



**PARKS AND RECREATION COMMISSION MEETING**  
**Thursday, May 13, 2010 Albany Community Center**  
**Edith Stone Room, 1249 Marin Ave., 7:00pm**

**1. CALL TO ORDER**

**2. APPROVAL OF MINUTES: April 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:**

<b>6-1</b>	<b>Spring Activity Guide:</b>	Staff will highlight some of the new programs offered by Albany's Recreation and Community Services Department
<b>6-2</b>	<b>AHS Garden Project:</b>	Report on community garden project to be given by Juliet Chiarella, AHS teacher leading the project. (Attached is a sketch of the design provided by Ms Chiarella)
<b>6-3</b>	<b>Community Garden Policy:</b>	The Ocean View Community Garden Steering Committee is recommending a few changes to the garden policy. (See attached policy with proposed revisions.)
<b>6-4</b>	<b>Policy re Bounce Houses in Albany Parks:</b>	Each year City staff receives requests for bounce houses from citizens hosting parties/picnics at Albany parks. The Commission will review the pros and cons of allowing the bounce houses. (See attached staff report and draft policy for more information.)
<b>6-5</b>	<b>Tree Policy:</b>	The Commission will consider revising the Tree Policy to include some kind of replacement of trees approved for removal. (See current policy attached)
<b>6-6</b>	<b>Community Garden Locations:</b>	Commission to review city map for possible community garden locations.
<b>6-7</b>	<b>Next Meeting:</b>	Next meeting scheduled for Thursday, June 10, 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 Albany Park and Recreation Commission Minutes**  
**Thursday, April 8, 2010**  
**Albany Community Center**  
**Edith Stone Room, 1249 Marin Ave.**  
**7:00 p.m.**

- 1. Call to Order:** 7:05p.m. Commissioners present: Chair Pilch, Commissioners Class, Como (7:35pm), Cunningham, Mullarkey and Trout. Excused: Commissioner Kindle

Staff present: Director Penelope Leach and Robin Mariona.

- 2. Approval of Minutes:**

**Motion:**

Motion to approve minutes as corrected from February 11, 2010 made by Commissioner Mullarkey and seconded by Commissioner Cunningham. Motion carried all in favor.

- 3. Public Comment:** None

- 4. Announcements/Communications:** Commissioner Class thanked the City for supporting the Little League parade.

- 5. Director's Report:** Director Leach stated that completion of the stage at Memorial Park was set for April 16<sup>th</sup>, delayed due to the rain. Director Leach asked the Commission to email her if they wanted a table at the Arts and Green Festival scheduled at Memorial Park for May 2<sup>nd</sup>. The location change for Friendship Club and the Teen Center would take place in June in time for summer camps, if all went according to plan. Staff continued to work on walking children from the schools to the care centers, for the fall session.

Chair Pilch supported a Commission table at the Arts and Green Festival, but did not want to man it alone. He also supported walking children from school to childcare. Commissioner Cunningham agreed that walking was a good idea.

- 6. Discussion and possible action on matters related to the following items, which could include reports and/or proposed resolutions if any:**

**6-1. Garden Design Presentation from AHS Students: Students working on the design for the Albany High School Garden Project located behind the Veteran's Building at Memorial Park will present designs.** The instructor from the high school supervising the project, Juliet Schirella, introduced the students involved in the project who presented the Commission with the elements of their garden plan including; constructing raised beds with good soil, bales of hay for benches and outdoor classroom seating, creating art for the walls, statues, tiles, sculpture, murals, planting fruit trees, native plants and composting.

Director Leach stated that the Arts Committee was developing a Master Plan and the students should attend a meeting and advise them of their art plans for the garden. She stated that the Commission needed a design plan from the students and rescheduled the group to come back with concept drawings for the May meeting.

**6-2. Tree Removal Request: Request from residents at 524 Talbot Avenue to remove and replace trees.** Albany resident Preston Jordan stated that he had presented his plans for re-designing elements of his property to the City and a letter was included in the Commission packet. The re-design was primarily to help accommodate a family member with a health issue, making mobility over the sidewalk that was lifted from tree roots difficult.

Chair Pilch asked if it was possible to curve the sidewalk around the tree. City arborist Tony Wolcott stated that a curved sidewalk may cause the sidewalk to enter private property out of the public right of way. Commissioner Mullarkey asked if it were to be repaired, how long it would take the sidewalk to rise again. Mr. Wolcott stated it would take approximately 5 years. Chair Pilch stated that removing the tree was a difficult decision, and the normal course of action would be 2 sidewalk repairs before removal was considered, however in this case there was a serious mitigating accessibility issue.

Commissioner Trout stated that the tree did not meet the standards for removal, however public health issues overrode the standards and he was inclined to vote for removal. Mr. Jordan stated that he would replace the tree with two more appropriate trees.

**Public Comment:** Albany neighbors on Talbot stated that they didn't want the tree removed, but once they understood the health issue they agreed. Mr. Jordan suggested amending the tree policy to make replacement a requirement. Director Leach stated that she would agendize the policy and would make sure the approved tree list was on the website.

**Motion:**

Motion to approve the street tree removal at 524 Talbot with the condition that the tree would be replaced made by Commissioner Mullarkey and seconded by Commissioner Class. Motion carried all in favor.

Tony Wolcott stated that there was value to wood collected from a removal, and it could be used for many projects.

**6-3. Community Gardens: General discussion on creating more community gardens in Albany.**

Commissioner Cunningham stated that she and Commissioner Kindle had walked the City to check out the possible garden sites, beginning at Terrace Park, continuing to Memorial, the Ohlone Greenway, Key Route, Albany Hill and some sites near the high school.

Chair Pilch stated that it would be helpful to look at a map with the sites marked. Mr. Wolcott stated that Terrace Park was mostly too shady, and there were areas near Pierce St. and the Gill Tract to possibly consider in the future. Commissioner Mullarkey mentioned an area by the creek between Kains and Stannage.

Chair Pilch stated that the community needed interested, motivated volunteers to lead the effort in creating new gardens. Possible public outreach by the Commission could help generate interest, but it seemed that interested citizens would need to step forward before the Commission took any more action. Director Leach stated that the established members of the Ocean View Garden were not interested in taking responsibility for other community garden sites around the City. She further stated that there did not seem to be much public demand for more space at this time.

**6-4. Ohlone Greenway: Discuss possible improvements to the Ohlone Greenway after the BART retrofit project is completed. Update re BART project.**

Director Leach stated that she and Chair Pilch had attended a BART meeting in Oakland that discussed accessibility, pedestrian and bicycle issues. There was not much new information to report, but fall was the tentative start date and it would be at the contractor's discretion, where the project would begin.

Director Leach stated that there was currently no money to develop plans, but there were two possible funding sources for the future; from the bond on the Community Center and WW funds. She stated that the Commission could choose to develop a Master Plan or do small ad hoc projects, as needs and preferences arose.

Commissioners Class and Trout preferred ad hoc projects.

**6-5. Discuss City's Policy re Cable Casting City meetings: Discuss the interest/possibility of recording Parks and Recreation Commission meetings to show on Albany's cable channel and /or make available the audio recording of P&R Commission meetings online. (Attached staff report from 7/6/09 re Cable Casting Policy approved by Council.)** Director Leach explained that there were only 2 staff qualified to cable cast, and there was just not enough time for them to broadcast all meetings, nor was it City policy. If special circumstances arose, it was possible to broadcast once or twice a year.

Chair Pilch asked if would be possible to have voice recording only. Director Leach stated that would be an extra fee for that service.

**6-6. Joint Use Agreement between AUSD and the City of Albany: Commission to review and comment on the draft JUA between the Albany Unified School District and the City of Albany regarding facility use.** Commissioner Class noted that there were no addendums in the document included in the packet. Director Leach stated that the school board had approved the agreement with addendums which included; field improvements and a chart presenting what the AUSD and City used and shared with each other. Commissioner Class asked what the funding mechanism was for field modifications. Director Leach stated funding was from 1999 parcel taxes. Chair Pilch asked that the addendums be included in the next month's packet.

**6-7.2010 Commission Planning: Review planning worksheet generated from the Feb. 2010 meeting. (Worksheet from Feb 2010 attached)** It was decided to include two items from the Ohlone Greenway.

**6-8. Next Meeting: Next meeting scheduled for Thursday, May 13, 2010.**

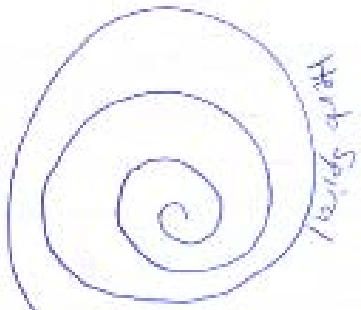
**7. Future Agenda Items**

**8. Adjournment: 8:35pm**

Phase 2:  
Concept

Plants

Fruit Trees



Herb Spiral

Plants



Flowers

Table

Flowers

Tables



TABLE



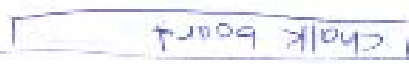
benches



Tables with vines



Chalk board



# Ocean View Community Organic Garden of Albany, CA Guidelines (2008)2010

The City of Albany, CA's Ocean View Community Organic Garden is intended for the use and enjoyment of the Albany community to grow organic produce, herbs, flowers and fruit, and for fostering a sense of community. The following guidelines are established to ensure that all participants are treated fairly and equally in their use of the gardens on property that is owned by the City of Albany, CA.

## Criteria for assigning plots

Priority for the assignment of garden plots will be given to Albany residents who live in apartments or condos. A post office box will not be accepted as proof of Albany residency. As with all of the City's recreation activities, a driver's license or a PGE bill shall provide proof of residency. Plot assignments shall be for the duration of the Plot holder's residency in Albany and subject to the Plot holder's ongoing compliance with these Guidelines.

The Garden Coordinator (GC-see section C.6) is responsible for maintaining a waiting list for the garden. Persons interested in obtaining a plot should contact the Recreation and Community Services Department, 510-524-9283 to fill out an application and pay a \$5.00 application fee that will go towards the \$60.00 per year non-refundable plot fee. Plots will be assigned according to present plot holder seniority interest first, then to waiting list date seniority (via a lottery process) to be administered by the Steering Committee (SC – see section C.2). No person shall have more than one plot while a waiting list exists.

The City of Albany has the prerogative to assign a maximum of two plots each year for educational purposes: one for the Recreation Department's use and one for the Albany School District's use. Both the City of Albany and the School District's plots shall be maintained according to these Guidelines. The Recreation and Community Services Director may assign unclaimed plots to one of the City's recreation programs and/or the Albany Unified School District.

## Gardening Practices

Plots may be individualized only in keeping with these Guidelines. Proposed changes in the overall layout and construction of the garden are subject to review and approval by the Parks and Recreation Commission and cannot be approved without the sufficient funds in place to cover all costs. The City may order changes as necessary to comply with law. A new additional plot will be added this year (2010) to an empty space. It is a 10' long galvanized oval stock tank to be

filled with dirt and gardened. This will bring the total plots to 20. We are hoping to use one plot as a greenhouse.

Gardens shall be consistently weeded, planted for at least 2 seasons and well maintained (year round) throughout the year. Individual Plot holders are responsible for keeping their plots and pathways around their plots clear and free of obstruction including grass, weeds, overhanging vegetation and hazards. Plots must be kept free of debris, trash, personal belongings, and equipment that are not used for gardening. Plot holders may not grow large permanent plants, plants whose roots invade other plots, or plants that significantly block the sun to other plots.

Individual Plot holders are responsible for controlling and eliminating pests, weeds and diseased plants in their own plots using methods consistent with the City's Integrated Pest Management Program. Diseased plants and weeds need to be placed in the green bins.

Plants with invasive seeds or growth habits are discouraged and shall be maintained at a higher standard of care to keep these plants from spreading to other parts of the garden. No illegal plants shall be grown. Seed saving of non-invasive plants is encouraged. A gardener practicing seed saving (allowing organic flowers or plants in their plot to fully develop seeds) may make the plot appear uncared for; therefore, the Plot holder shall post a written notice at his/her plot to alert other gardeners of their intentions. These plot holders will clear the plants after harvesting the seeds.

Gardens shall promote the practices of reduce, re-use, recycle and rot (the 4 R's), in order to minimize water use and the need for the off-haul of gardening waste. Plot holders shall strive to operate and maintain a system of composting yard waste onsite by cutting up the large roots and branches before adding to onsite compost, turning the compost and mulching their own plot soil. Watering should be done in early morning or late afternoon hours to keep evaporation at a minimum.

All Plot holders are expected to actively participate in garden matters and promote the aspects of "community" in and around the community garden commons. Plot holders shall attend (3/4) 4/5 of all garden meetings, contribute a minimum of eight (8) hours per year towards the maintenance of garden common areas, and contribute no less than six (6) hours per (week) year during scheduled (garden open hours) "Open Garden" hours.

All garden meetings are open to the public and shall be held in accessible locations. It is the responsibility of the Steering Committee (SC, see section C.2.) to provide for reasonable accommodations for all garden meetings, work parties and other events, if requested.

Produce **must** be harvested when it reaches maturity and plot holders will remove all plants when they have ceased to bear.

Plot holders will plant for at least 2 seasons. When someone is called out of town or sick for longer than 2 weeks, they will be responsible to contact a waiting list member through the Garden Coordinator and assign them to care for their plot and sign the garden agreement. If no waiting list member is willing to help, you will need to assign a family member or friend to care



for your plot and they will sign the agreement. If a garden member agrees to care for your plot in your absence, please alert the Garden Coordinator.

Community gardens are encouraged to donate excess produce to soup kitchens or homeless shelters.

Plot members will carry out in a timely manner any garden job they have agreed to do.

Watering, weeding, planting, and harvesting on another person's plot is not allowed without the Plot holder's permission.

### Administration

(In an effort to get the Community Garden operating, the Recreation and Community Services Director will appoint a volunteer Garden Coordinator and a Secretary-Treasurer to make up the Steering Committee. After the first four months of operation, the Plot holders will elect Steering Committee members.)

1. Decision-making shall be democratic, based on a simple majority of the Garden's Plot holders all duly notified in advance, and those present at the meeting. **If plot holders do not respond to advanced warnings of upcoming decisions and are absent from the garden meeting, they forfeit their vote.**

On an annual basis Plot holders shall nominate and elect a (two,) three **or four** member **Steering Committee (SC)**. The SC shall be comprised at a minimum of the following officers:

Garden Coordinator	OR	Garden Coordinator
Secretary-Treasurer		Secretary
<b>Plot Upkeep Supervisor</b>		Treasurer
		<b>Plot Upkeep Supervisor</b>

3. The SC will schedule (and invite all Plot holders) and conduct (quarterly) **five (5) meeting/work parties per year lasting 2 hours each with all plot holders receiving invitations.**(and)**The SC will also** promote garden community building events. The SC is responsible for naming the common area maintenance tasks **to be the focus of worktimes**. The Plot holders shall perform perimeter landscaping, litter pick up, and graffiti removal.

The SC shall maintain accurate and current records of Plot holder Agreements, Plot holder participation, plot configurations, funds and may act in advisory capacity to the Garden Coordinator. The SC shall update accounting and membership records annually and as changes occur, and shall provide an annual written report to the Parks and Recreation Commission. The City of Albany may make inquiries, perform audits and may take any reasonable action it deems necessary concerning complaints, abuses, or the adequacy of how funds are managed.

The SC is encouraged to establish a fair mechanism for resolving disputes. If they fail, disputes should be taken to the Recreation and Community Services Director who will be responsible for making a final determination.

The **Garden Coordinator (GC)** shall have the lead responsibility to represent the interest of the Plot holder, enforce the provisions of the Community Garden Guidelines, act as liaison with the City of Albany Recreation and Community Services Department, and take action as he or she sees fit, but only in accordance with these Guidelines and other local codes and policies.

Plot holders have 30 days from the date of written notice to correct or respond satisfactorily to any deficiencies brought to their attention by the GC, the SC,(or) **and** the City of Albany or his/her plot (may) **will** be forfeited.

An annual **non-refundable** fee of (\$50.00) **\$60.00** is payable to the City of Albany for each plot at the time the (application) **agreement** is (due) **renewed (June 1 of each year)**. The City will retain 25% of all fees collected to cover administrative overhead costs and the cost of water and green waste disposal. The remaining 75% will be set aside to cover the costs for maintenance, improvements, and/or operational costs to be determined by the Plot holders. Requests for funds for maintenance, improvements, and/or operational costs must be made to the Recreation and Community Services Director at least two weeks in advance of needing the funds. After the first year of operation, the City has the right, **and Plot holders may request** to increase or decrease the annual fee depending on the actual costs of administration overhead, water, and green waste disposal.

(If a Plot holder must forfeit his/her plot for any reason, a prorated refund based on the number of months remaining in the year will be given to the Plot holder.) **All fees are non-refundable except the \$5.00 application fee if one isn't able to use it toward a plot.**

These Guidelines may be reviewed and updated whenever necessary, subject to approval by the Parks and Recreation Commission.

The attached Community Gardening Agreement is a part of the Guidelines, and shall be signed by all Plot holders, formalizing the relationship between the Plot holder, the **Ocean View Community Organic** Garden, and the City of Albany. **The Plot holder will be given a copy of the Agreement and the Guidelines to which they agree to adhere.** All original copies of the Agreement shall be on file with the Recreation and Community Services Department.

**City of Albany Department of Recreation and Community Services**  
**Ocean View Community Organic Garden Agreement**

Plot Holder's Name \_\_\_\_\_ Plot # \_\_\_\_\_

Address \_\_\_\_\_

Telephone: Home \_\_\_\_\_ work \_\_\_\_\_ Cell \_\_\_\_\_

Email \_\_\_\_\_ **non-refundable \$60.00 yearly fee:**

Check Cash Credit

I uphold that my residence is in the City of Albany at the above address.

I have read and agree to abide by the Guidelines for the City of Albany's **Ocean View Community Organic Garden**, portions summarized herein, as they may be amended from time to time.

I agree to participate a minimum of (eight (8) hours per year for the maintenance of shared use areas and participate in **4/5** of all garden meetings, **sign up for "Open Garden" hours 3x per year, plant 2 seasons per year and keep my plot and the area around it weeded.**

I agree to relinquish my Plot willingly and in good faith if I fail to take corrective action of **(or)**satisfactorily respond to the deficiencies cited in a written notice received from the Garden Coordinator and/or the City of Albany, or if I cease to reside in Albany.

I shall participate in community gardening activities with the knowledge that these activities could result in injury. I am aware that the City of Albany is not overseeing the physical condition or day-to-day operations of the Community Garden. I am voluntarily participating in the activity of gardening and maintenance with full knowledge of the risks involved and my abilities to participate in such activities, and hereby agree to accept any and all risks of personal injury resulting therefrom. I understand that I am not, while participating in the community gardening activity, covered by the City of Albany's Workers' Compensation program.

I hereby agree that I, my assignees, heirs, guardians, and legal representative will not make a claim against, sue or attach the property of the City for injury or damage as a result of my participating in the Community Garden

and/or resulting from the negligence or other acts, howsoever caused, by any employee, agent, or contractor of the City of any other community gardener. I HEREBY RELEASE AND DISCHARGE THE CITY OF ALBANY FROM ALL ACTIONS, CLAIMS, OR DEMANDS THAT I, MY ASSIGNEES, HEIRS, GUARDIANS, AND LEGAL REPRESENTATIVES NOW HAVE OR MAY HEREAFTER HAVE FOR INJURY OR DAMAGE RESULTING FROM MY PARTICIPATION IN THE COMMUNITY GARDEN.

I agree to inform the Garden Coordinator and/or City of Albany immediately if changes in my status occur, including by (but) not limited to my place of residence and additional users of Plot, and agree to update my Agreement accordingly. Plot may not be given away by me to anyone else and I will clean up my plot before vacating.

I have carefully read the Guidelines and the Agreement and I fully understand the contents of each. I am aware that this is a Release of Liability and a contract between myself and the City of Albany and I sign it of my own free will.

**Plot Holder's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

Other(s) who will assist me in the upkeep of this garden plot:

Name	Address	Phone	Signature
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**For Official use only below this line.** \_\_\_\_\_

**Application Reviewed By** \_\_\_\_\_ **Date** \_\_\_\_\_

**COMMENTS:**

PAGE

PAGE 1

**CITY OF ALBANY  
PARKS AND RECREATION COMMISSION  
STAFF REPORT**

Agenda date: May 13, 2010

**SUBJECT:** Bounce Houses in Albany Parks

**FROM:** Penelope Leach, Recreation and Community Services Director

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**STAFF RECOMMENDATION**

- (1) Discuss the pros and cons of allowing bounce houses or similar apparatus in Albany Parks
- (2) Review the draft policy regarding bounce houses at Memorial Park

**BACKGROUND**

Each year City staff receives one or two requests from citizens asking to use bounce houses in Albany parks during a private rental such as a family picnic or more often a child's birthday party. Staff has also received requests from the Albany Preschool to have bounce houses at their annual Spring Fair. Traditionally, the City has not allowed bounce houses in the parks due to liability reasons and because the bounce houses damage the turf; however, there is no written policy allowing or disallowing bounce houses at the parks.

Staff investigated other cities' policies regarding bounce houses in public parks and of the eight cities that responded to the survey, five allow bounce houses and three do not allow bounce houses in their parks. Of the cities that allow bounce houses (San Ramon, Costa Mesa, Monterey, Garden Grove, and Walnut Creek) each has a policy similar to the attached draft policy whereby vendors from a preferred vendor list are required, a permit fee is required, and the bounce house company must provide its own insurance, etc. Additionally, the City of Walnut Creek only allows bounce houses on non-turf, designated areas. Of the cities that responded that they do not allow bounce houses (Anaheim, Hayward, and Tracy) it was mostly due to liability and/or turf management concerns.

**DISCUSSION**

Staff spoke with the City of Albany's risk management representatives regarding the use of bounce houses at Albany's parks by private citizens. After some discussion and revisions, risk management group is satisfied with the attached draft policy and feels the City would be adequately covered with such a policy.

Staff also spoke with Tony Wolcott, Albany's Urban Forrester, regarding his recommendation and he stated that he is concerned with damage to the turf due to compaction should the bounce

houses be placed on the turf. The recreation staff is concerned with monitoring private events to ensure party organizers are complying with a policy. Staff time is already spread thin and finding time to check-in with rentals having a bounce house could prove problematic.

The City uses bounce houses at the annual July 4<sup>th</sup> celebration. Staff controls supervision and the City is covered by the BCJPA special events insurance. Additionally, the event is once per year giving the turf where the bounce houses are placed more than adequate time to recover.

Staff recommends that if bounce houses are approved, the bounce houses only be allowed at Memorial Park on the outdoor basketball courts. This way, no turf can be damaged. As for Terrace Park and Ocean View Park, staff does not feel there is adequate space to safely place a bounce house. Staff does not recommend any of the City's sports fields be used as possible locations for bounce houses.

### **FISCAL IMPACT**

Staff recommends a deposit of \$100 and a permit fee of \$45 be charged should the Commission approve the use of bounce houses at any of Albany's parks.

The Master Fee Schedule will be reviewed by the City Council in May/June 2010. Staff recommends that if a policy is approved, the policy become effective July 1, 2011 once the fees have been reviewed and approved by Council.

### **Attachments**

Draft Bounce House Policy for Memorial Park

**City of Albany**  
**Recreation and Community Services Department**

**Bounce House Use at Memorial Park**

The following policy applies to all individuals and groups that make use of bounce house or similar apparatus at Memorial Park. Users of bounce houses or other similar apparatus are subject to the following conditions and requirements:

1. Bounce houses or similar apparatus may only be used at Memorial Park on the concrete surface of the outdoor basketball courts next to the tennis courts. Please see the attached map for the specific location.
2. Users must obtain a Park Permit for the use of the park and a separate permit for the use of a bounce house(s).
3. Users must abide by all conditions and rules disclaimers as noted in this policy, on the Park Permit, Park Reservation Form, and City of Albany Municipal Code.
4. No more than a total two bounce houses allowed in the designated areas during the event.
5. Bounce houses must be rented from a company that has liability insurance on file with the City. Companies of not less than \$1 million per occurrence with a \$2 million aggregate from a company authorized to transact the business of insurance in the State of California. The insurance company must have an AM Best Rating of not less than A:VII. Any lesser rating must be approved by the City. The bounce house company must provide an original endorsement to the general liability policy which contains the exact language: *“The City of Albany and its elected and appointed boards, officers, agents, employees, and volunteers are additional insured’s under policy number \_\_\_\_\_.”*
6. Bounce houses will only be set up by qualified representatives of the bounce house rental company in compliance with manufacturer specifications.
7. The applicant is responsible for providing a generator for inflation of the bounce house. The city does not provide electricity. The generator will be one noted as “quiet” and not generate noise in excess of City standards. The generator shall be placed a safe distance from the bounce house and electrical cords covered to prevent tripping hazards.
8. Bounce houses are not allowed in the park overnight.
9. Bounce houses must be free standing and weighted. Stakes are prohibited as a means to keep the bounce house securely in place. Bounce houses must not be tied or tethered to trees, tables, or other park amenities.
10. Applicant must provide adequate supervision so that the use is in compliance with manufacturers recommendations and reflects safe levels of operation. The City is not responsible for any bodily injuries to any participants or users of the bounce house.
11. The applicant is responsible for all damage caused by their use of the park or the bounce house. Damage to City property or turf may result in loss of deposit.
12. NO vehicle is allowed in City parks, on turf, or on sidewalks.
13. The City is not responsible for any damage to the bounce house.

This policy is effective July 1, 2010, and may be changed by the Parks and Recreation Commission.

Applicant Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Memorial Park





# City of Albany

## CITY TREE REMOVAL POLICY AND PROCEDURES

### **Purpose:**

This policy is intended to provide guidelines for City tree removals. The intent of this policy is to:

- 1) Acknowledge the benefits that street trees provide to all residents of the City; and
- 2) Preserve the City's Urban Forest by encouraging retention of existing street trees; and
- 3) Realign sidewalks whenever possible instead of removing trees.

### **Section 1: Emergency City Tree Removal**

(a) For the purposes of this policy, "city tree" refers to any tree on public property (City) with a DBH (diameter at breast height) of 3" or greater.

Any City Tree, which poses an immediate, clear and imminent danger to the safety of the general public as determined by the Director of Community Development or his/her appointed representative(s) may be removed without the prior notice or issuance of a City Tree Removal Permit.

Any City Tree, which is removed as an Emergency City Tree Removal, shall be reported (in writing) by the Community Development Department to the City Council and the Director of Recreation and Community Services who will notify the Parks and Recreation Commission upon receipt of notification.

Any City Tree, which is removed as an Emergency City Tree Removal shall be replaced by the City, when feasible, and not in conflict with the best planting season for the tree, shall be within sixty (60) days of the removal of the subject tree(s), or during the earliest possible scheduled City Tree Planting, whichever is sooner.

### **Section 2: Non-Emergency City Tree Removal**

Any City Tree which does not pose an immediate, clear and imminent danger to the safety of the general public as determined by the Director of Community Development or his/her appointed representative(s) shall not be removed without the issuance of a City Tree Removal permit as approved by the Parks and Recreation Commission pursuant to the following procedures:

#### **2.1 Non-Emergency City Tree Removal Criteria**

No City Tree that is not dead shall be removed unless one of the following criteria is met:

1. The City Tree is determined by the Director of Community Development to be storm damaged, diseased or borer infested beyond reclamation; or,
2. The City Tree, due to its own physical condition is determined by the Director of Community

Development to be a potential safety hazard and liability to the City (Condition of adjacent improvements are not to be considered as a factor); or,

3. The City Tree, at the time of the request for its removal, has damaged the adjacent sidewalk to an extent that constitutes a tripping hazard, and the City Tree has caused the property owner to have repaired the adjacent sidewalk on at least two (2) previously documented occasions, or,
4. The City Tree, at the time of the sidewalk repair, is determined by the City's arborist to require severing of roots that will either cause immediate death or instability to the tree, and has been determined by the Park and Recreation Commission that all alternatives of realigning the sidewalk or other practices in order to retain the tree have been evaluated; or
5. The City Tree, is causing substantial damage to adjacent subsurface gas and/or water service, which cannot be repaired without causing the tree to become unstable or seriously compromising the health of the tree; or
6. The City Tree is determined by the Director of Community Development to be in any way detrimental to the public safety or materially injurious to the property or improvements in the vicinity.
7. The City tree has been identified for removal as part of a City project, a park renovation project, and/or has been determined by the Parks and Recreation Commission to be in conflict with the best use of the park.

## **2. 2 City Tree Removal Permit Required**

The Parks and Recreation Commission may grant applications for a City Tree Removal Permit in accordance with application, public notice and meeting procedures described in this policy.

Applications for a City Tree Removal Permit shall be filed with the Community Development Department, or by the Community Development Department, on the prescribed form.

## **2. 3 Application requests from property owners:**

Applications for a City Tree Removal Permit shall be accepted only from the owner of the property that fronts the City Tree for which the request is being made.

- a) Application requests shall be reviewed by the Community Development Director and an authorized representative will examine the City Tree, the surrounding improvements, if applicable, and the Department's records in regards to the tree for conformance with the criteria as specified under Section 2(A) Finding from such review shall be documented in a Community Development Department Staff Report to the Parks and Recreation Commission.
- b) Community Development staff will transmit the application for removal permit, the arborist's report and an accompanying staff report to the Recreation and Community Services Director.

## **2. 4 Application requests from the Community Development Department:**

- a) Applications for a City Tree Removal Permit may be directly submitted by the Community Development Department to the Parks and Recreation Commission in cases such that the City accepts responsibility for removing and replanting the tree.
- b) Application requests shall be reviewed by the Community Development Director to ensure proper conformance with policy. Findings from such review shall be documented in a Community Development Staff Report to the Parks and Recreation Commission.
- c) Community Development staff will transmit the application for removal permit, arborist's report, if appropriate, and staff report to the Recreation and Community Services Director.

## **2. 5 Public Meeting Required**

- a) The Recreation and Community Services Department shall send notice of the public meeting by mail as least fifteen (15) days before the meeting to the following persons:
  1. The property owner having made the request (if applicable)
  2. Adjacent property owners within a one hundred fifty (150) foot radius of the City Tree.
  3. The Community Development Staff person who has processed the original application.
  4. The Parks and Recreation Commission.
  5. The City Council.
- b) The public meeting notice shall contain not less than the following information:
  1. The location of the City Tree for which the removal request is made.
  2. The applicable criteria for Non-Emergency City Tree Removal as set forth in Section 2.1.
  3. The date, time, and location of the public meeting of the Parks and Recreation Commission to consider the City Tree Removal Permit.
  4. City Tree(s) to be removed in conjunction with a City project, or not indicated on the approved plan for the park shall be included as part of the public hearing for the particular park project at either a Park and Recreation Commission Meeting or a City Council meeting.

## **2. 6 Posting of the City Tree required**

The Recreation and Community Services Department shall place a public meeting notice conspicuously on the City Tree at least fifteen (15) days prior to the public meeting of the Parks and Recreation Commission to consider the City Tree Removal Permit. This posting shall be monitored to ensure posting remains visible until hearing.

## **2.7 Action by Parks and Recreation Commission**

At a regularly scheduled meeting, after considering the findings of the Community Development Department and any public testimony, the Commission shall:

### **2.7.1 Vote to Remove the City Tree:**

- a) By confirming the findings of the Community Development Department Staff Report Recommending approval of the City Tree Removal Permit; or,
- b) By overriding the findings of the Community Development Department Staff Report Recommending Denial of the City Tree Removal Permit, but only after finding that one of the required criteria under Section 2.1 has been met.

If the removal application is approved by the Commission, the tree will be replaced with a new City Tree in accordance with the City's Tree Planting Policy, when feasible, and not in conflict with the best planting season for the tree. The new tree will be planted within sixty (60) days of the removal of the subject tree(s), or during the earliest possible scheduled City Tree planting, or during a park enhancement project per an approved park plan whichever is sooner.

### **2.7.2 Vote to Save the City Tree.**

- a) By confirming the findings of the Community Development Department Staff Report recommending denial of a City Tree Removal permit; or,
- b) By overriding the findings of the Community Development Department Staff Report recommending approval of a City Tree Removal Permit.

If the application involves a sidewalk repair project, the sidewalk repair shall be conducted in a manner that minimizes tree root damage by means of realigning the sidewalk or other practices.

## **2.8 Appeal of Parks & Recreation Commission Decision to City Council:**

Appeals of the Parks & Recreation Commission Decisions in regards to a City Tree Removal Permit must be made to the City Council with fifteen (15) calendar days following the action of the Commission.

No City Tree Removal Permit shall be issued until the fifteen (15) day appeal period has elapsed and no appeal has been properly filed.

If an appeal is filed within the time limit specified, the City Tree shall not be removed until after the City Council has considered the Appeal and approved the City Tree Removal Permit.

The processing of the appeal shall be as follows:

1. Form of Appeal: The Appeal shall be in writing on the prescribed form.

2. Appeal Fee: The Appeal shall be accompanied by an appeal fee as set forth in the City's Master Fee Schedule establishing fees for City Permits and Services.

## **2.9 Action by the City Council**

The Appeal of the decision by the Parks & Recreation Commission shall be heard at the earliest possible regularly scheduled Council Meeting.

Public notice of the Council meeting shall be the same as set forth in Section 2.6 of this policy.

After considering public testimony and the findings of the Community Development Department and the Parks and Recreation Commission, the City Council shall determine if the City Tree should be removed or saved. The decision of the City Council shall be final.

## **Section 3: Annual Review of Policy**

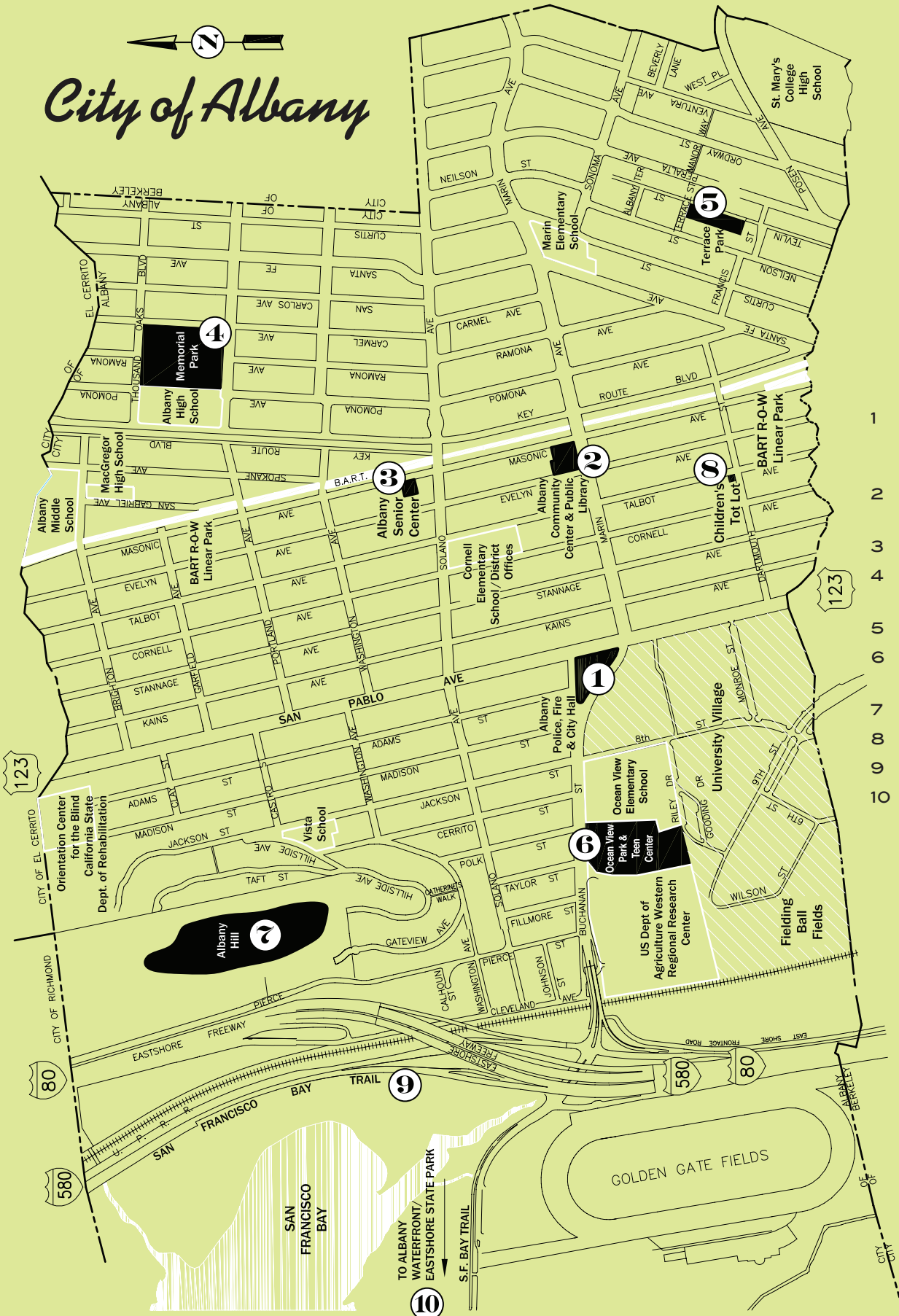
At a minimum this policy shall be reviewed by the Parks and Recreation Commission at its July meeting of each calendar year. Such review shall be intended to maintain a policy that effectively preserves, protects, maintains, and expands the City's inventory of City Trees.

## **Section 4: Disclosure of Policy**

This policy shall be disclosed to, and a copy provided to, all applicants of the City's Tree Planting Program.

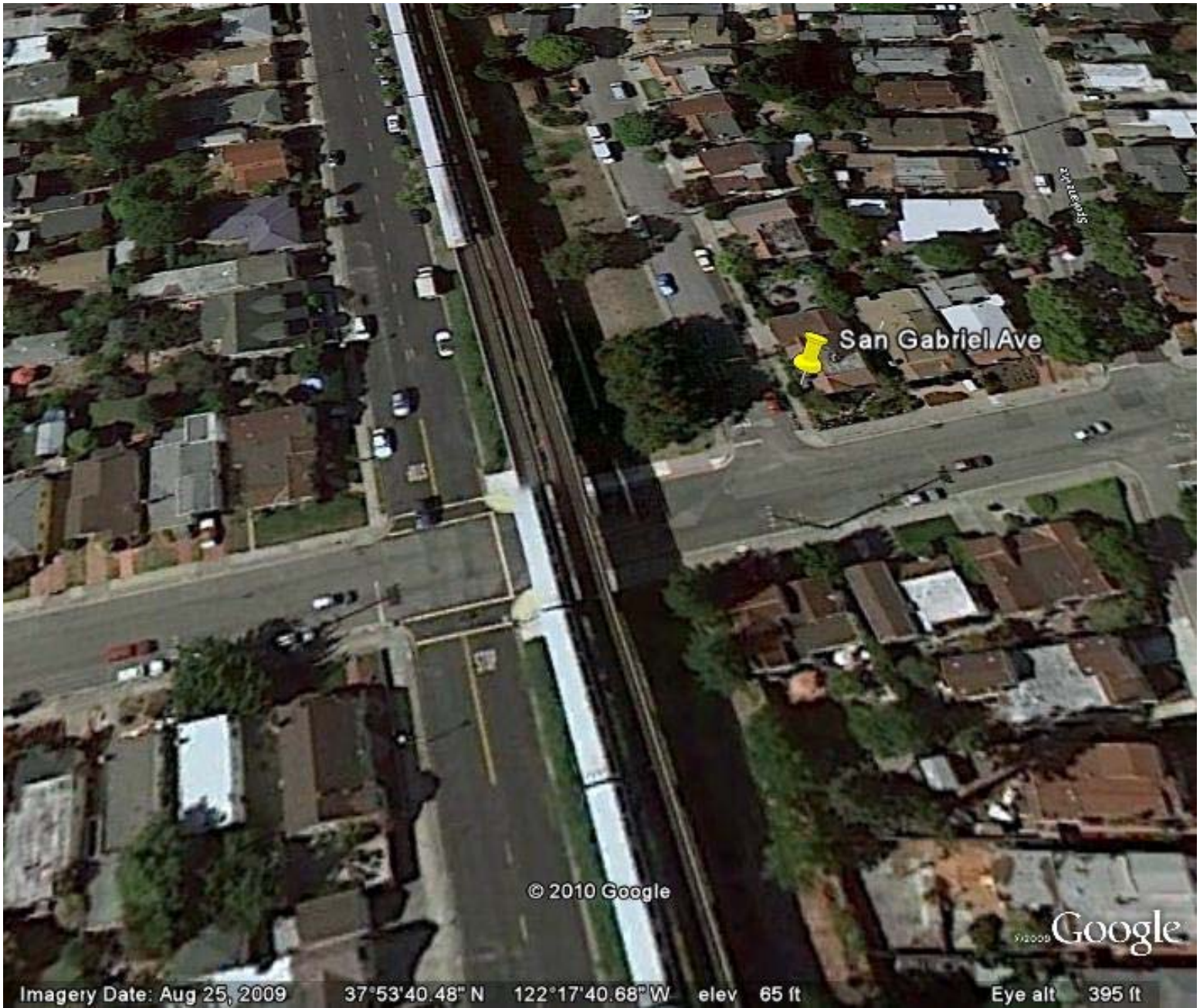


# City of Albany



- 1 City Hall  
Police Department  
Fire Department
- 2 Community Center  
Public Library
- 3 Senior Center
- 4 Memorial Park  
Albany Teen Center
- 5 Terrace Park
- 6 Ocean View Park  
Friendship Club
- 7 Albany Hill Park
- 8 Children's Tot Lot
- 9 S.F. Bay Trail
- 10 Albany Waterfront  
Eastshore State Park





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Imagery Date: Aug 25, 2009

37°53'40.48" N

122°17'40.68" W

elev 65 ft

Eye alt 395 ft