



**MINUTES
SPECIAL JOINT MEETING
PARKS AND RECREATION COMMISSION
ARTS COMMISSION
JULY 23, 2008**

7 P.M. SPECIAL JOINT MEETING

CALL TO ORDER / SALUTE TO THE FLAG

Chair Colvin called the meeting to order at 7 p.m. and led the salute to the flag.

ROLL CALL/MEETING

Parks & Recreation Chair Jim Colvin
Commissioners Present: Vice Chair Richard Oliver
 Commissioner Howard Chuck
 Commissioner Robert Harms
 Commissioner Bob Kinder

Parks & Recreation None
Commissioners Absent:

Arts Commissioners Chair Robert Obrey
Present: Vice Chair Amber Estrada
 Commissioner Tara Martin-Milius
 Commissioner Dennis (Jay) Shinseki (arrived at 7:27 p.m.)

Arts Commissioners Commissioner Dixie Carney
Absent:

Staff Present: David A. Lewis, Director, Parks and Recreation
 Cathy E. Merrill, Assistant to the Director
 Nancy Bolgard Steward, Superintendent of Recreation
 Cynthia Viveiros, Senior Office Assistant

PUBLIC ANNOUNCEMENTS - None

CONSENT CALENDAR - None

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS – None

PUBLIC COMMENT – None

PUBLIC HEARINGS/GENERAL BUSINESS

2. Consider Options for Use of Raynor Activity Center (Study Issue) (Council Action 8/12/08)

Assistant to the Director Merrill presented the staff report and said she would provide a more detailed report given the variety of users of the Raynor Activity Center and level of interest from the community.

Assistant to the Director Merrill answered Commissioners' questions.

- If the property (that was purchased with General Fund monies) is sold, what happens to the funds? Staff said it depends on Council's decision. While using the monies to support community parks and recreation services is important, there are no legal requirements to use the funds for parks and recreation.
- Discussion of site being sold and funds used to develop parks elsewhere.
- Discussion of other available properties.
- Discussion of Open Space and Recreation Sub-Element Goal 2.2.D. Prioritization. Policy 2.2.D.4. gives priority to facilities in which the community demonstrates an interest; therefore, isn't the staff recommended alternative to sell the Raynor Activity Center against the policy? Staff said it is the Commissions' responsibility to consider all Sunnyvale residents' needs and noted there are residents in other areas of the City who have less open space in their neighborhoods.
- Discussion of "community" in Goal 2.2.D. Staff said "community" is subject to interpretation. It could mean cricket fields in one park vs. another park, or skate park facilities instead of something else, etc.
- Parks of the Future Project community workshop on July 24 dovetails with this issue. Staff said the public would have an opportunity to prioritize all parks and recreation facilities Citywide.
- Are the costs involved in implementing the Parks of the Future Project behind the recommendation to sell Raynor Activity Center? Staff said the Parks of the Future study is to evaluate Citywide needs for open space and amenities. The Raynor Activity Center study was identified in the Open Space and Recreation Sub-Element approximately three years ago.
- The property could sell for \$10-\$12M. Has anyone been identified as a buyer other than developers? Staff said the price is based on current multiple listing information. No efforts have been made to sell the property or locate potential buyers until there is direction from Council.
- Staff clarified the difference between Alternative Nos. 2 and 3.

Chair Colvin opened the public hearing at 7:43 p.m. and reminded the speakers to please stay within a three-minute time limit. He also requested that Commissioners ask questions of the speakers before they leave the podium.

Brian Mason, realtor, Colliers International, represents Ikko Fushiki, owner of My Dream Academy. He said trying to find alternate day care and gymnastics sites are nearly impossible. He recommends getting an appraisal of the site and issuing a Request for Proposals (RFP) to give an opportunity for users to bid. He said day care is in high demand.

Diane Ammon, Sunnyvale Gymnastics Club President, provided Commissioners and staff with copies of support letters in favor of keeping the property.

Anita Spiro, Sunnyvale Gymnastics Club Board Member, believes the club cannot survive without City support and provides a vital service which the City does not offer. She requested that the club continue using Raynor Activity Center or that the City assist the club in finding another location. She noted 20 girls from the Gymnastics Club were in attendance at the meeting.

Sarah Wallace, Sunnyvale Gymnastics Club member and coach, hopes the club can continue to be involved with the City in order to benefit the entire community.

Eliza Ammon and Olivia Tighe, Sunnyvale Gymnastics Club members, said that the club provides a good atmosphere for teens.

Norval Nelson said the City does not have its “arms around finances”; monies from the sale of the property would likely go into the General Fund, never to be seen again. He felt the author of the report had no discussion with the owner of My Dream Academy regarding the purchase of the site.

Narendra Pathak, Library Board of Trustees member, spoke as an individual. He noted the lack of Commissions’ involvement with the report. Pathak asked how the monies from the sale of the property would be tracked if it goes to the General Fund.

Maria Fushiki, My Dream Academy owner, asked the Commissioners to continue leasing or sell to My Dream Academy and let them help improve the building in order to allow them to continue to provide their day care services that are so important to over 300 parents, 164 children, and 35 teachers.

Wee-Lee Lim noted the NRPA recommends 4.6 acres parkland per 1,000 acres and Raynor is below the recommendation. If the property is sold, Lim requested that the sites to be purchased are designated parklands. Lim noted that child care needs are as important as the need for parks and recreation land. Lim said it seems as if serious consideration has not been given to allow the day care provider to purchase the property. If there is a need to sell the property to raise funds, then the City should be honest and state what the monies will be used for.

Ikko Fushiki, My Dream Academy owner, noted they have had no response to previous requests to lease the buildings currently used for storage. He also submitted a proposal for use of the site as an education center. He said the City recommendation to sell makes no sense.

Eugene Garcia, Raynor Park Neighborhood Association President, said City storage of surplus office equipment is of no benefit to the neighborhood and community. He said he considers the property to be open space. If My Dream Academy is willing to invest in the site, then the City should consider that.

Demitrios Triantafyllou, Raynor Park Neighborhood Association, said neighbors met and discussed the options and effect on the neighborhood and community. The group supports Alternative 4, Option 3. City surplus storage at the facility should be eliminated. Open the space for long-term rentals and use the property for revenue producing uses. Triantafyllou suggested that there be a six-month hold and review of this issue before a decision is made.

Flo Oy Wong, artist with studio in building #8, said she is a noted recipient of art awards. She asked the Commission to not displace the artists. She said if the artists have to move, the City would lose an important part of the community. Wong said she reaches people and asks would the City want to be known as one who does not support its artists?

Tap Merrick said he recognizes that the Commissioners are hearing that the City did not collect enough revenue from Raynor Activity Center and did not maintain the buildings. Merrick noted that the report did not take into consideration the 2,500 residents who live in Santa Clara and use Raynor facilities. Merrick said all of the community input was to not sell the buildings and staff ignored their input.

Ian Prickett said staff ignored community input to not sell the property. He asked why the letter from My Dream Academy was the only letter in the report; where were the other letters? Prickett said since it is so difficult to acquire open space, why sell? He said the valuation of the property has to be based on high density development. Prickett said that Santa Clara School District maintained open space at the request of neighbors.

Pastor Nordean Baxter requested an extension before a decision is made to work with the community to come up with solutions for Raynor Activity Center.

Danielle Maddox, Friends of the Library, asked for consideration to add an option to construct and/or renovate another building which would allow groups such as Friends of the Library, Gymnastics Club, etc. to operate.

Nancy Rice, artist with studio in building #8, said it is very difficult to find space elsewhere. There are no other options for artists in Sunnyvale. There are options in nearby cities at full market price.

Lorraine May, Birdland resident, is worried about uses which would add more traffic, speeding, additional strain on school, and impact of Santa Clara residents. May said high density housing will not fit in the neighborhood and that it is fiscally responsible to keep the property.

Denise DeLange, long-time Birdland resident, spoke about how much she and her children enjoy using the site and the value of the activities and day care on the space.

Werner Gans, Birdland resident for 49 years, said the report is deficient because it does not address the impact of current users. He said day care is very important. Gans said the entire housing tract is the same age as Raynor; the property valuation appears to be based on high density.

Wilson Ma, Birdland resident since 1980, said he appreciates the uses of Raynor and the benefits to the community. He would like the City to reconsider selling the property because hundreds of families would be negatively impacted.

Boom, Birdland resident, said it is bad timing to sell real estate. He said the community and neighborhood residents want to know how the property will be used before making a decision to sell.

Chair Colvin thanked the speakers and closed the public hearing.

Commissioners asked questions of speakers.

Vice Chair Oliver inquired about My Dream Academy's capability to increase their lease payment to the City. Ikko Fushiki, owner of My Dream Academy, said that would be possible if they can increase capacity and bring in more revenue. Brian Mason, the realtor representing My Dream Academy, said the owner is willing to pay market rate and maintain the building.

Mason recommended a master lease. Commissioner Martin-Milius inquired about a master lease and if occupants or sub-lessees could create a Limited Liability Company (LLC).

Commissioner Estrada applauded the residents in attendance at the meeting.

Chair Colvin asked if consideration was given to lease with an option to purchase.

Director Lewis noted a point of order that the public hearing was closed. Director Lewis clarified that a lease is one of the options. He said the Commissioners can review the alternatives that are all open or make any other desired recommendations to Council.

ARTS COMMISSION MOTION: Commissioner Shinseki moved to recommend that Council not support the staff recommendation and continue to study this issue.

MOTION FAILED for lack of a second.

ARTS COMMISSION MOTION: Commissioner Estrada moved and Commissioner Obrey seconded to recommend that Council consider Alternative No. 4: Approve Option #3 to lease the Raynor Activity Center Site for a long-term use by one or more lessees and stipulate that the lessee(s) invest in the site to upgrade the building structures to meet applicable building codes.

Commissioner Obrey said that once the City gives up property, they can't get it back.

Commissioner Martin-Milius said she would like to keep the property but can't dictate future zoning. She hears fears of high density housing. Commissioner Martin-Milius said the City currently subsidizes uses at Raynor Activity Center, and she expressed concern about losing the artists if the studio spaces were no longer available.

Director Lewis confirmed that Commissioner Martin-Milius was making a friendly amendment to allow the current uses and users to remain in the facility.

FRIENDLY AMENDMENT: Commissioner Martin-Milius offered a friendly amendment to add that the current uses and users remain in the facility. The friendly amendment was accepted by the maker and seconder of the motion.

RESTATED MOTION: Commissioner Estrada moved and Commissioner Obrey seconded to recommend that Council consider Alternative No. 4: Approve Option #3 to lease the Raynor Activity Center Site for a long-term use by one or more lessees and stipulate that the lessee(s) invest in the site to upgrade the building structures to meet applicable building codes **and, in addition**, that the current uses and users remain in the facility.

ARTS COMMISSION VOTE: Motion passed 4-0. (Commissioner Carney was absent.)

Vice Chair Oliver said one of the reasons the facility was considered for sale is because significant repairs are needed. He inquired as to how a lease can be considered if the facility is in such disrepair. Director Lewis responded that a

recommendation could be made to require the lessee to make repairs. He said that Alternative No. 4 requires the lessee to upgrade the facility and clarified that the lessee would have to pay for the upgrades.

P&R COMMISSION MOTION: Commissioner Kinder moved and Commissioner Harms seconded to recommend that Council consider Alternative No. 4: Approve Option #3 to lease the Raynor Activity Center Site for a long-term use by one or more lessees and stipulate that the lessee(s) invest in the site to upgrade the building structures to meet applicable building codes **and, in addition,** that the repairs be completed within a certain time limit.

P&R COMMISSION VOTE: Motion passed 5-0.

NON-AGENDA ITEMS AND COMMENTS

COMMISSION

No comments

STAFF

Assistant to the Director Merrill reminded Commissioners about the Parks of the Future Community Workshop to be held at 7 p.m. on July 24, 2008, at the Community Center Ballroom.

INFORMATION ONLY ITEMS – None

ADJOURNMENT

Chair Colvin adjourned the meeting at 9:10 p.m.

Respectfully submitted

Cathy E. Merrill, Assistant to the Director
Parks and Recreation Department

Approved by

David A. Lewis, Director
Parks and Recreation Department

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