

cc 5/13/19
#5

All-Inclusive Playground at Creekside Park

Sent: Monday, May 13, 2019 6:07 PM

From: Rahul rahulvasanth@protonmail.com

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Honorable Mayor Scharf, Vice-Mayor Chao, Councilman Willey, Councilman Paul, and Councilman Sinks,

I would like to provide some clarification on amending the grant and having the all-inclusive playground where it will best serve the community: Creekside Park.

I spoke at length with the Grants Management Analyst at the Santa Clara County Parks and Recreation Department last Thursday; we had a productive conversation about the possibility of having the all-inclusive park at Creekside Park. At first, he seemed to imply that there wasn't precedence—it had not been done in the past—and was a matter of fairness. I think that this is a unique situation; we've never all-inclusive playgrounds before; it is important that it be done the right way at the right place. He was not pleased that city staff had not reached out to update county staff about the dog park, citing a safety concern between having many dogs at an all-inclusive park that will have more vulnerable individuals. I spoke at length about why many residents believe Creekside Park meets and exceeds many of the county's grant criteria and learned that the concern was less about county staff time invested and more a matter of procedure. He provided encouragement for discussions as it's always a good thing and thanked me for my advocacy. He mentioned that only city staff can initiate the process. I think (personal thought, not what he said) it's important to request the grant be amended or that a new grant be approved than relinquishing the approved grant. He has seen instances where funds are lost over a verbal agreement, and he said that the decision would be made not by the county Parks department but Supervisor Simitian who has the power drive this change.

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From my 26 minute conversation with County staff (Grants Management Analyst at Parks and Recreation) and my 15 minute conversation with Supervisor Simitian's staffer that handled all of the all-inclusive grant applications, this is not entirely true. (And from what I have read county's AIPG Procedural Guide, the specific Jollyman Park location is not as closely tied as one might believe.) I believe that there is a possibility for Creekside Park to serve as the site for the all-inclusive playground without losing the county funding. At the very least, it is worth discussing. This process has to be initiated by city staff as indicated by Supervisor Simitian's staff and the county Parks/Rec staff.

And actually, looking at the grant application, there is very little that is unique to Jollyman Park that does not also apply to Creekside Park and aside from the very few residents who had positive feedback at the Parks and Recreation Commission meeting, there is no mention of resident outreach. Most references to location relate to the city as a whole in proximity to cities in the county. The grant application refers to CUSD and FUHSD and this is an area in Creekside Park's favor. It is much closer to far more schools from Sedgewick Elementary, Eaton Elementary, Hyde Middle, and Cupertino High School. Many of these students go through Creekside park on the way to and from home and spend time in the park. What better place for an all-inclusive playground, "where everyone can play and grow together, regardless of their age or abilities." Under "C. Public Access" our city staff describes the bus routes, "This stop enjoys frequent service by bus routes 25, 53, 55 and 323, each within a short distance of the site at the corner of McClellan Road." But the feasibility study states the "5. Bus Drop-off No [under the column "Present"] 1875' from park - too far to consider." There are so many different contradictions between what the feasibility study says, what the staff reports say, and what residents have heard from staff pertaining to this matter that I feel perhaps Jollyman Park might not be the best site.

A half mile walk is not accessible. The overwhelming majority of individuals with developmental disabilities do not own cars or have a driver's license, and this isn't quite accessible. This same bus route, the 25s is a comparable distance from Creekside Park (about 0.6 miles) but there is also the 26 bus line which stops right next to Creekside Park along Miller Avenue along multiple points. This is accessible. There is a great emphasis on the highways and other cities as people drive to all-inclusive playgrounds from all around the region. Creekside Park accommodates many more visitors with its 101 parking slots compared to Jollyman's 47. Jollyman Park has only one handicap parking slot—Creekside Park has five. Public Access is essential, and what really has not been discussed is the question: "how are people getting here, is this park facilitating accessible transit, and is it accessible in that there's actually space to park?"

The feasibility study states "It is anticipated that the residents of Cupertino would make up approximately 85% of the users, with the remainder coming from other areas outside of Cupertino. Palo Alto's illegal bridge playground currently receives over 50% nonresident use. However, it is anticipated that as additional inclusive play areas develop nearby, that nonresident percentages will drop, and resident percentages will rise."

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Under access the feasibility study: "The location of bus stops should be considered. However, buses are not necessarily a prime mode of transportation to all-inclusive playgrounds by the physically challenged community." while allocating no points for bus routes in its weightage. It goes on to say "Bicycle access is an important feature to provide for the public, as this will be an all-inclusive playground that will attract users of all abilities. Some users would be children and adults that prefer to ride a bike to the park instead of driving."

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The weightage of the feasibility study heavily skews the results. Creekside Park and Jollyman Site A are separated in the end by 93 points. The values attached to the weights are arbitrary to the point where significant differences are not accounted for between parks. Though the staff report and grant application claim Creekside Park is much noisier, it receives 60 points to Jollyman site A's 46 points, a better score. Despite having more than double the number of parking stalls (total and accessible) Creekside Park receives 94 total points to Jollyman Site A's 131 points. And the "Public Bus Stop near Park" criteria gives Jollyman 15 points to Creekside's 25 points despite the feasibility study previously saying it is "too far to consider." By multiplying the weightings in a manner that is not explained, despite the fact that Creekside Park receives better or even scores in the vast majority of metrics, it loses out most of its points in two areas and is considered in the lowest tier of all-inclusive playground priorities. Under "visibility" it receives 40 points—Jollyman Site A gets a whopping 140 points. Under "Space Available for Playground Area," Creekside Park is arbitrarily assigned a smaller area and receives 40 less points than that of Jollyman A.

I'm curious why the half basketball court and small patch of grass by the parking lot not considered. By incorporating this, the Creekside site would be a full acre, greater than that of the Jollyman site and receive 100 points (it would also gain another 20 points in relation to Jollyman it loses for being too close to the Basketball Court). Additionally, there is an area to the northeast portion of the park with a clear line of site to the street and again, greater in size than the Jollyman site. Yes, it does not have the same degree of nearby parking, but Jollyman Site A received a higher score (despite having 44 fewer parking slots and 4 fewer accessible slots) for having "availability of existing parking."

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What is most telling is the end of the segment on Creekside Park "The Creekside Park playground area already gets visited by multiple schools that are within walking distance to the park. The Creekside Park building is highly used for multiple year-round classes & summer camps."

"Already gets visited by multiple schools?" This is one of the strongest arguments for Creekside Park and the language seems to imply that we need to bring people to parks without programs, students, or usage when it should be the other way around. This is about the all-inclusive park. The feasibility study is the main supporting argument utilized heavily in the grant application, staff reports, council meetings, and elsewhere. I want to be optimistic about this, but it really feels like the study had an end result in mind. Despite the arbitrary weights and end result, the feasibility study offers a compelling argument for the Creekside Park site. As shown above, the feasibility study is incorrectly represented in the grant application but in a way that benefits Creekside Park.

I'm not a lawyer and not familiar with procedures, but the line "The program is governed by any existing or future policies and procedures that may be approved or amended from time to time by the Board of Supervisors" under the document titled ALL-INCLUSIVE PLAYGROUND GRANT PROGRAM PROGRAM TWO Procedural Guide bears relevance to the matter.

The County Grant Project Eligibility Criteria are better served by Creekside Park or apply in the same way because it is located in the same city with the same policies.

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Item 5 "the project must be for a regionally serving playground..." Sedgewick Elementary, Eaton Elementary, Cupertino High School, and Hyde Middle School are within spitting distance and have programs with students with developmental disabilities and far more people live in the area surrounding/actually use the park. The feasibility study cited heavily by city staff both in reports and grant application states this clearly.

Item 6 "The Project must include a design that goes above and beyond minimum standards set by the Americans with Disabilities Act, to ensure that seniors, children and parents with disabilities can truly make use of the playground." Item 2 and Item 5 clearly fit Creekside Park when taking Item 6 into consideration. Jollyman Park meets the bare minimum but does not go above and beyond.

Appendix I, the Evaluation Factors of the Guide is worth looking at on page 23. You will find that much of the criteria is met simply by virtue of being a Magical Bridge Playground and any location specific criteria non-unique to Jollyman but to the entire city. Within the subcriteria and what has been written in the grant application, nearly every single instance of Jollyman Park is served equally or in many cases, better by the Creekside Park site.

This is a 1.45 million dollar county grant with 1.2 million dollars coming from our city and what has been an estimated 5 million dollars in total cost. It also includes maintenance costs for 20 years which the city will be covering. It's highly likely that our city will never have an all-inclusive park at this scale again, and it's important to take that into consideration when looking at where parks in Cupertino are located and what opportunities exist for park expansions overall.

I'm writing because I believe that all residents of Cupertino must be well represented on all projects and decisions, big and small. Both the current Council and the previous Council have stressed the importance of community engagement. Where was the community engagement in this process? The staff report cites the Parks and Recreation Commission's Master Plan which itself many residents have felt lacked representative community engagement and is a work in (much needed) progress. The staff report actually says "If the City Council chooses to proceed with an all-inclusive playground at Jollyman Park, a robust community involvement process will occur. The intention is to involve the neighbors and the wider community in the design process and to develop a play area that truly represents our community." But only after the major decision has been made. When touring the Magical Bridge Playground this March in Palo Alto, the Board Director told many Cupertino residents that she had not heard of the possibility of any other sites for the all-inclusive playground than Jollyman. Between the

various inaccuracies and inherent bias or perhaps arbitrary weightage of the feasibility study, the various contradictions in communication during Commission/Council/written documentation provided, I find it hard to believe that this has been a fair process. This feels similar to how the previous Council operated, that residents replaced. Whether the all-inclusive playground is at Creekside Park or Jollyman, or any other location, the process has been deeply flawed. The only community engagement that went into the site was a single Parks Commission meeting held during a time where residents were focusing on a much larger matter. There are so many inaccuracies and inconsistencies within the documents shared by city staff and I am appalled with the lack of transparency and accountability in this process.

I strongly urge you to direct staff to initiate discussions with the County staff and help begin a process of community engagement that this community truly deserves. I spoke with nearly sixty residents around Hyde, Eaton, Cupertino High, and Sedgwick and not one had heard about this or knew of it, and every one of them felt that Creekside Park was a better location.

Creekside Park offers the best site for the all-inclusive playground as it fits the needs of the community and is much more aligned with the spirit of what the ADA embodies, going above and beyond to bring accessibility and independence to individuals with disabilities in an affirmative fashion. This best served in the place the staff report, feasibility study, schools, parents, and residents agree is the most integrated setting with varied but heavily engaged community involvement: Creekside Park.

Sincerely,
Rahul Vasanth

Representing myself only.

Kirsten Squarcia

Subject: FW: All-Inclusive Playground at Creekside Park
Attachments: ATT00001.htm

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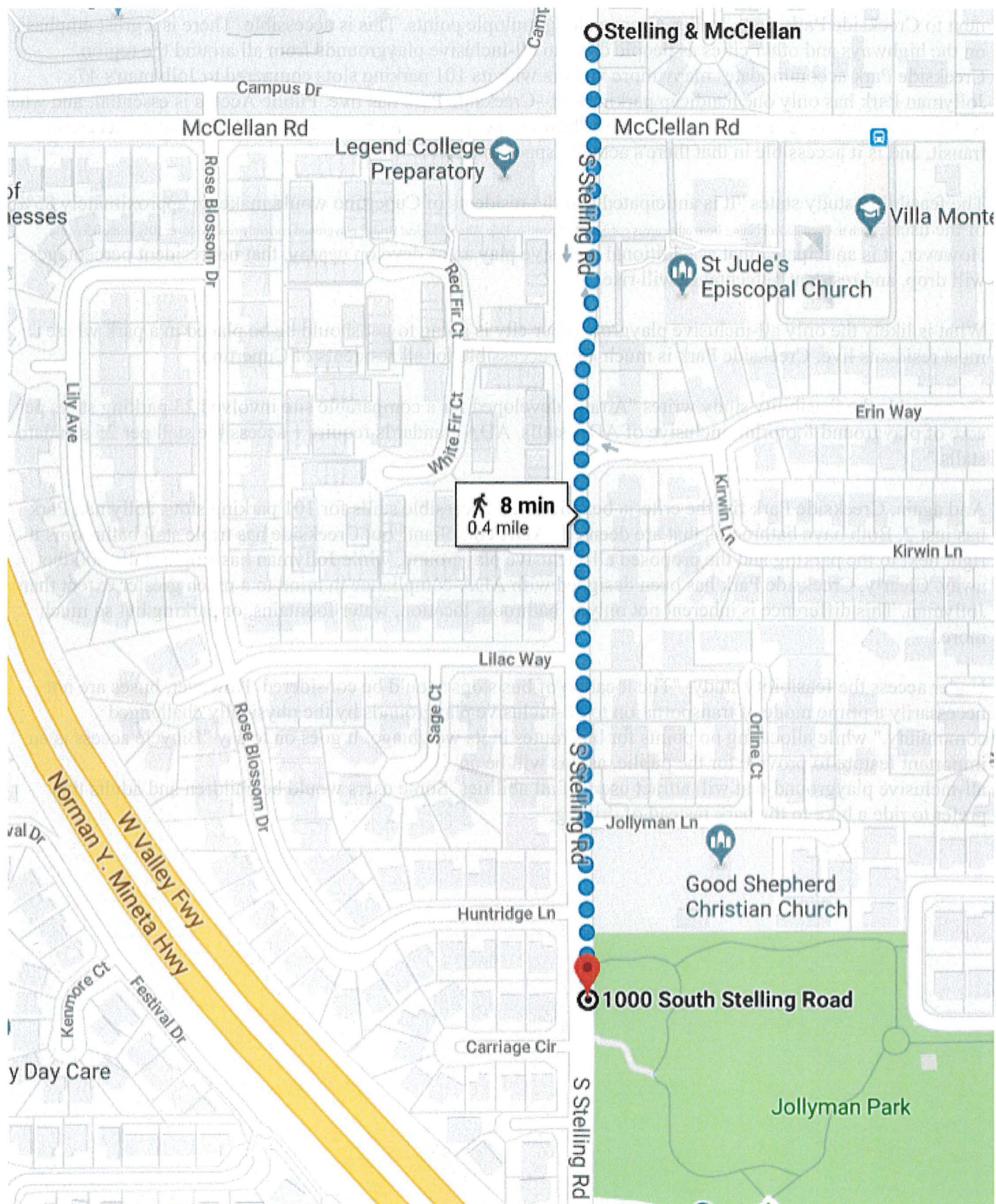
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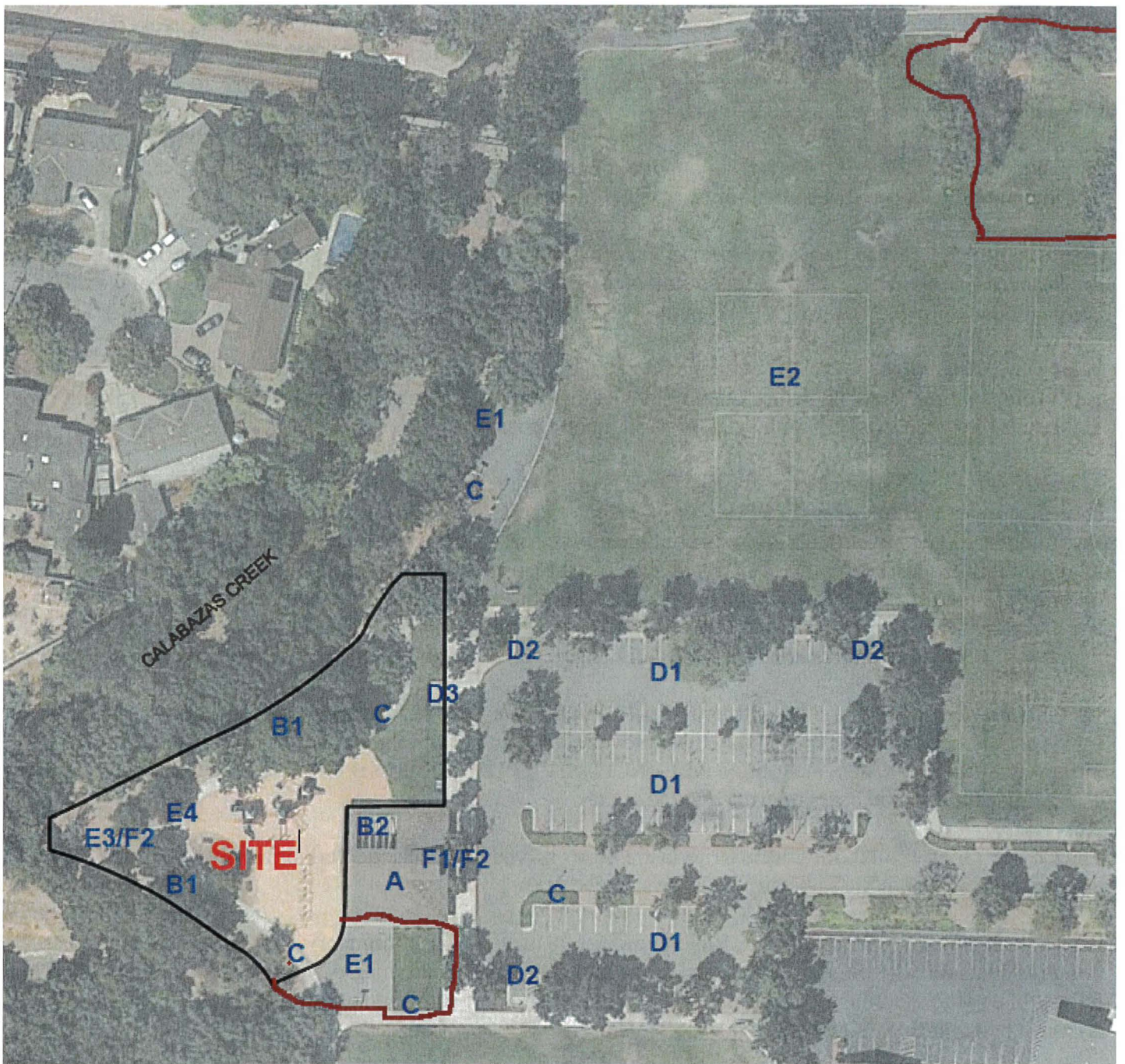
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SITE FEATURE	PRESENT	QUANTITY	COMMENTS
SITING CONDITIONS			
Acoustics			
1. Noisy	No		685' from Miller Avenue
2. Protected	Yes		By building from parking lot and by creek from neighbors
3. Busy Street	No		Miller Avenue is 685' from play area
4. Proximity to Features	Yes		Close to one soccer field and half basketball court
5. Proximity to Neighbor	No		Creek on west side, recreation building on East
Parking			
1. Standard Stalls	Yes	101	
2. Accessible Stalls	Yes	5	
3. Bicycle Parking	Yes	4	At north end of play area

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application, nearly every single instance of Jollyman Park is served equally or in many cases, better by the Creekside Park site.

This is a 1.45 million dollar county grant with 1.2 million dollars coming from our city and what has been an estimated 5 million dollars in total cost. It also includes maintenance costs for 20 years which the city will be covering. It's highly likely that our city will never have an all-inclusive park at this scale again, and it's important to take that into consideration when looking at where parks in Cupertino are located and what opportunities exist for park expansions overall.

I'm writing because I believe that all residents of Cupertino must be well represented on all projects and decisions, big and small. Both the current Council and the previous Council have stressed the importance of community engagement. Where was the community engagement in this process? The staff report cites the Parks and Recreation Commission's Master Plan which itself many residents have felt lacked representative community engagement and is a work in (much needed) progress. The staff report actually says "If the City Council chooses to proceed with an all-inclusive playground at Jollyman Park, a robust community involvement process will occur. The intention is to involve the neighbors and the wider community in the design process and to develop a play area that truly represents our community." But only after the major decision has been made. When touring the Magical Bridge Playground this March in Palo Alto, the Board Director told many Cupertino residents that she had not heard of the possibility of any other sites for the all-inclusive playground than Jollyman. Between the various inaccuracies and inherent bias or perhaps arbitrary weightage of the feasibility study, the various contradictions in communication during Commission/Council/written documentation provided, I find it hard to believe that this has been a fair process. This feels similar to how the previous Council operated, that residents replaced. Whether the all-inclusive playground is at Creekside Park or Jollyman, or any other location, the process has been deeply flawed. The only community engagement that went into the site was a single Parks Commission meeting held during a time where residents were focusing on a much larger matter. There are so many inaccuracies and inconsistencies within the documents shared by city staff and I am appalled with the lack of transparency and accountability in this process.

I strongly urge you to direct staff to initiate discussions with the County staff and help begin a process of community engagement that this community truly deserves. I spoke with nearly sixty residents around Hyde, Eaton, Cupertino High, and Sedgwick and not one had heard about this or knew of it, and every one of them felt that Creekside Park was a better location.

Creekside Park offers the best site for the all-inclusive playground as it fits the needs of the community and is much more aligned with the spirit of what the ADA embodies; going above and beyond to bring accessibility and independence to individuals with disabilities in an affirmative fashion. This best served in the place the staff report, feasibility study, schools, parents, and residents agree is the most integrated setting with varied but heavily engaged community involvement: Creekside Park.

Sincerely,
Rahul Vasanth

Representing myself only.

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