

COUNCIL MEETING DATE:

Monday, May 16, 2016

**ADDITIONAL CORRESPONDENCE
RECEIVED AFTER COUNCIL PACKET
PREPARATION**

Item 9-2: Memorandum of Understanding Between the City of Albany and East Bay Regional Park District Regarding Future Enhancements and Management Responsibilities of the Albany Neck and Bulb

DO NOT REMOVE

Please return to Eileen Harrington, Administration

Eileen Harrington

From: Ken McCroskey <kenwait@aol.com>
Sent: Tuesday, September 06, 2016 4:53 PM
To: citycouncil
Subject: Regarding Item 9-2 on the 9/6 City Council Agenda

RE:
9-2. Memorandum of Understanding between the City of Albany and East Bay Regional Park District Regarding Future Enhancements and Management Responsibilities of the Albany Neck and Bulb

Dear City Council Members-

After a review of the documents and MOU draft under consideration, I have to respectfully ask: What does Albany get out of this deal?

Positive:

- Help in finding funding for development of a park
- Albany retains control over park development process, including convenience of contributing local input locally

Negative:

- park must be developed to EBRP/State Park standards (including expensive removal/remediation of debris)
- Albany retains responsibility for police and fire coverage (1st responder responsibility cited. Would regular patrols shift away from Albany responsibility?)
- Albany must administer public process for development, and bear the burden of administering grants for the project
- Public art is not addressed in the MOU. Current and future art may not be compatible with district standards.

Am I missing something here? If I'm correct, what would prevent Albany from pursuing a much milder development that didn't require a massive clean-up. What am I missing?

Thanks for your consideration,

Ken

Ken McCroskey
kenwait@aol.com
510 334-9444

Eileen Harrington

From: Susan Moffat <moffat.susan@gmail.com>
Sent: Tuesday, September 06, 2016 7:14 PM
To: citycouncil
Subject: comments on City/EBRPD MOU for Albany Bulb
Attachments: Sept.62016LetterReMOU.docx

Dear City Council,

I submit the attached letter about the MOU for your consideration. Thanks!

Best regards,
Susan

To: The Albany City Council
From: Susan Moffat, Albany Resident
Re: Memorandum of Understanding between the City of East Bay Regional Park District
Regarding Future Enhancements and Management Responsibilities of the Albany Neck and
Bulb
Date: September 6, 2016

To the City Council:

I thank City and East Bay Regional Park District staff for their diligent work on this project. I am writing with the following comments on the Memorandum of Understanding between the City of East Bay Regional Park District Regarding Future Enhancements and Management Responsibilities of the Albany Neck and Bulb.

My overarching comment is that the MOU should more clearly state that the city's responsibilities during the period of transition to EBRPD ownership should include management of art at the Bulb and the development of arts facilities and programming as described in the Albany Neck and Bulb Transition Study and as stated in the policies of the Eastshore State Park General Plan.

- I. In the "Adopted Policies Section" of the Agreement, the MOU should mention policies in both the Albany Neck and Bulb Transition Plan and in the Eastshore State Park General Plan regarding informal art and its interpretation (see sections detailed below).
- II. The project for which the CEQA process is to be managed by the City should be more clearly identified. Section 2 of the Agreement calls the Project "Implementation Plans and Specifications." The Agreement requires that the city develop plans for a system of trails, recreational facilities, and habitat management and also to build "most of" these facilities. The Agreement should make clear in its titling of the CEQA Project that the City is being required to create a Park Plan and to build a number of facilities.
- III. The appropriate advisory board for the development of a Park Plan is the City Parks and Recreation Commission. While the Commission had a limited role in the development of the Transition Study to date, moving forward, the City Council should ask the Parks and Recreation Commission to take a lead role in carrying out the public process for developing and implementing the plans, construction, and operational management required in this agreement. Particularly since the Waterfront Committee no longer exists, the Parks and Recreation Commission should take an active role in public process for the Bulb.

Regarding point I. above, in the "Adopted Policies" section of the Agreement the following key policies from the Eastshore State Park General Plan should be recorded:

P. II-48

Local artists should be asked to participate in conceptualizing and designing artistic components such as trail markers, benches, interpretive signage, and buildings.

P. III-34

INTERP-14: Interpret the "plop" art phenomenon on the Eastshore which uses refuse as its main ingredient, and explore its relationship to other Bay Area traditions in art and activism.

Pp. III-45-46

Public Art

AESTH-8: Explore the feasibility of establishing a formal program of public art consistent with the mission of State Parks and the interpretive themes of the Eastshore park project.

AESTH-9: If it is determined that a public art program is feasible, work with appropriate arts organizations, artists, and interested public to identify how a public art program could be managed and by whom, and prepare a Public Art Management Plan that will guide the use of public art in the park project.

AESTH-10: The mission of the Public Art Management Plan should be to: Provide a forum for exploring the relationship between the arts, preservation of the natural environment, historic preservation, and recreation; Promote public understanding and appreciation of the environmental, historical, cultural, and sociological context of the park through the use of art; Foster expressions of art and design which will reflect the unique environmental and cultural resources of the Eastshore; Foster work that is diverse, high quality, and reflects the ethnic, geographic, and cultural diversity of the Bay Area's population.

Also, in the "Adopted Policies" section, the following policies in the Transition Study should be recorded:

--Explore the feasibility of working with an existing or new art-focused nonprofit to manage the public art program

--Leave existing works in place that do not pose a safety hazard

--Catalogue and document existing art and the history of art on the Bulb as a community resource.

In addition to the key sections above, I include below here for reference language from the Eastshore State Park General Plan that highlights the value of informal art at the shoreline and that identifies priorities in Park interpretive activities around "the modern midden" and around reflecting on waste and consumption. An art park at the Albany Bulb could support these goals in ways that no other location in the State Park could do:

P. II. 28 (Cultural Resources)

Several more contemporary cultural features are also found within the park project. The East Bay shoreline has a history of artists' expression. For years, artists have used the flotsam and jetsam from the Bay as their medium, and the mudflats and upland areas as their canvas, creating spontaneous and ephemeral pieces of folk or "plop" art. From the 1960s through the 1980s, the Emeryville Crescent was the primary location for this activity. The mudflats of the Crescent provided a highly visible stage for a constantly changing installation of driftwood and debris-based art. This practice ended in the early 1990s, when Caltrans cleaned up the Crescent to enhance tidal marsh habitat. In recent years, a small group of artists has been working regularly on the Bulb, creating an ever changing array of personal expressions interspersed throughout the upland and shore areas of the Bulb. These pieces range from elaborate constructions, to graffiti, to more traditional paintings, and are constantly changing in response to the elements and the whims of artists and visitors. In addition to these ephemeral art works, there are also some more permanent pieces in the Albany area, including a round seating area/fire pit structure just north of the Beach that was commissioned by the city of Albany, a metal sculpture of shorebirds, and an over-sized driftwood chair overlooking the Bay.

II.70

f. Art in the Park The shoreline within the Eastshore park project has long provided inspiration for artistic expression. Over the years, local residents and artists have used the flotsam and jetsam from the Bay as their medium and the mudflats and upland areas of the park project as their canvas. The resulting installations were typically spontaneous and ephemeral in nature and gained much of their charm from these qualities. The content of the work varied from whimsical to topical to highly political. This "plop" art or "wild" art as it is sometimes referred to, has been a part of the East Bay waterfront scene since at least the late 1960s. The Emeryville Crescent in particular was a favorite location for such creative expression during the 1960s and 1970s due to both the large amount of debris that is regularly deposited in the shallows of the tidal marsh and to the area's high visibility from the freeway and the thousands of motorists that pass by each day.

Ultimately, however, state and local resource agencies determined that the foot traffic and disturbance associated with these activities was not consistent with the habitat values of the Crescent's tidal marsh and required clean-up and restoration of the area and restricted future public access. More recently, the Albany Bulb has been the center of this type of art. Subsequent to the clean-up and closure of the Emeryville Crescent, the Bulb became a focus for such activities because it offers artists several advantages when compared to the Crescent. It is generally not as environmentally sensitive, so it was less likely to be a concern to resource agencies. It is less visible and less accessible to the public so it was less likely to be subject to public criticism or disturbance. In fact, until recently, the numerous homeless encampments that populated the Neck and Bulb kept all but the most adventurous from venturing out on the Bulb. Finally, the Bulb offers a wealth of materials for the aspiring artists, including the flotsam and jetsam brought in by the sea, the construction debris distributed across the surface of the area, as well as any number of objects discarded by the homeless and others.

While the current work follows in the “plop” art tradition, the conditions on the Bulb have resulted in a change in the character of artwork and installations. The current artwork tends to be more elaborate and less ephemeral in nature, and much of it employs materials (e.g., paint, cement, etc.) that have been imported, rather than found on site. Unlike the anonymity associated with earlier plop art, most of the work on the Bulb has been created by a small, but distinct coalition of artists who promote their existence. Not surprisingly this has resulted in work whose quality tends to be more consistent and whose aesthetic aspirations appear to be more serious. Consequently, there is also a greater effort by the group to display and maintain the work.

The tradition of artistic expression along the park project shoreline is strong and says much about the culture of the East Bay. Specific management issues relating to the role of art within the park project that will be addressed in the General Plan include: Promoting a program of public art that preserves the tradition of local artistic expression while focusing the content of such works on the interpretive themes of the park project. Providing the management necessary to accommodate public art while ensuring public safety and protecting resource values. Developing a program of public art that accommodates temporary, ephemeral art as well as more permanent installations. Identifying an appropriate structure or agency to manage the public arts program within the park project.

P. III.31

As such, the Eastshore park project presents a unique opportunity to demonstrate the often precarious relationship between human and natural systems. Regardless of its modified characteristics, the park project offers an unusually rich array of resources that can contribute to the public's appreciation and understanding of the East Bay shoreline, the Bay ecology, and the effect of man's habits of consumption and disposal. Casual visitors have too few opportunities to achieve significant understanding of natural and cultural forces that shape the landscape around them and can easily take for granted that resources as rich as the Emeryville Crescent or areas as developed as Point Isabel have always been with us. Interpretation provided in the context of the Eastshore park project can enhance the public's park experience by adding depth and breadth to the visitor's understanding and appreciation of this unique setting, and assist in educating the public on the steps being taken to preserve, restore, and enhance the park.

III-32

Goals: Two main goals exist for the park's interpretive program: To demonstrate the delicate interplay between human intervention and the natural systems' resilient response. To foster public understanding of the need for ongoing protection and enhancement of the parks' natural and cultural resources for the education, inspiration, and enjoyment of present and future generations.

PARK UNIFYING THEME: "Connections: Linking the Urban and Natural Environments on the Eastshore" The park project's interpretive potential embodies the confluence of the urban environment and nature. Thus, the unifying theme encourages an appreciation of the significant natural and cultural influences on the park in the past, present and future

P. III-33

INTERP-2: Interpret the changes over time to the shoreline by human modification...

INTERP-4: Explore society's changing attitudes about the Bay and the shoreline and how those attitudes have influenced the physical and cultural landscape of the Eastshore State Park...

INTERP-6: Provide opportunities for visitors to gain an understanding of the park's significant natural resources, including how the present day habitats have developed on highly disturbed land, and how they change through succession...

PRIMARY THEME: "Connecting with the Future: "Garbage" vs. Resource Recovery" An exploration of the role of refuse in the formation of the park and how today's responsible conservation and waste management practices can prevent future degradation of the environment.

INTERP-12: Interpret the shifting values over time regarding bay fill along the shoreline. Discuss the implications of early 20th century urban planning and the effect of municipal landfill practices.

INTERP-13: Interpret changes in how society views "waste." and the subsequent management of all materials to their highest and best use to better protect public health and safety and the environment.

INTERP-14: Interpret the "plop" art phenomenon on the Eastshore which uses refuse as its main ingredient, and explore its relationship to other Bay Area traditions in art and activism.

INTERP-15: Interpret the life cycle of the waste material that the upland area comprises, exploring the original composition of materials in the fill, what those materials were used for, what happens to those when exposed to the elements both above and below ground, how long it takes them to decompose, etc.

INTERP-16: Interpret the variety of applications for the re-use of recycled materials as an option for reducing waste and energy consumption. Explore the potential of recycling surface debris for re-use within the park project as an ongoing interpretive exhibit (e.g., the crushing of concrete to create gravel/aggregate for new construction).

INTERP-17: Identify the challenges of managing parks built on landfill, including managing toxic materials, hazardous waste and geologically unstable conditions associated with construction debris landfills. This includes the challenges of preventing contamination of the natural environment and public use areas.

INTERP-18: Educate park visitors on how the planning, design and operations of the park project can incorporate practices to reuse and recycle materials as a means to reduce energy use and waste.

INTERP-19: Explore the idea of the "Modern midden," i.e., that today's garbage is tomorrow's archaeology.

Thank you for your consideration.