

MINUTES

SARATOGA CITY COUNCIL JANUARY 4, 2006

Mayor Kline called the Regular City Council meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Kathleen King, Nick Streit, Ann Waltonsmith,
Vice Mayor Aileen Kao, Mayor Norman Kline
ABSENT: None
ALSO Dave Anderson, City Manager
PRESENT: Richard Taylor, City Attorney
Cathleen Boyer, City Clerk
Michele Braucht, Administrative Services Director
John Livingstone, Community Development Director
John Cherbone, Public Works Director

REPORT OF CITY CLERK ON POSTING OF AGENDA FOR JANUARY 4, 2006

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of January 4, 2006, was properly posted on December 22, 2005.

ORAL COMMUNICATIONS

The following people requested to speak at tonight's meeting:

Bob Wallace spoke regarding the Comer Debris Basin. Mr. Wallace noted that the Water District has mandated to restore the creeks and in his opinion that is to remove the dam. Mr. Wallace stated that a couple of years ago he received a quote to remove the dam and the proposal was for \$75,000. Mr. Wallace stated that the District estimated that the same project would cost \$600,000. Mr. Wallace suggested that the City request that the District remove the dam.

Sandy Cross explained the event that took place on November 13, 2005. Ms. Cross explained that per instructions from the Public Works Department that if any of the neighbors observed organized sports in uniforms, playing at Kevin Moran Park, they were to call code enforcement. Ms. Cross stated that she called 411 to get the number not 911 as many cartoons and editorial letters suggested. Ms. Cross submitted her phone bill for the record.

Cheriel Jensen stated that she had a tree come down due to the recent storms. Mrs. Jensen stated that the tree was lodged sideways in the creek. Mrs. Jensen explained that she called the Water District and was told that they couldn't remove the tree without a tree permit. Ms. Jensen stated that she tried calling the City and no one answered. Mrs. Jensen stated that the Water District finally removed the tree without a permit. Mrs. Jensen suggested that the City review the tree ordinance.

Mrs. Jensen requested that the City refrain from selling the North Campus. Mrs. Jensen noted that the Council will force the citizens to go to a referendum.

COUNCIL DIRECTION TO STAFF

Councilmember Waltonsmith requested that staff contact the Water District regarding the Comer Debris Basin.

In regards to Mrs. Jensen's comments, Councilmember Waltonsmith asked if the City's Tree Ordinance had any exceptions for emergencies.

City Attorney Taylor explained that the City's code does allow for exemptions if there's an immediate threat to health and safety.

Mayor Kline suggested that staff send a letter to the Water District.

Councilmember King suggested that emergency numbers be posted on the front page of the City's website and local phone books.

Mayor Kline suggested that on the City's voice mail a phone number be listed in case of an emergency.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

None

COUNCIL DIRECTION TO STAFF

None

ANNOUNCEMENTS

None

CEREMONIAL ITEMS

- 1A. Proclamation Declaring the Month of January 2006 "Volunteer Blood Donor Month"

STAFF RECOMMENDATION:

Present proclamation.

Mayor Kline read the proclamation and presented it to Anne Blackstone, Volunteer Coordinator /Red Cross.

Ms. Blackstone thanked the City Council for the acknowledging "Volunteer Blood Donor Month". Ms. Blackstone stated that in Saratoga there has been 6 blood drives resulting in 182 pints of blood. Ms. Blackstone announced that the next blood drive is scheduled for January 9th at the Good Samaritan United Methodist Church in Cupertino.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2A CITY COUNCIL MINUTES – DECEMBER 7, 2005

STAFF RECOMMENDATION:

Approve minutes.

WALTONSMITH/STREIT MOVED TO **APPROVE MINUTES OF DECEMBER 7, 2005**. MOTION PASSED 5-0.

PUBLIC HEARINGS

3. ZONING TEXT AMENDMENT – TO RELAX PARKING REQUIREMENTS IN CH-1 AND CH-2 ZONING DISTRICTS FOR A PERIOD OF THREE YEARS

STAFF RECOMMENDATION:

Open and conduct public hearing, Approve the Resolution for the Negative Declaration, Introduce the Zoning Text Amendment, Waive the first reading, Schedule the item for second reading and adoption on consent calendar.

John Livingstone, Community Development Director, presented staff report.

Director Livingstone explained that on April 20, 2005, the Council requested that Planning Commission consider options for changes to the downtown Village parking requirements. Director Livingstone noted that the City Council was following the lead of other cities in the Bay Area, which have found that modifying parking requirements can be an effective, low cost tool to help stimulate revitalization of commercial districts such as Saratoga's Village. The Planning Commission held two Study Sessions on August 24, 2005 and September 22, 2005 to ensure that the business owners and stakeholders in the Village had the opportunity to provide input on this matter.

Director Livingstone stated that staff is recommending a Zoning Text Amendment that would relax all parking requirements in the CH-1 and CH-2 zoning districts. The parking requirements would be suspended until the sum of all new gross floor area of development or intensification of use exceed the parking surplus of 93 spaces during peak demand periods as identified in a parking analysis conducted by the City's Traffic Engineer.

Director Livingstone explained that staff proposes that the rate at which to measure the consumption of the surplus parking spaces is one parking space per 350 square feet of gross floor area, regardless of use. This ratio is consistent with the current requirements in the City's Parking District 3, which has the most restrictive parking requirements of all four parking districts.

Director Livingstone noted that Staff has chosen this ratio because the parking requirements for property located within a parking district are comparable to those in other cities. Whereas, the requirements associated with the areas outside of the established parking districts are more restrictive than typically found elsewhere. At a ratio of 1 parking space per 350 square feet of potential development, a maximum of approximately 32,550 square feet of gross floor area could be constructed without significant impacts on parking demand.

Director Livingstone noted that staff is proposing that any subsequent development involving the consumption of more than the 93 surplus spaces would require a parking study.

Referring to the General Plan Land Use Policy LU 7.1, Director Livingstone stated that if the proposed ordinance is adopted it would be consistent with the policy and the City's goals to revitalize the Village.

Director Livingstone explained that staff has determined that the proposed Zoning Text Amendment would not have a significant effect on the environment.

Councilmember Waltonsmith stated that since its mixed use, she is worried that more residential would be developed in the Village instead of an increase of square footage of commercial.

Director Livingstone explained that as part of the Housing Element of the General Plan the City adopted a Mixed Use Ordinance which affects the entire City. This ordinance is more restrictive than the type of development you see in the Village area in regards to residential such as:

- residential units that equal 50% of the total floor area allowed for all structures on the site for the entire building
- 1,200 square feet need to be rented

Councilmember Waltonsmith asked what other cities have used this model

Director Livingstone noted that staff has been following the City of Danville. Danville used this approach from 1996-1999 resulting in 7 new projects ranging from 5,000-10,000 square feet. Danville is currently using this method for a second time waiving the parking restrictions for another three years.

For example, Councilmember King asked that if a developer wanted to build four 1,200 square foot rental units upstairs they would have to build 9,600 square feet of retail below. This would use up about 13,000 of approximately 32,550 square feet of gross floor area and would use up some of the parking allocations.

Director Livingstone responded yes but, explained that if the developer decided to build the units with garages it wouldn't affect the parking allocation.

Councilmember Streit stated that the idea for this ordinance was to promote additional commercial square footage to the Village not residential. Councilmember Streit asked if Council could restrict the use for residential.

City Attorney Taylor responded that he could craft language to restrict residential of the ordinance and limit it to just commercial.

In regards to the 350 square feet of gross floor area, Councilmember King asked if Council decided to increase that to 450 square feet, would the change have to go back to the Planning Commission.

City Attorney Taylor responded that there would be no need for it to return to Council.

Mayor Kline opened the public hearing and invited public comment.

Gene Zambetti noted that he was a commercial property owner and business owner. Mr. Zambetti stated that a lot of work has been done in the Village by the merchants and property owners. Mr. Zambetti stated that increasing the use in the Village with commercial, retail or office has been hard because of the parking restrictions. Mr. Zambetti stated that the Village merchants and property owners support the ordinance.

Seeing no other comments, Mayor Kline closed the public hearing.

A discussion took place in regards to increasing the gross floor area from 350-450.

RESOLUTION NO. 06-103

STREIT/KING MOVED TO ADOPT RESOLUTION FOR THE NEGATIVE DECLARATION, INTRODUCE THE ZONING TEXT AMENDMENT; CHANGE THE GROSS FLOOR AREA FROM 350 SQUARE FEET TO 450 SQUARE FEET; WAIVE THE FIRST READING, SCHEDULE THE ITEM FOR SECOND READING AND ADOPTION ON CONSENT CALENDAR.
MOTION PASSED 5-0.

In regards to the City Council's decision on changing the gross floor area, City Attorney Taylor noted that all references to the maximum of opportunity of 32,550 square feet would change to 41,850 square feet.

OLD BUSINESS

4. KEVIN MORAN PARK TASK FORCE REPORT

STAFF RECOMMENDATION:

Accept report and provide direction regarding the Kevin Moran Park Improvement Project.

Mayor Kline thanked all the members of the Kevin Moran Task Force and noted that they did a great job. Mayor Kline explained the process for tonight's discussion regarding the Task Force report. Mayor Kline requested that there be no clapping and suggested that to show support, simply raise your hand. Mayor Kline stated that

everyone will have two minutes to speak.

John Cherbone, Public Works Director presented staff report.

Director Cherbone explained the background and formation of the Kevin Moran Task Force. Director Cherbone noted that the Task Force met five times over the course of a three month period to discuss options for improving the park. Director Cherbone noted that each meeting was scheduled for two hours including a block of time for public input.

Regarding the process, Director Cherbone noted that due to the nature of the past attempts, and the long history of conflict, the only practical way was to use consensus decision making model. In the process decisions are based on consensus instead of up or down votes.

Director Cherbone summarized each meeting which illustrated how the options presented by each group evolved and how the Task Force came to a consensus outcome. Director Cherbone noted that at Task Force meeting #5, which was held on December 13, 2005, the Task Force was able to come to consensus on a majority of the proposed amenities which were being presented to the Council this evening for consideration.

Director Cherbone explained that the next step in the park development was to choose one of the two alternative field layouts developed by the Task Force:

- Alternative Field Layout #1 (half size soccer field)
- Alternative Field layout #2 (full size soccer field)

Director Cherbone noted that after Council provides direction on which field layout is preferable, Council would need to provide further direction on the subsequent process to implement its decision. Director Cherbone explained different approaches to the follow-up process as follows:

- Form a Task Force consisting of the same membership as the current KMP Task Force
- Form a Task Force consisting of a different membership then the current KMP Task Force
- Form a Council Adhoc to oversee the development process with staff
- Staff develops the project with periodic “check ins” with Council
- Council derived option

The following people requested to speak on this item:

Howard Miller stated that he was a member of the Task Force. Mr. Miller made the following comments:

- The final plan has less impact on the park.
- Everyone tried to compromise and they almost got to a consensus.
- People are fearful of what would happen to their neighborhood if a full size field was developed.
- Thanked the Council for forming the Task Force.

Elaine Clabeaux noted that she was a member of the Task Force. Mrs. Clabeaux stated that as member of the Task Force their job was to improve KMP to make it better than it already was even though many people love the park the way it is. Mrs. Clabeaux noted that the neighborhood group put features in the park that would enhance the existing park including a half size soccer field. Mrs. Clabeaux explained that at the first compromise they took out the mediation garden and replaced it with another half size soccer field. Mrs. Clabeaux stated they thought they met the needs of everyone. Mrs. Clabeaux noted that the neighborhood plan is the only plan that meets the budget.

Councilmember King referred to the field layout #1 which shows two half size fields in the neighborhood plan.

Mrs. Clabeaux explained that the second field was discussed at their second meeting and the neighborhood compromised and added the other half size field.

Mayor Kline added that the original neighborhood plan only had one half size soccer field and the plan before the Council tonight is the final plan.

Paul Jacobs stated that he was a member of the Task Force and represented the citizens at large. Mr. Jacobs thanked the leadership skills that Mayor Kline and Vice Mayor Koa provided during the Task Force meetings. Mr. Jacobs stated that both groups have their own demands - one wants fields the other doesn't. Mr. Jacobs stated that he feels that KMP is suitable for one full size playing field.

Marty Goldberg noted that field layout #1 expands and improves the existing park and adds one practice field. Mr. Goldberg noted that this plan also retains every mature coastal redwood, oaks, and other trees. Mr. Goldberg stated that field layout #2 doesn't solve the need for more field space for the organized sport user groups. The City needs to build another sports complex.

Peter Prynys noted that KMP should be developed for the use of the entire community. Mr. Prynys noted that he agrees there is a need for more field space but look at other alternatives.

MaryAnn Escobar noted that she was a member of the Task Force. Mrs. Escobar noted that she represented CYSA. Mrs. Escobar noted that there is a huge shortage of field space in Saratoga. Mrs. Escobar noted that she supports field layout #2-one full size field, bathrooms, and parking.

Jason Mighdoll noted he was a senior at Saratoga high School and plays soccer. Mr. Mighdoll noted that he supports field layout #2.

Michael Amit noted that he lived by KMP and supports field layout #1. Mr. Amit stated that all sports should be able to use the field space at KMP and added the he would like to see a tennis court added to the plan.

Laura Ann Mighdoll noted that she attends Redwood Middle school and has played soccer since she was six years old. Ms. Mighdoll stated that she supports field layout #2.

Rebecca Amoto noted that she has been a part of AYSO for the last six years and feels it's a great program. Ms. Amato stated that she supports field layout #2.

Michael Vaggione noted that the Council must make a decision for the whole community. Mr. Vaggione noted that he supports field layout #2.

Jennifer Sequera noted that she has two children that play CYSA soccer and have to practice in Cupertino. Mrs. Sequera noted that she supports field layout #2.

Jim Bicker stated that he noted that he supports field layout #2.

Jeff Platon noted that his three boys have never played soccer in Saratoga. Mr. Platon stated that he noted that he supports field layout #2.

Bridgett Ballingall noted that she was a member of the Task Force and represented that community at large. Mrs. Ballingall explained her experience on the Task Force. Mrs. Ballingall noted that in the end the two user group and two community members agreed on the full size field, but unfortunately the neighbors didn't agree. Mrs. Ballingall explained why she feels this is the best alternative.

Janice Zdankus stated that she supports field layout #2. Mrs. Zdankus stated that she feels city parks should be available for her family and the neighbors that live near parks.

Jane Olsen stated that she supports field layout #2.

Ernest Gordon stated that he feels that KMP is not an appropriate place for a full size game field.

Kam Chan stated that he supports field layout #2.

Linda Dias-Gobbie noted that her kitchen window faces the north end of KMP. Mrs. Dias-Gobbie noted that at first she was totally against soccer field at KMP but she realized that Saratoga needs more soccer fields. Mrs. Dias-Gobbie noted that she has two children that play soccer but never in Saratoga. Mrs. Dias-Gobbie stated that she supports field layout #2.

Gene Golobic stated that he supports field layout #2.

Warren Uchimoto noted that he doesn't support a full size field at KMP because he feels it would increase traffic and create parking problems around the park.

Declan Shalvey noted that he has three children and believes team sports are important for the development of kids.

Mark Linsky noted one full size field will not turn KMP into a soccer park, but will become a flexible all purpose park in Saratoga. Mr. Linsky stated that he supports field layout #2.

Debbie Lillo noted that his family uses KMP daily. Mrs. Lillo noted that one full size soccer field will not change the integrity of KMP.

Vandi Thirumale stated that she supports field layout #2.

Debra Shahmirza stated that she supports field layout #2.

David Myer noted that he was a resident of Campbell and is a coach for AYSO. Mr. Myer noted that recently they lost the field at Blue Hills Elementary School and has forced his team to play all games in other cities.

Devin Utter requested that the Council include a space at KMP for Petanque.

Steve Pratt stated that he support field layout #2. Mr. Pratt suggested speed bumps on all the side streets surrounding KMP to control the speed.

Nelia Gainer asked why the sports groups are loosing access to school fields. Ms. Gainer stated that she doesn't feel that the proposed design is right for KMP.

Alan Nonnenberg noted that a full size field would increase the traffic around KMP. Mr. Nonnenberg noted that the budget doesn't have enough money to maintain this type of field.

Ying Ding stated that she is opposed to field layout #2 because of the increased traffic that a full size field would bring along with the existing traffic from the synagogue.

Marty Clevenger read a letter from the 1991 City Council who considered the same issue at the time. Ms. Clevenger noted that they believed that a park in a residential neighborhood should be harmonious with, not disruptive of, the surroundings.

Ted Clabeaux noted that he has lived in Saratoga for over 38 years and stated that KMP is adjacent and requested the following:

- 100 foot heavily planted buffer
- 8ft fencing at around all properties abutting the park
- Fence built before any construction takes place at KMP

Mary Kline noted that she doesn't support the proposed full size soccer field.

Mayor Kline declared a 15 minute break at 9:15 p.m.

Mayor Kline reconvened the meeting at 9:30 p.m.

Sandeep Pandya noted that he recently moved to Saratoga and his kids play in AYSO. Mr. Pandya asked if the City has evaluated the costs of a full size field.

Donna McKenzie requested that the Council keep the current environment at KMP and noted that she supported field layout #1.

Peter Pransy noted that the KMP neighborhood can't accommodate a full size field.

Stan Bogosian thanked the City Council for their dedicated service and noted that KMP is not suitable for a full size field.

Adele Salle noted that she agreed with Marty Clevenger's statements.

Sandy Cross read an email from Howard Miller and noted that its contents were very discouraging to the neighbors of KMP.

Imogene Blats stated that she wasn't officially notified of this meeting and stated that she is concerned about the increase in traffic around KMP. Ms. Blats suggested that the Council look at Central Park as an alternative.

Katie Kennedy noted that she feels everyone is too focused on soccer they forget that the bottom line is Saratoga needs safe places for kids to play. Ms. Kennedy stated that the Council should go forward with a full size field and mitigate the concerns regarding traffic and safety.

Marie Guerro stated that she lived near a park in Sa Jose and didn't mind the uses. Ms. Guerro noted that her kids play soccer and lacrosse and have to go to San Jose, Cupertino and Santa Clara to practice and for games. Ms. Guerro noted that she supported field layout #2.

Karlina Ott noted that the KMP has 10 acres of park land. Ms. Ott noted that 2,500 kids play organized sport if you add the parents that at least 5,000, which is about 25% of the City's population. Ms. Ott noted that the Board of the Women League of Voters they wanted to express their support of general use development of KMP by building playing fields and bathroom.

David Mighdoll noted that he supported field layout #2 and noted that KMP is community park not a neighborhood park. .

Suzanne O'Neill noted that she supports field layout #1.

Gary O'Neill stated that he supports field layout #1.

Samuel Holtman noted that he doesn't support a full size field.

Bob Williams noted that he supports field layout #2.

David Winters stated that he supports field layout #1.

Sharon Lam noted that she supports developing KMP into a park for everyone in the Community. Ms. Lam stated that there's not enough flat grass for everyone and it's not just for soccer.

Steve Everett noted that he supports field layout #2.

Donna Poppenhagen stated that a full size field at KMP will just create dangerous situations.

Brian Shing noted he can understand the need for a full size field but KMP is not the appropriate place.

Debbie Pranyis stated that she fully supports field layout #1.

Jean Ricket referred to Congress Springs Park when it's in full use and noted that it's very dangerous to be near thereon a bike. Ms. Ricket stated that she feels the Council hasn't addressed the parking and traffic concerns of the neighbors.

Barbara Baione noted that she was a past president of AYSO and her children played soccer but she fully supports field layout #1.

Barbara Takahashi noted that a full size field would change the ambiance of the park.

Lynda Mim Liu noted that she won't be directly impacted by KMP and supports a field layout #1.

Keith Bhatia stated that he doesn't want KMP to change and doesn't support a full size field at KMP. Mr. Bhatia stated that schools should be used for soccer.

Steve Schwartz stated that he fully supports field layout #2.

Mary Robertson stated that the City is a minimal service city with a budget of about \$9 million dollars. Mrs. Robertson noted that the Council had to cut \$1.2 million dollars in FY 05-06 and provided examples.

Priscilla Ho read statistics of what the surrounding cities offer their sports user groups.

Jules Farago noted that his kids play ice hockey and has had to travel all over the Bay Area so he doesn't have any sympathy for soccer parents. Ms Fargo stated that her concern is safety and traffic.

Dory Albert noted that she supports a field layout #1.

Roger Piazza requested that the City find out why the sports user groups are using the use of their fields. Mr. Piazza supported developing a field at West Valley College.

Fiona Rodriguez stated that she fully supports field layout #2.

Elaine Clabeaux noted hat her kids live in other cities whose organized sports play at the local schools. Mrs. Clabeaux noted that AYSO violated their contract with the City of Cupertino

Scott Emery stated that he fully supports field layout #2. Mr. Emery pointed out that the public had the concerns with traffic and safety when t the Library and Fire Station. As a result great buildings were constructed and the traffic and safety concerns were mitigated.

Bob Alley noted that according to a report to the City Council dated September 21, 2005 stated that even if a full size field was built at KMP would not solve the flat grass problem. Mr. Alley noted that he doesn't support a full size field.

Mahesh Jethanandani noted that she supports a field layout #1.

Barbara Stewart suggested that the City look at West Valley College to construct a full size field.

Jerry Tu noted that he supports a field layout #1. Mr. Tu stated that a full size field would increase traffic and disrupt the neighborhood.

Laura Watkins noted that she supports a field layout #2.

Roy Hennington noted that he has to pay \$132 dollars per year to Cupertino to play soccer. Mr. Hennington noted that his team usually plays at the Creekside Park which has three soccer fields.

Jean Barr noted that she lives on the corner of Skully and five cars have hit her house because they've been going to fast around the curve. Mrs. Barr noted that her concern is the traffic and safety.

Dawn Glajchen noted that she was a soccer mom, drives a SUV and is a referee for AYSO. Ms. Glajchen noted that she is also a real estate agent and noted that the homes around Congress Springs Park have sold at the same rate and appreciated at the same rate as the rest of Saratoga. Ms. Glajchen stated that she doesn't see how a full size field will effect the homes around the KMP

Mike Fujimoto noted that he is a resident of Cupertino and a coach for AYSO. Mr. Fujimoto noted that it's time the City of Saratoga step up to the plate and help the other cities by provide soccer fields. Mr. Fujimoto noted that one filed is not a sports complex.

Howard Miller noted that he comes from a family of volunteers about 1000 per year supporting the youth of the city. Mr. Miller apologized for the email another resident referred to. Mr. Miller stated that he wrote that email out of frustration to appeal to his fellow AYSO members.

Marty Goldberg noted that he would be happy to continue working with Howard Miller. Mr. Goldberg thanked John Cherbone and Kristin Borel. Mr. Goldberg noted that a Council in 1995 found that KMP was unsuitable for sports use.

Mayor Kline declared a 15 minute break at 11:00 p.m.

Mayor Kline reconvened the meeting at 11:15 p.m.

Mayor Kline thanked everyone for attending tonight's meeting and opened the discussion up to City Councilmembers.

Councilmember Waltonsmith asked staff to explain the funding source for the two different field layouts.

Director Cherbone stated that alternative #1 costs less in capital costs up front. In terms of maintenance not that great of a difference between the two perhaps an increased in water and utilities but hose could be offset by the maintenance fees that are charged to the user groups. However, Director Cherbone pointed out that there will be some incremental costs to maintenance which won't be determined at this point in time; staff would need to go further into the design process. If the project goes over budget the Council could decide to supplement the budget or prioritize amenities.

Councilmember Waltonsmith asked if anything different has been talked about to create the buffer instead of an orchard.

Director Cherbone explained that the neighbors wanted some sort of orchard and it would also serve as the 100 foot buffer which was also one of the neighbor's desires.

Councilmember Waltonsmith noted that when she went through the tree list 33 non-fruit trees and 37 are mature fruit trees. Councilmember Waltonsmith noted that she is against removing any of the existing non-fruit trees.

Councilmember Streit noted that the City currently has Park User Agreements with the various sports user groups at El Quito and Congress Springs Park.

Director Cherbone agreed and noted that the current user agreements work well controlling the use of the fields. Director Cherbone stated that the agreement doesn't allow more than 5 days of use on the fields for practice or for games. Director Cherbone noted that they like to have one day on the weekend blacked out for all use of organized sports.

Councilmember Streit commented that for two months out of the year CYSA goes dark and they are only allowed to have 20 games days out of 52 weeks per year.

Director Cherbone agreed with Councilmember Streit's comments.

Councilmember Streit asked staff to explain the process when the City does a major project to mitigate traffic. Director Cherbone noted that sometimes after a project is completed the mitigation actually improved the existing problems.

Director Cherbone responded that depending on the project the City always hires a professional consultant to find mitigation concerning traffic and noise.

Councilmember Streit asked if staff does follow up reports after mitigation has been implemented.

Director Cherbone responded yes, pre and post studies.

Referring to the walking path over to the overpass, Councilmember Streit asked if there was a way to keep that amenity. If we move all the field north and shrink the buffering area could the path as is.

Director Cherbone noted he would have to work with the design consultant.

Vice Mayor Kao asked what the City use the user fees that are collected form the user groups - upgrades or maintenance.

Director Cherbone responded the fees collected were used for both maintenance and upgrades. Director Cherbone noted that a baseline of what maintenance costs would be for general use, then additional use that the organized sport will cause additional maintenance. Director Cherbone noted that staff then takes the difference charges the user groups.

Referring to the definition of a spots complex and thinking about Congress Springs Park, Vice Mayor Kao asked how many days are the fields used.

Director Cherbone noted that the fields are used 5 days plus Sunday for the VIP program.

Vice Mayor Kao asked how many hours it's used.

Councilmember Streit responded that at El Quito the user groups are allowed to practice from 4:00 p.m. – 7:00 p.m. 5 days a week. On the weeks they have a game they are only allowed four practices and one game day and they have to be off the field by 6:00 p.m.

Director Cherbone stated that El Quito is a better comparrison to what could exist at KMP in the future - if a game field were to be constructed.

So therefore, Vice Mayor Kao commented that if we compare Congress Springs Park to the potential usage at KMP we are not really seeing the same kind of use.

Director Cherbone agreed with Vice Mayor Kao's comments. You can't compare the two because the intensity is much greater at Congress Springs Park due to the amount of fields at Congress Springs Park. Congress Springs Park has seven fields KMP is proposed to have one field. Director Cherbone noted that the similarity is that they both might have the same number of uses per week.

Mayor Kline noted that El Quito is allowed four games and they are spaced out.

Director Cherbone responded yes.

Mayor Kline asked how long each game was.

Councilmember Streit responded that an average game lasted about one and 1½ hours. Games are played at 10:00 a.m., 12:00 p.m., 2:00 p.m. and 4:00 p.m.

Mayor Kline expressed concern about the number of cars that show up at a game – the ones already there and the cars waiting to play the next game. Mayor Kline asked how El Quito handles all of the cars coming and going.

Director Cherbone noted that the City has an agreement with West Hope Church for use of their parking lot. Director Cherbone added that whatever direction Council gives to staff, traffic and parking will be looked at. Director Cherbone noted that on an average about 40 cars are parked at the church.

A discussion took place in regards to the type and size of buffer to have between the park and the homes. Director Cherbone explained that staff would look at the size of the field, the age of the players, and what the norm is as far as the size of buffers by soccer fields and determine what is appropriate.

Councilmember Waltonsmith discussed values that she heard this evening. Referring to and agreeing with Mr. Mighdoll's comments earlier this evening when he stated that child rearing has changed. Children these days don't have the luxury as she did when she was growing up to roam around freely. Councilmember Waltonsmith thanked the Task Force. Councilmember Waltonsmith noted that the Council received a huge number of emails from both sides. Councilmember Waltonsmith stated that no matter what plan is chosen this evening the City will do everything to mitigate the concerns expressed this evening. Councilmember Waltonsmith stated after she has read everything and visited the park she has come to the following conclusions on what she would support:

- Bathroom
- Parking
- Buffer – don't support taking out the mature trees – save the variety of trees that are there – perhaps add some grass.
- Tennis courts
- Basketball
- Picnic area
- Mediation & Community garden
- Half size practice field
- Full size game field

Councilmember Waltonsmith noted this will be a lovely community neighborhood park something for everyone that she feels the City can mitigate the traffic and noise.

Councilmember Streit thanked Norm and Aileen for working with the Task Force. Councilmember Streit thanked past Councilmember Clevenger for her comments but noted that this was 2006 not 1991 and Saratoga is changing and as an elected official it is his duty to meet those changes and look to the future. Councilmember Streit stated

that we need more assets for our kids.

Councilmember Streit stated his kids are heavily involved in organized sports. Councilmember Streit stated that he is in favor of the full size soccer field. Councilmember Streit noted that he would like to re-look at the 100 foot buffer zone and possibly shrink it to reestablish the path and save as many mature trees in the park. Councilmember Streit suggested moving the two gardens to the orchard.

Councilmember King thanked Norm and Aileen for their participation on the Task Force. Councilmember King stated that she is shocked to how many people spoke tonight that have or had kids that played organized sports. Councilmember King suggested that the City go back and look at the most recent census. Councilmember King stated that Nick, John Cherbone, and she spent 12 months looking for alternatives. Though they were able to pick up some practice field use at Marshall Lane but we lost 1 space at schools that have expanded. Councilmember King stated that the City has a good way to mitigate traffic. Councilmember King stated that she supports a bathroom, parking lot and a full size field but, questioned one tennis court. Councilmember King stated that in regards to bocce ball field she suggested that staff look into the cost to maintain that type of field. Councilmember King stated that she urged the sports groups to continue working together to be more efficient in the available field space available.

Vice Mayor Kao thanked everyone for attending tonight's meeting. Vice Mayor Kao stated that she sees a lot of her friends in the audience and feels personally connected with this issue. When she studied the issue she shared it with a friend that is on a city council in another city he told her that "If the decision you make that will still be relevant and appropriate in ten years that is the right decision". Vice Mayor Kao wanted to express that KMP is a beautiful park and noted that it is a 10 acre park. Vice Mayor Kao noted that we can see the city is changing, lifestyles are changing so today we involve our kids in organized activities after school, whether it be sports, dance, or music. Vice Mayor Kao stated that these activities help them learn how to be a team player. Vice Mayor Kao thanked the Task Force for the last three months of hard work. Vice Mayor Kao stated that she supports a full size field, which will not turn this park into a sports complex. Vice Mayor Kao also stated that two half size field does not equal one full size field. Vice mayor Kao requested that staff schedule the field use to allow the neighborhood as much breathing room to enjoy the park.

Mayor Kline briefly highlighted what the Task Force was assigned to do; create one plan with a consensus between the three groups. Mayor Kline noted that what the Council has before them tonight is one plan with two field alternatives. Mayor Kline stated that the Task Force never had a vote it was a consensus process – they had team building and exercise roles to come up with one plan. Vice Mayor Kline stated that a main concern of the neighbors regarding a full size field was the actual use of the field – games or practice. Vice Mayor Kline noted that the neighbors feel they can't trust the City to regulate the field. If Council votes for a full size field for game uses, Vice Mayor Kline suggested that the Task Force be allowed to continue the with the process and work with the design team–team to have the least impact on the neighborhood.

Councilmember Streit noted that he soen't agree with the continuation of the Task Force.

STREIT/KING MOVED TO SUPPORT FIELD LAYOUT ALTERNATIVE #2- WHICH INCLUDES ONE FULL SIZE SOCCER FIELD AAND ALL THE OTHER CONCEPTUAL ITEMS ON THE PLAN.

A friendly amendment was made by Councilmember King and supported by Councilmember Streit to add to the motion to be the least evasive to the existing park.

MOTION PASSED 4-1 WITH KLINE OPPOSING.

In regard to continuing the Task Force, Councilmember Streit stated that this issue has been talked about for the past two years and should be turned over to the professionals. Councilmember Streit stated that City staff should move forward and come back periodically to check in with the Council.

Mayor Kline asked when the actually construction would start on this park

Director Cherbone stated he could possibly break ground by the end of the year.

Mayor Kline asked what the delay factor would be if the Task Force meet three more times within the next two weeks.

Director Cherbone stated that three more meetings would delay the project about another month.

Councilmember King stated that she concurred with Councilmember Streit, let the professional take over. Also, Councilmember King stated that now that Norm is Mayor it would be difficult for him to be the facilitator. Councilmember King stated that let the public comment when it comes back to Council.

Councilmember Waltonsmith stated that if he wasn't Mayor she would support allowing the Task Force to meet again.

Mayor Kline noted that the problem he is having is that he made a commitment to the Task Force that he would push to allow the Task Force members to help through the design process.

Councilmember Waltonsmith noted that she could support two meetings and if members drop out the Task Force doesn't delay the process.

Mayor Kline noted that the members already made de commitment that if anyone dropped out they would be replaced by a similar person.

Councilmember Streit stated Mayor Kline is going to be bias to a certain aspect because he made certain commitments with out the rest of the Council's vote.

Councilmember King stated that she would suggest a professional facilitator.

Vice Mayor Kao noted that she has worked with the Task Force for the last three month and there is mutual respect and they are open-minded.

KAO/WALTONSMITH MOVED TO ALLOW TASK FORCE TWO MORE MEETING WITH THE DESIGN TEAM WITHIN THREE MONTHS.

A friendly amendment was made by Councilmember King to have a facilitator – not a councilmember – and remove Council participation from the Task Force. City staff acts as the facilitator for the two meeting with the Task Force. If any member drops off the Mayor will appoint replacement members. The Task Force would meet once, bring 50% conceptual plan to Council, return to meet the second time and return to Council by March 1, 2006 and set the time table for the next check in for the final plan – get feed back to take the next step.

MOTION PASSED 4-1 WITH STREIT OPPOSING.

NEW BUSINESS

None

ADHOC & AGENCY ASSIGNMENT REPORTS

None

CITY COUNCIL ITEMS

Referring to Aloha Drive, Councilmember King stated that there has been problems with the barricades. Councilmember King asked staff if they could contact Captain Hirakawa.

Councilmember King also expressed her concerns regarding trees during storms.

City Manger Anderson stated that the City would be hiring an arborist shortly and there has been a discussion developing an Urban Forestry Plan.

OTHER

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

There being no further business Mayor Kline adjourned the meeting 12:35 p.m.

Respectfully submitted,

Cathleen Boyer, CMC
City Clerk