

**To:** Gabrielle Whelan, Laurel Prevetti  
**Cc:** Town Council members, Planning Commission members  
**From:** Chris Wiley  
**Subject:** Formal Complaint - Planning Commissioner Kylie Clark  
**Date:** January 19, 2023

I believe that formal complaints must be made in writing. Therefore, I would like my public comments, below, from the Town Council meeting of January 17, 2023, to be treated as a **formal complaint**. Kindly acknowledge the receipt of this complaint.

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I am concerned about Planning Commissioner Kylie Clark and her email sent **directly** to HCD in Sacramento giving her personal thoughts on the draft Housing Element.

While she has that right, her letter makes clear her personal agenda and biases, making her unfit to be a Planning Commissioner where objectivity is **required**. Housing issues before the Planning Commission **must** be treated objectively, and **citizen's** before the Planning Commission need to feel that they are getting a **fair** hearing.

She also makes derogatory comments about concerned citizens trying to further democracy by putting the Housing Element up for a citizen's vote via an **upfront, open, legal** process, supported by **3,400** Los Gatos

citizens. Her derogatory comments are incompatible with the town's stated goals of "strongly condemning hate speech and offensive, hateful language or racial intolerance of any kind".

In addition, Kylie's comments are not helpful in avoiding the dreaded "builder's remedy", which it seems no one wants.

This needs to be fully investigated and appropriate action taken, including **removal** from the Planning Commission.

Kylie's email can be found by searching for "housing element" on the town's website and bringing up the "additional public comments sent directly" to HCD link.

## LOS GATOS SHOPPING CENTER, LLC

FORMAL COMPLAINT AGAINST KYLIE CLARK  
1/24/23

To: [GWhelan@losgatosca.gov](mailto:GWhelan@losgatosca.gov), [LPrevetti@losgatosca.gov](mailto:LPrevetti@losgatosca.gov), [MRistow@losgatosca.gov](mailto:MRistow@losgatosca.gov),  
[MBadame@losgatosca.gov](mailto:MBadame@losgatosca.gov), [RRennie@losgatosca.gov](mailto:RRennie@losgatosca.gov), [MHudes@losgatosca.gov](mailto:MHudes@losgatosca.gov),  
[RMoore@losgatosca.gov](mailto:RMoore@losgatosca.gov)

January 24, 2023

Dear Ms. Whelan, Ms. Prevetti, Mr. Paulson and Council:

While looking at the latest updates on the Los Gatos Housing Element web site, to identify the current building sites, I came across a letter sent to our town from HCD and comment letters sent into HCD, in Sacramento.

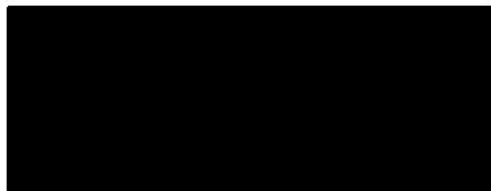
What is very concerning is a letter sent in by Kylie Clark, as a private citizen but also describing herself as a Planning Commission.

The overall impact of her letter suggests her disappointment in the Los Gatos voting citizens, of which almost 3500 signed a referendum she refers to, in just three weeks!

Ms Clark further goes on to identify some Los Gatos residents as, "rich WHITE anti-housing men". Apparently exercising a right to gather signatures for a referendum is not okay with her.

In her letter further on, she again refers to "upset rich residents" implying they want less housing. Incidentally, the referendum clearly wants to abide by the RHNA requirement.

My question would be how can someone who is showing an apparent bias towards someone, "rich" or "rich and white" or "rich white men" be on such an important commission as the Planning Commission or any other Town Commission or Committee'??

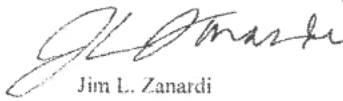


(2)

Ms Clark would have to frequently recuse herself or resign in the best interests of this town. The choice should not be hers, in my opinion and my formal complaint, she has violated a code of conduct with divisive speech and causing dissension; she should be removed!

Our town is just starting to recover from hurtful times, this kind of speech brings all that to the forefront!

Sincerely,

A handwritten signature in cursive script, appearing to read "JL Zanardi".

Jim L. Zanardi

RECEIVED  
TOWN OF LOS GATOS

JAN 30 2023

Michael Kilkenny  


CLERK DEPARTMENT

2:38pm

January 29, 2023

TO: Gwhelen@losgatosca.gov, Lprevetti@losgatosca.gov, Mristow@losgatosca.gov,  
Mbadame@losgatosca.gov, Rmoore@losgatosca.gov

re: Housing Element For Town of Los Gatos

Recently I have become aware of the State of California requirement for more housing, and the number of units mandated for Los Gatos, as well as, a recent referendum to limit/modify the housing requirement to the "RHNA."

The letter penned by Kylie Clark dated November 18, 2022 addressed to Housing Elements , Division of Housing Policy Development, SUBJECT: Los Gatos General Plan Referendum, relative to our Housing Element, were members of the Council aware and copied of this missive?

I take umbrage at Kylie Clark's blanket reference of the signatories, being touted as, "fully paid for and passed by a few rich white anti-housing men!" What all men? Sure? HOW RACIST.

I suggest Kylie Clark be PROMPTLY removed from the Planning Commission.

Can you imagine having a proposal rejected by Kylie Clark, based on someone's socio economic background, rightly or wrongly perceived, on any other merits other than the proposed?

By the by.....Not that it should carry any more weight than the next guy in line, my family settled in Los Gatos as residents in the early nineteen hundreds. My brother-in-law, Patrick F O'Laughlin, served on both the Town Planning, as well as, Mayor, as consensus taker who represented the Town without bias and honor.

As to housing, presently I/we are in the early stages of setting up a new non-profit to create as many first time homebuyers as possible and build as many "new single family" developments in the State of California as possible in order to do our part in meeting the demands of the housing crisis and to help reverse the trend of institutional economic slavery in America.

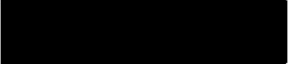
Best,  
Michael

RECEIVED  
TOWN OF LOS GATOS

JAN 30 2023

CLERK DEPARTMENT

2:38 pm

Ann M Cali  


January 29, 2023

TO: [Gwhelen@losgatosca.gov](mailto:Gwhelen@losgatosca.gov), [Lpreveti@losatosca.gov](mailto:Lpreveti@losatosca.gov), [Mristow@losgatosca.gov](mailto:Mristow@losgatosca.gov),  
[Mbadame@losatosca.gov](mailto:Mbadame@losatosca.gov), [Rmoore@losatosca.gov](mailto:Rmoore@losatosca.gov)

re: Housing Element For Town of Los Gatos

Recently I have become aware of Kylie Clark's subversive letter dated November 18, 2022 submitted to Housing Element Division of Housing Policy Development, as well as, touting some Los Gatos Taxpayers, in reference to their rights in support of the 'Referendum' as a "few rich white men" and "few upset rich residents."

Kylie Clark, a public servant, has the downright temerity to tone her opinions of taxpayers like this? She defames citizens for daring to challenge dictums handed down from above? Surely, it's antithetical to Democracy!

While homo sapiens may have inherent or learned biases, for a public servant, Kylie Clark to display them, is not to be tolerated, and calls for immediate dismissal! It's nothing short of abhorrent!

Eingang Verboten.

Ann

## Gabrielle Whelan

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**From:** [REDACTED]  
**Sent:** Thursday, January 19, 2023 2:41 PM  
**To:** Gabrielle Whelan; Laurel Prevetti  
**Subject:** FW: follow up formal complaint against Kylie Clark Planning Commissioner

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### EXTERNAL SENDER

Good afternoon Ms. Whelan and Ms. Prevetti,  
It has been brought to my attention that Kylie Clark was appointed to her position as Planning Commissioner by Maria Ristow, Rob Rennie, and Marico Sayoc. Therefore, I think it would be inappropriate for Ristow and Rennie to be involved in the investigation of Kylie Clark's racist comments. I also think it would be inappropriate for Rob Moore, who lives with Kylie and has an intimate relationship with her, to be involved as well. None of the aforementioned parties can be objective in this matter.

I heard that someone affiliated with the Town said that Kylie has the right to the First Amendment, which is the freedom of speech. I want to be very clear, yes, anyone has the right to freedom of speech, no matter how ugly and racist their words are, but an appointed town official or town employee must conduct themselves with civility. In addition, she can not be objective in her position since she has shown her true colors with regards to how she feels about "rich white men" in our community.

She must be removed from her position for moral and ethical reasons.

My question to both of you is how is a complaint as serious as racism handled, and who will be following up with this?

Thank you,  
Lisa Harris

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**From:** Maria Ristow <MRistow@losgatosca.gov>  
**Sent:** Wednesday, January 18, 2023 9:39 PM  
**To:** [REDACTED]  
**Subject:** Re: formal complaint against Kylie Clark Planning Commissioner

Thank you for your comments. We take all complaints into consideration.

**Maria Ristow**  
Mayor, Los Gatos Town Council

*To help avoid violations of the Brown Act, please reconsider before forwarding this email.*

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**From:** [REDACTED]  
**Sent:** Wednesday, January 18, 2023 9:25:37 PM  
**To:** Gabrielle Whelan <GWhelan@losgatosca.gov>; Laurel Prevetti <LPrevetti@losgatosca.gov>; Arn Andrews <aandrews@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>  
**Cc:** mhudes@comcast.net <mhudes@comcast.net>; Maria Ristow <MRistow@losgatosca.gov>; mary@marybadame.com <mary@marybadame.com>; Rob Rennie <RRennie@losgatosca.gov>;

[robmoore37@outlook.com](mailto:robmoore37@outlook.com) <[robmoore37@outlook.com](mailto:robmoore37@outlook.com)>

**Subject:** formal complaint against Kylie Clark Planning Commissioner

EXTERNAL SENDER

Dear Ms. Whelan, Ms. Prevetti, Mr. Andrews, and Mr. Paulson,

This email serves as my formal complaint regarding Kylie Clark who is a Planning Commissioner for the Town Of Los Gatos. As some of you may recall I spoke about her at the Town Council Meeting on January 17, 2023.

This complaint is in reference to her letter that was written to the HCD on November 18, 2022. The letter was posted on the Housing Element site in the Findings/ Comments January 12, 2023.\*\*\* Please see attached of Kylie Clark's letter below my signature..

Her letter was regarding the referendum that was done recently. In it she says," The referendum was passed by a few rich white anti-housing men in our town."

Her comments were racially inflammatory, ageist, and divisive. If you removed the word "white" and inserted any other race, most people would say that it is a racist comment. By the way, I am Mexican. I find any disparaging comments about any race, Caucasian or otherwise, to be offensive and hateful.

This type of behavior is neither appropriate nor acceptable. In the town council website under Legal and Ethical Standards it says that town representatives must serve as a role model of leadership and civility. Kylie Clark has a responsibility to abide by the code of conduct and clearly has not done so. We have the right as town citizens to be represented by someone who respects all people.

The town hired a Diversity, Equity, Inclusion Consultant. I expect better from our own town leadership.

I am requesting that Kylie Clark be removed from her position as a town Planning Commissioner and banned from any position in the Town Of Los Gatos going forward due to her racist and divisive comments.

Kind regards,  
Lisa Harris

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## Gabrielle Whelan

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**From:** Joanne Rodgers [REDACTED]  
**Sent:** Sunday, January 22, 2023 4:00 PM  
**To:** Gabrielle Whelan; Laurel Prevetti; Arn Andrews; Joel Paulson  
**Cc:** Matthew Hudes; Mary Badame; Maria Ristow; Rob Rennie; Rob Moore  
**Subject:** Re: Formal Complaint against Kylie Clark, Planning Commissioner

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EXTERNAL SENDER

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On Jan 20, 2023, at 6:20 PM, Joanne Rodgers [REDACTED] wrote:

Dear Ms. Prevetti, Ms. Whelan, Mr. Andrews, Mr. Paulson,  
On Tuesday evening January 17, 2023 at our Town Council meeting I presented a case against Planning Commissioner Kylie Clark.  
She is an appointed commissioner whose rude and racist comments sent in a letter to the Department of Housing and Community Development division of Housing Policy Development in Sacramento have violated the Code of Conduct which have been set forth by the Legal and Ethical Standards for all Los Gatos residents.  
Her letter to HCD in Sacramento was dated November 18, 2022.

I have numerous concerns:

1. Ms Clark has circumvented not only the hardworking Los Gatos staff employees by going directly to Sacramento, but also the other Planning Commissioners.
2. It is my understanding that the Planning Commissioners make recommendations to the Town Council, therefore it would seem that she also circumvented the Town Council's decision on our Housing Element.
3. If Ms. Clark were writing her letter as "just a concerned citizen" why would she state and use her position as "I'm a Los Gatos Planning Commissioner"?  
Is she using her position to promote her agenda to our State officials as she represents Los Gatos as a Planning Commissioner.  
I question her intent in sending this letter directly to HCD without the consent of the other Planning Commissioners.
4. Why is she asking the State government to step in, support our town and override decisions made by the staff, commissioners and council?  
What is motivating her to go to the next level of government to ask them for help to make decisions for our town?
5. She has insulted the 3412 Los Gatos residents who chose to sign the referendum.
6. In her letter she used a racist comment about the organizers of the referendum and called them, "a few rich white anti-housing men".

In every stated and printed Code of Conduct for our Los Gatos government we have asked and are required to be civil and polite. Her statement is Not.

7. She has a direct conflict of interest in her paid work as Assistant Manager of Advocacy and Public Policy at West Valley Community Services

Her job is to advocate/lobby for low cost housing in Los Gatos and other local municipalities. Based on her position in that agency how can she be objective?

She calls herself a "Community Organizer". Perhaps, any referendum she would have organized would be acceptable to her.

8. As a democracy, citizens have a right to gather signatures and question government decisions.

Ms.Clark suggests that going to "the voters" could cause some serious problems with our Housing Elements". Does she support and understand Democracy?

Ms Kylie Clark should be immediately removed from her position as Planning Commissioner.

She does not reflect the Legal and Ethical Standards that we expect of our Los Gatos officials who hold leadership roles and who are making important decisions for our town.

She has damaged the process that our Town of Los Gatos was pursuing.

This letter serves as a formal complaint and a request to remove Kylie Clark as a Planning Commissioner.

I would appreciate a response to this complaint.

Joanne Rodgers

Los Gatos Citizen since 1973

**From:** Kylie Clark <[REDACTED]>  
**Sent:** Friday, November 18, 2022 4:42 PM  
**To:** HousingElements@HCD <HousingElements@hcd.ca.gov>  
**Subject:** Los Gatos General Plan Referendum

Hello,

I hope this email finds you well! Thank you so much for all of the work you are doing on the Housing Element. As someone who does housing work in a lot of anti-housing cities, I really appreciate the work you are doing to resolve our state's housing crisis. I'm a Los Gatos Planning Commissioner, but I am writing to you just as a concerned citizen.

I am reaching out to make sure you are aware of a [referendum \[losgatosca.gov\]](https://www.losgatosca.gov/land-use/land-use-elements/land-use-element-referendum) that was recently signed by enough Los Gatos voters to be placed on the ballot. The referendum suspends the town's Land Use and Community Design Elements in our General Plan, which was approved by our Town Council in the last few months. The referendum was fully paid for and passed by a few rich white anti-housing men in our town (they paid the signature gatherers \$10 per signature).

The justification for this referendum is their opposition to our planned housing numbers, as we went above the state mandate (which makes sense, as this is our General Plan looking 20 years out, not just planning for this 8-year HE cycle). The anti-housing group is claiming that the town will build 12,000 new units in the next 8 years (haha I wish).

I have a lot of questions about this referendum, including whether it is even lawful, as it places land use on the ballot, meaning if the town wanted to make any future changes to our land use we would have to take it to the voters. It also might cause some serious problems with our Housing Element, as obviously our Land Use Element is closely tied to it.

I wanted to make y'all aware of this and to see if you would be able to support our town in any way. We put a lot of work into our General Plan, and these are very strong elements. I would hate to see them reformed to allow for less housing just because of a few upset rich residents.

Thank you so much!

In community,

Kylie  
(Pronouns: she, her, hers)