TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: COMMUNITY SERVICES

DATE: JANUARY 24, 2005 CMR: 116:05

SUBJECT: ADOPTION OF REVISED REGULATIONS REGARDING PUBLIC USE OF CITY PARKS AND OPEN SPACE FACILITIES

This is an information report and no Council action is required.

BACKGROUND
On September 4, 1997, the City Council amended Palo Alto Municipal Code Section 2.08.050 to enable the City Manager to prescribe and enforce regulations for entry into, or use by members of the public, of any City real property, building, park or other facility.

An interdepartmental Building Regulations Committee was created by the City Manager in August 1997. The charge of this committee was to develop regulations for the use of City facilities by the public. These regulations were deemed necessary since facilities were at times being used by some members of the public in ways that interfered with the mission and function of City programs and services, resulting in complaints from the public at large. Without a set of defined and enforceable regulations, City staff was not equipped to respond to these complaints and work with facility visitors to encourage appropriate conduct and use of City facilities.

On June 24, 2002, regulations were adopted governing the appropriate use of park and open space facilities. Staff committed to keeping these park rules and regulations current and relevant to park use patterns and emerging recreational needs. On June 21, 2004, the regulations were updated to add rules for tennis courts, vehicle weights in the Baylands, and designated use of trails (CMR 338:04). This staff report transmits revised regulations for public use of the parks and open space facilities (which include trails, recreation areas, lakes and park buildings) for the Council’s information. The draft regulations were reviewed and unanimously approved by the Parks and Recreation Commission on December 14, 2004.

DISCUSSION
The mission of the Palo Alto parks and open spaces is to enable people to enjoy recreational facilities and natural resources and enrich their lives through exploration, recreation and relaxation. To fulfill this mission, staff endeavors to provide a safe, attractive, friendly and
appropriate environment in which all visitors can share parks, open space areas and facilities. Recreation and parks staff has identified a number of behaviors that require regulation, including proper management of the community gardens.

Attachment A lists a new section for the Community Garden that was omitted from previous rules and regulation. These rules are consistent with the rules outlined in the gardening agreement, which gardeners sign when they first lease their community garden plot.

Implementation of Regulations
Regulations will enable City staff to communicate with the public in a clear and consistent manner regarding prohibited conduct. The intent is to provide gardeners with the information and opportunity to cease inappropriate conduct and continue to enjoy the use of City community gardens. When users of parks and open space areas do not bring their conduct into accordance with regulations after first being warned, the visitor or gardener may be issued an administrative citation by an Open Space Division official. Procedures have been developed whereby a visitor who is issued an administrative citation will be afforded due process to contest this decision if they feel it to be unfair.

The current rules and regulations have been posted on the Open Space web pages for Foothills Park, Arastradero Preserve, and the Baylands Nature Preserve for easy reference by the public. Copies of the regulations are also available at Palo Alto community centers.

RESOURCE IMPACT
There is no resource impact associated with the adoption of revised regulations for public use of City community garden areas.

POLICY IMPLICATIONS
With adoption of these revisions to the existing parks and open space area regulations, it will become City policy to define and enforce certain standards of behavior in City facilities in order to ensure appropriate use and enjoyment of these facilities for the public at large.

ATTACHMENTS
Attachment A: Revised Park Rules and Regulation Section R1-39

PREPARED BY: ____________________________________________________
GREG BETTS
Open Space Division Manager

DEPARTMENT HEAD:______________________________________________
RICHARD JAMES
Director of Community Services

CITY MANAGER APPROVAL:_______________________________________
EMILY HARRISON
Assistant City Manager

Cc: Parks and Recreation Commission