

Agenda
Meeting of the Oakland Parks and Recreation Advisory Commission (PRAC)
Wednesday, April 14 - 4:30 PM

Zoom Webinar Information:

When: Apr 14, 2021 04:30 PM Pacific Time (US and Canada)

Topic: April 14, 2021 Parks and Recreation Advisory Commission (PRAC) Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/91944235245> Or One tap mobile :

US: +16699006833,,91944235245# or +14086380968,,91944235245#

Or Telephone: Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 646 876 9923

Webinar ID: 919 4423 5245

International numbers available: <https://zoom.us/u/aeGHtcDfBH>

How To Submit Public Comments:

1. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Open Forum comments are being taken or on an eligible agenda item after it has been presented. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar.

2. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “*9” to speak when Open Forum is taken or after an eligible agenda item has been presented. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute yourself by pressing *6.

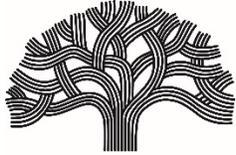
3. To submit comments to the PRAC prior to the meeting, send an email to:

publiccomments2prac@oaklandca.gov by 10:00 a.m. the day before. List the following information on the “subject” line of your email:

Public Comments: PRAC meeting dd/mm/yy (date of the scheduled meeting)

>>>Replies will not be sent from this email address<<<

If you have questions, email Diane Boyd, Executive Assistant to the Director of Oakland Parks, Recreation and Youth Development dboyd@oaklandca.gov. Thank you.



CITY OF OAKLAND

PARKS AND RECREATION ADVISORY COMMISSION - PRAC

Wednesday, April 14, 2021, 4:30 P.M.

Agenda

1. CALL TO ORDER:
2. ROLL CALL:
ALLEN, DUHE, HA, KOS-READ, MOORE, REILLY, D SMITH, K SMITH, TRAN,
TORRES, WALTON
3. DISPOSITION OF MINUTES:
March 10, 2021 Meeting Minutes
4. MODIFICATION OF THE AGENDA:
5. OPEN FORUM:
6. CONSENT NEW BUSINESS:
7. NEW BUSINESS:
 - A. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE USE OF PARK SPACE ADJACENT TO EL EMBARCADERO FOR THREE-MONTHS FOR A VENDING PILOT ON SATURDAYS AND SUNDAYS
 - B. TREE PERMIT APPEAL FOR 5850 AMY DR, PARCEL 48B-7164-5
 - C. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO RECEIVE AN INFORMATIONAL REPORT FROM OAKLAND-RESIDENT, MEGAN PALSA, ON THE ENVIRONMENTAL IMPACTS TO JOAQUIN MILLER PARK AS A RESULT OF THE CURRENT USE IN CONJUNCTURE WITH THE ABSENCE OF ADEQUATE CITY MONITORING.
8. PLANNING AND CONDITIONAL USE PERMITS:

9. MEASURE Q:

- Update - Hiring Progress Tracker
- Update - Hiring Timeline
- Finance – Budget Process Overview

10. UPDATE FROM DIRECTOR, COMMITTEES, RECREATION ADVISORY COUNCILS & ANNOUNCEMENTS:

11. CONTINUATION OF OPEN FORUM:

12. ADJOURNMENT:

Next Meeting:

Wednesday, May 12, 2021

Zoom Teleconference

This meeting location is wheelchair accessible. To request disability-related accommodations or to request an ASL, Cantonese, Mandarin or Spanish interpreter, please email dboyd@oaklandnet.com or call (510) 238-7532 or TDD/TTY (510) 238-3254 at least five working days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.

Esta reunión es accesible para sillas de ruedas. Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en español, Cantonés, Mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a dboyd@oaklandnet.com o llame al (510) 238-7532 o (510) 238-3254 por lo menos cinco días hábiles antes de la reunión. Se le pide de favor que no use perfumes a esta reunión como cortesía para los que tienen sensibilidad a los productos químicos. Gracias.

會場有適合輪椅出入設施。需要殘障輔助設施, 手語, 西班牙語, 粵語或國語翻譯服務, 請在會議前五個工作天電郵 dboyd@oaklandnet.com 或致電 (510) 238-7532 或 (510) 238-3254 TDD/TTY。請避免塗搽香氛產品, 參加者可能對化學成分敏感。



PARKS AND RECREATION ADVISORY COMMISSION - PRAC
Wednesday, March 10, 2021, 4:30 P.M.
Meeting Minutes

1. CALL TO ORDER:

2. ROLL CALL:

Present: Commissioners Allen, Duhe, Ha, Kos-Read, Moore, Reilly, Torres and Walton

Excused: Smith

3. DISPOSITION OF MINUTES:

February 10, 2021 Meeting Minutes

Motion: Commissioner Reilly entertained a motion to recommend approval of the February 10, 2021 meeting minutes. **Moved by:** Commissioner Duhe. **Second by:** Commissioner Walton. **Vote:** 8 Yes: Allen, Duhe, Ha, Kos-Read, Moore, Reilly, Torres, Walton. Motion: Pass.

4. MODIFICATION OF THE AGENDA:

5. OPEN FORUM:

6. CONSENT NEW BUSINESS:

7. NEW BUSINESS:

A. Item not used.

B. **REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE FRIENDS OF JOAQUIN MILLER PARK (FOJMP) IN COORDINATION WITH EAGLE SCOUTS TO INSTALL INFORMATIONAL KIOSK AT ENTRANCE OF WOODMINSTER CASCADE WITHIN JOAQUIN MILLER PARK**

The Parks and Recreation Advisory Commission reviewed the staff report for Item 7B introduced by Alethia Walker of Oakland Parks, Recreation and Youth Development on behalf of Oakland Public Works (OPW).

OPW requested that the Friends of Joaquin Miller Park (FOJMP), in partnership with the Eagle Scouts, be allowed to build a kiosk in Joaquin Miller Park which will hold information material for local and regional visitors.

Following the basis kiosk design, this structure will be made of redwood and topped with a shingle roof. The structure will stand approximately 8 feet high and 4 feet wide with a two-door aluminum locking unit. Simpson brackets will be used to raise the supports posts off the ground to avoid damaging tree roots. Staff will locate the structure at the entrance of the Woodminster Cascade, right off the sidewalk, and away from the stairwell which is a popular venue for wedding photos.

The kiosk will hold a variety of material including maps, handouts, Jr. Wildlife Ranger pamphlets and other information. FOJMP and OPW will share maintenance of the information and handouts. OPW staff will also oversee the construction of the kiosk and the day of buildout.

Motion: Commissioner Reilly entertained a motion to recommend approval the staff recommendation to allow the Friends of Joaquin Miller Park and Eagle Scouts' installation of a Kiosk at the Woodminster Cascades entrance in Joaquin Miller Park.

Moved by: Commissioner Walton. **Second by:** Commissioner Allen. **Vote:** 8 Yes: Allen, Duhe, Ha, Kos-Read, Moore, Reilly, Torres, Walton. **Motion:** Pass.

C. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO GRANT PERMISSION TO RENAME DIGITAL ARTS AND CULINARY ACADEMY (A.K.A. THE RAINBOW TEEN CENTER/DACA)

The Parks and Recreation Advisory Commission reviewed the staff report for Item 7C introduced by Claytoven Richardson from of Oakland Parks, Recreation and Youth Development.

During the Phase II planning stages of the Digital Arts and Culinary Academy's (DACA) Capital Improvement Project (CIP) remodel, the team considered the possibility of changing the program's name to alleviate reoccurring confusion with other community services. The name change would coincide with the reopening of the site.

Former and current DACA students including 13 teens, and 5 young adults, as well as 3 none voting staff participated in the discussion regarding the name change. In three separate votes, the East Oakland Arts Center and Seminary Arts Center selections tied.

The collective reasoning for changing the name included DACA's shared acronym with the immigration resource Deferred Action for Child Arrivals, the interchangeable reference to the program also known as Rainbow Teen Center, and graffiti tags messaging anti-immigration opinions. Staff offered that DACA's programs do not exclusively service teens but are also designed to include seniors and middle school youth.

Commission Comments:

The Commission suggested staff conduct a Google search to discover what may come up to help determine most effective marketing. Staff informed the Commission that several acronym searches were conducted to avoid issues.

The Commission inquired what participants liked about the names selected.

Staff provided information that youth were encouraged to come up with names reflective of the work and programs at DACA including general arts because the programs are broad and various. They were also given the option to consider naming the Center after a community member. The discussions often returned to arts related option. Staff reported having no favorite selection and stated their continued non-participation in the voting process or swaying the opinion of youth during the process.

Staff suggested that if the Seminary Arts Center were selected, that the youth participants would be recommended to create a sign to reflect that of a traditional street sign.

The Commission learned that the majority of the participants live in the immediate neighborhood of East Oakland's Districts 6 and 7. Some come from District 4, and more regionally from Alameda, Hayward, including annual visitors from Bakersfield.

The Commission expressed concern regarding the danger presented to the Center and the importance to make the name change. A real-time Google search showed that the Seminary Arts Center appeared in Vermont.

The Commission further commented on Oakland's continued goal to find inclusion and embrace diversity but pointed out that East Oakland Arts Center was more inclusive, while the Seminary Arts Center selection represented just an area in East Oakland and seemed too limiting.

The Commission also suggested that the name chosen should be based on whatever would be familiar to the community, such as including Rainbow in the name selected.

The body was assured that the name change would reflect the community's wishes. The Commission was also informed that the proposed names with Rainbow featured in the titles did not receive votes. Staff cited the following reason for not including Rainbow in

the final name change; continuing confusion regarding service delivery to the Rainbow Center and DACA, the community's misunderstanding of DACA's affiliation with immigrations services and walk-in clients mistaking the Rainbow Center for DACA. Staff concluded that reliance on DACA's strong marketing skills would make the name change effective.

The Commission agreed to make a motion to change the name to the East Oakland Arts Center.

Motion: Commissioner Reilly entertained a motion to recommend approval of the DACA Name Change Committee's request to rename Digital Arts and Culinary Academy, a.k.a. DACA, a.k.a. Rainbow Teen Center DACA to East Oakland Arts Center. **Moved by:** Commissioner Walton. **Second by:** Commissioner Duhe. **Vote:** 8 Yes: Allen, Duhe, Ha, Kos-Read, Moore, Reilly, Torres, Walton. Motion: Pass.

8. PLANNING AND CONDITIONAL USE PERMITS:

9. MEASURE Q:

David Ferguson, Director Oakland Public Works

Provided an overview of Oakland Public Works (OPW) operations. Members of PRAC met with OPW staff Measure Q liaison to help guide the content of the presentation.

Areas covered included the agency's mission to maintain, improve and preserve Oakland's infrastructure. The presentation included OPW organizational, Core Services and bureau of administration structures, as well as the Bureau of Environment which encompasses environmental services, parks ground and median maintenance, and tree management and maintenance. Also reviewed were the City's vast infrastructure assets, included but not limited to; miles of storm drains, 80 miles of open creeks and sewer pipes; 309 public building, 140 City parks, all open space and park trees, an estimated 2.5 million square feet of City-owned buildings. Implementing environmental priorities for the City including a new Storm Drainage Master Plan and Measure Q – Oakland Parks and Recreation Preservation, Litter Reduction, and Homelessness Support Act passed in March 2020.

Staff acknowledged that due to the impact of COVID-19 in March 2020, OPW's services were halted or were pared down to 50% capacity, thereby delaying the work required under Measure Q. Staff referenced City Council's November 2020 decision to provide citizen oversight of the Measure Q spending and performance, and named PRAC to the hold the position. Fiscal oversight will also be conducted by the City Auditor and the OPW's Annual Financial Audit.

Staff also reported that Sean Maher, OPW's Liaison to Measure Q met with Commissioners to discuss the upcoming monthly report. Discussions will continue to work with the Measure Q Oversight Committee to develop timelines and other details.

Funding directed under the Measure includes:

64% - for parks, landscape maintenance and recreational services

30% - for services to address homelessness

5% - for services and projects to address water quality and litter reduction

1% - to cover costs of auditing and evaluation programs

Staff reported slow progress with the hiring process when COVID-19 protocols came into play March of 2020. The workforce was reduced due to the County health order put in place. As a result, OPW was unable to conduct necessary performance examinations. Currently back on track to interview for needed Gardener II and Gardener Crew leader positions. This would be a good opportunity for PRAC and Oakland Parks and Recreation Foundation members to join OPW as evaluators of the performance examinations.

Before March 2020, OPW had 57 custodial position, currently 19 positions are vacant. Actively recruiting to fill the positions, but the department is having a rough time bring on staff.

OPW recommended that the department return quarterly with full updates including hiring and other progress. The Subcommittee plans to meet monthly for smaller updates.

Public Comments:

- Require the Finance Committee to provide a 101 presentation on specific usage of Measure Q funds.
- Schedule a detailed presentation from OPW regarding staffing and all assets in PRAC's jurisdiction including, landscaping, personal for recreation centers, restrooms and playgrounds, ballfields, granite pads around Lake Merritt. Who is in charge of repairs?
- Receive information from OPW regarding who oversees the City's response on clean water and drainage.

Public Reminders from October 2020

- Recommended OPW make detailed presentations regarding parks, trees, facilities and clean water including all operational information for each function so the PRAC and the community are familiar with what resources are available to accomplish tasks.

- Finance Manager offered to make a presentation to familiarize PRAC with the budgeting process.
- Monthly hiring matrix given to the Civil Service Board should be placed in PRAC's monthly packets
- Requested a 6-month report for the first 36 months of Measure Q detailing financial information. Now past 1 year mark.

Commission Comments:

- Are the 57 custodial vacant and slated to be funded by Measure Q?
Staff informed the Commission that of the 57 custodial positions, 2 are dedicated to Measure Q and 19 are vacant. Custodian positions and parttime park attendants are feeder positions to other City employment opportunities such as maintenance workers, maintenance leaders, sewer maintenance worker. Keeping up with the custodial vacancies has also been challenging due to personnel leaving the City for employment elsewhere. Staff informed the Commission that OPW would return with the request reports.
- For context, the Commission suggested it would be helpful to review a report on the scope of work, staffing and budgets of comparable cities. An offline review of this information would be agreeable. A baseline matrix on the status of how services are being met was also requested.

The Commission referenced OPW's website showing July 2018 organizational chart depicting 15 fulltime staff working at Lake Merritt. The Commission requested budget information for the area. Staff agreed to provide information from the monthly asset management report and comparable data from other municipalities.

- Did the City's hiring freezes impact Measure Q?
The Commission was informed that Measure Q was not impacted.

Commissioners affirmed the desire to be good stewards of Measure Q and expressed appreciation to OPW staff for their collaborative assistance.

The Chair specifically addressed the public and provided background information on the development of the Measure Q Ad Hoc Committee established at the February 2021 PRAC meeting. The meetings of the three-member committee, including Allen, Duhe and Reilly, do not meet the standards for a quorum and are not public. The public was informed that the first meeting was a working session where the members discussed their values and how they would like to see

Measure Q reflected in the broader PRAC meetings. Also discussed was the importance of knowing what tools Commission needs to be a good and effective oversight body. The ad hoc committee intends to work to prepare information to bring to the public and PRAC, including setting the agenda and setting expectations. Information shared with the ad hoc members will be share with the Commission. Moving forward, the Committee will meet again in April. Community members may be invited to future meetings to assist with presentations.

- Would like to have Measure Q Budget presentation by the Finance Director to understand how Measure Q funds are being spent and tracked. Hopeful to be scheduled for April.
- Add hiring matrix in next packet and each month moving forward.
- Looking forward to 6 month detailed operational report.

10. UPDATE FROM DIRECTOR, COMMITTEES, RECREATION ADVISORY COUNCILS (RAC) & ANNOUNCEMENTS:

DIRECTOR'S REPORT

Director Williams informed the Commission that Joe DeVries from the City Administrator's Office was present to provide an update on the activities at Lake Merritt.

Joe DeVries – Lake Merritt Update:

Providing an oral report today. A full written report will be made to the Life Enrichment Committee (LEC) on March 22, 2021 at 1:30p.m. Will share PRAC recommendations from September 2020, how the City responded, current conditions and survey results.

The City has experienced a great increase in visits to Lake Merritt over the past several years. In particular, all City parks visits have increased due to the pandemic where people have been turning to outdoor spaces to recreate. Because people are unable to congregate in clubs and bars, they have moved to parks and places not intended for these nighttime activities which contribute to the greater concerns at Lake Merritt.

Last year saw a large growing group of vendors along Lake Shore Avenue in a residential area. The PRAC recommended the City establish a legal and managed regulated way for people to vend, but not to be located in the original area. As a result, the City launched a Pilot Vending Program. The program was successful in

terms of moving vending off Lake Shore Avenue on to El Embarcadero. For the duration of the eight-week program, the City's Enforcement Team were able to target persons illegally selling alcohol and cannabis. Vendors selling commercial goods and other products were able to operate safely. The City provided PPE and hand sanitizer. Vendors observed COVID safe distancing protocols and time of operation.

Also, continued traffic control measures implemented in July of 2020 and carried through Thanksgiving. The traffic controls measures included closing El Embarcadero completed to traffic which created a larger recreational space for the public and more space for vendors.

The City also closed the southbound lane on Lake Shore, effectively creating a one-way street and restricted parking all around Lake Merritt and coned off the center parking lane. Staff found that the traffic controls helped minimize illegal parking and traffic safety problems. While shutting down the daily vending operations, staff discovered parking and traffic concerns would resume.

The City published a Lake Merritt survey in February and received 2,100 responses to date. The survey was distributed to addresses within 1 block of the Lake. Council Office and the Library assisted with distribution. Staff marked concern regarding the high-income demographic of respondents and recognized the need for a greater racially diverse response. The current results are slanted to the Caucasian community. Staff have plans to organize at the Lake to gather a more diverse response.

Survey Highlights:

Conditions at Lake Merritt

44% - significantly declined

22% - slightly declined in past two years

Top 3 Major Concerns (in order)

Crime and Violence

Homeless

Illegal Dumping and Litter

Followed by:

Environmental Concerns

Noise

Equitable Access to Lake Merritt

Lake Merritt Pilot Program

35% - Moderately Successful

22% - Very Successful

Continuation Licensed/Managed Street Vending Program at Lake Merritt

58% support

Continued Street Closures on Lake Shore Year-Round/Weekends

46%

Continue Street Closures on Lake Shore Spring/Summer/Weekends

34%

Close El Embarcadero to Allow for Street Vending

70%

Parking Benefit District Around Lake Merritt/Meter Revenue Back to Lake

55%

Permanent Barrier Lake Shore Center Lane - El Embarcadero/East 18th

60%

Park Rangers – State Model Non-Sworn Education and Enforcement

68%

Park Rangers – Traditional Sworn Police Officers

38%

Staff found a majority support for a variety of other expanded services including, more litter containers, more bathrooms, protecting and preserving the Lake's wildlife protections, more park restoration efforts.

Note: Due to the recent publication of the Lake Merritt Survey, the results shared with the Commission were preliminary as collection of responses continues.

As weather changes, the same activities have returned. Managed vending participants at El Embarcadero have arranged for portable restrooms on their own and observe reasonable set-up and break-down hours. Unfortunately, along Lake Shore and Grand, unauthorized vending has returned, included, alcohol and cannabis sell, amplified sound. Staff reported a homicide at Grand and Perkins – second in area in one month.

Due to the budget, funds are not available to continue a vending program or overtime to OPD crew for traffic control. However, at the past Finance Committee on March 8th, Council President Bas and Vice Mayor Kaplan put forward a proposal regarding revenue the City will be receiving from the Warrior's settlement where they have identified \$300,000.00 to go towards Lake

Merritt operations. The proposal will go to City Council on Tuesday. This may be an unexpected funding source that could allow for the reimplementation of some of the successful efforts made last year. A sustainable source of funds will be needed to maintain the services.

DIRECTOR'S REPORT CONTINUE:

Director Williams reported that OPRYD submitted the budget with the requested reductions. Conversations are being held regarding what minimum services would be implemented if instructed to begin the reopening process. In the next one to two months, OPRYD will bring forward a more detailed report regarding how the department will continue to service the community. The Department is looking for finances to assist with reopening programs and facilities as Oakland moves from purple to red. This will require reengaging parttime staff laid off due to budget reductions.

OPRYD received a \$100,000 scholarship grant from Comcast as part of their National Wi-Fi high speed internet Lift Zone service. Twenty recreation centers were selected to serve as hot spots. Additionally, 1000 laptop will be made available to kids in the Lift Zones with another \$100,000 provided for Town Camp scholarships and supplies.

Public Comments:

- Structure of the Lake Merritt Survey primes the answers. Encourages the City to look at long term best solutions. Consider tools such as CEQA. Must consider traffic closures should be paired with impact to local streets.
- Pass Park Rules. No large speakers in the park.
- Consider a Benefits District for Lake Merritt
- Lake Merritt Program should be added as a regular item on the agenda
- Conditions around Lake Merritt are unlivable for residents. Last year's efforts were minimal.
- Dread weekends as people are pushing the limit on public behavior. Suggested the City aspire to higher and more significant action for all concerned.
- Due to parking issues, residents walk blocks away from home to receive deliveries of critical medications.
- The Lake Merritt survey is skewed to upper income and white residents, concerned results will adversely impact communities of color.
- Same issue surfacing now as last year. Looking for real change.
- Fund Lake Merritt Pilot program

- Root causes of issues at Lake Merritt including food vending. Activity draws crowds and cause parking problems. Eliminating vending at the Lake would minimize violence and noise. Move vending to Jack London a different venue.
- Problems at the Lake are not insolvable. Firm enforcement of parking rules, regulations, and towing is needed.
- Residential driveways are blocked. Starting on Fridays, activities begin at 10a.m. – 10p.m.
- Remote working for adults and remote learning for children is impacted.
- Relocating vending to el Embarcadero was positive.
- Our Lady of Lourdes' services have been held outdoors due to COVID-19. Activities at the Lake make it impossible to hold services and function.
- Bullets from a recent shooting on Lake Merritt entered a 9th floor apartment. Activities are attracting car racing.
- Signs missing.
- Enforce laws – the City owes citizens due to taxes paid.

Chair Reilly requested the Lake Merritt report and survey results be agendized for the next meeting.

Commission Comments:

The issues at Lake Merritt are multifaceted and more complex than any one issue. The Lake Merritt subgroup should convene for an outreach session regarding the survey - encouraged all to help. Referencing trash and microplastics – parks users need to pack-out what is packed-in. Committed to updating the Park Rules and sending to City Council.

Acknowledged the community's concerns. Trash and violence have been a long-standing concern at Lake Merritt. Encouraged community members to attend City Council meetings, and urge representatives to fund staff efforts at the Lake, and issues all over the City. Enjoyed see many families of color in the park. They appreciate feeling welcomed and that the Lake is a space they can visit.

Requested a copy of the August 2021 Lake Merritt Report to prepare for work needed around the Lake. Will walk the Lake with other Lake Merritt Subcommittee members. The Pastor of Our Lady of Lourdes has complained for many months about the noise. The rise of garbage, illegal parking and drug use in City parks is happening throughout the entire City. Individually. Everyone must take responsibility, but all responsible parties, including Oakland PD, City Councilmembers and the Mayor, must hold up their end of the bargain.

Historically, Lake Merritt was the site where festive events drew visitors, families, children. Festival at the Lake was popular. Streets were blocked off. Noise and trash were not a problem like now. Complaints had the Lake activities shut down. While visiting a friend off Lake Merritt became very aware of the continued drumming, parking issues, and noise. Enjoyed seeing the multicultural community at the Lake. Oakland has a rich culture with Lake Merritt in the center of the City. Trash and noise are a problem. Encouraged the community to attend other Commission and City Council meetings to express concerns and preferences for change. Pay attention to the budget and current funding allocations.

Joe DeVries: Will pass survey cards and QR code to Commissioner Kos-Read for the survey. Will return with a written report in April. A meeting is scheduled for March 11th with Police Chief Armstrong and Councilmembers Bas and Fife about the Lake. The pandemic changed the way people are behaving all over the City. Lake Merritt is but one example. There is no place to go as activities are concentrated at the Lake. With more people being immunized, and bars and restaurants reopening, staff will have to see what the impact of those changes have on activities at the Lake.

Item 10 Continued

COMMITTEES' REPORTS:

Chair: The Measure Q Subcommittee met with Public Works on the earlier presentation. The Committee is currently ad hoc. Once operations are in place, there will be another discussion to determine if it should be a standing committee.

RECREATION ADVISORY COUNCILS (RAC)

Commissioner Allen, the new Liaison to Mosswood, provided the following information from the March 3, 2021 Mosswood Recreation Advisory Council (RAC) meeting

- One operating bathroom on site. Staff are working to make it accessible for all genders
- Basketball courts are still closed. The dog park and tennis courts are open.
- Service requests are sent weekly for maintenance and graffiti removal on the park benches.
- Playgrounds are still open, but patrons are cautioned to use at their own discretion.
- Providing spring programming for children ages 8 through 12 years old.
- Oakland Parks, Recreation and Youth Development (OPRYD) will be hiring for Summer Camp at Mosswood

- Staff hope to provide Mosswood Inclusion and Playgroups for children ages 0 through 5, as well as teen programs. These programs are currently being held virtually.
- Plans are underway for a Community Kindness Day, scheduled for April 24th from 10:00 AM to 12:00 PM. At 40th. Contact Terri Westbrook for more information.

ANNOUNCEMENTS

- Commissioner Ha: The San Antonio Park Masterplan process is currently underway. The Commissioner met with neighbors at the end of last month as well as some of the park stewards. They shared some of their concerns given that there is a current proposal to possibly relocate a fire station on International Blvd. to the corner of the Park and Foothill. City staff have met with the neighbors and have provided some additional information which can be found on San Antonio Parks website. There will be multilingual meetings on March 23rd, 24th, 25th.
- Congratulations to Commissioner Smith!
Commissioner Smith was notified the previous evening that he won the 2021 Black Lives Matter Award for his philanthropy and work in the community. During his conversation with the press, he acknowledged the work of the PRAC and Park and Recreation and his pride to be affiliated.

11. CONTINUATION OF OPEN FORUM:

12. ADJOURNMENT: 7:40P.M.

Respectfully submitted,

/s/ J. Nicholas Williams
J. Nicholas Williams
Secretary

/s/ Diane Boyd
Diane Boyd
Acting Recording Secretary

Next Meeting:

Wednesday, April 14, 2021

Zoom Teleconference

This meeting location is wheelchair accessible. To request disability-related accommodations or to request an ASL, Cantonese, Mandarin or Spanish interpreter, please email dboyd@oaklandnet.com or call (510) 238-7532 or TDD/TTY (510) 238-3254 at least five working days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.

Esta reunión es accesible para sillas de ruedas. Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en español, Cantones, Mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a dboyd@oaklandnet.com o llame al (510) 238-7532 o (510) 238-3254 por lo menos cinco días hábiles antes de la reunión. Se le pide de favor que no use perfumes a esta reunión como cortesía para los que tienen sensibilidad a los productos químicos. Gracias.

會場有適合輪椅出入設施。需要殘障輔助設施, 手語, 西班牙語, 粵語或國語翻譯服務, 請在會議前五個工作天電郵 dboyd@oaklandnet.com 或致電 (510) 238-7532 或 (510) 238-3254 TDD/TTY。請避免塗搽香氛產品, 參加者可能對化學成分敏感。



**CITY OF OAKLAND
Oakland Parks & Recreation**

TO: Coire Reilly, Chair, Parks and Recreation Advisory Commission
FROM: Greg Minor, City Administrator's Office
DATE: April 5, 2021
SUBJECT: REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE USE OF PARK SPACE ADJACENT TO EL EMBARCADERO FOR THREE-MONTHS FOR A VENDING PILOT ON SATURDAYS AND SUNDAYS

SUMMARY

The City Administrator's Office requests permission from the Parks and Recreation Advisory Commission (PRAC) to utilize park space adjacent to El Embarcadero for a weekend vending pilot for a three-month period to create a path to compliance for retail and mobile food vendors during the COVID-19 pandemic. A similar vending pilot last fall along El Embarcadero and in the Lakeview Library parking lot was successful both in supporting local vendors and improving overall access to Lake Merritt. By focusing vending in one designated area, the pilot discouraged unlawful activities around Lake Merritt, reduced trash and sanitary waste, and enhanced vendors' compliance with COVID-19 protocols.

Accordingly, the City Administrator's Office requests that the PRAC authorize a new vending pilot on weekends for a three-month period that will utilize a portion of park property as well as the public right of way on El Embarcadero and Lakeshore Avenue between El Embarcadero and MacArthur Boulevard.

FISCAL IMPACT

Facilitating the vending pilot will require funds to ensure sufficient garbage, sanitary and other services, however, staff anticipates the City Council or the vending pilot organizer will allocate all necessary funds to cover these costs. In the event City Council or the pilot organizer fail to provide these funds, staff will not pursue the vending pilot.

That said, the City is already incurring costs responding to unregulated activity regularly taking place at Lake Merritt. Based on the experience of last fall's vending pilot, staff recommends facilitating a regulated vending pilot in order to make best use of existing staff resources.

DESCRIPTION OF VENDING PILOT

The vending pilot will take place on Saturdays and Sundays from 10am-6pm for a three-month period along El Embarcadero, Lakeshore Avenue between El Embarcadero and MacArthur Boulevard, and the park space adjacent to El Embarcadero as outlined in **Attachment A**. Situating

PRAC – April 14, 2021

Item 7A

the vending pilot in this location allows vendors to take advantage of El Embarcadero, which is already being closed as a traffic mitigation measure. Authorizing the use of park space adjacent to El Embarcadero offers additional space for vendors if needed, which may be required as staff directs vending activity around Lake Merritt towards one designated area.

Vending will consist of merchandise and a limited number of food vendors who obtain any required health permits. The pilot organizer will obtain insurance that satisfies the City of Oakland's insurance requirements. Garbage and sanitary waste services will be provided either by the City of Oakland or the pilot organizer, depending on City Council funding. All vending activity will comply with local and state COVID-19 public health requirements, such as the use of face coverings and physical distancing.

BACKGROUND / LEGISLATIVE HISTORY

In recent years the number of people visiting Lake Merritt, especially in summer months, has increased dramatically causing a variety of issues ranging from traffic safety to unauthorized commercial vending and large amounts of litter, all of which place an outsized burden on City resources. The COVID-19 pandemic has added additional layers of complication, as public health guidance encourages activities to take place outdoors and vendors who normally would be generating revenue from events have lost income due to prohibitions on gatherings and other economic impacts of COVID-19 Health Orders.

In the summer of 2020, the City Administrator created a Lake Merritt Working Group (Working Group) to ensure an interdepartmental approach to the City's response to these issues. The Working Group implemented several measures in the summer and fall of 2020 including the launch of a pilot street vending program, street closures, parking restrictions, enhanced public outreach and enforcement activity.

The vending pilot in the fall of 2020 was informed by the PRAC's recommendation that the City create a safe space for vending to occur as soon as possible and not within the boundary of the park to avoid regulatory hurdles. The City partnered with local event planner A2Z Media to organize the Lake Merritt Pilot Vending Program which launched in early October and continued until Thanksgiving with positive results. The Oakland Black Business Fund agreed to reimburse any vendor for their Business Tax License cost if they were participating in the program and within a few weeks 97% of the vendors were able to do so.

Since the City was already closing El Embarcadero and southbound Lakeshore Avenue to vehicle traffic, a well-suited area was created for the vending pilot. Over 70 vendors participated in the program and provided strong support in a survey conducted by A2Z Media. The pilot allowed entrepreneurs to make desperately needed income during the pandemic but to become sustainable, the program needs a steady funding source. Operating an event of this size every weekend requires several staff members. An additional benefit to offering a legal area for vending is it allows the Municipal Enforcement Officers to address the illegal vending of alcohol and cannabis that occurs outside the pilot area.

A recent survey of Lake Merritt residents found support both for last fall's vending pilot as well as a new pilot (see survey results **Attachment B**). Specifically, a majority of respondents found last fall's pilot as either very or moderately successful and a majority approve the City continuing to support a licensed and managed street vending program (Questions 6 and 7). Additionally, over seventy percent of respondents support closing El Embarcadero to create space for vending (Question 10).

In recent months, the absence of an authorized vending pilot as well as traffic control measures have resulted in a return to the same negative impacts from the summer of 2020. These impacts include alcohol sales, loud music, and illegal parking blocking bike lanes, the center turn lane on Lakeshore, and overflowing garbage cans in the area.

The traffic and parking control measures taken in the fall of 2020, coupled with the pilot vending program made the conditions at the lake more manageable, however, OakDOT parking enforcement technicians and the Municipal Code Enforcement Officers have been verbally threatened when attempting to issue citations or engaging with unpermitted vendors. Additionally, OPD does not have resources within the current City Council approved budget to support deployment for minor offenses at the lake as its primary focus is on violent and serious crime citywide. Accordingly, enforcement, particularly without a path to compliance for vending activities, remains challenging.

RECOMMENDATION

Staff recommends that the Park and Recreation Advisory Commission approve use of the park area adjacent to El Embarcadero on Saturdays and Sundays for a vending pilot for a three-month period.

Respectfully submitted,



GREG MINOR
Assistant to the City Administrator

Attachment A: *Map of Proposed Vending Pilot*

Attachment B: *Lake Merritt Survey Results*

Proposed Site for Lake Merritt Vending Program

Vending locations: 550 El Embarcadero (Library back entrance) between Lakeshore Avenue and Grand Avenue and along closed lane of Lakeshore up to bus stop to El Embarcadero, as needed.

Approximate Number of Vendors: 50-100

Emergency Fire Lane: Clearance is 20-feet on El Embarcadero

Fire Hydrant Clearance: 3 feet all around the hydrant

Approximate Number of Food Trucks or Trailers: 2-4 depending on the Fire emergency access requirements

Estimated Number of Lavatory and Handwashing units: 6 Restrooms and 3 hand washing stations

Social Distance Requirements: Per Alameda County Health Order

Road Closures: El Embarcadero, closing off Grand Avenue and Lakeshore Avenue sides. Blocking off parking lane and right lane on Lakeshore Ave. from MacArthur Blvd to El Embarcadero to help the vendors load and unload merchandise.

Proposed Site Plan:



Street Closures— Lakeshore Avenue Between MacArthur Blvd to Hanover Street

Street Closed 

MacArthur Blvd to El Embarcadero on Lakeshore Avenue—Parking Lane and Right lane Closure

Emergency Fire Lane—Left Lane will remain open during vending hours. Additional vending spaces available along here as needed for overflow **and/or** food truck parking.



Photographs of Proposed Vending Site

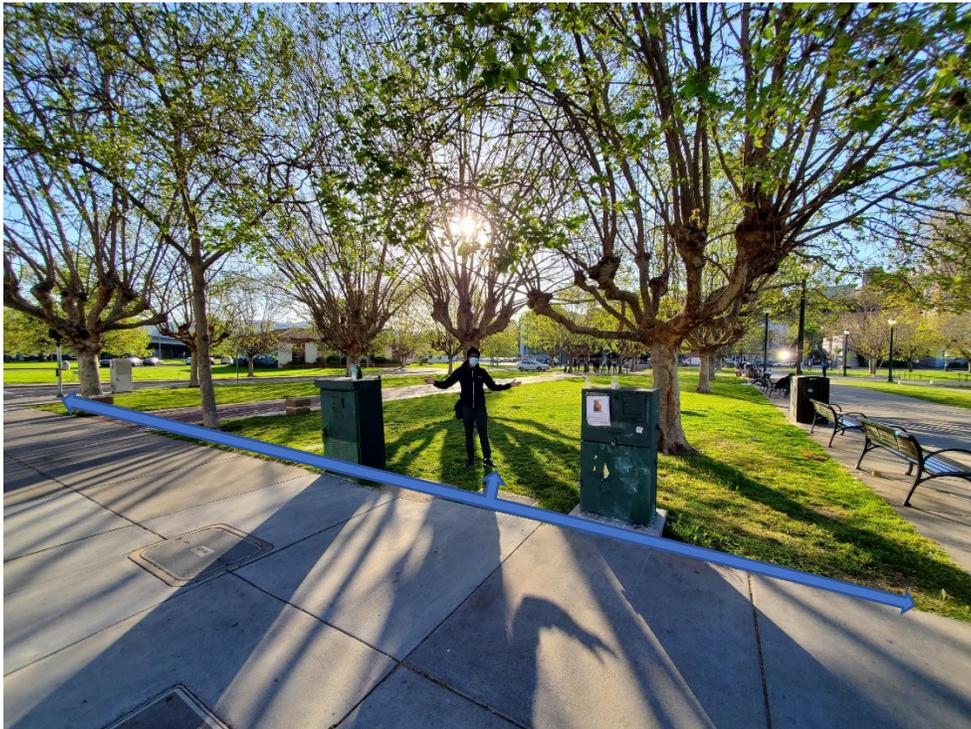
El Embarcadero towards Grand Avenue (1 of 4)



El Embarcadero towards Lakeshore Avenue (2 of 4)

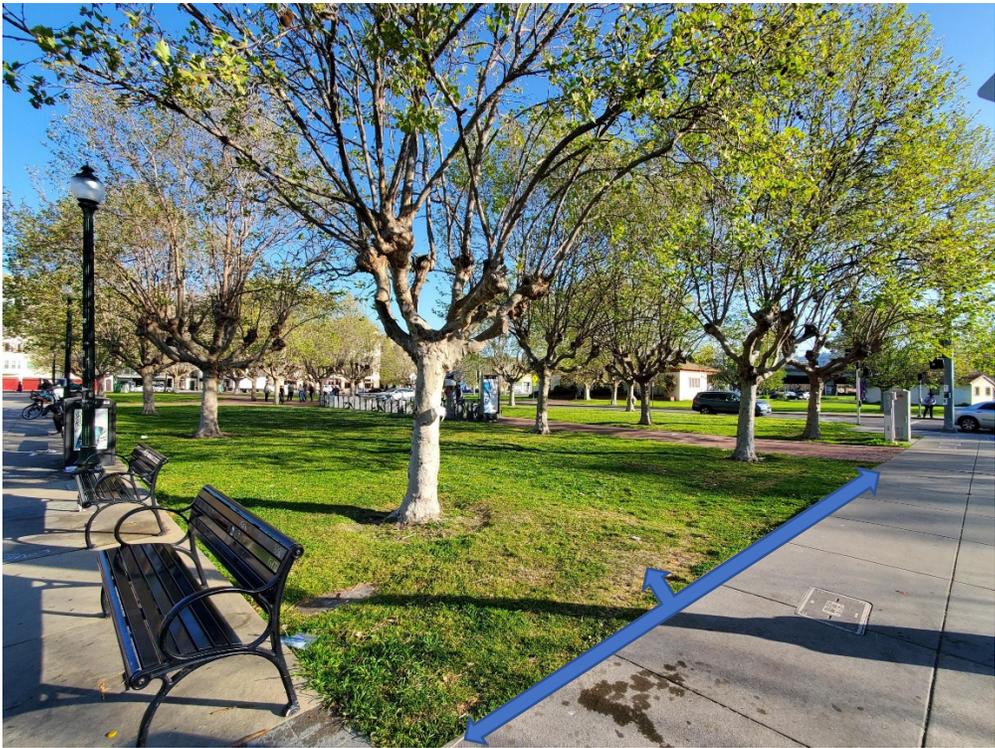


Pergola at Lake Merritt—Facing Grand Avenue (3 of 4)
Proposed vending Area: 



Pergola at Lake Merritt—Facing Lakeshore Avenue (4 of 4)

Proposed vending Area: 

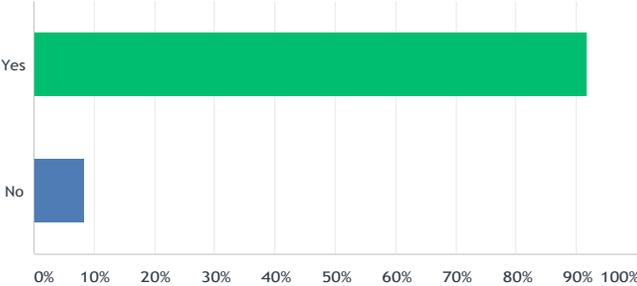


End of Proposed Site Plan

Below are the preliminary computer-generated results of the survey that were produced on March 9, 2021. This is not a final report. Additional surveys are being collected and some answers require further analysis.

Q1 Do you live, work/do business, or worship within 10 blocks of Lake Merritt?

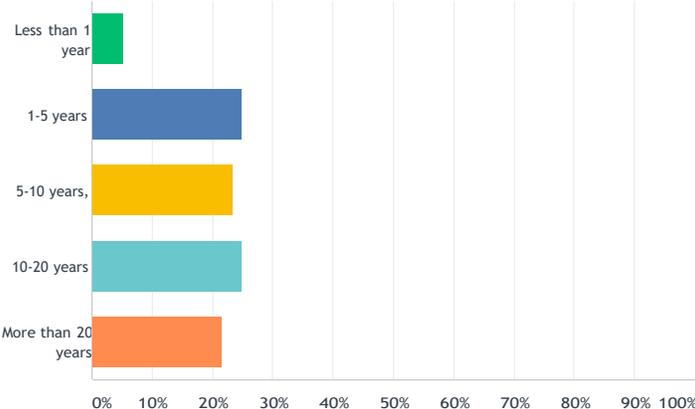
Answered: 2,196 Skipped: 4



ANSWER CHOICES	RESPONSES	
Yes	91.67%	2,013
No	8.33%	183
TOTAL		2,196

Q2 For how long have you lived, worked/done business, or worshiped near the Lake?

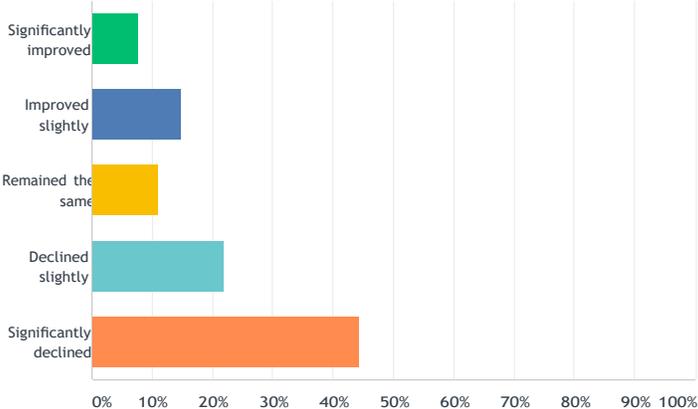
Answered: 1,809 Skipped: 391



ANSWER CHOICES	RESPONSES	
Less than 1 year	5.31%	96
1-5 years	24.93%	451
5-10 years,	23.33%	422
10-20 years	24.82%	449
More than 20 years	21.61%	391
TOTAL		1,809

Q3 In your opinion/experience has the Lake and surrounding neighborhood improved, worsened, or stayed the same in the past 2 years?

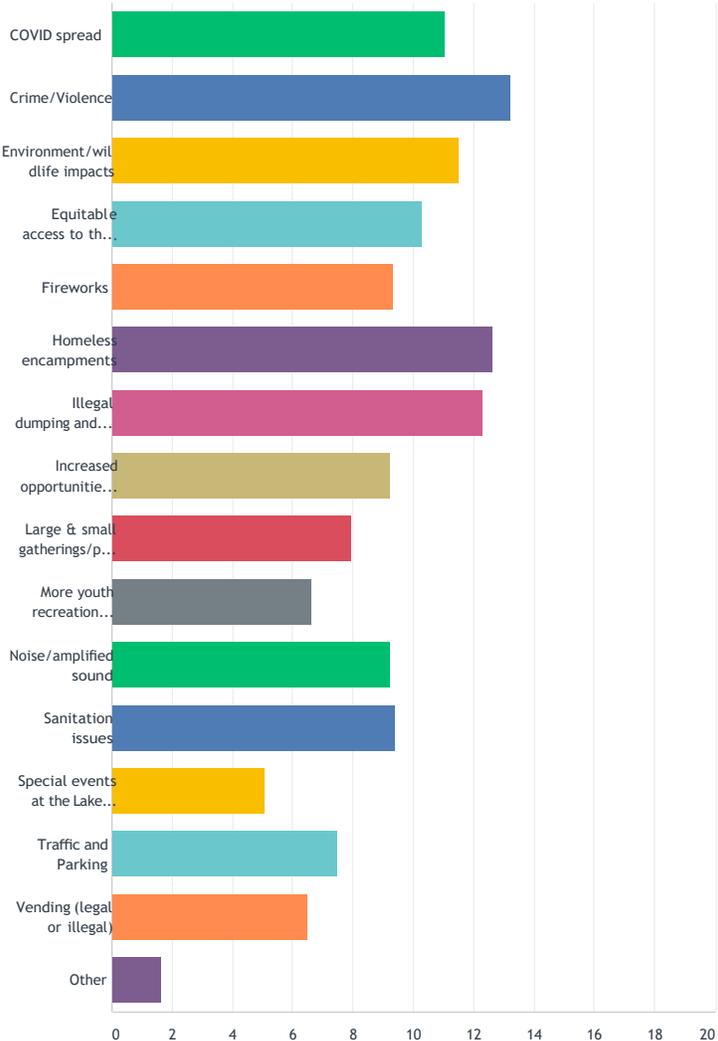
Answered: 1,954 Skipped: 246



ANSWER CHOICES	RESPONSES	
Significantly improved	7.73%	151
Improved slightly	14.89%	291
Remained the same	11.05%	216
Declined slightly	21.90%	428
Significantly declined	44.42%	868
TOTAL		1,954

Q4 What are the top three issues you care about at the Lake? Please rank them in order:

Answered: 1,967 Skipped: 233

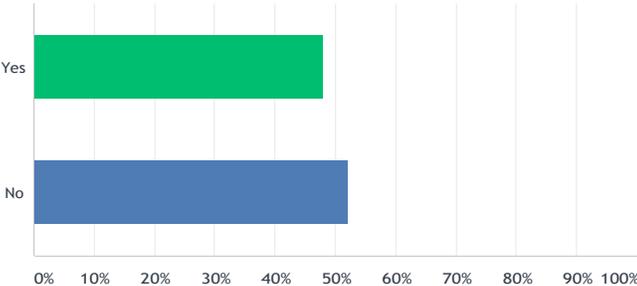


City of Oakland Lake Merritt Community Survey

	1	2	3	4	5	6	7	8	9	10	11	12	13
COVID spread	15.07% 203	9.06% 122	8.54% 115	11.80% 159	8.98% 121	7.72% 104	7.94% 107	6.38% 86	4.31% 58	3.71% 50	3.71% 50	3.49% 47	2.30% 31
Crime/Violence	31.13% 489	16.80% 264	11.97% 188	9.93% 156	7.57% 119	5.22% 82	3.95% 62	3.12% 49	2.61% 41	1.97% 31	1.40% 22	1.40% 22	1.02% 16
Environment/wildlife impacts	8.01% 112	10.66% 149	13.66% 191	12.73% 178	13.52% 189	9.80% 137	8.08% 113	5.29% 74	5.15% 72	4.01% 56	2.15% 30	2.50% 35	1.79% 25
Equitable access to the Lake for all Oaklanders	11.08% 155	6.79% 95	7.86% 110	9.22% 129	8.43% 118	10.51% 147	8.22% 115	6.79% 95	5.50% 77	4.86% 68	5.29% 74	3.57% 50	3.36% 47
Fireworks	2.35% 32	3.89% 53	5.43% 74	6.24% 85	12.47% 170	10.71% 146	12.18% 166	10.42% 142	8.07% 110	7.19% 98	4.84% 66	4.84% 66	2.20% 30
Homeless encampments	21.90% 362	20.87% 345	14.10% 233	5.51% 91	5.32% 88	7.56% 125	6.11% 101	4.90% 81	3.63% 60	2.24% 37	2.78% 46	1.63% 27	0.85% 14
Illegal dumping and trash	9.98% 157	18.82% 296	18.25% 287	8.96% 141	7.12% 112	7.44% 117	10.87% 171	7.82% 123	4.13% 65	2.92% 46	1.53% 24	1.08% 17	0.57% 9
Increased opportunities for safe, healthy recreation	4.16% 58	5.89% 82	7.32% 102	3.73% 52	4.81% 67	5.96% 83	6.82% 95	15.51% 216	14.43% 201	10.19% 142	7.25% 101	5.96% 83	4.09% 57
Large & small gatherings/parties	1.55% 21	3.18% 43	3.55% 48	4.15% 56	3.55% 48	3.40% 46	4.59% 62	7.48% 101	19.32% 261	17.47% 236	10.58% 143	8.81% 119	6.81% 92
More youth recreation programming	0.83% 11	1.75% 23	2.66% 35	2.43% 32	1.75% 23	2.20% 29	2.35% 31	5.16% 68	7.44% 98	21.78% 287	16.31% 215	11.38% 150	9.48% 125
Noise/amplified sound	10.18% 153	9.05% 136	9.25% 139	5.26% 79	4.66% 70	2.99% 45	3.39% 51	3.93% 59	3.73% 56	3.73% 56	17.76% 267	11.51% 173	8.25% 124
Sanitation issues	4.29% 63	8.10% 119	10.20% 150	8.50% 125	7.69% 113	7.55% 111	6.33% 93	4.76% 70	3.95% 58	3.95% 58	4.08% 60	18.23% 268	7.62% 112
Special events at the Lake (including festivals, activities or other city sponsored programming)	1.06% 14	1.89% 25	2.19% 29	0.68% 9	1.66% 22	1.66% 22	2.49% 33	1.81% 24	2.71% 36	3.62% 48	5.73% 76	9.58% 127	33.41% 443
Traffic and Parking	4.69% 68	7.45% 108	8.14% 118	3.73% 54	4.07% 59	4.14% 60	4.21% 61	4.49% 65	3.52% 51	3.38% 49	2.90% 42	3.80% 55	6.56% 95
Vending (legal or illegal)	3.82% 55	6.25% 90	7.99% 115	2.71% 39	2.64% 38	4.73% 68	3.54% 51	3.54% 51	3.61% 52	2.85% 41	3.20% 46	2.02% 29	3.68% 53
Other	0.40% 5	0.08% 1	1.11% 14	0.40% 5	0.48% 6	0.40% 5	0.32% 4	0.24% 3	0.48% 6	0.48% 6	0.87% 11	0.63% 8	0.63% 8

Q5 Vending at the Lake: The City created a pilot program to reduce crowding and create a safe space for vending by the lake near the Lakeview Library. Did you visit the pilot this fall?

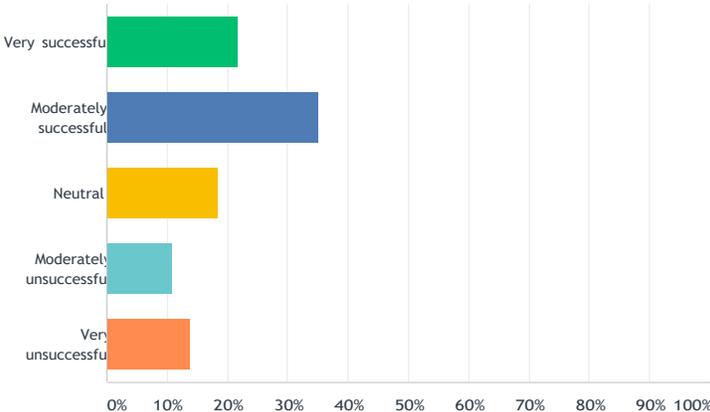
Answered: 1,969 Skipped: 231



ANSWER CHOICES	RESPONSES	
Yes	47.84%	942
No	52.16%	1,027
TOTAL		1,969

Q6 In your opinion, how successful was the pilot program?

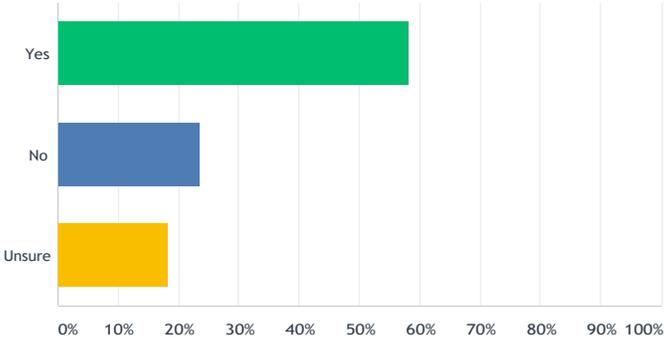
Answered: 886 Skipped: 1,314



ANSWER CHOICES	RESPONSES	
Very successful	21.67%	192
Moderately successful	35.10%	311
Neutral	18.40%	163
Moderately unsuccessful	10.95%	97
Very unsuccessful	13.88%	123
TOTAL		886

Q7 Should the City continue to support a licensed and managed street vending program at the Lake?

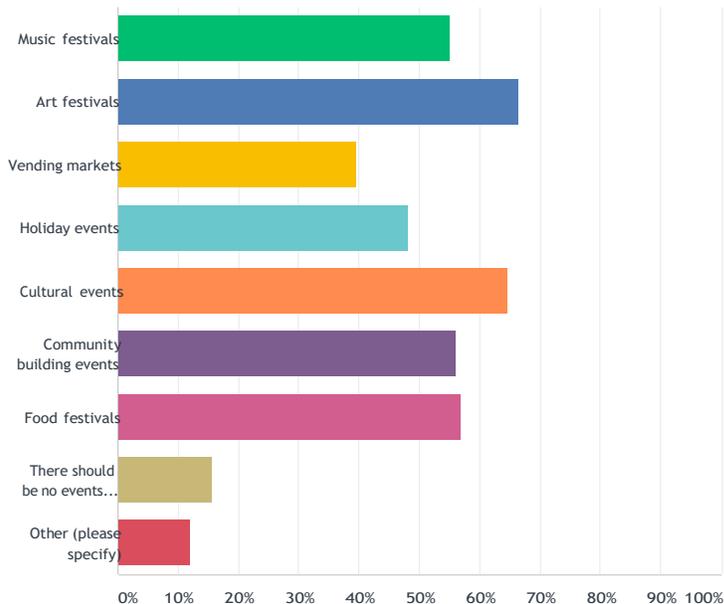
Answered: 1,834 Skipped: 366



ANSWER CHOICES	RESPONSES	
Yes	58.18%	1,067
No	23.56%	432
Unsure	18.27%	335
TOTAL		1,834

Q8 When COVID is over, what kinds of events or activities would you like to see at the Lake? Please check all that apply:

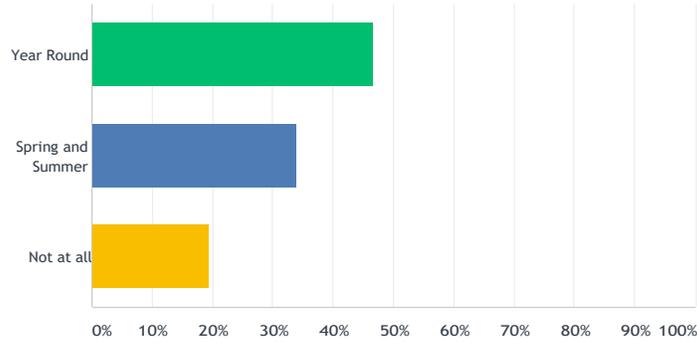
Answered: 1,828 Skipped: 372



ANSWER CHOICES	RESPONSES	
Music festivals	54.98%	1,005
Art festivals	66.58%	1,217
Vending markets	39.61%	724
Holiday events	48.19%	881
Cultural events	64.55%	1,180
Community building events	56.02%	1,024
Food festivals	56.84%	1,039
There should be no events at the Lake	15.65%	286
Other (please specify)	11.93%	218
Total Respondents: 1,828		

Q9 Traffic/Parking: This past Summer the City of Oakland implemented street closures to manage the increased crowds, mitigate traffic and parking issues at the Lake, and promote safety during COVID. These measures included completely closing El Embarcadero and closing Lakeshore southbound on weekends. Do you support continued street closures on Lakeshore Ave., southbound on weekends (check only one)?

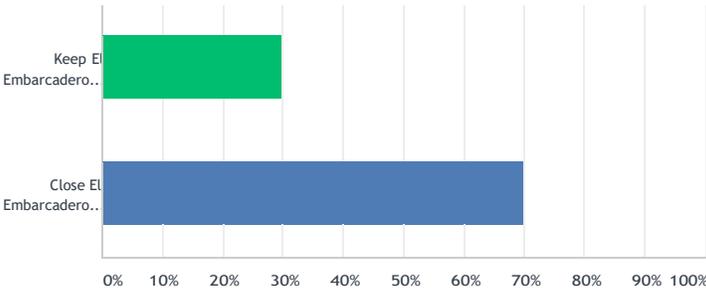
Answered: 1,819 Skipped: 381



ANSWER CHOICES	RESPONSES	
Year Round	46.56%	847
Spring and Summer	33.92%	617
Not at all	19.52%	355
TOTAL		1,819

Q10 See below the maps showing El Embarcadero St. Please select if you prefer keeping it open to traffic or closing it to create space for vending, events, and recreation.

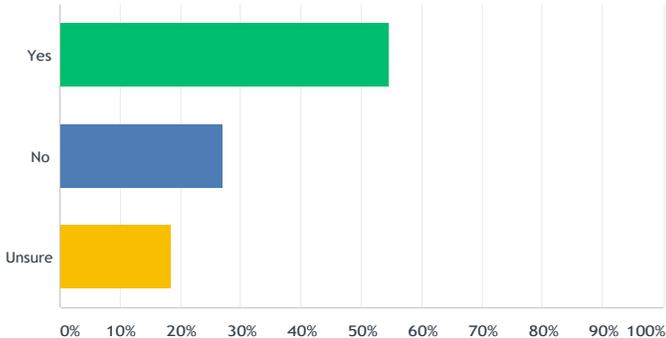
Answered: 1,696 Skipped: 504



ANSWER CHOICES	RESPONSES	
Keep El Embarcadero Street open	29.83%	506
Close El Embarcadero Street	70.17%	1,190
TOTAL		1,696

Q11 The City is considering creating a Parking Benefit District around Lake Merritt by installing metered parking on the lake side of streets with the revenue earmarked for Lake Merritt activities and maintenance. Would you support a program like this?

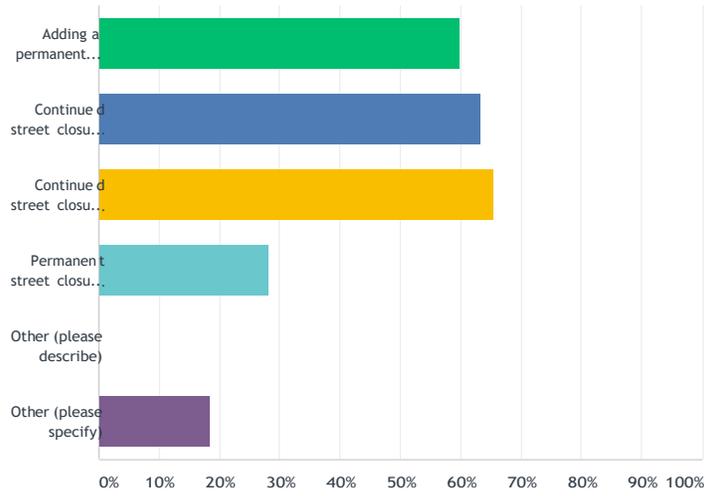
Answered: 1,839 Skipped: 361



ANSWER CHOICES	RESPONSES	
Yes	54.70%	1,006
No	26.92%	495
Unsure	18.38%	338
TOTAL		1,839

Q12 Other traffic control measures that are under consideration are included below, check those you would support: (Please check all that apply)

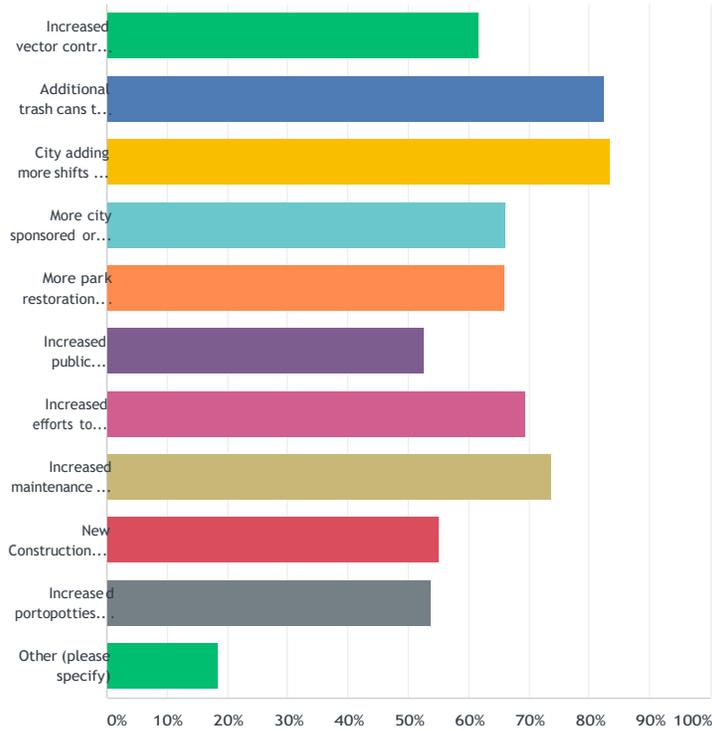
Answered: 1,719 Skipped: 481



ANSWER CHOICES	RESPONSES
Adding a permanent barrier, such as a k-rail, boulders or planters to Lakeshore Ave in the center turn lane (between El Embarcadero and E 18th St.) to deter illegal parking and traffic	59.80% 1,028
Continued street closures of Lakeshore Ave during peak times/weekends	63.41% 1,090
Continued street closures of El Embarcadero during peak times/weekends	65.45% 1,125
Permanent street closures of El Embarcadero	28.21% 485
Other (please describe)	0.06% 1
Other (please specify)	18.44% 317
Total Respondents: 1,719	

Q13 Environmental, Maintenance and Trash Issues: Lake Merritt is experiencing increased crowds that are wearing on the park's infrastructure, wildlife, and maintenance. (Lake Merritt was designated the first wildlife refuge in North America in 1869). What measures should be taken to improve or maintain the parkland and address littering/trash and illegal dumping at the Lake? (Please check all that apply)

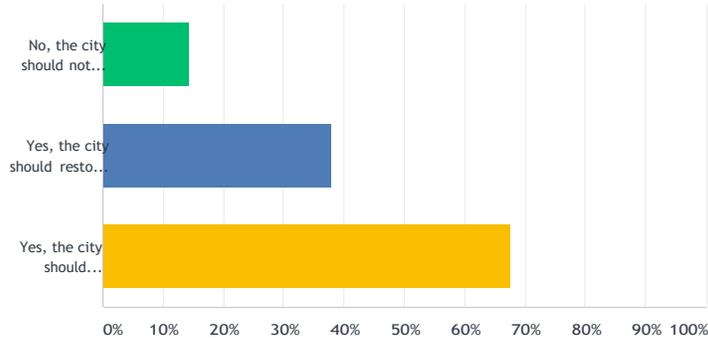
Answered: 1,837 Skipped: 363



ANSWER CHOICES	RESPONSES
Increased vector control to manage the rat/pest population at the Lake	61.68% 1,133
Additional trash cans to be placed at the Lake and surrounding neighborhood	82.53% 1,516
City adding more shifts to collect trash at the Lake	83.40% 1,532
More city sponsored or community clean ups to collect trash at the Lake	66.03% 1,213
More park restoration efforts to restore the grass, or other natural elements	65.87% 1,210
Increased public awareness (such as campaigns, signage, posters, etc.) to deter littering and illegal dumping	52.53% 965
Increased efforts to protect and preserve the Lake's wildlife and bird sanctuary	69.41% 1,275
Increased maintenance of the Lake's bathroom and other facilities	73.65% 1,353
New Construction Projects to improve and increase bathroom facilities	55.04% 1,011
Increased portopotties and hand washing stations at the Lake during Special Events or peak times of the year	53.84% 989
Other (please specify)	18.35% 337
Total Respondents: 1,837	

Q14 Compliance and Enforcement at the Lake: In the 1990's the Police Department had Park Rangers that were sworn officers dedicated to patrolling City Parks. Due to budget cuts those positions were eliminated. Some believe they should be reinstated or that a new position should be created to carry-out enforcement duties in parks. Should the city restore Park Rangers? (Please check all that apply).

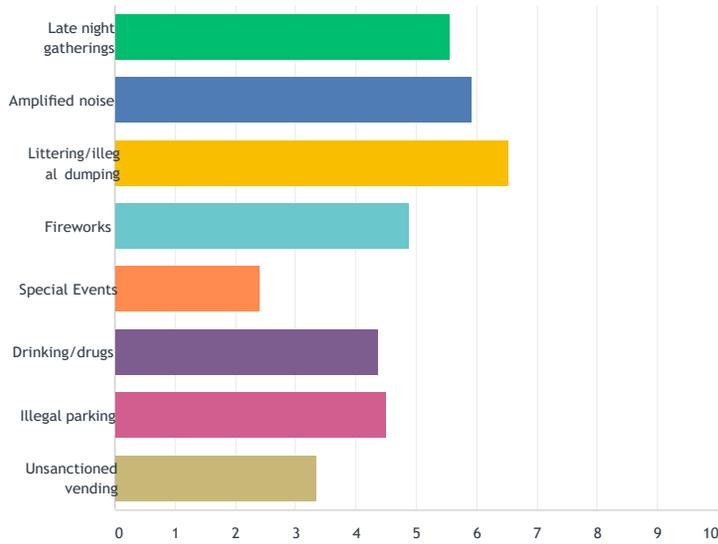
Answered: 1,817 Skipped: 383



ANSWER CHOICES	RESPONSES
No, the city should not implement Park Rangers	14.14% 257
Yes, the city should restore Park Rangers, (sworn police officers through OPD that exclusively patrol Oakland's parks)	37.92% 689
Yes, the city should implement a new Park Rangers position similar to state or regional park rangers that serve a dual role of education and enforcement housed outside of OPD	67.64% 1,229
Total Respondents: 1,817	

Q15 In addition to violent crime, please rank, in importance to you, the following list of nonviolent crimes and quality of life issues at the Lake and surrounding neighborhood for enforcement action.

Answered: 1,805 Skipped: 395



	1	2	3	4	5	6	7	8	TOTAL	SCORE
Late night gatherings	14.94% 224	22.08% 331	18.55% 278	17.08% 256	12.54% 188	7.74% 116	4.80% 72	2.27% 34	1,499	5.56
Amplified noise	20.20% 317	23.07% 362	20.40% 320	15.55% 244	11.73% 184	5.80% 91	2.17% 34	1.08% 17	1,569	5.93
Littering/illegal dumping	41.47% 710	18.57% 318	15.30% 262	10.75% 184	7.13% 122	3.45% 59	2.45% 42	0.88% 15	1,712	6.52
Fireworks	10.76% 162	13.75% 207	15.54% 234	17.99% 271	15.54% 234	11.82% 178	9.50% 143	5.11% 77	1,506	4.87
Special Events	0.54% 7	1.31% 17	1.62% 21	4.39% 57	14.02% 182	19.95% 259	22.03% 286	36.13% 469	1,298	2.41
Drinking/drugs	9.44% 141	11.24% 168	12.92% 193	10.71% 160	13.79% 206	19.48% 291	15.73% 235	6.69% 100	1,494	4.37
Illegal parking	7.30% 110	15.60% 235	14.94% 225	12.55% 189	10.89% 164	13.88% 209	18.53% 279	6.31% 95	1,506	4.49
Unsanctioned vending	8.00% 115	6.47% 93	9.39% 135	7.23% 104	9.39% 135	10.22% 147	15.44% 222	33.87% 487	1,438	3.35

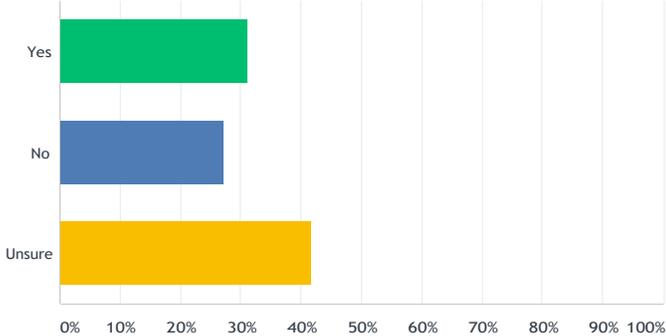
Q16 What creative ideas do you have to improve the Lake or surrounding neighborhood (for instance, more programming and organized activities, clean ups, etc.)?

(This data will be processed at a later date)

Answered: 1,297 Skipped: 903

Q17 Would you like to get more involved in Lake planning, preservation efforts, etc.?

Answered: 1,825 Skipped: 375



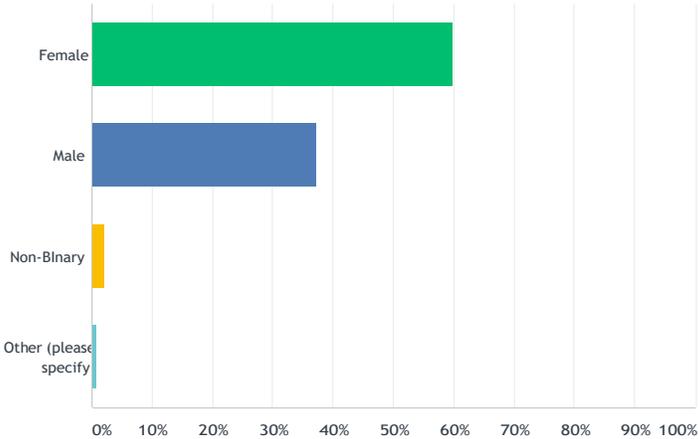
ANSWER CHOICES	RESPONSES	
Yes	31.12%	568
No	27.29%	498
Unsure	41.59%	759
TOTAL		1,825

Q18 Pardon the personal questions, but the demographic information will help us understand who is (and isn't) filling out the survey. This helps us avoid making generalizations and know which groups we need to reach. What is your zip code? (optional)

Answered: 1,739 Skipped: 461

Q19 What is your gender? (optional)

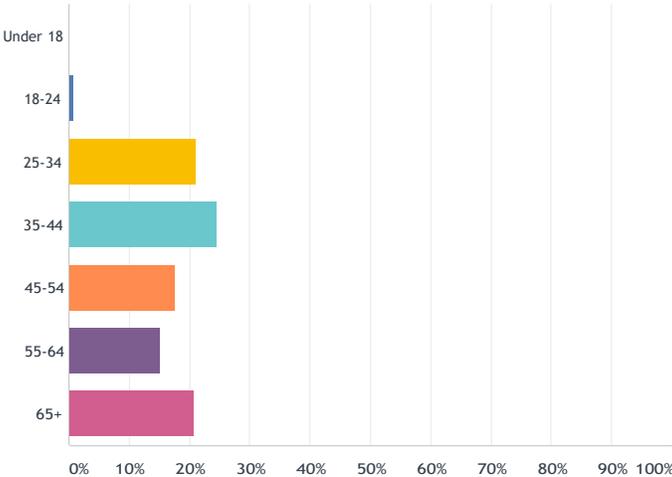
Answered: 1,677 Skipped: 523



ANSWER CHOICES	RESPONSES	
Female	59.87%	1,004
Male	37.21%	624
Non-Binary	2.09%	35
Other (please specify)	0.83%	14
TOTAL		1,677

Q20 How old are you? (optional)

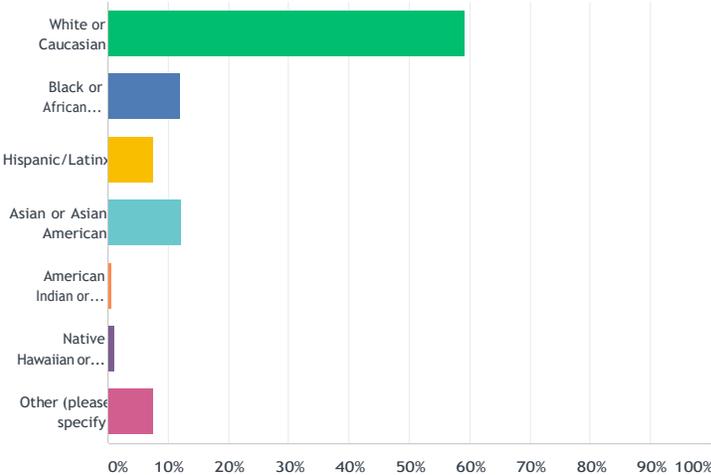
Answered: 1,674 Skipped: 526



ANSWER CHOICES	RESPONSES	
Under 18	0.24%	4
18-24	0.90%	15
25-34	21.15%	354
35-44	24.49%	410
45-54	17.62%	295
55-64	14.99%	251
65+	20.61%	345
TOTAL		1,674

Q21 Which of the following best describe your race/ethnicity? (optional)

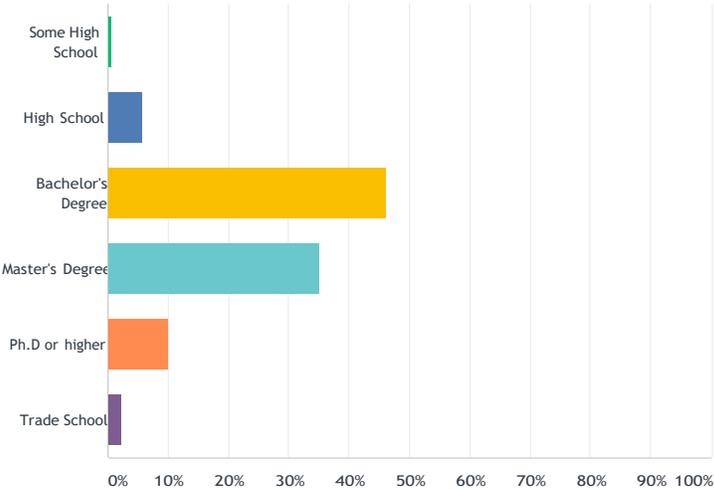
Answered: 1,593 Skipped: 607



ANSWER CHOICES	RESPONSES	
White or Caucasian	59.26%	944
Black or African American	11.99%	191
Hispanic/Latinx	7.60%	121
Asian or Asian American	12.05%	192
American Indian or Alaska Native	0.56%	9
Native Hawaiian or other Pacific Islander	1.07%	17
Other (please specify)	7.47%	119
TOTAL		1,593

Q22 What is the highest degree or level of education you have completed?

Answered: 1,690 Skipped: 510



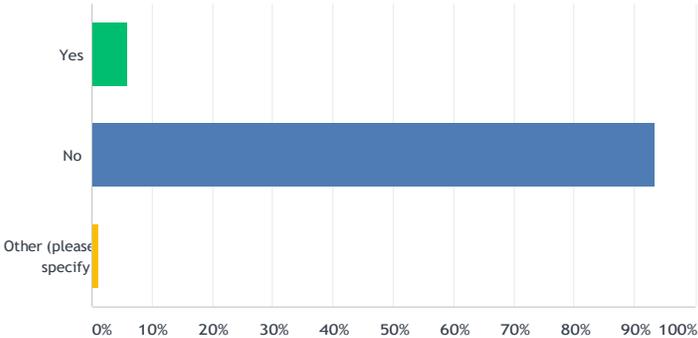
ANSWER CHOICES	RESPONSES
Some High School	0.53% 9
High School	5.74% 97
Bachelor's Degree	46.27% 782
Master's Degree	35.15% 594
Ph.D or higher	10.06% 170
Trade School	2.25% 38
TOTAL	1,690

Q23 To share additional feedback, please contact: Joe DeVries, City Administrator's Office - jdevries@oaklandca.gov Councilmember Nikki Fortunato Bas, District 2 - nfbas@oaklandca.gov Councilmember Carroll Fife, District 3 - cfife@oaklandca.gov

Answered: 360 Skipped: 1,840

Q24 Do you identify as someone with a physical disability? (optional)

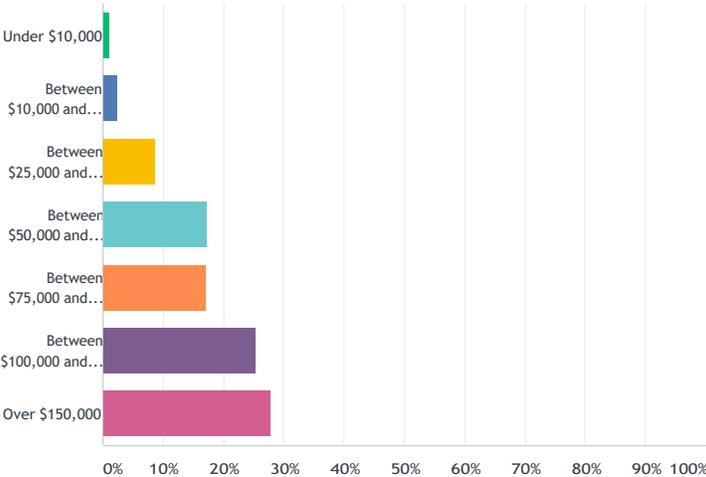
Answered: 1,667 Skipped: 533



ANSWER CHOICES	RESPONSES	
Yes	5.82%	97
No	93.22%	1,554
Other (please specify)	0.96%	16
TOTAL		1,667

Q25 What is your household income? (optional)

Answered: 1,422 Skipped: 778



ANSWER CHOICES	RESPONSES	
Under \$10,000	0.98%	14
Between \$10,000 and \$24,999	2.53%	36
Between \$25,000 and \$49,999	8.86%	126
Between \$50,000 and \$74,999	17.30%	246
Between \$75,000 and \$99,999	17.16%	244
Between \$100,000 and \$150,000	25.25%	359
Over \$150,000	27.92%	397
TOTAL		1,422

Q26 If you would like to receive more information about upcoming Lake Merritt Planning Efforts please provide your contact information:

Answered: 841 Skipped: 1,359

ANSWER CHOICES	RESPONSES	
Name	95.72%	805
Email	99.05%	833
Phone	62.90%	529



CITY OF OAKLAND

INFORMATIONAL REPORT

TO: Commissioner Reilly, Chair, Parks and Recreation Advisory Commission
FROM: David Ferguson, Interim Director, Public Works Agency
DATE: March 29th, 2021
SUBJECT: Tree Permit Appeal for 5850 Amy Dr, Parcel 48B-7164-5

The following report is prepared for the Parks and Recreation Advisory Commissions (PRAC) consideration.

SUMMARY

On December 4, 2020, Tree Services made a decision for tree removal permit ND20-153 (**Attachment A**) for 5850 Amy Dr, Parcel 48B-7164-5. The Applicant (Dan Fix Landscape) applied to remove 2 Deodar Cedar trees. Tree posted #1 is a 29" diameter at breast height (DBH) Deodar Cedar, tree posted #2 is a 25" DBH Deodar Cedar. After inspection, Tree Services deemed the trees are to be preserved.

The Appellant (Green Haven House LLC) appealed the tree permit decision on December 9th, 2020 (**Attachments B**). The PRAC is the hearing body for non-development tree removal permit appeals, per Chapter 12.36.110 of the Oakland Municipal Code (OMC), the Protected Trees Ordinance (PTO).

BACKGROUND

On November 3rd, 2020 Tree Services received a non-development tree removal application ND20-153 for 5850 Amy Dr. (**Attachment C**). The applicant is Dan Fix Landscape. He requested the removal of the Deodar Cedar trees on the grounds of adding solar panels to the roof of the house and to create more sunlight for new plantings. On December 4th, 2020 Tree Services denied non-development tree removal permit ND20-153. Trees posted #1, and #2, were denied on the basis that they have good structure and good vigor with no deadwood greater than 4" in diameter and no significant structural defects or signs of decay were found. The removal of these trees could be avoided by reasonable redesign to the landscape plan. Any minor structural issues like the co-dominant top in tree #2 could be corrected through trimming or tree surgery. The addition of solar panels is not an approved reason for tree removal under the City of Oakland PTO.

Tree permit ND20-153 was appealed on December 9th, 2020 by Green Haven House LLC, owner of 5850 Amy Dr.

PRAC April 14th, 2021
Item 7b

DISCUSSION

Tree Services denied the tree removal permit application ND20-153 on December 4th, 2020. City staff determined that the trees have good structure and vigor and don't meet the criteria for removal. See detailed account listed below of staff findings:

The 29" & 25" diameter at breast height (DBH), Deodar Cedars in front of 5850 Amy Dr. have good structure and good vigor, no deadwood greater than 4" was found and no significant structural defects or signs of decay was found. The removal of these trees could be avoided by a reasonable redesign of the landscape plan. Any minor structural issues like to co-dominant top in the tree to the right could be corrected through trimming or tree surgery.

Tree Services has responded to each of the three arguments made by the appellant within the Arborist Report submitted:

Appellant: "The first was that there were co-dominate leaders forming near the top of the tree."

Tree Services Response: The co-dominant leader at the top of Tree #2 to the right is in the earlier stages of development and the risk of failure could be mitigated through the pruning of the lesser leader for subjection or through mechanical means such as cabling between the two leaders.

Appellant: "The trees have been over pruned and raised creating a thin canopy with a low live crown ration. In the past the individual branches have also been lion-tailed."

Tree Services Response: Both trees have been slightly over-pruned, but not to the point where the health and structure of the trees will be permanently compromised. With time and restorative pruning these trees should re-establish a healthy branch structure.

Appellant: "The tree on the right-hand side is showing swelling at the lower 4 feet of trunk and has a bulge on the house side of the tree that could indicate root loss and loss of stability."

Tree Services Response: Basal swelling can be caused by several factors, some of which are benign. No evidence of root loss or loss of stability was provided through a root crown excavation or stress test of the tree's stability. To approve the removal of both trees based on speculative evidence isn't within the established past practices of the City of Oakland Tree Division.

To: Commissioner Reilly, Chair

Subject: Tree Permit Appeal – 5850 Amy Dr, Parcel 48B-7164-5

Date: March 29, 2021

Page 3

RECOMMENDATION

The Public Works Agency recommends that the Park and Recreation Advisory Commission:

- Deny the appeal by Green Haven House LLC, property owner of 5850 Amy Dr.

Respectfully submitted,



Prepared by:
Isaac Harvey
Arboricultural Inspector

___/s/ David Moore (for David Ferguson)

David Moore

Approved by:
David Ferguson
Interim Director

For questions, please contact David Moore, Acting Parks Manager, at 510-615-5852

ATTACHMENTS

- A – Tree Removal Permit decision, ND20-153
- B – Tree Appeal Claim Form dated December 9, 2020 From Green Haven House LLC
- C – Tree Removal Application dated October 12, 2020 From Dan Fix Landscape
- D – Arborist Report by Bartlett Tree Experts
- E – Photos of Deodar Cedar trees #1 & #2

PRAC April 14, 2021
Item 7a

TREE PERMIT DECISION**City of Oakland, Public Works Agency**

Tree Services Division, 7101 Edgewater Drive, Oakland, CA 94621, (510) 615-5934
Chapter 12.36, Oakland Municipal Code, Protected Trees Ordinance

Permit # ND20-153
Address: 5850 Amy Dr.
Expires: One year from date of issuance

Decision: 12-4-20
Applicant: Dan Fix Landscape
Permit Type: Non-Development

Removal Approved		Preservation Required		Replacement Tree Required	In Lieu Fee-\$619 per tree
Tree Quantity	Identified As	Tree Quantity	Identified As		
		2	Deodar Cedar, 29" & 25" DBH		

SITE INSPECTION / FINDINGS

The 29" & 25" diameter at breast height (DBH), Deodar Cedars in front of 5850 Amy Dr. have good structure and good vigor, no deadwood greater than 4" was found and no significant structural defects or signs of decay was found. The removal of these trees could be avoided by a reasonable redesign of the landscape plan. Any minor structural issues like to co-dominant top in the tree to the right could be corrected through trimming or tree surgery.

These trees are to be preserved.

PERMIT REVIEW – FINDINGS 12.36.050(A)

The applicant's request accomplished the following objective(s):

- 1. Insured the public health and safety as it related to the health of the tree, potential hazard to life or property, proximity to existing or proposed structures, or interference with utilities or sewers.
- 2. Avoided an unconstitutional regulatory taking of property.
- 3. Took reasonable advantage of views, including such measures mandated by the resolution of a view claim in accordance with the view preservation ordinance (Chapter 15.52 of the Oakland Municipal Code).
- 4. Pursued accepted, professional practices of forestry or landscape design. Submission of a landscape plan acceptable to the Director of Public Works shall constitute compliance with this criterion.
- 5. Implemented the vegetation management prescriptions in the S-11 site development review zone.
- None of the objectives above were accomplished by the proposed removal(s).*

PERMIT REVIEW – FINDINGS 12.36.050(B)

Any one of the following situations was grounds for permit denial, regardless of the findings in section (A) above:

- 1a. Removal could be avoided by reasonable redesign of the site plan, prior to construction.
- 1b. Removal could be avoided by trimming, thinning, tree surgery or other reasonable treatment.
- 2. Adequate provisions for drainage, erosion control, land stability or windscreen were not made.

- 3. The tree(s) were a member of a group of trees in which each tree was dependent upon the others for survival.
- There were no grounds to deny the permit based on criteria listed in OMC 12.36.050(B)*

OAKLAND MUNICIPAL CODE SECTION 12.36.060 CONDITIONS OF APPROVAL

The following conditions were imposed. Conditions #11 - #13 were imposed if they were check marked:

- 1. Defense, Indemnification and Hold Harmless.** To the maximum extent permitted by law, the applicant and its contractor shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Public Works Agency and its respective agents, officers, employees and volunteers (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City for or on account of any damage to property or bodily injury, including death, or damage sustained or arising out of, related to or caused by in any way from the performance of work in this tree permit matter. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- 2. Defense, Indemnification and Hold Harmless.** To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Public Works Agency and its respective agents, officers, employees and volunteers (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (a) an approval by the City relating to this tree permit matter, City's CEQA approvals and determination, and/or notices in the tree permit matter; or (b) implementation of such. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- 3. Letter of Agreement.** Within ten (10) calendar days of the filing of any Action as specified in conditions 1 or 2 above, the applicant and/or its contractor shall execute a Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter of Agreement does not relieve the applicant of any of the obligations contained in this Section or any other requirements or conditions of approval that may be imposed by the City.
- 4. Debris.** All debris created as a result of any tree removal work shall be removed from the property by the applicant within two weeks of debris creation, and such debris shall be properly disposed of by the applicant in accordance with all applicable laws, ordinances, and regulations.
- 5. Hazards.** The removal of extremely hazardous, diseased, and/or dead trees shall be required where such trees have been identified by the City Arborist.
- 6. Insurance.** Workers compensation, public liability, and property damage insurance shall be provided by any person(s) performing tree removal work authorized by a tree removal permit.
- 7. Nesting Birds.** To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the

presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

8. **Permit.** Tree removal, as defined in the Protected Trees Ordinance, Section 12.36.020 of the Oakland Municipal Code, may not start unless and until the applicant has received this permit from Tree Services.
9. **Posting.** The applicant shall post a copy of the tree removal permit in plain view on site while tree removal work is underway.
10. **Tree Damage.** If any damage to a protected tree should occur during or as a result of work on the site, the applicant shall immediately notify the Tree Services Division of such damage. If, in the professional opinion of the City Arborist, such tree cannot be preserved in a healthy state, the Arborist shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Arborist to compensate for the loss of the tree that is removed.
11. **In Lieu Fee.** If replacement trees are required, but cannot be planted due to site constraints, an in lieu fee as determined by the City's master fee schedule may be substituted for required replacement plantings. The permit is valid and issued only after payment is received by Tree Services.
12. **Replacement Trees.** The property owner shall plant ___ replacement trees on the property. The replacement trees shall be excellent quality nursery stock and maintained by the applicant until established. Any replacement planting which fails to become established within one year of installation shall be replanted at the applicant's expense. Plantings shall be installed within 30 days of tree removal. A photograph of the replacement trees, installed in the landscape of the property, shall be mailed or emailed to Tree Services within one week of the replacement trees being installed.
 - a. The minimum size replacement tree shall be a twenty-four (24) inch box, except that three, fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate, if approved by the City Arborist.
 - b. Replacement tree species shall consist of *Sequoia sempervirens* (coast redwood), *Quercus agrifolia* (coast live oak), *Arbutus menziesii* (madrone, *Arbutus* 'Marina' can be substituted), *Aesculus californica* (California buckeye) or *Umbellularia californica* (California bay laurel).
13. **Sidewalks.** The damaged sidewalk shall be repaired in compliance with the rules and regulations of the City of Oakland. A sidewalk repair permit is required if more than 25 square feet of sidewalk will be repaired. Contact the Sidewalk Division at 238-3499 for more information.

 12-4-20
 Isaac Harvey Date
 Arboricultural Inspector
 Certified Arborist ® NY-5463A
 ISA Tree Risk Assessment Qualified

 12-4-20
 David Moore Date
 Senior Forester
 Certified Arborist ® NY-5626A
 ISA Tree Risk Assessment Qualified

This decision of the Public Works Agency, Tree Services Section, may be appealed by the applicant, or the owner of any “adjoining” or “confronting” property, to the Parks and Recreation Advisory Commission within five (5) working days after the date of this decision and by 3:30 p.m., otherwise the permit is effective. The term “adjoining” means immediately next to, and the term “confronting” means in front of or in back of. An appeal shall be on a form prescribed by and filed with Tree Services, at 7101 Edgewater Drive, Building #4. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the City or wherein such decision is not supported by the evidence in the record. There is a \$618.90 fee to file an appeal. Failure to timely appeal this decision and raise any and all issues in your appeal may preclude you from challenging this determination in court. **If the appeal is not finally disposed of by the Park and Recreation Advisory Commission within thirty (30) working days of the date of the decision by the Tree Services Section, the decision shall be deemed affirmed, and the permit appeal denied.*

CITY OF OAKLAND
PUBLIC WORKS AGENCY
PROTECTED TREE APPEAL CLAIM FORM FOR NON DEVELOPMENT TREES
(Oakland Municipal Code Section 12.36.110)

1. Date: 12-09-2020
2. Appellant's Name: GREEN HAVEN HOUSE LLC, PATRICK TEMPLEMAN, MANAGER
3. Appellant's Address: 835 PARK AVE 9th Floor ~~New York~~ NY
City, State & Zip: New York, NY 10003
4. Address of Tree(s) Removal: 5850 AMY DRIVE, OAKLAND CA 94618
5. Date of City Staff Decision: 12-8-2020
6. Statement of why there was either error or abuse of discretion by city staff or why the city staff decision is not supported by the evidence in the record (attach any additional pages if needed): NO INFORMATION WAS RECEIVED AS TO WHY PERMIT WAS DENIED.

I hereby certify under penalty of perjury that I am the owner of:

The real property described in (4) above, or

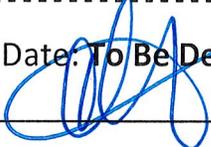
Real property adjoining and/or confronting the real property described in (4) above.

Signature:  Date: 12.9.20

This appeal must be filed no later than 3:00 pm on December 11, 2020 to the office of: City of Oakland, Tree Division, 7101 Edgewater Dr, Oakland, CA 94621. Please submit an **application fee with a check for \$618.90** made out to the City of Oakland.

For Office Use Only

.....
Appeal Hearing Date: **To Be Determined**

Received By:  _____

Receipt #: _____

11-3-20 12-4-20



CITY OF OAKLAND
TREE DIVISION – BLDG 4
7101 EDGEWATER DRIVE
OAKLAND, CA 94621

Permit # NO20-153

PLEASE CALL (510) 615-5934 FOR AN APPOINTMENT
BUSINESS HOURS Monday – Friday 8:00am – 3:30pm

TREE REMOVAL PERMIT APPLICATION NON-DEVELOPMENT RELATED

Application is hereby made pursuant to the Tree Preservation Ordinance,
Chapter 12.36, of the Oakland Municipal Code

#1189411

- ❖ One or more trees 9 inches or greater in diameter at breast height.
- ❖ One or more Coast Live Oak trees, 4 inches or greater in diameter at breast height.
- ❖ Eucalyptus and Monterey Pine trees are exempt.

NAME OF APPLICANT DAN FIX LANDSCAPE

LOCATION OF PROPERTY 5850 AMY DRIVE, OAKLAND, CA 94618

DESCRIPTION OF TREE(S) PROPOSED FOR REMOVAL (quantity, species and diameter)

TWO EACH, CEDRUS DEODORA, 10" DIAMETER

REASON FOR REMOVAL OF TREE(S)

ADDING SOLAR TO HOUSE AND CREATE MORE SUNLIGHT FOR NEW PLANTINGS.

ATTACHMENTS One of the following three choices are required showing the number and location of tree(s) described on the application.

1. Hand Drawn Sketch

2. Site or Landscape Plan

3. Photographs

BY SIGNING BELOW I CONFIRM THE INFORMATION SUBMITTED FOR APPLICATION AND I UNDERSTAND THE NON-REFUNDABLE APPLICATION FEE IS \$434.20.

I further certify under penalty of perjury that all the information provided on this tree removal permit application is true and correct and that no zoning, land use, grading, demolition, building or other City permits have been applied for as a result of this tree(s) removal being accomplished.

DATE 10.12.2020

SIGNATURE [Signature]

ADDRESS 134 GARY PLACE

CITY, STATE, ZIP SAN RAFAEL, CA, 94901

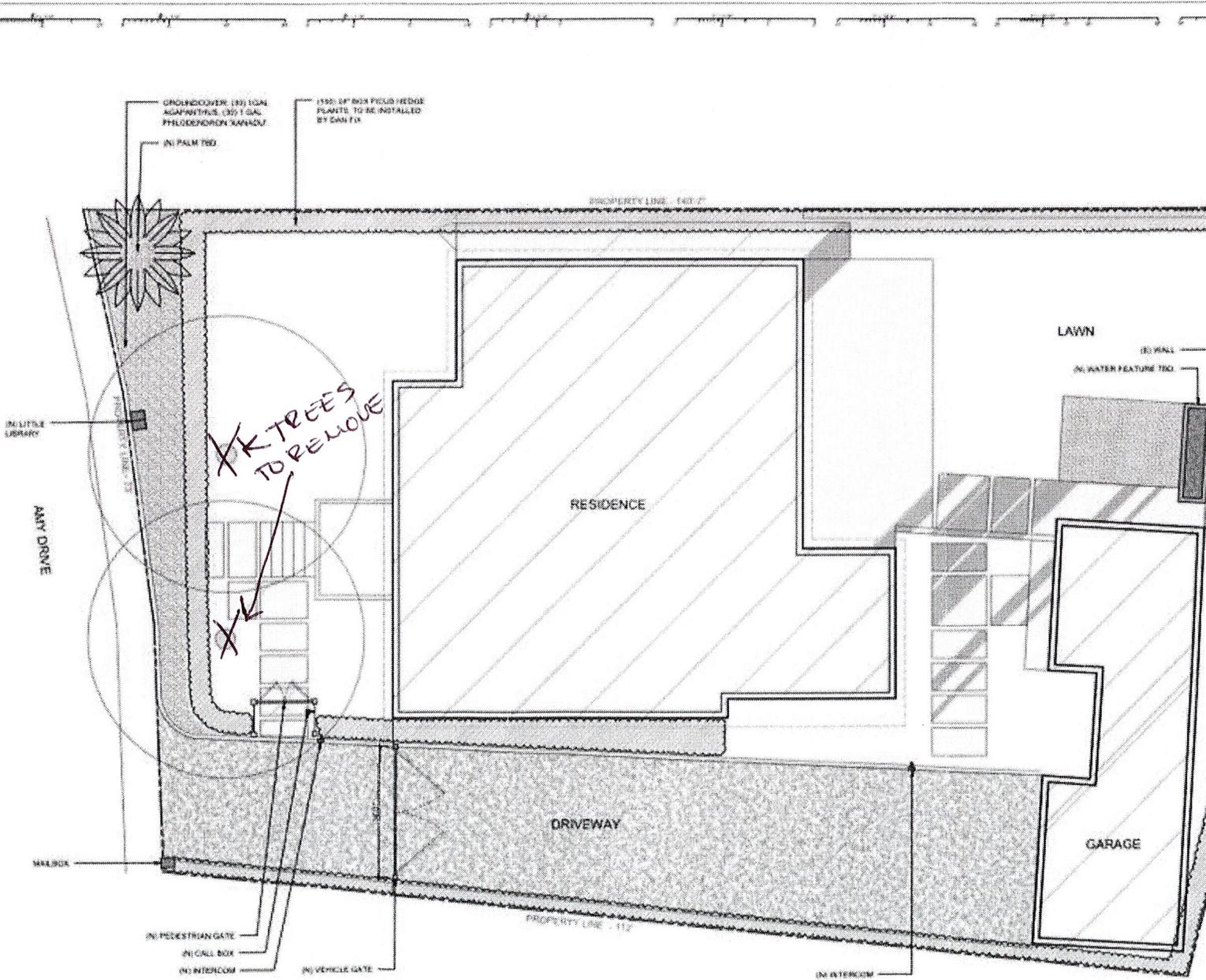
TELEPHONE 415-453-1604

2nd PHONE 767-477-3110

EMAIL DANNYFIX@DANFIXLANDSCAPE.COM

<input type="checkbox"/> Property Owner
<input checked="" type="checkbox"/> Agent for Owner*

*Please submit a letter from the property owner if acting as their agent.

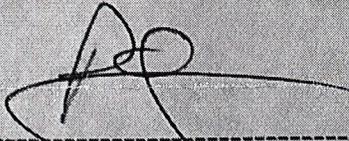


5850 ANY DRIVE, OAKLAND CA 94618

October 12, 2020

To Whom It May Concern:

Danny Fix of Dan Fix Landscape will be acting as the agent for the property located at 5850 Amy Drive, Oakland, CA, in order to apply for a permit to remove trees on the property.



Green Haven House LLC
Patrick Templeman, Manager



Wesley Des Roches

981-F Bancroft Rd.

Concord, CA 94518

Contractor License No. 678496

Business Phone: 925-934-6306

Fax: 925-938-1534

Email: wdesroches@bartlett.com

5850 Amy Dr. Oakland, CA 94618

Arborist Report

Observations

The Two Deodar Cedars (*Cedrus deodara*) are located at the front of the property at 5850 Amy Drive in Oakland CA 25 inches and 29 inches in diameter they have a height of approximately 60 feet tall. The crown spread is approximately 40 feet each. The tree is in good health and show good vigor. The tree has several defects that I noted. The first was that there were co-dominant leaders forming near the top of the tree. The trees have been over pruned and raised creating a thin canopy with a low live crown ration. In the past the individual branches have also been lion-tailed. The tree on the right-hand side is showing swelling at the lower 4 feet of trunk and has a bulge on the house side of the tree that could indicate root loss and loss of stability. These trees are within striking distance of the house and driveway and would have significant consequences should they fail.





Co-dominate leaders and canopy



Basal swelling



Basal swelling



Thin Canopy

Opinions

It is my professional opinion that these trees pose risk both now and, in the future. The homeowner is warranted in his caution of these trees and in his desire to remove and replace. There are several reasons for this and that is due to the factors described above. The co-dominant leaders can be maintained with pruning and are not a big factor in this decision. As for the Lions-tailed branches and low live crown ratio that will increase the risk of failure not only now but as the tree grows putting the weight on at the ends of the long branches will put these trees at risk of branch failure due to the lions tail and stem/ root failure due to the low live crown ratio. The last factor is the basal swelling on the right-hand tree. This could be caused by root loss as it does not seem to be associated with a girdling root as the swelling extends up the stem. Trees will overcompensate for root loss by aggressively growing and swelling. If only the right-hand tree were to be removed, you would break the stand dynamics between the grouping which would in turn place the left-hand tree at risk as well. Due to these factors I feel that the client is warranted to feel threatened by the trees and want to remove them to reduce his risk and liability.

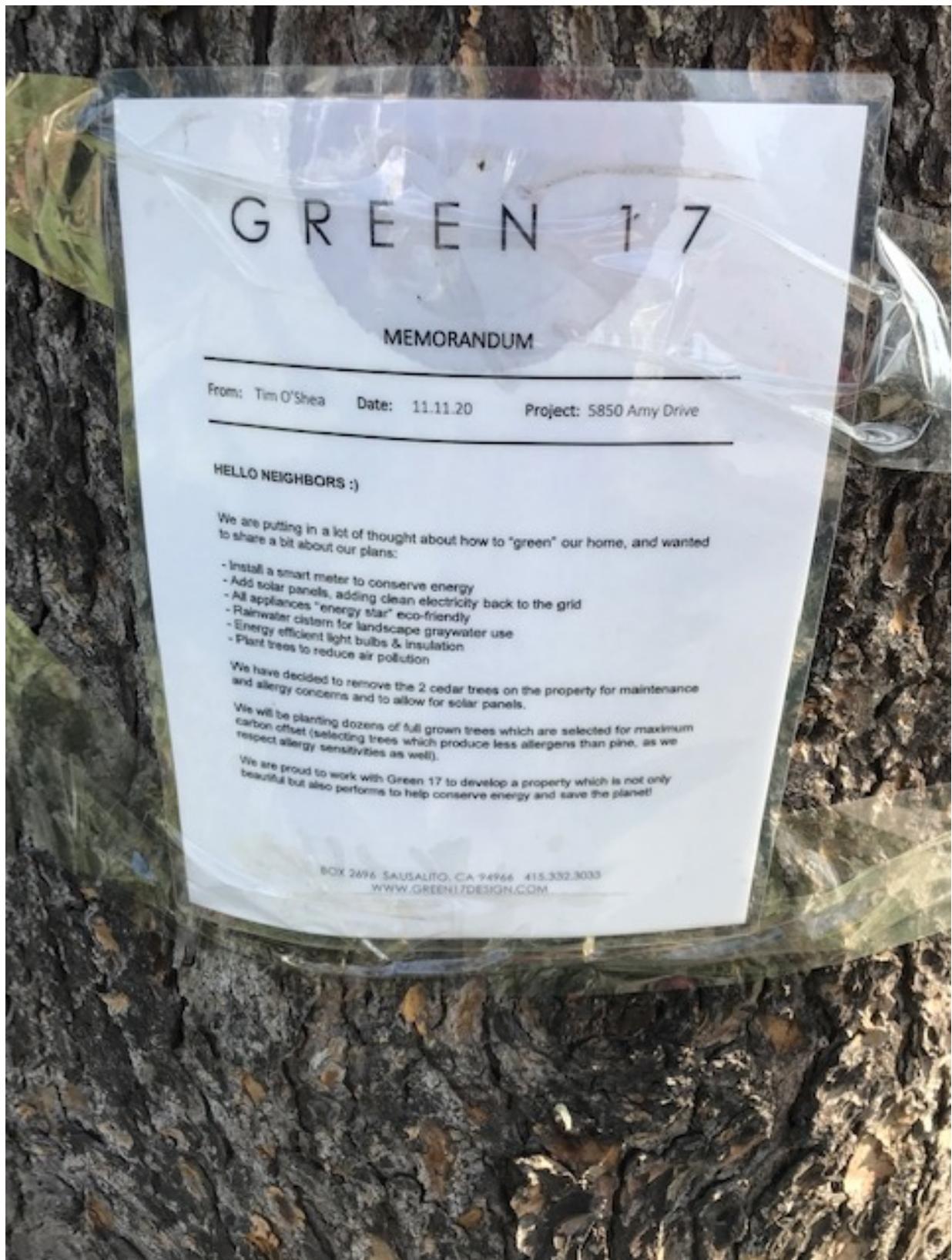
Thank you for the opportunity to provide you with this letter. Please feel free to call if you have any questions or concerns.

Sincerely,

Wesley Des Roches

Board Certified Master Arborist WE-10533B

Tree Risk Assessment Qualified



GREEN 17

MEMORANDUM

From: Tim O'Shea Date: 11.11.20 Project: 5850 Army Drive

HELLO NEIGHBORS :)

We are putting in a lot of thought about how to "green" our home, and wanted to share a bit about our plans:

- Install a smart meter to conserve energy
- Add solar panels, adding clean electricity back to the grid
- All appliances "energy star" eco-friendly
- Rainwater cistern for landscape graywater use
- Energy efficient light bulbs & insulation
- Plant trees to reduce air pollution

We have decided to remove the 2 cedar trees on the property for maintenance and allergy concerns and to allow for solar panels.

We will be planting dozens of full grown trees which are selected for maximum carbon offset (selecting trees which produce less allergens than pine, as we respect allergy sensitivities as well).

We are proud to work with Green 17 to develop a property which is not only beautiful but also performs to help conserve energy and save the planet!

BOX 2696 SAUSALITO, CA 94966 415.332.3033
WWW.GREEN17DESIGN.COM













PRAC April 14, 2021 Report and Attachments

Final Audit Report

2021-03-30

Created:	2021-03-30
By:	Cecilia Garcia (cgarcia@oaklandca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAxPFieuBk34sdQugG9VyeIqkxv_uPVJfh

"PRAC April 14, 2021 Report and Attachments" History

-  Document created by Cecilia Garcia (cgarcia@oaklandca.gov)
2021-03-30 - 4:43:07 PM GMT- IP address: 209.232.103.94
-  Document emailed to Brian Carthan (BCarthan@oaklandca.gov) for signature
2021-03-30 - 4:44:39 PM GMT
-  Email viewed by Brian Carthan (BCarthan@oaklandca.gov)
2021-03-30 - 4:51:42 PM GMT- IP address: 75.52.88.42
-  Document e-signed by Brian Carthan (BCarthan@oaklandca.gov)
Signature Date: 2021-03-30 - 4:52:05 PM GMT - Time Source: server- IP address: 75.52.88.42
-  Document emailed to David Moore (DMoore@oaklandca.gov) for signature
2021-03-30 - 4:52:09 PM GMT
-  Email viewed by David Moore (DMoore@oaklandca.gov)
2021-03-30 - 5:28:53 PM GMT- IP address: 209.232.103.111
-  Document e-signed by David Moore (DMoore@oaklandca.gov)
Signature Date: 2021-03-30 - 5:29:02 PM GMT - Time Source: server- IP address: 209.232.103.111
-  Agreement completed.
2021-03-30 - 5:29:02 PM GMT

CURRENT STATE OF JOAQUIN MILLER PARK 2021

CITY OF OAKLAND Oakland Parks & Recreation

TO: Coire Reilly, Chair, Parks and Recreation Advisory Commission
FROM: Harith Aleem, OPRYD, on behalf of Oakland-resident Megan Palsa
DATE: March 22, 2021
SUBJECT: REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO RECEIVE AN INFORMATIONAL REPORT FROM OAKLAND-RESIDENT, MEGAN PALSA, ON THE ENVIRONMENTAL IMPACTS TO JOAQUIN MILLER PARK AS A RESULT OF THE CURRENT USE IN CONJUNCTURE WITH THE ABSENCE OF ADEQUATE CITY MONITORING.

SUMMARY

Joaquin Miller Park (JMP), often referred to as Oakland's jewel in the hills is a regional destination and beloved neighborhood amenity for visitors who are hikers, mountain bikers, equestrians, dog owners, thespians, cross country runners, naturalist, historians, writers, and outdoor enthusiast of this 500-acre park.

Oakland Parks, Recreation, & Youth Development (OPRYD) received a request from Megan Palsa, a resident of Oakland's City Council District 4, to submit a informational report and make a presentation to the Park and Recreation Advisory Commission (PRAC) regarding the environmental impact of the current activities taking place at Joaquin Miller Park (JMP) in conjuncture with the absence of adequate city monitoring and policing. Ms. Palsa is raising awareness and concern for the rapid deterioration of the park, particularly, the on-going development of unauthorized bike trials that threatens the future of the park.

Ms. Palsa visits JMP several times weekly, as she has done for the past 16 years, running trails and hiking with her family. Ms. Palsa is a member of Friends of Joaquin Miller Park and volunteers in the park planting native ferns and ground cover in the ravine forest.

BACKGROUND

In 2009, the City of Oakland adopted a budget that discontinued the Park Ranger Unit whose mission was to improve the quality and safety of the parks in Oakland for the enjoyment of the community and to serve as a resource for park patrons. The Rangers accomplished this mission in part by educating park users and enforcing park rules and City ordinances. In the absence of the Rangers, the need for community engagement and volunteerism was more critical than ever. In an attempt to mitigate some of the negative impacts associated with the loss of the Rangers, the City encouraged stakeholder engagement through volunteer organizations such as Friends of Joaquin Miller and Bicycle Trails Council of the East Bay, whose missions and focus aligned with OPRYD. support positive activity in the park and support the City's efforts to maintain JMP.

Significant Issues

- Environmental damage.
- No environmental study has been done since 2000.
- Resident park use has not been observed, tallied, categorized, or monitored. Park users

CURRENT STATE OF JOAQUIN MILLER PARK 2021

come from distances as far as Gilroy and Watsonville, Antioch, and Brentwood, and beyond to access single-track bike trails. Informal headcount on weekends indicates 500 plus bikers and 1000 plus pedestrians visits the park. Sanctioned multi-use park trails are deteriorating to dangerous levels and unsanctioned trails proliferate decimating redwood forest and fauna.

- Current single-track trails have already been studied and documented as inappropriate for multi-use but no implementation enforced.
- JMP has insufficient fencing and signage and a complete absence of a Ranger presence.

FISCAL IMPACT

Since this report is informational only, no fiscal impacts are included.

PROJECT / PROGRAM DESCRIPTION

Purpose of this project after recognition of the need for intervention. The PRAC would establish the following goals:

- Annual park review with environmentalist
- Re-labeling JMP as a park instead of open space for city fund allocation
- Establish an expectation that stakeholder groups provide weekly park supervision in absence of park Ranger for prevention of ongoing destruction
- Monthly PRAC review of established signs for replacement and repair
- Finally, and most significant new park expectation for bike use to preserve the 450 acres as redwood parkland.
- This plan would involve both pedestrian and bike populations.

Below is one suggested plan for maintaining JMP as a mountain bike park yet preserving forest proposed by Tim Vendlinsky, Board of Directors, Friends of Sausal Creek:

1. Permits & Fees: Establish a permit and fee system for mountain bikers and mountain biking organizations who use the Park for impromptu rides, and for group rides and mountain biking classes.
2. Each rider and trip leader would be required to take an orientation class regarding environmentally sensitive areas of the Park, and to secure a fee-based permit regarding the allowable routes and “leave no trace” principles.
3. In turn, the permittee would be required to convey this information to riders in their group, and to carry their permit while leading rides in the Park.
4. Fees would be devoted to hiring and paying the salaries of City Park Rangers who would be charged with patrolling the Park and enforcing rules.
 - a. Institute seasonal closures of the trails in JMP for mountain biking in the December 1st - March 1st. This would allow the trails to “rest” when they are most sensitive and help balance access to the Park across all user groups.
 - b. Prohibit mountain biking within the Park after each rainfall event; see links

CURRENT STATE OF JOAQUIN MILLER PARK 2021

below for 1-day rest per inch of rain, or 1-day rest per 1/4 inch of rain.

- i. <https://mbosc.org/2018/12/wet-weather-riding-etiquette/>
 - ii. <https://www.sagetrail.org/rainetiquette/>
- c. Require user groups to devote x number of volunteer hours per month toward trash cleanup within the Park and on the Park's periphery, and toward erosion control projects. The Park's most sensitive and representative plant communities and geological features would be carefully mapped, and designations would be made for "environmental core areas" that would be kept mostly off-limits from "consumption" by recreational users. These core areas are the ecological anchors that drive ecosystem processes across the watershed and ensure that the Park remains healthy given prescribed levels of use. An example of environmental core areas mapped at a regional scale is the Significant Ecological Areas designated by the City of Los Angeles.

CONCLUSION

The current use levels at the Park by all stakeholders, e.g., professional dog walkers, summer science camps, organized mountain biking clubs, and the daily "walk-up" or "ride-up" visitors are almost certainly exhausting the topsoil, limiting the Park's ability to support the natural propagation of native flora and fauna, and leave the Park much less resilient to future disturbances and disease.

RECOMMENDATIONS

Megan Palsa recommends to PRAC:

1. Receive this informational report on the environmental impacts to Joaquin Miller Park as a result of the current use in conjuncture with the absence of adequate city monitoring.
2. Enlist commission support to fully assess the current state of JMP with physical visitation in conjuncture with naturalist and utilizing below map of the park which includes sanctioned and unsanctioned trails.
3. Provide weekend formal tally of park usage by pedestrian, bike, and horse.
4. Investigate the current agreement between the city and stakeholders to determine if the agreements are focused on the most important issues and being followed and further if this agreement needs to be revisited to avoid conflict of interest.
5. Review the following studies and recommendations for managing a redwood forest, open space, and multi-use trail management. PRAC can draw on the methodologies and examples of numerous local, regional, and State entities who are successfully balancing the demands of multiple user groups today across California. See resource list below.
 - a. Impact of Social Trails around old-growth Redwood Trees
<https://scholarworks.calstate.edu/downloads/5q47rq96z>
 - b. Mountain Biking Impact Review FAQs
https://mbosc.org/mtb-impact-faq_plants-wildlife/

- CURRENT STATE OF JOAQUIN MILLER PARK 2021
- c. Mountain Biking Program - Open Space District <https://www.openspace.org/what-to-do/activities/biking>
 - d. EBRPD Land Use Planning Process <https://www.ebparks.org/about/planning/>
 - e. EBRPD Narrow Natural Surface Trails Managing Multiple Use_03 24 11 <https://www.ebparks.org/civicax/filebank/blobdload.aspx?BlobID=23279>
 - f. County of Sacramento Off Paved Trail Cycling Pilot Program 2017 <https://regionalparks.saccounty.net/AnalyticsReports/Final%20Approval%20-%20RPC%20Report%20Back%20June%202017%20-%20Revised.pdf>
 - g. CDPR 2020 Soil Conservation Standard Guidelines for OHV Parks http://ohv.parks.ca.gov/pages/1140/files/Final_2020Soil_Conservation_Standard_Guidelines.pdf
 - h. City of Los Angeles - Significant Ecological Areas Program <https://planning.lacounty.gov/site/sea/maps/>
 - i. An Assessment of Trails, Watercourses, Soils, and Redwood Forest Health in Joaquin Miller Park...Recommendations for Management, 2000 <https://www.oaklandbikepatrol.com/JoaquinMillerParkStudy.pdf>
7. Determine after the above issues complete master plan to support the preservation of JMP while still permitting ongoing multi use.

Respectfully submitted,

/s/ E. Harith Aleem Jr. (Signature)

Prepared by:

E. Harith Aleem

Recreation General Supervisor

/s/ J. Nicholas Williams Sr. (Signature)

Approved by:

J. Nicholas Williams

Director, OPRYD

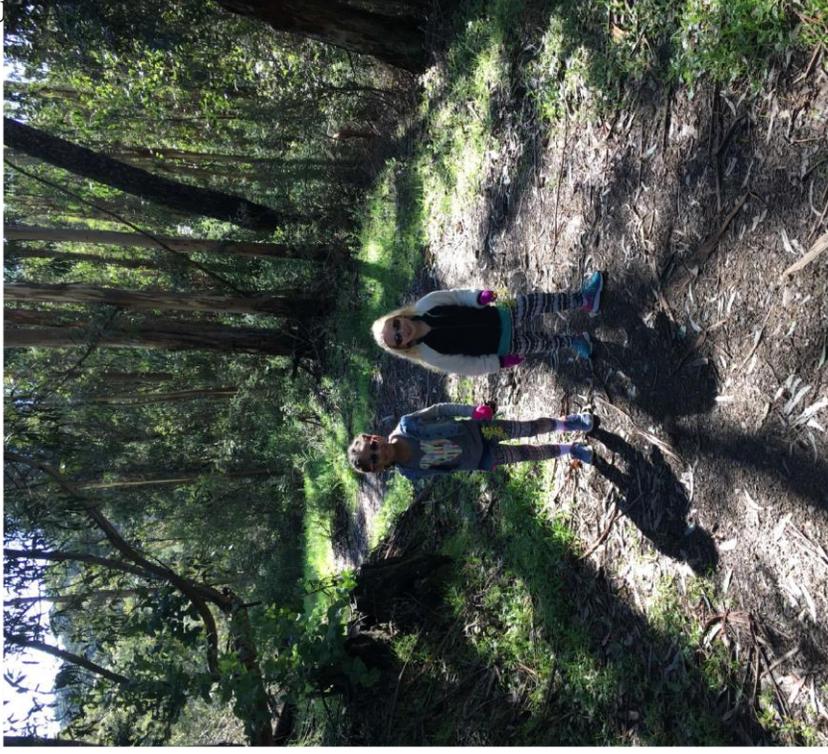
Identification of Support Documents:

Attachments: Exhibit A - FOJMP TRAILS 2021 (PP Presentation): PRAC Item 7C 04/14/21

CURRENT STATE OF JOAQUIN MILLER PARK 2021

FOJMP TRAILS 2021

ENVIRONMENTAL CONCERN:
WE ARE AT A CRITICAL JUNCTURE:
PRESERVING THIS JEWEL FOR OUR
CHILDREN AND THEIR CHILDREN



CU

OUT LINE OF TODAY'S TALK

- Review 2000 environmental study with emphasis on recreation impact
- Define types of erosion with park images
- Discuss briefly study recommendations
- Briefly discuss current situation
- Briefly review cost of study recommendation

WHAT CAN WE LEARN FROM THE PAST?

An Assessment of Trails, Watercourses, Soils, and Redwood Forest Health in Joaquin Miller Park, Oakland, California, with Recommendations for Management

Submitted to:

City of Oakland

Office of Parks and Recreation 1520 Lakeside Drive
Oakland, California 94612

Prepared by:

Richard D. Koehler and Janet M. Sowers William Lettis
& Associates, Inc. 1777 Botelho Dr., Suite 262 Walnut
Creek, CA 94596

and

Frank Mileham and Clare Tipple Golec Natural
Resources Management Corporation 1434 Third St.
Eureka, CA 95502
December 31, 2000

CURRENT STATE OF JOAQUIN MILLER PARK 2021

Unsanctioned trail map: Stan Dodson



ELEVEN POINTS OF CONCERN IDENTIFIED TWENTY YEARS AGO

CURRENT STATE OF JOAQUIN MILLER PARK 2021

“In particular the survey was designed to assess whether EXISTING trail use in having a DETRIMENTAL effect on tree health and growth.”



“However, recreational use was determined to be major source of soil erosion on “bootleg” trails.

We noted many off trail hiking and biking tracks throughout the park. Hiking tracks were identified based on trampled plants, footprints, and the presence of step holds. Bicycle tracks were identified based on skid tracks through soft soils and narrow grooves. We observed that these “bootleg” trails often break through the soil AND exposing the erodible root. With continued use, bicycle tracks begin to remove material, forming a groove that becomes progressively deeper. Hiking tracks expose and compact and trample vegetation, making it difficult or impossible for the trail tread to naturally recover.”

TYPES OF EROSION

Fluvial = natural process with water run off that occurs with/without a trail

Mass Wasting = defined as landslides at stream banks exacerbated by humans

Recreational = caused by humans and influenced by type of use, intensity of use and time of use. There are 3 types of recreational erosion:

ABRASIAN

TRAMPLING

COMPACTION

LETS LOOK INTO THE THREE TYPES OF RECREATIONAL.....

ABRASIAN DESCRIPTION

“Physically loosened soil moving down hill by feet/tires/hooves and examples can be seen in JMP in grooves, steps, troughs, skids. **EACH OF THESE ENHANCE EROSION**”

CUT









CURRENT STATE OF JOAQUIN MILLER PARK 2021

COMPACTION DESCRIPTION

COMPACTION CAUSES
EROSION BY
DECREASING SOIL
PERMEABILITY WHICH
LEADS TO INCREASED FLUMIAL
EROSION WHICH LEADS TO
DECREASED ROOT
PENETRATION





STUDY RECOMMENDATIONS

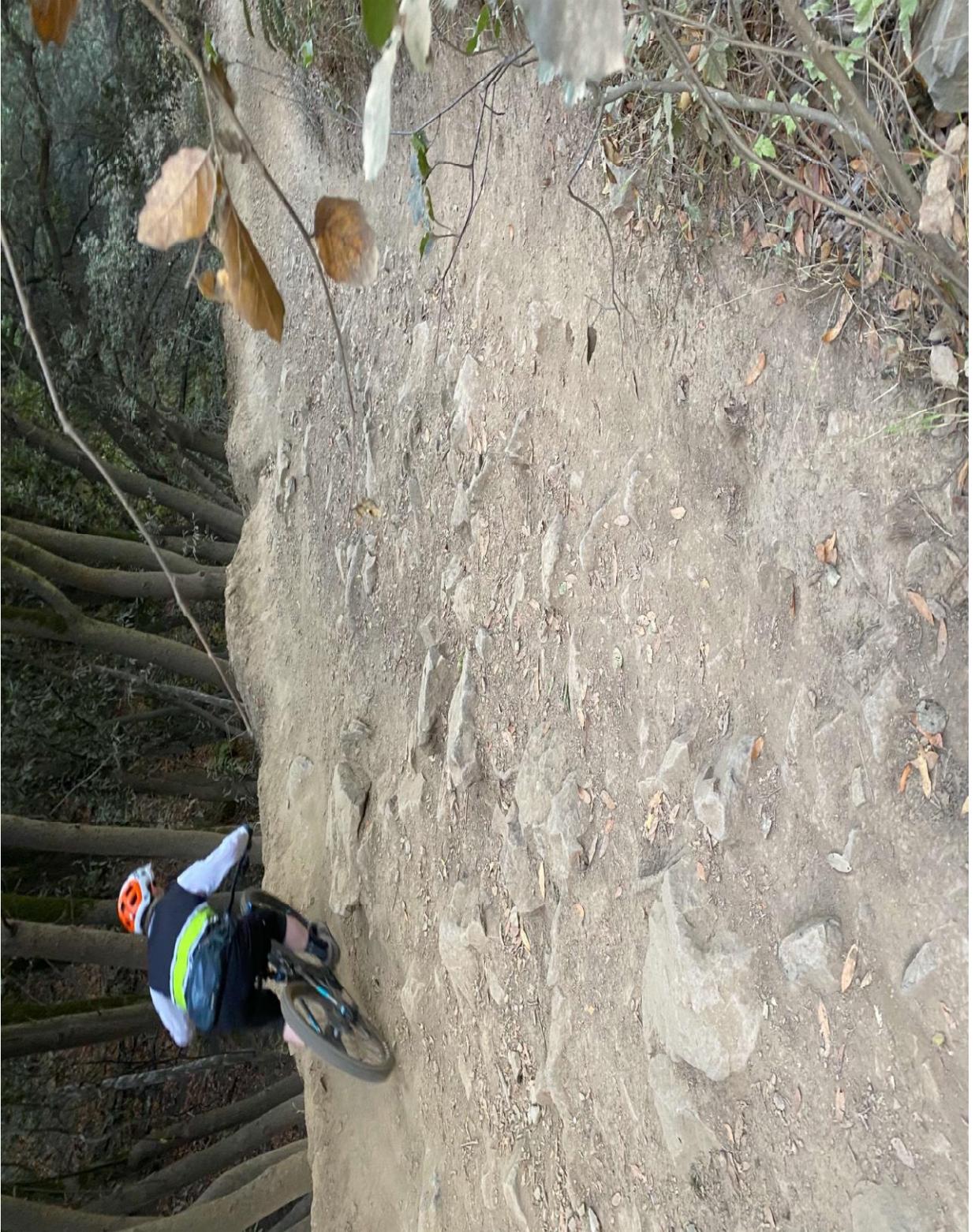
CONCLUSIONS AND RECOMMENDATION

Trail recommendations: Possible mitigation measures to reduce fluvial erosion include:

- **Install water bars or repair existing water bars to redirect runoff off trails.**
- **Redirect ephemeral streams to natural channels.**
- **Install in board ditches and ditch relief culverts to help drain trails.**
- **Clean or replace old culverts.**
- **Replace fill crossings with bridge or rolling dip crossings.**
- **Regrade trails where deep gullying has taken place.**

STAY ON THE TRAIL

CURRENT STATE OF JOAQUIN MILLER PARK 2021



STUDY RECOMMENDATIONS

‘We note that several established trails have excessively steep gradients and poor alignment, making them both challenging for users and susceptible to erosion.’

*Examples of such trails are the **Cinderella Trail, Upper Palos Colorados Trail** and the **Fern Trail**. A long term goal, should funding become available, might be to rebuild these trails incorporating switchbacks to reduce gradient and wooden or stone steps where switchbacks are impractical*

DISCLOSURE: ONE CITIZENS OPINION ON SINGLE TRACK MULTI-USE TRAILS

Most liable for **injury** in order of worst to least worst: Cinderella,
Chaparral, Castle Park Trail and lastly Palos Colorados

Most liable for **erosion** in order of worst to least worst: Chaparral,
Cinderella, Castle Park Trail and lastly Palos Colorados

STUDY RECOMMENDATIONS

- **To reduce recreation-related erosion on the trail system, we recommend that off trail or "bootleg" tracks be physically blocked off and signed. SIGNS REDUCE TRAMPLING BY 45%**
- ***"Impact of social trails..."* Claudia Voigt/Humboldt State university**
- **The split rail fences that were recently installed on the Sequoia Bayview Trail are an example of an effective barrier. These fences should be maintained regularly, and their effectiveness monitored.**



CURRENT STATE OF JOAQUIN MILLER PARK 2021



STUDY RECOMMENDATIONS

- **Other types of barriers include placement of large rocks, piles of debris, and large logs. All such barriers should be attractive and be seen to fit in with the natural environment. They should divert attention away from the tracks and onto the main trail.**
- ***Tracks should be blocked off at both uphill and downhill ends. Restoration activities may help to reverse some of the impacts of these trails.***

STUDY RECOMMENDATIONS

- We suggest the addition of signage to the new split rail fences. The text might read: “Off-trail hiking and bicycling damages delicate forest plants and soils and is prohibited by law. STAY ON THE TRAIL “

- SIGNS MUST BE MAINTAINED



CURRENT STATE OF JOAQUIN MILLER PARK 2021



EXAMPLES OF SIGNS

CRIME AND ROAD EROSION



SKYLIINE ROAD DETERIORATION



E

COST OF REPLANTATION FERN

THE MOST COMMON FERN IN JMP IS
THE WESTERN SWORD FERN

INDIVIDUAL PLANT 14 DOLLARS TO 22
DOLLARS FULL GROWN

4 DOLLARS BULK FOR 4 INCH PLANT



CAN WE WORK TOGETHER?



TO REVERSE WHAT IS HAPPENING
REQUIRES MORE ...

Parks and Recreation Advisory Commission (PRAC) Meeting

April 14, 2021

Item 9A Measure Q

- Hiring Progress Tracker – March 18 2021 Civil Service Board Meeting
- Hiring Timeline for Measure Q Funded Positions

Measure Q Hiring Progress Tracker
 March 18, 2021 Civil Service Board Meeting

DEPT	CLASSIFICATION	FTE POSITIONS	FILLED	DETAILS
HSD	Budget & Grants Administrator	1	0	Referrals sent to department to review and schedule interviews.
HSD	Administrative Assistant II	1	1	Filled
HSD	Case Manager I	1	1	Filled
OPW	Custodian	2	0	Announcement closed April 2. HR reviewing applications.
OPW	Assistant Engineer I	1	0	Requisition Pending Spec Revision. Spec review meeting with union scheduled in April, 2021.
OPW	Administrative Assistant II	1	1	Filled
OPW	Construction & Maintenance Mechanic	2	0	One candidate in hiring process, interviews being scheduled for other vacancy.
OPW	Business Analyst II	1	1	Filled
OPW	Gardener Crew Leader	7	0	Performance exams complete, list being generated.
OPW	Gardener II	15	0	Performance exams complete, list being generated.
OPW	Painter	2	0	Twenty-two applicants invited to the performance exam being held on April 29 & 30, 2021.
OPW	Park Equipment Operator	2	0	Existing list exhausted, new recruitment being planned.
OPW	Park Supervisor I	2	0	Existing list exhausted, new recruitment being planned.
OPW	Park Supervisor II	1	0	Examination in-progress (Supplemental Questionnaire)
OPW	Tree Worker Driver	1	0	Spec revision needed before submitting requisition. Meetings with union are complete. Revised spec scheduled for CSB on April 15, 2021.
OPW	Tree Trimmer	1	0	LOU signed by SEIU and City. Recruitment tentatively scheduled to open April 6, 2021.

Hiring Timeline for Measure Q Funded Positions

Position	Vacancies	Tasks	Date
Gardener Crew Leader	7	Performance exam	3/23/21
		Eligibility list: week of	4/12/21
		Departmental interviews: week of	4/19/21
		Job offers: week of	4/26/21
		Onboarding completion: week of	5/24/21
		Employee start date	6/1/21
Gardener II	22	Performance exam	3/24/21
		Eligibility list: week of	3/25/21
		Departmental interviews: week of	4/19/21
		Job offers: week of	4/26/21
		Onboarding completion: week of	5/10/21
		Employee start date: week of	6/14/21
Custodian	2 (15 overall)	Restricted recruitment closed	4/4/21
		Performance exam	TBD
Construction Maintenance Mechanic	1	Requisition submitted to Personnel	
		Eligibility list	TBD