

May 26, 2019

Fair Political Practices Commission
102 Q Street, Suite 3000
Sacramento, CA 95811

Dear Chairman Miadich, Commissioners Cardenas, Hatch, Hayward and General Counsel Bainbridge,

I understand that the FPPC Board will be considering the Advice Letter concerning Cupertino Vice-Mayor Liang-fang Chao's participation in City Council deliberations concerning Vallco.

To use a common cliché, I am shocked but not surprised that Sand Hill Properties refuses to give up on its attempts to sideline Cupertino's elected Council members and nullify our democratic elections.

Since when does a corporation have the right to a city council of its own choosing? Since when does it have the right to disempower elected officials with whom it disagrees?

Vice-Mayor Chao's case has already been made: she was elected with the second highest number of votes of any candidate in Cupertino history; the effect of Vallco development on Vice-Mayor Chao's personal residence (not even an income property) is no different from the effect on her neighbors' (who themselves have the right to vote for a candidate who represents their views and interests); the size of SHP's projects and the impact of SHP's plans in fact extend throughout the city of Cupertino and beyond.

The Advice Letter supported these points and opined that the Vice-Mayor should be allowed to participate in deliberations and vote on matters concerning Vallco.

Nothing has changed since then, except that attorneys for SHP are endeavoring to contrive additional arguments to prolong this case. If a corporation with unlimited funds can succeed in bullying the FPPC and hamstringing the functioning of a duly elected city council, then what democracy do we have?

The FPPC should reaffirm its support for Vice-Mayor Chao's participation in the Cupertino City Council's decision-making with respect to Vallco.

This now goes beyond one Councilwoman. To reverse your advice would empower any large corporation to control elected bodies through attacks on the very legitimacy of members with whom they are in disagreement. This is a frontal attack on democracy itself.

Yours sincerely,

Phyllis Dickstein
Cupertino Resident