



PARKS AND RECREATION COMMISSION MEETING
Thursday, February 11, 2010 Albany Community Center
Edith Stone Room, 1249 Marin Ave., 7:00pm

1. CALL TO ORDER

2. APPROVAL OF MINUTES: January 2010

3. PUBLIC COMMENT

For persons desiring to address the Commission/Committee/Board on an item that is not on the agenda please note that each speaker is limited to three (3) minutes. The Brown Act limits the Committee’s ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

4. ANNOUNCEMENTS/COMMUNICATIONS

5. DIRECTOR’S REPORT:

6. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

6-1	Community Gardens:	General discussion on creating more community gardens in Albany.
6-2	Ohlone Greenway:	Discuss possible improvements to the Ohlone Greenway after the BART retrofit project is completed.
6-3	Information from Waterfront Committee meetings re Dogs at the Waterfront:	Staff will pass along information that has been discussed at the Waterfront Committee meetings regarding dogs at the Waterfront. (Attached is a summary of their discussions)
6-4	2010 Commission Planning:	The Commission will identify any know projects, policies, events for 2010 in an effort to develop a 2010 work plan. (Attached are examples from Planning/Zoning and Traffic/Safety Commissions)
6-5	Next Meeting:	Next meeting scheduled for Thursday, March 11, 2010.

7. FUTURE AGENDA ITEMS

(Commission/Committee/Board Member announcement of requests for future agenda items. No public comment will be taken on announcement of future agenda items).

8. ADJOURNMENT:

Please note that if you provide your name and address when speaking before the Commission/Committee/Board it will become part of the official public record, which will be posted on the Internet.

NOTE: Any writings or documents provided to a majority of the City Council/Commission regarding any item on this agenda will be made available for public inspection at the Community Center counter located at 1249 Marin Ave during normal business hours, 8:30am-5:00pm, Monday through Friday.



A Regular Meeting of the Parks and Recreation Commission Minutes

Thursday, January 14, 2010

Albany Community Center

Edith Stone Room, 1249 Marin Ave.

7:00 p.m.

1. **Call to Order:** 7:00p.m. Commissioners present: Chair Pilch, Commissioners Class, Como (7:37), Cunningham, Kindle, Mullarkey and Trout.

Staff present: Director Penelope Leach and Robin Mariona.

2. **Approval of Minutes:**

Motion:

Motion to approve minutes from December 14, 2009 made by Commissioner Mullarkey and seconded by Commissioner Class. Motion carried 5 in favor 1 abstention.

3. **Public Comment:** Tony Wolcott encouraged the Commission to attend tree planting events around the City. Locations, times and dates were listed on the back cover of the Recreation Activity Guide.
4. **Announcements/Communications:** Commissioner Kindle stated that he was Chair of Team Albany for the St. Baldrick's event planned for St. Patrick's Day and asked the Commission to participate. Commissioner Mullarkey stated that she had attended the last Voices to Vision session. Chair Pilch stated that he had fielded questions at a School Board meeting regarding the Teen Center Friendship Club switch.
5. **Director's Report:** Director Leach stated that she had three items; first were copies of the BART plans for the Ohlone Greenway that she handed out to the Commission. She stated that it would be at least 2 years before anything could be done so there was plenty of time to plan. The second item was notification that the City Council and School Board meetings were moving back to City Hall now that the retrofit project was complete. The last item was an invitation to the Commission to attend the 2nd annual Commit to Serve volunteer event taking place at the Community Center on MLK Day Monday January 18th.
6. **Discussion and possible action on matters related to the following items, which could include reports and/or proposed resolutions if any:**

6-1. Community Gardens: General discussion on creating more community gardens in Albany.

The Commission formed two subcommittees of three members each to review locations for community gardens. Commissioners Cunningham, Kindle and Trout would meet on Fridays and Commissioners Class, Mullarkey and Pilch would take weekends. Urban Forester Tony Wolcott was welcomed to join. Director Leach stated that the experience gained implementing the Ocean View Garden would help the new gardens to have better focus.

6-2. Location Switch for Friendship Club and the Teen Center: Commission to consider recommending switching the locations of the Friendship Club and the Teen Center. (Staff report attached)

Director Leach stated that letters and school etree notifications had been sent out to inform the community of the intended switch of locations. The responses from the supervisors and email had been small but positive.

Commissioner Kindle asked how volunteers would get over to Ocean View. Director Leach stated that it was possible they could walk, but it could be talked about further. Chair Pilch stated that the play equipment at Ocean View would not be as good for the Friendship Club as Memorial's because it was mostly for younger children. Director Leach stated that the move would be a good one for City purposes.

Motion:

Motion to support the location switch of the Friendship Club and the Teen Center made by Commissioner Kindle and seconded by Commissioner Class. Motion carried all in favor.

Director Leach stated that she would present a staff report to Council on February 1st.

6-3. Field Use/Modifications Proposal from AUSD: Review and consider recommendation from AUSD to modify uses and field configurations at the Ocean View, Memorial and Cougar fields to better serve baseball and softball groups in Albany. (School District's Staff report attached.)

Director Leach stated the School District Staff report gave their perspective on the field modifications and the School Board had voted unanimously in favor of the changes.

Commissioner Class asked about the \$100,000-120,000 allotment mentioned in the report and whether the School Board was committed to spending it. Director Leach stated that they had voted to spend the money on the improvements.

Public Comment: An Albany resident asked about a 2 foot easement along Ocean View field for the Bay Trail connector. Director Leach stated that she would need to verify possible movement of the fence. The same resident asked about volunteer projects for the fields. Director Leach stated that volunteers could participate in making the fields bigger or smaller and plant grass. Superintendent Stevenson would present the plans to Council in February.

Dave Preuss stated that he was in full support of the changes.

Commissioner Mullarkey asked if all stakeholders were in support of the changes. Director Leach stated that they were and the Joint Use agreement had legal language to protect the City's interests.

Motion:

Motion to support and endorse the proposition from the School District for field changes made by Commissioner Kindle and seconded by Commissioner Mullarkey. Motion carried all in favor.

Commissioner Mullarkey commended the work of all the stakeholders.

6-4. Tree Task Force: Update from Tree Task Force including Tree List and work plan.

Commissioner Trout stated that the tree list had been completed and the Task Force had voted to disband with the agreement to function as an advisory group if necessary. The Task Force had allocated their money to nursery planting and entrusted any leftover to the discretion of Tony Wolcott.

Commissioner Kindle stated that the California Buckeye should be removed from the list because of its possible toxicity. Commissioner Trout stated that it was not likely that the trees would be dangerous if planted with restrictions as recommended on the list. Tony Wolcott stated that the Buckeye had unique and desirable qualities and should be left on the list.

Motion:

Motion to approve and adopt the tree list as presented by the Tree Task Force made by Commissioner Mullarkey and seconded by Commissioner Trout. Motion carried 6 in favor and 1 opposed.

6-5. Selection of Chair and Vice Chair: Commission to vote on Chair and Vice Chair to serve Feb 2010 through January 2011. Commissioner Kindle nominated Commissioner Mullarkey for Chair and she declined. Commissioner Mullarkey nominated Commissioner Kindle for Chair and he declined. Commissioner Kindle nominated Commissioner Class for Chair and he declined. Commissioner Mullarkey nominated Chair Pilch for another term and he accepted. Commissioner Kindle nominated Commissioner Class for Vice Chair and he accepted.

Motion:

Motion to accept Chair Pilch as Chair for another term made by Commissioner Mullarkey. Motion carried all in favor

Motion:

Motion to accept Commissioner Class as Vice Chair made by Commissioner Kindle. Motion carried all in favor.

6-6. Next Meeting: Next meeting scheduled for Thursday, February 11, 2010.

7. Future Agenda Items: Ohlone Greenway, Community Gardens.

8. Adjournment: 8:01pm

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DOG MANAGEMENT AT WATERFRONT

December 4, 2009 Meeting between
East Bay Regional Park District staff and City Waterfront Subcommittee members

WHAT WE LEARNED

1. Eastshore State Park (ESP) Planning and Land Use
 - EBRPD has partnership with State
 - EBRPD funded approx. 11%; State funded approx. 88%
 - Eastshore State Park Plan sets out long term goals and policies.
 - Any deviation means going back to State Parks Commission for approval.

What WFC members can do: Re-familiarize yourself with ESP policies for Albany area.
2. Albany Beach & Sand Dune Restoration feasibility study
 - EBRPD received \$100K from Coastal Conservancy for 18 month study to begin spring 2010;
 - City identified as a key stakeholder;
 - EBRPD would like to involve City staff and WFC in their workshops with residents; hopes to achieve participation from all interest groups.

What WFC can do: Assist District: attend/promote/assist in Beach study workshops.
3. Agreement between District and State regarding Eastshore State Park management
 - EBRPD has five year contract with State to operate the state parks within Alameda and Contra Costa counties; expires 2011.
 - Believes State will extend contract, but can never be assumed.
 - Does not include operational funds.
 - Must keep same rules as state when managing Eastshore State Park.
 - State's rules – For ESP “No Dogs on Beach”; elsewhere, dogs “on-leash” except at Beach.
 - Albany's rules at WF – Off-leash dogs okay; must be under voice control (same as, and due to, Berkeley's rules).
4. Other Agreements/Partnerships – Ex. Crown Beach State Park
 - a) EBRPD has 99-yr. lease agreement with State to operate Crown Beach located in Alameda.
 - b) Special Use Agreement between District and City of Alameda for dog park
 - District grants Alameda license to operate a dog park on Crown Beach State Park (subject to terms and conditions contained in Master lease between District and State Parks dated May 29, 1967, expiring May 28, 2017).
 - Five year agreement (1/1/10 – 12/31/14) w/ option to renew for two-yr. period.
 - Special Use Agreement includes rules to be followed by Alameda, such as allowed use, agreement terms, employees-personnel, maintenance, signs, removal of facilities.
 - See Exhibit C of attached Agreement for Dog Park Rules
 - Dogs must be leashed before exiting dog park; while in dog park owners must carry a leash.

What WFC can do: Read Agreement between District and City of Alameda re: dog park.

DOG MANAGEMENT AT WATERFRONT

5. Enforcement

- EBRPD's Public Safety Division has 52 officers patrolling 65 parks/facilities in two counties.
- Work with EBMUD and SFPUC to patrol parks/wildlife areas in utilities' watersheds.
- Currently, there is one (1) patrol officer per day shift for parks from Albany to El Sobrante.
- Park police divides EBRPD parks into areas; have limited budget and resources.
- Number of officers per area varies seasonally, daily (e.g., more during weekends/summer).
- During winter and low season, approx. ten (10) officers patrolling parks in both counties.
- EBRPD Police have authority to enforce on Albany land under Chapter 8 of EBRPD Ordinance 38 , and Penal Code 830.1, which allows any officer to enforce on another jurisdiction's property; however, District usually will not go into another jurisdiction and enforce unless an emergency. Police have "on-duty enforcement powers" throughout State.
- While unclear if and a mutual aid agreement exists between the two agencies, Park Police work with Albany Police in patrolling the WF; Albany Police can request help, if needed.
- Approx. eight (8) citations were issued in 2009 at Albany Beach and Plateau. Upon issuing a citation, the ticket is handled through traffic court.
- Computer database kept by Park Police (within capacity limitations) allows District to track violators; if another warning/citation issued, violation is more serious.
- Signage. Officers do enforce on-leash rules when proper signage exists. However, without properly located and clearly stated signage, it is unlikely Court Judge will sustain the case. District encourages officers to consider "can we win in court?" If no, District prefers officers patrol parks to sitting in court. Ex. Proper signage at bottleneck areas provide ample notice.
- Significant vandalism and limited funds limit EBRPD and City to replace all defaced and missing signs in ESP. Fifteen (15) signs EBRPD made for Albany were stolen, vandalized, or defaced within day or two of erecting during the first year of the ESP. Note: Recently two signs installed by Albany PW were stolen and the poles and concrete base removed.
- EBRPD Police has Problem Oriented Policing (POPS) volunteer coordinator (Heather); POPS provides "eyes and ears", and education to park users
- 70%-80% comply; 20-30% are non-compliant

What can WFC do: Help educate park users and general public.

6. Maintenance

- Fence cutting is a problem along Buchanan Street. People want easy access to Plateau and Albany Mudflat side. Fence cutters seem to include birders, dog owners, and fishermen.
- Point Isabel dog park operated and maintained by District. EBRPD does not wish to accept responsibility for another off-leash dog use at ESP; maintenance and enforcement problems.

7. EBRPD Decision Makers

Question: Who can make decisions necessary to address dog management and enforcement?

Answer: Everyone present at the EBRPD/City meeting which included:

Chief of Parks (Operations), Unit Manager (Shoreline Parks Operations), Interagency Planning Manager, Park Supervisor (Operations), Lieutenant (Regional Park Police).

KEY ISSUES

General consensus that key issues include (based on December 4, 2009 meeting discussions):

- Absence of uniform rules and regulations regarding dog leash laws
 - Conflicting signs (State Parks, Albany's)
 - Confusing to dog owners and walkers
 - Frustration/anger over rules (or other reasons) lead to defacing, removing signs
- Absence of clear understanding and demarcation of ownership lines, which causes:
 - Difficulty in knowing boundary locations (effects park users, operators and enforcers);
 - Difficulty in enforcing rules and regulations when signs display differing rules.
- Protection of Wildlife
 - Sensitive areas such the mudflats, areas buffering the mudflats, bird nesting areas, etc. need to be protected from dog and human activity.

Need for Education – Wildlife habitats are disappearing due to human activity, and presence of dogs; help identify locations of sensitive habitats and importance to keep out.

- Common sense issues
 - Clean up after your dog(s); always bring your own bags
 - Maintain control over dog - always; aggressive behavior between dogs; threatening or aggressive behavior toward humans (particularly children).

Need for Education – Remind users of common courtesy and park's cleanliness; remind users that aggressive dog behavior deprives others from enjoying a public space that belongs to everyone.

Other issues include:

- Physical safety issues, such as presence of construction waste (rebar, debris), uneven surfaces; unauthorized art; homeless encampments.

Summary:

The presence of different regulatory requirements, regarding dog control/dog-on-leash (between City and State Parks), and the absence of physical property boundary lines between these properties, result in enforcement difficulty by the Park Police. Also, limited budget and resources available to the Park Police have driven District to adopt a dynamic approach in allocating patrol officers to areas where more serious issue may occur. The lack of appropriate signs and the present of multiple entry points to Albany portion on the ESP undermine the Park Police's enforcement efforts, which are worsened by the frequent vandalisms of signs installed by the District at ESP. Education is a key component to compliance of park rules and common sense behavior.

POSSIBLE SCENARIOS FOR CITY-OWNED LANDS
(The Bulb, portions of The Neck, Cove area, Bay Trail)

Scenarios/Ideas based on the WFC subcommittee's meeting with EBRPD staff, individual research, and a tour of the Waterfront in December:

Scenario 1: City transfers (sells/gives) City-owned WF land to State:

- Uniform set of rules/regulations (State Parks), signage, enforcement
- Eliminates confusion over ownership lines for users/enforcers/maintenance

Scenario 2: City transfers (sells/gives) City-owned WF land to State, but enters into Special Use Agreement to designate specific areas for special uses:

- Specific uses could be for off-leash dog area, preservation of art area, etc.
- City would incur costs of installing any needed improvements, operating, and maintaining area(s).
- Legal instrument would be through a Special Use Agreement, or the like, signed by and acceptable to State Parks and EBRPD, similar to Crown Beach in City of Alameda.
- Explore whether easement agreement is preferable to a special use agreement.

Scenario 3: City retains City-owned WF land:

- Current City policies or practices continue regarding dogs off-leash; art created with found objects (non-permanent); patrol and maintain area, subject to availability of personnel, resources, and funding.
- City endeavors to implement ESP General Plan guidelines (policies) on City-owned lands as a conservation area, as expressed in Guidelines A-12 through A-26, subject to funding.
- City works with EBRPD to reduce confusion over property ownership lines (e.g., survey markers, signage).

Scenario 4: City retains portion of City-owned WF land via Land Division:

- City consults with State to approve a Land Division (via Subdivision Map Act) to carve out portion of land to remain under City ownership (e.g., art area, off-leash dog area).

Scenario 5: City swaps portion of City-owned land for State-owned land

- For example, City assumes ownership of a portion of the beach or plateau, depending upon the desired use (e.g., water access for dogs off-leash).
- State takes ownership of Neck, Cove and Bay Trail to better consolidate ownership lines and eliminate maintenance and enforcement confusion.

Other Scenarios?

**CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT**

**Agenda date: 1/12/2010
Prepared by: JB**

ITEM: 6e

SUBJECT: 2010 Planning and Building Division Work Program

RECOMMENDATION

For information and discussion only.

DISCUSSION

The following is a general outline of tasks and activities of the Planning and Building Division for calendar year 2010. For reference, the work programs for past years also are attached.

Anticipated Active Applications

- St. Mary's College High School Master Plan
- University Village Whole Foods/Senior Housing Project
- Safeway Expansion
- Medical Marijuana Dispensary

Policy Initiatives

- Completion of Housing Element
- Completion of Voices to Vision Waterfront Planning Process (Waterfront Committee)
- Completion of Climate Action Plan (Sustainability Committee)
- Arts Master Plan (Arts Committee)
- Pedestrian and Bicycle Plans (Traffic and Safety Commission)

Implementation/Procedures

- Staff training and certifications for code enforcement
 - Monitoring of conditions of approval of prior year approvals
 - Review of disaster preparedness and implementation of new Emergency Operations Center
 - Update information on web page
 - Update permit forms and handouts
 - Technology upgrade and integration
-

MEMORANDUM

TO: Traffic and Safety Commission
FROM: Aleida Andrino-Chavez
DATE: January 22, 2010
SUBJECT: 2010 Traffic and Safety Commission Work Program

The following is for Commission review and comment. Below is a general outline of tasks and activities of the Traffic and Safety Commission anticipated for calendar year 2010 to help guide your future agendas. Please add or delete any projects/tasks you believe appropriate.

Construction Projects

- Buchanan/Jackson signal and Marin/Santa Fe signal: construction of the two Safe Routes to School projects.
- Federal stimulus project submittal: Buchanan bicycle and pedestrian path
- Pierce Street Re-pavement and Bike Path construction

Policy Initiatives

- Large vehicle parking citywide
- Complete Streets—Routine Accommodations
- Residential Permit Parking

Planning

- Pedestrian Master Plan and Update to the Bicycle Master Plan
- Climate Action Plan— implement Transportation measures (Sustainability Committee)
- San Pablo Avenue – explore median and complete streets
- Way finding for Pedestrians and Bicyclists—Safe Routes to Transit Grant through the West Contra Costa Transportation Authority Committee (WCCTAC)

Implementation/Procedures

- Update information on web page