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Name: Arnoldo Alcazar	_Signature: Anothe Martar
Email: arnoldo alcazary1@ Jaho	Date: 12/01/21
Address: <u> </u>	Palo Alto, CA 94306

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Prinoldo Alcazar Pro Box 60084 Palo Alte. CA 94306

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Name: _	Genkun	Vang	Signature:	Jahr	Your	
Email: _	jason.g.y	ang @ gmail.c	Date:	~/		
Address	: 118 P	Naple Lane,	East Palo Alto	, CA 9430	3	

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Name: ZHONGHUA Will Email: Kenzwullhotmadate: com Dec. 1, 2021 Address: 2228 Terra Villa Street, Bast Palo Alto

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From: Zhonghua Wu 2228 Terra Villa St. Bast palo Alto, CA 9433

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	Date: 12/2/2/
Address: 785 Corole Corr	+, East Palo Ato

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Name: <u>SHERMAN X. MA</u>signature: <u>Rue 90000</u> Email: <u>aldernetwork@9mail.com</u> Address: <u>942 CHEMALIS</u> DR. SUMMUALE, CA94087

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Name: Feijie Zhang	Signature: Jeyin 200	_
Email: feijiez@Yahov. Com	Date:/12/1/202/	-
Address: <u>P.O. Box 18805</u>	Stanford .CA 94309	
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Name: <u>Cecilia Pang</u> Signature: <u>MS</u> Email: <u>ccaichen @gmail: worste</u>: <u>11/29/202/</u> Address: <u>2017 Clarke Ave.</u>, East Palo Aito, CA 94303



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YUMIN LIU YUMINLIU-3100 @Yahop Name: Signature: 2 202 Email: 12 nue Address:

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Jin Rui Pelig Name: <u>Annie En Li Toun</u> Signature: <u>Annie Fon Junperg</u> Email: <u>eltan 2006@ yahoo.com</u> Date: <u>12/01/2021</u> Address: 23.2 Wisteria Dr East Da

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Name: <u>GUD QUAN ZHOU</u> Signature: ______ Email: <u>dzhouk [@gmoi].com</u> Date: _____ Address: 911 Cameron Circle, Milpitas,

I'm The owner of 950 Baines st. E. PALO ALTO, CA 94303.

Mr. Guoquan Q. Zhou 911 Cameron Cir Milpitas, CA 95035 East Palo Alto CA 94303 2415 University Ave. City Council City of East Palo Atto SAN JOSE CA 1950



Corinne I. Calfee 1237 Torrey St. Davis, CA 95618

ccalfee@opterralaw.com 510-809-8001

VIA Electronic Mail

City Council City of East Palo Alto 2415 University Avenue East Palo Alto, CA 94303

December 7, 2021

Re: December 7, 2021 City Council Meeting; Agenda Item #8.1 Introduction of East Palo Alto Opportunity to Purchase Act ("EPA OPA")

Honorable Members of the City Council:

We represent Woodland Park Communities in relation to its properties in East Palo Alto. Thank you for your work on the EPA OPA ordinance. We appreciate the opportunity to weigh in during the Community Meeting and staff's office hours. Staff are recommending important changes to the ordinance. We support those changes, which go a long way toward addressing our concerns.

We respectfully note that a few additional, critical changes are necessary. They are detailed below.

<u>Protections Against Undue Delay</u>. There may be circumstances when no Potential Eligible Purchaser is interested in or capable of pursuing the purchase of a given property. In that situation, we believe that there should be a mechanism, perhaps established by the administrative guidelines, whereby each Potential Eligible Purchaser can indicate that they will not be submitting a Statement of Interest. Receipt of such information from every Potential Eligible Purchaser should allow an owner to proceed with the sale. We believe that this would be permissible under the EPA OPA ordinance if the following sentence were added after the first sentence of 14.26.130(D), "Notwithstanding the foregoing, a Potential Eligible Purchaser may affirmatively indicate that they have no interest in a Residential Property, prior to the expiration of any deadlines, and in accordance with Administrative Guidelines."

<u>Timelines Should Match San Francisco.</u> As we requested in November, the timelines should align with the San Francisco timelines. We request that for all transactions, the time lines be as follows:

5 Days for Statement of Interest25 Days for Offer5 Days for Right of First Refusal60 Days for Closing

Property owners have noted that even the San Francisco timelines present significant challenges for real estate transactions. The timelines in the draft EPA OPA are significantly longer and we anticipate that such long timelines will create undue delays in transactions. Delays have the effect of reducing the value of real property, which we understand is not the purpose of this ordinance.

If there were public funding available to facilitate transactions, we can understand that delay might be warranted in order to further the purposes of the EPA OPA. However, there is not currently funding available to potential eligible purchasers. Without funding, they are less likely to be able to close. The deal will simply be delayed without any corresponding affordable housing benefit.

We further note that there are risks associated with requiring a property owner to continue to manage a residential property for months after that owner seeks to exit the business. Neither the City, the tenants, nor Potential Eligible Purchasers benefit from that situation.

<u>Non-refundable Deposits.</u> Any deposit made by a Potential Eligible Purchaser must be treated in the same manner as a deposit made by any other purchaser. In general, once the buyer waives contingencies, the deposit is non-refundable if the buyer breaches the agreement by failing to close. This is a protection for sellers against bad-faith buyers who intend to simply delay a transaction, rather than purchase the property. We suggest adding, "unless otherwise provided in the contract" to the end of 14.26.110(E).

<u>Require Good Faith From Potential Eligible Purchasers.</u> Potential Eligible Purchasers must be prohibited from "bargaining without good faith," as are Owners. We suggest adding a subsection 14.26.110(A)(4) that says, "Making an offer that is commercially unreasonable or otherwise delaying a sale without the intention to close or without a reasonable probability of being able to close." Such behavior would indicate bargaining without good faith.

<u>Confirm Recordation.</u> Unless you have confirmed with the San Mateo County Recorder's Office that they will accept for recordation the declarations attesting to owner certification, this should not be required in the ordinance. If the Recorder will not record such document, then the owner should not be required to do the impossible. The EPA OPA could follow San Francisco's model of requiring that such declaration be provided to the City itself.

Section 14.26.150(A) could be amended to read, "Owner Certification. By no later than thirty (30) days after any Sale, the Owner(s) shall submit to the City a signed declaration, under penalty of perjury, affirming that the Sale of that Property substantially complied with the requirements of this Chapter. The City will publish all such addresses on its website."

<u>Means Test Potential Eligible Purchasers</u>. We would like to reiterate that any potential eligible purchaser of multi-family property must be means tested to have the potential ability to purchase a given property prior to submitting a statement of interest. We understand that this process will be formalized in administrative guidelines.

If the potential eligible purchaser has no means of purchasing type or quantity of multi-family property at issue, that purchaser should not have the ability to slow that sale for up to 280 days. Blanket qualification of non-profits does not accomplish this; a nonprofit that could conceivably purchase 5 dwelling units may not be able to purchase 100 dwelling units or 1,000 dwelling units.

<u>Timing of Implementation</u>. We encourage the City to conduct robust community outreach while developing the administrative guidelines. Soliciting input from property owners early in the process will avoid last-minute delays. The draft ordinance also defers to the guidelines several important issues with policy implications. This means that the development of thoughtful and effective guidelines will take time. We request that the Effective Date of the ordinance be set for January 1, 2023 to give adequate time for the preparation of the administrative guidelines and for owners to prepare for the new procedures.

Thank you for allowing us to weigh in on this important policy issue.

Sincerely,

Conine Q. Calfee

Corinne I. Calfee

cc: Rafael Alvarado, City Attorney Victor Ramirez, Rent Stabilization Administrator

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Name: Moyon & Michael Weiss Signature:
Email: michalwis 200 meril. com Date: 12/12021
Address: East Palo Alto.



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Name: <u>Allozhong Jao</u> signature: <u>Oz (-</u> Email: <u>guozhong tao@hotmail</u>bate: <u>12/6/202</u> Address: <u>1155 Bay Rd</u>, <u>East Palo Alt</u>

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East Palo Alto, CA 94303

Dear Mayor and City Council Members,

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Please vote NO to OPA for the benefits of East Palo Alto homeowners and tenants!

Name: <u>RAJIV APPANA</u> Signature: <u>NVRay'V</u> Email: <u>rojiv av Q qmail·Cm</u> Date: <u>12/4/21</u> Address: <u>912 Bay Rd, Past Palo Allo</u>

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Date: December 17, 2021

To: City Council Members & EPA Community

From: Duane Bay, Executive Director

Subject: "EPA OPA" Ordinance



"By whom for whom" is a profoundly enduring <u>community</u> concern, a founding concern for our great <u>City</u>, and a cornerstone of EPACANDO.

Historically, we are a community that takes care of our own. But this community's place is also an investment medium for outsiders. They own over one-half of all residences; about one-third of all residential parcels. Sometimes they take offense when this community asserts our right for our locally-elected leaders to find a balance of interests, in consultation with the community.

EPACANDO supports the City's long-standing active commitment to antidisplacement, constantly bringing new tools to that work. We appreciate being recognized as a partner in that work, and being invited to help develop an Opportunity to Purchase ordinance.

We support the City's recent efforts to improve the draft ordinance that was presented in substance in October and in full detail in November. Further, we support the many changes to the November draft already proposed by staff in response to constructive community input.

We encourage the City Council to "support with changes" on December 22nd, giving enough specific direction to staff that a final version can be voted in at the next meeting after that. We trust the Council to find a supportable, workable balance of ordinance provisions that gives tenants and the community a better chance to preserve affordable living situations without unreasonable inconvenience for landlords. This action will reaffirm the City's active commitment to anti-displacement and will initiate the six-month process to bring back full regulations and procedures for consideration by the Council and community before July 1st implementation.

Finally, we want to say a bit about our motivations, as they've been questioned.

We here at EPACANDO have worked hard to help bring this ordinance forward. Why? Because more often than not, when a rental property is sold, the residents are forced out. No matter if it's been their home for decades, and their rent has paid the taxes and mortgage. Without a notice system in place there usually is no time to react. This ordinance will set up a simple notification that will at least give the tenants enough warning to make an offer, or find an experienced nonprofit to help them buy or buy on their behalf.

Given this straightforward purpose, we are disheartened by some vocal opponents of the ordinance who choose to ignore some key facts.

- The ordinance will apply to rental properties only; not to any owneroccupied properties.
- The seller will set the price.
- Yes, while in some cases current tenants will be able to buy (at the sellerdetermined price), in many cases the tenants will not have the means, so a nonprofit (such as EPACANDO) could step in to buy (at the sellerdetermined price) on their behalf. Then we would sell or rent to the tenants at an affordable price. This would leave a funding gap, which we would raise funds to cover, using county, state, federal and philanthropic sources. In an apartment building, the form of ownership may be a coop. In some cases, ownership just may not be feasible. But to the greatest extend possible, the outcome will be affordably-priced ownership that enables wealth formation for a new homeowner while also assuring permanently affordable pricing for subsequent owners.
- No, EPACANDO or similar affordable housing development organizations will not somehow make profits by doing this, by helping East Palo Alto residents stay in their homes rather than being forced out of their home or community.
- Yes, EPACANDO is one of several local nonprofits who have the capacity to respond, assuming adequate funding is secured, but we and other nonprofit implementers will have to undergo a public qualification process.

We have deep respect for the Council Members who are charged with finding a workable balance, and for the community we serve, including those who see this differently and express those differences respectfully.

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Name: LINDA MANIART, Signature: Linda Manuari - I Manirant, @ paper.com Noc 7 - 2021 Email: / MANCART @ Paho.com polwood (ity Address: 2973 Mc Garry ave Bla J-2051 Addison Ave BPalo Alt Property

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Name: Hector C

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32021 Email: ha_estrallita@MAC. ComDate: 4 Ave, East Palo Alto, CA 94303 Address: 2387 Universit

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Name: Shashi Shekhar signature: Marhi Shekhar Email: Shashi US @gmail Bate! 12/05/2021 Address: 1960 Mc Nair St., East Palo Allo, 1994

Shashi & Kasturi Shekhar 1591 Kennett Drive Sanla Ang, CA92705 61 City of East Palo Alto 2415 University Avenue East Palo Alto, CA94303 Sity Cuncil And Martin and The world the second and the second se SAMTA ANA CA **UND**

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Name: <u>Arlene Henry</u>Signature: <u>Arlene Henry</u> Email: <u>Arlene 1919@</u> Date: <u>12/11/21</u> XGhoo & COM Address: 2766 III: NO: 555, EAST Palo AIto, CA94303

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The City Manager, Mayor & Council Members City of East Palo Alto, 2415 University Avenue East Palo Alto, CA 94303

December 19, 2021

Dear Sir:

Re: Proposed Ordinance OPA (Opportunity to Purchase Act)

We are currently retired and have been residents of East Palo Alto City since June 2002 as a homeowner of a Single Family Home. We moved to North Tustin (Southern California) to take care of our granddaughter.

We are senior citizens above 70+ years, and our home in East Palo Alto is a major source of income to meet our expenses. Considering our age we may need to sell the home in case of any emergency for urgent need of money.

We are shocked to learn from other sources that you are proposing an ordinance called OPA that will affect us because we own a home in East Palo Alto. This secretive approach to the ordinance without any communication and not letting us know about it, is authoritarian and unacceptable.

We purchased the home with our hard-earned money and will be losing our rights to sell the home as granted at the time of the purchase.

This ordinance will also reduce the value of our home and we will have major obstacles in selling it. This will drag and delay the process of selling the home when there is an urgent need of money in case of an emergency. Besides the above-mentioned facts, we do have doubts and concerns that the proposed OPA and the inclusion of Single Family Homes will meet the stated objectives and the purpose in true sense.

We therefore strongly oppose this ordinance.

Thank you,

Shashi Shekhar

of Shekhan

Shashi & Kasturi Shekhar 1541 Kenneth Drive, North Tustin, CA 92705.

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Name: <u>Lucille Koo</u> Signature: <u>Lucille Koo</u> Email: <u>Koo. Lucille Quahoo. Com</u> 12/1/2021 922 Monton Circle, East Palo alto Monton Circle



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Name: <u>Teresa</u> Jimenez Signature: <u>timene</u> Email: <u>Timenez 1 Py</u> ahoo. <u>Com</u> Date: <u>12/21/2021</u> Address: <u>3017 Fair OAKS Ave Redwood city Ca</u>, 94063

Peninsula Humane Society & SPCA Teresa Jimenez 3017 Fair Oaks Ave Redwood City, CA 94063-3821 TO: CITY Council City OF EAST Palo ALTO 2415 UNIVERSITY AVENUE BAST Palo ALTO, CA, 94303 SAN FRANCISCO CA 940 22 DEC 2021 PM 5 S. A. Bran FOREVER

City of East Palo Alto 2415 University Avenue

East Palo Alto, CA 94303

Dear Mayor and City Council Members,

I'm deeply concerned that the City of East Palo Alto is proposing the Opportunity to Purchase Act (OPA). I am strongly against it.

During the first OPA discussion meeting, we were told that the reason for OPA is because the housing market is very "unaffordable", and the City is trying to create "affordable" housing with the OPA. How can OPA play the magic of creating instant affording housing without actually building any housing? The only explanation is to sell our properties at a discount.

With OPA, we will lose the property right that the Constitution grants to us;

With OPA, our hard-earn home equity is destroyed;

With OPA, the selling process is dragged for up to 9 months;

With OPA, we the tax payers' burdens are much heavier for more staff to administer the program;

With OPA, tenants' rents would be higher because the overall housing costs are higher;

With OPA, East Palo Alto becomes undesirable, and people will avoid buying properties here.

Please vote NO to OPA for the benefits of East Palo Alto homeowners and tenants! Thank you very much.

Name: Madhuri Bhat Signature: <u>MVBhatf</u> Email: <u>Madhuri bhat@hotmail.</u> Date: <u>Dec 7, 2021</u> Address: <u>1148</u> Saratega Ave, <u>C. Palo Alto</u>, <u>CA 94 303</u>.

Bhat-Ge-Prop Owner of: 1148 Sarayaga Dre, C-pallo Acto, CA 94303.

SAN JOSE CA 950



Mayor & City Council City of East Pale Allo City of East Pale Allo 2415 University Ave. Cast Palo Alto, CA 94303.

City of East Palo Alto

2415 University Avenue

East Palo Alto, CA 94303

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Name: R Skucha	Signature:	Alle
Email: rstuchasyab	20. Com Date:	1/30/21
Address: 2269	Clarke Au	2

East Palo Alto CA 94303

2415 University the City of East Dalo Alto

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Richard Skucha Penn Valley, CA 95946-9229 17925 Chaparral Dr.

City of East Palo Alto 2415 University Avenue East Palo Alto, CA 94303

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Name:	SUN ITHA	KUMAR	Signature:	Smilt	who		
Email: S	unitha-d	eepoil@y	Date:	01-1	05-2021		
Address:	3275	FALLS	CREEK	DRIVE,	SAN JOSE	, CA	95735

SUN THA KUMAR SAN JOSE, CA 95135 10, 2415 UNIVERSITY AVE CITY OF EAST PALO ALTO CITY COUNCIL CA 94303 S IMM 2022 NE FOM OF BUD T I War