



**DRAFT MINUTES
SUNNYVALE ARTS COMMISSION
MARCH 16, 2011**

The Sunnyvale Arts Commission met in regular session in City Hall Council Chambers at 456 W. Olive Avenue, Sunnyvale, CA 94086 at 7 p.m. with Chair Obrey presiding.

CALL TO ORDER

Chair Obrey called the meeting to order at 7 p.m.

SALUTE TO THE FLAG

Chair Obrey led the salute to the flag.

ROLL CALL

Commissioners Present: Chair Robert Obrey
Commissioner Vinita Karun
Commissioner Tara Martin-Milius
Commissioner Tracy Seto

Commissioners Absent: Vice Chair Noelle Hughes (excused)

Staff Present: Assistant to the Director of Community Services Cathy Merrill
Superintendent of Recreation Nancy Bolgard Steward
Arts Coordinator Kristin Dance

Cheryl Anton, Bay Area Communication Access (BACA), provided interpretive services for Commissioner Seto.

Commissioner Hughes informed Assistant to the Director Merrill of her intended absence prior to the meeting. It was determined by general consensus that Commissioner Hughes' absence was excused.

PUBLIC ANNOUNCEMENTS - None

CONSENT CALENDAR

1.A. MOTION Approval of Draft Minutes of February 16, 2011, Arts Commission Meeting

Chair Obrey requested an excused absence for the February 16, 2011, Commission meeting. He left a telephone message for Assistant to the Director Merrill of his intended absence prior to the meeting. It was determined by general consensus that Chair Obrey's' absence was excused.

MOTION: Commissioner Martin-Milius moved and Commissioner Seto seconded to approve the Consent Calendar as revised to reflect that Chair Obrey's absence on February 16, 2011, was excused.

VOTE: 3-0 motion passed. Vice Chair Hughes was absent. Chair Obrey abstained due to his absence from the February 16, 2011, meeting.

PUBLIC COMMENTS – None

PUBLIC HEARINGS/GENERAL BUSINESS

2. DISCUSSION BRE Properties, Lawrence Station Rd.

Recreation Superintendent Steward gave the staff report. She said BRE Properties requested to present their public art idea to the Commission and obtain feedback. Recreation Steward said this agenda topic is not an action item for the Commission; at this time, BRE Properties is only seeking input and suggestions from the Commissioners.

Kevin Ma, owner and developer of Lawrence Station project, BRE Properties, provided an overview of the development which includes 336 apartment units and 10,000 sq. ft. of retail space.

Chandra Cerrito, BRE Properties, described the area and location where the proposed artwork will be installed. She introduced artist Lewis deSoto who described the proposed project and said the artwork titled "Sunnyvale Mandala" represents aspects of Sunnyvale's cultural identity. A full-size paper image of the artwork was displayed which showed lighting and elevation elements. Mr. deSoto's resume was distributed to the Commissioners and a slideshow showcased Mr. deSoto's artwork at other locations.

Commissioners asked questions about the proposed artwork being touchable, protection from graffiti and water, how pieces of artwork are held together, lighting, materials, colors, height, perspective and proportion.

The Public Hearing was opened. There were no speakers. The Public Hearing was closed.

There was no further discussion.

Chair Obrey thanked the presenters.

NON-AGENDA ITEMS AND COMMENTS

COMMISSION MEMBERS ORAL COMMENTS

Commissioner Seto said she will attend the April 13 Commission meeting, but she will be absent from the April 20 meeting.

Commissioner Varun said she will be absent from the April 13 and April 20 Commission meetings.

STAFF ORAL COMMENTS

Assistant to the Director Merrill said the April 13 Commission meeting will be held in the West Conference Room.

Recreation Superintendent referenced the Columbia Neighborhood Center (CNC) programs described in the Information Only Recreation Division Report and said that CNC is now officially incorporated into the Recreation Division.

INFORMATION ONLY ITEMS

Completion Letter: Public Art Component, Essex Property Trust, 615 Tasman Drive
Recreation Division Report, September-December 2010

ADJOURNMENT

Chair Obrey adjourned the meeting at 8 p.m.

Respectfully submitted:

Cathy E. Merrill, Assistant to the Director
Department of Community Services

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**DRAFT MINUTES
SPECIAL JOINT MEETING
SUNNYVALE PARKS AND RECREATION COMMISSION
SUNNYVALE ARTS COMMISSION
APRIL 13, 2011**

The Sunnyvale Parks and Recreation Commission and Arts Commission met in special joint session in City Hall West Conference Room, 456 W. Olive Avenue, Sunnyvale, CA 94086 at 7 p.m. with P&R Commission Vice Chair Pochowski presiding.

CALL TO ORDER

P&R Commission Vice Chair Pochowski called the meeting to order at 7 p.m.

SALUTE TO THE FLAG

Vice Chair Pochowski led the salute to the flag.

ROLL CALL – Parks & Recreation Commission

Commissioners Present: Vice Chair Robert Pochowski
Commissioner Howard Chuck
Commissioner Robert Harms
Commissioner Robert Kinder

Commissioners Absent: Chair Jim Colvin (excused)

Chair Colvin notified the Commissioners and Assistant to the Director Merrill in advance of the meeting that he would be absent due to personal reasons. It was determined by general consensus that Chair Colvin's absence was excused.

ROLL CALL – Arts Commission

Commissioners Present: Chair Robert Obrey
Commissioner Tara Martin-Milius
Commissioner Tracy Seto

Commissioners Absent: Vice Chair Noelle Hughes
Commissioner Vinita Karun

Kita Greenberg, Bay Area Communication Access (BACA), provided interpretive services for Arts Commissioner Seto.

Commissioner Karun notified the Commissioners and Assistant to the Director Merrill in advance of the meeting that she would be absent due to personal reasons. Vice Chair Noelle Hughes was absent with no notification. "Absences from special meetings shall be recorded but shall not be classified as excused or unexcused," according to Council Policy 7.2.19. No action was required by the Commission.

Staff Present: Assistant City Manager Robert Walker
Director of Libraries Lisa Rosenblum
Superintendent of Parks & Golf Scott Morton
Superintendent of Recreation Nancy Bolgard Steward
Assistant to the Director of Community Services Cathy Merrill

PUBLIC ANNOUNCEMENTS

Assistant City Manager Walker described a major staffing restructure and reorganization of City department configurations in an effort to streamline the organization. Public Works will be divided into two departments—a Public Works Department and a Utilities Department. Parks & Golf Division, currently in Community Services Department, will be absorbed into the Public Works Department. Recreation Division will be combined with the Library. Copies were distributed to the Commissioners: Memo dated April 12, 2011, to all City of Sunnyvale Staff, from Gary Luebbers, City Manager, regarding Restructure of Staffing.

CONSENT CALENDAR

1.A. Approval of Draft Minutes of March 9, 2011, Parks & Recreation Commission Meeting

MOTION: Commissioner Harms moved and Commissioner Chuck seconded to approve Consent Item 1.A. as presented.

VOTE: 4-0 motion passed. (Chair Colvin was absent.)

1.B. Approval of Draft Minutes of March 16, 2011, Arts Commission Meeting

Chair Obrey deferred approval of the draft minutes until the next regular meeting of the Arts Commission.

PUBLIC COMMENTS

Garth Williams, Friends of Stevens Creek Trail, provided an update on the progress of the Stevens Creek Trail connections between Sunnyvale, Cupertino and Mountain View. The Mountain View connection is nearly complete. He said now it is up to the City of Sunnyvale to connect the sections of trail from Mountain View to Stevens Creek Blvd. Mr. Williams said there is an available piece of property between Dale and Heatherstone and Hwy 85 (north of Fremont); if the City can obtain that property, it would be a nice addition toward completing the trail.

PUBLIC HEARINGS/GENERAL BUSINESS

2. MOTION Revisit City Policy Governing the Community Recreation Fund (Study Issue)

Assistant City Manager Walker presented the staff report and slides showing infrastructure concerns at the Sunnyvale and Sunken Gardens golf courses. The staff recommendation is to rename the Community Recreation Fund to the Golf and Tennis Fund and operate it as a true enterprise fund. Revenues and expenses for recreational services would be transferred to the General Fund.

Commissioners asked questions about the name of the new enterprise fund; whether golf and tennis would be under the Parks Division in the new reorganization structure; where picnic and field reservations would fall in the new structure; clarification of what services would remain in an enterprise fund and what services would be included in the General Fund. Commissioners also asked questions about what would happen if the economy improved, golf revenues increased, and the enterprise fund did so well that sizeable revenues were accrued.

The Public Hearing was opened. There were no speakers. The Public Hearing was closed.

Parks & Recreation Commission

MOTION: Commissioner Harms moved and Commissioner Chuck seconded to recommend that Council accept staff's recommendations, Alternatives 1 and 3.

1. Beginning in Fiscal Year 2012/2013, rename the Community Recreation Fund the Golf and Tennis Fund. Operate it as a true enterprise fund. Transfer all other recreational services, including both revenues and expenses, to the General Fund.
3. Eliminate Fiscal Sub-element policies 1.2a.1; 1.2a.2; 1.2a.3; 1.2a.4; and 1.2a.5. Fund golf and tennis infrastructure with golf and tennis revenues rather than Park Dedication Funds.

And, the Commission also recommended that staff return to Council at a later date with recommended policies governing the Park Dedication Fund.

VOTE: Motion passed 4-0. (Chair Colvin was absent.)

Arts Commission

MOTION: Commissioner Martin-Milius moved and Chair Obrey seconded to recommend that Council accept staff's recommendations, Alternatives 1 and 3.

1. Beginning in Fiscal Year 2012/2013, rename the Community Recreation Fund the Golf and Tennis Fund. Operate it as a true enterprise fund. Transfer all other recreational services, including both revenues and expenses, to the General Fund.
3. Eliminate Fiscal Sub-element policies 1.2a.1; 1.2a.2; 1.2a.3; 1.2a.4; and 1.2a.5. Fund golf and tennis infrastructure with golf and tennis revenues rather than Park Dedication Funds.

And, the Commission also recommended that staff return to Council at a later date with recommended policies governing the Park Dedication Fund.

VOTE: Motion passed 3-0. (Commissioner Karun and Vice Chair Hughes were absent.)

Vice Chair Pochowski added that this will help give more clarity to the funding and understanding of the enterprise fund. Commissioner Martin-Milius agreed and said the currently structured enterprise fund would not be a good move for the golf courses in the long run.

Assistant City Manager introduced Director of Libraries Lisa Rosenblum who spoke of her enthusiasm in working with and bringing the Recreation Division into the new Library/Recreation Department.

ARTS COMMISSION ADJOURNMENT – 7:35 p.m.

After a brief recess, the Parks and Recreation Commission continued the meeting.

3. MOTION Sunnyvale Middle School Open Space Master Plan Revision

Parks Superintendent Scott Morton presented the staff report. He said the Sunnyvale School District notified the City that increasing enrollments resulted in planned construction of a new science wing with related facilities at Sunnyvale Middle School. He pointed out that the construction would result in the reduction of ½ acre of turf and a change in the layout of the open space but little change to recreational use. There would be no fiscal impact, and staff recommends approval of the proposed master plan.

The Public Hearing was opened.

Mr. Rob Williams, Chief Operations Office, Sunnyvale School District, distributed copies of architecture and planning maps to the Commissioners.

Commissioner Kinder asked about proposed changes to the softball field location in the revised plan. Mr. Williams explained the location of the multi-purpose field, soccer and open turf area. Commissioner Kinder pointed out this would mean the batter on the baseball field will be facing the sun.

Commissioners asked questions about asphalt, basketball courts, adequate drop-off and pick-up space for students, and size of the school complex with the addition of the science wing.

Commissioner Chuck suggested that the next project include roof top gardens that would possibly count as open space. Mr. Williams said that most likely this would not happen due to cost, ADA access and student safety.

The Public Hearing was closed.

MOTION: Commissioner Chuck moved and Commissioner Harms seconded to recommend that Council accept staff's recommendation Alternative No. 1: Approve the Proposed Master Plan for Sunnyvale Middle School open space per Attachment A of the report.

Commissioner Kinder said he would vote in favor of the motion because it is a "done deal." He asked about the regulation size baseball field and his questions were answered.

VOTE: Motion passed 4-0. (Chair Colvin was absent.)

4. MOTION Consider Increase in the Parks Dedication Standard from 3.0 Acres to 5.0 Acres per 1,000 Population (Subdivision Map Act, Title 18.10 of the SMC and Fee Mitigation Act, Title 19.74 of SMC)

Assistant to the Director Merrill presented the staff report and a powerpoint presentation.

Commissioners asked why there were changes in Council direction after so many years at the standard of 1.25 acres/1,000 population and if decreasing park acreage was the reason for the change. They noted the land value of \$96 per sq. ft. seems high. Commissioners also asked if staff had looked at the impact on affordable housing with the high park dedication fees required for developers to build houses in Sunnyvale. Assistant City Manager Walker said that the focus here is on the amount of open space in the City per 1,000 population and that more housing is not desired if it is at the expense of parkland; issues related to the impact on development are a different subject. Questions regarding comparison of the parks dedication standard to other cities were answered.

The Public Hearing was opened.

Ms. Crisand Giles, Executive Director, South Bay, Building Industry Association (BIA), mentioned the difficulties developers are having in this economic climate. She stated the fee increase and land value should be discussed now, at least a recommendation should come from the Commission to change the acres and number of dwelling units even if it is not a part of this study. She would also like the Commission to consider a recommendation to "phase in over a longer period of time" the facility standard of 3 acres/1,000 population to 5 acres/1,000 population.

Vice Chair Pochowski asked staff if the Commission could recommend how the fee is calculated.

The Public Hearing was closed.

MOTION: Commissioner Kinder moved and Commissioner Chuck seconded to recommend that Council accept Alternative No. 3: Direct staff to provide information regarding the possible implementation of a park mitigation fee for new industrial, commercial and retail developments.

Commissioner Kinder said he is conflicted because he was adamant that 1.25 acres/1,000 population was far too low a few years ago, but he does not feel this is the time to implement such an increase. He would not be against 5 acres/1,000 population at a future time.

Commissioner Chuck offered a friendly amendment to consider alternate ways of calculating the cost of vacant land and phase in the increase. Commissioner Kinder accepted the friendly amendment.

Friendly Amendment: Direct staff to implement phasing in the park facility standard over a longer period of time and also consider alternate ways of calculating the cost of vacant land.

After discussion, the friendly amendment was reworded.

Friendly Amendment (reworded): Direct staff to implement phasing in the park facility standard over a longer period of time and also look at alternate ways to calculate the value of an acre of land so it is not solely based on vacant land sales.

Commissioner Kinder asked Commission Chuck for clarification as to if he also meant to include in the friendly amendment to adopt 5.0 acres/1,000 population but phase in over a longer period of time.

Commissioner Chuck restated the friendly amendment.

Friendly Amendment (restated): Direct staff to consider a gradual increase in the park facility standard from 3 acres/1,000 population to 5 acres/1,000 population over a five-year time period after July 1, 2011, and also look at alternate ways to calculate the value of an acre of land so it is not solely based on previous vacant land sales.

The motion was restated by staff.

MOTION: Commissioner Kinder moved and Commissioner Chuck seconded to recommend that Council accept Alternative No. 3: Direct staff to provide information regarding the possible implementation of a park mitigation fee for new industrial, commercial and retail developments.

And, direct staff to consider a gradual increase in the park facility standard from 3 acres/1,000 population to 5 acres/1,000 population over a five-year time period after July 1, 2011.

And, direct staff to look at alternate ways to calculate the value of an acre of land so that it is not solely based on vacant land sales.

Commissioner Harms said the staff report was thorough and this seems fair. Vice Chair Pochowski is concerned with families not being able to afford new housing and feels Council should take no further action at this time.

There was no further discussion.

VOTE: Motion failed 2-0. (Vice Chair Pochowski and Commissioner Harms dissented. Chair Colvin was absent.)

MOTION: Vice Chair Pochowski moved and Commissioner Harms seconded to recommend that Council accept Alternative No. 4: Council takes no action at this time.

It is Vice Chair Pochowski's opinion that it is the wrong time to increase these fees and that Council could look at this again in the future. He said, compared to other cities, an increase to 5 acres/1,000 population would be too high.

Commissioner Kinder offered Alternative No. 3 as a friendly amendment. Vice Chair Pochowski declined.

VOTE: Motion passed 3-1. (Chair Colvin was absent.)

Commissioner Kinder voted against the motion because he wanted Alternative No. 3 included.

Commissioner Kinder will present the Commission's recommendations at the April 26, 2011, Council meeting.

NON-AGENDA ITEMS AND COMMENTS

COMMISSIONER ORAL COMMENTS

Commissioner Kinder announced the public meeting to be held on April 14, 2011, at 12 p.m. at De Anza Park building regarding a construction project to locate new portable classrooms on the campus of Cupertino Middle School. Superintendent of Parks Morton added that there will also be public meetings held on April 14 at 7 p.m. at De Anza Park building and on April 16, 2011, at 12:30 p.m. at Raynor Park building.

STAFF ORAL COMMENTS - None

INFORMATION ONLY ITEMS

Staff Liaison Written Report

Activity Guide, May – August 2011

Sunnyvale Gymnastics Club Newsletter, Spring 2011 (P&R Commission only)

ADJOURNMENT – 9:05 p.m.

Respectfully submitted,

Cathy E. Merrill, Assistant to the Director
Department of Community Services

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