

CC 11-15-2022

Oral
Communications

Written
Communications

From: [Liang Chao](#)
To: [City Clerk](#)
Subject: Written Comm. for 11/15 council meeting: Cities Association JPA
Date: Friday, November 11, 2022 4:02:13 PM

Please put this as the public comment for the 11/15 council meeting for non-agenda item.

Thanks.

Find the draft Joint Power Authority (JPA) document at page 26 of the 45-page agenda packet of the October 13, 2022 Cities Association Board of Director meeting:
(<https://citiesassociation.org/meetings/board-of-directors-october-13-2022/>)



From: Tom
Sent: Wednesday, October 26, 2022 11:44 AM
To: Liang Chao
Subject: Re: Questions and Comments brought up at Cities Association meeting tonight

THIS is great. Another big issue is that as written the exec committee will be able to make decisions - have way too much power. Cities not on the exec board may be subject to decisions they don't agree with and won't have input

On Tue, Oct 25, 2022 at 11:20 PM Liang Chao <LiangChao@cupertino.org> wrote:

Here is my notes to Darcy after I attended the Cities Association meeting as an alternate last time.



From: Liang Chao <LiangChao@cupertino.org>

Sent: Thursday, October 13, 2022 9:11 PM

To: Darcy Paul

Subject: Questions and Comments brought up at Cities Association meeting tonight

The City Manager committee sent in a list of 17 questions. The Cities Association staff will be addressed and then a summary will be sent out to all BOD members.

Here are the questions I brought up and I was told that the staff is noting them down and will answer them next time.

Cupertino residents are generally concerned about JPA and the lack of transparency of JPA. Thus, when the JPA agreement is put on the Council agenda, we need a staff report with sufficient information to explain why the formation of JPA is necessary.

Q1: Please provide a comparison table between 501c3, 501c4, JPA.

And please provide a comparison with other counties, such as San Mateo, Alameda and Santa Cruz Counties. What organizations do they have?

Q2: What will the JPA do? What powers will be given to JPA? It should be well-defined on what powers each member city authorizes the JPA to do.

Q3: JPA takes positions on bills and maybe ballot measures with a majority vote and it bears the name, which is considered to represent all cities in the entire County. If JPA advocates, will it advocate for a position with the support of barely a majority of member cities? In that case, would the member cities who oppose the barely-majority position and their residents feel the Cities Association is abusing their membership dues? The JPA might wish to define how it takes positions and decides what to advocate on beyond a simple majority vote.

Q4: Transparency issue - Cupertino has been improving our meetings to provide more transparency, such as posting all written communications and all staff presentations on the website. But the Cities Association's presentations are not posted. Are all communications to all board members posted?

Often, the representative may not get the Council consensus before voting on an item. Such as the formation of JPA. It has not been put on our Council agenda at all even as an information so far. As a result Cupertino residents will not see the JPA document and will not be able to provide input until it is finalized for approval.

Q5: It was mentioned that the Cities Association does a lot of advocacy. What issues has the Cities Association advocated on? What activities were done in the past 4 years that fall under advocacy, except taking positions on bills?

Note that I did not have time to bring up in the meeting since the comment that the

majority of Cities Association does is advocacy was made after my comment. I would appreciate some information on those. But I do wish it is answered, since "what we do is mostly advocacy" was given as the main reason that 501c3 would not work.

Thanks.



Liang Chao

Vice Mayor
City Council
LiangChao@cupertino.org
408-777-3192





Board of Directors Meeting Agenda

October 13, 2022 7:00 PM

Hybrid Meeting via Zoom and at the Los Altos Community Center
97 Hillview Ave, Los Altos, CA 94022

Register for Zoom webinar [\[HERE\]](#) | Meeting also livestreamed on YouTube [\[LINK\]](#)

More info on public comment and accessibility given at the end of the agenda

Board Members

President & Chair: Hon. Chappie Jones, San José

Campbell	Hon. Anne Bybee / Alternate: Hon. Susan Landry
Cupertino	Hon. Darcy Paul / Alternate: Hon. Liang Chao
Gilroy	Hon. Peter Leroe-Muñoz / Alternate: Hon. Marie Blankley
Los Altos	Hon. Neysa Fligor / Alternate: Hon. Anita Enander
Los Altos Hills	Hon. Stanley Mok / Alternate: Hon. Lisa Schmidt
Los Gatos	Hon. Rob Rennie / Alternate: Hon. Marico Sayoc
Milpitas	Hon. Carmen Montaña / Alternate: Hon. Evelyn Chua
Monte Sereno	Hon. Javed Ellahie / Alternate: Hon. Bryan Mekechuk
Morgan Hill	Hon. Rich Constantine / Alternate: Hon. Gino Borgioli
Mountain View	Hon. Margaret Abe-Koga / Alternate: Hon. Ellen Kamei
Palo Alto	Hon. Pat Burt / Alternate: Hon. Lydia Kou
San Jose	Hon. Chappie Jones / Alternate: Hon. Matt Mahan
Santa Clara	Hon. Kathy Watanabe / Alternate: Hon. Anthony Becker
Saratoga	Hon. Tina Walia / Alternate: Hon. Kookie Fitzsimmons
Sunnyvale	Hon. Larry Klein / Alternate: Hon. Omar Din
Ex-Officio	SCCCMA Representative – Zane Barnes, San José
Ex-Officio	Acting Executive Director – Shali Sirkay

Discussion & action may be taken on any of the items below. Times are approximate.

WELCOME AND ROLL CALL (Jones)

1.	Consent Agenda
1a.	Approval of August Board of Directors Meeting Minutes
1b.	Receive financial management report for the period ending August 31, 2022
1c.	Adoption of resolution to permit meetings of the Board of Directors and subsidiary bodies to meet over Zoom for an additional period of 30 days
1d.	Appointment of Mayor Stanley Mok, Los Altos Hills; Mayor Darcy Paul, Cupertino; and Mayor Rich Constantine, Morgan Hill (Chair) to the Nominating Committee for 2023 Officers
1e.	Ratification of Appointment of Vaishali (“Shali”) Sirkay as Interim Executive Director
2.	MTC Update (Abe-Koga)
3.	Review and Comment upon the Joint Powers Agreement (JPA) Draft for CASCC (Baum)
	Discussion only – no formal action will be taken
4.	Legislative Action Committee Update (Fligor)
5.	Santa Clara County City Managers Association Update (Barnes)
6.	Executive Director Update (Sirkay)
7.	Joys and Challenges (Board Members)

PUBLIC COMMENT

ADJOURNMENT

PUBLIC COMMENT

Members of the public wishing to comment on an item on the agenda may do so in the following ways:

1. Email comments to audin@citiesassociation.org
 - Emails will be forwarded to the Board of Directors
 - **IMPORTANT:** identify the Agenda Item number in the subject line of your email. All emails received will be entered into the record for the meeting.
2. Provide oral public comments during the meeting:
 - When the Chair announces the item on which you wish to speak, click the “raise hand” feature in Zoom. Speakers will be notified shortly before they are called to speak.
 - When called to speak, please limit your comments to the time allotted (up to 3 minutes, at the discretion of the Chair).
 - Phone participants:
 - *6 - Toggle mute/unmute
 - *9 - Raise hand

ACCESSIBILITY

We strive for our meetings and materials to be accessible to all members of the public. Closed captioning will be enabled for this meeting. For instructions on how to view the closed captioning, please refer [to this Zoom help page](#).

Additional accommodations are available upon request. Please contact our Board Clerk, Audin Leung, at audin@citiesassociation.org at least three business days prior to the meeting to submit a request for accommodations.

From: [Rose Grymes](#)
To: [City Council](#); [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: Oral Communications, November 15, City Council
Date: Tuesday, November 15, 2022 4:24:00 PM

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

Dear Mayor, City Council Members, and City Staff,

I write to reiterate my strong support for the plan you are considering which returns the Blackberry Farm Golf Course to a more natural, sustainable, affordable, and responsible wildlife and native plant habitat. I am a Cupertino resident, and currently use this area weekly, and sometimes daily.

Cupertino is extraordinarily fortunate to be custodian for this wonderful resource, as the residents recognize by enjoying the areas surrounding the golf course even now. After thoughtful and expansive outreach, the survey conducted by City Staff demonstrated the clear will of Cupertino residents on this matter. A 57% majority voted in favor of the natural habitat solution to the question of Blackberry Farm's future. That sentiment prevails. Vocal, organized minorities in favor of alternate solutions cannot change that fact.

Maintaining and expanding this precious corridor of wildlife and native plants benefits our immediate local environment. It can provide suitable set-aside areas for walks, nature studies, and restful tranquility. It can enhance the broader community beyond Blackberry Farm very directly by increasing pollinators, including bird populations. It can provide watershed opportunities rather than the expensive imposition of golf landscapes with associated high water demand. The 'natural habitat' solution is both financially and environmentally the most responsible and, once again, the clear choice of the majority of residents.

Rose Grymes
Sent from my iPad

From: [Connie-Comcast Swim5am](#)
To: [Cunningham Connie](#); [City Clerk](#); [City Council](#)
Subject: November 15, Oral Communications, Biodiversity, Blackberry Farm
Date: Tuesday, November 15, 2022 7:47:47 PM

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please enter into the written record.

2022-11-15 Oral Communications, Biodiversity is plunging, here and worldwide.

Good evening, Mayor Paul and Councilmembers:

My name is Connie Cunningham. Resident 34 years and an Audubon member.

- <!--[if !supportLists]-->1. <!--[endif]-->What am I thankful for this Thanksgiving?
- <!--[if !supportLists]-->a. <!--[endif]-->Living in a city where residents regularly give feedback on the desire for natural habitat and biodiversity.
- <!--[if !supportLists]-->b. <!--[endif]-->Living in a city where we have environmental jewels like Blackberry Farm and Stevens Creek where residents can explore nature, birds can thrive and the endangered steelhead trout is protected.
- <!--[if !supportLists]-->2. <!--[endif]-->What alarms me at this Thanksgiving?
- <!--[if !supportLists]-->a. <!--[endif]-->Biodiversity is plunging worldwide. —
- <!--[if !supportLists]-->b. <!--[endif]-->Biodiversity is **all the different kinds of life you'll find in one area—like the Bay Area. All the variety of animals, birds, plants, butterflies, bees, bacteria** work together in an intricate web, to maintain balance and support life.
- <!--[if !supportLists]-->3. <!--[endif]-->Our free and open spaces are disappearing. It is imperative that we preserve existing natural spaces, and go one step further. **Create natural spaces where we can.**
- <!--[if !supportLists]-->a. <!--[endif]-->**We are fortunate in Cupertino to have an opportunity to restore 16 acres to nature. Let us look to the future of our grandchildren. They will live healthier lives, mentally, physically and emotionally, because of it.**

Cupertino residents value the environment in many ways. Here are 2:

1. Climate Action Plan 2.0. was approved August 2022. I agree with the authors of that Plan. There is no Planet B.

<!--[if !supportLists]-->
i. <!--[endif]-->A guiding principle Establish climate adaptation measures such as **protecting biodiversity**....

<!--[if !supportLists]-->
ii. <!--[endif]-->It has an action to

create an Urban Forest Management Plan - the key to action

2. Our Parks and Rec Master Plan states that **Nature** receives the most and strongest support of the priority goals for the parks and recreation system.

What can City Council do? Three things

1. Add to your checklist a new item about biodiversity and native trees for every land use project and every question that comes before you. It is that important.

2. Think about the critical importance of biodiversity and native trees to our city, state and world.

3. Approve restoring nature, Option B, to Blackberry Golf Course in 2023.

When asked about the future of the golf course, over 4,000 survey responses were received. Over half want to restore nature. This means keeping existing trees. And planting new trees.

I quote a recent study by the Ecological Society of America: "...our study provides support for the high value of native street-tree species and select nonnative species as important habitat for feeding birds." I have attached a link for further reading. <https://esajournals.onlinelibrary.wiley.com/doi/10.1002/eap.2149>

From Connie's iPhone

CC 11-15-2022

Special Meeting
1

Housing Element Update

Written
Communication

From: [Peggy Griffin](#)
To: [City Council](#); [Christopher Jensen](#)
Cc: [City Clerk](#)
Subject: 2022-11-15 City Council STUDY SESSION Housing Element Update - QUESTIONS
Date: Tuesday, November 15, 2022 3:48:34 PM

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

Dear City Council, Staff and City Attorney Jensen,

I have several questions regarding the Staff Report and the Presentation. I hope they can be addressed during this Study Session:

1. The City has had this document for a month. Who has seen it/reviewed it?
 - a. What are their thoughts?
2. What does this "Draft Housing Element" document contain (received Oct. 11, 2022 from EMC)?
 - a. Does it contain General Plan Policies?
 - b. Does it contain General Plan Strategies?
 - c. Does it contain General Plan Programs?
 - d. Does it contain the EIR document?
 - e. What else does it contain?
2. Would submitting the Draft HE by January 31, 2023 satisfy the deadline requirement?
 - a. Isn't the deadline requirement for certification, not submittal?
4. After the 30-day public comment period on the Draft Housing Element, there's a 10-day response period.
 - a. Will "responses" result in modifications/changes prior to submittal to HCD?
 - b. What are valid responses to these public comments?
 - c. Will "responses" be just "comment received"?
5. What are the PROs and CONs of the 2 alternatives:
 - a. OPTION1- Submit current Draft HE to HCD, as-is
 - i. Does "as-is" mean no changes after 30-day public comment?
 - b. OPTION2-Let new consultant revise Draft HE

Sincerely,
Peggy Griffin

From: [Peggy Griffin](#)
To: [City Clerk](#)
Subject: Peggy's slides for Study Session
Date: Tuesday, November 15, 2022 5:33:49 PM
Attachments: [2022-11-15 CC Study Session-Peggys Slides.pdf](#)

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Hi Kirsten,

I plan to speak during the public comment for the Study Session. I'd appreciate it if you could show this page when I speak.

Thank you,
Peggy Griffin

HOUSING ELEMENT UPDATE QUESTIONS

1. WHO in the City/Council has seen this Draft Housing Element Document?
 - a. What are their thoughts?
2. What does it contain?
 - a. General Plan Policies? Strategies? Programs?
 - b. EIR? What else?
3. Would submitting Draft HE doc by Jan. 31, 2023 satisfy the deadline requirement?
4. After the 30-day public comment period, there's a 10-day response period
 - a. Will "responses" result in modifications/changes prior to submittal to HCD?
 - b. If not, what's the point of this period?
5. What are PROS/CONS of the 2 alternatives:
 - a. OPTION1-Submit current Draft HE to HCD, as-is
 - b. OPTION2-Let new consultant revise Draft HE

CC 11-15-2022

#24

City Hall Renovation
Project Update

Written
Communication

From: [Jean Bedord](#)
To: [City Clerk](#)
Subject: Agenda Item #24 City Hall Renovation Public Comment, Nov. 15, 2022 City Council
Date: Tuesday, November 15, 2022 9:08:19 PM

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

Please include in Written Communications for this meeting.

Good evening, Mayor Paul and council members,

My name is Jean Bedord and I am a resident of Cupertino. I am here to urge you to move ahead with the city hall project as part of next year's CIP program. However, I am opposed to limiting the project to renovation of the existing building at an estimated cost of \$25.6 million.

It makes no sense to spend this much money and end up with well, an old building, that is not up to current building standards. In addition, this \$26.5 million does not address the significant increase in library parking needed for the projected 20% increase in housing units in the next 10 years.

We went through the same process with the old library. Public works went through the same gyrations trying to retrofit a building which no longer fit community needs. Ultimately, tearing down the old building and building a brand-new library made the most sense. Yes, a new building cost more, but in return, we got a state-of-the-art building that met the needs of the community.

You are faced with the same situation with city hall – previous councils have “kicked the can” down the road. The Vallco Specific Plan included a new city hall, but that was repealed in 2019. So now, council faces the reality of actually tackling the problem of replacing an obsolete building

Let's look backwards at the Nov. 17, 2015, report (seven years ago) to council on the very same needs. The cost estimates by a different team were almost identical - \$27 million for remodeling city hall and \$56 million for a new city hall with additional community space and parking for both the library and city hall. This report, however, included an analysis of Lease Financing instead of Bond Financing, to reduce the impact on the city budget.

Isn't it time to start thinking holistically about the civic center – both city hall AND the library? I urge council to move ahead with scoping alternatives for a new building, rather than limiting this project to retrofit of an OLD building.

Thank you.

Jean Bedord