

# San Rafael Park and Recreation Commission

## Meeting Minutes: June 19, 2014

Vice Chairman Holm called the meeting to order at 7:10 p.m. at the San Rafael Community Center

**Roll Call:** Commissioners: Mark Bustillos, John Gamblin, Eric Holm, Jeff Jones, Mark Machado, Ralph Mihan, Chair, Tom Oblatz, Commissioners, Patricia Bassett, Alternate

**Commissioners Present:** Bustillos, Gamblin, Jones, Machado, Oblatz, Basset

**Commissioners Absent:** Holm, Mihan

**Staff Present:** Carlene McCart, Director, Community Services, Dave Davenport, Parks Superintendent

### 1. Action Items

#### A. Recommendation of Concept Plan for Agreement with Terrapin Crossroads for Renovation and Use of Beach Park.

Director McCart introduced the item with history of Beach Park, and the current conditions of deterioration due to increased vagrancy and illegitimate use. She described an Agreement forged in 1996 with the adjacent property owners to renovate and maintain the Park. The Agreement was terminated for non-compliance, and the Park has been impacted by the reduction in budget for Park Maintenance. She provided a summary of terms for the Commission's consideration:

1. The term of the Agreement is five years
2. The Lease may be renewed on the same terms for an additional five years, if acceptable to both parties.
3. Terrapin Crossroads will pay the City \$8,000 per year as rent, with adjustments as prescribed in a formula tied to the Consumer Price Index
4. Terrapin Crossroads will submit an annual report of expenses incurred in the development and maintenance of Beach Park to qualify for adjustments to the annual rental fee. Expenditures over \$8,000 per year will be credited to the following year rental adjustment.
5. In exchange for limited exclusive use of Beach Park Terrapin Crossroads agrees to install park features such as those represented in Exhibit A attached, subject to City approval and permits, including the watercraft launch facilities.
6. The launch facilities shall be accessible to the public during hours of operation of Terrapin Crossroads.
7. Free public access to Beach Park amenities such as game courts and picnic facilities shall be Tuesdays, Thursday, and Sundays 11:30 – to 4:30 p.m.
8. Food service in Beach Park is allowed during hours of operation of Terrapin Crossroads
9. Entertainment events may be staged up to 30 dates per year in Beach Park on Saturdays between the hours of 10 a.m. and 10 p.m. Admission may be charged at these events.
10. Two community events in Beach Park are permitted per year, at no admission charge; Terrapin Crossroads may offer paid food service.
11. Exclusive third party events are not allowed in Beach Park.

12. Terrapin Crossroads, or contractual security serves shall secure and unlock facilities as prescribed.
13. Terrapin Crossroads shall pay all costs for utilities servicing Beach Park
14. Title to improvements reverts to the City at the termination of the Agreement.
15. Terrapin Crossroads will maintain Beach Park and associated improvements, making repairs as necessary for proper operations and safety
16. Prescribed insurance coverage will be provided by Terrapin Crossroads.

The Agreement includes standard lease language required by the City for use of City property.

The value of the Agreement to the City are the improvements to Beach Park, the use of the site as a unique entertainment venue, the addition of a watercraft dock allow for increased access by the public to the San Rafael Canal, and security and maintenance of the site. The reduced public access to Beach Park is a reasonable exchange in relation to the benefits mentioned above.

The value of the Agreement to Terrapin Crossroads is a clean, secure, attractive outdoor environment for the restaurant and the surrounding properties and businesses, an expanded food and beverage service venue, the opportunity to have outdoor music performances, and the ability to offer a unique water side experience for customers.

The City has precedence for entering into the Agreement with Terrapin Crossroads. The Agreement with the former owners of the property was much the same, albeit with a broader scope of free public access. The City also has use agreements with non-profits for exclusive use including San Rafael Yacht Club, Marin Master Gardeners, Marin Bocce Federation, Marin History Museum, Redwood Empire Sports, all of which have a prescribed public access component, by which operators have certain times and conditions where the properties are open for public use. There is also an Agreement for exclusive private use of the suite of offices at Falkirk Cultural Center, where no public access is allowed.

Jill and Phil Lesh, owners of Terrapin Crossroads, the restaurant and entertainment venue adjacent to Beach Park were introduced to comment on the Agreement Proposal.

Ms. Lesh described the negative effects of homeless and vagrant presence in the Park on the business. Vandalism has occurred to Terrapin Crossroads property and the San Rafael Yacht Club property. Private security has not been effective at relieving the presence of campers, drug paraphilia, garbage and damage on the site. The proposal goal is to create a clean and safe park site that is family friendly. To do so the proposal allows for the control of entrance to the site in exchange for renovation, ongoing maintenance, along with food and entertainment services.

The Commission posed the following questions to the owners:

What is the proposed plan to secure Beach Park? A: the existing fencing will be repaired and locked with the exception of prescribed hours. Other times the public may enter the park through the restaurant.

When will the public have access into the park from the street? A: Tuesdays, Thursdays, and Sundays mid-morning to afternoon. The boat launch will be open during restaurant hours. The public is welcome at Terrapin Crossroads whether they are purchasing goods and services or coming to enjoy the park.

When is food and beverage service proposed? A: When the weather is conducive, service will be available. The park renovation plan will include a controlled and monitored fire pit so that visitors/customers can gather outside evenings and cool days.

May visitors bring their own picnics into the park/ A: Yes

What will the park design include? A: The existing cement pad will remain. The abandon bocce courts may be restored. Seating groups, picnic facilities, game tables, landscape, children's play features will be added.

What type of entertainment is planned? A: Food and wine events, beer tastings, water sport events and the like will be offered up to 32 dates per year, but realistically during the better weather months.

What type of signage will alert the public to the open hours and access to Beach Park? A: Staff will work with Terrapin Crossroads management to create and display public signage.

Will Terrapin Crossroads assume all liability for associated costs? A: Yes

Will lighting be installed? A: Yes, for bocce and events. String lights may be temporarily installed for certain events.

Will the public entry remain in the same location? A: Yes

Does the renovation plan include changes for parking at the Park? A: Not at this time.

After discussion it was

M/s Machado/Gamblin to recommend the Concept Plan for Agreement with Terrapin Crossroads for Renovation and Use of Beach Park.

AYES: Bustillos, Gamblin, Machado, Obletz, Bassett

NOES: None

ABSTENTION: Jones

### **B. Canal Neighborhood Park Priority Outreach Process**

McCart presented a draft survey in response to the recommendation by the Commission and the Pickleweed Advisory Board as the best instrument to gage the public park priorities in the Canal Neighborhood.

The Commission reviewed the survey draft and suggested the following edits:

Insert the City Logo

Offer to provide survey results to those respondents willing to provide contact information as optional information.

Identify the field sports category to include soccer, baseball, picnic facilities etc.

It was Commission consensus to support the survey

## **2. Commission Items**

### **A. Director's Report**

McCart **reminded** the Commission that the July 17 meeting will begin with a Study Session with the members of the City Council. The Commission expressed an interest in discussing various topics including homeless impacts in the parks, Measure A survey process, feedback on the Pacifics use of Albert Park, other public/private partnerships opportunities.

She went on to report on summer youth camp enrollment, expansion of child care services at Vallecito School, Canal baseball Academy, June 14 opening of the sports fields in Pickleweed Park, Aquatics programs, Marin History Museum transition at Boyd Gate House, the close of the fiscal year.

#### **B. Falkirk Report**

The Terra Linda Ceramics Program is has the current gallery showing and the largest opening Falkirk has hosted. The combined efforts of open space clearing patrol, and private security has contributed to a reduced presence and impact of homeless on the grounds.

#### **C. Parks Report**

Superintendent Davenport Reported on the KOSS Committee; the Pathway Project is complete and next year work will continue to improve the pathways at Starkweather Shoreline Park; crews have assisted in the clearing of defensible space on City-owned land; Freitas and Los Gallinas median maintenance is complete; Atlas Tree service has renewed its contract with the City for tree work; downtown sidewalk cleaning was complete for the summer season under the financing of the Business Improvement district.

#### **D. Reports from Committees**

Commissioner Obletz commented that response to request for graffiti removal has improved and is appreciated.

#### **E. Approval of Minutes, Meeting of May 15, 2014**

M/s Obletz/Jones to approve the Minutes of the Meeting of May 15, 2014.

AYES: Bustillos, Gamblin, Jones, Machado, Obletz, Bassett

NOES: None

### **3. Adjournment**

The meeting was adjourned at 8:45 p.m.