



**Jesse Arreguín**  
Councilmember, District 4

CONSENT CALENDAR  
June 4, 2013

To: Honorable Mayor and Members of the City Council  
From: Councilmember Jesse Arreguín  
Subject: Access to Divisional Islands

RECOMMENDATION:

Direct the City Manager to provide a report to Council regarding the possibility of limited and permitted access to Divisional Islands, and any attendant issues.

BACKGROUND:

Under BMC 14.32.040, it is unlawful for any person to stand in, or otherwise be present, in divisional islands, except to safely cross the road, with exemptions for city staff and public utility workers.

However, there may be scenarios where limited, permitted access to medians serve a municipal service, such as when a non-profit planted native plants in the Oxford median with permission from City Manager's Office and the Parks and Recreation Department in 2010. Additionally, there is a City-installed bench effectively atop the elongated median at Adeline and Oregon Street, though there are bollards in place to prevent auto collisions within that portion of the median. All the while, there are posted signs warning customers to keep off the narrow median on North Shattuck due to public safety concerns amid high-flow traffic.

A report on access to divisional islands may help provide clarification on the status of access, explore levels of accepted liability, or the possibility of waiving liability in certain cases, and help inform a discussion of possible municipal uses of particular medians. For example, it may be worthwhile for the City Council to consider the under-utilization of large median spaces, such as that on Sacramento Street between University Avenue and Dwight Way, or Adeline Street between Ward and Russell Streets. Rather than expending resources on the maintenance of those medians, it is possible to have productive urban gardens with regulated access and safety rules.

FINANCIAL IMPLICATIONS:

Unknown. Some staff time involved in compilation of the report.

CONTACT PERSON:

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Attachments:

1. Oxford Median Strip Summary