

PARKS AND RECREATION ADVISORY COMMISSION
WEDNESDAY, July 10, 2002
Lakeside Park Garden Center, Oakland, CA

MINUTES

1. CALL TO ORDER:

A regular meeting of the Parks and Recreation Advisory Commission was held at the Lakeside Park Garden Center, 666 Bellevue Avenue, Oakland, California. Acting Chairperson Nelson convened the meeting at 4:45 p.m. Jim Ryugo, Secretary to the Commission, conducted roll call. A quorum was present.

2. ROLL CALL: (four vacancies)

Present: Valerie Abad, Dinah Fischbach-Bensen, Yvonne Myers, Theresa Nelson,
William Patterson, Jeffery Wong

Absent: Matthew Webb

Staff Present: Dan Gallagher, Jim Ryugo, Mary Perisic

Visitors: Kathy Neal, June Irizarry, Lee Sims, John McElroy, Leila Menchoush

3. DISPOSITION OF MINUTES:

A. Minutes of June 12, 2002 regular meeting:

MOTION: Commissioner Myers moved approval. Commissioner Fischbach-Benson seconded the motion, which passed unanimously.

4. SPECIAL ORDERS: None

5. DETERMINATION OF SCHEDULE—OUTSTANDING AGENDA ITEMS:

- Semi-Annual PRAC report to Life Enrichment Committee for September or October.

6. MODIFICATIONS TO THE AGENDA:

Items 12B and 12A moved up.

7. COMMUNICATIONS:

A. Introduction to Friends of McCrae Park: Commissioner Fischbach-Benson met with the new group which is forming an advisory council. The diverse group includes members of the Fly Casters Club, Police Activities League, advocates for a dog area in the park and other interested members of the community. Ms. Kathy Neal of the Friends of McCrae Park spoke on behalf of the group. They have identified what they think is a neglected jewel of an Oakland park and are looking at how to do park improvements through citizen initiative working with the City. Commissioner Fischbach-Benson, who is the PRAC liaison to the Friends, commended Jim Ryugo for making the extra effort to attend the meeting when there are so many other things he is working on.

8. PRAC COMMITTEE REPORTS: Commissioner Patterson of the Children's Fairyland Board commended Nancy Stark, who recently retired from her position as Executive Director.

9. ADVISORY COUNCIL REPORTS: No reports

10. **CONDITIONAL USE PERMITS:** None

11. **UNFINISHED BUSINESS:** None

12. **NEW BUSINESS:**

- B. Appeal of Tree Removal Permit ND02-085, 12250 Skyline Blvd: Tree Supervisor Dan Gallagher gave a report. The Skyline High School track improvement requires the removal of several trees. Staff had approved the removal of seven trees with the replacement of three trees. Two neighbors appealed. The Tree Section requested a set of plans so that staff could see what construction was proposed prior to approving permits. Public opinion period was open from 5/14-6/14/02. The conditions of approval (three replacement trees) have to be met prior to the issuance of the permit. Staff recommends that the PRAC deny the appeal and uphold staff's decision on the tree removals. Ms. Lee Sims, Project Manager with the Oakland Unified School District advised that they are going to plant smaller trees put in irrigation. Ms. Leila Menchoush, attorney for the appellants, advised that no notice was received by any of the neighbors in the area regarding the removal of the trees. The pines that were removed without a permit have opened up the view of the track by the neighbors. Lighting and noise are reaching the residents now because there is no tree barrier. The residents are asking for smaller native trees to be planted.

MOTION: Commissioner Fischbach-Benson moved to continue the appeal to allow further negotiations between the residents and the School District until the September meeting. Commissioner Abad seconded the motion.

Ms. Sims of the School District stated that the project is due to be completed by the end of August and any further delays would severely impact the project. Mr. Gallagher advised that an options could be to revise the conditions for approval of the permit to plant nine 15 gallon trees instead of three 24" box trees. The conditions of approval then would be nine native 15 gallon trees along the Skyline Boulevard and five 15 gallon trees on the north side, on the other side of the drive way. The permit would be held until the planting takes place.

Commissioner Fischbach-Benson withdrew the motion.

MOTION: Commissioner Fischbach-Benson moved to grant the appeal. Commissioner Myers seconded the motion which failed unanimously.

Motion: Commissioner Fischbach-Benson moved to approve the tree removal permit with the conditions that replacement trees be planted as follows: Nine native 15 gallon trees along the Skyline Boulevard and five 15 gallon trees on the north side, on the other side of the drive way. Commissioner Wong seconded the motion which passed unanimously.

- C. Appeal of Tree Removal Permit ND02-051, 4033 – 35th Avenue: Tree Supervisor Dan Gallagher reported that the permit was approved for removal of a large redwood tree on the rear side of the home because of the proximity to the house. The adjacent property owner appealed the permit. Staff recommended that PRAC deny the appeal and uphold staff's recommendations. The appellant, Ms. June Irizarry spoke her concerns regarding the City's response to an attempt by the property owner to remove the tree without a permit, which

was stopped after being reported . The City did not cite the property owner for the attempted tree removal. Mr. Gallagher advised that if a violator is stopped and the tree can remain as a viable specimen, then it is not considered a violation of the ordinance.

MOTION: Commissioner Wong moved to support staff's recommendation and deny the appeal. Commissioner Myers seconded the motion. Motion withdrawn.

Commissioner Fischbach-Benson advised the PRAC on a technical issue related to taking action on tree appeals in light of the limited PRAC membership. In order to avoid a situation where a motion to deny an appeal does not pass, thereby creating an impasse, the motion should be phrased to approve the appeal for the sake of a quorum. Then if the motion fails the appeal is denied.

MOTION: Commissioner Fischbach-Benson moved to approve the appeal for the sake of a quorum. Commissioner Meyers seconded the motion which failed unanimously.

The appeal is denied.

Commissioner Myers left at 6:15 p.m.

C. Upcoming Bond Measure: Mr. Ryugo gave a brief report. A copy of the City Council report will be mailed to the Commission.

13. **COUNCIL REFERRALS:**

- A. Report on the Status of the Jack London Aquatic Center Operations: If PRAC has any specific questions, OPR staff can route them to the JLAC, Inc.
- B. City Auditor's Report on the Lake Merritt Park Citizen Survey: The City Auditor's Office conducted community polls which resulted in over 1,000 responses.
- C. An Ordinance Authorizing the City Manager to Enter into a Ten-Year Lease ... with the Junior Center of Art and Science ...: Noted.

14. **DIRECTOR'S REPORT**: No report

15. **OPEN FORUM**:

16. **ANNOUNCEMENTS**:

17. **ADJOURNMENT**: Meeting adjourned at 6:37 p.m.

Respectfully submitted,

Jim Ryugo
Secretary

Mary Perisic
Recording Secretary