

PARKS AND RECREATION ADVISORY COMMISSION

City of Oakland

Wednesday, December 8, 2010, 4:30 P.M.

Lakeside Garden, 666 Bellevue Avenue, Oakland, CA



CITY of OAKLAND

OFFICE of PARKS & RECREATION

MINUTES

1. CALL TO ORDER:

A meeting of the Parks and Recreation Advisory Commission was held on Wednesday, December 8, 2010 at the Lakeside Park Garden Center, 666 Bellevue Avenue, Oakland. Vice Chair Commissioner Montauk convened the meeting at 4:39 p.m. Audree V. Jones-Taylor, OPR Director, conducted the roll call.

2. ROLL CALL:

Present: Judy Belcher, Osagie Enabulele, Michael Hammock, Barry Miller, Susan Montauk, Brad Ricards, Benjamin Scott, Calvin Wong, Ellen Wu

Excused: Howard Matis, Jeffrey Taylor

Staff Present: Audree Jones-Taylor, Gail McMillon, Dana Riley, Mark Hall, Mitch Thomson-PWA Tree Division, Robert Zahn-PWA Tree Division, Xiaojing Wang-Council Office of Nancy Nadel

Guests: Father Reginald Martin, Annette Floystrop, Terry Dillon,

3. DISPOSITION OF MINUTES:

Minutes of the November 10, 2010 meeting.

MOTION: Commissioner Montauk, Vice Chair, entertained a motion to approve the meeting minutes.

Moved by: Commissioner Belcher, **Seconded by:** Commissioner Hammock, **Motion: Eight Approvals.**

Abstentions: Commissioner Wu

4. SPECIAL ORDERS:

None

5. PRAC PENDING LIST:

A. Commissioner Report Update, Commissioner Taylor: Excused. No update.

6. MODIFICATIONS TO THE AGENDA:

None.

7. NEW BUSINESS:

A. Supplemental Report to Tree Permit Appeal, 5890 Birch Court, Priory of Saint Albert the Great:

Robert Zahn, PWA Tree Supervisor, presented the supplemental staff report. PWA's decision remains the same, to deny the appeal by Saint Albert's Priory and Instruct staff to deny tree permit application ND10-069 for 5890 Birch Ct. Annette Floystrop, neighbor, spoke on behalf of saving the trees and passed out a letter from Big Chief Tree Service, who was unable to come, regarding tree care and recommendations to keep the trees safe and healthy. Ms. Floystrop indicated that the donors are still on board. The cost will be \$6,000. Terry Dillon, a Certified Arborist, spoke and passed out a report on his recommendations and comments regarding the care of a row of Liquidambar trees at St. Albert's College. Mr. Dillon's recommendation was to remove the trees. Father Reginald Martin, St. Albert Priory, spoke on behalf of removal of the trees. Father Martin indicated that the trees are the Priory's trees and the Priory will pay for them and do whatever they must do. The Priory will do absolutely nothing to give an impression that they are selling an interest in their property. Commissioner Ricards asked about the proposal for

replanting the trees, how many trees, where exactly would the trees be planted and to explain where and how would they move and organize the trees. Mr. Dillon explained that eight trees would be planted in a row to mirror the trees that are existing. They would be planted in a lawn. Commissioner Wong commented that they were given three different reports or opinions from three different experts (PWA Tree Division, Dillon Garden and Tree Service and Big Chief Tree Services) and wanted to get some input among the experts to see if something can be worked out to get some reasonable consensus. Mr. Dillon responded, Ms. Floystrop commented on Big Chief Tree Services report and Mitch Thomson, PWA Tree Division, responded. Commissioner Wong asked PWA if it made sense to remove any of the trees that were referenced in the letter that addressed the concerns and desires of the residents at 6140 Chabot Road which were identified as trees #1, #2, #7 and #8. Robert Zahn agreed that a few of the trees could be removed because their health was more fragile than the other trees. There is one tree that is more of a risk for failure. Mr. Zahn was not sure without the diagram in front of him exactly which other trees they were referring to. He thought taking some out and trimming the rest of the trees is something that could be worked out.

Mitch Thomson made a clarification on the procedure. PRAC is only going to uphold staff's decision or deny the appeal. PRAC can modify PWA's decision if they feel staff's decision was not in compliance with the ordinance in which required preservation is in compliance with the ordinance. PRAC can modify the decision as long as it is in compliance with the ordinance that would be reasonable. If they wanted some or all of the trees to be removed and replacement plantings to occur that is also a decision that's in compliance with the ordinance. The key is that you're staying in compliance with the ordinance. Mr. Thomson shared two choices, 1) uphold staff's decision and all eight trees will be maintained, or 2) allow removals and the trade off for that is you would get new trees planted. Both are in compliance with the ordinance.

Commissioner Montauk entertained a motion to deny the appeal and approve the tree department's recommendation with modification for allowing trees #1, #2, #7 and #8 to be removed.

Moved by: Commissioner Belcher, **Seconded by:** Commissioner Wu, **Motion: Denied.**

Commissioner Montauk entertained a friendly amendment to the motion made by Commissioner Ricards to deny the appeal but to modify and allow trees #1, #2, #7, and #8 to be removed and for replacement trees to be planted in place of those being removed and placed within sixty days, one for one, in a 24 inch box as matched seasonal variety.

Moved by: Commissioner Ricards, **Seconded by:** Commissioner Belcher, **Motion: Passed with modifications – Eight Ayes**

Abstention: One – Commissioner Montauk

B. Request Approval of the Design of an Off-Leash Dog Play Area at Lakeview Park:

Xiaojing Wang, from Council Office of Councilmember Nadel, presented the staff report. Ms. Wang reported that Lyle Oehler, PWA Project Delivery, provided many volunteer hours on this project and has worked on it for over ten years. The neighborhood group first proposed the idea and identified a need of a dog play area in the Lake Merritt park area in 1999. Over 700 people signed a petition in support of this project in the Lake Merritt area. The dog play area was included in the Lake Merritt Park Master Plan and the Adams Point Urban Design Plan. Public meetings were held in 2004, 2005 and 2006, to incorporate community input into the design of the Lakeview Dog Play Area. PRAC first approved the initial design of the Lakeview Dog Play Area in July 2006 and it was conditioned upon City Council's approval. The project was stalled for the next two years partly because they were unable to secure the hundreds of thousands of dollars that was needed for the original design. In March 2008, volunteers, including design and landscape architects, worked diligently to scale back the project. The dog play area would close the corner of Lakeview Park boarded by MacArthur Blvd. and Lakeshore Avenue. Total size would be approximately 21,000 square feet. There were key members present from the ODOG volunteer group who helped with creating the design of the dog play area. There were also many members of the community in attendance for and against the dog play area. Commissioner Ricards commented that his observations of the dog play area are that it's a very noisy space from the freeway, a lot of traffic moving around in the area and expressed concerns about the maintenance of the dog park because it's an area with a lot of visibility. Commissioner Ricards wanted to know more about the maintenance of the dog park from the ODOG volunteer group. Commissioner Wong's observation was that the size has not increased or gained any area, it is more positive. Commissioner Wong feels that the space creates more sporting activities on the other end of the park. The dog play area is closer to the tot lot, but historically no one has had any problems with a tot lot being adjacent to a dog park. We can

come back in a year to see if it created a problem. This corner of the dog park was hardly ever used. It was discussed that wood chips be replaced periodically inside the fence because the old chips wear out. The maintenance of the wood chips and maintenance of the vines will be addressed.

Commissioner Montuak entertained a motion to approve the request of the design of an off-leash dog play area at Lakeview Park with a 4-foot fence.

Moved by: Commissioner Enabulele, **Seconded by:** Commissioner Hammock, **Motion: Unanimously Passed.**

8. COMMUNICATIONS:

None

9. PRAC COMMITTEE REPORT:

A. Re-election Committee Report – Commissioner Belcher reported out and asked if there was anyone else interested in being Chair. Commissioner Hammock and Commissioner Montauk are nominated for Chair and PRAC can have a secret ballot at next month’s meeting. Commissioner Wu asked how long the term was for Chair. It is not specified in the ordinance. Madam Jones-Taylor suggested that this be a topic for discussion at the retreat and come up with a term. Review the manual as it relates to the term for discussion at the retreat. It’s been proposed that the runner up be Vice Chair.

Commissioner Montauk entertained a motion to accept the nominations for Commissioner Hammock and Commissioner Montauk and the one with the most votes is chair and the runner up is Vice Chair by secret ballot at the next PRAC meeting.

Moved by: Commissioner Ricards, **Seconded by:** Commissioner Miller, **Motion: Unanimously Passed.**

10. ADVISORY COUNCIL REPORTS:

None

11. CONDITIONAL USE PERMITS:

None

12. UNFINISHED BUSINESS:

None

13. COUNCIL REFERRALS:

None

14. DIRECTOR'S REPORT:

- A. PRAC Retreat – We are looking at Saturday, January 22, 2010 possibly at Dunsmuir Hellman Historic Estate, from 9:00 am to 12 noon. If everyone will check their schedule and get back with Dana for confirmation.
- B. Topics for discussion at the retreat will include, how tree appeals are handled, the election process of chair and vice-chair, go through the Advisory Council Manual and discussion of the Advisory Council Manual (drafts of the manual to be provided before the retreat), discussion of Ad-hoc Committees, Council Liaisons as well as the sub-committees. Please send any other topics or ideas to Dana by December 15, 2010. Agenda will be posted
- C. Dana Riley reported on the status of the Commissioners terms.
- D. Dunsmuir Tree Lighting and Holiday Tradition – Audree: Thank you to those who attended the Dunsmuir Tree Lighting, Commissioner Ricards, Commissioner Belcher and Commissioner Matis for supporting the tree lighting. The events are happening through December 19th.
- E. The Office of Parks and Recreation and Public Works Agency put two state grants for the Nature Educational Center. We had two visits, one for Dunsmuir and one for the Rotary Nature Center both of them went very well, they loved our projects, they wished us well. There are 300 applications that were submitted. The cost of the grant is for Prop 84 State of California. We asked for 2.7 million dollars for Dunsmuir Hellman Estate which will take care of the renovation of the pond, put in interpretive landscape signs/placards along the creek way and the restoration of the milk barn. The milk barn will be made into a nature center. We will also

be doing something to the outside front area. The whole theme on that is the importance for conserving water and the great water resources we have. We're also excited about the Rotary Nature Center, which is the first wildlife refuge. It has not in its 57 years really had any work done to it. About 5 million dollars for the Rotary Nature Center was requested for this project. Hopefully they will hear our pride and see our need and we are funded.

- F. Madam Director and staff had a meeting with the Hellman Family. They are interested in a partnership with OPR regarding the Dunsmuir Hellman Estate. The Hellmans want OPR to tell them what the needs are and how to sustain the needs. We are working with putting something together for them to help with staffing and some capital improvement projects.
- G. Community Bank of the Bay – when OPR took Dunsmuir back from the NPO (House and Garden), there was a debt of over \$87,000 owed to the Community Bank of the Bay (CBB). The City refused to pay the debt because it's not ours and we never gave authorization to take out a loan. The bank has approached the City for the \$87,000, now \$93,000. In the contract it says that the City will assume the responsibility of the contract but in parenthesis it says, like weddings and things along those lines. We weren't assuming debt, it doesn't say debt, it just says contract. The loan in their world is a contract so to speak. CBB sent OPR a box of all collateral, which they are claiming to be collateral. They wanted information by December 10th, but OPR got an extension from the tenth to report out on December 24th. We are about 80% complete going through all of the items at Dunsmuir. The City is not paying for anything that is for the "House and Garden". We have paid other debts that were left by the NPO that was directly connected to Dunsmuir.

15. OPEN FORUM:

None.

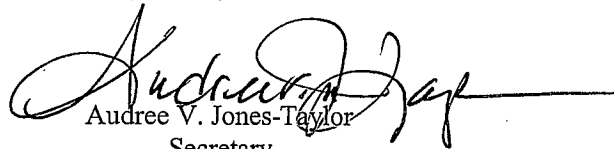
16. ANNOUNCEMENTS:

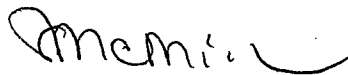
None

17. ADJOURNMENT:

The meeting was adjourned at 6:44 p.m.

Respectfully submitted,


Audree V. Jones-Taylor
Secretary



Gail McMillon
Acting Recording Secretary