



CUPERTINO

**APPROVED MINUTES
JOINT MEETING OF THE CUPERTINO CITY COUNCIL
AND THE CUPERTINO REDEVELOPMENT AGENCY
Regular Meeting
Tuesday, August 4, 2009**

PLEDGE OF ALLEGIANCE

At 6:50 p.m. Mayor Orrin Mahoney called the joint meeting to order in the Council Chamber, 10350 Torre Avenue, Cupertino, California, and led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Orrin Mahoney, Vice-Mayor Kris Wang, and Council members Dolly Sandoval, Mark Santoro, and Gilbert Wong. Absent: none.

CEREMONIAL MATTERS – PRESENTATIONS

1. Presentation regarding a status report on environmental affairs. (No documentation in packet).

Erin Cooke, Environmental Affairs Coordinator, distributed a copy of her PowerPoint presentation, and gave a six month update on environmental affairs division initiatives and priorities. She noted the City's sustainability model which was first defined in 1987 by the United Nations as 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'. Several factors such as the environment, the economy and social equity affected this model. The City was implementing environmental initiatives, motivating behavioral shifts, reviewing basic services to create green behavior in the community, reviewing the City's energy consumption and looking at ways to reduce it and establishing a plan for the future. The green house gas emissions inventory had been completed and the City was working with ICLE, a non-profit organization that assisted cities with environmental issues. Ms. Cooke stated that the City had already achieved many of the objectives on ICLE's emissions reduction checklist. Her report also included an overview of future sustainability priorities and a summary of environmental affairs projects for fiscal years 2009 and 2010. In conclusion Ms. Cooke reported that the City had just received a \$526,000 energy and efficiency conservation block grant from the Department of Energy. This money will be used for an energy audit, facility retrofits, renewable energy purchase, and home energy audits.

17. Consider the Parks and Recreation Commission recommendation for the use of the Simms and Stocklmeir properties.

Mark Linder, Director of Parks and Recreation, referred to the staff report and noted that the Parks and Recreation Commission had recommended (1) Rezoning the Simms property from Residential 1-10 to Park/Open Space; (2) That the Simms addition be integrated into the McClellan Ranch nature preserve in a manner that will protect and enhance the natural and cultural resources and create opportunities for education, research, restoration and low impact recreation; (3) That the house on the property be removed when the current lease expired; (4) That the Stocklmeir Task Force develop a plan for a legacy farm on the property; (5) and that the work of the Task Force be included as part of the design study for the Stevens Creek Corridor Trail Phase II. Staff concurred with these recommendations with the exception that the city continue to lease the house on the Simms property on a year to year basis.

Bob Hirt supported the recommendations of the Parks and Recreation Committee concerning the Simms and Stocklmeir properties. He further emphasized that the creek restoration was as important as the trail and one should not preclude the other.

Shani Kleinhaus, member of the Simms property Task Force, supported the recommendations of the Parks and Recreation Committee for both the Simms and Stocklmeir properties. She also emphasized the importance of the creek restoration and the value of open space to the community

Donna Austin, member of the Historical Society and the Stocklmeir Property Task Force, urged Council to refurbish the Stocklmeir House. She also expressed her support for the Legacy Farm, the orchard and a trail along the side of the orchard. She noted that they were working with the Fremont Union High School District on the gardens, and outside classroom and curriculums.

Ed Walzer, member of the Stocklmeir Property Task Force, noted that he was at this meeting on behalf of the Fremont Union High School District. He commented that the Stocklmeir property was a valuable project to get students involved in the community, and the students were ready to go to work.

Tom Dyer, member of the Stocklmeir Property Task Force, stated his support for this project and for the involvement of the Fremont Union High School District.

Anne Ng, Board member of the Friends of Stevens Creek Trail and of the Simms Property Task Force, thanked the Council, Parks and Recreation Commission and staff for all of their work on this project. She supported revitalizing the creek and the continuation of the trail to Stevens Creek. She also thanked the Council for the .7 mile trail that has already been built. Ms. Ng also suggested more public access to the Simms property.

James Robenolt supported the Parks and Recreation Commission recommendations for the Simms and Stocklmeir properties. He recommended removing the house on the Simms property as soon as possible and restoring the property to the way it was. He noted that the signage seemed to indicate that there was no access for the public.

Bob Power, on behalf of the Santa Clara Audubon Society, urged Council to continue building on the City's legacy of environmental stewardship. He congratulated the Council on the success of Phase I of the Stevens Creek Restoration Project and urged the continuation of Phase II. He recommended removing the Simms house when the current lease was up.

Jennifer Griffin stated her support of the recommendations of the Parks and Recreation Commission. She believed a wildlife refuge and native planting area would be good uses for the Simms property. She also noted that the riparian lands along Stevens Creek were an important asset in the community.

Darryl Stow, President of the Cupertino Historical Society, noted that at one time a Cupertino Center for Living History had been suggested for the Stocklmeir property to be an historical and agricultural center. While the idea was worthwhile there was no funding. Now he believed a Legacy Farm would be a good use but to make it work he believed the city would have to take the leadership role.

Carol Stanek supported the rezoning of the Simms property and the removal of the house. She remarked on the confusing issue of public access to the property, because the gate was open but there was also a no trespassing sign. In addition there were conflicting signs regarding dogs in the park.

Santoro moved and Sandoval seconded to ask the Planning Commission to rezone the Simms property. The motion carried unanimously.

Sandoval moved and Wang seconded to adopt the Parks and Recreation Commission's recommendation that the Simms addition be integrated into a nature preserve in a manner that will protect and enhance the natural and cultural resources and create opportunities for education, research, restoration and low impact recreation. The motion carried unanimously.

Sandoval moved and Wang seconded to continue the Simms' property lease to June 2010 if necessary. The motion carried 4-1 with Wong voting no.

Sandoval moved and Wang seconded to authorize city staff to determine the cost of removing the house, and to include that information during the FY 2010-2011 budget discussion. The motion carried 4-1 with Wong voting no.

Council member Wong explained his no vote as follows: He was not opposed to tearing down the house, and in fact agreed with the staff's recommendation. However, the Blackberry Farm and Stevens Creek Trail took 15 years to get moving, and this

discussion is about funds that the city doesn't currently have. He understood the long-term goal for this property but the City should value every dollar in the current economy.

Wang moved and Sandoval seconded to authorize the City Manager to negotiate and execute the extension to the Simms' property lease. The motion carried unanimously.

Wang moved and Sandoval seconded to approve the staff recommendation for the Stocklmeir property, as follows. The motion carried unanimously. The Council's action was to (1) Approve the recommendation of the Parks and Recreation Commission to have the Stocklmeir Task Force develop a plan to create a legacy farm at the Stocklmeir property; and (2) Approve including the work of the Task Force as part of the design study for the Stevens Creek Corridor Trail Phase II.

ORDINANCES - None

STAFF REPORTS - None

COUNCIL REPORTS

Council members highlighted the activities of their committees and various community events.

RECESS

Council briefly recessed from 11:30 p.m. to 11:33 p.m. for the Redevelopment Agency meeting.

REDEVELOPMENT AGENCY MEETING

ROLL CALL

Present: Redevelopment Agency Members Orrin Mahoney, Dolly Sandoval, Mark Santoro, Kris Wang and Gilbert Wong.

A. Approve the minutes from June 2, 2009, June 10, 2009 and June 16, 2009.

Wang moved and Wong seconded to approve the minutes as presented. The motion carried unanimously.

ADJOURNMENT (Redevelopment Agency)

Council adjourned the Redevelopment Agency meeting and reconvened the City Council meeting.

Mayor Mahoney noted that the August 18 regular meeting had been cancelled, and the next regular Council meeting would be held on Sept. 1.