



APPROVED MINUTES
CUPERTINO CITY COUNCIL
Regular Adjourned Meeting
Friday, January 25, 2002

ROLL CALL

At 9:05 a.m. Mayor Lowenthal called the meeting to order in the Council Chambers, 10300 Torre Avenue, Cupertino, California, and led the Pledge of Allegiance.

City Council members present: Mayor Richard Lowenthal, Vice-Mayor Michael Chang, and Council members Sandra James, Patrick Kwok, and Dolly Sandoval. Council members absent: None.

Staff present: City Manager David Knapp, Administrative Services Director Carol Atwood, Public Works Director Ralph Qualls, Community Development Director Steve Piasecki, Parks and Recreation Director Therese Ambrosi Smith, City Attorney Charles Kilian, Administrative Secretary Marie Preston, Recreation Supervisor Don McCarthy, Senior Architect Terry Greene, and City Clerk Kimberly Smith.

Also present: Consultants Mark Schatz from Field Paoli, Structural Engineer Bill Anders, Lauren Livingston from The Sports Management Group, and Fremont Union High School Director of Business, Property Services Gene Longinetti and Cupertino High School Principal Eric Paulson.

ORAL COMMUNICATIONS – None

STAFF REPORTS

1. Report on bids, reject all bids and authorize re-bid of the yearly maintenance contract for Blackberry Farm Golf Course Maintenance, Project No. 2001-08.

Kwok/Chang moved to reject all bids and authorize a re-bid.

Vote: Ayes: Chang, James, Kwok, Lowenthal, Sandoval. Noes: None.

STUDY SESSION

2. Review of Sports Center project.

Parks and Recreation Director Therese Ambrosi Smith highlighted a PowerPoint presentation titled "Sports Center History." She reviewed the lawsuit brought by a citizen regarding the lack of wheelchair access and she discussed the need for building modifications in order to the need to comply with the Americans with Disabilities Act (ADA). Smith said that mitigation measures had been put in place, and about \$125,000 was spent to deal with wheelchair access. Council had planned to keep spending at a minimum since they planned to rebuild the facility. Smith also said that at the June 18

meeting, Council agreed to adopt a capital improvement project (CIP) budget that included \$4.4 million for a new Sports Center.

Smith discussed fiscal trends and noted that the Parks and Recreation department, especially Blackberry Farm and the Sports Center, was mostly self-supporting. She said average cost recovery was about 55%. She also discussed real estate options.

Smith summarized the options available for the sports center. These included: addressing only code issues, remodeling the building, rebuilding it as a sports center only, rebuilding it with a teen center, rebuilding it with housing, or rebuilding it with office space.

Smith reviewed information regarding table tennis opportunities in other communities. She said that table tennis is feasible at this location and some space may be available in the building that NovaCare currently uses.

Smith highlighted the programming recommendations from the Parks and Recreation and Teen Commissions (from December 17). This included a 3,800 square foot fitness center, aerobics room, child watch room, teen lounge, and a climbing wall as an alternate-bid item. The cost would be \$4.4 million. Year 3 would need a \$3,000 annual subsidy for a youth game room, and the climbing wall could generate \$38,000 per year.

Smith mentioned the possibility of having a joint use agreement with Cupertino High School for the use of their field house for table tennis and for the use of their swimming pool for recreational purposes.

Fremont Union High School District (FUHSD) Director of Business and Property Services Gene Longinetti talked about Cupertino High School and the design of a new gym (field house). He said that the school district was open to the idea of adding storage to the building for the City's use. He mentioned that the City would only pay for the time it was used but that in the future, if the school district had need of it, then the City would have to relinquish the space. He went on to talk about other ideas, including building a shallow pool for the City's recreational purposes.

Consultant Mark Shatz and Structural engineer Bill Anders discussed about accessibility issues and the ADA deficiencies of the current building.

At 10:25 a.m. Council recessed. At 10:45 a.m. the meeting was reconvened and the public was invited to speak.

Ed Hirshfield, 734 Stendhal Lane and a member of the Executive Board of the Cupertino Tennis Club, offered a unanimous opinion from the tennis club. He showed slides and his comments included:

- The Cupertino Tennis Club is the largest single user of the Sports Center
- Support rebuilding the facility and losing no capacity for tennis
- Keep the courts at their present location
- Light all the courts

- Replace the stadium with 2 courts
- Add an elevated viewing area
- Add child care
- Maintain the fitness programs and other current activities
- Reduce the lockers by 2/3's
- Tennis training is essential (currently train 600 people per week)
- Allow for 25% growth for tennis

Beatrice Greene said she wanted to keep all of the courts.

Grant Gower, Vice President of the Cupertino Tennis Club, said he planned to seek increased inclusion and outreach to new residents, especially the 18-34 generation, and that childcare was needed.

Sherm Waldman, 7585 Bollinger Road, confirmed that all of the City Council received an emailed letter that he sent. He commented that last year the Council had said that 2 racquetball courts would be kept.

Denise East, 10635 Johnson Avenue was pro racquetball. She also said that the primary focus should be to encourage youth to be more active by adding youth sports. So, she felt that a teen lounge would be counter-productive. She referred to a letter she had sent to Council regarding the unnecessary demolition of the Sports Center on the misunderstanding that it was seismically unsafe and quoted Donald Rush, the structural engineer for the original design of the De Anza Racquet Club in 1977.

Jack Murphy, 7603 Newcastle Drive wanted to keep handball and racquetball courts. He said that he did some research and out of 88 people contacted, 66 were regular players, which was a discrepancy from the December 17 meeting when it was said there were only 12 regular players. He also said that he visited 100 homes with a petition requesting to keep 2 racquetball courts and received 105 signatures from 45 homes.

Darwin Throne, 22958 Cricket Hill Road, was concerned about spending additional money to expand the fitness, aerobics, and exercise part of the Sports Center since other private facilities in the City already provide those services and they are under utilized.

Dorothy Levitan, 21035 Freedom Drive, was concerned about the possibility of a skateboard park being built at the site.

Council discussed a variety of options, including: building a gym, having a different fee structure for residents and non-residents, and focusing on a partnership with the high school district.

Cupertino High School Principal Eric Paulson talked about the uses of the new field house. He said the school would be open to the City using the building on Sundays, but that the school would always have priority.

Council briefly discussed racquetball and the discrepancy in figures from a recent report from a citizen regarding the use of the courts.

Recreation Supervisor Don McCarthy talked about a data report regarding the past 12 months of racquetball reservations and said that there were 18 annual pass holders listed, rather than 69 people as stated.

Council discussed options for a teen lounge.

The following are Council comments from the study session discussion:

James said that the question should be asked as to whether Council wants a tennis center or a city sports center. She said that Council might also want to revisit the townhouse issue as a revenue generator and to address the housing needs.

Kwok said he was concerned that the sports center usage was 45% residents and 55% non-residents, because Cupertino residents are paying taxes to fund projects and non-residents are not. Council needed to decide if the Sports Center would be run as a business and what the investment in return would be. He agreed with James that the number one priority should be to benefit the citizens of Cupertino. He said that the option for a townhouse or mixed-use concept was missing and that it should be revisited. He supported a partnership with the school district.

Chang said that he wanted to address both the ADA issue and cost issue, and said it was important to pursue the potential partnership with the school district for the use of their field house and swimming facilities.

Lowenthal said that he was mostly interested in acquiring some gym time in a partnership with Cupertino High School.

Sandoval commented that the auxiliary building, storage facility and the pool were also important to consider.

Chang said that the only options that seemed feasible were Option 3, which was to spend \$500,000, or Option 4, which was to have a tennis and teen center at \$1million. He said that option 8, a new facility, was seriously flawed because of the cost of \$4.4 million.

Smith responded that if Council was looking for a less expensive alternative then staff could come back with the best \$2 million alternative.

James said that she thought it best to fix the existing building until there was money to do something better. Chang said that he agreed with Sandy and that basically the ADA problem should be fixed now, studies should continue and other options should be brought back.

Lowenthal said that City's job was to serve the residents. He said that the land was valuable being adjacent to Memorial Park and he wanted to see it used for recreational

purposed and youth. He said he liked option 3 but had an issue with the building still being unsafe. City Manager David Knapp explained that if something was built according to code then it is safe according to that code. On the other hand, Council may feel it necessary to do everything possible should be done in the name of safety, especially in a public building that is likely to have people of all ages in it.

Lowenthal said that he felt strongly the City couldn't spend \$4.4 million on the building and still have money to spend on things like table tennis, youth lounge, skate park, use of gyms, etc.

Smith asked for needed clarification on the fiscal objective.

Lowenthal said that his view is to serve more residents, charging for the services is a way of optimizing the number of people that can be served.

Sandoval said that there are some competing interests in the neighborhood, including Linda Evans, the YMCA, and De Anza College. The City can make this land very attractive for teens and other sports users in Cupertino. She said she didn't want it to necessarily be a teen center, but she did like the teen lounge idea. She wasn't sure about designating a specific area for permanent table tennis or badminton but would like the space used for multiple activities. She said they should utilize the space they currently had and not determine program mix.

Smith asked if there was a majority of the Council that was interested in seeing more than just sports on the site in the interest of raising money.

James said that there was interest in not excluding mixed use yet, but that there wasn't a definitive yes or no.

Kwok said that mixed-use was one way to be innovative.

Lowenthal said that there was no consensus and no majority to count on.

James asked Smith bring to Council the information that she already had on the townhouse proposal, but that the mixed-use probably wouldn't work because of funding.

Chang said that the surrounding people are most impacted by mixed-use and that as long as it was a passive type of mixed-use that didn't make a lot of noise then it would be a good way to finance other programs, like a gym and teen facility.

Lowenthal said that the land was valuable and a common resource in the city and he thought it would be a mistake to sell it.

James said another option would be to become a landlord. Lowenthal said he would be more agreeable to that but that the City needs to keep the land. He said that he thought it was fiscally responsible to not spend \$4.4 million because then there are no funds to pay for programs that are needed now, such as the teen lounge, climbing wall, and skate park.

He said that there should be a place for teens to go this year and that the City needs to break ground on a skate park this year.

James said that it would take some local pressure to do what is best for the community and she would not rule out having a skate park at the Sports Center location.

Sandoval said that she would prefer a skate park in one of the pools at Memorial Park over than a skate park by the tennis courts at the Sports Center. Chang agreed.

Kwok said that he wasn't ready to make any decision yet but did not feel that the Sports Center would be a good place to put the skate park.

James said that the two most obvious places to put a skate park would be Memorial Park or the Sports Center and that a public process should be started to figure out how to best mitigate the impacts to the surrounding community.

Lowenthal said that it should be adjacent to the road and closer to Stevens Creek Boulevard where the noise is already loud.

Council briefly discussed the Compaq site as a place for the skate park. It is still an option in the future, but right now it is not progressing.

Smith summarized the Council input as follows: Council wanted staff to pursue a partnership with the school district for use of the gym, pool, and field house; make sure the Sports Center Building is ADA compliant at a minimum; consider options to serve youth and teens; reserve some funds for programming, to include a climbing wall and skate park, and not spend all the money on the building; and to explore mixed-use solutions. Council also expressed interest in adding public input for desired programs in the upcoming survey of residents.

At 1:00 p.m. Council adjourned. At 1:35 p.m. Council reconvened.

CONTINUATION OF GOAL-SETTING STUDY SESSION OF 1/18

Council members discussed the following items:

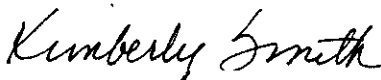
- Spending an additional \$250,000, from the \$750,00 of General Fund money that supports pavement management, for the San Tomas Aquino Creek trail
- Facilitating a program to value youth in the community
- Support for the Lunar New Year program
- Pursuing a partnership with the high school district for facility use and a staff report regarding details for programs
- Changing the goal description from "diversity" to "building community/diversity"

- Traffic issues related to the quarries and cooperation with the county to insure air quality is monitored; annexation of quarry property
- Developing a teen facility
- Reviewing criteria for an affordable housing policy and scheduling a joint study session with the Housing Committee
- Adopting a new General Plan in September 2002.
- Reviewing the Teen Commission election process with input from the Teen Commission with a report due the first meeting in April

Council asked that the Council agendas and packets be delivered on Wednesdays instead of Thursdays.

ADJOURNMENT

The meeting was adjourned at 4:00 p.m.


Kimberly Smith, City Clerk

For more information: Staff reports, backup materials, and items distributed at the meeting are available for review at the City Clerk's Office, 777-3223.

Televised Council meetings may be viewed live on Cable Channel 26, and may also be viewed live or on demand at www.cupertino.org. Videotapes of the televised meetings are available at the Cupertino Library, or may be purchased from the Cupertino City Channel, 777-2364.

The meeting of January 25, 2002 was not televised.