

Notice of Public Hearing 2019 Clean Water and Storm Protection Fee

PUBLIC HEARING

Notice is hereby given that the City Council will hold a public hearing on a proposed 2019 Clean Water and Storm Protection Fee for properties within the City of Cupertino.

The Public Hearing has been scheduled for:

May 7, 2019
6:45 p.m.
City Council Chambers
10350 Torre Avenue, Cupertino, California

At this public hearing, the City Council will consider the proposed fee and hear all persons interested in the matter. The public is encouraged to attend.

The public hearing is held in accordance with Article XIII D of the California Constitution (Proposition 218) and with the procedures adopted by resolution of the City Council on March 5, 2019. The procedures may be accessed on the City's web site at www.Cupertino.org/CleanWater.

Any owner of a parcel of real property subject to the proposed 2019 Clean Water and Storm Protection Fee may object to the proposed fee by filing with the City Clerk, at or before the time of the hearing, a written protest containing a legible signature of the property owner and identifying the parcel by address or assessor's parcel number. The mailing address for a written protest is as follows: 2019 Clean Water and Storm Protection Fee Protest, c/o City Clerk, 10300 Torre Avenue, Cupertino CA 95014. The property owner may also appear at the hearing and be heard on the matter.

If the City Clerk does not receive written protests from a majority of property owners regarding the proposed 2019 Clean Water and Storm Protection Fee before the close of the public testimony portion of the public hearing, the City Council may authorize a mail ballot proceeding on the question of whether to approve the fee. Under this scenario, ballots would be mailed to all property owners whose parcels are subject to the fee.

I protest The proposed increase in fees.

Sincerely, *Robert E. Kirby*

Robert E. Kirby

915 Ferngrave Dr. Cupertino. APN: 375-39-055

Berg & Berg Developers

10050 Bandley Drive
Cupertino, California 95014
Phone: (408) 725-0700
Fax: (408) 725-1626

3/25/19

**2019 Clean Water & Storm Protection Fee Protest
c/o City Clerk Grace Schmidt
10300 Torre Avenue
Cupertino, California 95014
Ph 408.777.3223
Email: cityclerk@cupertino.org**

Reference: 2019 Clean Water & Storm Protection Fee Protest

Subject: Objection To Increased Fees on APN 326-34-065 10050 Bandley Dr.

We object to the above referenced fee.

Sincerely,



Carl E. Berg



*developers of business parks,
industrial complexes, and office buildings*

March 27, 2019

2019 Clean Water and Storm Project Fee Protest
c/o City Clerk
10300 Torre Avenue
Cupertino CA 95014



Honorable Councilmembers:

We are residents of Cupertino and received an informational letter about the proposed 2019 Clean Water and Storm Project Fee. We are opposed to the fee as long as an Annual Inflation Adjustment is included in the program. If no Annual Inflation Adjustment is included, we do not oppose the proposed increase.

Thank you.

Paula Bettencourt
Paula Bettencourt

Harry Bettencourt
Harry Bettencourt

11553 Upland Court
Cupertino CA. 95014

Feb 27, 2019.

Dear City Clerk,

I strongly object to this high a fee added to my property taxes. We now pay 31.82 for safe clean water. Considering all the taxes and cost of living always increasing, it is difficult for a retiree to keep up. All the rain we were blessed with, this year, I have not seen any flooding in this city.

Marie Stiver

Parcel # 316-44-015



SAN FRANCISCO
CA 940
27 MAR '19
PM 7 L



FOREVER



2019 Clean Water & Storm protection fee

c/o City Clerk

10300 Torre Ave

Cupertino CA

95014



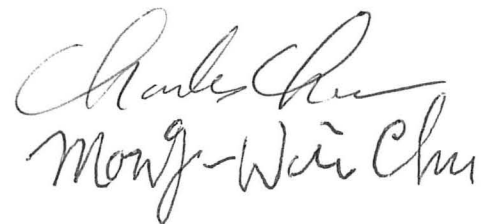
Charles Chu
Mong-Wei Chu
10585 Merriman Road
Cupertino, CA 95014
March 29, 2019

c/o City Clerk
2019 Clean Water & Storm Protection Fee Protest
10300 Torre Avenue
Cupertino, CA 95014
Re: Parcel # 342-16-079 (Address: 10585 Merriman Rd, Cupertino)

Dear Sir/Madam:

We are owners of the property located at 10585 Merriman Rd, Cupertino. Its Parcel # is 342-16-079. The purpose of this letter is to file our written protest against the proposed 2019 Clean Water & Storm Protection Fee for Cupertino properties.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Charles Chu" on the top line and "Mong-Wei Chu" on the bottom line, written in a cursive style.

Charles Chu &
Mong-Wei Chu

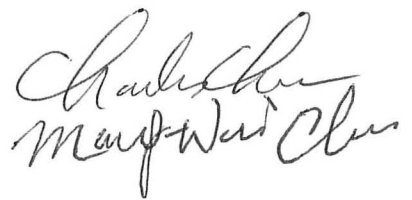
Charles Chu
Mong-Wei Chu
10585 Merriman Road
Cupertino, CA 95014
March 29, 2019

c/o City Clerk
2019 Clean Water & Storm Protection Fee Protest
10300 Torre Avenue
Cupertino, CA 95014
Re; Parcel # 357-03-040 (Address: 10340 Walnut Circle, Cupertino)

Dear Sir/Madam:

We are the owners of the property located at 10340 Walnut Circle, Cupertino. Its Parcel # is 357-03-040. The purpose of this letter is to file our written protest against the proposed 2019 Clean Water & Storm Protection Fee for Cupertino properties.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Charles Chu" on the top line and "Mong-Wei Chu" on the bottom line, written in a cursive style.

Charles Chu
Mong-Wei Chu

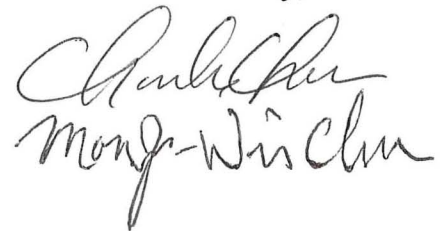
Charles Chu
Mong-Wei Chu
10585 Merriman Road
Cupertino, CA 95014
March 29, 2019

c/o City Clerk
2019 Clean Water & Storm Protection Fee Protest
10300 Torre Avenue
Cupertino, CA 95014
Re: Parcel # 375-22-011 (Address: 10840 Wunderlich Drive, Cupertino)

Dear Sir/Madam:

We are the owners of the property located at 10840 Wunderlich Drive, Cupertino. Its parcel # is 375-22-011. The purpose of this letter is to file our written protest against the proposed 2019 Clean Water & Storm Protection Fee for Cupertino properties.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Charles Chu" on the top line and "Mong-Wei Chu" on the bottom line, written in a cursive style.

Charles Chu &
Mong-Wei Chu

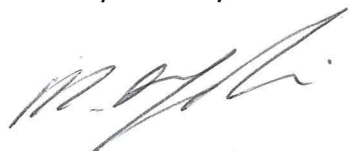
2019 Clean Water and Storm Protection Fee Protest
C/O City Clerk
10300 Torre Avenue
Cupertino, CA 95014

April 02, 2019

Cupertino City Council,

I am writing to protest the imposition of a substantial tax increase for the maintenance of the city's storm drains. While I recognize the need for such a service, I find the fee increase to be excessive. As a middle school teacher in Cupertino who has to fight for a minimal (if any) increase in salary and benefits I'm insulted by a 560% increase in that fee. I strongly suggest the city examine all of its budget and cut out some excessive or unnecessary expenses and apply them to this storm drain issue.

Thank you for your consideration,

A handwritten signature in dark ink, appearing to read 'Maryam Ahmadi', is written over a horizontal line.

Maryam Ahmadi-Yazdi
10241 Rancho Place, Unit A
Cupertino, CA 95014
408-202-8547

April 13, 2019

Christina Papadakis

10822 S. Blaney, Cupertino

Dear City of Cupertino,

Christina Papadakis objects to the Clean Water and Storm Protection Fee because it is too expensive. Christina has owned her home in Cupertino since 1966. She can no longer afford to pay any more property tax. She has very low income. If the fee is approved, she won't be able to pay it. She will let the City put a lien on her property. The property fee (plus interest) will have to be paid when she is dead. On her very low income, Christina has to pay hospital bills, and for doctors and medicine. Everything is going up in price, water, PG&E, and garbage. She saves water by not flushing the toilet every time. She saves her wash water to water her plants. She turns off her heat and lights to save on her PG&E bills. Christina saves her Social Security money to pay her property taxes. She cannot afford to buy anything else other than food and medicine. The Fremont Union High School District allows her to pay \$90 per year less on her property taxes because of her circumstances. The school district might allow this as a senior citizen discount or rebate. Christina volunteered for 12 years at West Valley Community Services in Cupertino. Now she needs these food services.

City staff wrote this letter for her, using her thoughts and words because she can't understand English very well and Greek is her first language, so she speaks very limited English. Christina has expressed these concerns so that she can explain the reasons that she protests this fee.

Thank you for considering these comments.

Christina Papadakis (recorded by Cheri Donnelly)

A handwritten signature in black ink, appearing to read "Christina Papadakis", with a long, sweeping underline.

William Rassieur and Freda Xu
20045 De Palma Lane
Cupertino, CA 95014

April 6, 2019

2019 Clean Water and Storm Protection Fee Protest
% City Clerk
10300 Torre Avenue
Cupertino, CA 95014

Re: the proposed fee increase for storm drain maintenance

We protest the fee increase on the grounds that the expenses contemplated for the Regnart Bike Trail, which we hope is not built, could more than cover the expenses needed for the storm drain maintenance.

To be clear, **we are in favor of the storm drain maintenance**. But we are most certainly **not willing to underwrite the bike trail project** by accepting a fee increase to cover expenses the city could otherwise address with available funds.

We understand and have read that the revenues collected for the storm drain maintenance would be kept in a separate account and not used for other purposes. That's fine, but that does not invalidate the notion that the several millions of dollars the City may be budgeting for the bike trail could be used instead for the storm drain maintenance.

My wife and I have lived at 20045 De Palma Lane since June, 2000.

William Rassieur and Freda Xu

Will Rass
Freda Xu

City Clerk:

April 10, 2019

To whom it may concern,

My wife and I have been a long time resident of Cupertino. We are protesting the Clean Water and Storm Protection fee. My wife and I are senior citizens. I have been on permanent disability for the past 11 years and my wife works part time. We are on fixed incomes and cannot afford any more fees. We have seen our property tax go from \$5,000.00 per year to \$8,000.00 per year. Our PG&E water rates are so expensive now. Increases of our social security cannot keep up with all of California's taxes. Cupertino used to be a great quaint little "Town." Because of all of the "Tech" companies, city councils only care about tax revenues and are trying to make big cities out of small towns. The city council does not care about their elderly citizens and are forcing many of them to relocate. Again, we are protesting these proposed taxes.

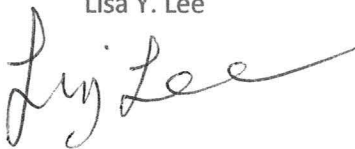
Sincerely,

Gregory A. Johnsrude



&

Lisa Y. Lee



Gregory A. Johnsrude
10841 W Estates Dr.
Cupertino, CA 95014-4537

cc: Jon Willey
Liang chao

4.16.2019 ✓

To: Cupertino City Clerk, 10300 Torre Ave, Cupertino CA 95014

From: Brent G Bardsley (APN 375 16 004), 10408 Menhart Lane, Cupt CA 95014

Subject: 2019 Storm Protection Assessment Fee

By this letter I register a citizen protest to this new fee. Here's why:

• *Inequitable fee, small properties vs large.*

- Lack of a provision for elderly property owner's (over 65 years old) to opt out
- Lack of a provision for a single family residential owner to secure a similar 25% reduced fee by modifying their property to reduce run-off.
- Inequitable fee based on property type. A commercial property such as Target generates a much higher run-off per acre due to their large roof and almost total parking lot coverage.
- Inequitable fee due to a lack of provision for property slope. A sloped foothills residential property generates a much higher run-off per acre than a flatland property like the Rancho area.
- Inequitable fee due to agricultural-zoned land having no fee at all. Agricultural land generates as much runoff as any other land, particularly if it is on sloped ground.
- Inequitable fee due to no provision charging for the area contained by city, county, and federal roads. Paved roads are a main source of local run-off, yet no fee is assessed.

Brent G Bardsley

Gary Wong
10358 Lozano Lane
Cupertino, CA 95014

April 10, 2019

Mr. Timm Borden

Via Post and email

Interim City Manager
Cupertino City Hall
10300 Torre Avenue
Cupertino, CA 95014-3255

RE: 2019 Clean Water and Storm Protection Fee ("Fee")

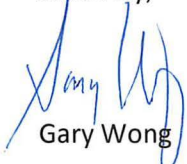
Dear Mr. Borden:

We are responding to your letter dated March 18, 2019 pertaining to the proposed fee referenced above. Our household opposes the proposed fee.

While you articulate persuasive reasons for the need to upgrade and maintain our storm drainage system, we oppose the Fee, because there are sufficient City resources to pay for these costs. For example, we feel the Regnart Creek Trail project has expended funds unwisely, that key steps were skipped or addressed late in the process, such as not starting with a survey and soil testing, before embarking on a costly marketing and consulting campaign. On any project development, knowing the dimensions and conditions and usability of your site, is a critical first step so that one understands what is buildable. Notwithstanding constant, community suggestions to approach the project planning differently, such suggestions are ignored, using our tax dollars and city resources irresponsibly. Secondly, poor financial controls and oversight allowed \$792,000 to be embezzled.

Your letter describes the current condition of the City's Water Drainage System. However, it doesn't address the cause or impact from urbanization, the profound changes to hydrology in Cupertino from increasing imperviousness of the watershed. Looking at commercial development over the past decade, there appears to be little evidence of efforts to manage runoffs, to treat waste water before being pushed off property lines from the hotels and commercial buildings that have been built. It seems that the proposed fees place much of the burden on residences vs commercial, retail and industrial occupants. Using a building's footprint as the key metric, ignores the height of the building and the total square footage. More occupants, greater water usage and treatment required. That would be a more equitable approach.

Sincerely,



Gary Wong

April 13, 2019

To the City of Cupertino,

My husband and I are opposed to the current version of the 2019 Clean Water and Storm Protection fee for stormwater services.

The recently proposed fee represents a HUGE increase in the amount that residents of Cupertino will pay. As longtime property owners (since 1994) of a parcel which is slightly over 1 acre, and a parcel that has no structures on it but is between .10 and .40 acres, we would go from paying a total of \$24.00 per year to paying approximately \$150.00 per year for this one fee alone. That is a ridiculous increase. Particularly since our home is about 1500 square feet, so the amount of non-permeable ground on our property is very small compared to the full size of the property, as well as being much lower than many, many homes in Cupertino whose lot size is smaller.

We are also both over 60 years old, and feel that this represents an extremely unfair tax on us, and all of our elderly neighbors.

We are not opposed to paying the same as every other resident, similar to the current structure. I still feel that an additional \$44.42 per year is excessive, and that the city of Cupertino could use the large amount of income it receives to avoid taxing residents this additional amount...more that 3x more than before, in addition to the existing tax.

Unless the proposal is rewritten to be the same amount per residence (with a house / condo/ etc. on it) and less than \$44.42 extra, we are firmly opposed to the measure.

Sincerely

A handwritten signature in cursive script that reads "May Koski".

May Koski (and Paul Koski)
22030 Regnart Road
Cupertino, CA 95014