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BAREC Dispute May be Headed to Voters

By Carolyn Schuk

On July 18, the increasingly contentious public dispute about the disposition of the 17-acre former UC agricultural station on Winchester Blvd. took another step toward resolution by ballot initiative.

Following a City Hall press conference, SaveBAREC – the organization spearheading opposition to the Summerhill Homes/Charities Housing development project (Santa Clara Gardens) approved by the Santa Clara City Council -- presented petitions for a referendum to the Santa Clara City Clerk's office.

If the Santa Clara County Registrar of Voters validates at least 3,949 of the roughly 6,000 petition signatures, city voters will be asked to approve or disapprove the June 19 Council resolutions allowing the development project to go forward. "I'm confident we have enough valid signatures," says SaveBAREC member Kirk Vartan.

The date of the referendum depends on when the Registrar completes the validation. The law allows 30 working days to validate each petition, according to Santa Clara City Clerk Rod Diridon Jr. It's possible the issue could appear on the November 2007 or February 2008 ballot, but that's "pure speculation" at this time, says Diridon.

Development opponents say that they are not lobbying for any specific plan for the site at this time -- although many talk about turning the site, which was used for agricultural research, into an urban farm. The principal objection, they say, is that the process that led to the current development plan was faulty and didn't allow enough consideration of alternatives.

"A lot of plans can be put forward," said Vartan. "The task right now is [blocking] the current development plan."

SaveBAREC also contends that the state's plan to remove poisonous residues – the legacy of insecticide and herbicide research conducted at the agricultural station – is inadequate.

"The proper way to clean it is not to take the top layer of soil to a landfill," explained Vartan. "Bioremediation and phytoremediation [using bacteria and plants to break down and remove toxic substances]... will clean the whole soil, not just the top layer of toxic substances."

Stressing that she is speaking as a private citizen and not in her role as a Santa Clara Planning Commissioner, Theresa O'Neill says she was dissatisfied with the process that led to the Santa Clara Gardens project.

"To me this is such an extraordinary event, this [BAREC] is such a rare asset – an irreplaceable asset – I felt that extraordinary action was called for.

"I'm a believer in government process and consensus-building, and the [BAREC] process did not give people ample opportunity to start from the beginning and [ask the question], 'what can be done with this property?'" O'Neill continues.



BAREC supporters endure a light drizzle while waiting for the press conference to start where approximately 11,000 signatures (for 2 petitions) were turned in to the City Clerk's office to challenge the City Council's decision to develop the land.



Covered by plastic to protect them from the rain are the signed petitions.

"There wasn't the ability to open the process to other possibilities. This wasn't a strip mall being torn down and redeveloped. It's the last 17 acres of open land. I'm not supportive in general of California's tendency to do government by referendum," adds O'Neill. "But I felt this is an extraordinary opportunity."

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