The Parks and Recreation Commission met in regular session in Council Chambers, 456 West Olive Avenue with Chair Alexander presiding.

The meeting was called to order at 7:00 p.m.

**ROLL CALL**

**Commission Members Present:**
Chair Henry Alexander III  
Vice Chair Craig Pasqua  
Commissioner Robert Harms  
Commissioner Ralph Kenton  
Commissioner Robert Pochowski

**Council Liaison:** Councilmember Jim Griffith (Present)

**Staff Present:**  
Manuel Pineda, Assistant Director of Public Works  
Daniel Wax, Superintendent of Community Services  
Scott Morton, Superintendent of Parks and Golf  
Jim Stark, Parks Manager  
Patricia Lord, Senior Management Analyst  
Anna Lewis, Administrative Aide

**PUBLIC ANNOUNCEMENTS**
None

**CONSENT CALENDAR**

1.A. Approval of Draft Minutes of September 11, 2013.

**MOTION:** Vice Chair Pasqua moved and Commissioner Harms seconded the motion to approve the Consent Calendar. **VOTE (4-0) APPROVED.** Commissioner Pochowski abstained as he was not present at the meeting.

**PUBLIC COMMENTS**

Shani Kleinhaus, an Environmental Advocate for Santa Clara Valley Audubon Society provided information about the requirements of the California Environmental Quality Act (CEQA). The Act requires that proposed projects analyze existing conditions and
disclose environmental impacts, including consideration on how to minimize and mitigate the impact. She emphasized that CEQA does not look for opportunities to improve the environment of an area or require evaluations on how to make positive environmental impacts.

PUBLIC HEARINGS/GENERAL BUSINESS

2. Feasibility of Establishing a Community Animal Farm for Children and Alternative Recreational Uses at the Sunnyvale Landfill (Study Issue)

Manuel Pineda, Assistant Director of Public Works provided the staff report. He recognized the partnership with the Environmental Services Department and the Parks Division of the Department of Public Works to analyze the recreational uses at the landfill and complete this report. He responded to Commissioners questions regarding locations of the suggested projects; related costs and funding; the effect of differential settlement on various projects; liability requirements; environmental analysis requirements; and the impacts of recreation at the landfill on wildlife.

Chair Alexander opened the public hearing at 7:32 p.m.

Daniel Bremond, a Sunnyvale resident, requested the Commission allow hang gliding, paragliding and kiting on the West Hill of the landfill. He explained the West Hill is exposed to a very consistent and predictable wind, and is the only place to fly in Sunnyvale. It offers the least impact of all recreation activities and requires no additional funding. He answered Commissioners questions about the landing areas and the safety and regulations of the air space.

Arlene Goetze, an advocate against toxins on behalf of children, expressed concerns about any recreational projects at the landfill due to the effects of toxics, including fire hazards and risk of cancer. She urged Commissioners to consider the health of children in their decisions.

Gary Cohen, a Sunnyvale resident, requested further exploration for a Sunnyvale location of the Animal Assisted Happiness (AAH) non-profit organization. He expressed his support of the program for special-needs children and believes a Sunnyvale location would provide services to a larger population of children and families with no current access to these services.

Shani Kleinhaus encouraged the Commissioners to consider a burrowing owl conservation plan as the first priority for the landfill use, and to help bring burrowing owls back from near extinction. She suggested recreation uses at the landfill as the second priority.

Kira Od expressed the importance of the landfill being the last “wild” place in Sunnyvale. She encouraged preservation of it as a “wild” place as it is part of a sea corridor to San Jose. She also expressed the importance of considering the complexity of the adjacent
levy system, its hazards, lack of parking, lack of signage and the variety of uses of the levy system.

Chair Alexander closed the public hearing at 7:52 p.m.

MOTION: Vice Chair Pasqua moved to approve Alternative 2 - direct staff to explore Baylands Park as a location for AAH in Sunnyvale, Alternative 5 - direct staff to further evaluate the technical feasibility of adding park enhancements to the Sunnyvale Landfill site, and Alternative 6 - direct staff to further evaluate the technical feasibility of constructing a dog park at the Sunnyvale landfill site, with a modification to locate the dog park on the South Hill. Commissioner Pochowski seconded the motion.
VOTE (3-2) APPROVED. Chair Alexander and Commissioner Kenton opposed the motion.

Commissioner Harms suggested consideration of Alternative 3 (evaluate the feasibility to build a sports field), since Sunnyvale is losing sports fields. Chair Alexander and Vice Chair Pasqua liked the idea of a sports field but felt costs associated with building it at the landfill location were too expensive.

Commissioner Pochowski felt Alternative 2 (explore Baylands Park as a location for AAH) is important for the community. Commissioner Kenton would like to see further work on this Alternative.

Commissioner Pochowski, and Vice Chair Pasqua opposed Alternative 4 (bike skills park) as it would serve a limited segment of the community.

Commissioner Pochowski felt the West Hill should be reserved for park like activities described in Alternative 5. Commissioner Kenton agreed.

Vice Chair Pasqua and Commissioner Pochowski supported Alternative 6 (further study of the best location of a dog park at the landfill) based on the communities' interest in dog parks. They felt this location would not disrupt neighbors, and if developed in the right location it would not disrupt the natural habitat of the landfill.

Chair Alexander opposed Alternative 6. Instead he would like to see the area stay as “wild” as possible. Commissioner Kenton also opposed Alternative 6 because it is remote and would not serve Sunnyvale residents. He also has concerns about the limited parking.

MOTION: Commissioner Kenton moved to approve Alternative 4, further study of a bike skills park not on the West Hill, but on another hill. The motion died for a lack of a second.

3. Discussion and Possible Action Regarding Las Palmas Dog Park Location

Superintendent Morton, Parks Manager Stark, and Senior Management Analyst Lord presented the Staff Report. Superintendent Morton provided the background of the report.
and the direction provided by Council. Manager Stark described pros and cons of the three locations and the public’s preference for each location. Ms. Lord provided financial data for each of the options. She responded to Commissioners questions regarding costs associated with each option.

Chair Alexander opened the public hearing at 8:20 p.m.

Arlene Goetze spoke about dog related contaminants in the sand at Los Palmas Park and her experience with illnesses associated with contaminants. She made multiple suggestions to create a healthier environment including fencing around the playground and signage to alert the public of contaminants. She does not support moving the dog park closer to the playground. She suggested reducing the size of the dog park by 30 feet to benefit nearby neighbors.

Phil Smith is a neighbor to Los Palmas Park and supports the staff recommendation to maintain the current location of the dog park. He stated that if the dog park is moved to another location, he does not support any new features, but does support landscaping. He expressed that alternative features such as a basketball court would have negative impacts on the neighbors.

Chair Alexander closed the public hearing at 8:28 p.m.

**MOTION:** Commissioner Harms moved to approve Alternative 1 - confirm Council action from July 23, 2013 with RTC 13-178, including approval of Budget Modification No. 2 to appropriate $100,000 from the Park Dedication Fund in FY 2013/14, and proceed with improvements to the Las Palmas Dog Park in its existing location, including the addition of natural grass and a separate area for small dogs, maintaining the current location of Las Palmas Dog park. Commissioner Kenton seconded the motion.

Commissioner Pochowski supports Alternative 1 because it is the most cost effective option and it is supported by the majority of the public. He wondered if neighbors would experience any benefit from moving a portion of the dog park fence away from the nearest residential area.

Commissioner Kenton agreed that the dog park could be reduced in size. Based on his experiences, he indicated that dogs mainly congregate in the middle of the dog park and do not often run near the tennis court boundary. He offered the idea that there may be reduced costs in maintenance if the dog park were smaller.

Commissioner Pasqua agreed that reducing the size of the dog park should be considered. He added that Council might also consider adding another dog park at the landfill.

**FRIENDLY AMENDMENT:** Commissioner Pochowski offered a friendly amendment to reduce the size of the dog park by 30 feet or an amount determined by staff or Council on the south end. Commissioner Harms did not accept the friendly amendment.
Chair Alexander opposed reducing the space, because there is an adjustment time for dogs to acclimate to a group or pack of dogs. He agrees that there may be cost benefits to making it smaller and it may be beneficial to the residents.

Commissioner Pochowski would like the size or the dog park to be evaluated. If it would be reasonable to move the southern fence some distance towards the north, as best determined by Council or Staff, it could reduce the nuisance to near neighbors.

**AMENDMENT:** Commissioner Pochowski moved an amendment requesting Council consider the reduction in the size of the dog park by moving the southern border north to provide more space for the neighbors.

**VOTE on AMENDMENT:** (3-2) APPROVED. Commissioner Harms and Chair Alexander opposed.

Commissioner Harms indicated that since the main park is used by the majority of the visitors, the dog park should keep its original location and size. He felt $100,000 is a sufficient allocation to make improvements.

**VOTE on MAIN MOTION as AMENDED:** (3-2) APPROVED. Commissioner Harms and Chair Alexander opposed.

4. **Review and Approval of Annual Code of Ethics and Conduct for Elected and Appointed Officials**

Superintendent Wax provided a review of the Annual Code of Ethics and Conduct for Elected and Appointed Official for 2013. He invited Commissioners to provide comments for Council’s consideration. Commissioners had no questions or comments.

Chair Alexander opened the public hearing at 8:40 p.m. and there being no public comments, closed the public hearing.

**MOTION:** Commissioner Pochowski moved to approve the Annual Code of Ethics and Conduct for Elected and Appointed Officials as written. Commissioner Kenton seconded the motion.

**VOTE (5-0) APPROVED.**

5. **Rank Proposed Study Issues**

Superintendent Wax reviewed the Study Issues to be considered by the Commission and the process to drop, differ or rank each Study Issues. He answered the Commissioner questions regarding staff recommendations.

Commissioner Pochowski indicated that he agrees with the intent of some of these Study Issues, and any motion he makes to drop a Study Issue is based on the information provided by staff that the issue does not impact existing policy, as some are actually budget issues.
Chair Alexander opened the public hearing at 8:44 p.m. and there being no public comments, closed the public hearing.

Vice Chair Pasqua moved to drop LCS 14-01, Feasibility of an Annual Musical Concert in the Park Single Event or a Series. Commissioner Pochowski seconded the motion. VOTE (4-1) APPROVED. Commissioner Harms opposed.

Commissioner Harms moved to drop DPW 14-01, Environmental Sustainability in Sunnyvale’s Parks and Open Space. Commissioner Pochowski seconded the motion. VOTE (3-2) APPROVED. Chair Alexander and Commissioner Kenton opposed.

Commissioner Pochowski moved to drop DPW 14-02, Feasibility of Increasing the Amount of Open Space Dedicated to Natural Habitat Restoration and Preservation. Commissioner Harms seconded the motion. VOTE (3-2) APPROVED. Commissioner Kenton and Vice Chair Pasqua opposed.

Commissioner Pochowski moved to drop LCS 14-03, Various City events at Sunnyvale Parks in Conjunction with the 2016 Super Bowl. Commissioner Kenton seconded the motion. VOTE (3-2) APPROVED. Chair Alexander and Vice Chair Pasqua opposed.

Commissioner Pochowski moved to defer DPW 13-12, Acquisition of Approximately 18 Acres of Land Bounded by Highway 85 and Stevens Creek. Commissioner Harms seconded the motion. VOTE (2-3). FAILED. Chair Alexander, Vice Chair Pasqua and Commissioner Kenton opposed.

**MOTION:** Commissioner Harms moved and Commissioner Pochowski Seconded to Rank Study Issues:
1. LCS 14-02 Review of Park Use Policies and Related User Fees
2. DPW 13-12 Acquisition of Approximately 18 Acres of Land Bounded by Highway 85 and Stevens Creek.
VOTE (5-0) APPROVED.

**MOTION:** Commissioner Pochowski moved to recommend that LCS 14-01, Feasibility of an Annual Musical Concert in the Park Single Event or a Series, be presented as a budget issue to Council. Vice Chair Pasqua seconded the motion. VOTE (5-0) APPROVED.

**MOTION:** Commissioner Pochowski moved to recommend that LCS 14-03, Various City events at Sunnyvale Parks in Conjunction with the 2016 Super Bowl, be presented as a budget issue to Council. Commissioner Kenton seconded the motion. VOTE (4-1) APPROVED. Commissioner Harms opposed.

### 6. Review of 2014 Annual Work Plan

Superintendent Wax reviewed the draft annual work plan for 2014. Superintendent Morton requested the following items be added to the work plan:
- Urban Forestry Management Plan (January 2014)
- Orchard Heritage Park (December 2014)
- Lakewood Park (December 2014)

Superintendent Morton responded to Commissioner Kenton’s question by explaining the timelines for December 2014 items.

The 2014 Annual Work Plan will be discussed at the next meeting in anticipation of its approval in February 2014.

**NON-AGENDA ITEMS AND COMMENTS**

Commissioners Oral Comments
- Commissioner Harms announced there will be a Friends of the Library Book Sale this Saturday, November 16, 2013.
- Commissioner Kenton thanked Council Liaison Griffith for his assistance during the meeting.

Staff Oral Comments
- Superintendent Wax listed the informational items provided to the commission; a letter in support of AAH; organizational charts for Parks and Community Services divisions; Study Session Summary of October 1, 2013.
- Superintendent Morton informed Commissioners about information available on the Sunnyvale website and encouraged them to search it as a point of reference.
- Superintendent Morton announced the Stevens Creek Trail project has a Public Meeting at Las Palmas Park, November 14, 2013, at 7:00 p.m. Based on findings, an initial report will be written and further public meetings will be held.

**INFORMATION ONLY ITEMS**

Joint Study Session Summary

**ADJOURNMENT**

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Daniel Wax
Superintendent of Community Services