

From: **Jude Barry**

Date: Fri, Dec 2, 2016 at 1:39 PM

Subject: DRAFT Op-ed (Please call me)

To: Teresa O'Neill

While we welcome the Mercury News call for more cooperation and less litigation in the “border war” between Santa Clara and San Jose, your editorial did not accurately reflect what’s happening in our city or on our border.

Santa Clara is taking bold steps to increase housing supply. There is nothing “token” about our approval of the 1,680 residential units planned for CityPlace – 10 percent of which will be set aside as affordable housing. We’re also puzzled by the paper’s certainty that this housing will never be realized because the plan is to build it on a landfill. Housing on landfills has been approved in other areas of the state and the nation. And it will shortly be the case here in Silicon Valley, too. We have been working tirelessly for months with the landfill regulators and fully expect to achieve their acceptance of a “Post-Closure Land Use Plan,” which would allow this housing to be built.

Nearly **10,000** additional housing units are planned in the city, including approximately **4,000** in Tasman East adjacent to City Center and **3,500** units at Lawrence Station. If the city counted housing that is already approved or under construction, the number of units Santa Clara is producing jumps to **18,000**. All of this is being accomplished without waiving fees from the developers building in our city. Santa Clara has captured millions in fees and mitigation monies from developers – including Related - to fund parks and open space, needed infrastructure and transportation upgrades, and to support our schools.

Contrast us with San Jose, where city leaders have repeatedly cut traffic impact fees required for new development in North San Jose to attract companies like Samsung, with approximately \$46 million in fee cuts to date, leaving San Jose potentially unable to pay for their own necessary traffic upgrades. Those upgrades are required under the terms of an agreement voluntarily entered into by San Jose, after losing a previous lawsuit. The lawsuit, which the *Mercury News* failed to explain, was filed and won by the County of Santa Clara and the cities

of Milpitas and Santa Clara. San Jose is required to set aside the necessary funds to pay for transportation improvements associated with over 30 million square feet of potential new development. How they intend to meet those requirements while deeply cutting fees for development remains to be seen. But Santa Clara taxpayers should not pay for San Jose corporate giveaways.

Your editorial also suggests that traffic impacts have not been sufficiently addressed. In fact – the California Environmental Quality Act (CEQA) requires projects to study its impacts across city borders and, therefore, the Environmental Impact Report (EIR) for the City Place project spells out various required transportation mitigations at intersections in Santa Clara, Sunnyvale *and San Jose*. Traffic improvements to be funded by the developer in just San Jose are in excess of \$11 million.

We, too, hope that our dispute with San Jose can be resolved without advancing litigation, but as we've said repeatedly Santa Clara will do what is necessary to protect our interests. We certainly appreciate the paper's help in encouraging all parties to remain in dialogue, but regional cooperation cannot be advanced when San Jose, the largest city and most influential player on development issues, turns to the courts rather than its neighbors to resolve issues.

JB

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