NOT YET APPROVED

ORDINANCE NO. \_\_\_\_\_\_\_

ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO
ADDDING SECTIONS 22.04.342 AND 22.04.343 OF CHAPTER 22.04
OF TITLE 22 [PARK AND RECREATION BUILDING USE AND
REGULATIONS] OF THE PALO ALTO MUNICIPAL CODE TO
PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN
HERITAGE PARK AND ELEANOR PARDEE PARK

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Section 22.04.342 of Chapter 22.04 of Title 22 of the Palo Alto
Municipal Code is hereby added to read, as follows:

22.04.342 Heritage Park – Consumption of alcoholic beverages prohibited without a permit.

(a) Except as provided in subsection (b) of this Section, it shall be unlawful
for any person to consume any alcoholic beverage in the park known as Heritage Park.

(b) Notwithstanding subsection (a) of this subsection, alcoholic beverages
may be consumed in Heritage Park only in accordance with, and subject to the conditions set
forth in, a permit granted by the director that allows such consumption in all or part of the park.
No such permit shall be granted if the director determines that issuance of the permit would
interfere with the normal operations or usage of the park or would otherwise threaten the public
health, safety, convenience, or welfare. The director shall require an applicant for such a permit
to furnish any information necessary to review and consider the application. The director shall
further require the applicant to provide insurance naming the City of Palo Alto as an additional
insured party to the policy, with minimum coverage as required by the city risk manager, as a
condition to issuance of the permit.

(c) Any person who violates this section is guilty of an infraction and upon
conviction thereof shall be punished as provided in Section 1.08.110 of this code. Each violation
constitutes a separate offense and may be separately punished.

SECTION 2. Section 22.04.343 of Chapter 22.04 of Title 22 of the Palo Alto
Municipal Code is hereby added to read, as follows:

22.04.343 Eleanor Pardee Park – Consumption of alcoholic beverages prohibited without a permit.

(a) Except as provided in subsection (b) of this Section, it shall be unlawful
for any person to consume any alcoholic beverage in the park known as Eleanor Pardee Park.

(b) Notwithstanding subsection (a) of this subsection, alcoholic beverages
may be consumed in Eleanor Pardee Park only in accordance with, and subject to the conditions
set forth in, a permit granted by the director that allows such consumption in all or part of the park. No such permit shall be granted if the director determines that issuance of the permit would interfere with the normal operations or usage of the park or would otherwise threaten the public health, safety, convenience, or welfare. The director shall require an applicant for such a permit to furnish any information necessary to review and consider the application. The director shall further require the applicant to provide insurance naming the City of Palo Alto as an additional insured party to the policy, with minimum coverage as required by the city risk manager, as a condition to issuance of the permit.

(c) Any person who violates this section is guilty of an infraction and upon conviction thereof shall be punished as provided in Section 1.08.110 of this code. Each violation constitutes a separate offense and may be separately punished.

SECTION 3. The Council finds that this is not a project under the California Environmental Quality Act and, therefore, no environmental impact assessment is necessary.

SECTION 4. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

Senior Asst. City Attorney

APPROVED:

City Manager

Director of Community Services

Police Chief
MINUTES
PARKS & RECREATION COMMISSION
August 26, 2008
City Hall
250 Hamilton Ave

Commissioners Present: Deirdre Crommie, Joel Davidson, Carl King, Paul Losch, Pat Markevitch, Alex Panelli, Daria Walsh

Commissioners Absent:

Others Present:

Staff Present: Greg Betts, Catherine Bourquin, Rob de Geus, Donald Piana, Daren Anderson, Shia Geminder

I. ROLL CALL CONDUCTED BY: Catherine Bourquin

II. ORAL COMMUNICATIONS – None

III. AGENDA CHANGES, REQUESTS, and DELETIONS: Staff Betts reminded the Commissioners that they had a full agenda and to be mindful of the time when discussing any of the issues.

IV. BUSINESS:

1. Approval of Draft Minutes of July 22, 2008 regular meeting – The Draft Minutes of July 22, 2008 were approved with one correction. Approved 6:1absentio (King)

2. Review Draft City of Palo Alto and PAUSD Field Use Policy – Staff de Geus introduced Shia Geminder, Recreation Supervisor. Staff Geminder briefly described how the policy came about. The City of Palo Alto currently does not have a Field Use Policy. He informed the Commissioners that the draft of the policy is currently being reviewed by the City Attorney’s office for legal issues. The Draft policy was made available to the general public through the City’s web site for public comment. The timeline for getting this draft policy completed is November 2008 in order to be implemented for spring brokering. There were two reoccurring issues that reviewers identified, both related to eligibility requirements in section 5. The Commission is being asked for assistance with helping clarify the eligibility requirements.

August 26, 2008 Draft Minutes
1
The Commissioners were given the opportunity to ask questions and provide comments on the Draft Field Use Policy.

**Oral Communications**

Brigitte Turnemure, 845 Garland Drive PA – Up until 3 years ago it was very pleasant living on Garland Drive. The City hasn’t limited the availability and hours for Jordan field use.

Faith Braff, Garland Drive PA – Doesn’t feel the policy will improve the noise conditions at Jordan. The policy doesn’t restrict the users group or amount of play.

Manu Kumar, Garland Drive PA – Concerned more with how much play is being done at Jordan. The current policy doesn’t help the issue at Jordan.

Ian Bimpson, 1744 Crane Ave Mt. View – Feels that brokering is unfair to competitive adult soccer. With the new policy their club (Harmonie Soccer Club) has lost all of their practice time.

Bob McCormick, 502 Los Gatos Way, San Mateo - Harmonie Soccer Club, spoke on Community and that their soccer club has been in Palo Alto for 45 years. Would like the tradition of staying in Palo Alto to continue but is worried with the policy that is being implemented will end the tradition.

Bert Baldaccini, 511 De Anza Ave – Coach of Harmonie Soccer Club, feels that they are being threatened by all the recreational teams in Palo Alto.

Bruce Mc Leod, 1404 Bryant St, PA – Member of the Grasshopper Soccer Club, feels that this policy will restrict the smaller less dominant teams.

Paul Skokowski, 1319 Tasso PA – Spoke on the use of Hoover field for Little League games. Spoke on the residency requirements.

Chair Markevitch opened up the floor to questions from the Commission to conclude this agenda item which will be coming back to the Commission in September.

Staff de Geus affirmed that they had made special provisions categorizing Jordan as a level “4” field, which will limit the usage time on that field.

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3. **Continued from August 19, 2008 Special Meeting – Review of the Baylands Master Plan Update for or Errors or Omissions** –
Staff Betts reminded the Public and Commission that this item was closed for Oral Communications at the August 19, 2008 special meeting. Staff Betts also instructed the Commission that this item required a motion from the Commissioners, either to one recommend the adoption to Council as presented with any corrections or you may take vote to take no action at all. Gloria Humble of the Planning Department was available for questions but would not be making another presentation on the topic tonight.

Chair Markevitch asked the Commissioners if they had any comments or questions on the topic and started with Commissioner Losch.

Losch – Was appreciative of the work that went into the plan and had no further comments.
Crommie – Provided her edits and suggestions and gave them to Gloria Humble in written handout. The edits were discussed and accepted for inclusion in the Baylands Master Plan Update.
Alex – Had no further comments.
Walsh – Agreed with Commissioner Crommie’s edits.
King – Had no further comments.
Davidson – Had no further comments.

Chair Markevitch closed the discussion and a motion was made by Walsh.

**Motion:**  Motion made by Commissioner Walsh and seconded by Commissioner King to approve the Baylands Master Plan as updated with the inclusion of any edits and omissions.
Passed: 7:0

Staff Betts requested a representative from the Commission to go to the Council meeting when this item goes to Council. It was agreed that Commissioner Crommie would act on behalf of the Parks and Recreation Commission.

4. **Continued from August 19, 2008 meeting – Recommendation to Council on the Use of Byxbee Park Hills as a site for composting operations** –
Chair Markevitch reminded the Public and Commission that a recommendation is requested of the Commission and that this was continued from the Special Meeting on August 19, 2008 and that Oral Communications was closed at that time.

Staff Betts informed the Commission that Matt Raschke from Public Works was here to follow up with any answers to questions the Commission might have. Staff Betts continued by informing the Commission that they had two considerations to make.

1. Is composting compatible with park use? And
2. Will the Commission recommend to Council the continuation of composting on park land or not? They could also suggest to Council that they would like them to direct Public Works to investigate the possibility of other locations beyond the four sites considered.

Chair Markevitch asked the Commissioners for any comments or questions on this issue. After a brief question and answer session the Commissioners agreed to make a motion on this item.

Motion: Motion by Commissioner King, seconded by Commissioner Davidson: We (Park and Recreation Commission) believe that large-scale composting is incompatible with park land use. Passed 7:0

Motion: Motion by Commissioner Panelli, seconded by Commissioner King: We (Park and Recreation Commission) recommend that the City Council direct staff to continue evaluation of alternative non-parkland sites, including those three sites within the staff report, as well as studying alternative technologies to windrow composting. Passed: 6:1 (Commissioner Losch voting no)

The item should be going before Council in September. It was agreed that Commissioner Crommie would attend to represent the Parks and Recreation Commission.

5. Recommendation from Commission to Council on the Adoption of an Ordinance to Prohibit the Consumption of alcoholic Beverages in Heritage and Eleanor Parks.

Staff Anderson, Senior Ranger, was introduced and presented the Commission with a brief background on the use of alcohol in city parks. The Commission was being requested to recommend the adoption of an ordinance to prohibit the consumption of alcoholic beverages in Heritage and Eleanor Parks.

Motion: Motion made by Commissioner King, seconded by Commissioner Panelli to approve the recommendation to adopt an ordinance to prohibit the consumption of alcoholic beverages in Heritage and Eleanor Parks. Passed: 7:0

The Commission had a brief discussion on the use of alcohol in city parks. The ordinance will state that alcoholic beverages used at these parks be by permit use only.

V. COMMENTS AND ANNOUNCEMENTS
1. Chair Markevitch announced to the Commission that she went to the VTA meeting and pleaded the case of considering a pedestrian overpass at the San Antonio location when they are increasing the lanes on 101.

2. Staff Betts went over the California Parks and Recreation Conference flyer that was provided to the Commission that evening. The conference is being held in March, 2009 and the Commission has the opportunity to have a maximum of two Commissioners attend. Commissioner Davidson expressed his interest in attending.

3. Commissioner Davidson announced that Michael Clossen the Executive Director of Acterra, is doing well after a recent accident in France.

4. Commissioner Panelli commended Chair Markevitch on the running of tonight’s meeting.

5. Commissioner Crommie inquired on training for instruction on speaking with the Media on issues related to the Parks and Recreation Commission. Staff would assist the Commission with guidance in this area.

VI. TENTATIVE AGENDA FOR SEPTEMBER REGULAR MEETING: September 23, 2008

1. Approval of the minutes of the August 26, 2008, regular commission meeting.

2. Approval of the minutes of the special meeting of August 19, 2008

3. Review of Banning Smoking in City Parks and Facilities

4. Review and Action on the Draft City of Palo Alto and PAUSD Field Use Policy

VII. ADJOURNMENT

The meeting was adjourned at 10:20 pm in honor of the Palo Alto 14 Babe Ruth team.