paul; Rod Sinks; Deborah L. Feng; City Clerk  
**Subject:** Oral communication non sghenda item

**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.

Good evening council members and Mayor Scharff, as we've all been witnessing the black lives matter movement grow & evolve, We've now had some time to evaluate and put more thought into the matter. From my perspective I would like to request that our Council consider a review, analysis of existing protocol . by our Sheriff's Department in cases of incidents of resisting arrest.

I would like to suggest an oversight body to review any reports of possible abuse to the end of adopting policy that could perhaps monitor and ensure that in our city our Sheriff are practicing proper protocol. That there is some kind of oversight into any reports of abuse or racism. Perhaps to review of policy that could Ensure that never happens in our city. To my knowledge there hasn't been an issue for us in Cupertino.

Recently a post on Nextdoor brought up an incident in our own High School of racism against an African American student in 2016. There were technical reasons that prevented the offending students from being prosecuted. Perhaps the city council can review that incident and see how things can change, how policy can be adopted to prevent that from ever happening again but more importantly if it happens again I hope there is policy to prevent the student from using a loophole again to avoid prosecution. Urge the council to consider putting this on the agenda as a matter to review and consider for generations to come. As our City grows so will our problems. Please consider using this movement to adopt policy and enact law against racism.

-Tessa

## Cyrah Caburian

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**From:** Joseph Fruen <jrfruen@gmail.com>  
**Sent:** Tuesday, June 16, 2020 6:43 PM  
**To:** Deborah L. Feng; City Clerk; Kirsten Squarcia; City Council; Cupertino City Manager's Office; Steven Scharf; Rod Sinks; Darcy Paul; Liang Chao; Jon Robert Willey  
**Subject:** For written public comment- Council agenda 6/16/2020, Oral communications

**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 Scharf and Members of the City Council:

My thanks to the city manager and those in the community who aided her efforts in arranging for sanitation facilities for our unhoused residents living at the entrance to 280 South off Wolfe Road. I want to underscore who these people are once again: our unhoused residents; our neighbors--in many cases people who grew up here, went to our schools with us and have only ever known this community as home. They deserve the same dignity, respect, and attention from this council as any other residents.

We have the capacity to strive for a longer term remedy for their plight. Whether you choose to fold that effort into your budget process or some other endeavor, look now to how we can secure permanent or transitional supportive housing for them here. Cupertino can and should set an example and make an honest, strenuous effort to take care of our own.

Many thanks,

J.R. Fruen  
Cupertino resident

## Cyrah Caburian

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**From:** J j <jzw96@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 6:12 PM  
**To:** City Clerk  
**Subject:** please read the note to the council meeting

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

Dear there,

If somehow we couldn't get on although we did registered. Please read it to them:

we ask for leniency as we can't 'breathe', I actually pulled upper body muscle, which the breathing needs to use, reinjured again. Contractor and our family did indeed to get the consent with names after the little build-up torn down(that one followed county code, was a county territory not long ago, misled by the RE agent), nobody wanted to go through this again. Unfortunately, nightmare, tragic, heartbreaking, money loss, horrifying, excruciating thing happened again, plead turn to .... Please be lenient, we can not 'breathe', we are not asking to defund the police dept here, to defunct other ones actually residents do not like. We are trying to work with City attorney/Depts, accept that household with elder and young resident is harder to have voice. Thanks. Huang family

## Cyrah Caburian

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**From:** J j <jzw96@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 6:57 PM  
**To:** City Clerk  
**Subject:** Re: please read the note to the council meeting

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

Thanks.

*Sent from my Verizon Wireless 4G LTE DROID*

J j <jzw96@hotmail.com> wrote:

Dear there,

If somehow we couldn't get on although we did registered. Please read it to them:

we ask for leniency as we can't 'breathe', I actually pulled upper body muscle, which the breathing needs to use, reinjured again. Contractor and our family did indeed to get the consent with names after the little build-up torn down(that one followed county code, was a county territory not long ago, misled by the RE agent), nobody wanted to go through this again. Unfortunately, nightmare, tragic, heartbreaking, money loss, horrifying, excruciating thing happened again, plead turn to .... Please be lenient, we can not 'breathe', we are not asking to defund the police dept here, to defunct other ones actually residents do not like. We are trying to work with City attorney/Depts, accept that household with elder and young resident is harder to have voice. Thanks. Huang family

**Cyrah Caburian**

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**From:** Connie Cunningham <cunninghamconniel@gmail.com>  
**Sent:** Tuesday, June 16, 2020 6:48 PM  
**To:** City Clerk  
**Subject:** 2020 June 16 City Council Agenda: Oral Communications

**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.

The City Council Resolution dated June 5, 2020, states:

"The City of Cupertino demands that Black Lives Matter." Also,

"The City of Cupertino will promote safety, a sense of security, and equal protection of constitutional and human rights, leading by example through equitable treatment of all by City officials and departments;...."

Shortage of housing disproportionately impacts our Black Community. This is not equitable treatment. Housing is a human right.

## Cyrah Caburian

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**From:** Connie Cunningham <cunninghamconniel@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:02 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** 2020 June 16 City Council Agenda: Oral Communications

**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 Kirsten, please include this email in the written communications. Thank you.

June 16, 2020 City Council Westport, Oral Communication

Mayor, Vice-Mayor, Councilmembers: Thank you for this opportunity to speak.

I have two topics that I will address. Housing, first. Then Biking.

### First Housing:

The City Council Resolution dated June 5, 2020, states: "The City of Cupertino demands that Black Lives Matter."

It further states, "The City of Cupertino will promote safety, a sense of security, and equal protection of constitutional and human rights, leading by example through equitable treatment of all by City officials and departments;..."

Shortage of housing disproportionately impacts our Black Community. This is not equitable treatment. Housing is a human right.

There is something, else, you can do to take a step forward to help residents of all incomes, races, and abilities - without changing one penny on the budget.

You can approve the Westport Cupertino Project. Cupertino can begin its new-normal life, post-COVID, with a housing project that will take one step toward easing our housing shortage.

I support the Westport project. I was pleased to see the plan that was approved by the Housing Commission on May 12, 2020 – just one month ago. This project will provide significant housing for 294 families with 48 Below-market-rate homes, and 27 memory care homes - in an area that has access to transportation, businesses, the Senior Center, and schools, including De Anza College. They are critical needs in Cupertino.

A Gateway project at this site was envisioned by our General Plan and by the Housing Element. When Westport Cupertino comes to you for review and approval, I urge you to vote "yes."

### My second topic is Regnart Creek Trail

I speak tonight in favor of the Regnart Creek Trail. As an older bike rider, pedestrian, and car driver, I urge the Council to support this off-street trail. It will provide a safe path for older bicyclists, a nice recreational path for pedestrians, and a safe route to school for over 200 children. It will provide cleaner air by removing many cars from the road.

Please remember, that although both drivers and bicyclists complain about each other, in a collision between the two, the driver always wins. It has been reported that bicycle and pedestrian deaths are increasing in our County. Please build this off-street recreational trail for bicyclists and pedestrians.

Connie Cunningham

Housing Commission (self only)

Lived here for 33 years.

## Cyrah Caburian

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**From:** Sandhya Pakala <sandhyapakala@yahoo.com>  
**Sent:** Sunday, June 14, 2020 2:40 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Defund Police, Relocated Resources

**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 Mayor Scharf and Cupertino City Council Members,

My name is Sandhya Pakala, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery, Dominique Fells, Riah Milton. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over-policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to **defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation**. I ask that:

1. *Cupertino pledges to defund the police in the upcoming 2024-2025 contract with the Santa Clara Office of the Sheriff.*
2. *Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.*
3. *Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.*

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Please don't let us down.

Best,

Sandhya Pakala  
10511 Barnhart Ct  
sandhyapakala@yahoo.com  
408 772 5951

## Cyrah Caburian

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**From:** Kayla Adams <kayla.n.adams9@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:00 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Cupertino Needs Change Now

**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 Mayor Scharf and Cupertino City Council Members,

My name is Kayla Adams, and I am a former resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

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Best,

Kayla Adams  
[kayla.n.adams9@gmail.com](mailto:kayla.n.adams9@gmail.com)  
408-921-1011

## Cyrah Caburian

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**From:** Abhilasha Kumar <abhilashapunia@gmail.com>  
**Sent:** Tuesday, June 16, 2020 1:50 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Defund the Police in Cupertino

**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 Mayor Scharf and Cupertino City Council Members,

My name is Abhilasha Kumar, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

1. Cupertino pledges to defund the police in the upcoming 2024-2025 contract with the Santa Clara Office of the Sheriff.
2. Cupertino immediately defunds the \$48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino *moves to defund the police and reroute that funding to truly support Black people and communities of color.*

Best,

Abhilasha Kumar  
998 September Drive  
Cupertino, CA 95014  
[abhilashapunia@gmail.com](mailto:abhilashapunia@gmail.com)  
408-887-4457



## Cyrah Caburian

---

**From:** Megha Ilango <megha.ilango@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 3:45 PM  
**To:** City Council  
**Subject:** Taking Action to Review Policing in Cupertino

**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 Councilmembers,

Thank you again for the resolution affirming the city's commitment of solidarity to the Black community. Your words must be followed through with appropriate actions that prevent police violence and brutality both in our community and in neighboring communities. Thus, it is very concerning that the Black Lives Matter movement or police brutality is not on the agenda for tonight's city council meeting. I am writing to you to **reiterate suggestions I had given** at the last meeting to address this issue, and **inquire on what progress has been made on these items**.

At the last meeting, Mayor Scharf said that he had taken the Obama Foundation's pledge for mayors and city councils to address police use of force policies: <https://www.obama.org/mayor-pledge/>. This requires mayors to review the police use-of-force policies, engage the community in the review, report the review findings to the community, and reform the community's use of force policies. Have any actions been taken to support this pledge?

In order to fulfill the mayoral pledge and take further action in our community, I urge you to:

- 1.
2. Include
3. this issue as an agenda item for future meetings until we have reviewed and modified our contract with the Santa Clara Sheriff's Office.
- 4.
- 5.
6. Ensure
7. that the sheriff's department presents to our city during an upcoming council meeting about their approach to policing, their policies that limit use of force, racial bias in their arrests, and their systems of accountability, transparency with the community,
8. as soon as possible. Appropriate accompanying statistics should be presented.
- 9.
- 10.
11. Conduct
12. an appropriate review of the sheriff department's use-of-force policies and police accountability measures. Investigate how Cupertino city funds are used by the sheriff's department; review and modify unnecessary spending and redirect it toward community programs
13. and resources in the long run.
- 14.

Thanks,  
Megha Ilango



## Cyrah Caburian

---

**From:** Diana Liu <dliu17@berkeley.edu>  
**Sent:** Tuesday, June 16, 2020 3:54 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Please defund the police/SROs and fund affordable housing/support/mental health instead

**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 Mayor Scharf and Cupertino City Council Members,

My name is Diana, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

1. Cupertino pledges to defund the police in the upcoming 2024-2025 contract with the Santa Clara Office of the Sheriff.
2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,

Diana  
Resident of Cupertino, CA  
[dliu17@berkeley.edu](mailto:dliu17@berkeley.edu)  
408-550-3228

—

**Diana Liu**

[LinkedIn](#) | (408) 550-3228

## Cyrah Caburian

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**From:** Claudia Leung <claudiajleung@gmail.com>  
**Sent:** Tuesday, June 16, 2020 4:02 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Defund Police and Remove Police from Fremont Union High Schools & Cupertino Union Schools

**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 Mayor Scharf and Cupertino City Council Members,

My name is Claudia, and I am an alumna of Fremont Union High School District, with family members who still reside in Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

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2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,

Claudia Leung  
[claudiajleung@gmail.com](mailto:claudiajleung@gmail.com)  
408-204-7167

## Cyrah Caburian

---

**From:** Alice Tsvinev <alice.tsvinev@sjsu.edu>  
**Sent:** Tuesday, June 16, 2020 7:10 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Current Issues and Defunding of Police

**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 Mayor Scharf and Cupertino City Council Members,

My name is Alice Tsvinev, and I am a resident of Cupertino as well as an alumni of Monta Vista High School. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

1. Cupertino pledges to defund the police in the upcoming 2024-2025 contract with the Santa Clara Office of the Sheriff.
  2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
  3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.
- I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,



## Cyrah Caburian

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**From:** Saga Darnell <c0@sagadarnell.com>  
**Sent:** Tuesday, June 16, 2020 8:06 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Caring for Community

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 Mayor Scharf and Cupertino City Council Members,

My name is Saga Darnell. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

1. Cupertino pledges to defund the police in the upcoming 2024-2025 contract with the Santa Clara Office of the Sheriff.
2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,

Saga Darnell  
c0@sagadarnell.com

## Cyrah Caburian

---

**From:** Carrie Bullard <carrie.g.bullard@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:15 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Regarding Cupertino Policing Budget

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 Mayor Scharf and Cupertino City Council Members,

My name is Caroline Bullard, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

1. Cupertino pledges to defund the police in the upcoming 2024-2025 contract with the Santa Clara Office of the Sheriff.
2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,

Caroline Bullard  
8099 hyannisport drive  
cupertino ca 95014

2195085688

## Cyrah Caburian

---

**From:** Sara Ye <sara.ye@berkeley.edu>  
**Sent:** Tuesday, June 16, 2020 8:23 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Cut ties with Santa Clara Sheriff

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 Mayor Scharf and Cupertino City Council Members,

My name is Sara, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

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I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,  
Sara Ye

## Cyrah Caburian

---

**From:** Jamie Reeves <jamie.j.reeves@aol.com>  
**Sent:** Tuesday, June 16, 2020 8:33 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Defunding the Police

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 and Cupertino City Council,

We need to change the way we view public safety, and move away from the era of policing. The modern law enforcement system is directly bred out of the slave patrols in the early 1700s.

The attempts to reform, or improve, the racist institution of policing may never be sufficient, and therefore I am calling to defund to police.

I would also like to ask you what you are personally doing to reduce police brutality, and if you are on the boat to defund the police?

Sincerely,  
Jamie Reeves

## Cyrah Caburian

---

**From:** may liew <mliew759@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:03 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Defunding Cupertino Police

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 Mayor Scharf and Cupertino City Council Members,

My name is May Liew and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

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2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

All the best,  
May Liew

## Cyrah Caburian

---

**From:** Kiran Gomatam <kiran.gomatam@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:17 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Proposal to Defund the Police in Cupertino

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 Mayor Scharf and Cupertino City Council Members,

My name is Kiran, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

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County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

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2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,

Kiran Gomatam  
1089 Milky Way, Cupertino CA, 95014  
kiran.gomatam@gmail.com



## Cyrah Caburian

---

**From:** Munisekar <msekar@gmail.com>  
**Sent:** Wednesday, June 17, 2020 12:30 AM  
**To:** City Council; Cupertino City Manager's Office  
**Subject:** School Resource Officer (SRO) Funding.

**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 & Council,

I learned from the Cupertino City Council meeting today that you got around 10 emails from school kids asking you to defund 2 School Resource Officers (SRO) from Sheriffs department serving our schools.

It is my understanding that SROs are specially trained law enforcement officers that know how to deal with school kids related issues; not your regular police officers. If we get rid of them through un-funding, guess who will show up in a difficult student issue on campus; an untrained regular police officer. With 18K kids in CUSD and 11K kids in FUHSD, we are likely to have student situations needing SRO help to make teachers and other students feel safe.

I think the passions are flying high with BLM movement and slogans like "Defunding Police". While I agree BLM is important and we need to fix racism, I am not sure defunding police is a good idea.

I want my kids in school feel safe and I want to have a peace of mind that there are officers ensuring safety of my kids.

Cheers  
-Muni

## Cyrah Caburian

---

**From:** Kaitlin Doolittle <kaitlindoolittle@gmail.com>  
**Sent:** Wednesday, June 17, 2020 2:08 AM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** DEFUND CUPERTINO PD NOW!

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 Mayor Scharf and Cupertino City Council Members,

My name is Kaitlin, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

Currently, Cupertino spends 14 million on law enforcement each year, and in 2014, the Mercury News reported that 9 million of that goes directly to contracting with Santa Clara County Office of the Sheriff. In doing so, Cupertino is supporting a system of discrimination and brutality against Black people.

County sheriffs and the criminal "justice" system disproportionately police and incarcerate Black people in Santa Clara. In 2017, the Santa Clara County District Attorney reported that while Black residents make up only 2% of the county, a statistic that already points to deep patterns of segregation, Black residents make up 12% of felony defendants and "a disproportionately high number of Black and Hispanic defendants were sentenced to prison as compared to their representation in the community."

Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

1. Cupertino pledges to defund the police in the upcoming 2024-2025 contract with the Santa Clara Office of the Sheriff.
2. Cupertino immediately defunds the 48,000 annual subsidy of School Resource Officers in FUHSD and CUSD schools.
3. Cupertino instead funds affordable housing, support for unhoused people, and youth mental health.

I was heartened to see Cupertino pass a resolution on June 5, 2020 affirming that Black Lives Matter. In order to, as the resolution states, "oppose any attempts to undermine the safety, security, and rights of members of our community," it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Best,

Kaitlin D.

## Cyrah Caburian

---

**From:** Carly Conrad <threshingfledgling@gmail.com>  
**Sent:** Wednesday, June 17, 2020 6:55 AM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** Policing budget

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 Mayor Scharf and Cupertino City Council Members,

My name is Campbell, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

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Cupertino spends 9 million dollars contracting with Santa Clara County Sheriff despite the over policing of Black communities, despite the crisis in affordable housing in the South Bay, despite the fact that Cupertino has no homeless shelters. The average Cupertino resident pays \$348 a year for Law Enforcement, \$139 for Parks and Recreation, \$12 for affordable housing, and \$2 for support for unhoused people. As a city, I ask that Cupertino answer the call from the Movement for Black Lives and other Black organizations to defund the police and invest instead in community based organizations that truly promote public safety, health, harm reduction, and de-escalation. I ask that:

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Best,  
Campbell

Sent from my iPhone

## Cyrah Caburian

---

**From:** Maia Kaimakliotis <maia132@icloud.com>  
**Sent:** Wednesday, June 17, 2020 9:47 AM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** WHERE TO PUT YOUR MONEY AFTER DEFUNDING/DEMILITARIZING YOUR POLICE

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 Mayor Scharf and Cupertino City Council Members,

My name is Maia Kaimakliotis, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

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Best,

MAIA KAIMAKLIOTIS  
163 ALLEN ST. APT. 8 NY, NY 10002  
MAIA132@GMAIL.COM

561-222-6108

## Cyrah Caburian

---

**From:** Tishtar Daruwalla <tishtar@icloud.com>  
**Sent:** Wednesday, June 17, 2020 10:29 AM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** MORE HOUSING LESS POLICE

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 Mayor Scharf and Cupertino City Council Members,

My name is Tishtar Daruwalla, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

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Best,

Tishtar Daruwalla  
4087310181

## Cyrah Caburian

---

**From:** Nina Daruwalla <ninadaruwalla@gmail.com>  
**Sent:** Wednesday, June 17, 2020 12:49 PM  
**To:** Steven Scharf; Rod Sinks; Liang Chao; Jon Robert Willey  
**Subject:** RE-ALLOCATION OF CITY FUNDING TOWARDS SCHOOLS & HOUSING

**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, Mayor Scharf and Cupertino City Council Members,

My name is Nina Daruwalla, and I am a resident of Cupertino. Over the last few weeks, I've seen an outpouring of rage and grief over an occurrence common in the United States: the police killing of an unarmed Black person. George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery. I say their names to honor the lives lost to police violence. I demand that the city of Cupertino respond to this moment, not just with rhetoric, but with change that addresses the systems that encourage anti-Black racism in small towns all over the United States.

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rights of members of our community,” it is essential that Cupertino moves to defund the police and reroute that funding to truly support Black people and communities of color.

Thanking you,

Nina Daruwalla

408.219.5743

Realtor- Coldwell Banker Cupertino.

Past=Housing Commissioner- City of Cupertino

CC 06-16-20

#21

Budget Adoption

Staff Written  
Communication

September 17, 2019 RCT Council Meeting:

Authorized Fencing Budget:

Location	Length	\$/ft	Budget
Lozano/De Palma			\$40,000
Other Properties Immediately Abutting the Trail	2600	\$50	\$130,000
35% Contingency (\$130,000 x 35%):			\$45,000
<b>Total Budget Recommended on 9/17/19:</b>			<b>\$215,000</b>
<b>Amount Added by Council on 9/17/19:</b>			<b>\$150,000</b>
<b>Total Current Budget:</b>			<b>\$365,000</b>

Information after September 17, 2019 Council Meeting:

Estimated dollars needed to construct Lozano / De Palma properties: \$160,000

**Amount of fencing dollars remaining (\$365k-\$160k): \$205,000**

**Aside from Lozano & De Palma properties, all other properties have the option to receive a new standard single sided fence and have received outreach indicating this option. If there is a change from direction received September 2019, the below table provides two different types of fence options and the cost to construct.**

Type of Fencing	Number of Properties	Linear Feet	Cost per Foot	Cost to Construct	Location of Fencing
Standard single side fencing 7' tall	42	3420	\$55	\$188,100	All properties opposite the trail
Standard single side fencing 7'tall	33	2674	\$55	\$147,070	All properties immediately abutting the trail
Double sided 7' tall wood fencing with mass load vinyl	28+/-	2080	\$125	\$260,000	Majority of properties immediately abutting the trail
Double sided 7' tall wood fencing with mass load vinyl	33	2674	\$125	\$334,250	All properties immediately abutting the trail



CUPERTINO

# COMMUNITY FUNDING GRANT APPLICATION

ADMINISTRATIVE SERVICES | 408-777-3220 | WWW.CUPERTINO.ORG

## SECTION 1: CONTACT INFORMATION

Have you ever received a City of Cupertino Community Funding Grant in the past? Yes  
No If yes, when?

Full Legal Organization Name: \_\_\_\_\_

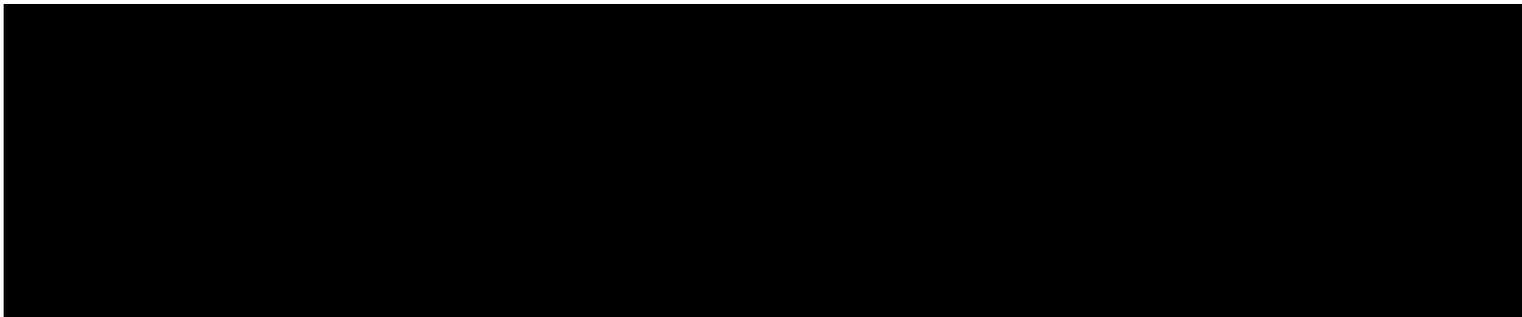
Website: \_\_\_\_\_



## SECTION 2: NON-PROFIT INFORMATION

501(c)(3)?:  Yes  
 No

Year Established: \_\_\_\_\_



## SECTION 3: ORGANIZATION INFORMATION

Total Organization Budget: \_\_\_\_\_

Total # of Board Members: \_\_\_\_\_

Total # of staff: \_\_\_\_\_

Total # of Volunteers: \_\_\_\_\_

Mission Statement:

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Brief Description of Organization:

---

Brief Description of Services Provided:

---



11. Describe how the program/project/event fills a community need. Who identified this need? What other similar project/program/event exists to serve Cupertino residents? How is your proposed project/program/event unique from similar projects/programs/events or how do you collaborate to avoid duplication?

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---

12. Who will be served by this grant?

---

a) Number of individuals total: \_\_\_\_\_

b) Number of Cupertino residents: \_\_\_\_\_

c) Particular community groups:

---

d) Will the program/project/event be available to the entire community/public or are there any eligibility criteria?

---

e) Will there be a charge or fee for the program/project/event (if applicable)?

---

f) What outreach methods does your organization use to promote the program/project/event (if applicable)?

---

13. Describe how the funds will be used to benefit or impact the Cupertino community:

---

---

14. Demonstrate that the staff implementing and managing the program/project/event have adequate experience:

---

---

15. How will success of the program/project/event be measured?:

---

---

16. More than 75% of the requested funds will go towards direct service costs versus administrative costs?:

Yes

No

17. Will you collaborate with other organizations to deliver the program/project/event funded by this grant? If so, which organizations?

18. If your organization has ever received financial or in-kind support from the City of Cupertino outside of Community Funding Grants, please describe this support:

19. Does your organization anticipate receiving additional financial or in-kind support from the City of Cupertino outside of Community Funding Grants for this type of program/project/event (e.g. fee waivers)? If so, please describe this anticipated support:

20. If you are a multi-jurisdictional organization, describe any funding requested from other agencies/organizations in regards to this program/project/event request. Indicate whether the funding was granted, denied, or is still pending:

21. How would you fund the program/project/event if you do not receive the requested funding?:

## SECTION 5: PRIOR FUNDING

1. If you received a Community Funding Grant in prior years, indicate the amounts for each year and describe how those funds were used:

2. If you received a Community Funding Grant last year:

a. Please provide a line item breakdown of how the Community Funding Grant was used last year in the categories below. If a category is not applicable, put \$0:

- i. Admin Staff \$ \_\_\_\_\_
- ii. Materials/Equipment \$ \_\_\_\_\_
- iii. Entertainment \$ \_\_\_\_\_
- iv. Room/Venue Rental \$ \_\_\_\_\_
- v. Other Professional Services such as \_\_\_\_\_: \$ \_\_\_\_\_
- vi. Other \_\_\_\_\_: \$ \_\_\_\_\_

b. Who was served by the grant last year?

- i. Number of individuals total: \_\_\_\_\_
- ii. Number of Cupertino residents: \_\_\_\_\_
- iii. Particular community groups:

iv. Was the program/project/event be available to the entire community/public or are there any eligibility criteria?

–

v. Was there a charge or fee for the program/project/event (if applicable)?

–

vi. What outreach methods did your organization use to promote the program/project/event (if applicable)?

c. Was the program/project/event successful? Please indicate how success was measured:

3. Please indicate any additional funding received last year from other sources and provide your financial statement if available:

## SECTION 6: CERTIFICATION

I hereby state that the information presented in this application is true and complete to the best of my knowledge.

Name: \_

Title: \_\_\_\_\_

Signature:



Date: 02/

02/27/2020

**FRIENDS OF DEER HOLLOW FARM**  
**Statement of Financial Position**  
*Cash Basis - Unaudited*

**REVENUE**

**Support**

	General	Restricted	Total
Grant Revenue	\$ 25,500	\$ 54,000	\$ 79,500
Direct Public Support	61,714	22,225	83,939
Cash donations at the Farm	1,689	5	1,694
<b>Total Support</b>	<b>88,903</b>	<b>76,230</b>	<b>165,133</b>

**Fundraising Events, net**

Ohlone Day	(531)	1,582	1,051
Spooky Time	(37)	3,330	3,293
Spring Tour	(61)	7,140	7,079
Other	-	-	-
<b>Total Fundraising Events, net</b>	<b>(630)</b>	<b>12,052</b>	<b>11,422</b>

**Sales, net**

	105	-	105
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**Investment Income**

	16,032	-	16,032
--	--------	---	--------

**TOTAL REVENUE**

	104,411	88,282	192,693
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**EXPENSES**

Marcomm, Web & Social Media	2,260	-	2,260
Donor Relations	248	-	248
Liability Insurance	2,846	-	2,846
Accounting Consultant	1,719	-	1,719
Office Supplies & Other Expense	797	236	1,033
<b>TOTAL EXPENSES</b>	<b>7,869</b>	<b>236</b>	<b>8,106</b>

**NET REVENUE**

	96,541	88,046	184,587
--	--------	--------	---------

**Grants Awarded**

Scholarship Program	-	40,174	40,174
Deer Hollow Farm - Animal Care	11,565	36,727	48,292
Deer Hollow Farm - Operations	15,000	10,000	25,000
Deer Hollow Farm - Enhancements	11,499	12,822	24,322
MROSD - White Barn Project	-	-	-
Deer Hollow Farm - Youth/Other Projects	469	-	469
<b>TOTAL AWARD DISBURSEMENTS</b>	<b>38,533</b>	<b>99,724</b>	<b>138,257</b>

**CHANGE IN FUND BALANCE**

	58,008	(11,678)	46,330
--	--------	----------	--------

**CASH & INVESTMENTS AT:**

<b>BEGINNING OF PERIOD</b>	401,416	48,239	449,656
<b>END OF PERIOD</b>	\$ 459,424	\$ 36,561	\$ 495,985

**Financial Results**  
**Year Ended 6/30/19**

	General	Restricted	Total
<b>REVENUE</b>			
<b>Support</b>			
Grant Revenue	\$ 25,500	\$ 54,000	\$ 79,500
Direct Public Support	61,714	22,225	83,939
Cash donations at the Farm	1,689	5	1,694
<b>Total Support</b>	<b>88,903</b>	<b>76,230</b>	<b>165,133</b>
<b>Fundraising Events, net</b>			
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Spooky Time	(37)	3,330	3,293
Spring Tour	(61)	7,140	7,079
Other	-	-	-
<b>Total Fundraising Events, net</b>	<b>(630)</b>	<b>12,052</b>	<b>11,422</b>
<b>Sales, net</b>	<b>105</b>	<b>-</b>	<b>105</b>
<b>Investment Income</b>	<b>16,032</b>	<b>-</b>	<b>16,032</b>
<b>TOTAL REVENUE</b>	<b>104,411</b>	<b>88,282</b>	<b>192,693</b>
<b>EXPENSES</b>			
Marcomm, Web & Social Media	2,260	-	2,260
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Liability Insurance	2,846	-	2,846
Accounting Consultant	1,719	-	1,719
Office Supplies & Other Expense	797	236	1,033
<b>TOTAL EXPENSES</b>	<b>7,869</b>	<b>236</b>	<b>8,106</b>
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<b>TOTAL AWARD DISBURSEMENTS</b>	<b>38,533</b>	<b>99,724</b>	<b>138,257</b>
<b>CHANGE IN FUND BALANCE</b>	<b>58,008</b>	<b>(11,678)</b>	<b>46,330</b>
<b>CASH &amp; INVESTMENTS AT:</b>			
<b>BEGINNING OF PERIOD</b>	401,416	48,239	449,656
<b>END OF PERIOD</b>	\$ 459,424	\$ 36,561	\$ 495,985

**Budget**

**Year Ended 6/30/20**

	General	Restricted	Total
<b>REVENUE</b>			
<b>Support</b>			
Grant Revenue	\$ -	\$ 51,000	\$ 51,000
Direct Public Support	64,000	25,000	89,000
Cash donations at the Farm	2,000	-	2,000
<b>Total Support</b>	<b>66,000</b>	<b>76,000</b>	<b>142,000</b>
<b>Fundraising Events, net</b>			
Ohlone Day	(600)	2,100	1,500
Spooky Time	(200)	3,400	3,200
Spring Tour	(200)	6,500	6,300
Other	-	-	-
<b>Total Fundraising Events, net</b>	<b>(1,000)</b>	<b>12,000</b>	<b>11,000</b>
<b>Sales, net</b>	<b>2,000</b>	<b>-</b>	<b>2,000</b>
<b>Investment Income</b>	<b>12,000</b>	<b>-</b>	<b>12,000</b>
<b>TOTAL REVENUE</b>	<b>79,000</b>	<b>88,000</b>	<b>167,000</b>
<b>EXPENSES</b>			
Marcomm, Web & Social Media	4,500	-	4,500
Donor Relations	1,100	-	1,100
Liability Insurance	3,000	-	3,000
Accounting Consultant	10,000	-	10,000
Office Supplies & Other Expense	2,500	200	2,700
<b>TOTAL EXPENSES</b>	<b>21,100</b>	<b>200</b>	<b>21,300</b>
<b>NET REVENUE</b>	<b>57,900</b>	<b>87,800</b>	<b>145,700</b>
<b>Grants Awarded</b>			
Scholarship Program	-	35,000	35,000
Deer Hollow Farm - Animal Care	12,000	42,800	54,800
Deer Hollow Farm - Operations	15,000	10,000	25,000
Deer Hollow Farm - Enhancements	7,000	-	7,000
MROSD - White Barn Project	166,000	-	166,000
Deer Hollow Farm - Youth/Other Projects	2,000	-	2,000
<b>TOTAL AWARD DISBURSEMENTS</b>	<b>202,000</b>	<b>87,800</b>	<b>289,800</b>
<b>CHANGE IN FUND BALANCE</b>	<b>(144,100)</b>	<b>-</b>	<b>(144,100)</b>
<b>CASH &amp; INVESTMENTS AT:</b>			
<b>BEGINNING OF PERIOD</b>	459,424	36,561	495,985
<b>END OF PERIOD</b>	\$ 315,324	\$ 36,561	\$ 351,885

Unrealized Gain (Loss)

29,203

Total Cash & Investments at FMV at: 6/30/2019

\$ 525,188

*Included in General Fund Balance above:*

*Board Designated - White Barn*

\$ 165,881



November 7, 2018

Lauren Merriman, President  
Friends of Deer Hollow Farm  
P.O. Box 4282  
Mountain View, CA 94040

Re: Letter of Agreement – Deer Hollow Farm, White Barn Renovation

Dear Ms. Merriman,

As you know, Friends of Deer Hollow Farm (FDHF) and Midpeninsula Regional Open Space District (District) have embarked on a collaborative effort to fund and implement renovation work at the White Barn at Deer Hollow Farm, including a new foundation for the structure.

The District and FDHF were fortunate to receive gifts from the Tindall Family estate in 2016, which were given with a request for the District to use the funds for the benefit of Rancho San Antonio, and a separate gift to the FDHF for the betterment of Deer Hollow Farm. Honoring those generous gifts and the intent behind them, our respective staff have been working toward the study, planning, design, funding and construction needed to conduct certain renovations needed for the long-term stability and protection of the White Barn at Deer Hollow Farm (Project).

District staff have completed the planning phase using District funds and resources, with \$29,000 in District Measure AA funds disbursed in 2018, for the completion of an historic and structural evaluation to determine recommended stabilization measures to protect the White Barn in the long-term. Measure AA funds for the environmental review, design and permitting for the work were included in the Fiscal Year 2018-2019 budget, to be augmented by a \$35,000 contribution from the City of Mountain View. The construction phase, also led by District staff, is planned for fiscal year 2019-2020, if all goes according to plan. The total cost of the planning, design, permitting and construction is anticipated to be in excess of \$450,000, but those numbers are still under development.

By signature of this letter, FDHF agrees to contribute to the effort by donating its share of Tindall gifts to the Project, paid to the District, to be used solely on the White Barn renovation Project. FDHF agrees that on or before July 1 2019, or 60 days prior to the start of construction, it will provide a contribution of \$165,881.25 to the District to help defray a portion of the total costs of the Project. It is understood that this \$165,881.25 FDHF contribution will not fully fund the Project, and that the Project cannot be implemented until each phase of the required budget is approved by the District's Board of Directors, and all environmental review and permitting requirements are successfully met. The FDHF and the District agree that the \$165,881.25, once paid by the FDHF will not be refundable once the first construction contract is let to conduct the renovation work. Before that time, FDHF's funds will be refundable only if, before construction, it is deemed not feasible to continue with the project for any reason (eg, permitting issues, constructability issues, financial infeasibility, etc.).

If all of the foregoing funding commitments are realized, both the District and FDHF recognize that the costs of completing the Project will still likely exceed the proposed funding allocations. The FDHF and the District will work collaboratively to seek additional external funding as needs arise. The District and FDHF will both use their public-outreach tools to try to obtain additional donations or grants to help close any financial gap in executing the Project.

The District will maintain full control over the planning, analysis, contract management, and implementation of the Project, and will keep the FDHF informed of progress, milestones, and any significant hurdles that might be encountered, especially if they might affect fundraising or the timeline.

The District is enthusiastic about completing this Project. We want to thank the FDHF for this wonderful opportunity to partner with FDHF, and to efficiently leverage the Tindall gifts, along with other City, District, and FDHF funding and staff resources, all for the greater public benefit.

Very truly yours,

AGREED TO:

  
\_\_\_\_\_  
Ana Ruiz, General Manager  
Midpeninsula Regional Open Space District

  
\_\_\_\_\_  
Lauren Merriman, President  
Friends of Deer Hollow Farm

CC 06-16-20

#21

Budget Adoption

Written Comments

## Cyrah Caburian

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**From:** David Fung <david@deerhollowfarmfriends.org>  
**Sent:** Saturday, June 13, 2020 5:24 PM  
**To:** Steven Scharf; Darcy Paul; Liang Chao; Rod Sinks; Jon Robert Willey; Deborah L. Feng; Kristina Alfaro; City Council; City Clerk  
**Subject:** Info from Friends of Deer Hollow Farm - Council Agenda Item #21, June 16, 2020 meeting.  
**Attachments:** FriendsOfDeerHollowFarm-CommunityFundingGrantApplication-27Jan2020.pdf; Signed Letter of Agreement MROSD 11-07-2018.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.

Mr. Mayor and Councilmembers,

I serve as a Board Member and Grants Committee Chair for Friends of Deer Hollow Farm. FODHF is one of six community applicants for Community Funding Grant program that were advanced for your consideration as part of Agenda Item #21 (Budget Adoption) in the June 16 Council Meeting this upcoming Tuesday. I'm writing to address two issues for your consideration

- Omission of Application:** In the published packet for the 6/16/2020 meeting, our application was omitted (Item 21, Attachment F6 shows our name, but the enclosure is a duplicate of one of the other applicants). I have written to staff to correct this error for the official record. With this message, I have included my copy of our submitted application, which I believe should be the same as the official staff copy, for your review.
- Parks & Recreation Commissioner Questions:** The finalist applications were selected in a meeting of the Parks & Recreation Commission on June 4. During deliberation, Commissioner Xu raised a question about FODHF's performance under our 2019-2020 grant which also targeted our White Barn project, wondering why the project had not been completed in the 2019-2020 year. I was in the audience and the Commission discussed and decided not to bring speakers back for clarifications. I wrote a follow-up e-mail to staff and commissioners during deliberation, but it was not read. I'd like to address that question here:
  - The White Barn renovation project is a large one, the biggest capital project that has ever been undertaken at Deer Hollow Farm. The total estimated cost was projected to be \$450,000 in 2018, anchored with a \$330,000 estate bequest. Given the scope of the project and its location in a nature preserve, this project was never anticipated to complete construction in the 2019-2020 fiscal year.
  - Extensive pre-construction work was completed in 2019-2020, including environmental and historical studies, as well as development and completion of a 90% plan set. The historical study triggered additional research including additional ADA development work.
  - We still anticipated that demolition and construction would begin in the 2019-2020 grant period, but the start of construction was impacted by the COVID-19 shutdown. We are currently in the county permit approval phase, but the county Building Department has been operating for several months under reduced capacity. Construction work for our project was prohibited by county health restrictions until just 3 weeks ago.

We believe that the project has progressed completely consistently with our 2019-2020 grant application and in the spirit of our own expectations for the progress on this big project. I enclose our Letter of Agreement with our partner Midpeninsula Regional Open Space District that details the financials and anticipated timeline as of 2018.

The original applications for the Community Grant Funding program from all applicants were submitted in January 2020, before the COVID-19 sheltering ordinances, and staff requested an update in mid-May. Those updates are not in your

packet but I did want to share that 1) our White Barn project will proceed because the earmarked funding from the estate donation is still in place; 2) the county has approved construction as an allowable activity now; 3) distancing requirements will reduce the number of visitors that we can support at the Farm for some time, but undertaking construction now will minimize the overall impact on our visitors.

We recognize the enormous financial challenges that the COVID shutdown has put on city budgets, but hope that you'll consider the benefits that Deer Hollow Farm brings to over 12,000 Cupertino residents yearly. We're proud of the extraordinarily broad reach that the Farm and our programs deliver to the community..

I will be available to answer questions during the Tuesday meeting, but please feel free to write me at [david@deerhollowfarmfriends.org](mailto:david@deerhollowfarmfriends.org) if you have questions or need additional information.

Thank you for your long-term support,

David Fung  
Board Member, Friends of Deer Hollow Farm





CUPERTINO

# COMMUNITY FUNDING GRANT APPLICATION

ADMINISTRATIVE SERVICES | 408-777-3220 | WWW.CUPERTINO.ORG

## SECTION 1: CONTACT INFORMATION

Have you ever received a City of Cupertino Community Funding Grant in the past? Yes  If yes, when? 2010, 2013-2019  
No

Full Legal Organization Name: Friends of Deer Hollow Farm

Website: www.deerhollowfarmfriends.org

Address: Box 4282

City: Mountain View State: CA Zip: 95014 Phone: (408) 821-6359

Organization President/Executive Director Name and Title: Lauren Merriman, Board President

Email: lauren@deerhollowfarmfriends.org Phone: (408) 234-0453

Contact Name and Title: David Fung, Grants Committee Chair & Board Member

(If different)

Email: david@deerhollowfarmfriends.org Phone: (408) 821-6359

## SECTION 2: NON-PROFIT INFORMATION

501(c)(3)?:  Yes  
 No

Year Established: 1994

Fiscal Sponsor Name: n/a

Fiscal Sponsor Address:

City: State: Zip: Phone:

Federal Tax ID: 77-0373776

(If your program is fiscally sponsored, enter the tax ID of your sponsoring organization)

## SECTION 3: ORGANIZATION INFORMATION

Total Organization Budget: \$459,424 FY20 Total # of Board Members: 11

Total # of staff: 0 Total # of Volunteers: more than 90

#### Mission Statement:

The mission of Friends of Deer Hollow Farm (FODHF) is to:  
Preserve Deer Hollow Farm as an educational center and working farm, and  
Support the Farm's environmental education programs for the benefit of schools and the  
community by raising funds through donations, grants and public events.

#### Brief Description of Organization:

Deer Hollow Farm is a 160 year-old historic ranch located in Rancho San Antonio County Park and Open Space Preserve, immediately west of Cupertino. Its mission is to provide environmental education and historical programs for our community.

Friends of Deer Hollow Farm is an all-volunteer, non-profit 501(c)(3) organization that has supported Deer Hollow Farm's outstanding educational programs and facilities since 1994.

#### Brief Description of Services Provided:

Deer Hollow Farm is an educational center where the public, school classes, and community groups can participate in a historic working farm. No entrance, parking, or admission fees are charged to the public.

The Farm is home to over 100 live farm animals. Without these animals, the Farm would not be a living history center, but rather a museum of old farm buildings. The Farm animals and the Farm's environmental education program teach the community about:

- The value of protected land and wildlife
- The source of their food
- Principles of recycling and avoiding waste
- The interdependence of all life
- The culture and history of the Bay Area's Native American Ohlone people.

Since 1976, the Farm has offered environmental education classes to elementary school students across Santa Clara County and the Peninsula. These outdoor classes are so popular that a lottery is held annually for the 5,000 available spaces. The classes reinforce State elementary school curriculum in science and social studies through innovative outdoor activities. Our programs, taught by trained volunteers in small groups, bring their classroom training alive at the Farm and in our Ohlone Village.

FODHF funds a scholarship program that pays for farm visits from low-income schools, as determined by the National School Lunch program. This year, our scholarships underwrote 2,600 free visits to the Farm, more than half our total attendees.

## SECTION 4: GRANT REQUEST

1. Program/Project/Event Name:
2. Date(s) and/or duration of program/project/event (if applicable):
3. Total program/project/event budget: \$
4. Requested Amount: \$  Percent of total program/project/event budget:  %
5. What percentage of your organization's projected income does your funding request represent?  
 %

6. Type of Request:

- Capital improvement
- Program Support
- Event
- One-time project
- Other, please describe:

7. This grant will fund a(n):

- Existing program/project/event; established in  (year)
- New program/project/event

8. Describe the purpose of requested funds and the services that will be provided:

As explained in the attached Letter of Agreement, Midpen Open Space District is leading a renovation project at the White Barn at Deer Hollow Farm. The White Barn is our most notable facility at the Farm. It badly needs renovation, including a new foundation and ADA updates.

FODHF is asking the City of Cupertino to provide \$15,000 toward this project. In the past, we have submitted proposals of small to medium projects, but (as we did in the last grant cycle) we ask for your support of this larger and more significant signature project. This is the largest capital project that FODHF has undertaken and our most needed facilities project as well.

9. Please provide a line item breakdown of how the funds will be used in the categories below. If a category is not applicable, put \$0:

- a) Admin Staff \$
- b) Materials/Equipment \$
- c) Entertainment \$
- d) Room/Venue Rental \$
- e) Other Professional Services such as  \$
- f) Other  \$

10. Explain how the request aligns to City priorities:

Providing support for improvements to Deer Hollow Farm is a perfect fit with the City of Cupertino's goal of enhancing its residents' lives with greater open space opportunities and high quality, hands-on educational opportunities. The White Barn is the most recognizable structure at the Farm and, of course, a farm is not a farm without a barn!

The Farm is a treasured community asset supported by a unique partnership of many government and private organizations that ensures that this 160-year old historical farm remains open and its infrastructure stays in good repair.

11. Describe how the program/project/event fills a community need. Who identified this need? What other similar project/program/event exists to serve Cupertino residents? How is your proposed project/program/event unique from similar projects/programs/events or how do you collaborate to avoid duplication?

Deer Hollow Farm is a unique asset to the South Bay as a whole, and especially so to nearby cities such as Cupertino. It provides both an environmental learning experience for elementary school children and a living farm environment for multi-generational families.

The volume of visits by local residents continuing week after week, month after month, and year after year, underscores the broad impact and outreach opportunity that the Farm presents. We consistently see over 100,000 walk-in visitors annually.

The only organization in the area with a generally similar mission is Hidden Villa, a private organization in Los Altos Hills that maintains its own ranch with animals. Hidden Villa, however, does not provide elementary education during the school year and charges a fee for parking.

As at any other farm or ranch, the buildings and other structures at Deer Hollow Farm require constant maintenance and sometimes complete renovation to provide a quality visitors' experience and meet current requirements for functionality and safety - for visiting students, the general public, and the volunteers and paid staff who work on-site.

12. Who will be served by this grant?

All visitors to the Farm will benefit from improvements infrastructure.

a) Number of individuals total: 105,000 visitors and classes yearly

b) Number of Cupertino residents: 12,200 (11,800 visitors + 397 student)

c) Particular community groups:

Elementary school children (educational farm tours) and families with children.

d) Will the program/project/event be available to the entire community/public or are there any eligibility criteria?

Deer Hollow Farm is open to the entire community and public. The environmental education program is open to classes from all elementary schools in the South Bay and Peninsula, subject to our capacity.

e) Will there be a charge or fee for the program/project/event (if applicable)?

There are no entrance or parking fees for visitors of Deer Hollow Farm. The City of Mountain View charges a fee for environmental ed classes during the school year, but FODHF sponsors a scholarship program that covers all costs including transportation for schools designated as low-income per the National School Lunch Program guidelines.

f) What outreach methods does your organization use to promote the program/project/event (if applicable)?

Friends of Deer Hollow Farm actively fundraises to augment support for the White Barn renovation. FODHF maintains an active web site at [www.deerhollowfarmfriends.org](http://www.deerhollowfarmfriends.org) and is active on social media, including Facebook and Twitter. FODHF also participates with booths at many local community events, including the Silicon Valley Fall Festival and Earth Day events in Cupertino, Thursday Night Live in Mountain View, and the Volunteer Parade in Sunnyvale. Working with the Mountain View employees who manage the Farm, FODHF helps to staff annual fundraising events at the Farm: two Farm Tour days in the spring, and Ohlone Day and Spooky Times in the fall.

13. Describe how the funds will be used to benefit or impact the Cupertino community:

In 2013-14, we performed 4 quarterly surveys of Farm visitors identifying their home zip code. Based on that study, Bay Area citizens visit the Farm more than 100,000 times annually, with 11,800 visits to the Farm by Cupertino residents. There is no reason to think that these numbers have reduced since 2013-14. Considering the population of Cupertino, many residents avail themselves of the Farm and Rancho San Antonio. Cupertino's Parks System Master Plan identifies a high resident priority for access to open space and trails. The Farm and Rancho San Antonio greatly augments city resources. This grant funds a meaningful enhancement to our site benefiting all.

DHF hosts an extensive Farm Tour program for school students. In 2019-2020, we will serve 14 classes from CUSD schools in Cupertino, for a total of 397 students. These students attend LP Collins, Eaton, Garden Gate, and Stevens Creek schools. We also hosted 11 classes from other CUSD schools with non-Cupertino addresses representing another 262 students. Our total program this year will host 4860 students from Santa Clara and San Mateo counties, providing an enormous program for the broader regional community.

Two years ago, we started a summer camp scholarship program for children from low-income families. We partnered with Cupertino-based West Valley Community Services to draw 30 recipients from their service base. This has been another great and unique program serving the broader Cupertino community.

14. Demonstrate that the staff implementing and managing the program/project/event have adequate experience:

Our Board of Directors include business leaders, community leaders, educators, and financial professionals. Our volunteer corps spans high school students, working adults, to retirees. They bring rich experiences as educators, executives, and artists.

In addition, we work closely with non-FODHF professional farm staff including educational program staff and an on-site farmer from the City of Mountain View, and Rangers and Maintenance Workers employed by the Midpen Open Space District.

Deer Hollow Farm is operated by a partnership between Midpeninsula Regional Open Space District, County of Santa Clara, City of Mountain View, and FODHF. FODHF's staff is 100% volunteer including our Board members and more than 80 volunteers from 12 surrounding cities who annually give 8,000 hours as docents, animal caretakers, gardeners, and maintenance workers. Farm volunteers, many of them FODHF donors, teach the Farm's field trips, assist with Summer Camp, care for the 100 farm animals, tend the orchard and vegetable garden, help maintain the grounds, and staff the fund-raising events and the Nature Center.

We are fortunate to have the support of a huge team who love and are dedicated to the success of Deer Hollow Farm.

15. How will success of the program/project/event be measured?:

By the successful completion of the White Barn Renovation.

16. More than 75% of the requested funds will go towards direct service costs versus administrative costs?:

- Yes  
 No

17. Will you collaborate with other organizations to deliver the program/project/event funded by this grant? If so, which organizations?

Improvement projects at Deer Hollow Farm are implemented by a permanent partnership between FODHF, the City of Mountain View which operates the Farm, the Midpeninsula Regional Open Space District which owns the land and buildings at the Farm, and the County of Santa Clara who own the outer county park area. This has been true for many years and will continue indefinitely.

Undertaking the White Barn project at this time was made possible by a \$250,000 charitable estate bequest made to FODHF and MROSD in 2016. FODHF will raise more than \$100,000 to complete this project. We are fundraising with our ongoing supporters including Cupertino, Los Altos Hills, many local community service organizations, businesses, and our individual supporters to secure this money.

While we focus on this big project, FODHF continues its regular support of operations and other capital projects at the Farm. For instance, under our partnership arrangement, FODHF is solely responsible for raising all funds associated with the care and maintenance of our farm animal family an ongoing obligation which we will continue to honor as we rework the White Barn.

18. If your organization has ever received financial or in-kind support from the City of Cupertino outside of Community Funding Grants, please describe this support:

FODHF has not received any support from the City of Cupertino outside of the Community Funding Grant program.

19. Does your organization anticipate receiving additional financial or in-kind support from the City of Cupertino outside of Community Funding Grants for this type of program/project/event (e.g. fee waivers)? If so, please describe this anticipated support:

No, there is no expectation of any funding from the City of Cupertino outside of the Community Funding Grant in this application.

20. If you are a multi-jurisdictional organization, describe any funding requested from other agencies/organizations in regards to this program/project/event request. Indicate whether the funding was granted, denied, or is still pending:

The only grant application in which we have dedicated funding to the White Barn renovation was our approved 2019 application to the City of Cupertino (\$15,000,).

We have applied for and received grants from foundations, government entities, and other supporters of the Farm in forms which are not restricted to the White Barn but may be applied to this project.

21. How would you fund the program/project/event if you do not receive the requested funding?:

Friends of Deer Hollow Farm would seek donations from other sources, including other local governments, local foundations, and the general public.

FODHF enjoys a broad base of support. In the past three years we have received support from the following organizations. Details and funding amounts on request.

City of Cupertino  
Town of Los Altos Hills  
County of Santa Clara  
Packard Foundation  
Mayfair Foundation  
Gordon and Betty Moore Foundation  
Los Altos Community Foundation  
Los Altos Rotary Endowment Fund  
Mountain View Kiwanis Foundation  
Serenio Properties Foundation (1% for Good Recipient )  
Intero Foundation

## SECTION 5: PRIOR FUNDING

1. If you received a Community Funding Grant in prior years, indicate the amounts for each year and describe how those funds were used:

FODHF has received Community Funding Grants approved by the City Council in previous years:

FY11: \$5,000  
FY12: \$5,000  
FY13: \$10,000  
FY14: \$10,000  
FY15: \$10,000  
FY16: \$10,000  
FY17: \$15,000 - Funded new fencing for pig and goat pens, new and upgraded tools and farm equipment  
FY18: \$15,000 - Funded remodel of garage/workshop, new storage structures, and barn painting  
FY19: \$15,000 - Funded upper pasture barn (supporting our on-site breeding program), new gate, new signage  
FY20: \$15,000 - Funding White Barn Renovation project

Through FY2016, 100% of these amounts were used to help fund the operations of the Farm. After FY16, the city changed its procedures to require Community Funding Grants to name specific infrastructure projects to be funded. For details, consult the grant requests for those fiscal years.

2. If you received a Community Funding Grant last year:

a. Please provide a line item breakdown of how the Community Funding Grant was used last year in the categories below. If a category is not applicable, put \$0:

- i. Admin Staff \$0
- ii. Materials/Equipment \$1000
- iii. Entertainment \$0
- iv. Room/Venue Rental \$0
- v. Other Professional Services such as Pre-construction preparation \$14,000
- vi. Other \$

b. Who was served by the grant last year?

All visitors to the Farm are served by infrastructure improvements. In FY20, spending was primarily on pre-construction research and design efforts. We to to begin construction prior to the end of FY20 with the majority of construction happening in FY21 through FY22.

- i. Number of individuals total: 105,000
- ii. Number of Cupertino residents: 16,000
- iii. Particular community groups:  
Elementary school children (farm tours); families and walk-in visitor

iv. Was the program/project/event be available to the entire community/public or are there any eligibility criteria?

The Farm facilities are available to the public-at-large with no entry or parking fees. School farm tours include fees set by the City of Mountain View, but more than 50% of our student visitors (2600 out of 5000) attend free of charge thanks to a FODHF scholarship program available to schools that meet federal criteria as low-income schools.

v. Was there a charge or fee for the program/project/event (if applicable)?

No. We only charge admission to Deer Hollow Farm 4 days per year when we hold fundraising events to support our Animal Fund.

vi. What outreach methods did your organization use to promote the program/project/event (if applicable)?

We have done outreach for White Barn donations through directed efforts of our Grants subcommittee and in general donation appeals to our membership list.

c. Was the program/project/event successful? Please indicate how success was measured:

Yes, our work in 2019-2020 on the White Barn project has been successful. FODHF funding has paid for our share of pro-construction prep work including documentation of the site and facility, historical structure study, initial plan development, and project cost analysis. There were significant unplanned expenses for a study of ADA requirements for historic structures.

As with any construction project, there have been delays in clearing regulatory and design requirements. While our original Letter of Agreement anticipated we would be active in the construction phase in FY20, it is our expectation that we will begin construction by FY21 and still hope that construction will start before the end of the current fiscal year in June 2020.

3. Please indicate any additional funding received last year from other sources and provide your financial statement if available:

As indicated above, FoDHF receives funding from many sources, including other government entities, nonprofit foundations, and the general public.

Attached are the FoDHF income statements for:  
FY19, ending June 30, 2019  
FY20 budget and in-process income statement (current)

Signed Letter of Agreement with Midpenninsula Regional Open Space District - White Barn Renovation

## SECTION 6: CERTIFICATION

I hereby state that the information presented in this application is true and complete to the best of my knowledge.

Name:  Title:

Signature:  Date:



02/27/2020





November 7, 2018

Lauren Merriman, President  
Friends of Deer Hollow Farm  
P.O. Box 4282  
Mountain View, CA 94040

Re: Letter of Agreement – Deer Hollow Farm, White Barn Renovation

Dear Ms. Merriman,

As you know, Friends of Deer Hollow Farm (FDHF) and Midpeninsula Regional Open Space District (District) have embarked on a collaborative effort to fund and implement renovation work at the White Barn at Deer Hollow Farm, including a new foundation for the structure.

The District and FDHF were fortunate to receive gifts from the Tindall Family estate in 2016, which were given with a request for the District to use the funds for the benefit of Rancho San Antonio, and a separate gift to the FDHF for the betterment of Deer Hollow Farm. Honoring those generous gifts and the intent behind them, our respective staff have been working toward the study, planning, design, funding and construction needed to conduct certain renovations needed for the long-term stability and protection of the White Barn at Deer Hollow Farm (Project).

District staff have completed the planning phase using District funds and resources, with \$29,000 in District Measure AA funds disbursed in 2018, for the completion of an historic and structural evaluation to determine recommended stabilization measures to protect the White Barn in the long-term. Measure AA funds for the environmental review, design and permitting for the work were included in the Fiscal Year 2018-2019 budget, to be augmented by a \$35,000 contribution from the City of Mountain View. The construction phase, also led by District staff, is planned for fiscal year 2019-2020, if all goes according to plan. The total cost of the planning, design, permitting and construction is anticipated to be in excess of \$450,000, but those numbers are still under development.

By signature of this letter, FDHF agrees to contribute to the effort by donating its share of Tindall gifts to the Project, paid to the District, to be used solely on the White Barn renovation Project. FDHF agrees that on or before July 1 2019, or 60 days prior to the start of construction, it will provide a contribution of \$165,881.25 to the District to help defray a portion of the total costs of the Project. It is understood that this \$165,881.25 FDHF contribution will not fully fund the Project, and that the Project cannot be implemented until each phase of the required budget is approved by the District's Board of Directors, and all environmental review and permitting requirements are successfully met. The FDHF and the District agree that the \$165,881.25, once paid by the FDHF will not be refundable once the first construction contract is let to conduct the renovation work. Before that time, FDHF's funds will be refundable only if, before construction, it is deemed not feasible to continue with the project for any reason (eg, permitting issues, constructability issues, financial infeasibility, etc.).

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The District will maintain full control over the planning, analysis, contract management, and implementation of the Project, and will keep the FDHF informed of progress, milestones, and any significant hurdles that might be encountered, especially if they might affect fundraising or the timeline.

The District is enthusiastic about completing this Project. We want to thank the FDHF for this wonderful opportunity to partner with FDHF, and to efficiently leverage the Tindall gifts, along with other City, District, and FDHF funding and staff resources, all for the greater public benefit.

Very truly yours,

AGREED TO:

  
\_\_\_\_\_  
Ana Ruiz, General Manager  
Midpeninsula Regional Open Space District

  
\_\_\_\_\_  
Lauren Merriman, President  
Friends of Deer Hollow Farm



November 7, 2018

Lauren Merriman, President  
Friends of Deer Hollow Farm  
P.O. Box 4282  
Mountain View, CA 94040

Re: Letter of Agreement – Deer Hollow Farm, White Barn Renovation

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By signature of this letter, FDHF agrees to contribute to the effort by donating its share of Tindall gifts to the Project, paid to the District, to be used solely on the White Barn renovation Project. FDHF agrees that on or before July 1 2019, or 60 days prior to the start of construction, it will provide a contribution of \$165,881.25 to the District to help defray a portion of the total costs of the Project. It is understood that this \$165,881.25 FDHF contribution will not fully fund the Project, and that the Project cannot be implemented until each phase of the required budget is approved by the District's Board of Directors, and all environmental review and permitting requirements are successfully met. The FDHF and the District agree that the \$165,881.25, once paid by the FDHF will not be refundable once the first construction contract is let to conduct the renovation work. Before that time, FDHF's funds will be refundable only if, before construction, it is deemed not feasible to continue with the project for any reason (eg, permitting issues, constructability issues, financial infeasibility, etc.).

If all of the foregoing funding commitments are realized, both the District and FDHF recognize that the costs of completing the Project will still likely exceed the proposed funding allocations. The FDHF and the District will work collaboratively to seek additional external funding as needs arise. The District and FDHF will both use their public-outreach tools to try to obtain additional donations or grants to help close any financial gap in executing the Project.

The District will maintain full control over the planning, analysis, contract management, and implementation of the Project, and will keep the FDHF informed of progress, milestones, and any significant hurdles that might be encountered, especially if they might affect fundraising or the timeline.

The District is enthusiastic about completing this Project. We want to thank the FDHF for this wonderful opportunity to partner with FDHF, and to efficiently leverage the Tindall gifts, along with other City, District, and FDHF funding and staff resources, all for the greater public benefit.

Very truly yours,

AGREED TO:

  
\_\_\_\_\_  
Ana Ruiz, General Manager  
Midpeninsula Regional Open Space District

  
\_\_\_\_\_  
Lauren Merriman, President  
Friends of Deer Hollow Farm

## Cyrah Caburian

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**From:** benaifer dastoor <bddastoor@yahoo.com>  
**Sent:** Monday, June 15, 2020 12:40 AM  
**To:** Deborah L. Feng; Roger Lee  
**Cc:** Rod Sinks; Liang Chao; Jon Robert Willey; Darcy Paul; Steven Scharf  
**Subject:** Important - Staff Report for June 16, 2020 council meeting - Anomalies in numbers and Seeking additional money for residents without outreach  
**Attachments:** Minutes for Sept 17 meeting.pdf; Option D slide- Sep 17 meeting.docx

**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 Deb and Roger,

Hope you had a relaxing weekend.

It is very disappointing for the residents that once again the city staff is planning to choose an option for the impacted residents without outreach or taking their feedback into account.

The city council members in the CIP study session indicated that they are willing to allocate additional money for the residents. They also directed the staff to work with the residents to seek a feasible solution for their privacy and security concerns.

### **So, what was the outreach to the residents?**

1. The residents received a letter from David Stillman last week (a copy from the one sent on Oct 2019) outlining options for 7 designs of wooden fences and they are asked to choose one of them by June 30.
2. When the residents sought clarifications from David Stillman about receiving the letter giving the same old options, they were informed that currently the same options as (wooden fences) are available to them. This is despite the city council asking the staff to make outreach to the residents for alternate solutions before they allocate additional money.
3. And then to the shock of the residents the staff is planning to approach the city council members to allocate \$200,000 for some new option - a 7 feet MLV fence for supposedly noise mitigation without asking the residents if that is an acceptable option. Vinyl? Seriously? This is what the staff comes up with to allay our concerns for privacy and security? Noise is just one small aspect of privacy.
4. Again when further clarification was sought on the MLV the reply provided – ‘ we will share relevant details after the council approves of this option’ So again it means the residents have no choice on what option is being presented and they will come to know after it is approved.

**I am sad to say that this is exactly the reason the residents have lost trust in the staff dealing with this project.**

**Staff Report for June 16, 2020 (pg 9)** - The numbers quoted in the staff report do not corroborate with the numbers when the 65 percent design was approved in the September 17, 2019 meeting.

Here are the numbers as per the motion made in September 17th meeting (Approved Option D and Minutes attached) according to which \$325,000+\$40,000 have been allocated for residents' protections:

Construction cost-Option D	1,885,000	
Fences for residents on the trail (\$175000 proposed in option D+ \$150000 additional allocated in motion for privacy & security) **	325,000**)	
Lozano residents	40,000 )	365,000 (total for all residents)
Cost under Option D	2,250,000	
Add: Consultant fees	813,000	
<b>Total cost</b>	<b>3,063,000*</b>	

Here are the numbers provided by David Stillman in the staff report for June 16, 2020 meeting "Current funded amounts for fencing are \$150,000 for properties abutting the trail on Lozano/De Palma Lanes and \$60,000 for other properties adjacent to the creek. Lozano and De Palma property fence enchancement are being designed other than wood' .

This adds up to \$210,000 **which is inaccurate** because as per the motion on September 17, 2019 a total of \$365,000 has been allocated for privacy and security of homes.

And now the new option being proposed by David without consulting without any outreach to the residents

Type of Fencing	Number of Properties	Linear Feet	Cost per Foot	Cost to Construct	Location of Fencing	Additional Budget Needed
Double sided 7' tall wood fencing with mass load vinyl	28+/-	2080	\$125	\$260,000	Majority of properties immediately abutting the trail only (no fence improvements for properties on opposite side of trail)	\$200,000
Double sided 7' tall wood fencing with mass load vinyl	33	2674	\$125	\$334,250	All properties immediately abutting the trail only (no fence improvements for properties on opposite side of trail)	\$274,250

Note: Single sided wood fence unit cost is \$55 per foot.

Please clarify:

1. The difference in dollar numbers already provided for the residents in 2019 (\$365,000 vs what is now reported in the staff report in June 16 - \$210,000). **Why was \$155,000 taken out of the fencing budget already approved by the council in 2019?**
2. What is the basis of proposing MLV 7 feet fence for residents? How does this MLV option reconcile with the privacy and security needs of the impacted residents conveyed time and again to the staff and city council.
3. Did David Stillman research the positive and negatives of Vinyl option? Were they disclosed to the residents?
4. How does the linear footage differ from the day (Sept 17) the option D was approved?
5. What does this option mean by “no fence improvements for properties on the opposite side of the trail?” The fence budget approved by the city council on September 17 covered all the homes on the trail impacted by the city’s project. Though the options can be different for homes based on the proximity to the trail, they cannot be excluded from fence options.

Once again, here is what the residents have expressed time and again to the city staff, city manager and city council:

**The residents whose homes are within 1.5 -2 feet of the trail need a minimum of 9-10 feet concrete barrier (or a comparative one) to protect their privacy and security. This neighborhood has been plagued by burglaries and now we have to faced with the homeless encampments within our city borders. Just in recent days we have had homeless people knocking on our doors past midnight, homeless person in Creekside park. We do empathize with their situation and they will settle where they feel secure. However, that means the residents who live on creeks and where the city plans to build a path, need a strong barrier for their privacy and security.**

**We believe that \$500/ linear feet that the staff in charge of the project quote is deliberately misleading. The cost for precast concrete inclusive of poles and labor is more in the range of \$150-200. Why was this option not offered to the residents or brought to the city council for consideration?**

**Additional monies for the protection of the residents need to be sought only after all options have been explored and proper outreach has been made to the residents and surveying the needs of the residents. If the staff is unable to do that, we can get all the information to the staff in two weeks. We are not asking for charity. The security barrier that we need to protect our homes because of this city’s project is going to be built on our own land and each one of us will probably lose a foot of our own land. This is the price that residents will pay for this wasteful recreational stroll to the library as it is now called.**

**Too often and easily the staff has pinned the delay in executing the project on the residents raising legitimate concerns to cover their failure to anticipate and deal with the engineering challenges and the issues raised by Valley Water for this project. This has to STOP. We want to make it very clear that we are not, repeat not interested in rehashing the city council decision made on September 17, 2019 regardless of whether we agree with it or not. However, we do want to ensure that the city fulfill's its responsibility under the general plan to prioritize the privacy and security of the residents impacted by a city’s project.**

Thank you for your time,

Benaifer Dastoor



CUPERTINO

**APPROVED MINUTES  
CUPERTINO CITY COUNCIL  
Tuesday, September 17, 2019**

**SPECIAL CITY COUNCIL MEETING**

At 5:30 p.m. Mayor Steven Scharf called the Special City Council meeting to order in the Cupertino City Hall Conference Room A, 10300 Torre Avenue.

**ROLL CALL**

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul, Rod Sinks, and Jon Robert Willey. Absent: None.

**CLOSED SESSION**

1. Subject: Public Employee Performance Evaluation (Gov't Code Section 54957). Title: City Attorney.

Mayor Scharf reported that Council met in closed session and there was no reportable action.

**ADJOURNMENT**

**REGULAR CITY COUNCIL MEETING**

**PLEDGE OF ALLEGIANCE**

At 6:45 p.m. Mayor Steven Scharf called the Regular City Council meeting to order in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue and led the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul,

Rod Sinks, and Jon Robert Willey. Absent: None.

## CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Present award to Cupertino resident Vishnu Athrey from Saint Andrews Episcopal School for winning the Qalaxia Build\_your\_ BOT contest (continued from September 3)

Recommended Action: Present award to Cupertino resident Vishnu Athrey from Saint Andrews Episcopal School for winning the Qalaxia Build\_your\_ BOT contest.

Mayor Scharf presented an award to Cupertino resident Vishnu Athrey from Saint Andrews Episcopal School for winning the Qalaxia Build\_your\_ BOT contest.

## POSTPONEMENTS – None

## ORAL COMMUNICATIONS

Dolly Sandoval talked about Planning Commission Chair Ray Wang being a public servant and serving the public good, and asked Council to re-consider the appointment.

## REPORTS BY COUNCIL AND STAFF (10 minutes)

2. Subject: Report on Committee assignments  
Recommended Action: Report on Committee assignments

Councilmembers highlighted the activities of their various committees.

## CONSENT CALENDAR

Paul moved and Scharf seconded to approve items 3 through 7 on the Consent Calendar as presented except for item number 8 which was pulled for discussion. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

3. Subject: Approve the September 3 City Council minutes  
Recommended Action: Approve the September 3 City Council minutes
4. Subject: Application for Alcohol Beverage License for I&P Runway, LLC (dba Ippudo Ramen), 19540 Vallco Parkway, Suite #130

Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for I&P Runway, LLC (dba Ippudo Ramen), 19540 Vallco Parkway, Suite #130

5. Subject: Application for Alcohol Beverage License for Stak Partners, LLC (dba El Greco Grill), 20080 Stevens Creek Boulevard, Suite #104

Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Stak Partners, LLC (dba El Greco Grill), 20080 Stevens Creek Boulevard, Suite #104

6. Subject: Application for Alcohol Beverage License for Little Dipper Cupertino, LLC (dba Little Dipper Shabu Shabu), 20588 Stevens Creek Boulevard

Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Little Dipper Cupertino, LLC (dba Little Dipper Shabu Shabu), 20588 Stevens Creek Boulevard

7. Subject: Application for Alcohol Beverage License for Ramen United, Inc. (dba Afuri Ramen & Dumpling), 20803 Stevens Creek Boulevard, Suite #110

Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Ramen United, Inc. (dba Afuri Ramen & Dumpling), 20803 Stevens Creek Boulevard, Suite #110

8. Subject: Approve option to use design-build procurement for qualifying projects and establish a corresponding conflict-of-interest limitation pursuant to Public Contract Code section 22160 et seq.

Recommended Action: Adopt Resolution No. 19-114 approving the use of design-build project delivery pursuant to Public Contract Code section 22160 et seq., and establish a corresponding conflict-of-interest limitation pursuant to Public Contract Code section 22162.

Written communications for this item included a presentation.

Staff answered questions from Council.

Sinks moved and Scharf seconded to Adopt Resolution No. 19-114 approving the use of design-build project delivery pursuant to Public Contract Code section 22160 et seq., and establish a corresponding conflict-of-interest limitation pursuant to Public Contract Code section 22162.b. The motion carried with Willey voting no.

**SECOND READING OF ORDINANCES - None**

## ORDINANCES AND ACTION ITEMS

9. Subject: Receive information report and presentation on Regnart Creek Trail 65% design and revised estimated costs; consideration of various trail improvement options (some of which also include on-street bicycle improvements) and alternative trail alignments to the proposed trail (on-street Alternatives 4 and 5); and, if design of the proposed trail continues, consider an increase to the design and environmental budget.

Recommended Action: Receive information report and presentation on Regnart Creek Trail 65% design and revised estimated costs; trail improvement options, and Alternatives 4 and 5 to the proposed trail; and if Council continues to move forward with design of the proposed trail: 1. Provide direction to staff regarding completion of design with a preferred trail improvement option A, B, C, D, E, or F; and 2. Adopt draft Resolution 19-115 amending the FY 2019/20 Capital Improvement Program budget to increase the budget to perform design and environmental clearance services from \$538,000 to \$813,000.

Written communications for this item included emails to Council, a staff presentation, Vice Mayor Chao's presentation, amended staff report, attachments H, I, and G, and a resident handout.

Director of Public Works Roger Lee reviewed the staff report.

City Manager Deborah Feng introduced the trail improvement Options.

Staff answered questions from Council.

Mayor Scharf opened public comment and the following individuals spoke:

Rikhil Konduru (Cupertino resident) - trail is for bikes and recreational use, faster access to schools.

Mahesh Vegiraju (Cupertino resident) on behalf of Tino Bike Club - safe for walking and biking, less accidents, and no worry of traffic.

Lawrence Fan (Cupertino resident) on behalf of Tino Bike Club - provides serviceability, safety, and leisure.

Student read statement on behalf of Indira Abyankar (Cupertino resident) – stopped biking to school because of congestion, trail would provide safe pathway and encourage biking.

Juliet Shearin (Cupertino resident) – improve walking and biking to Cupertino High, from City Center and to Wilson Park neighborhoods.

- Kelly Tung (Cupertino resident) – would encourage students to commute by biking or walking, safely, to/from library and parks.
- Winfred Lin (Cupertino resident) - grants can help funding for construction like for Stevens Creek Corridor.
- Samil Lindskog (Cupertino resident) - will help students going to Cupertino High, benefits pleasure hikes.
- Purva Marfatia (Cupertino resident) - provides safer and direct route to school, traffic is bad on the way to and around school.
- Prachi Marfatia (Cupertino resident) - will help for walking and biking to school safety, not having to be dropped off by a car, reducing traffic.
- Michael Gachet (Cupertino residents) – would benefit kids commuting to school, traveling through neighborhood safely.
- Chrissy Harris (Cupertino resident) – likes the trail and being in nature.
- Ari Harris (Cupertino resident) - rides bike to school, for bikers and people walking dogs.
- Mrs. Harris – would help with mobility, ease of traveling back and forth, benefits those who can't afford vehicles, less risk traveling off roads.
- Katie Lee (Cupertino resident) - get around and get to school on time, go to library and not cross a big street, reduces carbon emissions.
- Calvin Anderson (Cupertino resident) - walks to library, efficient walking trail, benefits students who go to library, takes cars off the road.
- Arnav Gokhale (Cupertino resident) - good exercise for kids and walks with family without road noise and traffic.
- Student on behalf of Tino Bike Club – students can use for commuting, cities should make it easier for students and provide safety and from cars.
- Tim Oey - professional cyclist, biked across U.S. on save kids ride, protects kids from being hit by cars and helps environment.
- Brock Carpenter (Cupertino resident) – residents want more trails, trail is away from cars and slope driveways, helps people to get outside.
- Soren Spies (San Jose resident) - Apple employee, bikes to work, kids can use, will improve bike transportation network, sustainable and human focused.
- Brenda and Rick Boyle (Cupertino residents) - concrete wall cost, social media accusations, make better use of the funds, petition of opposition.
- Nick Garcia (Cupertino resident) – costs too much, narrow and limited access, on-street approach instead, look at other options.
- Beth Garcia (Cupertino resident) – distressed over path opening behind her house, narrow, leave Wilson Park alone.
- Lynda Wyckoff (Cupertino resident) - petition of opposition, bike path injury liability, danger of path intersecting public path, spend funds in problem areas.
- Peggy Jewett (Cupertino resident) - gaps in plan, look at Alternatives 4 and 5, supports complete streets for all types of traffic, owns part of road and would be liable.

Luis Buhler (Cupertino resident) - existing trail on public land, access for many residents versus benefitting a few, choose a cost-efficient solution.

Kati Laihia (Cupertino resident) - people need to be forced to change the traffic pattern, not a safety or privacy issue, make this separate trail.

J.R. Fruen (Cupertino resident) –will make pedestrian access to City amenities better, safer and more enjoyable, provide improvements to bike-ped infrastructure.

Jean Bedord (Cupertino resident) - land owned by tax payers, make available to all, retirement community close by, identify outside funding.

Jano Banks (Cupertino resident) – resident along trail, worked with City to find solutions on first trail, a lot of plans still left in 35%, work together.

Deepah Mahendraker (Cupertino resident) – be creative about using what land we have, for kids to bike and walk and enjoy.

Lars Thompsen - owns Trailhead Cyclery, mangled bikes come into shop regularly from riding on street, driving in Cupertino is not A+.

Bill Rankin (Cupertino resident) - in favor of trails, allows children, seniors, and adults to get somewhere without a car.

Mathew Widmann –sharing road with students gets dangerous with congestion, would like to use as part of Cupertino morning commute.

Rick Austin (San Jose resident) - creeks are made for trails, has increased home value in Los Gatos, would allow walks in nature.

Council recessed from 9:43 p.m. to 9:53 p.m.

Ashok Natesan (Cupertino resident) – would help people with adequate walking infrastructure, narrowness doesn't matter, can see nature.

Anne Ng (Cupertino resident) – district keeps vegetation out of channel, hardly any vegetation, City plan will add vegetation, enhance corridor.

Helen Wiant (Cupertino resident) – will enhance life in City by reducing traffic, safer route, green space, and nature for wellbeing.

Kevin Lu (Cupertino resident) – few students will use, kids intentionally misled, arguments similar 20 years ago, projects ahead of trail, all for public audit.

Sana Tchernov (Cupertino resident) - knows safety and it is misleading kids, three heritage trees will be ruined, creek is home to birds and frogs.

Julia Miyakawa (Cupertino resident) – environmental group recommendations on creeks and protecting corridor habitats from trail developments.

John Liu (Cupertino resident) - construction should be extended to Alternates 4 or 5 to connect, will add congestion, existing trail begging for usage.

Stella (Cupertino resident) - not a good trail selection, four houses on Lozano very close and deviates from guidelines.

- Craig Fisk (San Jose resident) – hikes, bikes, and walks in Cupertino, good branding for the City, makes sense to put in as designed.
- Freda Xu (Cupertino resident) – trail has view of her bathroom window, will increase liability insurance, prefers Alternative 4 and 5.
- Jean Pommier (Cupertino resident) - fence improvement on Lozano/De Palma is a lie, district asked for no fencing, De Palma is private land, set aside funding for legal action.
- Bill Rassieur (Cupertino resident) - heard good things but downside for those on Lozano and De Palma, goes across front lawn, liabilities.
- Raghuveer Kumarakrishnan (Cupertino resident) - better to have Alternatives 4 and 5, safer for bike lanes and community, cost will go up.
- Alan Takahashi (Cupertino resident) – public benefit for community gathering place, infrastructure is key element and built for long-term.
- Teresa Olson (Cupertino resident) - people can be outdoors, walk dogs or practice Tai Chi, option B would be wheelchair and stroller friendly.
- Sarika Batra (Cupertino resident) - amazing city and why not improve, always naysayers when there is a vision, look beyond.
- Richard Lowenthal (Cupertino resident) - option A to mitigate privacy and security, people want places to walk, is public land and public deserves access.
- Ramola Gokhale (Cupertino resident) - need safe bike routes, opportunity to create walking path, funding opportunities from outside.
- Pete Heller (Cupertino resident) - interacting with vehicles on road hinders safety, move beyond fear, put protective trail, change people's mindset.
- Celia House (Cupertino resident) - streets not for a child and dodging vehicles, convenient, safe, usable bike access to Library and City Hall.
- Eben Haber (Cupertino resident) - being able to get off the roadway is hugely valuable, please do best to work it out.
- Geoff Paulsen (Cupertino resident) - look forward/look ahead, people buying less cars, seeing change in infrastructure, and supporting alternative transit.
- Helene Davis (Cupertino resident) - connection to riparian lands and open spaces, listen to community, staff can mitigate issues with neighbors, think long-term.
- Frankie Law (Cupertino resident) – has four houses at the end of De Palma, plan goes right in front of his house, choose Alternative 4.
- Geoff Hall (San Jose resident) - will bike the route, good for kids, practical way to add biking or walking in city designed around cars.
- Lani Honma (Sunnyvale resident) - house by trailhead allowed biking to school safely, increased home value, off-street trail to protect students.
- Lisa Nakamatsu (Cupertino resident) - trail will feed into Cupertino High with eventual largest population, huge impact on children, safety first.
- Swapneel Mahajan (Cupertino resident) - lives by Creekside Park, will ease access of activities outside of school, fiscal responsibilities but think of safety.

Brooke Callahan (San Jose resident) - commutes to Cupertino everyday by bicycle, not safe even in bike lanes, way to get to the library.

Gary Wong (Cupertino resident) on behalf of Campo De Lozano HOA - from small trail to major project, no detailed budget, difficult for Council to make decision without detail, unsuitable.

Beth Knodell (Cupertino resident) – (as part of group) use residential streets to bike on, doesn't solve existing problems, no mapped collisions in Regnart Creek area, compromising on width, railings, existing fences, on surface, consider depth as flood control ditch, mid-street crossings unprotected, no proposed crosswalks, has seen coyotes.

Benaifer Dastoor (Cupertino resident) – look at facts, width of creek, not safe at mid street crossings, not an off-street option because of existing at sections, homes vulnerability to burglaries, investment in security cameras, other trails run in to miles, wider, with fence protection, and wider setbacks.

Ilango Ganga (Cupertino resident) – 65% plan options have degraded safety, privacy, not suitable for biking, unresolved issues, moving ramp, retaining curb right of way, bridge removal, privacy, easement, trail closures not reliable.

Yasuo Miyakawa (Cupertino resident) – school safety, problem areas of trail don't address any of bike safety issues, can still close the loop by using Alternatives 4 and 5, other projects in pipeline to use the money on.

Suraj Dalvi (Cupertino resident) ceded time to group.

Jeonghee Yi (Cupertino resident) ceded time to group.

Binaisha Dastoor (Cupertino resident) ceded time to group.

Dinyar Dastoor (Cupertino resident) – already spent money on design only, looks like bait and switch, this is our money, could've done 20 miles of safe streets.

Megha Ilango (Cupertino resident) - would be a nuisance because of trailhead, longer path to reach Blaney, small population to use trail, inherent safety risks.

Jian He – family bikes to work, adjacent to Blackberry Farm trails, helps kids make decision and autonomy, will create for eastside versus just westside.

Qin Pan (Cupertino resident) - house is walking distance to Regnart Trail, will not be open at all times, consider improving road before trail.

Anita Ilango (Cupertino resident) - sidewalks are uncrowded, felt safe going to school, didn't feel impacted by bikers, students like her wouldn't use trail.

Mary Mack (Cupertino resident) - kids won't find shortcut or path to school but high risk of getting assaulted.

Tony Fong (Cupertino resident) - streets by Regnart are safe, cost unknown, maintenance cost, more deserving projects, privacy/environment concerns.

Georgina Chang (San Jose resident) – Cupertino bike commuter, separate trail from the streets, on street options force confrontations between cars and cyclists.

Jim Davis (Cupertino resident) - addresses safe path to schools and library, experienced cyclists are uncomfortable in traffic, create a connected community.

Taghi Saadati (Cupertino resident) - much safer without cars, will use if there's a trail, daughter was in bike accident, approve trail Alternative 2.

Jim Walker (Cupertino resident) - pay forward, for the future, wife is afraid to use bike on streets, allows neighbor to cut across his property.

Revathy Narasimhan (Cupertino resident) – safety, keeps kids away from auto abuse with exclusive access, greater good, will make a difference for children.

Becky Smith (Cupertino resident) - used to bike to HP center but too dangerous and went back to car, safe bike routes critical where kids are biking.

Betsey Megas (Santa Clara resident) – connector trail, improve streets but also trail, runs along a creek, can be built thoughtfully and not ruin environment.

Kory Orver (Cupertino resident) - east side doesn't have off-street trail, spend money for trail but make all roads safe and then back to trail later.

Lori Cunningham - everyone better off with safe routes to schools for kids, opportunities for growth and independent riders, reduced traffic.

Jimmy Wang (Sunnyvale resident) - in favor off-street routes to connect east and west, safer and more relaxing way to ride instead of competing with traffic.

Joel Wolfe (Cupertino resident) - bike trail advocate, ability to enhance life in Cupertino and bike infrastructure, putting kids on trail is safer.

Neil McClintick (Cupertino resident) – on behalf of Cupertino for All, community support petition, more inclusive, get cars off road as quickly as possible.

Meenakshi Biyani (Cupertino resident) - Cupertino High to Library would be shorter and safer on trail, always looking for off road trails without having to drive.

Herb Knoesel (Cupertino resident) – trail is one-way, cars can't hit pedestrian or bicyclist, wife was hit by car on bike, outside funding will occur.

Jennifer Shearin (Cupertino resident) – consider walkers, bike paths on street are not protected, parking reduced by walkers/bikers, think long-term.

David Alessio (Cupertino resident) - opens public area for pedestrians and bikers, serves as nice place to walk, same issue happened with Linda Vista.

Will Shearin (Cupertino resident) – residents along creek have access to private park, make water road accessible to public as intended by district.

Seema Lindskog (Cupertino resident) - heard from large breadth of supporters including groups, only people living on trail speaking against.

Hung Wei (Cupertino resident) – listen to other side, want to teach students how to bike safely, is for all of Cupertino, for generations of students.

Kitty Moore (Cupertino resident) – Planning Commission found CIP inconsistent with General Plan Parklands, staff report says initial study will be completed, clarify if coming to ERC.

Dave Wyckoff (Cupertino resident) - those by trail in difficult spot, won't go away just because the 65% design is in, have gate but stays locked.

Brent – don't feel need for trail except Blaney to City Hall, monitor Tilson/Stern intersection.

Mayor Scharf closed public comment.

Council recessed from 1:07 a.m. to 1:13 a.m.

Staff answered questions from Council, made comments, and deliberated.

Paul moved to:

1. Direct staff to proceed with the trail improvement option D of the Regnart Creek Trail Design as described in attachment G of the materials associated with the agenda item 9; and
2. Allocate an additional \$300,000 in excess of the cost of the selected option for landscaping or fencing for homes adjoining the trail to address privacy concerns; and
3. Adopt draft Resolution 19-115 amending the FY 2019/20 Capital Improvement Program budget to increase the budget to perform design and environmental clearance services from \$538,000 to \$813,000; and
4. Allocate the amount of \$2,500,000 towards other on-street bicycle and pedestrian improvements utilizing statistically valid metrics for determination of optimal projects for maximizing safety in a cost-effective manner; and
5. Condition spending of any of the allocations within this motion upon the readiness of all of the projects covered herein to proceed, including compliance with statutory environmental review requirements.

After further discussion and staff clarification on the budget Paul modified his motion to remove items 4 and 5 effectively supporting Option D.

Paul further amended his motion to allocate \$150,000 instead of \$300,000.

Chao made a friendly amendment that staff implement Alternative 4 first. There was no second and no general consensus.

Final motion seconded by Scharf:

Council received the information report and presentation on Regnart Creek Trail 65% design and revised estimated costs; trail improvement options, and Alternatives 4 and 5 to the proposed trail; and

1. Directed staff to proceed with the trail improvement option D of the Regnart Creek Trail Design as described in attachment G of the materials associated with the agenda item 9; and
  2. Allocated an additional \$150,000 in excess of the cost of the selected option for landscaping or fencing for homes adjoining the trail to address privacy concerns; and
  3. Adopted draft Resolution 19-115 amending the FY 2019/20 Capital Improvement Program budget to increase the budget to perform design and environmental clearance services from \$538,000 to \$813,000;
- and including a request for allocation of the \$2.1 million base including Alternative 4 plus the extra \$150,000 as related for Item 2. The motion carried unanimously.

Council also directed staff to continue to work with the most impacted residents and the allocation distribution and come back to Council for approval of the plan specifics.

**PUBLIC HEARINGS - None**

**ORAL COMMUNICATIONS - CONTINUED (As necessary)**

**COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS**

Councilmembers highlighted the activities of their various community events.

Added a staff status report in early November on the progress of projects in the Bike Plan (Chao/Paul).

Added Staff update on RHNA subregion at next meeting for guidance on upcoming Cities Association meeting (Sinks/Scharf).

Added to a future agenda an item to consider the content of the staff report for midyear CIP projects (Chao/Paul).

**ADJOURNMENT**

At 4:31 a.m. on Wednesday, September 18, Mayor Scharf adjourned the meeting.



Kirsten Squarcia, Deputy City Clerk

## Option C & D Amenities & Cost

Option	C	Itemized Cost	Option	D	Itemized Cost
Multi-use Path	No, footpath only	-	Multi-use Path	No, footpath only	-
Roadway Crossing Improvements	Yes	\$350,000	Roadway Crossing Improvements	Yes	\$350,000
Surface	8' wide decomposed granite	\$80,000	Surface	8' wide decomposed granite	\$80,000
Railings	At trailheads and behind La Mar	\$230,000	Railings	At trailheads and behind La Mar	\$230,000
Grading	Graded throughout	\$690,000	Grading	Minor	\$120,000
Drainage Improvements	Full Improvement (Underdrain throughout)		Drainage Improvements	Minor	
Privacy Fencing	2,600' wood	\$175,000	Privacy Fencing	2,600' wood	\$175,000
ADA Compliant	No	-	ADA Compliant	No	-
Lozano/De Palma Area Improvement	Yes	\$40,000	Lozano/De Palma Area Improvement	Yes	\$40,000
On-street Bikeway Improvements ("A1L 4")	Yes	\$175,000	On-street Bikeway Improvements ("A1L 4")	Yes	\$175,000
Mobilization/Water Pollution Control	Yes	\$400,000	Mobilization/Water Pollution Control	Yes	\$300,000
Cost	\$2,800,000		Cost	\$2,100,000	

\* Other fixed costs not shown include VW ramp relocation, traffic control, surveying, tree protection, etc.

Option E

## Cyrah Caburian

---

**From:** Kirsten Squarcia  
**Sent:** Monday, June 15, 2020 5:13 PM  
**To:** Peggy Griffin; City Clerk  
**Cc:** Deborah L. Feng  
**Subject:** RE: 2020-06-16 CC Meeting Agenda Item 21 - Attachment F6 Deer Hollow WRONG

Hello Peggy,

Thank you for your email. The correct attachment was posted earlier today and was posted as a written communication on the meeting details page. <https://cupertino.legistar.com/View.ashx?M=E2&ID=732522&GUID=952B988E-6A9A-4776-8F56-5CE2FD8DB11C>

Regards, Kirsten

---

**From:** Peggy Griffin <griffin@compuserve.com>  
**Sent:** Monday, June 15, 2020 5:08 PM  
**To:** City Clerk <CityClerk@cupertino.org>  
**Cc:** City Council <CityCouncil@cupertino.org>; Deborah L. Feng <DebF@cupertino.org>  
**Subject:** 2020-06-16 CC Meeting Agenda Item 21 - Attachment F6 Deer Hollow WRONG

**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,

The 2020-06-16 City Council Meeting Agenda Item 21 – Attachment F6 Deer Hollow is wrong. What’s posted as Deer Hollow’s application is really a second copy of the application for “Elevate the Future”.

Sincerely,  
Peggy Griffin

## Cyrah Caburian

---

**From:** benaifer dastoor <bddastoor@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 1:49 AM  
**To:** Rod Sinks; Darcy Paul; Liang Chao; Jon Robert Willey; Steven Scharf  
**Subject:** CIP Meeting Tuesday June 16 - Staff report - Options for residents  
**Attachments:** Option D slide- Sep 17 meeting.docx; Screen shot of motion-September 17, 2020.docx

**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 Rod, Liang, Jon and Darcy,

First off, I want to thank you all for giving cognizance to the needs of the residents adversely impacted by the RCT project in the last CIP study session meeting. Rod, I appreciate you having the courage to propose additional dollars for the residents.

As of today against this 3.06 million dollar project (and counting since staff has not fully disclosed all the costs associated with the trail as yet if you look up the Option D slide), the 84 homes who are the most impacted and will live 24/7 365 days with this impact get a paltry \$365,000 for their protection. The consultant for just the feasibility and design part of the project has received \$813,000 so far.

**Though we are seeking additional dollars for our privacy and security from the council, we would urge you to pause your approval for the additional 200,000 requested by the staff (for a half-baked solution) in Tuesday's June 16 meeting.** The staff has not made any outreach to the residents after the last CIP study session and the suggested new Vinyl (MLV) option in the staff report is not acceptable to the residents. It has too many negatives and the residents will be stuck maintaining it post installation. As our elected representatives it's time that you hold the project staff accountable and direct them to work with the residents for a feasible solution that addresses their concern before you allocate more money. This can be presented with the 100 percent design.

**Here is the preliminary data about the options surveyed by the residents since the staff is unable to do that :**

- 33 homes (approx. 2400 linear feet) adjoining the trail within 1.5 - 2 feet (25 on La Mar Dr+ 8 on the opposite side across Blaney)- preference of overwhelming majority – 9 feet tall concrete fence. **We are not asking for \$500 a linear foot option.** That is just a wild estimate thrown by the staff on September 17. There are reasonable and comparable options like the precast concrete. Besides providing strong privacy and security to the residents it is also a long term almost permanent solution with a life of 20 plus years. **The cost range - \$175-\$200 per linear foot inclusive of poles and labor.** The city staff can always negotiate a better rate with its buying power. **Maximum cost around \$480,000.**
- Lozano residents - sought an 8 feet metal fence (works within the \$40,000) already allocated to them
- Residents whose homes are on the other side of the trail (near the library) need either grading work on the path or a taller wooden fence for privacy. Cost 50/ linear feet.

The council has already allocated the following on September 17, 2019

Construction cost-Option D	1,885,000	
Fences for residents on the trail (\$175000 proposed in option D+ \$150000 additional allocated in motion for privacy & security) **	325,000**)	2600 linear feet
Lozano residents	40,000 )	365,000 (total for all residents)
Cost under Option D	2,250,000	
Add: Consultant fees	813,000	
<b>Total cost</b>	<b>3,063,000*</b>	

**As such the council would need to allocate an additional amount of approximately \$360,000 towards the concrete barrier option for the residents. This would make the total allocation of around \$725, 000 to 750,000 for 84 homes in a 3.06-million-dollar project. A very fair and reasonable ratio of allocation.**

This would be the right thing to do not only in terms of general plan directives to prioritize the privacy and security of the residents impacted by the city’s project, but also help you to heal the divide after the vitriol and personal attacks that the residents have been subjected to over the project. The residents did object to the project on several legitimate issues and maintained focus on issues despite all the mud- slinging which continues to this day. (some day if you can read just the monthly minutes of the valley water and the city, you will know the true reason for the project delay)

**Please direct the staff to work with the residents to resolve the privacy and security issues of the residents and bring a solution for your approval. The sooner this is amicably resolved the better it is for all.**

Thank you,  
Benaifer

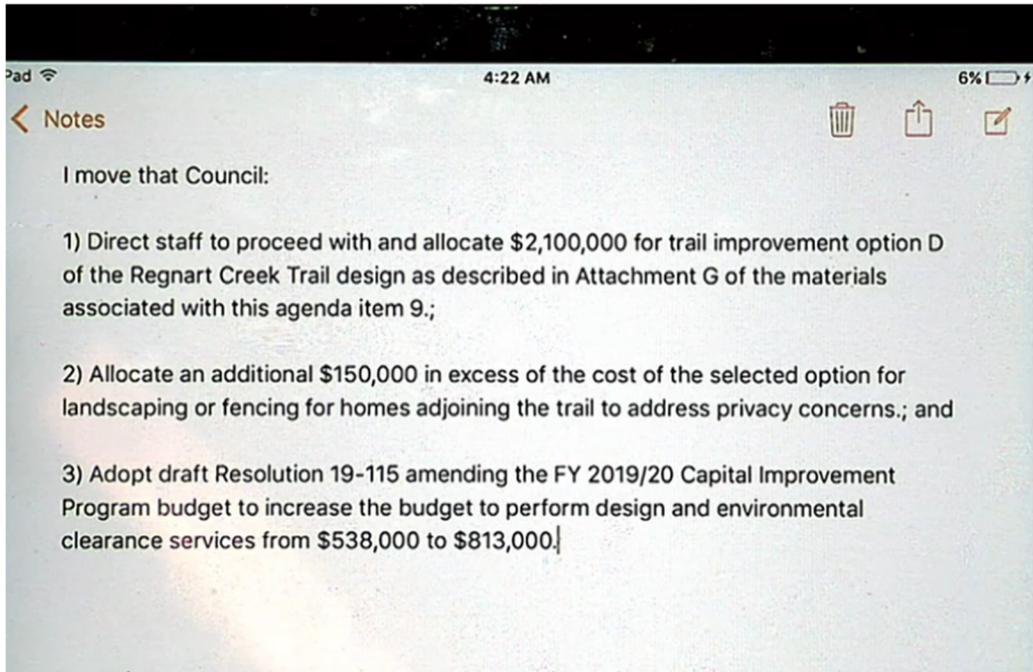
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Cost	\$2,800,000		Cost	\$2,100,000	

\* Other fixed costs not shown include VW ramp relocation, traffic control, surveying, tree protection, etc.

Option E

Screen shot of motion made in September 17, 2019 meeting



## Cyrah Caburian

---

**From:** Connie Cunningham <cunninghamconniel@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:48 AM  
**To:** City Council  
**Cc:** City Clerk; Kendall Marisa  
**Subject:** June 16, Agenda Item 21, Public Hearing, CIP and Recommended Budget - COVID: 15% temporary housing goal?

**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.

June 16, 2020: Agenda Item 21, Public Hearing, CIP and Recommended Budget -COVID: 15% temporary housing goal?

Dear Mayor, Vice-Mayor, and Councilmembers:

May 16, 2020. One month ago. So, there it was in the Mercury News, just as bold as you please. There was a Question and Answer article about what's required to get to Stage 2 of the COVID-19 reopening in California.

1 or fewer cases per...

no deaths...

daily testing...

testing sites...

contact tracers...

Temporary housing available for 15% of population experiencing homelessness.

hospital capacity for...

a "robust" plan to protect hospital workers...

supply of PPE....

Really, **only 15% of population experiencing homelessness need to have temporary housing during COVID-19, or ever?**

It is difficult to feel someone else's pain, especially, if you cannot imagine ever being in their situation. So, let's make an analogy:

Say the electrical company shut off power to thousands of consumers in the community due to concern about high winds in a fire-prone area. (Never going to happen, but bear with me here.)

Say that the company said they couldn't turn the power back on immediately for complicated reasons.

Say that the company said they would dedicate efforts to return power to 15% of consumers by the end of three months (maybe six.)

Say that the company said they would dedicate more efforts (based upon funding from the state or federal government) to increase that goal to 20% in the next fiscal year.

By the time I finished saying this, you had already felt the impact in your imagination.

You could imagine the impact of not having electricity for 3 (to 6) months.

You could imagine your reaction to being told that only 15% of consumers would have power returned in that time.

Now, imagine being told that you were not one of the 15%. What are you going to do without electricity indefinitely?

Mad, oh, my, mad as heck. Scared, maybe? Then you find out that neither the State Legislature nor the U.S. Congress is going to fund this electricity because there are other - more important - priorities.

Temporary housing for 15% of the population is not enough. Not enough now, and not enough when it appears that it will never be a priority to provide temporary housing for more than 15%.

Experiencing homelessness falls disproportionately on the Black Community. Did anyone say to you recently - demand- that Black Lives Matter? Did they demand Justice?

By Resolution dated June 5, 2020: "The City of Cupertino demands that Black Lives Matter; and.... The City of Cupertino will promote safety, a sense of security, and equal protection of constitutional and human rights, leading by example through equitable treatment of all by City officials and departments;...."

Temporary Housing for 100% of our homeless population is needed now.

Sincerely,

Connie Cunningham  
Housing Commission, Vice-Chair (self-only)  
I quote Jennifer Loving, of Destination Home:

"In Silicon Valley,

We have all the problem and

All of the solution

In the same 20 mile radius.

We have people

Who can solve homelessness,

And companies that can help solve homelessness

Along with thousands of people

Who slept outdoors last night."

## Cyrah Caburian

---

**From:** Fari Aberg <abergfari@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:46 AM  
**To:** Liang Chao; Jon Robert Willey; Darcy Paul; Steven Scharf; Rod Sinks  
**Cc:** Deborah L. Feng  
**Subject:** Agenda item #21, 6-16-2020 Council Meeting, need better fencing

**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, Honorable Vice Mayor Paul and Councilmembers,

### **PLEASE PROTECT OUR SAFETY, SECURITY and PRIVACY!**

Thank you for your willingness to consider approving additional funding for residents affected by the development of the Regnart Creek Trail to address their security, safety, and privacy based on the June 2, 2020 CIP Study Session.

As you very well know, the world has changed dramatically since the time you approved the RCT project. Millions of people have lost their jobs and their homes and the homeless population in Cupertino is growing rapidly. They are visible at the 280 onramp on Wolfe Road, Creekside Park, and live on Bollinger adjacent to the church. The homeless situation has resulted in growing safety concerns for me, my family and neighbors abutting the trail.

As a Cupertino resident who will be indefinitely, negatively impacted by the trail, I urge you to please step up and protect me and my family and all the residents abutting the RCT, who are in the same boat as I am, by addressing our safety and security concerns by providing us with taller, better quality fencing.

Based on Cupertino General Plan, the safety of Cupertino Residents must come first.

To refresh your memory, here are some quotes from Cupertino General Plan. As you can see, it puts the safety and security of Cupertino residents as a top priority:

#### **“POLICY HS-4.2: CRIME PREVENTION THROUGH BUILDING AND SITE DESIGN**

Consider appropriate design techniques to **reduce crime and vandalism when designing public spaces** and reviewing development proposals.

#### **HS-8.2.3: Sound Wall Requirements.**

Exercise discretion in requiring sound walls to be sure that all other measures of noise control have been explored and that the sound wall blends with the neighborhood. **Sound walls should be designed and landscaped** to fit into the environment.

#### **POLICY HS-8.5: NEIGHBORHOODS**

**Review residents’ needs** for convenience and **safety** and **prioritize them** over the convenient movement of commute or through traffic where practical.

#### **HS-8.6.1: Local Improvement.**

Modify street design to **minimize noise impact to neighbors.**

**Protect residential areas as much as possible from intrusive non-traffic noise**

- Design buildings to minimize noise

**The City seeks to ensure that the community continues to enjoy a high quality of life through reduce noise pollution, effective project design and noise management operations.**

**RPC-5.1.2: Trail Projects.**

Implement trail projects described in this Element; **evaluate any safety, security and privacy impacts and mitigations associated with trail development; and work with affected neighbors in locating trails to ensure that their concerns are appropriately addressed.**

**“LU-13.7.5: Neighborhood Buffers.**

Consider buffers such as setbacks, landscaping and/or building transitions to buffer abutting single-family residential areas from visual and noise impacts.

**POLICY LU-27.8: PROTECTION**

**Protect residential neighborhoods from noise, traffic, light, glare, odors** and visually intrusive effects from more intense development with landscape buffers, site and building design, setbacks and other appropriate measures.”

I also refer you to these articles of Human Rights:

“Article 3: Everyone has the right to life, liberty and the **security of person.**

Article 12: No one shall be subjected to arbitrary interference with his **privacy, family, home** or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”

I am so disappointed that the money that you have paid the consultant of the trail is much more than what you have allocated for 84 homes all together! What a shame!

We are fighting for our safety, security, and privacy, which does not seem to affect any of you as it does not directly affect and impact you or anyone in your circle of friends.

The stress of this situation has brought unwanted anxiety as we continue to negotiate the details of ensuring a safe environment exists for ourselves and our families when this trail opens.

**PLEASE PROTECT OUR SAFETY, SECURITY AND PRIVACY!**

**I KNOW DEEP DOWN IN YOUR HEART YOU KNOW AND AGREE THAT YOU HAVE PUT US ALL IN A VERY BAD SITUATION.**

Respectfully,  
Fari

## Cyrah Caburian

---

**From:** Connie Cunningham <cunninghamconniel@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:28 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** June 16, 2020: Agenda Item 21, Capital Projects Funds, Projects, COVID-19; New project idea

**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.

June 16, 2020: Agenda Item 21, Capital Projects Funds, Projects, COVID-19; New project idea

Dear Mayor, Vice-Mayor, Councilmembers and City Manager,

By Resolution dated June 5, 2020: "The City of Cupertino demands that Black Lives Matter; and.... The City of Cupertino will promote safety, a sense of security, and equal protection of constitutional and human rights, leading by example through equitable treatment of all by City officials and departments;...."

Experiencing homelessness falls disproportionately on the Black Community. That is not equitable treatment.

It has been reported that there are twelve people living on Wolfe Road at I280. Also, the 2019 Point-in-Time (PIT) count reported that Cupertino has more than 150 unhoused residents. There are likely many more unhoused residents this year, due to the devastating economic downturn brought on by COVID-19.

Many residents, through discussions with me, via emails to the Council, and by personal appeal through communications at City Council meetings, have expressed the desire that the City help people suffering from homelessness.

I urgently call on you to consider a [new project](#) investment to address housing solutions for unhoused residents, to be taken from the Capital Reserve.

1. Investing in such a project now will reduce the funding required for the needs of unhoused residents in the future.
2. Cupertino will serve its own long-term financial and business interests by helping its own residents get back on their feet.
3. Relying upon the County to provide for all our residents is unrealistic. The County recently told the Mercury News that it does not have funds for more than 1/3 of the County's unhoused residents' needs. (There are over 10,000 people.)
4. Cupertino has a unique resource in West Valley Community Services (WVCS) that provides many services to assist hundreds of vulnerable people. WVCS is part of a county-wide network.

Approximately [\\$1.7 million in Capital Reserve fund balance](#) are available. The Staff Report, Capital Projects Funds, Page 9: "Currently, the City's capital reserve has approximately \$3.6 million available for funding [new projects](#)... If the FY 2020-21 proposed CIP projects are approved, approximately [\\$1.7 million in Capital Reserve fund balance will remain.](#) "

It is to the City's credit that on Page 14 of the Staff Report can say: "While the overall reductions in these two categories (\$6.9 million) is sure to have a profound impact, the General Fund is well-positioned to absorb the temporary decline and withstand the economic recovery period into the future."

Based upon this economic forecast, it is wise to help our residents get back on their feet. As the economy rebounds, the City and its residents will benefit. Three existing developments will help our economy rebound.

1. With two new hotels already approved for construction in Cupertino, there will be construction jobs available, and after that, there will be 80 to 100 hospitality jobs that will become available.
2. Westport Cupertino has been reviewed and approved by the Planning Commission on May 12, 2020. This project adds 294 homes, of which 48 are Below-Market-Rate apartments. The Council will soon have the opportunity to approve this major project that will add, not only homes, but, also, construction jobs, and long-term employment after it is completed.

How forward-thinking it would be for our City to provide [new housing solutions](#) for unhoused residents. Many will be able to grow into the new employment opportunities that will become available. The goal will be to find permanent housing and a secure future.

I urgently call on you to consider this new project investment in our city's future.

Sincerely,

Connie L Cunningham  
Housing Commission, Vice-Chair, self only  
Resident for 33 years

I quote Jennifer Loving, of Destination Home:

“In Silicon Valley,

We have all the problem and

All of the solution

In the same 20 mile radius.

We have people

Who can solve homelessness,

And companies that can help solve homelessness

Along with thousands of people

Who slept outdoors last night.”

## Cyrah Caburian

---

**From:** viji.ilango@yahoo.com  
**Sent:** Tuesday, June 16, 2020 2:19 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** Written Communications Agenda Item 21 - INACCURACY IN REGNART FENCING FUNDS ALLOCATED  
**Attachments:** Attachment 2.pdf; attachment 1.pdf

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

Dear Mayor and City Council Members,

I would like to state a glaring inaccuracy in the Staff Report on Fencing Funding on Regnart Creek Trail. As per the Staff Report for Item 21 in agenda June 16th 2020 , *"Current funded amounts for fencing are \$150,000 for properties abutting the trail on Lozano / DePalma Lanes and \$60,000 for other properties adjacent to the creek."* This is erroneous.

As per the Sept 17th, 2019 meeting presentation made by the Staff (Attachment 1), discussions by the Council Members, minutes of the meeting ( attachment 2), \$365,000 has been allocated for residents privacy and protection. Why does the Staff report say only \$210,000 is available? What happened to the remaining \$155,000 that was allocated for privacy and security protections? This raises alarm bells for residents. According to Staff Report, \$150,000 is allocated to Lozano/Depalma Lane , does it mean only \$60,000 is allocated to 75+ homes. This means less than \$1000 was allocated to each home for fencing. This is not accurate. Under what assumptions are the staff working?

Is the City staff planning to take away the money allocated to residents to cover other expenses of the trail ? As you are aware, the City is still in the process of earning the public's trust on financial transparency because of past actions by a former City employee.

The City Council has the responsibility to look at the evidence presented to them by the public and ask relevant questions of the staff.

Here is what I recommend.

1. The residents do not trust the Staff responsible for the project is working in the best interest of the public. The previous Manager Amy had directed Roger to take over because the residents wanted someone they can trust. Now we see things are going backward. So, we request a change in the staff responsible for overseeing the project to someone who can earn the public trust.

2. We ask the council to appoint an Citizens oversight committee to make sure all processes regarding this trail are followed by the City and the residents concerns are properly mitigated.

To conclude, I would like to know why there is a huge error in the staff report with regards to funding. Irrespective of whether this is negligence or oversight, the City cannot go wrong in accounting numbers/errors when dealing with public funds.

How does the council intend to address this funding inaccuracies and ensure this does not happen in other public works projects ?

Thanks,  
Viji

## Option C & D Amenities & Cost

Option	C	Itemized Cost	Option	D	Itemized Cost
Multi-use Path	No, footpath only	-	Multi-use Path	No, footpath only	-
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Cost	\$2,800,000		Cost	\$2,100,000	

\* Other fixed costs not shown include VW ramp relocation, traffic control, surveying, tree protection, etc.

Option E



I move that Council:

- 1) Direct staff to proceed with and allocate \$2,100,000 for trail improvement option D of the Regnart Creek Trail design as described in Attachment G of the materials associated with this agenda item 9.;
- 2) Allocate an additional \$150,000 in excess of the cost of the selected option for landscaping or fencing for homes adjoining the trail to address privacy concerns.; and
- 3) Adopt draft Resolution 19-115 amending the FY 2019/20 Capital Improvement Program budget to increase the budget to perform design and environmental clearance services from \$538,000 to \$813,000.

## Cyrah Caburian

---

**From:** Jian He <jianhe7@gmail.com>  
**Sent:** Tuesday, June 16, 2020 4:36 PM  
**To:** City Council; City Clerk  
**Subject:** Comments about 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.

Dear City Staff and Council members,

My name is Jian He. My family have lived in Cupertino for 15 years and I served on the Advisory Board of Walk-Bike Cupertino for 6 years. Tonight I speak on behalf of Walk-Bike Cupertino's 2277 members, to thank you for working so hard during this tough time of COVID-19, and for coming up with solutions to overcome challenges of budget planning for our city.

I heard that during the city council meeting in May, our city staff planned to hold another voting in Fall 2020 to approve the design of Regnart Creek Trail, and to authorize putting the project out to bid. It'll be the third time for this project to go through such a time-consuming process of debating and voting. From 2018 to now, the Regnart Creek Trail has been put through two such processes. I personally invested time and energy attending both meetings from early evening to past midnight. I also spoke twice to support this project, with thousands of supporting petitions mapped in August 2018, and in September 2019. Here, I am showing you these maps again.

1) August 2018

<https://photos.app.goo.gl/qtKx1RqGoTJrbAiR8>

2) September 2019

<https://photos.app.goo.gl/JUQy1MWtgJneVhsHA>

You can see that supporting petitions grew rapidly within a year and our walk-bike community also has grown since then.

You have voted Yes to build the Regnart Creek Trail, that will make a positive impact on the east side of Cupertino, which is severely lacking in park and recreation spaces, compared to the west side. Due to COVID-19, many people choose to bike and walk more often to reduce stress of Shelter-in-Place. This trail will create a convenient and safe crossing point and avoid high speed streets with very few crossings. The 2016 residency data shows that over 225 Cupertino High school students, 200 Eaton Elementary school students, and 125 Lawson Middle school students and their families will benefit from this trail, because it will make their walking and biking safer. As we know schools are now facing uncertainty if they will open in Fall, but I believe the situation will improve and the Shelter-in-Place order will end just like many past pandemics in history. Hope in the future not too far, over 8000 residents will get around easily on bikes through this trail to visit parks and shops.

We understand our city may have budget concerns, but there are a lot of grants available to help pay for the trail. Stevens Creek/Blackberry Farm Trail are such examples. Please keep your commitment as you have voted in the past, to build the Regnart Creek Trail. Many generations of youth and their families will thank you for this important decision for our city.

Thank you!

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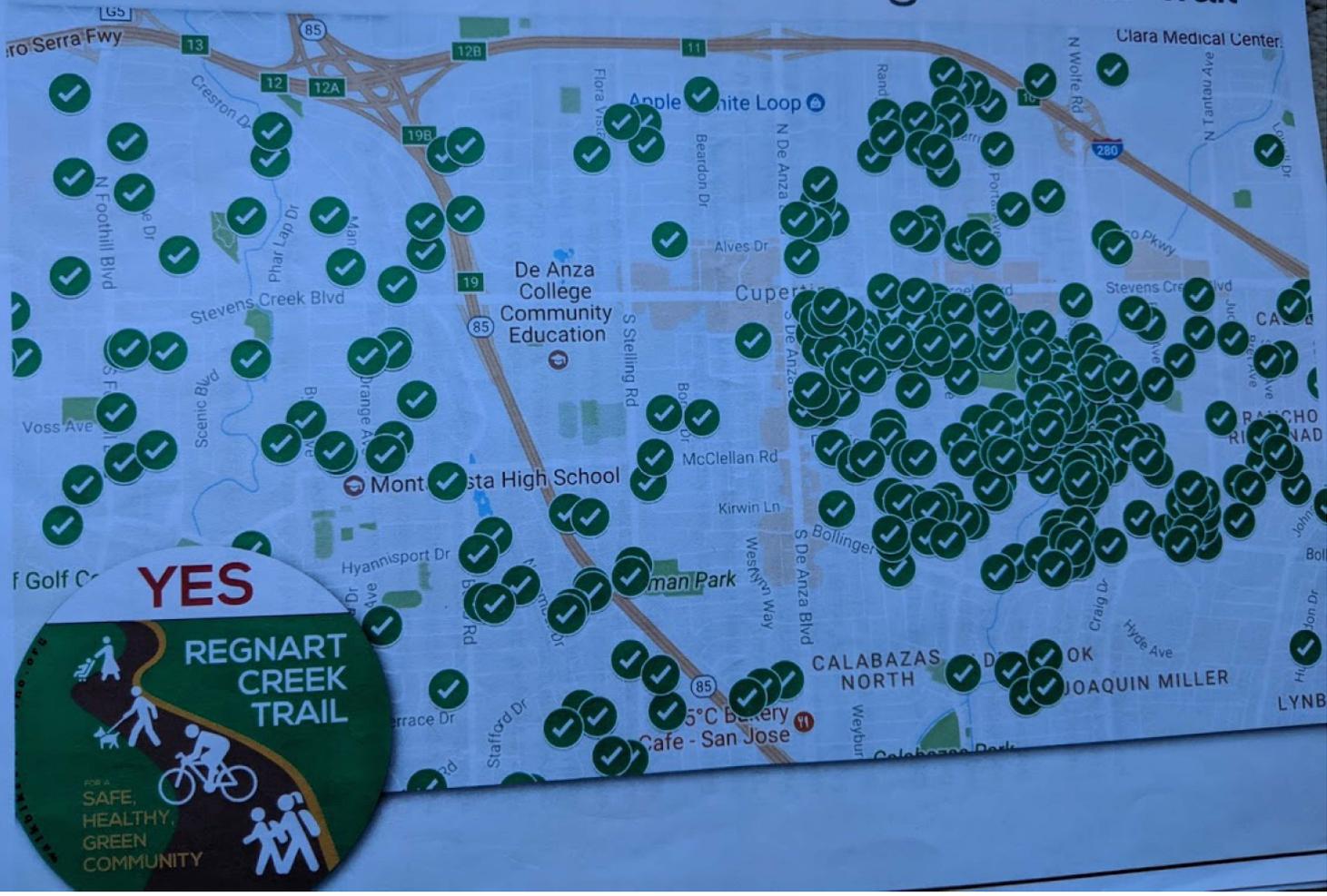
Blessings,

Jian

"...all things work together for good..." --- **Romans 8:28**

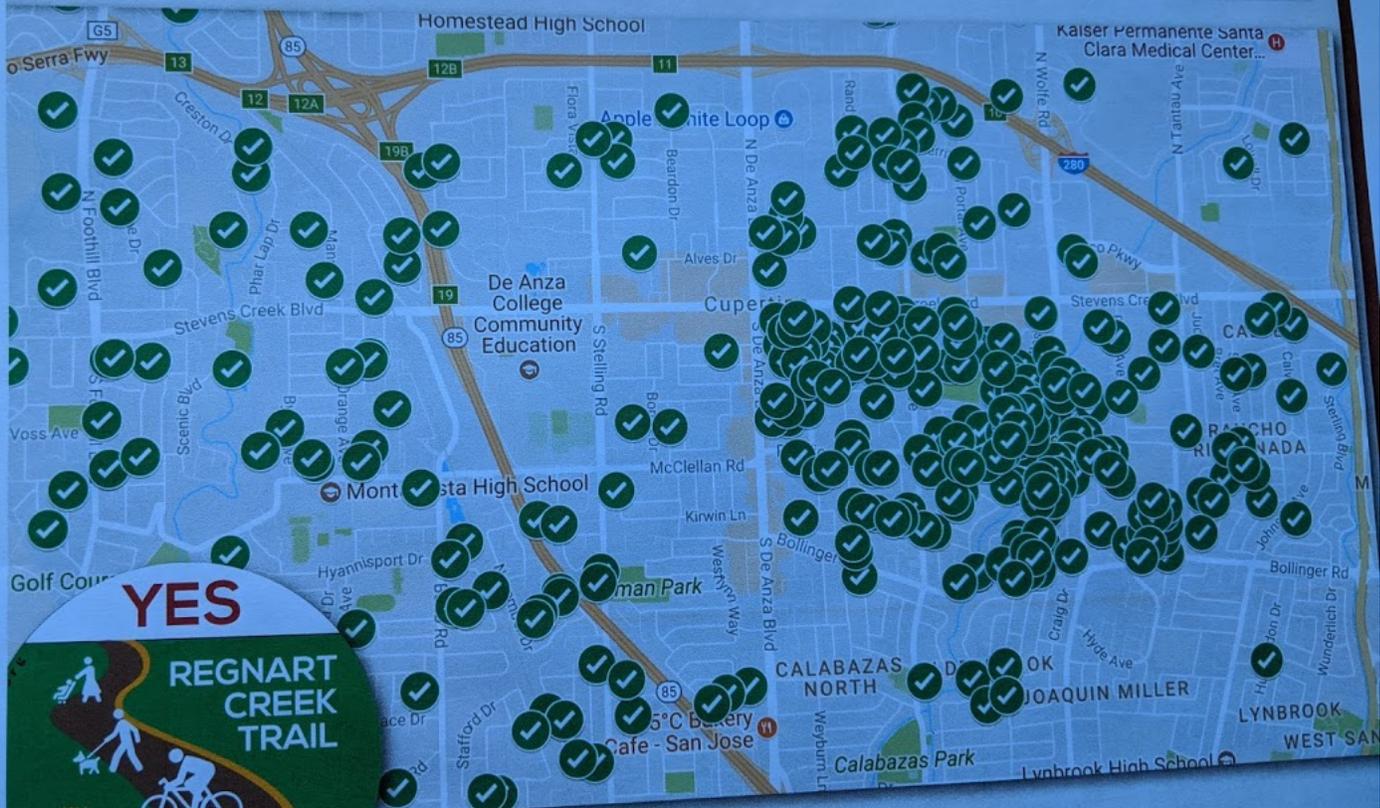
# Cupertino Residents: YES on Regnart Creek Trail

Aug. 2018



Sept 2019

# Cupertino Residents: YES on Regnart Creek Trail



## Cyrah Caburian

---

**From:** Larry Dean <ldean95014@comcast.net>  
**Sent:** Tuesday, June 16, 2020 6:01 PM  
**To:** City Council  
**Subject:** CIP allocation for the 2021-2 bike plan implementation

**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 Fellow Council -

We urge you to approve the CIP plan as proposed by staff. You and staff are to be congratulated in getting the plan put together during this trying times.

We also understand that there may be new demands from several residents near the Regnart Creek Trail to install cement walls. This demand is just another gambit to kill the project by excessively increasing the projects costs. It will no doubt not be the last.

In fact, up to this point in time, no resident has asked for or favored such a feature - early comments several years back from residents that they did not want such fencing - so this latest demand is disingenuous. We can provide you with many pictures of communities such as Irvine, Davis, San Jose and Los Gatos that have trails that run adjacent to resident property line and fences. You can see some examples from the Los Gatos Creek Trail in Willow Glenn and Saratoga at this link <https://share.icloud.com/photos/OLKqEk4mFBdIDapysf6leH82g>.

We trust that you will continue to steer the Regnart Creek project to completion in a direct fashion. Please remember: off street trails improve safety and property values.

Sincerely,

Larry Dean  
Walk-Bike Cupertino

## Cyrah Caburian

---

**From:** Kiran Varshneya Rohra <kvarshneya@cupertinolibraryfoundation.org>  
**Sent:** Tuesday, June 16, 2020 6:11 PM  
**To:** Kirsten Squarcia  
**Cc:** Henry Sang; City Clerk; qin pan  
**Subject:** Re: 2020-06-16 Comment Item#21 Henry Sang  
**Attachments:** Item #21 - 20200616 Kiran Varshneya Program Room Task Force.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 am requesting a 2 minute slot for the Item #21. Pl see attached slides, if you can pl display them.  
If you can pl let me speak just before Henry Sang.

Thank you,  
Kiran Varshneya  
Cupertino Library Foundation, Board Member.

On Tue, Jun 16, 2020 at 5:46 PM Kirsten Squarcia <[KirstenS@cupertino.org](mailto:KirstenS@cupertino.org)> wrote:

Hi Henry, Will do.

Thanks, Kirsten

---

**From:** Henry Sang <[hsang@cupertinolibraryfoundation.org](mailto:hsang@cupertinolibraryfoundation.org)>  
**Sent:** Tuesday, June 16, 2020 5:45 PM  
**To:** City Clerk <[CityClerk@cupertino.org](mailto:CityClerk@cupertino.org)>  
**Cc:** Kiran Varshneya <[kvarshneya@cupertinolibraryfoundation.org](mailto:kvarshneya@cupertinolibraryfoundation.org)>; qin pan <[qinpan@gmail.com](mailto:qinpan@gmail.com)>  
**Subject:** 2020-06-16 Comment Item#21 Henry Sang

**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.

Kirsten,

I am requesting a 3min Comment slot for Item #21 on the Capital Improvement Program Budget.

If you could display the slides. I will request "Next Slide"

Henry

--

Henry W. Sang, Jr.

President

[HSang@cupertinolibraryfoundation.org](mailto:HSang@cupertinolibraryfoundation.org)

# Program Room Task Force Success

Kiran Varshneya

Cupertino Library Foundation  
Cupertino Library Expansion Task Force Member  
Cupertino Rotary

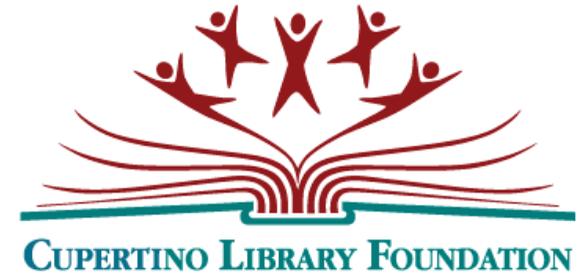


# Library Program Room Expansion Successes

- City/Library District/Commission/Community Task Force
  - Dozens of meetings as whole group and with smaller groups;
  - Representing hundreds of hours from Community volunteers
    - Including help from Cupertino architects, engineers, purchasing agents
  - Assist City in selection of Bridging Architects
- Funding
  - Library District made large commitments of funding
  - Cupertino Library Foundation prepared for fund raising
    - Recruited new board member as fund raiser
    - Worked with Staff on fund raising ordinance and introduction into the Bid Documents
- Planning underway for utilization on Opening Day



# Example of Operational Analysis



- Large number of events for 50-150+ patrons
    - Islands seem to be <40, <90, <150, 150+
      - 150+ is presently much smaller than the others
    - Lack experience with complex parallel sessions in Cupertino
  - Operational
    - Some require longer setup/take down times plus event time
      - Storage and retrieval important
      - Possible need to pre-stage materials or secure displays
    - Mix of no seating, theater, workshop (small table), study hall, and banquet
    - Projector screens need to be towards front of room in all configurations
      - Wide theater for full 2<sup>nd</sup> floor usage
    - 2<sup>nd</sup> floor sections both need to be very dark with little light or sound pollution
    - Significant number of events will require >4hr usage, some multi-day
    - Streaming will require control room for equipment plus integration of 1<sup>st</sup> and 2<sup>nd</sup> floor rooms together. Ideally extend to Community Hall or FUHSD campus
  - Timing
    - Children events all day, two main waves (preschool and in school = 2:30-7pm)
    - Senior events AM-3pm, 6pm+
    - Teen 3-7pm, heavy weekend
    - Other adult all day, three waves (work remote+unemployed; escorting school children; after work)
- Research with:
- Sister Libraries
  - District Education Group
  - Libraries in diff states
  - User Groups
  - Programming Data

## Cyrah Caburian

---

**From:** Jennifer Shearin <shearin.jen@gmail.com>  
**Sent:** Tuesday, June 16, 2020 6:31 PM  
**To:** City Council; Deborah L. Feng; City Clerk  
**Subject:** Agenda Item 21: CIP Allocation for 2020-21 Bike/Ped Plan implementation

**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 Esteemed Mayor Scharf and Councilmembers,

I urge you today to accept the recommended budget from the City Staff to continue to fund already approved and funded bike and ped projects.

It seems odd to need to ask for this after the exhaustive approval process for some of these projects, especially the Regnart Creek Trail, but it appears that tonight the Council may decide to defund them as part of the CIP for this year. **As shown by the appropriate and thorough budgeting work Staff has done and provided to Council and the public, Cupertino is not in such dire financial straits that defunding any project previously funded is necessary.**

**The Regnart Creek Trail is one such project that should not be defunded, and have its extremely long approval process overturned tonight.** The RCT is part of the City's 2016 Bike Plan and 2018 Ped Plan, both adopted unanimously by the council after extensive public input. In the years since, there has been many public workshops, walks, 90+ hours of 1-on-1 discussions between Cupertino staff and homeowners adjacent/near to the trail, a 9 hour+ council hearing and vote on September 17, 2019, and ERC and Planning Commission approvals this year. The process has been comprehensive and very, very long.

Some of the 83 residents adjacent or 40 feet across the creek from the trail now want—though never previously desired—the city to build a concrete wall along their backyards. The City's latest estimate to do this work would add between \$3 to 5 million to the project. This is an obvious attempt to raise the price of the trail astronomically high—doubling or tripling the cost of the project itself—so that the project will be killed. On June 2, Councilmembers proposed adding \$200,000 if needed for improved fencing for the benefit of adjacent property owners. This seems like a much more reasonable and reasoned solution if the previously approved \$150,000 (above the project cost) for additional fence funding was not enough.

Just as it's been all along, **the Regnart Creek Trail project is wanted by residents** (80% of residents want more trails and pathways, per the Parks & Rec Master Plan), does not present any environmental issues that can't be mitigated, **will help mitigate parking issues at the library—a huge concern with the potential library expansion**, adds needed recreation to the east side of Cupertino, helps children on their way to school, and much more that has already been endlessly discussed.

Today, I urge you to accept the recommended budget from the City Staff to continue to fund already approved and funded bike and ped projects including the Regnart Creek Trail. It should be considered good governance to do so.

Best Wishes,

Jennifer Shearin  
19511 Howard Ct, Cupertino

## Cyrah Caburian

---

**From:** jim@crewdavis.com  
**Sent:** Tuesday, June 16, 2020 6:39 PM  
**To:** City Council; Deborah L. Feng; City Clerk  
**Subject:** Supporting the Regnart Creek Trail - Yet Again!

**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 & City Manager,

I support the Regnart 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.

All the good reasons to move forward have not changed: more recreation, a more sustainable Cupertino, safer for student commuting, an excellent connector to parks, reduced traffic at City Center.

Trails enjoy wide-spread support within our community. Biking enthusiasm is at an all time high. Don't believe it? Ask you local bike shop!

A handful of residents is once more attempting to torpedo the trail, now with arguments about inflated costs. Enough. That ship has sailed.

To re-phrase a famous line by Mr. Spock: "The benefits to the many outweigh the complaints of the few".

Please move forward on this trail, and say no to these attempts to endlessly rehash this decision.

Thank You.

Jim Davis  
Cupertino Resident

## Cyrah Caburian

---

**From:** qin pan <qinpan@gmail.com>  
**Sent:** Tuesday, June 16, 2020 6:46 PM  
**To:** City Clerk  
**Cc:** Henry Sang; Kirsten Squarcia; kvarshneya@cupertinolibraryfoundation.org  
**Subject:** 2020-06-16 comments item #21 - Qin Pan  
**Attachments:** Item #21 - Library Program Room -by Qin Pan.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.

Kirsten,

I am requesting a 3min Comment slot for Item #21 on the Capital Improvement Program Budget as well.

Thank you!

Qin

“The positive response we receive from the community is only outweighed by ***patrons’ repeated requests that we do more programming.*** So often, the reason we do not is that ***we simply do not have the space***”

Clare Varesio, Cupertino Community Librarian

# Cupertino Library Program Room A Community Priority

Qin Pan

\*I'm cupertino library commissioner , I speak today represent myself only.



# City Survey

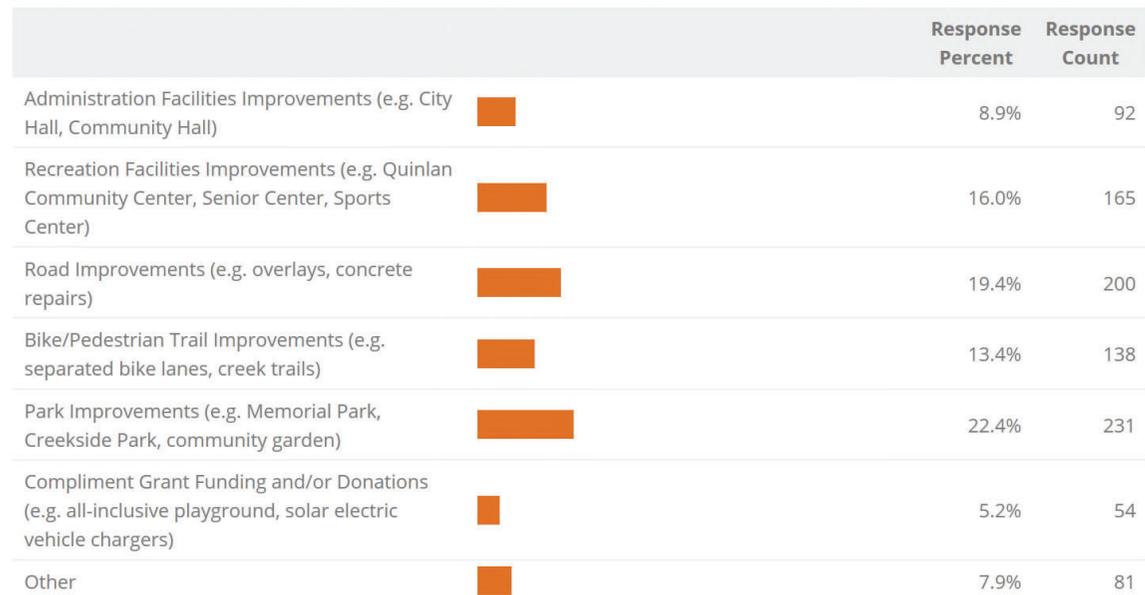
## April 26, 2019

- The Cupertino Community wants the Library Expansion
  - **2.8X** 2<sup>nd</sup> place choice
- Library provides much wanted services by the Community
  - ~900K visitors in 2018
  - 656 programs AND we don't have a Program Room!

You've got 10 dots to 'spend' on the City's facilities. Each dot is worth \$100,000. How would you spend them on these areas?



You've got 10 dots to 'spend' on capital improvement projects in the City. Each dot is worth \$100,000. How would you spend them on these areas?



# Cupertino loves it's Library

## Cupertino 2<sup>nd</sup> to LAST in # Programs

### Cupertino is less than 8% of SCCL population

- **28% of all library visits!**
- **350% per capita over the average!**
- **Nearly 40% of all the rest combined!**
- **BUT!**
- FY 17/18 Circulation: 2,433,782
- FY 17/18 Visits: 873,862
- FY 17/18 Program Attendance: 34,792
- FY 16/17 Circulation per capita: 40.42 (State average: 6.87) **588%**
- FY 16/17 Visits per open hour: 267 (State average: 72.62) **367%**

	Library	#programs	#patrons
1	Gilroy	1,042	27,640
2	Morgan Hill	953	37,718
3	Milpitas	896	34,668
4	Saratoga	878	29,965
5	Los Altos	780	34,944
6	Campbell	727	37,231
7	Cupertino	683	32,438
8	Woodland	132	3,015

## Cyrah Caburian

---

**From:** George Tziviskos <gvc7676@gmail.com>  
**Sent:** Tuesday, June 16, 2020 6:59 PM  
**To:** City Council; Deborah L. Feng; City Clerk  
**Subject:** Letter 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.

I am writing this letter in support of the Regnart Creek Trail.

This project has been already gone through all the required processes and environmental studies. There were public discussions, where all parties had an opportunity to review the plan, make comments and propose amendments, and the Trail was approved and funded.

**Considering that the approval and fund allocation are less than a year old, there is no valid reason to reopen and reexamine the particulars, or tag on additional requirements, cost and delays to the project.**

Cupertino is in dire need of bike routes and recreational space, to give the opportunity to its residents to enjoy nature, commute safely and reduce automobile traffic.

This trail adds significant value to the city, and also to the homeowners who reside alongside it, who will reap the benefits of easy access to the trail.

It will enable children to commute to school without exposing them to the risks of sharing the road with automobiles, and will provide easy access to the library, without the need for a car and associated parking space, which is already very tight at the library.

The new wall that is being proposed is wasteful, and it will only delay the entire project, without providing any real value.

**I urge you to proceed immediately with the construction of the Regnart Creek Trail in accordance with the plan that has been already approved and funded.**

I would appreciate it if you would read my letter during the oral communications on my behalf.

Thank you  
George Tziviskos

## Cyrah Caburian

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**From:** Sophia Chan <sophia\_y\_chan@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 7:51 PM  
**To:** City Clerk; Deborah L. Feng; City Council  
**Subject:** Why is the Regnart Creek Trail being talked about 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 Council Members,

I am writing to you today to show my utter disappointment and frustration as to why something that was voted and approved back in September 2019 is back on the table to be discussed again?!

Is this how Cupertino works? Is this how our current council work to manipulate what they didn't get back last year and use the challenges we face today to kill a project that the residents of Cupertino supported already?

Do the right thing and make the trail happen. It is not your duty to allow the few people to kill a project by adding extreme cost time after time. This started in 2016.

Do not defund the trail. It is especially crucial now where more and more people are biking.

Best regards,  
Sophia

## Cyrah Caburian

---

**From:** smkale@yahoo.com  
**Sent:** Tuesday, June 16, 2020 6:34 PM  
**To:** City Clerk; Deborah L. Feng; City Council  
**Subject:** Regnart Creek Trail - PLEASE read out our letter at the city council meeting today evening (June 16 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.

We strongly recommend against changing already approved plans for the Regnart Creek Trail Project.

The Regnart Creek Trail has been approved and funded. We should not be re-prioritizing or overturning previous decisions, especially as they were made through a public plan process and there was not adequate notice for this decision

We should be prioritizing infrastructure projects that will benefit the community for years to come.

We need this to encourage biking and walking that will build communities with better environment and safer, pollution free commute for our school going kids. The same reasons the Regnart Trail was approved last September still stand: more recreation, a more sustainable Cupertino, safer for student commuting, an excellent connector to parks, better parking at City Center, and more.

This will be decision that will matter long into the future and future generations will thank you for this decision!

Thanks  
Sonali Kale  
Jaydeep Marfatia

## Cyrah Caburian

---

**From:** smkale@yahoo.com  
**Sent:** Tuesday, June 16, 2020 7:53 PM  
**To:** City Clerk; Deborah L. Feng; City Council  
**Subject:** Re: Regnart Creek Trail - PLEASE read out our letter at the city council meeting today evening (June 16 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.

Sending again...

We strongly recommend against changing already approved plans for the Regnart Creek Trail Project.

The Regnart Creek Trail has been approved and funded. We should not be re-prioritizing or overturning previous decisions, especially as they were made through a public plan process and there was not adequate notice for this decision

We should be prioritizing infrastructure projects that will benefit the community for years to come.

We need this to encourage biking and walking that will build communities with better environment and safer, pollution free commute for our school going kids. The same reasons the Regnart Trail was approved last September still stand: more recreation, a more sustainable Cupertino, safer for student commuting, an excellent connector to parks, better parking at City Center, and more.

This will be decision that will matter long into the future and future generations will thank you for this decision!

Thanks  
Sonali Kale  
Jaydeep Marfatia

[Sent from Yahoo Mail on Android](#)

## Cyrah Caburian

---

**From:** Stephanie Miller <stephsmith97@gmail.com>  
**Sent:** Tuesday, June 16, 2020 6:36 PM  
**To:** City Clerk; Deborah L. Feng; 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 recently learned that the Regnart Creek Trail was once again at risk of being defunded. The Regnart Creek Trail has been approved and funded. We should not be re-prioritizing or overturning previous decisions, especially as they were made through a public plan process and there was not adequate notice for this decision. So much time and effort have already been put into the approval process, one that was **unanimous** less than a year ago. It is inappropriate and quite frankly, disheartening and very frustrating, to hear that the council may be poised to renege on that decision now.

I've been a Cupertino resident for 9 years, and feel we need to do better at making our city safe and accessible by bike and foot. This project does both. Having come from Palo Alto and Chicago, where pedestrians and bicyclists are priorities, I would've hoped to have more progress by now. We are significantly behind other cities in our bike/ped infrastructure after having done little in the last 20 years. Let's not stop the progress. This trail is important in moving forward.

I am on Nextdoor, and recently was following a post asking how we can make Cupertino more bike and pedestrian friendly. Links were shown to what other local cities have done and I was amazed at the amount of enthusiasm our residents showed for wanting to create similar improvements. The Parks & Rec Master Plan states **80% of residents** want more trails and paths for walking and biking. Why does the council continue to listen to the loud and persistent voices of the few who do not want this trail, when there are so many more who do?

The same reasons the Regnart Trail was approved last September still stand: more recreation, a more sustainable Cupertino, safer for student commuting, an excellent connector to parks, better parking at City Center, and more. Please do not go back on your previous decision now. Please help Cupertino continue to move forward to become the best city it can be. Maintaining approval for this trail is a step in that direction.

Thank you,  
Stephanie Miller

## Cyrah Caburian

---

**From:** Mark Sarjeant <mpsarjeant@icloud.com>  
**Sent:** Tuesday, June 16, 2020 7:11 PM  
**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.

The above project has been approved and funded. We should not be reprioritizing or overturning previous decisions, especially as they were made through a public plan process and there was not adequate notice for this decision

Mark Sarjeant  
Cupertino Resident

Sent from my iPad

## Cyrah Caburian

---

**From:** Mark Sarjeant <mpsarjeant@icloud.com>  
**Sent:** Tuesday, June 16, 2020 7:27 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.

Cupertino is significantly behind other cities in our bike/ped infrastructure after having done little in the last 20 years. Let's not stop the progress.

Mark Sarjeant  
Cupertino Resident; Bay Area Recumbent Cyclist (BARC) Member; Sons In Retirement (SIR) Bike Riders Group participant

NOTE: BARC & SIR participants almost always ride trails. It would be nice if Cupertino provided more off-road biking & walking opportunities; preferably, going somewhere (e.g., Cupertino Library; etc.)!

Sent from my iPad

## Cyrah Caburian

---

**From:** gary virshup <gvirshup@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:58 PM  
**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.

My name is Gary Virshup and I am a Cupertino Resident.

I was disheartened to hear that you are even considering defunding the Regnart Creek Trail.

I support the trail and that support has only increased during the present Covid-19 crisis as the use of bicycles has increased during the crisis.

You have approved the trail through a public process, which I participated in, and I only just heard about the possibility of an end run to defund the trail.

Please do not defund the Regnart Creek Trail.

Thank you

## Cyrah Caburian

---

**From:** Katriina Laihia <katriina.laihia@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:20 PM  
**To:** City Council  
**Cc:** Deborah L. Feng; City Clerk  
**Subject:** Build Regnart Creek Trail! (Please read at Council Meeting)

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

Esteemed City Council Members,

I have been disheartened by the news that the Regnart Creek Trail project might get defunded because of the persistent and dogged minority living next to the creek. This project has been fought over way too long, it got approved with overwhelming backing of the residents of Cupertino. Decision was made, funding was granted and the project approved. It is time to act accordingly and give the tax payers what they want.

We have too many examples of late of a loud minority trampling on the needs and wishes of the majority and undoing good work already done. This behavior needs to stop, especially since this project in no way reduces or tramples on the rights of the minority. On the contrary, the City has been jumping through hoops to give these people a lot of good options on tax payers money, all for their very private needs.

If this project needs to cost less, I'm more than willing to support cutting any and all monies reserved for privacy fencing for these neighbors, since they have not been very accepting of any of the options available. They are more than welcome to build any code compliant privacy fencing on their property on their own dollar just like everyone else. They live in a city. A city is not a private place, and I feel their expectations of privacy are not realistic.

It is time to walk the walk – literally – after so much talk on wanting to reduce car traffic and providing commuting options to people who do not own a car or a driver's license. This is a length of bike-pedestrian path, not a contagious disease, and getting it built really should not be this difficult.

You know the benefits of this project, you know the support it has. You also know the far-fetched reasoning of the opponents. Please do your job as representatives of the city resident and get it done!

Regards,

Katriina Laihia

15 year Cupertino Fairgrove Neighborhood resident, Mother of two CHS students, and a Tax Payer

## Cyrah Caburian

---

**From:** Suraj Dalvi <sun.dalvi@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:40 PM  
**To:** City Clerk  
**Subject:** Re: Agenda #21 - slides  
**Attachments:** Fence\_Options\_Regnart.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.

Actually adding the slides

On Tue, Jun 16, 2020 at 8:39 PM Suraj Dalvi <[sun.dalvi@gmail.com](mailto:sun.dalvi@gmail.com)> wrote:

Hi Kirsten,

Re-sending the slides close to the actual topic being discussed. Can you help present this when I speak.

Thanks  
Suraj Dalvi

## STC ratings

- STC (Sound transmission class) - Standard rating of how well wall partitions reduce sound transmission.
- Higher STC === Better sound isolation
- Normal human speech = 80 – 4000Hz (most spoken speech = 80 - 200Hz)
- Height of fence = Min. 8 ft. recommended for sound isolation applications

STC	What can be heard
25	Normal speech can be understood
30	Loud speech can be understood
35	Loud speech audible but not intelligible
40	Loud speech audible as a murmur
45	Loud speech heard but not audible
50	Loud sounds faintly heard
60+	Good soundproofing; most sounds do not disturb neighboring residents

1

## Regnart Creek Trail – Fence Options

Type of wall	Cost per linear ft.	Total cost (2080 ln. ft.)	STC ratings	Noise Isolation	Cost	Lifespan
8' Concrete block	\$500	\$1040000	50 - 70		\$ \$ \$ \$ \$	+++++
7' Single sided wood fence	\$55	\$114400	No rating		\$	++
7' Double sided wood fence with MLV	\$125	\$260000	26 (1/8") 31 (1/4")		\$ \$ \$	++
<b>8' – 9' Precast concrete (American Precast Concrete Inc.)</b>	<b>\$157 (8ft)</b> <b>\$189 (9ft)</b>	<b>\$326560</b> <b>\$393120</b>	<b>35</b>		\$ \$ \$	++++
<b>8' Five panel concrete wall (Stack Wall Manufacturing)</b>	<b>\$140</b>	<b>\$291200</b>	<b>Not known</b>		\$ \$ \$	++++

2

## Cyrah Caburian

---

**From:** viji.ilango@yahoo.com  
**Sent:** Tuesday, June 16, 2020 9:01 PM  
**To:** City Clerk  
**Subject:** Share the PDF on Screen for Agenda Item 21 - Viji Comments  
**Attachments:** attachment 1.pdf; Attachment 2.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 Kristin,

Can you please share the two pdf attached to this email when I speak for Agenda Item 21  
Thanks for support.

Viji

## Option C & D Amenities & Cost

Option	C	Itemized Cost	Option	D	Itemized Cost
Multi-use Path	No, footpath only	-	Multi-use Path	No, footpath only	-
Roadway Crossing Improvements	Yes	\$350,000	Roadway Crossing Improvements	Yes	\$350,000
Surface	8' wide decomposed granite	\$80,000	Surface	8' wide decomposed granite	\$80,000
Railings	At trailheads and behind La Mar	\$230,000	Railings	At trailheads and behind La Mar	\$230,000
Grading	Graded throughout	\$690,000	Grading	Minor	\$120,000
Drainage Improvements	Full Improvement (Underdrain throughout)		Drainage Improvements	Minor	
Privacy Fencing	2,600' wood	\$175,000	Privacy Fencing	2,600' wood	\$175,000
ADA Compliant	No	-	ADA Compliant	No	-
Lozano/De Palma Area Improvement	Yes	\$40,000	Lozano/De Palma Area Improvement	Yes	\$40,000
On-street Bikeway Improvements ("A1C 4")	Yes	\$175,000	On-street Bikeway Improvements ("A1C 4")	Yes	\$175,000
Mobilization/Water Pollution Control	Yes	\$400,000	Mobilization/Water Pollution Control	Yes	\$300,000
Cost	\$2,800,000		Cost	\$2,100,000	

\* Other fixed costs not shown include VW ramp relocation, traffic control, surveying, tree protection, etc.

Option E



I move that Council:

- 1) Direct staff to proceed with and allocate \$2,100,000 for trail improvement option D of the Regnart Creek Trail design as described in Attachment G of the materials associated with this agenda item 9.;
- 2) Allocate an additional \$150,000 in excess of the cost of the selected option for landscaping or fencing for homes adjoining the trail to address privacy concerns.; and
- 3) Adopt draft Resolution 19-115 amending the FY 2019/20 Capital Improvement Program budget to increase the budget to perform design and environmental clearance services from \$538,000 to \$813,000.

## Cyrah Caburian

---

**From:** Ming-Hui Huang <murdockhuang@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 9:16 PM  
**To:** City Clerk; Deborah L. Feng; City Council  
**Subject:** MY support moving forward with 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.

We are writing to let you know that we are in full support with moving forward with the Regnart Creek Trail.

Traffic is getting very bad around town and we need an alternative. Biking is more popular than ever before with a local bike shop saying they have an 8 week lead time for tuneups. Newspapers talk about bike shortages (Marketwatch 6/15/20). Safe distancing means we need more safe biking space, not less.. Therefore, we need to move forward the the biking trail so we can bike safely around Cupertino.

The Regnart Creek Trail has been approved and funded. We should not be re-prioritizing or overturning previous decisions, especially as they were made through a public plan process and there was not adequate notice for this decision.

- The Regnart Creek Trail is crucial for mitigating parking at the library if we are to do a library expansion, unless we want to pave over Library field.
- We are significantly behind other cities in our bike/ped infrastructure after having done little in the last 20 years. Let's not stop the progress.
- Cupertino residents want the city to be a livable and enjoyable. The Parks & Rec Master Plan states 80% of residents want more trails and paths for walking and biking.
- Biking is more popular than ever before, with a local bike shop saying they have an 8 week lead time for tuneups. Newspapers talk about bike shortages (Marketwatch 6/15/20). Safe distancing means we need more safe biking space, not less.
- The same reasons the Regnart Trail was approved last September still stand: more recreation, a more sustainable Cupertino, safer for student commuting, an excellent connector to parks, better parking at City Center, and more.

Thank you!

Cupertino resident  
Ming-Hui Huang  
on Stendhal Lane

## Cyrah Caburian

---

**From:** MH H <naominolivia@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:18 PM  
**To:** City Clerk; Deborah L. Feng; City Council  
**Subject:** strongly support moving forward with 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.

We are writing to let you know that we are in full support with moving forward with the Regnart Creek Trail.

The Regnart Creek Trail has been approved and funded. We should not be re-prioritizing or overturning previous decisions, especially as they were made through a public plan process and there was not adequate notice for this decision.

- The Regnart Creek Trail is crucial for mitigating parking at the library if we are to do a library expansion, unless we want to pave over Library field.
- We are significantly behind other cities in our bike/ped infrastructure after having done little in the last 20 years. Let's not stop the progress.
- Cupertino residents want the city to be a livable and enjoyable. The Parks & Rec Master Plan states 80% of residents want more trails and paths for walking and biking.
- Biking is more popular than ever before, with a local bike shop saying they have an 8 week lead time for tuneups. Newspapers talk about bike shortages (Marketwatch 6/15/20). Safe distancing means we need more safe biking space, not less.
- The same reasons the Regnart Trail was approved last September still stand: more recreation, a more sustainable Cupertino, safer for student commuting, an excellent connector to parks, better parking at City Center, and more.

Thank you!

Cupertino resident  
Paul Murdock  
on Stendhal Lane

## Cyrah Caburian

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**From:** Kitty Moore <cekmoore@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 9:32 PM  
**To:** City Clerk  
**Subject:** Item 21 Comment RE Funding Religion?

**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.

Is there any problem having funds go to the Jewish Film Festival due to it being religious?

Catherine (Kitty) Moore

Sent from [Mail](#) for Windows 10

## Cyrah Caburian

---

**From:** Connie Cunningham (Obama 2012) <coffeewalk7am@gmail.com>  
**Sent:** Tuesday, June 16, 2020 10:16 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** June 16,2020 City Council Agenda Item 21, Budget; New Project Idea

**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.

Kirsten, please include these written communications in the package. This is the hard copy of what I said during public comments.

June 16,2020 City Council Agenda Item 21, Budget; New Project Idea

Mayor, Vice-Mayor, Councilmembers:

Thank you for this opportunity to speak.

By Resolution dated June 5, 2020:

"The City of Cupertino demands that Black Lives Matter... Also

"The City of Cupertino will promote safety, a sense of security, and equal protection of constitutional and human rights, leading by example through equitable treatment of all by City officials and departments;...."

Experiencing homelessness falls disproportionately on the Black Community. That is not equitable treatment. Housing is a human right.

As noted in the Cupertino Courier last Friday, solutions are being considered for the encampment on Wolfe and 280. I thank the City Manager and Staff for their work on this critical need.

Upon reading the Staff report on pages 9 and 14, I see that there is opportunity, even within these trying times, to start work on larger ideas.

I urgently call on you to consider a new project investment to address housing solutions for unhoused residents, to be taken from the Capital Reserve.

1. Investing in such a project now will reduce the funding required for future needs of unhoused residents.
2. Cupertino will serve its own long-term financial interests by helping residents get back on their feet.

The Staff Report, Capital Projects Funds, Page 9, states: " If the FY 2020-21 proposed CIP projects are approved, approximately \$1.7 million in Capital Reserve fund balance will remain. "

It is to the City's credit that on Page 14 of the Staff Report, it can say: "... the General Fund is well-positioned to absorb the temporary decline and withstand the economic recovery period into the future."

I urgently call on you to consider a new project investment in our city's future-To provide [new housing solutions](#) for unhoused residents.

Connie Cunningham

Housing Commission (self only), Lived here for 33 years.

## Cyrah Caburian

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**From:** Munisekar <msekar@gmail.com>  
**Sent:** Tuesday, June 16, 2020 10:16 PM  
**To:** City Council; Cupertino City Manager's Office; City Clerk  
**Subject:** June 16, 2020: Agenda Item 21 Communications.

**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 & Council,

My name is Muni Madhhipatla, resident of Cupertino; I am also on Bike and Pedestrian Commission. I am speaking here as a resident representing myself.

A recent newsletter from the advocacy group called Bike Walk Cupertino has lots of misinformation about myself on the commission, my fellow commissioners and council members. I want to clarify the misinformation.

I joined the bike commission as a passionate biker wanting to help improve the safety for our residents. I bike annually about 2000 miles and climb up 150K feet. This year, due to COVID19 Shelter in Place, I have already biked 2200 miles; climbed Montebello road yesterday and joined this meeting earlier today while biking on Foothill near Stanford.

I learned about Bike Walk Cupertino advocacy group in 2016 and used to have 100% respect for what they were doing. I used to get regular newsletters as a subscriber. After I got on the Bike Commission in 2018, I was approached by one of their board members to speak in support of Regnart Creek Trail project; I said, I would speak only if I feel compelled about the project; not because someone asked. Interestingly, I stopped receiving their newsletter after my refusal to speak in support of Regnart Creek trail. I was surprised and disappointed with their vindictive approach towards their subscribers; my respect for them dropped from 100% to about 70%.

I got the latest newsletter forwarded to me by a friend. This one took their vindictiveness to a new level. I would not call that a newsletter; instead, I would term it as a smear-blog. I encourage you to read it so that you know how to treat them in future. Because of this smear blog, my respect for this lobbying group dropped to 0%. I am glad that my fellow commissioner Gerhard Eschelbeck resigned from their board. It appears this misinformation is making its rounds through other smear blogging entities like Cupertino Matters and Cupertino Majority.

For the record, I am not an anti-bike and trails person; I want to support projects that delivers value to the residents for their tax \$\$\$s being spent. As a matter of fact, I support the Class 4 bike lane on McClellan Road even though that means, I will lose on street parking in front of my home. While I support sensible bike & walk projects in the city, I refuse to be a puppet of some lobbying entity. Unlike some, I don't run away from the challenge either.

Thank you.

Muni Madhhipatla

Cupertino Resident

## Cyrah Caburian

---

**From:** Mary Edbrooke <edbrooke@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 11:13 PM  
**To:** City Clerk; Deborah L. Feng; City Council  
**Subject:** Regnart Creek Trail 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.

I am writing to support the Regnart Creek Trail. I hope this trail is completed as it has already been funded. I hope the fencing issues can be resolved by looking at more cost effective concrete fencing as suggested by one resident. The Shelter-in-place has encouraged cycling and Cupertino may see an increase in bike use. As a regular cyclist myself it is much safer to cycle on a path than on a road.

Thank you.

Mary Edbrooke

## Cyrah Caburian

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**From:** Diana Argabrite <argabritediana@fhda.edu>  
**Sent:** Tuesday, June 16, 2020 11:20 PM  
**To:** Steven Scharf; Darcy Paul; Rod Sinks; Liang Chao; Jon Robert Willey  
**Cc:** Mariela Vargas; Toni Oasay-Anderson; Kirsten Squarcia  
**Subject:** RE: Euphrat Museum of Art and Tonight's City Council Meeting  
**Attachments:** COVID-19 Impact Questions.docx

**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 Scharf and Council Members,

I'm so sorry I wasn't able to speak tonight, I haven't been well and opted to listen instead. My sincere apologies, I will participate in public comments next meeting/opportunity and properly thank and acknowledge the City and answer questions as I dearly wish I could have tonight. Mayor Scharf you had every right to call out the museum for not being present.

In case you didn't get to see Euphrat Museum of Art's Community Funding Grant application materials submitted, I think the City's question (attached) answers some questions asked tonight. I'm happy to address any other you my have.

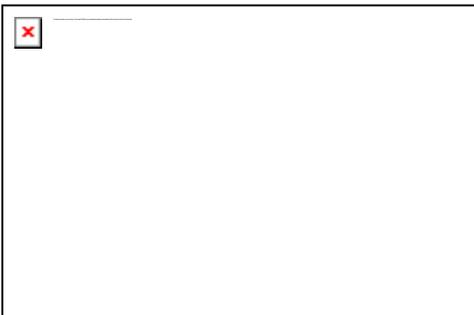
As you may have seen, a moving work of art by De Anza student Alyanna Posadas recently graced the cover of the Cupertino Courier (see below) an important statement for this time, ***I Belong***. Art has the power to increase empathy and lay bare the inequities and the museum is a strong voice for equity in Cupertino.

Many thanks for your continued support for the Euphrat Museum of Art, I look forward to speaking at the next opportunity.

Best,  
Diana  
Cell - (408) 966-0691  
argabritediana@fhda.edu

Diana Argabrite, Director, Euphrat Museum of Art, De Anza College

<https://www.mercurynews.com/2020/05/30/de-anzas-student-art-show-makes-its-online-debut/>



### De Anza's student art show makes its online debut

De Anza College's Student Art Show is online for the first time, thanks to the campus's closure during the COVID-19 pandemic. The annual showcase is usually exhibited on campus at De Anza's ...

## **How is your organization preparing to address ongoing changes related to COVID-19?**

COVID-19 has greatly impacted the Euphrat Museum and our Arts & Schools Program. To adapt to our current situation we have moved into the virtual space. Our Spring exhibition, the De Anza Student Art Show, can be viewed at [www.deanza.edu/euphrat/studentshow/](http://www.deanza.edu/euphrat/studentshow/). We are offering some summer online art classes for children and youth as a pilot program. Training and assisting our art teachers to transition to teaching online in the most effective and engaging ways for children and youth is a valuable investment for the future. While it's not yet known how and when public schools will transition back to face to face instruction or how after school enrichment classes will fit into the schedule, we are committed to outreach be it virtual, hybrid, or in person.

A great impact on the Museum will be financial. Summers we usually offer our largest Arts & Schools Program in partnership with the Community Education Division at De Anza and the Quinlan Community Center. As all face to face programming ceased on March 13, we also lost spring revenue. We are offering some tuition based online classes this summer starting mid-June but they will only generate around 10% of the revenue previously anticipated.

The Museum has funds saved for one year of operations ahead and we receive no funding from the college. Since exhibitions and public programming will have to be reduced for the foreseeable future, we are seeking a balance between offering programming and developing a new revenue generating endeavor that can also be offered free of charge to Title 1 schools and classroom teachers. To that end, we plan on developing multicultural art inservice workshops and Continuing Education Credit (C.E.U.) art and critical thinking courses for K-12 teachers. Mirroring the curatorial philosophy of the museum and referencing past exhibitions, the curriculum will cross and connect subject areas, reflect the diversity of our community, and correlate with California grade level standards.

## **Will the potential funding that you receive have any impacts related to COVID-19?**

We are requesting reduced funding because we now know we won't be able to present a face to face exhibition in the fall and rather than presenting another online exhibition, the focus needs to be on developing new sources of funding for the museum's future. Most of De Anza's fall quarter classes will be online and for the few hybrid courses, the classrooms will have to be sanitized between each meeting and there isn't the staff to sanitize such a large space as the museum, lobby, and bathrooms each time we have visitors. The college will also be strictly limiting visitors to campus during this time.

We hope we'll be able to have a winter quarter exhibition and plans are in place for another exhibition in collaboration with the Silicon Valley Reads 2021 program as well as a spring quarter one. The Arts & Schools Program classes, camps, and events will be adapted to meet social distancing and sanitizing requirements and may be a combination of online and in person. With public safety a top concern, we'll use creativity and flexibility in responding to stages of the pandemic and the services we can safely provide. From online classes and shows to outdoor pop-up exhibitions, projections, billboards and even utility boxes and chalk art on sidewalks, art is and can remain an integral part of Cupertino.

## Cyrah Caburian

---

**From:** benaifer dastoor <bddastoor@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 11:38 PM  
**To:** City Council; Deborah L. Feng  
**Subject:** Today's CIP project presentation - error in information provided by David Stillman for residents choice.

**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 All,

Since I was abruptly cut off by the Mayor, I could not finish my statement.

The numbers presented by David Stillman for residents preference for wooden fences are erroneous and misleading. When the residents were not offered a precast concrete option, how do they choose that option. There are older and vulnerable people in our neighborhood for whom the letter from the staff last October was an ultimatum or they lose any protection from the city.

It is time for the city council members to get over the politics of this matter and provide the impacted residents with protections they need. A few hundred thousand dollars for residents from millions it expends on projects is all that is needed to resolve the issue of privacy and security concerns of the residents.

Thank you,  
Benaifer

CC 06-16-20

#22

Small Business  
Emergency Relief  
Grant Program

Written Comments

## Cyrah Caburian

---

**From:** Joseph Fruen <jrfruen@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:07 PM  
**To:** Deborah L. Feng; City Clerk; Kirsten Squarcia; City Council; Cupertino City Manager's Office; Steven Scharf; Rod Sinks; Darcy Paul; Liang Chao; Jon Robert Willey  
**Subject:** For public comment- Council agenda 6/16/2020, Item 22

**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 Scharf and Members of the City Council:

Our small businesses need a real shot at emerging from the COVID-19 crisis. Please ensure that they get the help Congress set aside for them. Please approve the staff recommendation for Item 22 and authorize the city manager to negotiate and execute an agreement to administer the Small Business Emergency Relief Grant Program and the monies it supplies through the CARES Act.

Many thanks,

J.R. Fruen  
Cupertino resident

CC 06-16-20

#24

Bubb Road Special  
Area PDA

Written Comments

## Cyrah Caburian

---

**From:** Peggy Griffin <griffin@compuserve.com>  
**Sent:** Tuesday, June 16, 2020 4:59 PM  
**To:** City Council  
**Cc:** City Clerk; Deborah L. Feng  
**Subject:** 2020-06-16 CC Agenda Item #24 - Potential PDA for Bubb Road - Housing Survey?

**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 in the Written Communications for tonight's June 16, 2020 City Council meeting, Agenda Item #24 Potential PDA for Bubb Road.

Dear City Council,

I have several questions/concerns regarding identifying the Bubb Road Special Area a PDA:

1. What are the pros/cons/consequences of doing this?
  - a. From the Staff Report, it appears that doing this right now will not change the numbers but could help in 4 years.
  - b. If nothing will change for 4 years, then take the time for some careful review.
2. Shouldn't the Planning Commission review this?
3. Shouldn't the Cupertino residents/businesses have a say on where housing appears?
  - a. What happened to the Cupertino Housing Survey asking Cupertino residents/businesses their preferences, particularly in this area?
  - b. Please make this survey available only to Cupertino residents and businesses. It needs to be controlled so that it can't be gamed.
4. The resolution says it doesn't require CEQA but I think it may.

Sincerely,  
Peggy Griffin

## Cyrah Caburian

---

**From:** Peggy Griffin <griffin@compuserve.com>  
**Sent:** Tuesday, June 16, 2020 5:07 PM  
**To:** City of Cupertino Planning Commission  
**Cc:** City Clerk; City Council; Deborah L. Feng  
**Subject:** FW: 2020-06-16 CC Agenda Item #24 - Potential PDA for Bubb Road - Housing Survey?

**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 in the Written Communications for tonight's June 16, 2020 City Council meeting, Agenda Item #24 Potential PDA for Bubb Road.

Dear Planning Commission,

See below. I forgot to include y'all in this email but I think you should play a very active role in this decision/discussion!

Q1: What about other areas?

Q2: Does it help to identify more areas if you know that they won't add up to 50% of the area of Cupertino?

Q3: Should the South De Anza Special Area be included?

Sincerely,  
Peggy Griffin

---

**From:** Peggy Griffin <griffin@compuserve.com>  
**Sent:** Tuesday, June 16, 2020 4:59 PM  
**To:** 'City Council' <CityCouncil@cupertino.org>  
**Cc:** 'City Clerk' <CityClerk@cupertino.org>; 'Deborah L. Feng' <DebF@cupertino.org>  
**Subject:** 2020-06-16 CC Agenda Item #24 - Potential PDA for Bubb Road - Housing Survey?

Please include this email in the Written Communications for tonight's June 16, 2020 City Council meeting, Agenda Item #24 Potential PDA for Bubb Road.

Dear City Council,

I have several questions/concerns regarding identifying the Bubb Road Special Area a PDA:

1. What are the pros/cons/consequences of doing this?
  - a. From the Staff Report, it appears that doing this right now will not change the numbers but could help in 4 years.
  - b. If nothing will change for 4 years, then take the time for some careful review.
2. Shouldn't the Planning Commission review this?
3. Shouldn't the Cupertino residents/businesses have a say on where housing appears?
  - a. What happened to the Cupertino Housing Survey asking Cupertino residents/businesses their preferences, particularly in this area?
  - b. Please make this survey available only to Cupertino residents and businesses. It needs to be controlled so that it can't be gamed.
4. The resolution says it doesn't require CEQA but I think it may.

Sincerely,  
Peggy Griffin

## Cyrah Caburian

---

**From:** brkezzat@aol.com  
**Sent:** Tuesday, June 16, 2020 5:50 PM  
**To:** Steven Scharf; Darcy Paul; Liang Chao; Jon Robert Willey  
**Subject:** Bubb Road PDA

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**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, Vice Mayor Paul, Council members Chao and Willey,

I understand that the Bubb Road PDA did not go through the planning commission before being placed on the agenda. In the interest of transparency, matters of this importance should follow a set pattern of oversight including public hearings, and the planning commission before going to the council.

Thank you for your time and consideration.

Best regards,

Brooke Ezzat

## Cyrah Caburian

---

**From:** Joseph Fruen <jrfruen@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:39 PM  
**To:** Deborah L. Feng; City Clerk; Kirsten Squarcia; City Council; Cupertino City Manager's Office; Steven Scharf; Rod Sinks; Darcy Paul; Liang Chao; Jon Robert Willey  
**Subject:** For public comment- Council agenda 6/16/2020, Item 24

**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 Scharf and Members of the City Council:

I encourage you to nominate the Bubb Road Special Area as a Priority Development Area. As Cupertino currently expects to receive a RHNA allocation of 4,400 to 6,500 homes in the next cycle, obtaining an HCD-certified Housing Element will represent a special challenge. Designating the Bubb Road Special Area as a Priority Development Area will improve the ability of the city to plan its next required Housing Element and get it certified by HCD, and will allow the city to better shape its own future according to local preferences.

If we want local control over housing planning policy, then we need to start exercising it. Designating PDAs constitutes one of the best tools toward that end.

Many thanks,

J.R. Fruen  
Cupertino resident