

MINUTES
PARKS & RECREATION ADVISORY COMMITTEE
Tuesday, March 1, 2016
CBJ Assembly Chambers -- 6 p.m.

Call to Order at 6:04 p.m. – J. Anderson, Vice-Chair

Present: J. Anderson; F. Dowd, T. Gilmour; C. Mertl (telephonic); E. Ouderkirk; T. Rutecki;

Absent: O. Brudie; L. Hallvick; G. Landry

Staff present: Kirk Duncan, P&R Director; Amanda Lovejoy, P&R Recreation Coordinator II; Bryce Johnson, JPD Police Chief

Agenda Changes – None.

Public Participation of Non-Agenda Items – Maintenance of Douglas Historical Cemeteries:

Mary Kay Pusich, Douglas Advisory Board, 1407 1st St., Douglas, AK 99824; Tony McCormick, 418 5th St., Douglas, AK 99824

M.K. Pusich – It is time for CBJ to come to the plate as far as maintenance of Douglas cemeteries. There are five historical grave sites in Douglas. CBJ did a survey of the sites in 1995.

J. Anderson – We will try to get this onto the agenda for the next meeting.

C. Mertl – What is the reason maintenance is not being done now?

K. Duncan – It has gone under radar. We need to figure out funds, resources, responsibility.

Approval of Meeting Minutes from January 1, 2016 – Motion by T. Gilmour to approve. No objection, Minutes adopted.

Unfinished Business – Proposed 11 p.m. Savikko Park Closure

Brett Farrel, 504 St. Anns, Douglas – I Presented my concerns in the September PRAC meeting, where I presented a letter of concern outlining disturbances at Savikko Park and some ideas as to how to get them fixed. I came to express my continued support for these ideas. I presented you with a petition signed by at least one member of every residence that is adjacent to Savikko Park. That petition called for three things: lowering the park hours, increased enforcement posture, and a gate to physically control access to the parking lot. The gate didn't get much traction. I am here to offer my continued support for lowering the park hours.

C. Mertl – Do you support the 11 p.m. closure?

B. Farrel – I absolutely support it.

C. Mertl – What do you define as the park?

B. Farrel – In my case my residence is directly above the parking lot, so that to me is part of the park, the picnic shelters are part of the park, those are the problem areas. The beach is rarely the problem.

Mark Halstead, 400 St. Anns, Douglas – I have come to this meeting to show whole-hearted support for any measure that will curtail the disturbing behavior that occurs on Sandy Beach. It is disturbing to watch and it is even more disturbing to have to live through it.

I have lived directly above the large shelter on the beach since the late sixties and have serious reservations when it comes to thinking that after suffering through 45-plus years of poor management by the CBJ that something is actually going to change. I say this because there are ordinances and rules on the books now that are routinely ignored on a daily basis and have been for as long as I can remember. It is an unfortunate fact that the City and Borough of Juneau makes for the absolute WORST neighbor, and Parks and Rec. cannot even manage a sand box that is within sight of their own office.

If a common citizen were to allow the same activities to take place on their own private property that are common place on Sandy Beach they would probably end up in jail. Yet the CBJ chooses ignorance over enforcement and somehow thinks this constitutes proper management. Unfortunately continual ignorance is not the path to change.

As an example of how well ignorance and the lack of enforcement works consider Auke Lake. According to the PRAC minutes from February 4th, 2014, the CBJ Assembly has passed ordinances in 2007 regarding allowable activity in that area. However it took a tragic fatality in 2012 for any enforcement to begin. Studies were conducted using video cameras and many hours of good old boots on the ground by city staff in 2013. This was followed in 2014 by the strict enforcement of the ordinances that had been in place for seven years.

In regards to Sandy Beach there are ordinances on the books that govern allowable activities in this area as well, and they have been in place far longer than the seven years it took to clean up Auke Lake. You can find references to the problems at Sandy Beach documented in several places on the CBJ website dating back into the nineties and yet the CBJ remains ignorant. If it takes another tragic event similar to Auke Lake to spur the CBJ to pay attention then consider this, according to police reports in the local newspaper the recent stabbing death in West Juneau was preceded by a drinking party at Sandy Beach.

While changing the park hours is certainly a positive step forward it must be followed up with strict and TIMELY enforcement or it is meaningless. Since JPD has proven themselves unwilling to enforce CBJ ordinances in the past then I must suggest the Parks and Rec. fully utilize the \$44,800 Park Ranger position allocated in 2016 Parks and Landscape budget. This could be augmented by the city staff that insists on cleaning the beach restrooms at midnight, and dumping trash cans between 4 and 6 a.m. With over \$700,000 budgeted for Park Maintenance staffing this surely can't be that difficult.

In closing I would like to say that the Department of Parks and Recreation and the CBJ needs to come to grips with the fact that they have just as much responsibility to property owners adjacent to their facilities as they do to the users of those same facilities.

The improper management of Sandy Beach has gone on far too long and it needs to be corrected. Turning your back on this situation is not going to make it go away. Choosing ignorance over action is not a solution.

I think the observations outlined in the 2014 review of the Parks and Recreation Dept. Final Report conducted by JRH Public Administrative Services state the problem very well. It reads in part:

There are several areas where I am concerned that the department is not doing the best they could, and these include . . . the decline in the popularity of the department, the extreme lack of positive public relations . . .

Leadership: The department needs to be led in a positive and collegial manner in order to address the challenges it is currently facing . . . understanding what the

public needs, preventing conflict, and once there is conflict, with how to solve it. Through my observations of several key staff and through my discussions with members of the public and several major partners, there appears to be far too much negativity, a lack of creativity, and in some limited cases, a lack of accountability by department leaders. The department must change to a "positive led culture" focusing its time and energy on making supporters out of those who they may have offended or disagreed with.

I request that this letter be placed into the public record.

T. Gilmour -- From where you live do you notice disturbances down the Treadwell Trail?

M. Halstead -- The disturbance is in the picnic shelters and fireworks. It has gotten to the point where I have to forewarn tenants about the noise on the beach because I have had people move out due to the noise.

T. Rutecki – A couple of your gripes about the Parks and Rec. Department weren't really founded with regard to Auke Lake. Back in 2007, this body wrote a letter that Auke Lake was unsafe under the current conditions and that there could be a fatality. That letter never made it through the Lands Committee. I think your beef is with the Assembly. Parks & Rec. came up with a really good plan last time Auke Lake came up and this body modified it, and the Assembly wouldn't even vote on it. I think the same thing happens with fireworks. The Parks and Rec. Department has tried to do things but they can't do anything unless the Assembly supports them.

C. Mertl – If we set the closure at 11 p.m., does it go any further than PRAC? Or does it have to go through the Lands Committee and through the Assembly for final action?

K. Duncan – Park closing time is at the discretion of the Parks and Recreation Director, however that can be contested. It does not need any further action tonight other than PRAC makes a recommendation, I determine what I think the best course of action is, if there are folks who wish to debate that, then it would go to the Assembly.

Bryce Johnson, Chief of Police, Juneau Police Dept. – The noise ordinance does reference a "reasonable person" if you set a closing time at a park, a reasonable person is any person who goes to a park and does any activity you would reasonably do in a park. If the park is open and a person is making noise doing any of those activities then that behavior is not going to be illegal. We are not going to go into an open park and tell them to stop behaving how you'd expect them to behave in a park. For this time period if you don't want this noise to take place after 11 p.m. we wouldn't be able to go into an open park and tell people to stop doing what you would expect to be able to do in a park. That is the change closing at 11 would do, that way we would be able to enforce. We could simply say the park is closed you need to leave, and then it wouldn't matter what kind of noise people were making.

T. Gilmour – What would happen if somebody were in the park at 11p.m. walking their dog and you drove by?

B. Johnson – If the park is closed, the park is closed. It would technically be a violation.

C. Mertl – Is there a way that the park could be open for activities that have no noise associated with them? Or does that just create a big loophole for enforcement?

B. Johnson – It is probably all or nothing. What we are looking at here is the beach, the shelters, the parking lot, then farther down into the historic district.

J. Anderson – Cope Park is closed at 10 p.m., why is that at 10 and Savikko 12?

B. Johnson – Most parks close at midnight. I don't know the exact circumstances that led to Cope Park closing at 10 p.m. I am assuming it had to do with noise.

C. Mertl – Has anyone been cited for walking a dog through Cope Park at 11 o'clock at night?

B. Johnson – Officers have discretion. Most officers do not write people citations for walking their dogs. I can't tell you that that is okay because it is in violation of an ordinance. JPD has never issued a ticket for that particular

behavior because we have more important things we are supposed to be doing. The officer can stop you and talk to you because you are in violation of the law. It is a violation and it is possible to be ticketed for it.

John DelGado, President of the Douglas Advisory Board, 400 St. Anns, Douglas -- I'd like to read this into the record:

Dear Mr. Duncan,

Thank you for the information pertaining to Mr. Farrell's request for changes to Savikko Park in order to address his concerns regarding excessive noise and vandalism after closing hours. We have reviewed his letter along with the associated petition.

Mr. Farrell suggests the following (paraphrased):

1. Change the closing time of Savikko Park from 12:00 midnight to 11:00 P.M.
2. Actively close the park at the new designated closing time and install a gate or other means to prevent vehicular traffic during closed hours.
3. Increase JPD patrols of the park, specifically around closing time and after closing hours.

Though we empathize with Mr. Farrell's concerns, we don't support his recommendations, as we do not believe they will have a significant impact on the issues he is raising. Here are our reasons as to why we don't support this.

1. By closing the park at 11:00 PM, we would be punishing all the residents of Juneau who use Savikko Park responsibly in order to address improper behavior from a few residents. Many Juneau residents, not just those living in Douglas, use Savikko Park. Some people walk their dogs through the park late at night and are not a disturbance to anyone. This is especially true in the summer when many local residents enjoy the late night sunsets from the park. In Mr. Farrell's letter, he states, "The vast majority of this behavior occurs late in the evening, and often well after the advertised closing time of this park." If this is true, then closing an hour earlier will have no impact.
2. We are adamantly opposed to constructing a gate or any other mechanism to prevent traffic. If Parks and Rec. is seriously considering such a solution, then greater due diligence is needed on behalf of the city and public notice to all Juneau residents should be provided. Many residents live in the harbor and park their vehicles in the area, as do those that have homes passed Sandy Beach. These residents cannot have their access restricted at any hour. Also, in order for JPD to access the area, they would then need to stop, open the gate, and then close it again behind them every time they patrol the area. In reality, if people still want to access Savikko Park, they will simply park outside the gate or above the steps on St. Anns and enter by foot, thus not solving the problem
3. We do not have any data as to the extent of this problem, other than the comments from Mr. Farrell. It would be good to know the extent of the damage that has actually occurred, amount of broken glass, vandalism, number of calls to JPD, etc.
4. In reviewing the petition, the 15 signatures come from only nine households, and five of those are opposed to a gate. Clearly there are mixed beliefs on creating a barrier.
5. In doing a bit of research, it appears that state and federal parks do not close until 12:00 midnight as well. So allowing the park to remain open until 12:00 is not unreasonable and certainly not unprecedented.

We discussed this issue to think about how we can help resolve Mr. Farrell's concerns and still keep the current operations status quo. We recommend the following for consideration.

1. Increasing JPD patrols and closing time and having a greater JPD presence would be the single best option for deterring those from gathering there after hours. In Mr. Farrell's letter, he also states that

JPD would be adding nine new officers in the near future. If this is the case, this could significantly help with “directed patrols” in the park.

2. The formation of an organized neighborhood watch group, in combination of increased JPD patrols, could have a significant impact. If done correctly, after hour visitors will get the message that they are being watched and that JPD is responding. Eventually, they will quit coming to Savikko Park.
3. Along with the above suggestions, the city could also improve park signage by making it clear to the public that people are in violation of city ordinance if visiting the park outside established hours. Signs could be posted in more conspicuous areas. Residents of the harbor could also be part of a neighborhood watch and work with the residents of St. Anns to identify those disturbing the peace outside of regular hours.
4. The CBJ Parks and Rec. staff can perhaps play a greater role by monitoring and reporting inappropriate behavior while they are cleaning the cabins for rental and while in the area. We realize this would primarily be during open hours of the park, but the more personnel there are monitoring the area, the better the reporting and identifying the problem groups.

We understand that Mr. Farrell wants to see the city “fix” this problem, but before we jump into solutions that may or may not work, more work needs to take place and other less restrictive solutions need to be identified.

End Public Testimony.

Discussion.

T. Gilmour – In a show of support for the residents directly above Savikko Park it is not going to hurt the community of Douglas one less hour, let’s try it. I move that we recommend to the Director to reduce the park hours by one hour.

J. Anderson – At this time let’s take a vote on moving the park closing hour from 12 a.m. to 11 p.m.

C. Merti – I’d like to make an amendment to the motion that it sunsets in one year for review.

J. Anderson – Before us we have a motion to move the current park hours from 12 a.m. to 11 p.m., with the existing park boundaries and it is to sunset a year from its start date.

Discussion.

C. Merti – Can we add a clause that adds after 11 for special occasions?

T. Gilmour – I would accept that amendment. That would be added to the discretion of the Parks Director.

K. Duncan – So, if it’s acceptable, the language in the petition is: change the designated park closing time from 12 a.m. to 11 p.m., with exceptions for special events and holidays as approved by the Parks and Recreation Director.

T. Gilmour – I would accept that amendment.

Discussion.

J. Anderson – Hearing nothing further, let’s vote on the motion before us to move the current park hours from 12 a.m. to 11 p.m. With exceptions as approved by the Parks Director for special occasions, with the ordinance to sunset one year from implementation.

T. Rutecki – Yes.

F. Dowd – No.

E. Ouderkirk – Yes.

T. Gilmour – Yes.

C. Merti – Yes.

J. Anderson – No.

K. Duncan – Four– Two; the motion *PASSES*.

[MOTION DID NOT PASS -- DID NOT MEET MINIMUM FIVE-MEMBER VOTE NECESSARY TO TAKE OFFICIAL ACTION PER RESOLUTION 2550, RULE 5(E).]

Savikko Parks Field Update

K. Duncan – At this point in time we are going to maintain the fields as we did last year. This is the third year after they've been reconditioned. We continue to hope that they'll settle and be usable.

T. Gilmour – I just don't see those fields settling. What then? What are we going to do? I am happy to try and help us find dirt. I am really disappointed because I don't think those fields are going to settle.

Discussion.

K. Duncan – I'm willing to try anything, I am just at a loss. I am hesitant to put good money after bad. We need to continue to research. I think JSA could be very involved in the research. We have limited manpower. We need to ask what is working elsewhere. I'm willing to do what we can; I just don't know what that is.

Discussion.

K. Duncan – What I suggest is that we have the CIP Engineer take a look at this and I'll report back at the next meeting.

Discussion.

1% for the Arts Waterfront Art Progress

J. Anderson – I spoke with Gary Gillette to get an update I'll read what he said: "The artist, Cliff Garten, is under contract and has completed final design of the sculptures and is now finalizing the design of the mounting hardware and lighting. Fabrication of the sculptures is scheduled to begin early in March. The art work is scheduled to be placed following completion of the cruise berth project in May 2017." I did print the latest copy of the sculpture, which I will pass around. That is all I have.

New Business

Kax Trail

C. Merti -- Kax Trail is in a holding period. They are regrouping right now to come up with some other options or solutions.

Director's Report – Kirk Duncan

- Very successful Rainforest and Sister Cities Tournament over the weekend at Treadwell. Five teams from out of town, three from in town.
- Dimond Park Aquatics Center lifeguards were able to bring a patron back from no pulse, no heartbeat. The EMTs were certain that had it not been for the training and quick action of the lifeguards this person would have perished.
- Point of sale system will go online soon, it will allow us to track usage of facilities to a much greater degree.
- Comprehensive Plan – in the process of hiring a long-term temp. I've selected the person, negotiating on final paperwork. That will be a two-year process. That person will be coordinating comp. plan update, fees and charges and cost recovery for the facilities. It will be a public process, PRAC will be heavily involved,

there will be a special steering group created of various representatives in the community. I will keep you informed with how this is progressing.

- Parks and Rec. Retreat – we get together every six months with 28 supervisors. It is a half a day to go over topics as exciting as employee evaluation and orientation in order to foster communication within the department.
- May 21st there is a national organization called Kids in Parks so we are partnering with Discovery Southeast at the Eagle Valley Center to get kids used to being outside.
- Pools – very successful pricing rollout. January sales were up 200%, and February sales were up 100%. We are starting to have capacity problems at Dimond Park Aquatic Center, which is a very good problem to have.
- Meeting in December with user groups concerning Centennial Hall floor, the decision was to remove the wood and polish the concrete. That will be happening this summer. We had a discussion about what to do with the outside courtyard and we are going to keep that in a hardscape so it has various functions.

Questions.

J. Anderson – With the bid awarded at Cope Park and the updates at Project Playground do we know about if/when there will be park closures?

C. Mertl – We should be getting an update in about two weeks. For Cope Park, there will likely be partial park closures starting in April, total closures will occur at some point. For Project Playground there will be a period of roughly two weeks to a month of closure, the intent is that it will be closed right before school lets out. It is totally weather dependent.

K. Duncan – We continue to have a fecal coliform issue with Twin Lakes and we can't determine the source. We are continuing to sample.

Committee, Liaison, and Board Member Reports

Liaison Reports –

Assembly Liaison – None.

Chair Report – None.

YAAB

T. Rutecki – We had a couple of contingency grants. There is still quite a bit of money left, about \$10,000, so if anybody knows of any youth that are going to participate in an unanticipated event have them go to the YAB site and apply. The period is closing for the annual grants to be in, we have \$325,000 to dole out in April. We have a meeting coming up next week.

Aquatics

T. Rutecki – The public is happy with the new rates. We adopted a budget or budget proposal for next year where we think we can get cost recovery to the low 40s, maybe even 50 percent depending on how revenues go. I think it helps that we are managing as one system. There has been some griping about the water temperature at the pools, the big difference really lies in the air temperature so we are working on figuring that out.

Jenson-Olson Arboretum

E. Ouder Kirk – JOAB had their quarterly meeting in February. The gardens are well put to bed. The Friends of the Arboretum are planning on putting out some surveys to better understand people's vision for the

Arboretum. The Friends of the Arboretum are not sure the wine tasting will be as popular as it has been in the past and may be looking for an alternative event.

Other Member Business –

T. Gilmour- Can we have a trashcan at the Lemon Manner bus stop at the head of Davis St.?

K. Duncan – that is Capital Transit's area. You can email me and I will forward it on or you can email Ed Foster.

T. Gilmour – There is not a trashcan at the Lemon Creek Trailhead.

K. Duncan – That would be city property and you can email me on that one and we will have a trash can there within a week of your email request.

J. Anderson – I want to take a minute to follow up on everyone's pet projects.

T. Rutecki – I am still waiting to get the report of the Auke Lake observations from the first year.

T. Gilmour – I will continue to follow up on Savikko. I talked to somebody at Rotary about the duck stands at Rotary Park, and will follow up with that.

J. Anderson – I have scheduled a radio spot with Mr. Pete Cairn to discuss responsible use of ATVs around town and try to identify the different HOV motorized user groups out there. My goal is to get the groups to come together and identify themselves.

E. Ouderkirk – The parks folks and GIS are working together to create a map of the Parks that are in CBJ.

F. Dowd – I discovered my pet project today. I didn't realize fireworks were allowed in Juneau or in our parks. I think that is something that should be addressed. I think the city should look into banning fireworks in their parks.

C. Merti – The Parks Foundation is trying to formalize the Board of Directors. I have set a final deadline for myself for the end of March. It is at the point where we need to pile through and get a lock on it. I would like to thank J. Anderson for stepping in and running a smooth meeting.

F. Dowd – Going back to the Director's Report. Perhaps a letter from the PRAC thanking the DPAC lifeguards for the actions that they took is something I would suggest. I'd like a motion to write a letter.

K. Duncan – How about you delegate that to me and there will be a letter from several different groups. I thank you for your thought.

Adjournment – 8:09 p.m. Having no other business before the board.

Respectfully submitted, Lindsey Daniel, P&R Administrative Assistant II, 3/10/2016
