



PARKS AND RECREATION COMMISSION MEETING

Tuesday, April 14, 2009

Senior Center, 846 Masonic Ave., 7:00pm

1. **CALL TO ORDER**
2. **APPROVAL OF MINUTES: March 2009**
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 **General Plan Update:** Staff will update the Commission on the City's efforts to update the General Plan.
 - 6-2 **Lighting and Landscaping District (LLD):** Annually the Commission recommends expenditures/projects for the City's LLD.
 - 6-3 **Accessibility of Albany Parks:** Review accessibility of Albany parks to determine if any changes/additions need to be made.
 - 6-4 **Terrace Park:** Update and recommendations regarding issues brought to the Commission from Terrace Park residents.
 - 6-5 **Discussion re Dogs in Parks:** The Commission will continue to discuss possible options and alternatives for addressing recent concerns regarding dogs in Albany's parks.
 - 6-6 **Proposition WW:** The Commission will continue to discuss possible uses of Prop WW funds. An update on proposed projects is due to Council June 2009.
 - 6-7 **Meeting Dates:** Discussion of Commissioner conflicts re next months meeting date as well as a possible joint meeting with the Water Front Committee on Monday, April 27, 2009.
 - 6-8 **Tree Task Force Update:** Update from TTF.
 - 6-9 **Ocean View Sports Field Improvements Update:** Staff will give an update on the progress of the project.

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, March 12, 2009
Albany Community Center
Edith Stone Room, 1249 Marin Ave.
7:30 p.m.

1. **Call to Order:** 7:32p.m. Commissioners present: Vice Chair Mullarkey, Commissioners: Kindle, Linden, and Trout. Excused Chair Pilch, Commissioners Class, Como.

Staff present: Director Penelope Leach, Urban Forester Tony Wolcott and Planning Manager Jeff Bond

2. **Approval of Minutes: February 12, 2009**

Motion:

Motion to approve minutes from February 12, 2009 with corrections made by Commissioner Kindle and seconded by Commissioner Trout.

Motion carried three in favor and one abstention

3. **Public Comment:** None

4. **Announcements/Communications:** Commissioner Linden stated that she wanted to be sure there was a timeline for Terrace Park.

5. **Director's Report:** Director Leach stated that planning had begun for the City's Fourth of July event and that groups were invited to participate. Groups were encouraged to have a booth/activity that supported the "Green, Red White and Blue" Fourth of July theme and to hand out fliers advertising their participation. Applications for participation would be available online or at the Community Center desk after April 1st.

Director Leach stated that two Recreation Coordinators had left City employment in the past month. She stated that the positions were not going to be replaced due to economic conditions, and the remaining staff would attempt to pick up the job duties. The reduction in staff would likely have the effect of some tasks being done to a lesser degree, and some things that may not be able to be done.

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

6-1. Albany High School Garden Request: AHS teachers are requesting a plot of land to build approximately five raised beds: Julia Schirella, Albany High School teacher, stated that a new program had been developed that would allow the school to begin a garden behind the Veteran's Memorial Building. CONNECT students would help with maintenance and planting. Other school groups like Earth Team and Build On would also help with garden upkeep and the garden would be planned to be effective and sustainable.

Director Leach stated that the Veterans were supportive of the garden site, and Ms. Schirella showed the Commission exactly where the garden would be located.

Commissioner Kindle stated support for the idea, and asked if the Friendship Club could have one of the plots. Ms. Schirella agreed. Commissioner Kindle asked if the surrounding trees would be too much shade. Tony Wolcott stated that no trees would need to be removed. Director Leach stated concern over

fruit trees dropping fruit onto the tennis courts causing maintenance issues and asked for a sketch to scale so the Commission would have a better idea of the space being used. Ms. Schirella acknowledged that fruit droppings may be a problem and agreed to create a sketch. Commissioner Kindle asked that the gardens be carefully planned to be ADA accessible, as there had been problems with accessibility at the Ocean View Community Gardens.

Ms. Schirella stated that further funding and grants needed to be worked on, but the students wanted to begin planning for spring and gardening by the fall if all went as planned.

Commissioner Linden asked about gardening space for students at the Gill tract. Ms. Schirella stated that transportation, monitoring and time made that sight difficult. Commissioner Linden stated that the Master Plan had discussed another area for gardening in Memorial Park, that could possibly be used in the future for expansion.

Motion:

Motion to approve the gardening space at Memorial Park for use by Albany High School students and the Friendship Club made by Commissioner Kindle and seconded by Commissioner Trout. Motion carried all in favor.

6-2. Commission Meeting Time Change and Date Change for April. The Commission will consider changing the meeting time to 7:00 pm and also consider changing the date of the April meeting:

Vice Chair Mullarkey stated that the community and staff had expressed concern about meetings being held at a reasonable hour, but Commissioner Como had a conflict with anytime before 7:30pm. Commissioner Linden requested waiting until the next meeting to make the decision, and favored the meetings being over by 9:30. Commissioner Trout stated that it might be difficult to have the meeting over by 9:30 if there was a late start.

Commissioner Kindle stated that it was not good public service to hold over the decision again, and an earlier meeting time meant that any teen that wanted to attend meetings could get home at a reasonable hour. Vice Chair Mullarkey stated that between the two meetings when this item had been on the agenda, all the Commissioners had stated their preference.

Public Comment: An Albany resident asked why any agenda items concerning teens could not be on the agenda early. Commissioner Kindle stated that the meeting hours should be reasonable enough for them to participate through the whole process if necessary.

Motion:

Motion to change the Parks and Recreation Commission meeting to 7:00 pm to offer greater participation by the community made by Commissioner Kindle and seconded by Commissioner Trout. Motion carried 3 in favor and 1 opposed.

Commissioner Linden stated that she would prefer consensus.

Director Leach stated that she would send out an email to the Commission offering dates for rescheduling the April meeting.

6-3. Property at 842 Masonic Avenue, Albany: Council has asked the Commission to advise them on the acquisition of 842 Masonic as a possible expansion of the Albany Senior Center: Director Leach introduced Planning Manager Jeff Bond. Manager Bond stated that the City Council had

authorized questioning the Parks and Rec Commission as well as the Planning and Zoning Commission, as to whether the acquisition of the home should be pursued for expansion of the Senior Center.

The additional space would add approximately 2000 square feet to the Senior Center, to serve more people and was centrally located. The Planning and Zoning Commission had already endorsed the idea at an earlier meeting, and the Council was looking for direction from the Park and Rec Commission as well.

Manager Bond stated that the property was not in good shape, and would need to be torn down and rebuilt for public use. Commissioner Kindle asked for identification of funding, and how long it would take to accomplish the rebuild. Manager Bond stated that it was his guess that it would take approximately \$500, 000 to rebuild a functional adequate space.

Director Leach stated that possible-funding sources included; about \$170,000 in park in lieu of fees, \$65,000 in CDBG money, Proposition WW funds and funds from the 2012 expired Community Center bond that could be leveraged against a mortgage. She further stated that the funding would be fully identified for the Council meeting in three weeks. Manager Bond stated that the acquisition represented the best possibility of expanding an existing facility, which was a challenge, as well as a great opportunity.

Public Comment: Albany resident and President of the Friends of Albany Seniors, Julia Lee, stated that the Friends had passed a motion in their latest meeting, fully supporting the acquisition of the property for expanded services for seniors.

Albany resident, Clay Larson, stated concern that a significant portion of WW funds would need to be spent on the acquisition, and wanted more fleshed out funding numbers from staff.

Francisco Papalia, an Albany resident that supported senior issues, also stated concern about funding, the loss of tax revenue and timing. He stated the need to give Albany residents an idea of the final outcome in terms of money and time to complete the project. He further stated that he wanted reassurance that the Senior Center was properly funded in its current state before spending money on expansion.

Albany resident and Senior Center attendee, Zion Lee, presented the Commission with a number of letters and a petition signed by over one hundred Albany seniors in support of the acquisition of 842 Masonic. Albany senior yoga instructor Allen Jacinto expressed support for the expansion, stating that his class had expanded over 5 years and could use more room now.

Commissioner Kindle questioned if the Albany Friends thought it might be a better idea to have a second Senior Center in another Albany location, rather than one larger location at Masonic. Julia Lee stated that the location on Masonic was strategically well placed and made it possible for many seniors to walk or take the bus. Director Leach stated that one of the advantages of the current location was that expansion would not require a lot of extra staffing needs.

Commissioner Kindle stated that many Albany residents lived in the Pierce Street area, and it would be a good idea to expand services in that area. He further stated that it would be interesting to know who was using the Senior Center, and where they lived in Albany.

Director Leach suggested that it was possible for the Commission to make a motion to support the expansion in theory, as Planning and Zoning had done.

Commissioner Kindle expressed concern that the acquisition would take up too much of the funds available, and wanted to focus on other possible locations and projects. Vice Chair Mullarkey stated that

it was a good idea to keep the services together in one location. Commissioner Linden stated that the Council would make the final financial decision, but it would be difficult for the Commission to make a supporting motion without more financial information, though she supported the idea.

Motion:

Motion to support the concept of the acquisition of the property at 842 Masonic Avenue for the purpose of expanding Senior Center services, with serious reservations about financial feasibility and being locked into funding the Senior Center expansion, jeopardizing other projects identified in the Master Plan made by Commissioner Trout and seconded by Commissioner Linden. Motion carried three in favor and one opposed.

6-4. Update on Funds available for Parks and Recreation projects including Lighting and Landscape (LLD) funds: Per the Commission's request staff will report on available funds the City has for Parks and Recreation projects. The Commission will also make recommendations for the upcoming fiscal year for LLD funds: Director Leach stated that it was important to understand what the Commission had to work with, in order to make informed decisions and recommendations to Council by June. She stated that she would come back with more information in future meetings, but the preview of funds and projects statuses were: Prop 12 and Prop 40 monies were frozen, and it was questionable when or if they would be released soon, \$771,363 was available from WW, LLD funds were mostly spent on landscaping and maintenance, Measure R was for open space, creeks and playfields and the amount was not yet formulated but some may be used for Albany Hill maintenance and \$170,000 in "in lieu of" fees.

Vice Chair Mullarkey stated that she and Chair Pilch had discussed the Waterfront Committees method of prioritizing projects, and she would email their method on to those interested. Director Leach stated that she would find out about Measure F money, that she thought was already accounted for.

6-5. Decomposed Granite (DG) Tree Basins: Update on the possibility of installing DG tree basins around select trees on Solano Avenue: Director Leach stated that the City was trying to find funds for the DG project, but the Commission could put the project on a priority list until funds became available. Urban Forester Tony Wolcott directed the Commission to some pictures included in the staff report demonstrating the DG bases, and strongly advised using the bases for the health of the trees as well as safety issues. The cost would be approximately \$400/basin treatment.

6-6. Discussion re Dogs in Parks: Update on community meetings scheduled for each park: Director Leach summarized that the Terrace and Memorial Parks meetings had the most attendance. There seemed to be congenial consensus at Memorial that for a couple of nights a week, there would be no dogs in the park until after dark, garbage cans and dog bags. Terrace Park citizens opted for signs and self-policing as well as more garbage cans and bags.

Public Comment: Terrace Park neighbors stated that they wanted to try interim options, before any other measures were taken. One neighbor stated concern over children and dogs that were still not under voice control. Member of the Waterfront Committee, Francisco Papalia, stated a growing consensus, that many members of the community no longer used the waterfront due to the overwhelming number of dogs. He stated that parents had explained that they were unable to relax at the beach, due to dogs around their children and the rules for dogs needed to be uniform throughout the City. Another member of the public strongly disagreed that all parks should be the same. It was suggested that commercial dog walkers, should have licenses.

Vice chair Mullarkey stated the need for a joint meeting with the Waterfront Committee. Director Leach stated that the waterfront was possibly problematic because it was multi-jurisdictional. Commissioner Kindle stated that despite the fact that the area was multi jurisdictional, it did not preclude Albany from writing citations if necessary. He further stated that he thought rules for the waterfront, even for dogs, was the Waterfront Committees pervue.

Commissioner Linden asked what the next step would be. Director Leach asked for direction in terms of language for the signs for each park. Commissioner Kindle stated that signs with City ordinances should be posted stating leash law, feces and no dogs allowed in children's play areas. Commissioner Linden agreed that basic signs should be posted. Director Leach stated that she did not recommend making two sets of signs.

Public Comment: A Terrace Park neighbor asked for fences around the play areas, the picnic area, garbage cans, bags and better latches on the openings.

Director Leach stated that she would determine prices for those items and signs, more information and suggestions for signage in a future meeting.

6-7. Update Ocean View Sports Field Improvements: As recommended by the Commission, Council recently approved the plans for the Ocean View Sports Field improvements. Staff will give an update on the progress of the project. Director Leach stated that bids had come in high and that the scoreboard could not be included.

6-8. Update on Renaming Terrace Park to Jewel's Terrace Park: The Council approved the Commission's recommendation to rename Terrace Park to Jewel's Terrace Park. New sign and labor have been donated by Albany's Design-A-Sign owner and his sons. Director Leach stated that Jewel Okawachi's sons had volunteered to pay for two signs.

Public Comment: Peggy McQuaid stated that a plaque should be created stating who Jewel was and her contributions.

Motion:

Motion to recommend the addition of a second sign for Jewel Okawachi's Terrace Park made by Commissioner Kindle and seconded by Commissioner Linden. Motion carried all in favor.

7. Future Agenda Items: Accessibility of parks, signage for dogs, rules for Terrace Park, Tree Task Force update.

8. Adjournment: 10:22pm

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MEMORANDUM

To: Park and Recreation Commission Date: 4-8-2009

From: Randy Leptien
City Engineer and
Assessment District Engineer

Subject: Report on Scope of Services and Budget for Landscaping and Lighting
Assessment Districts, 2009-10 Fiscal Year
AD 1988-1 and AD 1996-1 (Measure R)

Penelope Leach's, March 12, 2009 Staff Report on Funds for Parks and Recreation provided the Commission with background information regarding the City's two Landscaping and Lighting Assessment Districts. Attached to this memo are drafts of the Description of Improvements (Part A) and Cost Estimate (Part B) to be included the Engineer's Report for each district for 2009/10 and 2010/11. The following highlight the changes in Scope of Services and Budget for each District.

AD 1988-1, Landscaping and Lighting

Under Maintenance a line item has been added for "Community Center Janitorial Services." This is a permitted activity, although no funds are currently budgeted for this line item. The budget for "Energize street lights" has been increased from \$22,596 to \$34,335 reflecting Finance Department records. This line item funds the cost to energize street lights in commercial areas. No other significant changes are anticipated.

The 2009/10 estimated balance forward will be positive, however, in 2010/11 it is estimated the fund will go negative. Some costs may need to be reduced or expenditures extended into 2011/12 in order to balance the budget. This will be addressed in next year's report.

AD 1996-1 (Measure R)

In the 2008/09 fiscal year \$105,000 was budgeted for the design of the Upper Codornices Creek (Kains to San Pablo) improvements. The current projection for 2008/09 is \$55,000. The balance plus an additional \$5,000 is projected for 2009/10. Lower Codornices Creek Phase III was budgeted and projected in 2008/09 in the amount of \$30,000 and is expected to be spent. Funding for vegetation management along Cerrito Creek and on Albany Hill is proposed to be funded at the same levels as in the past. No other significant changes are anticipated.

Attachments

ENGINEER'S REPORT

**CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1**

City of Albany
Alameda County, California

(Pursuant to the Landscaping and Lighting Act of 1972)

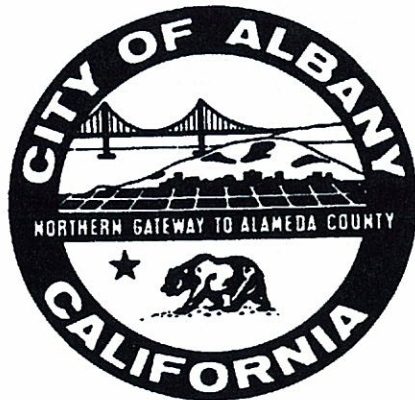
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LEVY OF THE ANNUAL ASSESSMENT

for the

2009/10 FISCAL YEAR

PART A and PART B



Prepared by

LEPTIEN, CRONIN, COOPER, MORRIS & POORE, Inc.
dba LCC, Inc.
Civil Engineering Land Surveying
Martinez, California

APRIL 2009

PART A DESCRIPTION OF IMPROVEMENTS

BACKGROUND

On November 5, 1996, the voters of the City of Albany approved Measure "R", an advisory measure that ratified the prior formation of an assessment district created for the purpose of funding the acquisition of open space on Albany Hill, creating recreational play fields and restoring creeks. On January 4, 1999 the Albany City Council adopted Resolution 99-1. This resolution determined that the estimated cost of the land to be acquired and the improvements to be made was greater than could be conveniently raised from a single annual assessment and provided for annual assessments to be collected in installments over a period not to exceed 21 years. In February 1999 the City issued bonds in the amount of \$6,230,000. The bond sale yielded \$5,456,347, which was deposited into the improvement fund.

Measure R provides that the assessment district revenues be allocated as follows:

- One half (50%) to the acquisition and improvement of open space
- One fourth (25%) to the acquisition and improvement of recreational playfields
- One fourth (25%) to the acquisition and improvement of creek restoration projects.

Accordingly, the initial amounts available in the respective improvement funds were:

- Open Space, \$2.782 million
- Playfields, \$1.364 million
- Creek Restoration, \$1.364 million

GENERAL DESCRIPTION OF IMPROVEMENTS

Assessment District 1996-1 provides, in general, for the following improvements:

1. **Albany Hill Open Space.** The acquisition of interests in real property for permanent open space on Albany Hill together with studies and projects that will serve to maximize the value of the open space to the property owners in Albany.

According to the Staff report prepared by the City's Planning Manager on February 8, 1996, the proposed projects for Albany Hill open space will "expand opportunities for environmental outreach and educational programming involving schools, service organizations, neighborhoods, and volunteers." Projects will in general serve to:

- Protect, maintain and enhance the natural features, native vegetation and wildlife habitats of the site;
- Protect cultural resources, improve basic services to make the site safe and accessible; and
- Provide simple amenities that respect the character of the site, educate the user and allow for the appreciation and enjoyment of the site.

The Albany Hill Master Plan contains the following series of components and projects that will focus on the following:

- Cultural Resource Protection
- Wildlife Management Vegetation Management
- Access and Circulation
- Services/Amenities

Specific projects and priorities are as contained in the Albany Hill Creekside Master Plan and Staff report dated June 23, 1996.

Included in the Hill Master Plan are goals for protection of the recorded archeological site within and around the park site including site borings and laboratory analysis of the site relative to the former habitation of the Costamoan Tribe.

The vegetation zones and wildlife diversity will also be protected. This includes the Monarch butterfly roosting area. A study by a Monarch Butterfly Specialist is also provided for in the Master Plan.

Construction projects identified in the current Master Plan include vegetation management, minor grading, trails, roads, fencing, benches, rails, trash containers, signs, restrooms, a pedestrian bridge, irrigation, and planting. Additional projects consistent with the goals of the master plan will be identified as specific sites are acquired.

2. Recreational Playfield

Playfield improvements will consist of constructing baseball, softball, soccer or other recreational fields. The work will include but not be limited to clearing, grading, planting, constructing backstops and goals, restroom facilities, parking improvements, curb gutters, paving, planting, irrigation, lighting and fencing improvements and include the maintenance of the foregoing.

3. Creek Restoration

Creek restoration improvements will include the demolition and removal of existing culverts and drainage improvements and replacement with open channels lined with vegetation. The work will include demolition, excavation, grading, planting, irrigation, constructing trails or pathways and lighting system together with the maintenance of the improvements.

DESCRIPTION OF PROPERTY ACQUISITIONS AND PROJECTS

Developments during the 2007-08 and planned activities for the 2008-09 fiscal years are indicated in italics.

1. Albany Hill Open Space

The following parcels of land on the southerly and easterly slopes of Albany Hill have been acquired to date:

APN	Description	Approx. Area	Purchased	Approx. Cost
66-2758-	End of Madison St.	1 Acre	1997/98	\$ 0.27 million
66-2756-5-2 thru 66-2756-64	Between Jackson and Taft	4 Acres	1998/99	\$ 1.36 million
66-2755-097-00	Between Jackson and Taft	1 Acre	1999/00	\$ 0.28 million
Totals		6 Acres		\$ 2.00 million

In 1998 the City purchased 1 acre at the end of Madison (the Willis property) for \$270,000 and 4 acres between Taft and Jackson (the Burke property) for \$1,350,000 plus \$10,000 for environmental analysis. In 1999 the City purchased an additional acre between Taft and Jackson in the amount of \$270,000 plus \$10,000 environmental analysis from Lands Ends.

Other sites that have been considered include approximately 11 acres located near Pierce Street at the end of Gateview and Hillside Avenues (assessor’s parcel number 66-2760-10-7). Approximately 5 acres that are contiguous with existing public or private open space, contiguous with parcels subject to purchase as open space, are in private ownership and considered private open space, or are located in the public right of way. The location of the open space on Albany Hill that has been acquired to date and sites that may be considered for acquisition in the future are shown on Figure 1.

Consideration was given to expending some funds for repairs to Catherine’s Walk (formerly Sunset Walk). This project consisted of replacing the old patchwork of wood and concrete stairs and bare soil with a new pedestrian walkway and landscaping between Washington Street and Hillside Avenue near Polk Street. A survey was completed and the architect (Beals Group) prepared a conceptual design and budget estimate.

In 2002/03 the Council authorized \$20,000 for the design and construction of a new ADA compliant driveway at the trailhead on Pierce Street. Primary funding for this project was through a Safe Routes to School grant for the construction of a sidewalk on Pierce Street.

Consideration may be given in the future to using some of the funds for the acquisition of a portion of the former freeway and off-ramp for passive park and open space use.

Overall, there remains \$1.1 million in the open space fund and approximately 15 acres of undeveloped, potential open space land on Albany Hill.




City of Albany
Assessment District No. 1996-1

Albany Hill Open Space
Major Acquisition Sites

 Public Open Space/easements (=8.5 acres)

 PURCHASED

 Private Open space (= 9 acres)

Major Private Undeveloped Parcels (12 acres)

NOTE: Additional scattered sites not shown (= 6 acres)

2. Recreational Play fields

- a. **Pierce Street Park.** Considerable progress has been made with negotiations aimed at securing the site located at the former freeway on and off ramps at Pierce Street, north of Washington Avenue and east of Cleveland Avenue. The City Council authorized, with a vote of the neighbors of the Pierce Street area, to eliminate the building of a soundwall and small pocket park and proceed with phase one design for a 4.5-acre park. In FY 2000/01 the City prepared conceptual plans and preliminary right of way documents for the acquisition and construction of play fields, parking and open space at this location. In the winter of 2001 the State of California Department of Transportation (Caltrans) prepared the grading and drainage plans for phase one of the project. The City obtained additional funding through Caltrans to cover unanticipated construction costs for the earthwork project. Earthwork commenced with funds from the freeway project (i.e., at no cost to the City) in the summer of 2002. The City and Caltrans have executed a cooperative agreement for purchase / lease of the park area and an additional lease of airspace for a parking lot under the existing I-80 interchange along Cleveland Ave. At that time it had been proposed that, Caltrans would deed or lease this site to the City and a public process concerning the development of the park site would commence following execution of an agreement conveying rights in the land to the City.

In February of 2003 the City introduced AB 929 which would have required Caltrans to transfer the land as originally intended. The Senate Transportation Committee directed Caltrans to negotiate with the City. These negotiations are continuing. An appraisal of the site was ordered by the City in May 2004 and was completed in June of 2004. Negotiations with Caltrans are continuing.

- b. **University Village.** In 1998/99 the City began discussions with officials from the University of California, the City of Berkeley and local youth sports organizations regarding the possible acquisition, development and maintenance of recreational playfields on University owned property in Albany and Berkeley. The site is bounded by the University Village on the east, the Union Pacific railroad tracks on the west, the City of Berkeley (and Codornices Creek) on the south and the USDA property on the north.

The goal is to lease land from the University of California and relocate two existing little league fields currently located near San Pablo Avenue. Land used by the existing little league field is proposed for commercial development and student housing. Because of the need to preserve Albany's playfields, this project involves a lease arrangement, development and maintenance of new playfields. Some of the issues surrounding the project include funding; negotiating with UC Berkeley for land lease; and user schedules and conditions on field operations and maintenance.

In fall of 2001 the University elected to open up the Gill Tract for development and to relocate the ball fields to this new location. In January 2003, the University selected a development team to design and build the commercial portion, new student housing, and community facilities. A schematic plan for this site has been prepared in conjunction with the UC Village development project. Formal negotiations with UC Berkeley are underway. In late 2004 the University of California placed this project on hold. In 2005 the Council approved the reallocation of \$650,000 from the contingency for sports fields' projects that could have potentially helped to fund this project. The funds

were earmarked for field rehabilitation at Memorial and Ocean View Parks. Construction began in the summer of 2007.

- c. **Ocean View Park.** Since 2004 the Ocean View Park playfield has been maintained by the Albany Little League. In 2006-07 this service began being funded by the City under Landscape and Lighting Assessment District 1988-1.

3. Creek Restoration

- a. **Codornices Creek Restoration Plan.** This project is located along the south side of the University Village between San Pablo Avenue and the Union Pacific Railroad right of way. The goal of this project is to return this segment of Codornices Creek to as natural a condition as possible. Features would include a meandering stream, removal of culverts, planting of native vegetation, installation of a bicycle/pedestrian path and bridges.

In 1999 the Codornices Creek and Recreational Playfields Schematic Master Plan was approved by technical committee. In late 1999, and then again in early 2001, the City Council authorized a total of \$41,500 toward preparation of a report for “Lower Codornices Creek – Evaluation of Design Alternatives” by Waterways Restoration Institute. Equal contributions were made by the City of Berkeley and the University of California, Berkeley. In May of 2001, a field review was conducted by Caltrans as a prerequisite for grant funding. In February 2001, the environmental document was begun through a contract with Design, Communities and Environment. Because of modifications in 2002, to the University Village plans (e.g., relocation of ball fields to Gill Tract, changes to creek right-of-way), this delayed the environmental document. In the spring of 2004, the draft was completed and on May 17, 2004, the Albany City Council certified the Mitigated Negative Declaration.

A grant of \$97,000 was received from Caltrans for trail planning and \$100,000 from the Coastal Conservancy for project management, design and hydrology studies.

In the fall of 2002, a grant for \$985,000 was received from the Department of Water Resources to complete engineered drawings and begin construction of the project. The improvements between Fifth Street and the Railroad were constructed in the fall of 2004 and between Fifth and Sixth Streets in 2006-07. *In 2007-08, a contract was approved for improvements along the U.S. Post Office property.*

b. Codornices Creek Restoration – Creekside Apartments

In April 1998, the Planning and Zoning Commission approved a 16-unit affordable housing project called Creekside Apartments. As a condition of approval, Resources for Community Development (RCD), the non-profit developer agreed to grant an easement to the City for access and restoration of the adjoining creek between Kains Avenue and San Pablo Avenue. The apartments were occupied in February 2000. RCD offered for dedication, the easement for creek conservation, flood control and public access as required. The offer of dedication has since been recorded. The offer of dedication was obtained at no cost to the City. City staff and the City Engineer prepared the right of way documents for this transaction.

The goal of the creek project is to realign and restore this open concrete channel segment of Codornices Creek to as natural a condition as possible. Features would include: removal of the concrete channel (bottom and sides); meander the stream where possible; plant native vegetation; and provide public access.

A Contract has been entered into with WRI (\$31,000) for survey, landscape plans, structural engineering, geotechnical engineering review, landscape architecture, construction plans, permitting, and project management.

Plans were prepared in the spring of 2002. Construction of the improvements and acceptance of the offer of dedication of the easement is pending verification of full funding for the project and final agreement with the City of Berkeley regarding public access, maintenance, and the maintenance road design.

The City of Berkeley was approached in 2003/04 regarding providing conceptual approval of the creek enhancement plan. An estimate for design services was obtained in 2007 and funding was discussed with Berkeley. A contract has been entered into with Restoration Design Group in 2008 and design has begun.

c. Cerrito Creek Pathway and Creek Restoration

The stretch of Cerrito Creek, between San Pablo Avenue and Pierce Street, including the parallel path and portions of Albany Hill, were subject to significant disturbance when the Berkeley sewer replacement project replaced the main sewer line that runs parallel to the creek. The City of Berkeley restoration activities have been initiated on the creek side of the existing pathway, per their original mitigation plans and agreement with the City of Albany.

During this time a Working Group was initiated by the Albany City Administrator to investigate the potential opportunities offered by this work. The Working Group included representatives from the cities of Albany, Berkeley, El Cerrito and Richmond, Friends of Albany Hill, Friends of Five Creeks, Bayside Commons, Orientation Center for the Blind, and the Albany Park and Recreation Commission. The Working Group's goal, as stated in the final report, is to:

Restore Cerrito Creek and design a means of access between Pierce Street and San Pablo Avenue that recognizes the competing needs of natural habitat, both aquatic and terrestrial, pedestrian and bicycle access, and safety considerations.

Preliminary recommendations, a listing of opportunities and constraints, and a map illustrating some alternative pathways are included in the Final Report of the Working Group.

In early 2002, a \$100,000 ABAG Bay Trail grant was received from the California Coastal Conservancy to determine an acceptable bicycle/pedestrian route from El Cerrito Plaza to the Bay Trail. A consultant was hired to prepare a set of alternatives. Three joint community workshops were held by the cities of Albany, El Cerrito and Richmond. In late 2002, the consultant finalized a set of alternative routes which were then presented to various city commissions. In December 2003, the City Council accepted the feasibility study and authorized follow-up studies, including the connection along Pierce Street and

adjacent to Bayside Commons. The follow-up studies for Pierce Street was completed and approved in late 2004.

In spring of 2004 a representative of the Bayside Commons Homeowners Association contacted the City staff with regard to the City's acquiring fee title to the creek right of way. The City is considering this option. A survey of the property to be transferred was performed in 2004/05 and legal description was prepared in 2005-06.

Beginning in 2006/07, removal of non-native species by Friends of Five Creeks is being funded by Measure R. *A line item has been included in the budget for 2007-08 and 2008-09.*

d. Codornices Creek and Village Creek – Target Development

In 2003/04 the City conditioned Target, the developer of the former Union Pacific parcel along Eastshore Highway, to dedicate to public use conservation easements over Codornices and Village Creeks between the railroad right of way and Eastshore Hwy. Construction of public access improvements and habitat enhancement is possible for this segment of the creek, pending environmental report, review and availability of funding. Target also was required to fund a creek management plan. The City of Berkeley has been approached about enhancing the Berkeley side of Codornices Creek. The two Cities are working on a long term plan for this segment of the creek. *The City entered into an agreement with Resources Design Group in 2007 and the plans are nearly complete. 100% Draft plans are expected to be completed by August of 2008. Funding for construction is proposed to be accomplished by a grant.*

PLANS AND SPECIFICATIONS

The conceptual plans, and the detailed plans and specifications where they exist, for the projects described in this Part A, are available for review in the office of the Community Development Director and are incorporated into this report by reference.

CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1

PART B
COST ESTIMATE
SUMMARY

	2007/08 Actual	2008/09 Budget	2008/09 Projected	2009/10 Estimate	2010/11 Estimate
Bond Fund Balance (780,781,782 - July 1)	4,767,394	4,094,889	4,094,889	4,103,469	4,104,251
Less Reserve Fund Requirement	(866,260)	(866,260)	(866,260)	(866,260)	(866,260)
INCOME:					
Assessments	504,552	481,000	498,200	498,200	500,000
Bond Fund Interest	138,469	113,803	62,353	43,647	43,647
Revenue Fund Interest	42,674	31,585	15,907	11,135	11,135
Miscellaneous Revenue	65,336		11,520		
Total Income	751,031	626,388	587,980	552,982	554,782
FUND USES:					
Bond Payments	470,000	479,600	475,400	478,200	476,105
PROJECTS					
Planning and Design					
Construction	918,528	105,000	55,000	55,000	
Total Projects	918,528	30,000	30,000		
		135,000	85,000	55,000	
MAINTENANCE:					
Maintenance	30,561	15,000	15,000	15,000	15,000
Administration	4,447	4,000	4,000	4,000	4,000
Engineering, legal & notice					
Total Maintenance	35,008	19,000	19,000	19,000	19,000
Total Expenses	1,423,536	633,600	579,400	552,200	495,105
Ending Balance Available	3,228,629	3,221,417	3,237,209	3,237,991	3,297,668
Bond Fund Reserve	866,260	866,260	866,260	866,260	866,260
Bond Fund Balance (780,781,782 - June 30)	4,094,889	4,087,677	4,103,469	4,104,251	4,163,928

CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1

PART B
COST ESTIMATE
OPEN SPACE FUND 780

	2007/08 Actual	2008/09 Budget	2008/09 Projected	2009/10 Estimate	2010/11 Estimate
Bond Fund Balance	2,287,998	\$ 2,365,380	\$ 2,365,380	\$ 2,411,097	2,441,519
Less Reserve Fund Requirement	(433,130)	(433,130)	(433,130)	(433,130)	(433,130)
INCOME:					
Assessments	252,276	240,500	249,100	249,100	250,000
Bond Fund Interest	66,188	54,398	38,908	27,236	27,236
Revenue Fund Interest	20,588	15,221	7,409	5,186	5,186
Miscellaneous Revenue					
Total Income	339,052	310,119	295,417	281,522	282,422
FUND USES:					
Bond Payments	235,000	239,800	237,700	239,100	238,053
PROJECTS:					
Planning and Design					
Construction					
Total Projects					
MAINTENANCE:					
Maintenance	24,447	10,000	10,000	10,000	10,000
Administration	2,223	2,000	2,000	2,000	2,000
Engineering, legal & notice					
Total Maintenance	26,670	12,000	12,000	12,000	12,000
Total Expenses	261,670	251,800	249,700	251,100	250,053
Ending Balance Available	\$ 1,932,250	\$ 1,990,569	\$ 1,977,967	\$ 2,008,389	\$ 2,040,758
Bond Fund Reserve	\$ 433,130	\$ 433,130	\$ 433,130	\$ 433,130	\$ 433,130
Ending Bond Fund Balance	\$ 2,365,380	\$ 2,423,699	\$ 2,411,097	\$ 2,441,519	\$ 2,473,888

CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1

PART B
COST ESTIMATE
RECREATIONAL PLAYFIELD FUND 781

	2007/08 Actual	2008/09 Budget	2008/09 Projected	2009/10 Estimate	2010/11 Estimate
Bond Fund Balance	\$ 1,538,131	\$ 685,876	\$ 685,876	\$ 709,192	721,743
Less Reserve Fund Requirement	(216,565)	(216,565)	(216,565)	(216,565)	(216,565)
INCOME:					
Assessments	126,138	120,250	124,550	124,550	125,000
Bond Fund Interest	49,849	40,969	8,917	6,242	6,242
Revenue Fund Interest	8,898	6,510	3,299	2,309	2,309
Miscellaneous Revenue			6,400		
Total Income	184,885	167,729	143,166	133,101	133,551
FUND USES:					
Bond Payments	117,500	119,900	118,850	119,550	119,026
PROJECTS:					
Planning and Design					
Construction for Memorial II Park, Ocean View					
Park, Burrowing Owl Project & Codornices Creek	918,528				
Total Projects	918,528				
MAINTENANCE:					
Maintenance					
Administration	1,112	1,000	1,000	1,000	1,000
Engineering, legal & notice					
Total Maintenance	1,112	1,000	1,000	1,000	1,000
Total Expenses	1,037,140	120,900	119,850	120,550	120,026
Ending Balance Available	\$ 469,311	\$ 516,140	\$ 492,627	\$ 505,178	\$ 518,703
Bond Fund Reserve	\$ 216,565	\$ 216,565	\$ 216,565	\$ 216,565	\$ 216,565
Ending Bond Fund Balance	\$ 685,876	\$ 732,705	\$ 709,192	\$ 721,743	\$ 735,268

CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1

PART B
COST ESTIMATE
CREEK RESTORATION FUND 782

	2007/08 Actual	2008/09 Budget	2008/09 Projected	2009/10 Estimate	2010/11 Estimate
Bond Fund Balance	941,265	\$ 1,043,633	\$ 1,043,633	983,180	940,989
Less Reserve Fund Requirement	(216,565)	(216,565)	(216,565)	(216,565)	(216,565)
INCOME:					
Assessments	126,138	120,250	124,550	124,550	125,000
Bond Fund Interest	22,432	18,436	14,528	10,170	10,170
Revenue Fund Interest	13,188	9,854	5,199	3,639	3,639
Miscellaneous Revenue	65,336		5,120		
Total Income	227,094	148,540	149,397	138,359	138,809
FUND USES:					
Bond Payments	117,500	119,900	118,850	119,550	119,026
PROJECTS:					
Planning and Design (others)		105,000	55,000	55,000	
Construction Creek Restoration		30,000 *	30,000 *		
Total Projects	0	135,000	85,000	55,000	0
MAINTENANCE:					
Maintenance	6,114	5,000	5,000	5,000	5,000
Administration	1,112	1,000	1,000	1,000	1,000
Engineering, legal & notice		6,000	6,000	6,000	6,000
Total Maintenance	7,226				
Total Expenses	124,726	260,900	209,850	180,550	125,026
Ending Balance Available	\$ 827,068	\$ 714,708	\$ 766,615	\$ 724,424	\$ 738,207
Plus Bond Reserve	216,565	216,565	216,565	216,565	216,565
Ending Bond Fund Balance	\$ 1,043,633	\$ 931,273	\$ 983,180	\$ 940,989	\$ 954,772
		Cordornices Creek Phase III *			

ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 1988-1

City of Albany
Alameda County, California

(Pursuant to the Landscaping and Lighting Act of 1972)

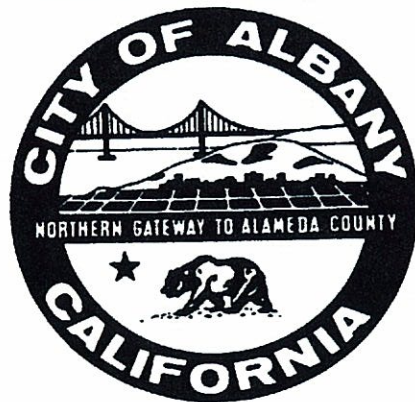
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LEVY OF THE ANNUAL ASSESSMENT

for the

2009/10 FISCAL YEAR

PART A and PART B



Prepared by

LEPTIEN, CRONIN, COOPER, MORRIS & POORE, Inc.
dba LCC, Inc.
Civil Engineering Land Surveying
Martinez, California

APRIL 2009

PART A
Description of Improvements

Assessment District No. 1988-1 improvements include the following operation and maintenance activities, bond payments and construction projects including plans, specifications and estimates related thereto:

1. Operation and Maintenance Activities (Recurrent Annual Expense)
 - a) Community Center Maintenance (Dept. 415) - maintenance at the Community Center
 - b) Community Center Maintenance (Dept. 415) - janitorial services
 - c) Engineering, Legal & Notice (Dept. 440) – annual cost to publish the resolution or intention in paper of general circulation as required by law and to deliver the report to the County Auditor
 - d) Street Tree Maintenance- Commercial areas (Dept. 969) – maintenance of street trees in commercial areas
 - e) Street Tree Maintenance- Res. Areas (Dept. 970) – maintenance of trees in residential areas
 - f) Graffiti Abatement (Dept. 974) – Citywide abatement of graffiti on public property including the bulb
 - g) Tennis Court Maintenance (Dept 912) – resurfacing and striping of tennis courts
 - h) Street Lights (Dept. 978) –energizing street lights on Solano Avenue
 - i) Park Maintenance (Dept. 916) – replacement of irrigation valves and controllers in City parks
 - j) Buchanan-San Pablo Medians (Dept. 410) – maintenance of medians on Buchanan Street and San Pablo Avenue
 - k) Playfield Maintenance – maintenance of ball-fields at Ocean View Park and Memorial Park
 - l) Ohlone Path Lighting Service and Maintenance – maintenance of the lights along the Ohlone Greenway that were installed with a Safe Routes to Transit Grant in 2007.
 - m) Ohlone Path Irrigation System Service and Maintenance – maintenance and repairs to the irrigation valves and BFPs along the Ohlone Greenway
 - n) Sidewalk maintenance program (Dept.929) - Continued implementation of a Citywide sidewalk repair program whereby City reimburses a portion of the repair when a city street tree is involved in the damaged area. Pilot residential sidewalk repair program involving about 75 sites marked by the City primarily along Marin Avenue. Residents who participate will reimburse City for construction (concrete and labor) costs; however City will pay for any necessary arborist review, hire the concrete contractor and manage the contract. Pilot program began in 2006-07; citywide program continues annually.

- o) Urban Forestry Program - The City's Urban Forestry Program identifies trees as a valuable asset to our community. Street trees (trees between the sidewalk and roadway in the public right of way) can beautify neighborhoods and increase property values. Trees can also reduce noise and air pollution, keep our homes cool in the summer, create privacy, and furnish homes for birds. The City conducts pruning of street trees in a 5-year cycle, with priority given to trees that have a greater tendency towards speedy growth, any emergency pruning for clearance or other immediate needs. Additionally, the City also conducts tree planting (and concrete removal if needed) as requested by homeowners.
- p) Urban Forestry Program - Tree Task Force This task force will discuss ways to increase Albany's inventory of street trees, propose revisions to the Street Tree Master List, and will consider solutions for enhancing funding for street tree plantings

2. Bond Payments

- a) Maintenance Center
- b) Community Center

3. Description of Projects

Brief descriptions of projects funded by Assessment District No. 1988-1 are listed below. Current activities are indicated in italics.

Project: – Repairs to Community Center Tower Windows
Location: Community Center (Marin at Masonic)
Description: The project will remove and replace existing windows together with flashing in order to eliminate leaks.
Status: *Repairs are scheduled for 2009/10.*

Conceptual plans and specifications for the improvements are available for review in the office of the Director of Community Development and are incorporated in this Report by reference.

4. Past Capital Improvement Plan Projects

Projects completed in recent year have been listed for reference.

- a) Tasks performed during the 2004-05 FY

- P18 EEMP Tree Planting – on hold pending funding
- P32 Buchanan/Marin Medians – Preliminary Plans
- P42 Sidewalk Maintenance

b) Projects performed during 2005-06 FY:

- P09 Tennis Court resurfacing at Ocean View Park
- P32 Buchanan – Marin Medians

c) Projects performed during 2006-07 FY:

- P32 Buchanan – Marin
- P13 Ocean View Park electrical upgrade

d) Projects performed during 2007-08 FY:

- P13 Ocean View Park

e) Projects proposed for 2008-09 FY:

- P09 Terrace Park Tennis Courts
- P44 Community Center Tower repairs

Project: P04 - Memorial Park Improvements Phase I
Location: Memorial Park, between the playfields and Portland Avenue
Description: Construction of new adjoining children's play areas with all new play apparatus and parent seating, new walkways, new landscaping adjacent to park buildings, new turf and irrigation system, re-grading of the entire south side of the park with installation of a complete new drainage system.
Status: Completed in 2003/04

Project: P09 - Tennis Courts
Location: Ocean View Park
Description: Repair and resurface the 2 tennis courts at Ocean View Park.
Status: Construction was completed in 2005.

Project: P32 – Buchanan/Marin Medians
Location: Buchanan Street and Marin Avenue from San Pablo Avenue to Pierce Street.
Description: Planting and irrigation improvements to medians on Buchanan Street and Marin Avenue was funded by a grant from Waste Management. Preliminary plans were prepared in 2004/05.
Status: Construction was completed in 2005/06.

Assessment District No. 1988-1

Project: – Ocean View Park and Memorial Park Playfields
Location: 900 Buchanan Street
1331 Portland Avenue
Description: Maintenance of Playfields.
Status: Maintenance was performed in 2006/07.

Project: P13 - Ocean View Park Improvement Plan
Location: Ocean View Park, 900 Buchanan Avenue
Description: The goal of this project was to improve specific areas of the park to make it more attractive and user friendly.
The existing electrical service was replaced and brought up to code in 2006/07. A Landscape Architect developed designs for the permanent restroom building, new play structure, redesigned picnic area, improved park lighting and pathway improvements.
Status: Construction was completed in 2007.

Project: – San Pablo Avenue Banners
Location: San Pablo Ave from south to North City Limit line.
Description: Install decorative metal banners on the existing street light poles.
Status: Installation was completed in 2007/08.

Project: – Ohlone Greenway Lighting and Pathway Improvements
Location: Adjacent to Masonic Avenue and follows the course of the BART tracks from Berkeley to El Cerrito
Description: Replacement of the lighting system since the current one is in disrepair with some sections inoperable. Improvements include: installation of new lights beneath the BART Tracks, the realignment of the path at Portland Avenue and Washington Avenue in and to eliminate the existing mid-block crosswalks, and relocation of the curb ramps at Marin and Masonic to align the path with the existing crosswalk.
Status: Work was completed in 2007/08.

Project: P09 - Tennis Courts
Location: Terrace Park
Description: Repair and resurface the 2 tennis courts at Terrace Park.
Status: Construction was completed in 2008-09

ASSESSMENT DISTRICT NO. 1988-I

PART B
Estimate of Cost
Fiscal Year 2009/10

	2007/08 Actual	2008/09 Budget	2008/09 Projected	2009/10 Estimate	2010/11 Estimate
EST. FUND BALANCE, JULY 1 (Fund 730)	\$ 685,204	\$ 493,496	\$ 493,496	\$ 218,409	\$ 23,218
REVENUE					
Assessments	526,974	536,630	521,000	521,000	521,000
Interest	18,442	17,961	31,351	21,946	21,946
Excess Debt Service Reserve					
TOTAL REVENUE	545,416	554,591	552,351	542,946	542,946
FUND USES:					
DEBT SERVICE:					
Bond Payments	351,030	362,370	362,370	368,429	222,730
MAINTENANCE:					
Community Center Maintenance (Dept. 415)	35,260	35,260	35,260	35,260	35,260
Community Center Janitorial Services (Dept. 415)					
Engineering, Legal & Notice (Dept. 440)	475	1,500	1,500	1,500	1,500
Street Tree Maintenance- Coml areas (Dept. 969)	18,289	40,816	40,816	40,816	40,816
Street Tree Maintenance- Res. Areas (Dept. 970)	47,976	54,381	54,381	54,381	54,381
Graffiti Abatement (Dept. 974)	20,793	23,814	23,814	23,814	23,814
Tennis Court Maintenance (Dept 912)				10,000	
Energize Street Lights (Dept. 978)	34,335	34,335	34,335	34,335	34,335
Irrigation Valves City Parks (Dept. 916)		15,750	15,750	15,750	15,750
Buchanan-San Pablo Medians (Dept 410)	5,397	26,000	26,000	26,000	26,000
Playfield Maintenance (Dept. 415)		43,200	43,200	43,200	43,200
Ohlone Path Lighting Service and Maintenance (Dept. 910)	30,032	3,500	3,500	3,500	3,500
Ohlone Path Irrigation System Service and Maint (Dept 910)		1,000	1,000	1,000	1,000
Sidewalk maintenance program (Dept.929)	28,071	50,000	50,000	50,000	50,000
Urban Forestry Program	28,416	27,752	27,752	30,152	27,752
Urban Forestry Program - Tree Task Force		10,000	10,000		
Subtotal Maintenance	249,044	367,308	367,308	369,708	357,308
PROJECTS:					
Key Route Medians					
Buchanan Entryway signage					
San Pablo Ave. Banners					
Buchanan-Marin Medians (Dept. 976)					
Sidewalk Maintenance (Dept. 929)					
Tennis Courts (Dept. 912)					
Ocean View Park (Dept. 916)	137,050				
Matching funds for Ohlone Greenway Project					
Community Center Tower repairs		100,000	100,000		
Subtotal Projects	137,050	100,000	100,000	-	
TOTAL EXPENDITURES	737,124	829,678	829,678	738,137	725,737
ENDING FUND BALANCE	\$ 493,496	\$ 218,409	\$ 216,169	\$ 23,218	\$ (159,573)
Recommended Year end balance = 50% annual cost	\$ 124,521	\$ 183,653	\$ 183,653	\$ 184,854	\$ 178,653
(Amount in excess of 50% of Fund Uses)	\$ 368,975	\$ 34,756	\$ 32,516	\$ -	\$ -

Notes: 1. Budget moved to "Maintenance" in 07/08 2. No longer planned 3. One time expense 4. Assume deficit funding from reduction in reserve fund
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**CITY OF ALBANY
PARKS AND RECREATION COMMISSION
STAFF REPORT**

Agenda date: April 14, 2009

SUBJECT: Use of LLD funds for Albany Hill fire prevention maintenance and invasive plant removal.

REPORTED BY: Penelope Leach, Recreation and Community Services Director

RECOMMENDATION

That the Parks and Recreation Commission recommend to Council the use of Measure R Open Space funds:

- (1) for fiscal year 2009/2010, a one time expenditure of up to \$30,000 (\$20,000 more than is currently budgeted) for fire prevention maintenance, the removal of English Ivey, French Broom, and other invasives;
- (2) for an ongoing annual allocation of \$10,000 for fire prevention maintenance and the removal of invasives.

BACKGROUND

In FY2008/2009, the City budgeted \$10,000 from Measure R Lighting and Landscaping funds to hire Shelter Belt to assist with fire prevention maintenance and invasive plant removal. The City has contracted with Shelter Belt many times over the past several years. Shelter Belt is one of the leading agencies in wildfire prevention and land management as well as native plant landscaping and restoration.

French Broom and English Ivey are increasing on Albany Hill every year. French Broom is considered a noxious weed that forms dense fields that can crowd out other species. The stands of French broom grow to be thick and can render meadows and pastures useless for wild and domestic animals. Other harmful effects include its tendency to catch fire, and the toxicity of its leaves and seeds, which contain alkaloids poisonous to many large domestic animals. As for English Ivy, if not managed properly it can become extremely dense to the point where it can destroy habitat for native wildlife and creates large sections of solid ivy where no other plants can develop.

DISCUSSION

Neither the Broom nor the Ivy is easily eradicated. For instance, the seed bank for the French Broom can take years to wipe out. By increasing the funds for FY2009/2010 by \$20,000, and by allocating an annual amount of \$10,000, staff can work with Shelter Belt to prioritize a list of what needs to be done to prevent the invasives from spreading as well as control fire hazards.

Another important part of the work that needs to be done on Albany Hill is the prevention of more Eucalyptus trees. The Eucalyptus is also non-native and invasive. Although determining how to address the large number of Eucalyptus trees currently inhabiting Albany Hill is not a topic for this particular discussion, Shelter Belt can prevent the growth of new trees and remove smaller samplings quite easily. The Eucalyptus trees are an extreme fire hazard and preventing more trees from growing is a critical step in the long-term management of Albany Hill.

Staff will be returning to the Commission in the near future with a proposal for how the City might move forward on a long-term management plan for Albany Hill. In 1991, the City adopted the Albany Hill/Creekside Master Plan. The plan is now 18 years old and consideration should be given to updating the plan. In addition to the invasives and the fire hazards, the City needs to address the questions, “What would we like the Hill to look like in 20 years,” and, “How do we go about putting that vision into action.”

FISCAL IMPACT

\$10,000 annually from Measure R Open Space funds for ongoing fire prevention maintenance and removal of invasives.

An Increase of \$20,000 for FY2009/2010 from Measure R Open Space funds for fire prevention maintenance and removal of invasives.

CITY OF ALBANY
PARKS AND RECREATION COMMISSION
STAFF REPORT

Agenda date: April 14, 2009

TO: Parks and Recreation Commission
FROM: Penelope Leach, Recreation and Community Services Director
SUBJECT: East Bay Regional Park District Proposition WW

RECOMMENDATION

Discuss possible uses for Proposition WW funds.

BACKGROUND

East Bay Regional Parks District Measure WW, which passed in November 2008, is an extension of Measure AA passed by East Bay voters 20 years ago. Measure AA helped preserve 34,000 acres of open space, developed over 100 miles of new trails, and funded hundreds of local parks and recreation projects. While much has been accomplished, the growing East Bay population further increases the need for acquiring new parklands, protecting and restoring natural habitat, and helping communities with their local park and recreation facilities. Measure WW will be used to continue to restore urban creeks; protect wildlife; purchase and save open space, wetlands, and bay shoreline; and acquire, develop, and improve local and regional parks, trails, and recreational facilities close to home for East Bay residents.

The measure allocates funds to cities based on population. The City of Albany will be allocated \$771,363, and has up to the year 2018 to use the funds. Cities are able to submit projects to East Bay Regional Park District in February and March of each year. This allows East Bay Regional Park District the ability to sell enough bonds, on an as-needed basis, to pay for the submitted eligible projects.

At the February 2, 2009 Council meeting, the City Council voted to refer to the Parks & Recreation Commission for discussion, deliberation and recommendation regarding the use of the City of Albany's per capita portion of Measure WW funds, and to also refer to the Waterfront Committee for its recommendation. The Waterfront Committee is to forward to the Parks & Recreation Commission their recommendations by June 2009, when the Commission will present all recommendations to the Council.

DISCUSSION

Staff has attended two workshops regarding Proposition WW funds. The purpose of the workshops is to make clear the procedures and guidelines for eligible projects as well as the various documents necessary for reimbursement for projects. In order for a project to be considered, staff must submit an application form, cost estimates, CEQA certification

forms, evidence of ownership or lease and site control of the property, project location map, site plan, photographs, required permits, etc. Cities are required to pay for the project upfront. Cities may be reimbursed throughout the project with 20% of the total cost of the project being retained until the project is complete and signed off by EBRPD.

Since Measure WW passed in November 2008, several projects have been mentioned for use of the funds. Also, in the Parks, Recreation, and Open Space Master Plan completed in 2004, there are project recommendations that have not been developed. Please visit the City's website, www.albanyca.org, to see the full text of the Recommendations Section of the Master Plan. Click on the Parks and Recreation Commission agenda for April 14, 2009 to see the recommendations section. Attached is a brief summary of the recommended projects from the 2004 Master Plan.

Based on discussions from previous meetings with the Commission and community members, below is a list, in no particular order, of items that have been mentioned to date:

1. Add to the funding for the purchase of Pierce Street Park. The land is currently owned by Caltrans. More information regarding Pierce Street Park will be discussed at the May 14, 2009 Commission meeting.
2. Ohlone Greenway improvements
3. Developing the practice field at Memorial Park into a full-sized softball field.
4. Senior Center Expansion.
5. Permanent stage at Memorial Park for the City's special events.
6. Purchase and renovation of the Veteran's Memorial Building.

Attachments

Summary of recommendations from the 2004 Parks, Recreation, and Open Space Master Plan.

Summary of Recommendations from the 2004 Parks, Recreation, and Open Space Master Plan

Table 1: Recommendations from the Plan for improvements on property **not** currently owned by the City of Albany

Recommendation	Brief Description	Comments
Pierce Street Park	Develop a neighborhood park. Other possibilities are bike trail linkage, community gardens, and natural open space.	Property is currently owned by Caltrans. Negotiations for its purchase continue.
East Shore State Parks	Transfer the “Bulb” to State of Ca., work with EBRPD to implement Master Plan, explore alternatives to secure waterfront property.	Property owned by State of Ca., managed by EBRPD.
Vista Neighborhood Park	New playground, ADA improvements and new steps to improve access	Site may not be available for redevelopment and it is not known how long the existing lease is with the current occupant.
Veteran’s Memorial Building	Purchase and renovate the building for recreational purposes.	The City updated the cost for renovation in 2008. Total cost is \$10.2 million. After more community meetings were held and the community was surveyed, the community appeared to have a lukewarm response to the project
UC Village Gill Tract	Purchase if possible, or work with UC Village to provide recreation facilities/programs	Property owned by the University of California.
Albany School District Facilities in general	Work with the District to develop joint use agreement	Staff has drafted a Joint Use Agreement. The City Attorney is currently reviewing the draft. Staff hopes to present the draft to the Commission for their consideration by June 2009.

Table 2: Additional Recommendations

Recommendation	Brief Description	Comments
Senior Center	Upgrade building to include new roof, and minor rehabilitation	\$49k from Prop 40 grant funds have been approved for new roof and HVAC system. Currently, funds frozen by State.
Key Route Median	Redevelop into a linear park equipped with trail, landscaping, and site amenities	
Ohlone Greenway	Specialized trail surfaces, game courts, native plantings, community garden, play structures	Although BART has hired Gates & Assoc to complete plans for the bike/pedestrian path, trees, and landscaping per Albany's preferences, there are no plans currently to develop a Master Plan for the Greenway. The Master Plan would include the mentioned recommendations for the game courts, community garden, recreation structures, etc.
Waterfront Trail Park	Upgrade area with restrooms, picnic tables, drinking fountain	
Creekside Park	Add signage, benches, vegetation management, possible bridge, trail connectors,	
Cerrito Creek Bay Trails	Participate with other agencies to develop links between El Cerrito Plaza & the Bay Trail	
Bay Trail	Participate with other agencies to complete segments of regional trail	
Albany Hill Trails	Complete a system of trail connections to Albany Hill Park	
Albany Hill Park	Explore options to acquire land contiguous to the park. Implement 1991 Master Plan.	

Catherine's Walk	Prepare plan for site to include safety improvements and maintenance plan	Some maintenance and safety improvements have been made.
Cerrito Creek Restoration	Coordinate planning and improvement with interested/imparted parties	Friends of Five Creeks is the primary group that takes care of El Cerrito Creek for the City of Albany. Their efforts are ongoing.
Codornices Creek Restoration	Complete plan to realign and landscape the creek corridor with the City of Berkeley and UC.	Staff can provide more information upon request. Project is ongoing.

Table 3: Completed Projects

Recommendation	Brief Description	Comments
Dartmouth Tot Lot	Playground replacement and repair	
Ocean View Park	Improvements to sports field, picnic area, new playground equipment and community garden.	
Terrace Park	New restrooms, turf, picnic area, landscaping, path, basketball resurface, park art, etc	
Memorial Park	Ball field improvements, irrigation, picnic area, landscaping, signage, waste receptacles, etc	
Albany Preschool Retrofit	Retrofit of building for seismic improvements	To be completed August 2009
Community Center	Wood floors refurbished and new landscaping.	

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

Agenda date: April 14, 2009

SUBJECT: Accessibility in Albany's Parks

REPORTED BY: Penelope Leach, Recreation and Community Services Director
Rich Cunningham, Public Works Manager

RECOMMENDATION

Information only.

BACKGROUND

The purpose of this staff report is to give the Commission an idea of the current accessibility concerns at Albany parks that staff is aware of to date. This staff report is not an attempt to address all of the issues community members may wish to discuss with the Commission, as staff may not be aware of all of their concerns. Two concerns of which staff is aware pertain to Ocean View Park regarding the use and maintenance of the fibar surface in the playground area and the two Americans with Disabilities Act (ADA) garden beds located in the community garden.

The concern regarding the use of fibar in the play area at Ocean View Park and whether or not it is ADA compliant was raised to City staff in October 2007. Staff asked the park design architect for information regarding fibar's ADA compliance. The architect's response was as follows:

"Fibar is a widely used, less expensive alternative to poured-in-place (rubberized) surfacing. They both accomplish the same thing - they provide wheel chair access to play features and also act as a safety cushion from the tallest "fall-height" of the specified equipment. It is a ASTM (American Society of Testing Materials) approved product. This product is also endorsed by ADAAG (American with Disabilities Accessibility Guidelines) and IPEMA (International Playground Equipment Manufacturer's Association). It is deemed wheelchair accessible by [all] organization[s] that have any influence or involvement in playground design and accessibility."

The question lately appears to be the unevenness of the fibar surface and how often it is groomed to maintain a level surface. There are a few issues staff is having regarding the fibar surface. For instance, additional fibar needs to be added in the areas that are prone to more wear and tear and to keep the level flush with the sidewalk. Typically fibar is only delivered in very large quantities. Finding a place to store the material until it is

needed is one issue. Staff is working with the fibar distributor to see if the City can have smaller loads delivered, possibly in bags. Another issue is how often staff should and is able to maintain the area. There are non-specific intervals stated in the Fibar maintenance instructions that would require two full days to dig in and turn over the Fibar to fluff it up. It is also an intense type labor that calls for machine assistance. Staff is also looking into this with the Fibar distributor. However, it should be noted that when staff has evaluated the amount and level of the fibar, so far it does not appear to be unsafe or significantly uneven. Please see the attached photos taken on February 9, 2009.

An alternative to the fibar surface is a rubberized surface like that used at the main play area at Memorial Park. During the recent renovations when Ocean View Park was in its design phase, the rubberized surface was considered, but was cost prohibitive. Staff met with a representative from Tot Turf, a primary distributor of rubberized playground surfaces, in March 2009 to discuss the cost of covering the play area at Ocean View Park with the rubberized surface. The cost to cover the entire play area at Ocean View Park is estimated to be \$62,222. This estimate does not include the removal and disposal of the existing fibar, which would add approximately \$25,000 to the estimate, for a total estimate of \$87,222. A second alternative would be to cover only a portion of the play area and use a combination of fibar and rubberized surface. The area under and around the ADA swing as well as the area under and around the play structure could be covered for an estimated cost of \$30,868. The cost of removing and disposing of the existing fibar for this portion of the total area would be an additional \$13,500, for a total estimate of \$44,368. Please see the attached estimates and a sketch of the play area showing the partial rubberized surface alternative. The square footage of the rubberized surface for the second alternative could be diminished to further bring down the cost.

Regarding the ADA garden beds at Ocean View, staff does not have a clear understanding of the concerns at the this time, but is open to hearing from the public their concerns and any solutions they may have.

SUSTAINABILTY IMPACT

Tot Turf uses recycled California tires in their product and the product does not have to be replaced due to wear and tear. Instead, Tot Turf resurfaces playgrounds at a slightly lesser cost than the original installation so there is no need to dispose of the surface. The rubberized surface lasts between 5 to 8 years before having to be resurfaced depending on the level of use and the exposure to heat and sunlight.

FISCAL IMPACT

Estimated cost of:

Rubberized Surface covering the entire playground site	\$87,222
Rubberized Surface covering a portion of the site:	\$44,368

With the rubberized surface, there would be an initial cost savings as the City would not have to maintain and refill the fibar; however, the rubberized surface has to be resurfaced every 5 to 8 years at a cost that is between 65%-75% of the original cost. For example, if the original cost to cover the entire surface was \$62,222, the replacement cost would be approximately \$40,444 - \$46,666. Similarly, if the original cost to cover a portion of the area was \$30,868, the cost for resurfacing would be approximately \$20,064 - \$23,151.

If the Commission recommends a rubberized surface, the Commission would need to add this project to the projects for consideration of Prop WW funds, as there are no other funds available at this time.

Attachments

Tot Turf estimates and sketch

Estimated cost for covering entire OV playground site



By Robertson Industries
 4145 W. Mercury Way
 Chandler, Az 85226
 602.340.8873 | Fax: 602.340.0402

Project Number P09-3392
03/29/2009
 For Official Use Only

An IPEMA Certified Product

PROJECT INFORMATION

Name OCEANVIEW PARK - ALBANY
 Address 900 BUCHANAN
 ALBANY, CALIFORNIA 94706
 Contact PENELOPE LEACH
 Phone 510-524-9283
 Fax 510-528-8914

SALES CONTACT

Alex Tsitovich
 Phone (510)381-8294
 Fax (925) 256-6472

Terms and Conditions: Quote is based on the information provided and is subject to change based on final installation unless indicated below. Sub-base provided by others is to meet TotTurf specifications and grade elevations. Sub-base work performed by others is the responsibility of the owner. In the event that a change in color, color percentage, thickness, or square footage is requested, a revised proposal and/or purchase order will be required before installation can begin. Bonding is not included in quote pricing unless otherwise specified.

Wage Rate	Prevailing	Aliphatic Urethane	No	Excavation	No
Impact Testing	No	Saw Cutting	No	Turn Down (SqFt)	0.0

Product Type	Product Description	Total Sq Ft
TotTurf PIP	NEW 3.5' 50-50 BLK AND STD COLOR	5000.0

Special Notes:

1. COLOR TO BE 50% BLACK AND CUSTOMER TO SELECT 50% FROM BLUE, GREEN, TERRA COTTA RED OR TAN. 2. DOES NOT INCLUDE SITE PREPARATION BY OTHERS: REMOVE AND DISPOSE OF 16" DEEP ENGINEERED WOOD FIBER; ADD 12.5" NEW BASE AGGREGATE WITH A MINIMUM OF 4" CLASS 2 AB COMPACTED IN 2" LIFTS TO 95% COMPACTION. 3. PRICING IS BASED UPON TRUCK BEING ABLE TO ACCESS PLAY AREA AND PARK ON CONCRETE WALKWAY WITH 50' OF PLAY AREA.

Pad Base Price	\$60,366.44
Subbase	\$0.00
Discount	\$0.00
Tax	\$1,855.52
Total Price	\$62,221.96
Total Unit Price	\$12.44

Prepared By: _____ Quote is Valid Until: 06/27/2009



Help prolong the life of your new TotTurf product! The Robble Maintenance Program is designed to add years of life to your safety surface. For more information please contact your sales representative at the number above or call our corporate office at 1-800-858-0519



This Project will recycle 3,906 Passenger Tire Equivalents (PTE's)



Estimate Only
Does not include cost of removing fibar

Estimated cost for covering a portion of the site.
See attached sketch.

3/10



By Robertson Industries
4145 W. Mercury Way
Chandler, Az 85226
602.340.8873 | Fax: 602.340.0402

Project Number P09-3393
03/29/2009
For Official Use Only

An IPEMA Certified Product

PROJECT INFORMATION

Name OCEANVIEW PARK - ALBANY
Address 900 BUCHANAN
ALBANY, CALIFORNIA 94706
Contact PENELOPE LEACH
Phone 510-524-9283
Fax 510-528-8914

SALES CONTACT

Alex Tsitovich
Phone (510)381-8294
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Terms and Conditions: Quote is based on the information provided and is subject to change based on final installation unless indicated below. Sub-base provided by others is to meet TotTurf specifications and grade elevations. Sub-base work performed by others is the responsibility of the owner. In the event that a change in color, color percentage, thickness, or square footage is requested, a revised proposal and/or purchase order will be required before installation can begin. Bonding is not included in quote pricing unless otherwise specified.

Wage Rate	Prevailing	Aliphatic Urethane	No	Excavation	No
Impact Testing	No	Saw Cutting	No	Turn Down (SqFt)	345.0

Product Type	Product Description	Total Sq Ft
TotTurf PIP	NEW 3.5' 50-50 BLK AND STD COLOR	2426.0

Special Notes:

1. COLOR TO BE 50% BLACK AND CUSTOMER TO SELECT 50% FROM BLUE, GREEN, TERRA COTTA RED OR TAN. 2. DOES NOT INCLUDE SITE PREPARATION BY OTHERS: REMOVE AND DISPOSE OF 16" DEEP ENGINEERED WOOD FIBER; ADD 12.5" NEW BASE AGGREGATE WITH A MINIMUM OF 4" CLASS 2 AB COMPACTED IN 2" LIFTS TO 95% COMPACTION. 3. PRICING IS BASED UPON TRUCK BEING ABLE TO ACCESS PLAY AREA AND PARK ON CONCRETE WALKWAY WITH 50' OF PLAY AREA.

Pad Base Price	\$29,967.80
Subbase	\$0.00
Discount	\$0.00
Tax	\$900.30
Total Price	\$30,868.11
Total Unit Price	\$12.72

Prepared By: _____ Quote is Valid Until: **06/27/2009**



Help prolong the life of your new TotTurf product! The Robbie Maintenance Program is designed to add years of life to your safety surface. For more information please contact your sales representative at the number above or call our corporate office at 1-800-858-0519



This Project will recycle 1,895 Passenger Tire Equivalents (PTE's)

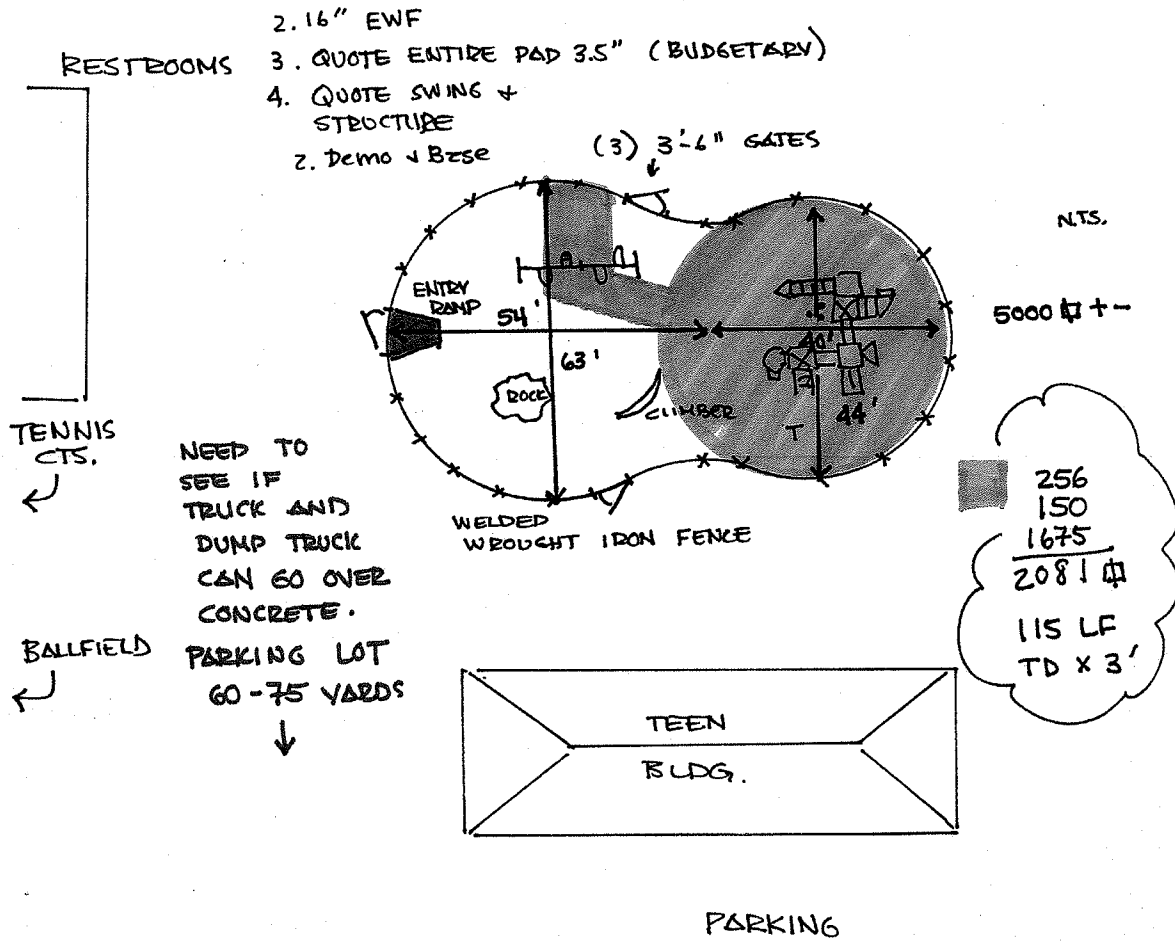


Estimate Only
Does not include cost of removing fiber

TOTTURF WORKSHEET: TSITOVICH

PROJECT:	OCEANVIEW PARK - ALBANY	OWNER:	CITY	DATE:	3/25/9
CITY	ALBANY		ALBANY		
NAME			RECREATION & CS		
ADDRESS	900 BUCHANAN		1249 MARIN AVENUE	WAGE RATE:	PREVAILING
CITY	ALBANY		ALBANY		
STATE/ZIP	CA 94706		CA 94706	COLORS:	
PHONE			510-524-9283		EXISTING ENTRY
FAX			510-528-8914		PAD 50.50
CELL					GEN. BLK
EMAIL					
CONTACT			PENELOPE LEACH		
COUNTY	ALAMEDA 8.75%				

NOTES: 1. CHANGEPLAY AREA FROM EWF TO PIP: "ENVIRONMENTALLY GREEN" CITY



Estimate Only
 Does not include cost of removing fibar









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

Agenda date: April 14, 2009

SUBJECT: Terrace Park policy and facility modifications

REPORTED BY: Penelope Leach, Recreation and Community Services Director

RECOMMENDATION

Approve

- (1) suggested signage for Terrace Park
- (2) the installation of three doggie-bag stations

BACKGROUND

Since the completion of the Terrace Park improvements in early fall of 2007, Terrace Park residents have attended a number of Parks and Recreation Commission meetings expressing concerns regarding the increase in the number of picnic tables, the increase in the number of BBQs, the large party size of some of the picnic rentals, and the lack of privacy for the neighbors living closest to the fence on the west side of the park due to the recent improvements. At the September 2007 Commission meeting residents submitted a petition asking the Commission to remove three of the six new picnic tables and four of the six new BBQs. The residents also requested that the one remaining un-tethered picnic table outside of the tot lot be removed. That table has since been removed.

The Parks and Recreation Commission hesitated to make any changes given that the improvements for the park went through a lengthy public process resulting in a design that was recommended by the Parks and Recreation Commission and approved by the City Council. Moreover, at the time of the residents' petition in September 2007, the park had only recently opened and the peak picnic season was near an end. The Commission asked the residents to wait and see how the improvements impacted the neighborhood in order to obtain an accurate account of their concerns. The Commission did, however, compromised with the residents and had two BBQs fully installed, but asked staff to hold off on installing the tops of the four remaining BBQs. The Commission also recommended that staff remove the table closest to the fence as many park users were standing on the table and looking into neighbors' backyards.

Neighbors of Terrace Park returned to the September 2008 Commission meeting to reiterate their concerns. At the September 2008 meeting, the Commission voted to recommend to Council the following;

- (1) amend the park reservation policy limiting party size at Terrace Park to 40 people;
- (2) remove the picnic table closest to the fence on the west side of the park;
- (3) remove four BBQs;

- (4) install landscaping along a portion of the west side fence to provide more privacy for residents.

At the February 16, 2009 Council meeting, Council voted to remove three of the BBQ's, but did not support the removal of the table, or putting a limit on the party size, or installing additional landscaping.

Residents have also asked the Commission to have signs installed listing park rules, City codes, and good neighbor messages; however, the Commission has not voted on the recommended language for signs. Staff would prefer to go through the sign-making process one time and have signage reflect all approved changes and information, as there have been a number of meetings and discussion regarding park issues in the last several months.

DISCUSSION

Over the last year, residents have asked for signage that reflects good neighbor messages as well as reminds park users of relevant municipal codes and park rules. Staff has put together the following list of items based on what Terrace Park residents have requested to be put on signs.

Items requested for which the city has a code:

1. It shall be unlawful for the guardian/owner to fail to immediately remove and dispose of in a sanitary manner any feces deposited by their dog. (Municipal Code 10-3.2)
2. Dogs must be under proper control and supervision of a capable person. (Municipal Code 10-4.2)

Items requested for which the city does not have a code:

1. Help keep our park clean! Please place all garbage in the containers provided.
2. No glass containers allowed in the park.
3. Park hours

Regarding park hours, residents attending the Commission meetings asked that hours be posted; however, Albany's municipal code does not address hours of operation for parks other than Memorial Park and Albany Hill. Having discussed this issue with the Police Chief, enforcing hours of operation at Terrace Park could be problematic without a code to back it up.

In an effort to avoid overloading the park with signs, staff recommends two signs with the approved rules/codes: one near the main entrance of the park; and one near the tennis courts facing the center of the park.

It should also be noted that Terrace Park residents would like three doggy-bag stations to make it as easy as possible to for park users to pick up after their dogs.

FISCAL IMPACT

Estimated cost of 2 signs: 2 @ \$275= \$550 + tax

Estimated cost of three doggie stations: 3 @\$215 = \$645 + tax

Estimated TOTAL Cost: \$1195 + tax

Recommended doggie station for parks:



\$215/per station

CITY OF ALBANY
PARKS AND RECREATION COMMISSION
STAFF REPORT

Agenda date: April 14, 2009

TO: Parks and Recreation Commission
FROM: Penelope Leach, Recreation and Community Services Director
SUBJECT: Dogs in Albany Parks

STAFF RECOMMENDATION

- (1) Approve (a) the installation of park signs with suggested language for Memorial Park and Ocean View Park and (b) the installation of doggie-bag stations at Memorial Park and Ocean View Park.
- (2) Consider recommending to Council the ordinance explained in this staff report.

BACKGROUND

At the January 2009 Commission meeting, the Commission recommended that staff hold community meetings for each of Albany's parks: Memorial Park, Ocean View Park, the Ohlone Greenway, and Terrace Park. The purpose of the meetings was to hear from the community concerns regarding dogs in Albany's parks. On a number of occasions over the years, the Commission has heard from concerned citizens regarding how best to share the limited park space with the large number of dogs in Albany's parks. There have been concerns raised regarding safety, the need for a leash law, limiting hours in the parks when owners can bring their dogs to the parks, etc.

Neighbors within 150 feet of each park were sent notices with the dates, times, and location for all four of the meetings. Additionally, volunteers handed out flyers along the Ohlone Greenway, the information was posted on signs at each of the parks, and the information regarding the meetings was highlighted on the City's website.

As would be expected the meeting pertaining to Terrace Park and Memorial Park were well attended as the Commission has historically heard from neighbors frequenting Terrace and Memorial parks the most. There were no attendees at the Ocean View Park meeting except for staff and the assigned Dog ad Hoc Committee member. There were only two in attendance at the Ohlone Greenway meeting. Again, this is not surprising, as the Commission has rarely heard from citizens regarding dog issues at Ocean View or the Ohlone Greenway.

DISCUSSION

At the Memorial Park meeting, the group of 15 citizens came to a consensus that they

would be supportive of having two afternoon/evenings per week where no dogs were allowed in the park until after dark. Having a cut-off time of dark seemed to appeal to attendees as they reasoned that most families with their children would not play at the park after dark, but some dog owners might like to be in the park after dark. As a reminder, the City's current ordinance allows people to be in Memorial Park until 11:00 p.m. It should be mentioned that the discussion centered on the ball field area at Memorial Park. The general play area on the corner of Portland and Carmel as well as the playground areas were not discussed. The group also recommended doggie-bag dispensers and garbage cans inside the ball field area. Staff was concerned with having garbage cans inside the field of play, as they could be a safety hazard. Staff is confident locations just outside the gates would suffice and serve the intended purpose.

Staff recommends the following for Memorial and Ocean View parks.

- (1) Two doggie-bag stations strategically placed near the ball field, but not inside the ball field gates. Staff will choose the locations.
- (2) That 2-3 signs be installed with the following language. Staff will choose the location of the signs;

It shall be unlawful for the guardian/owner to fail to immediately remove and dispose of in a sanitary manner any feces deposited by their dog.
(Municipal Code 10-3.2)

Dogs must be under proper control and supervision of a capable person.
(Municipal Code 10-4.2)

Regarding the suggestion by Memorial Park residents that there be two afternoon/eves per week when dogs are not allowed in the ball field area, without an ordinance, such a rule would be difficult to enforce. The Commission may want to consider recommending an ordinance that is general enough to empower the City to enforce, but leaves the specifics as to the days of the week and times to be adopted by resolution, which can be more easily modified. Also, it may be beneficial to keep the ordinance general enough that it could be applied to any of Albany's parks should the need arise in the future. Staff spoke with the Police Chief regarding such an ordinance and he is supportive of the suggested language below.

It shall be unlawful for dogs to be in designated areas during designated times and days in Albany's parks as set forth by the Albany City Council. The specific days, areas, and hours shall be adopted by resolution after considering recommendations from the Parks and Recreation Commission.

Since the Waterfront Committee is also discussing dogs in the waterfront areas, the ordinance could be modified to include waterfront areas/Waterfront Committee. If the Commission is in favor of recommending the ordinance to Council, the Commission may want to postpone the recommendation until the Waterfront Committee has had a chance to weigh-in on the ordinance.

FISCAL IMPACT

4 doggie-bag dispensers: 4@ \$215 = \$860 + tax
6 signs: 6@ \$275 = \$1650

Estimated Total: \$2450 + tax

Possible doggie station for parks:



\$215/per station