PARKS AND WATERFRONT COMMISSION

Regular Meeting
Wednesday, December 10, 2014, 7:00 P.M.
Frances Albrier Community Center
2800 Park Street, Berkeley, CA

AGENDA

The Commissions may discuss any items listed on the agenda, but may take action only on items identified as Action.

Preliminary Matters

1. Call to Order (Chair)
2. Roll Call (Secretary)
3. Announcements (Chair)
4. Approval of Agenda (Chair)
5. Approval Minutes for October 8, 2014 * (Chair)
6. Public Comment
7. Director’s Report
   a. Director’s Office * (Scott Ferris)
   b. Parks Division (Sue Ferrera)
   c. Waterfront Division (John Mann)

Action

8. Approve Commission meeting schedule for calendar year 2015 * (Miller)
9. Recommend Council support of new state legislation for parks funds* (Scott Ferris)
10. Consider Possible Ban on New Planting Certain Tree Species for fire safety purposes *(Sue Ferrera / Dan Gallagher)

Presentation

11. Biological Assessment of Cesar Chavez Park ** (John Mann / James Martin)
12. Aquatic Park North End Access ** (Deborah Chernin)

Discussion

13. Update on Cesar Chavez Park (signage/no feeding wildlife) * (John Mann)
14. Update on vandalism at the Solar Calendar at Cesar Chavez Park * (John Mann)
15. Update on Ohlone Dog Park Renovation Project ** (Deborah Chernin)
16. Update on Strawberry Creek Park (Sue Ferrera)
17. Update on PRW Capital and Maintenance Projects Budget ** (Scott Ferris)

Information Items

18. Recent Council Reports *
19. Communications:
20. Adjournment

* document is attached to agenda packet.
** document will be provided at the meeting.
ADA Disclaimer: This meeting is being held in a wheelchair accessible location. To request disability-related accommodations to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB343 Disclaimer: Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Parks Recreation & Waterfront Department Office at 2180 Milvia Street, Berkeley, CA.

Communications Disclaimer: Communications to Berkeley boards, commissions or committees are public record and will become part of the City’s electronic records, which are accessible through the City’s website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. All communications to the Commission should be received at least 10 days before the meeting date. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the commission or committee for further information.

Commission Information: The agenda packets for the Parks and Recreation Commission and the Waterfront Commission are available for review at www.cityofberkeley.info/commissions; the Berkeley Main Library and the Parks Recreation & Waterfront Department Office at 2180 Milvia Street –3rd Floor, during their normal business hours. If you have questions, call Commission Secretary, Roger Miller at 981-6704 at 2180 Milvia Street, Berkeley, CA 94704 or by email at rmiller@cityofberkeley.info.

MISSION STATEMENT – PARKS AND WATERFRONT: The Parks and Waterfront Commission shall be an advisory board and shall review the policies, projects, programs, planning efforts, activities, funding, and the physical condition of parks, pools, camps, recreation centers, the Marina, and public greenery, and shall advise the City Council on these matters.

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<tr>
<th>COMMISSION MEMBERS</th>
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<td>Mayor -</td>
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# 2014 Commission Meeting Dates

Name of Commission: Parks and Waterfront Commission  
Commission Secretary: Roger Miller  
Location: Frances Albrier Community Center, 2800 Park St

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<tr>
<th>Month</th>
<th>Meeting Day and Date</th>
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PARKS AND WATERFRONT COMMISSION – REGULAR MEETING
Wednesday, October 8, 2014, 7:00pm, Frances Albrier Community Center, 2800 Park St., Berkeley

MINUTES – DRAFT

Preliminary Matters

1. Call to Order (Chair): 7:10pm.
2. Roll Call (Secretary): Commissioners present: Brostrom; Howard; McGrath; McKay; Mester; Veneziano; Weinstein; Absent: Catalfo. Staff present: Ferris; Ferrera; Miller.
3. Announcements (Chair)
4. Approval of Agenda (Chair): (M/S/C: Brostrom/Weinstein) Aye’s: Brostrom; Howard; McGrath; McKay; Mester; Veneziano; Weinstein; No’s: None; Abstain: None; Absent: Catalfo.
5. Approval Minutes for September 10, 2014: (M/S/C: Brostrom/Mester) Aye’s: Brostrom; Howard; McGrath; McKay; Mester; Veneziano; Weinstein; No’s: None; Abstain: None; Absent: Catalfo.
6. Public Comment: Fred Leimbkuhler, Glendale La Loma parking; Margie Gurdziel, Measure F parks funding; Laura Margulius, Strawberry Creek Park; Robert Cohen, Strawberry Creek Park; Charlie Bowen, public private cooperation, BPFP, Path Wanderers; Anna Natille, Berkeley Project Day, Strawberry Creek Park; Dianne, signage at Cesar Chavez Park; Steve Moros, Strawberry Creek Park.
7. Director’s Report
   a. Director’s Office * (Scott Ferris)
   b. Parks Division * (Sue Ferrera)
   c. Waterfront Division * (John Mann)

Action

8. Potential ban on certain tree species for fire safety purposes (Sue Ferrera / Dan Gallagher). Commission took action to table the item for a later date (M/S/C: Mester/Weinstein): Aye’s: Brostrom; Howard; McGrath; McKay; Mester; Veneziano; Weinstein; No’s: None; Abstain: None; Absent: Catalfo.

Discussion

9. Update on signage at Cesar Chavez Park (John Mann)
10. Update on enforcement of new ban on feeding wildlife ordinance (John Mann)
11. Update on Strawberry Creek Park (Sue Ferrera)
12. Presentation of proposal to renovate Rose Garden Tennis Courts * (Pil Orbison)

Information Items

13. Recent Council Reports *
14. Communications:
15. Adjournment at 9:00pm.

* document is attached to agenda packet.
** document will be provided at the meeting
The purpose of this document is to provide residents with a current update on Capital, Design, Major Maintenance and Planning Projects, Leases and Special Events that the PRW Department is engaged in during Fiscal 2015 (July 1, 2014- June 30, 2015).

*Note: This is a working document and is subject to weekly changes based on funding and staff availability.

**Capital Projects- Construction**
- Willard Tennis Courts 100% Complete
- Echo Lake Dining Hall 100% Complete
- Virginia- McGee Totland Construction Bid Awarded
- Terrace View Phase 1 Permits Complete- Bids due in 1/8/15
- Ohlone Dog Park In Final Design - To PWC in December
- Grove Basketball and Tennis In Final Design - To bid in February

**Projects- Design**
- Design SP Electrical Meter Split Design Complete
- Design JK Electrical Meter Split Design Complete
- Design LO Electrical Meter Split Design Complete
- Ohlone Basketball In Design
- Rose Garden Trellis In Design
- Bay Trail Segment Three In Design/ Permitting
- South Cove Access In Design/ Permitting
- Fishing Pier ADA renovation- In Design
- Sidewalk in front of BORP/Waterside- In Design
- Willard Park Play Area and pathways In Design
- San Pablo Park Restroom/Locker In Design
- MLK Game Room In Design
- Median Project- City Border- Alcatraz FY15
- Skate Park Safety Improvements FY 15
- Marina Float Replacement FY 15
- John Hinkle Playstructure/ Access FY 15
- Echo Lake Leach Field FY15-17
- Echo Lake Adding Dining Hall Deck/Cabins FY15-16
- Echo Lake Cabins Replacement FY15
- James Kenney Play and Picnic Area FY15

**Major Maintenance Projects**
- Fire Restriction signs (BBQ/open fire) Complete
- Ohlone Play Surfacing Replacement Complete
- 2945/2925 Bolivar- Install electrical Complete
- Marina Corp Yd Drainage/Repaving Complete
Marina Parking Lot L/M Slurry Seal  Complete
Marina Pathway (YC- FP) Slurry Seal  Complete
Aquatic Park: Widgeon grass/algae  Complete
2925/2945 Bolivar – ADA parking  Complete
John Hinkel Park- Hand Rails  Complete
Live Oak Center Office  Complete
44 Curb Cuts/ Tree Planting  Complete
Strawberry Park Chip Box  Complete
Frisbee Golf Kiosk- Aquatic park  Complete
Cedar Rose Play Equipment  Complete
Colusa Deck Replacement  Complete
Echo Lake Lodge Deck-  Complete
90 Bolivar – Brick Fireplace removal  Complete
City-wide Reservable picnic areas  80% Complete
City wide ADA Restroom upgrades  25% Complete
Cesar Chavez Signage  90% Complete
Park Signage Replacement  25% Complete
King Park Turf Renovation  Under Construction
James Kenny Office  Under Construction
2925/2945 Bolivar – Fencing  Under Construction
Codornices Turf Renovation  Under Construction
Ohlone Middle Turf Renovation  Under Construction
Willard Office Space  Under Construction
Grove Sports Turf Renovation  Under Construction
Echo Lake Make-up Air/ Hood  In Design/Process
Marina Bait Shop Wall repair  In Design/Process
Marin Fountain- Replace Pumps  In Design/Process
Marin Fountain- Replace lights  In Design/Process
Marin Fountain- Replace Plaster  In Design/Process
Launch Ramp Gates/ Ticket Machine  In Design/Process
Tennis Court Signage Replacement  In Design/Process
Picnic Site Signage  In Design/Process
125-127 University Painting  FY15
San Pablo #1 Turf Renovation  FY15
San Pablo #2 Turf Renovation  FY15
San Pablo Infield Renovation  FY15
Strawberry Creek Turf Renovation  FY15
Echo Lake Water System  FY15
Marina H and I Parking Slurry Seal  FY15
Marina D and E Parking Slurry Seal  FY15
Strawberry Park Asphalt Patch  FY15
Frances Albrier Office Space  FY15
King Pool Office  FY15
West Campus Office  FY15
Ohlone Temp Picnic Replacement  FY15
Outside Storage Unit at MLK Center  FY15
○ Inside Storage at MLK Center  
○ Gutters Replace 2925-2945 Bolivar  
○ Removal of Ohlone Structure  
○ Aquatic Park Bolivar Turf Renovation  
○ Rose Garden Sign Replacement  
○ Rose Garden Fence Replacement  

**Department Planning Projects**

- Parks Make Life Better  
- Camps Fund Financial Evaluation  
- Volunteer Program Development  
- Cesar Chavez Park Signage Development  
- Marina Software Installation  
- BUSD- Emerson School Pilot  
- Cesar Chavez Park Biological Update  
- Cash Handling Assessment and Process Revision  
- Water Use Reduction Evaluation  
- Aquatic Park Improvement Project  
- Berkeley Tuolumne Camp Funding Recovery  
- Berkeley Tuolumne Camp Master Plan  
- BUSD- MLK Facility Lease  
- Community Agency Contracts -Alignment with 2020  
- North Lawn Bowling Green Assessment /Lease  
- Sports Field, Tennis and Picnic Schedule- On-line  
- Recreation Administration Relocation  
- FY 16-17 Budget Development  
- FY 16-17 Capital/Major Maintenance Budget  
- Open Data  
- Recreation Professional Development Training

**Leases**

- Akol Building - 125-127 University  
  - Latorengelle  
  - Child International Resource  
  - Klein- Leventhal Management  
  - Zoro Productions  
  - Impact Fund  
- Waterside Wokshop-90 Bolivar  
- YMTC- 2427-2429 Bolivar  
- Hana Japan-225 University  
- Eat & Run  
- Cal Sailing  
- Yacht Club  
- Berkeley Arts Center  
- Ala Costa Center  
- Berkeley Paddling and Rowing Club  
- Lawn Bowling Club
City Wide Special Events

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<td>July 4 Celebration/Fireworks</td>
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<td>Derby Day</td>
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<td>Olympic Day</td>
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<td>National Night Out- Teen Program</td>
<td>8-5-14</td>
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<td>Community All Crew Day- Marin Circle</td>
<td>9-18-14</td>
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<td>International Shoreline Clean Up</td>
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<td>Martial Arts Tournament</td>
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<td>Community Parks Day</td>
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<td>Community Tree Day</td>
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<td>Make A Difference Day- MLK</td>
<td>10-25-14</td>
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<td>Pumpkin Patch Dash</td>
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<td>Community All Crew Day- Los Angles</td>
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<td>Haunted House- MLK</td>
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<td>Tots Winter Carnival</td>
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<td>Community All Crew Day- Strawberry</td>
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<td>Community All Crew Day- Aquatic Park</td>
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<td>Egg Hunt Extravaganza</td>
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<td>Berkeley Bay Festival</td>
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<td>Earth Day Shoreline Clean Up</td>
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<td>3 on 3 Basketball Tournament</td>
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<td>Community All Crew Day</td>
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2015 Commission Meeting Dates (proposed)

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Commission Secretary: Roger Miller
Location: Frances Albrier Community Center, 2800 Park St

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October 24, 2014

The Honorable Kevin de León, President pro Tem
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

RE: Support from the City of Berkeley on a future park bond

Dear President pro Tempore de León:

On behalf of the City of Berkeley, I want to express our support for any future legislation that would provide a much needed source of funds for local, regional and state parks.

The City of Berkeley is supportive of any future park bond that will provide opportunities to create new parks and help upgrade existing facilities. We respectfully request consideration that supports the goals and mission of providing for the education, preservation, and exploration of California’s diverse natural habitats. In addition, with the State facing one of the worst droughts of all time, protection and conservation of natural resources is at an all-time high.

We look forward to working with your office moving forward to craft a bill and funding program that would meet the needs of our community and benefit all Californians. I thank you for your leadership on this important piece of legislation. Our state advocate, Niccolo De Luca from Townsend Public Affairs, will be following up with your office.

Sincerely,

Tom Bates
Mayor

CC: Senator Loni Hancock
Assembly Member Nancy Skinner
To: Parks and Waterfront Commission
From: Susan Ferrera, Parks Superintendent
       Dan Gallagher, Senior Forestry Supervisor
Subject: Possible Ban on New Planting of Certain Tree Species

RECOMMENDATION
The Parks and Waterfront Commission shall provide a recommendation to Council regarding a possible ban on new planting of certain trees species for fire safety purposes in Berkeley. The Commission may choose from any of the options below, or any other option.

OPTIONS AND FISCAL IMPACTS OF RECOMMENDATION
On June 10, 2014 Council referred the issue of a possible ban on certain tree species in Berkeley to the Fire and Disaster Commission and the Parks and Waterfront Commission for evaluation and reporting back to Council. The tree species to be evaluated included Monterey pine, Monterey cypress, red gum eucalyptus and blue gum eucalyptus. Staff considered a possible ban and developed three options for further consideration, as follows:

Option One
a) Continue the City’s current practice of not planting blue gum eucalyptus and Monterey pine trees on City property and in the City Right of Way, with an exception that would allow Monterey pine within the Waterfront;
   b) On the COB Forestry web site, add links to the Berkeley Fire Department and State and Federal websites that encourage property owners to maintain a fire safe property and a 30-foot defensible space around their homes through the proper maintenance of trees and landscaping.

Fiscal Impact: A small amount of staff time would be needed to produce a brochure and develop and implement a public education and outreach program. No additional resources would be needed to add links to the website or to continue staff’s current practice of not planting blue gum eucalyptus or Monterey pine trees.

Option Two
a) Recommend a Council resolution that prohibits the City from planting blue gum eucalyptus and Monterey pine trees on City property and in the City Right of Way; with an exception that would allow Monterey pine within the Waterfront.
   b) On the COB Forestry web site, add links to the Berkeley Fire Department and State and Federal websites that encourage property owners to maintain a fire safe property and a 30-foot
defensible space around their homes, through the proper maintenance of trees and landscaping.

**Fiscal Impact:** No additional resources would be needed to adopt the resolution. A small amount of staff time would be needed to produce a brochure and develop and implement a public education and outreach program. No additional resources would be needed to add links to the website or to continue staff’s current practice of not planting blue gum eucalyptus or Monterey pine trees.

**Option Three**

a) Recommend a City ordinance that prohibits planting blue gum eucalyptus and Monterey pine trees on both public and private property; with an exception that would allow Monterey pine within the Waterfront.

b) On the COB Forestry web site, add links to the Berkeley Fire Department and State and Federal websites that encourage property owners to maintain a fire safe property and a 30-foot defensible space around their homes, through the proper maintenance of trees and landscaping.

**Fiscal Impact:** Significant resources would be needed to draft and implement an ordinance and inspect, monitor, and enforce the ordinance. In addition, significant resources would be needed for dispute mitigation and legal fees. Additional resources would be needed to remove trees from private property. The costs for removal might be recouped by billing the property owner. No additional resources would be needed to add links to the website or to continue staff’s current practice of not planting blue gum eucalyptus or Monterey pine trees.

**CURRENT SITUATION AND ITS EFFECTS**

With regard to private property, the City currently does not have any regulations that restrict the planting of trees. With regard to public property, the City’s Urban Forestry Division maintains a list of tree species that are appropriate based on the site conditions and suitability of the species selected for the location (e.g., climate, soil, and sunlight conditions, as well congestion factors such as utilities lines, structures, and other trees at the location). Blue gum or red gum eucalyptus or Monterrey pine or cypress are not contained in this list.

The Urban Forestry Unit does not plant blue gum eucalyptus nor Monterrey pine in the City of Berkeley because they are not a suitable species for many urban sites due to their large mature size and need for high maintenance. However, Monterey pine could be a suitable species for the Berkeley Waterfront because it grows well in the shoreline environment and effectively serves to block the frequent winds. Monterey cypress can be a desirable species for the Waterfront and Aquatic Park for the same reasons. In fact, both locations currently have healthy stands of these trees that are maintained by the Urban Forestry Unit. Red gum eucalyptus is a general term used for many species of eucalyptus that have red features, such as bark and flowers. Some of these are acceptable species for the urban environment. Currently the City does not plant red gum eucalyptus because other species are better suited for the City of Berkeley, and blue gum eucalyptus is not commercially available.

In terms of fire risk, the State of California Department of Forestry and Fire Protection (CAL FIRE) website emphasizes that tree maintenance and debris removal is an important factor in keeping a property safe in fire prone areas. They state that there are no fire-proof plants and that a good landscape design will incorporate a defensible space within 30 feet of any structure. They recommend that plants in this 30 foot area should be kept green, be low-growing, non-woody and that...
good horizontal and vertical space should be kept between the trees and plants. (See Fire Resistance Landscaping at http://www.fire.ca.gov/).

Consistent with CAL FIRE guidelines, the City has operated the Fire Fuel Chipper and Vegetation Debris Bin Program in specified areas of the City since 1982, whereby homeowners remove vegetative debris from their private property and a City crew picks up the material during designated weeks each summer. The program also provides customers an opportunity to have a debris bin delivered for the purpose of disposing of larger quantities of vegetation. The delivery and pick-up of the debris bins is managed by the City’s Solid Waste Division. This program is designed to provide residents a convenient means of disposing of vegetation to improve the fire safety of properties within the specified area.

In addition, the City’s Fire Department staff inspects the front yards of private properties annually that are within the Fire Department-designated Hazardous Fire Area, east of Grizzly Peak Boulevard. Non-compliant properties are initially sent a notice to abate any excess vegetation debris. The Berkeley Fire Department provides information on City of Berkeley vegetation management practices at the following websites:

- Fire Prevention http://www.ci.berkeley.ca.us/Fire/Home/Fire_Prevention.aspx;
- Additionally, the Fire Department provides a brochure titled: Create Defendable Space to Protect Your Home from Wildfire”.

Disaster and Fire Safety Commission
On September 24, 2014, at a regular meeting of the Disaster and Fire Safety Commission regular meeting of September 24, 2014, the commission took the following action: Communicate to the Parks and Waterfront Commission that the Disaster and Fire Safety Commission supports any of the options staff presented to the Parks and Waterfront Commission on September 10, 2014 with particular emphasis to the public education elements: (M/S: N. Goldstein/R. Grimes): Vote: (5 Ayes: Grimes, Goldstein, Hamm, Zummo, Mitchell ; 2 Noes: Almanza, Flasher; 1 Absent: Gage; 0 Abstain.

BACKGROUND
Current tree management practices at several municipalities in the East Bay involve the following:

- The City of Richmond’s Municipal Code requires property owners to maintain ornamental landscaping, encourages the use of fire-resistant plants and the removal of fire hazardous vegetation. No restrictions exist on the planting of specific species of trees. The Fire Marshall may order an owner or occupant to abate fire hazards and nuisances, including flammable vegetation.
- The City of Albany does not regulate the planting of trees on private property. The City does, however, prohibit inadequately maintained landscaping.
- Chapter 10.90 of the City of El Cerrito Municipal Code is titled Obstruction of Views by Trees on Private Property. Section 10.90.190 prohibits the planting of certain trees. It states “Due to their rapid growth, height at maturity, dense foliage, shallow root structure, flammability, breakability or invasiveness, no person shall plant or allow a new tree that results from the sprouting or other self-propagation, on private property within the city, from any Monterey Pine, Monterey Cypress, Coast Redwood, Red Gum Eucalyptus or Blue Gum Eucalyptus.” The planting of any of these trees is deemed a public nuisance and may be prosecuted as a misdemeanor.
- The City of Oakland does not regulate tree planting on private property. Monterey pines and all species of eucalyptus may be removed from private property without a permit. All other species of trees require a permit to be removed.
The Diablo Firesafe Council, an authority on wildfire issues in Alameda and Contra Costa Counties, has created a list of plants for use in fire prone environments. Twelve tree species are listed as having a favorable fire performance and nine as unfavorable. Their website notes that a plant’s fire performance can be compromised if it is not properly maintained. [http://www.diablofiresafe.org/index.html](http://www.diablofiresafe.org/index.html)

The California Department of Forestry and Fire Protection’s website (CAL FIRE) includes many links and references to informative publications and texts on fire-safe landscaping. See: [http://www.readyforwildfire.org/landscaping](http://www.readyforwildfire.org/landscaping).


ENVIRONMENTAL SUSTAINABILITY
The maintenance of the urban forest and the prevention of destructive urban fires are essential in meeting the City’s Climate Action Goals over the long term. A public outreach and education program that supports the health and maintenance of the City’s urban forest will help the City’s long-term sustainability efforts.

CONTACT PERSON
Susan Ferrera, Parks Superintendent, 981-6667
Daniel Gallagher, Senior Forestry Supervisor, 981-6687
INFORMATION ITEM
December 10, 2014

To: Parks and Waterfront Commission

From: John Mann, Waterfront Manager

Subject: Update on signage in Cesar Chavez Park

UPDATE
In the summer of 2014, a public process was undertaken to develop 6 new sign types at Cesar Chavez Park with three main messages: a) to clarify the location of the Off Lease Dog Area (OLA); b) areas of the park where dogs must be on leash; and c) to notify the public of the new ordinance prohibiting the feeding of wildlife in City parks. A total of 66 new signs and 9 new sign poles were fabricated and installed by November 2014. In addition, staff is currently finalizing a new design for the 3 main signs that mark the main entrances to the Park.

FISCAL IMPACTS
The total cost of new signage for the park including staff time, purchase of signs and materials, and installation costs was approximately $17,000.

CONTACT PERSON
John Mann, Parks & Waterfront Commission, 981-6737
INFORMATION CALENDAR
December 10, 2015

To: Parks and Waterfront Commission
From: Reeve Battle, Assistant Public Works Engineer
Subject: Wildlife Management at Cesar Chavez Park

INTRODUCTION

CURRENT SITUATION AND ITS EFFECTS
On June 24, 2014, as a response to the problem of squirrel overpopulation affecting the landfill cap at Cesar Chavez Park, Council adopted Ordinance 7356-N.S. to prohibit the feeding of wildlife in City parks or public property, with a $100 minimum fine per the Berkeley Municipal Code 6.50.030/050. In order to implement the new ordinance with new signage and public education regarding the health and safety concerns associated with feeding wildlife, the City convened a community workgroup consisting of Berkeley residents, local biologists, members from the Golden Gate Audubon Society, San Francisco’s Wildlife Rehabilitation, Advocacy & Non-Lethal Wildlife Damage Control Services, and other wildlife professionals from various regional organizations. The group met several times and their efforts resulted in the development of new signage that was installed at the park as of November 2014, and public education brochures that have been distributed to the public in November and December of 2014. Since these steps have been implemented, staff has found no indications that the public is feeding wildlife, and that the squirrel population at the park appears to be lower than in previous years.

BACKGROUND
In 2009, an inspection by the Regional Water Quality Control Board of the closed landfill at Cesar Chavez Park identified the potential for erosion of the landfill cap by squirrel and gopher overpopulations. As a result, the City’s 2010 Waste Discharge Order regarding the closed landfill required the City to address this problem. In February of 2014, staff provided Council with a pilot plan to abate these populations, and Council asked staff to develop alternatives to abatement. In June of 2014, staff returned to Council with an alternative approach that included a new ordinance that prohibits the feeding of wildlife on public lands and an educational program created with input from the wildlife community workgroup.
ENVIRONMENTAL SUSTAINABILITY
Prohibiting the feeding of wildlife will result in a reduction in the populations of California Ground Squirrels and Western Pocket Gophers at the landfill through natural means and will achieve a more balanced ecosystem at Cesar Chavez Park.

POSSIBLE FUTURE ACTION
If eliminating wildlife feeding does not control squirrel and gopher populations, then other measures may be warranted to prevent potential damage to Cesar Chavez Park.

CONTACT PERSON
Phil Harrington, Deputy Director, Public Works, 981-6661
Reeve Battle, Assistant Public Works Engineer, Public Works, 981-6336
INFORMATION ITEM
December 10, 2014

To: Parks and Waterfront Commission
From: John Mann, Waterfront Manager
Subject: Update on vandalism in Cesar Chavez Park

UPDATE
In April 2014, the Berkeley Marina began to experience unprecedented vandalism of City signage in Cesar Chavez Park and to the Cesar Chavez Memorial Solar Calendar. The vandalism has been sporadic but persistent and has expanded throughout the Park to impact new and existing signs along the perimeter pathway and the monument signs at the entrance to the park. On October 7, 2014, the City Council made a referral to the City Manager to take immediate actions to prevent continued vandalism at the Cesar E. Chavez Memorial Solar Calendar, including a reward of no less than $1,000 to the identifier of the vandal(s). Since that time, the “reward signs” posted in the park have been consistently torn down.

The Parks Recreation and Waterfront staff, and the Cesar Chavez Memorial Project have met with the Berkeley Police Department, who are aware of the problem, and City staff will continue to coordinate to resolve the issue. The following summary of the vandalism has been provided by the Cesar Chavez Memorial Project volunteers:

<table>
<thead>
<tr>
<th>Latest Incident:</th>
<th>Between (Nov 24th) and (Nov 26th)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period of Vandalism:</td>
<td>Over 5 months</td>
</tr>
<tr>
<td>Number of Acts of Vandalism:</td>
<td>19 times</td>
</tr>
<tr>
<td>Stones kicked over/tossed, etc.:</td>
<td>295</td>
</tr>
<tr>
<td>Site signage damaged/destroyed:</td>
<td>9 times</td>
</tr>
<tr>
<td>Required Repair work:</td>
<td>35 hours</td>
</tr>
<tr>
<td>$1,000 Reward signs:</td>
<td>Removed 7 times</td>
</tr>
</tbody>
</table>

FISCAL IMPACTS
Monitoring Cesar Chavez Park and the repair and replacement of the vandalized signs requires significant staff time and materials. In addition, the continuing damage to the Cesar Chavez Solar Calendar requires ongoing efforts by the Cesar Chavez Solar Calendar Project volunteers.

BACKGROUND
In February 2014, at the direction of the City Council, a process was begun to more clearly demarcate and enforce the boundaries of the Off Leash Dog Area (OLA) at Cesar Chavez Park. In the spring of 2014, the City installed 35 fiberglass stakes to
demarcate the boundary of the OLA. Since that time, about 50% of the stakes have been repeatedly vandalized and replaced. In the summer of 2014, a public process was undertaken to develop new signage for the park to clarify the location of the OLA and areas of the park where dogs must be on leash. New signs were designed, manufactured, and installed by November 2014. Since that time, however, those signs have been damaged as well as existing signs at the protected nature areas of the park that have been broken off and thrown into the adjacent vegetation. Most of the damage was to signage marking the boundary between the OLA and the Solar Calendar. In late November 2014, one of the three main park entrance signs was damaged whereby a large section was completely broken off.

At approximately the same time, the Cesar Chavez Memorial Solar Calendar began to experience vandalism with the removal of signage and landscape boulders, which were often thrown into the surrounding vegetation. In addition, wooden frame signage was smashed repeatedly and defaced.

CONTACT PERSON
John Mann, Parks & Waterfront Commission, 981-6737

Examples of damage to Cesar Chavez Memorial Solar Calendar
Examples of damage to Cesar Chavez Memorial Solar Calendar

Examples of damage to Cesar Chavez Memorial Solar Calendar
Examples of damage to Cesar Chavez Memorial Solar Calendar
Examples of damage to Cesar Chavez Memorial Solar Calendar
Cesar Chavez Park west entry sign
North perimeter pathway signage
East perimeter pathway signage
East perimeter pathway signage
Northeast Nature Area Signs
Many Off Leash Area perimeter stakes have been broken off
To: Parks and Waterfront Commission  
From: Toni Mester, Vice-Chair, Parks and Waterfront Commission  
Date: December 10, 2014  
Re: Criteria for identifying PRW Capital and Maintenance Projects

As the Parks Commission representative on the Measure M process, I learned the wisdom of creating objective criteria for public expenditure through a community based process. The voters are more likely to support projects when the Council and staff apply rational standards. The Parks Commission did not have the time to develop a scorecard like the Measure M team, so our criteria are not ranked or weighted. We agreed to the following criteria:

The project should provide, entail or require:

_____ **Equity**: addresses a perceptible imbalance in delivery of recreational resources City-wide.

_____ **Community needs**: meets the needs of an underserved community, group or neighborhood that has not benefited from parks improvements or has waited a long time for the improvements.

_____ **Net benefit**: benefits a large cohort of users or increases the number of users.

_____ **Serve multiple user cohorts**: will attract users of various ages, serve families, provide safe play for children and be accessible to the disabled.

_____ **Pressing and preventative repair**: needs immediate repair that will cost more if delayed.

_____ **Ready to implement**: has passed the planning stage including environmental review if required and is good to go.

_____ **Visible**: corrects or improves an obvious need or eye-sore

_____ **Outcomes**: identifies results and returns within a practical time frame

_____ **Cost effective**: leverages funds and qualifies for grants

_____ **Economic benefit**: will stimulate nearby development and business

_____ **Planning**: needs seed money to get off the ground

_____ **Sustainable maintenance**: keeps up with inflation and staff costs
PARKS AND WATERFRONT COMMISSION
RECENT COUNCIL REPORTS
The following council reports are available for review at the Parks Recreation & Waterfront Department administrative desk, 2180 Milvia Street, 3rd floor, or can be accessed from the City Council Website by using the following URL's:


October 28, 2014 – Consent – Expanding the City Parks Donation Policy. URL: http://www.ci.berkeley.ca.us/Clerk/City_Council/2014/10_Oct/Documents/2014-10-28_Item_03_Expanding_the_City.aspx


