

CC 10-05-21

Study Session #1

Housing Element
Process and
Housing Survey

Written Comments

Cyrah Caburian

From: Joseph Fruen <jrfruen@gmail.com>
Sent: Tuesday, October 5, 2021 5:37 PM
To: City Clerk; Kirsten Squarcia
Cc: Darcy Paul; Kitty Moore; Liang Chao; Jon Robert Willey; Hung Wei; Cupertino City Manager's Office
Subject: For public comment re: Housing Element Study Session - 10/5/2021 City Council Meeting; 5:30 pm

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Mayor Paul, Councilmembers & Staff:

Thank you for holding today's study session on the Housing Element process and the housing survey. I think that the public would benefit from some clarification as to how the housing survey will be folded into the Housing Element planning process. It is noteworthy that the survey's results significantly understate the views of and feedback of renters, a community of interest that has historically been underrepresented in Cupertino's planning process. The survey notes a response rate of less than 17% self-identified renters. By contrast, renters make up approximately 39% of Cupertino households per Baird + Driskell's *Housing Needs Data Report: Cupertino* as prepared for MTC-ABAG earlier this year (available <https://mtcdrive.app.box.com/s/nei8x775oi5m47mqhu8ctpyyqrio2v3/file/794789523569>), which I've excerpted below:

4.6 Tenure

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity - ability for individuals to stay in their homes - in a city and region. Generally, renters may be displaced more quickly if prices increase. In Cupertino there are a total of 20,981 housing units, and fewer residents rent than own their homes: 39.8% versus 60.2% (see Figure 14). By comparison, 43.6% of households in Santa Clara County are renters, while 44% of Bay Area households rent their homes.

In light of AB 686's outreach mandates, how does staff envision incorporating the results of the housing survey into the Housing Element that will remain consistent, not just with the letter of that law and HCD's guidelines, but with its clear spirit--ensuring that all voices, especially historically underrepresented voices, are heard in this planning process--so that the public can have greater certainty that our Housing Element will ultimately receive HCD certification?

Many thanks for today's session,

J.R. Fruen
Cupertino resident

Cyrah Caburian

From: Jon Wizard <jon@yimbylaw.org>
Sent: Tuesday, October 5, 2021 4:21 PM
To: Kirsten Squarcia; Cupertino City Manager's Office; City Attorney's Office
Cc: Darcy Paul; Liang Chao; Kitty Moore; Hung Wei; Jon Robert Willey; housingelements@hcd.ca.gov
Subject: Agenda Item #1 - Housing Element Survey

Follow Up Flag: Follow up
Flag Status: Completed

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To Whom it May Concern:

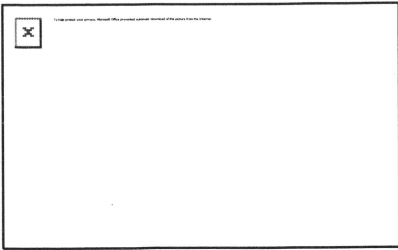
The city's housing element survey is not a statistically valid source of information because it is skewed by an overrepresentation of homeowners. Pursuant to AB 686 and Government Code 65583(c)(7), the city must engage members of under-represented and vulnerable groups, such as People of Color and those with disabilities, as well as make a diligent effort to solicit input from all economic sectors of the community, respectively. This survey demonstrates that from the outset, the housing element process in Cupertino is flawed, which will only lead to a bad outcome. If you get the ingredients wrong when you cook a meal, adding a bunch of salt once it's done doesn't fix that you used the wrong ingredients. Likewise, if the city uses the flawed results of this survey to "inform" its housing element, it can expect a bad housing element that is geared toward solving issues identified by only one portion of the community—a group that has more resources, housing insecurity, and opportunity than any other group.

If the city endeavors to do even a passable job with its housing element—not even good, just acceptable—it will supplement this sophomoric "survey" with a professionally facilitated, statistically valid, and useful survey that truly reflects the conditions in the community.

Continually Disappointed,
Jon

--

Jon Wizard
Policy Director he/him
Campaign for Fair Housing Elements



YIMBY Law
57 Post Street
San Francisco, CA 94104

fairhousingelements.org

Book a 15-minute or 30-minute meeting with me
calendly.com/housingelements → housing element watchdogs calendar

CC 10-05-21

Oral Communications

Written Comments

Cyrah Caburian

From: City of Cupertino Written Correspondence
Subject: FW: Making Sure There is Adequate Room on Any Upzoned Properties for Parking

From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Tuesday, October 5, 2021 8:00 PM
To: City of Cupertino Planning Commission <PlanningCommission@cupertino.org>; City Clerk <CityClerk@cupertino.org>
Subject: Fwd: Making Sure There is Adequate Room on Any Upzoned Properties for Parking

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fYI. Please add to the Public Record. Thank you.

----- Original Message -----

Subject: Making Sure There is Adequate Room on Any Upzoned Properties for Parking
From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Tuesday, October 5, 2021, 7:32 PM
To: "CityCouncil@Cupertino org" <CityCouncil@Cupertino.org>
CC: "grenna5000@yahoo com" <grenna5000@yahoo.com>

Dear City Council:

Since AB 1401 proposes reducing parking minimums across the state, I hope that we can Make sure that any properties upzoned in Cupertino for the upcoming Housing Element Will have adequate room for vehicle parking on-site, especially to provide adequate parking For any new housing on the up-zoned sites.

AB 1401 has been made into a two year bill and Will be taken up in January When the Legislature returns.

I do think it is important that sites in Cupertino of all densities should provide adequate parking On-site for all housing and shopping needs.

AB 1401 provides only a one sided opinion on parking needs in California and is not a Reasonable discussion on the actual need for parking in the state.

AB 1401 is discriminatory toward those who need to use cars to carry out their daily activities. It is hoped that any properties included or upzoned in this new Housing Element Cycle Would acknowledge the need of residents or shoppers on this properties to have adequate Places to park their vehicles. Also, it is incorrect to assume that seniors or low-income Residents on these sites would not have cars. That is certainly not the case as seniors and Low-income residents need vehicles to carry out their daily lives.

Thank you get much.

Sincerely,
Jennifer Griffin

CC 10-05-21

#3

Councilmember Activities Report

Written Comments

Cyrah Caburian

From: City of Cupertino Written Correspondence
Subject: FW: other file for Item 3
Attachments: AB 367 - Request for Governor's Signature FINAL.pdf; Cupertino Mayor's Corner October 5, 2021.pdf

From: Darcy Paul <DPaul@cupertino.org>
Sent: Tuesday, October 5, 2021 5:17 PM
To: Kirsten Squarcia <KirstenS@cupertino.org>
Cc: Greg Larson <GregL@cupertino.org>; Christopher Jensen <ChristopherJ@cupertino.org>
Subject: other file for Item 2

Hi Kirsten,

In addition to the Mayor's Corner file I sent you (I'm re-sending it here as well), attached is the legislative letter that I'll be putting forth as part of my report-out on Item 3.

Thanks,
Darcy



Darcy Paul

Mayor
City Council
DPaul@cupertino.org
(408) 777-3195





MAYOR DARCY PAUL
dpaul@cupertino.org

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3195 • FAX: (408) 777-3366
CUPERTINO.ORG

October 4, 2021

The Honorable Gavin Newsom
California State Governor
State Capitol, First Floor
Sacramento, CA 95814

RE: AB 367 (Garcia) – Request for Signature

Dear Governor Newsom,

I write to request your signature on AB 367. Recently, student-constituents in my jurisdiction requested my support for actions that are supported by this legislation. One of my fellow Councilmembers, who was also contacted, responded to the students with respect to the parallel considerations between their concerns and the present legislation that is now before your office. Although the City of Cupertino has not had the opportunity to review this legislation formally, I believe that this is legislation reflective of the priorities and values of our community.

Sincerely,

Darcy Paul
Mayor
City of Cupertino

cc: Councilmember Kitty Moore
Senator Dave Cortese
Assemblymember Evan Low
Assemblymember Marc Berman
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom

October 5, 2021

Mayor's Corner

Happy October to everyone. Cupertino and our City Council remain committed to ensuring that our projects move forward in a safe and effective manner. Last month, in September, our Council held a public study session on the status of the Vallco SB 35 project, voted to approve a vesting tentative map for the residential-focused Westport Project at the Oaks Shopping Center, and also brought forth to the community a study session on our streamlined process for applying for accessory dwelling units.

In this Mayor's Corner, I would like to address the subject of misinformation and a related subject of civility. As a member of our City Council for the past seven years now, I have seen and experienced first-hand how misinformation and lack of civility tend to feed off of each other. Underlying a lot of this type of behavior are other types of motivations, such as prejudice and profit-seeking. I think it's fair to say that we all benefit when the dialog is accurate and we treat each other with a basic sense of respect and decency. Perhaps that's not intuitive to everyone.

The Cupertino City Council considered these issues and acted with legislation designed to address, in good hopes, both of the problems of misinformation and a dearth of civil discourse in some respects from some quarters. In February of this year, the City Council enacted a lobbying ordinance requiring those who are advocating to influence our public decisions for compensation to register with the City.

How does this ordinance help us to address the issues of misinformation and a lack of civility in our public discourse? Well, it makes a difference because if people have financial interests and more particularly are receiving compensation to represent a particular side of a public issue affecting City government, then it helps the public and the Council to understand, at least, how this presentation of information is being influenced. While we all value the freedom to express viewpoints and opinions, it is also essential for our societal ideals that we are also informed of underlying influences, especially if those influences are financial. Some people like to say that money talks. Perhaps that is true, but in Cupertino, we now require public disclosure of who and what that money is talking for when it comes to decisions that influence our public policy and decision-making process.

From having more accurate and complete information about where sentiments are being influenced monetarily, we then turn to the notion that our discourse ought to be civil. Let me offer the best reason I can here. I have found in my years on Council that having empathy invariably leads to positive things, and the more difficult it is to do so, if you choose a path of empathy, the positive results are ultimately that much greater. Of course, this is not always easy to do, and it is often quite tempting to give in to the notion that nothing else will serve to make things easier or to get one's way. If that's the mentality, then we have to ask ourselves, how is that working out for us? Are our overall problems getting better?

Rather than serve and live in a community where entrenched financial interests are allowed to work to undermine the public process of the addressing of legitimate concerns, we should focus instead on why we have the system that we do. This is not supposed to be the land of opportunists. It is the land of opportunity, and we have always created more opportunity by inspiring our neighbors and fellow human beings to understand more, and to do better, as opposed to obfuscate, obviate and lead by the nose. Well, I hope that we can keep working for an honest and civil discourse in the spirit of working together instead of simply for self-gain and, perhaps, some sense of discharging pent-up resentments. But to the extent that those are there, we are there for you as well. I just ask, now that I'm looking at my last year on Council, that we do so with civility and honesty, with shared hopes for all of our futures.

Cyrah Caburian

From: City of Cupertino Written Correspondence
Subject: FW: Slides
Attachments: Period Products Proposition- Menstrual Equality Committee .pdf

From: Rachel Wei <rwei547@student.fuhisd.org>
Sent: Tuesday, October 5, 2021 5:54 PM
To: Kirsten Squarcia <KirstenS@cupertino.org>
Subject: Fwd: Slides

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

From: Rachel Wei <rwei547@student.fuhisd.org>
Date: Tue, Oct 5, 2021 at 5:45 PM
Subject: Slides
To: Kitty Moore <kmoore@cupertino.org>

Hi Councilmember Moore,

Here are the slides we prepare to present today.

student email provided for educational purposes by Fremont Union HSD

Period Products Proposition

Menstrual Equality Committee

Who Are We?

THE MENSTRUAL EQUALITY COMMITTEE

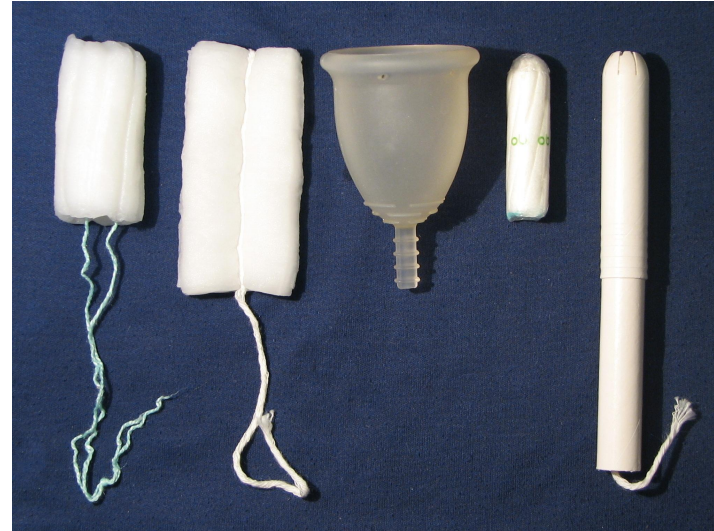
Our Mission

- Advocate for affordable/free menstrual products
- Spread awareness and reduce the stigma surrounding periods
- Increase accessibility of menstrual products



Why Free Menstrual Products?

- ◉ Necessity
- ◉ End Stigma
- ◉ \$\$+ Pink Tax





AB367

Advocating for AB367

What is Bill AB - 367?

This bill was created to provide people with free menstrual products as a basic human right. The bill focuses specifically on students in California schools, colleges, and universities.

What happens if it is enacted?

public schools in CA with any grades from 6 - 12, will be required to stock the school restrooms with an adequate supply of pads and tampons

the restrooms included are: every women's restroom, every all-gender restroom, and at least 1 men's restroom

CSU's and community colleges will be required to stock an adequate supply of menstrual products in at least one accessible central location on campus

*the state is required to reimburse local agencies and school districts for certain costs mandated by state

Why is this bill important?

"It is the intent of the Legislature that this act provide for the health, dignity, and safety of menstruating students at every socioeconomic level, normalize menstruation among all genders, and foster gender competency in California schools, colleges, and universities."

For more information on this bill, go to leginfo.legislature.ca.gov and find Bill AB - 367: Menstrual Products



Potential Places

- Wilson, Creekside, and Portal Park
- Quinlan Community Center
- Main Street (Private Property)
 - Contacted Sandhill Construction

Concerns

Irresponsible Use

- Citing our High School as an example:
 - Not a problem
 - Lid with latches- less likely to mess around

COST

- Partner with services such as the West Valley Community Service Committee

CC 10-05-21

#10

Density Bonus
Ordinance

Written Comments

Cyrah Caburian

From: Jean Bedord <Jean@bedord.com>
Sent: Tuesday, October 5, 2021 4:30 PM
To: City Clerk
Subject: Agenda Item #10 Density Bonus Ordinance
Attachments: Bedord Council - 2021-10-056 Agenda #10 Density.pptx

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I'd like to use this for my comments on this agenda item.
Thanks.

Warm regards,
Jean Bedord
Cell: 408-966-6174 / Land line: 408-252-5220

Density Bonus Ordinance

- **Jean Bedord**
- **Cupertino City Council**
- **Oct. 5, 2021**

1

Council Accountability for Agenda Items

- Staff time
 - Develop staff report
 - Identify and develop background materials
 - Legal Review
 - Scheduling and processing
- Planning Commission
 - Commissioner review
 - Meeting time
- City Council
 - City manager and council member reviews
 - Meeting time
 - Closed sessions to consider potential lawsuits
- Public engagement

Opportunity costs – what else is not getting done?

2

Accountability for Density Bonus Ordinance

- Dec. 15, 2020 **Council resolution** (not ordinance) to circumvent Jan. 1 2021 effective date of AB2345
 - Council warned of potential litigation
- Feb. 23, 2021 **Planning commission** passed 4-1
- April 6., 2021 **Council** agenda postponed due to late night
- April 20, 2021 **Council** agenda – passed 4-1
 - Letters warning of potential HCD actions against city
- May 3, 2021 **Housing and Community Development (HCD)** advisory letter
- May 4, 2021 **Council** Second Reading – passed 4-1
 - Public comment included warnings of litigation
- Aug. 10, 2021 **Planning Commission** – deadlocked 2-2.
- Sept. 7, 2021 **Council** agenda item rescheduled due to lack of approval by Planning Commission
- Sept. 14, 2021 **Planning Commission** – passed 3-2
- Oct. 5, 2021 **Council** agenda item

Recommend approval of staff recommendations – STOP wasting resources!