

PARKS AND RECREATION ADVISORY COMMISSION
WEDNESDAY, MAY 9, 2001
1520 Lakeside Drive, Oakland, CA

MINUTES

1. CALL TO ORDER:

A regular meeting of the Parks and Recreation Advisory Commission was held at the Lakeside Park Center, 666 Bellevue Avenue, Oakland, California. In absence of a quorum, Chairperson Webb convened the work session at 4:15pm. Since this was a work session, no action was taken on any item.

2. ROLL CALL:

Present: Dinah Fischbach-Bensen, Yvonne Myers, Theresa Nelson , Matt Webb, Jeffery Wong
Excused: Valerie Abad, William Patterson, Rita Torres-Gonzalez
Absent: Jose Guzman, Elba Sanchez
Staff Present: Jim Ryugo, Martin Matarrese, Mary Perisic
Visitors: Item 11A: Bruce Sage, John Truxa, Richard Flynn, Sally Kilburg, Sam Cohen, Judi Bank, Jim Hill
Item 12A: Bob Arnold, Steve Hammond, Don Neuwirth, John Sutter, Larry Tong, Robert Thombs
Item 12B: Grayson Baur, Bob Broki

3. DISPOSITION OF MINUTES:

A. Minutes of April 25, 2001 regular meeting: Deferred

4. SPECIAL ORDERS: None

5. DETERMINATION OF SCHEDULE—OUTSTANDING AGENDA ITEMS:

Mr. Ryugo advised that in June there should be a PRAC semi-annual report to Council.

6. MODIFICATIONS TO THE AGENDA:

7. COMMUNICATIONS: None

8. PRAC COMMITTEE REPORTS: None

9. ADVISORY COUNCIL REPORTS: None

10. CONDITIONAL USE PERMITS: None

11. UNFINISHED BUSINESS:

A. Dimond Park Encroachment: This item was carried over from the meeting of April 25, 2001.

Questions to City staff, Mr. John Truxaw of the City Attorney's Office, and Mr. Bruce Sage of the Real Estate Division:

Q: By approving the license agreement, are we setting a precedent and putting the City in a tough position for future requests?

A: This is a unique situation and is not legally binding. The license is a way of giving permission in just this once instance. It is not transferable.

Q: The license would hold the city harmless. Would it be inappropriate for the licensee to pay for a bond each year?

A: Typically, you would require insurance.

Q: How would the City establish fair market value for the license fee.

A: The City will utilize existing procedures to establish a value. At this time the annual license fee would be \$1,000 per year.

Q: We are being asked to grant a license to the current owner. Since the license is not transferable, when the property is sold the new owner would need to apply for a new license.

A: Correct.

Q: The license would need to be approved each year. It is possible that in the future it would not be approved.

A: One alternative would be to sell the park property to the owner.

Public Comment:

- Mr. Sam Cohen, Dimond Improvement Association: We are concerned about setting a precedent. Parking could be a significant issue considering the size of the houses. Also, there are many homes in Oakland do not have vehicle access. Would like to see the fees go directly to the park, not into the City's General Fund. Since the property value of the house is greater for being adjacent to the park, the licence fee should reflect that.
- Sally Kilburg, Friends of Sausal Creek: We are concerned is that this license does set a precedent. This is not a unique situation. Along Dimond Canyon homeowners have extended their use into the park with play structures, etc. We oppose the granting of an easement or loss of property to the owner. The property owner should remove patio area and the end of the driveway. We would like to see the removal of the fence. Would like to delineate where the area in the license agreement is. The annual license fee should be more appropriate to fair market value and should go directly to the park for trail maintenance, revegetation, Dimond Center. Need appropriate drainage if the brick driveway is removed. The drainage should be done in such a way as to not increase erosion if there is more hardscaping. This should be addressed in the license agreement. There is a creek protection ordinance and the land is directly above the creek. There is a trail that parallels the driveway and would like to see money go to improve the trail and connect to the network of trails in the park.

Mr. Richard Flynn, Attorney:

Mr. Norris, the property owner, has agreed in writing to no parking and no storage. There have been no unlawful additions to the houses.

Q: An earlier speaker commented that there are many homes that to not have driveway access. Is that something that would be acceptable to the client.

A: Not with the original construction of garages to the house.

Q: What is the timing for the survey?

A: We are not going to do the survey until PRAC approves the license agreement.

The PRAC requested that the City's Real Estate Division provide evidence that the property owner is in compliance with the building permits and that they were in compliance with building

permits and set back requirements at the time of construction. This item will be voted on at the next PRAC meeting attended by a quorum.

- B. Liaisons to Advisory Councils - Deferred
- C. PRAC Committee Assignments – Tree Committee Chair - Deferred

12. NEW BUSINESS:

- A. Eastshore Park Presentation: Mr. Don Neuwirth, Eastshore State Park Planning Manager, and Mr. Steve Hammond, of the Planning Team, provided a brief history and description of the project which has involved three agencies: State Coastal Conservancy, East Bay Regional Park District and California State Parks. The proposed park spans from Richmond to Oakland. There will be several access points to the park, and the Bay Trail will hold the park together. The park will be for multi-use, but not to include motorized vehicles.

Several public meetings have been held with each of the local entities. Representatives of the Oakland community, however, have not yet participated in the planning process. Mr. Neuwirth asked for PRAC's suggestions on how to reach Oakland citizens to attend future meetings to give input on the planning process so that the plan can be responsive to local needs. The PRAC suggested various ways of contacting Oakland citizens. The final EIR and general plan are expected to be completed by October 2002. The Eastshore State Park plan can be viewed on the website, www.eastshorestatepark.org. Comments can also be accepted on the website.

Mr. John Sutter of East Bay Regional Park District spoke of the Gateway Park area south of the Bay Bridge. This park may be incorporated into the Eastshore State Park plan. Views are spectacular and valuable trail opportunities exist. There is access to the water.

- B. Martin Luther King, Jr., Park Presentation: Mr. Grayson Baur, Landscape Architect with Pattillo & Garrett Associates, presented the plan for the proposed park located on Dover Street, adjacent to the North Oakland Senior Center (NOSC) and near Children's Hospital. The proposed park is 1.15 acres and is part of a larger series of projects. The planning process has been fairly community intensive. The park will be used by children and families, especially from Children's Hospital, as well as seniors from the NOSC. The fence between the NOSC and the park may be opened to allow easy access for the seniors. Mr. Bob Broki of the North Oakland Voters Association, stated that the park has community support and encouraged the Commission to support the project. Naming the park was also discussed. There is already a Martin Luther King, Jr., Shoreline Park, so giving a different name would be less confusing. Dover Street Park was given as a suggestion.
- C. Marsha J. Corprew Plaque at Lakeside Park Garden Center - Deferred

13. COUNCIL REFERRAL/BUSINESS:

- A. OPR Adopted Budget – Council Hearing 5/8/01 – Noted
- B. Resolution Authorizing a ten-year Agreement between the City of Oakland and Coca Cola Bottling Company of California - This item will go to City Council on 5/22 without a recommendation from the Life Enrichment Committee. Commissioner Nelson voiced several concerns about the proposed agreement:
 - Of the \$1,300,000 valuation of the in-kind donation, only \$30,000 represents direct in-kind donations to OPR. \$800,000 of the donation is for the "Street Teams", which seems seriously inflated, to promote Coca-Cola.

- Using youth to market soft drinks to other youth is a disturbing large aspect of this proposal.
- Why are libraries included to have vending machines, when food and drinks are not permitted?
- Why are vending machines being put into sites with Head Start Centers?
- Is 45% commission standard on such vending machine placements?
- Given the concern that carbonated and caffeinated beverages pose a potential health problem for children, the primary customers of recreation centers, the fact that the majority of the in-kind donation is actually an advertising campaign for Coca-Cola contradicts the health concerns.
- Why does the report not state that the new scoreboards, etc. be subject to review by PRAC, as are all other signs and plaques in parks?
- Is the \$230,000 advance commission actually restricted for ballfield renovation only?

C. Supplemental Informational Report on Recreation Center Fee Based Programs – Mr. Ryugo summarized the report, stating that it was related to an earlier report on Recreation Programs. It was suggested that quilting classes be made available at recreation centers.

14. **DIRECTOR'S REPORT:** None
15. **OPEN FORUM:** Ms. Emily Rosenburg asked whether recreation program evaluations include gender analysis, and, if not, that it be included in future evaluations.
16. **ANNOUNCEMENTS:** None
17. **ADJOURNMENT:** Work session adjourned at 6:15 p.m.

Respectfully submitted,

Jim Ryugo
Secretary

Mary Perisic
Recording Secretary