



**PUBLIC WORKS DEPARTMENT**  
Roger Lee, Director

CITY HALL  
10300 TORRE AVENUE ~ CUPERTINO, CA 95014-3266  
(408) 777-3354 ~ FAX (408) 777-3333

August 29, 2019

Talia Flagan  
Lehigh Hanson, Inc.  
24001 Stevens Creek Blvd.  
Cupertino, CA 95014

**Subject: 90-Day Extension to the Application Deadline**

Dear Ms. Flagan,

The City of Cupertino (City) received your letter dated August 23, 2019, which discusses Lehigh's steps to date to correct the Notice of Violation (NOV). Further, it requests an extension for correcting the NOV due to ongoing engineering and investigatory work, as well as concerns regarding the upcoming rainy season. It should be noted, contrary to the statement in your letter, that the illegal work performed by Lehigh on the maintenance road was not conducted to City standards for grading operations. For these reasons, the City has provided the recommended corrective actions listed in our July 23, 2019 letter.

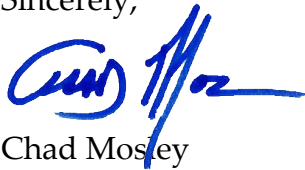
Lehigh is responsible for the violations described in Section I of the NOV sent to Lehigh on May 28, 2019, each of which constitutes a violation of the Cupertino Municipal Code (CMC) and which constitutes a public nuisance. On May 31, 2019, Lehigh provided additional geotechnical analyses in response to the NOV. The City and the City's geotechnical consultant have reviewed Lehigh's response, and on July 23, 2019, and provided written comments and recommendations on additional information that is needed, as well as further actions that need to be taken in order to permit any corrective work.

On August 29, 2019, Lehigh paid the grading permit fee to the City. Please be aware that additional fees and deposits may be needed prior to closing the NOV. The City will notify Lehigh in writing of these items when they have been determined.

As discussed in your August 23, 2019 letter, the City and Lehigh are continuing to work together to resolve the NOV. Due to Lehigh's cooperation and diligence in correcting the issue, the City is hereby providing a 90-day extension to the August 31, 2019 application deadline. The new application deadline will be November 30, 2019. Please work to prepare the information that was requested in the City's July 23, 2019 letter, and further discussed at our August 19, 2019 meeting.

Your continued attention and responsiveness regarding this matter is appreciated. Should you have any questions or concerns, I can be contacted at (408) 777-7604, or at [chadm@cupertino.org](mailto:chadm@cupertino.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Chad Mosley". The signature is stylized and written in a cursive-like font.

Chad Mosley  
Assistant Director/ City Engineer  
Department of Public Works  
City of Cupertino