

CITY OF YUBA  
PARKS AND RECREATION COMMISSION  
MINUTES

Public Hearing  
September 19, 2007 – 5:30 p.m.  
City Hall Council Chambers  
1201 Civic Center Boulevard, Yuba City

I. CALL TO ORDER

The City of Yuba City Parks & Recreation Commission Public Hearing was called to order by Chairperson Blake at 5:30 p.m. in the City Hall Council Chambers.

II. ROLL CALL

Commissioners Present:

Michele Blake, Richard Garmire, Lynne Koll, Vaughn Minnix and Clarine Musfelt

Commissioners Absent:

None

Staff Present:

Brad McIntire - Recreation Manager, Gary Marler - Parks Manager and Barbara Gilmore - Administrative Assistant

III. APPROVAL OF MINUTES

A. August 15, 2007 Regular Meeting – Copy submitted

Commissioner Garmire moved to approve the minutes from the August 15, 2007 Regular Meeting as submitted. The motion was seconded by Commissioner Musfelt, and passed unanimously.

IV. MEETING PROCEDURES

Chairperson Blake dismissed herself as Chairperson of this meeting as she is the Sutter County Project Director of the Sutter County Tobacco Control Program and also a member of the Substance Abuse Steering Coalition. She turned the meeting over to Vice-Chairperson Koll, who proceeded to explain the meeting procedures. Vice-Chairperson stated that this is the first of three meetings to be held, with the next meetings being held October 17 and November 21, 2007. She further explained that the Parks & Recreation Commission acts in an advisory capacity to the City Council.

V. PROPOSED NON-SMOKING ORDINANCE AT GAUCHE AQUATIC PARK

SFC Joseph Barker spoke on behalf of the Substance Abuse Steering Coalition stating the Coalition would like Gauche Aquatic Park to be a smoke-free environment. He informed the Commission and audience that there are health issues and litter problems in allowing smoking at facilities. Children are more susceptible to second hand smoke and, even in an outdoor facility, this becomes an issue. Another concern is that children see adults smoking, and they feel it is okay to emulate this behavior.

Commissioner Garmire asked if it is their intent to only propose this ban at Gauche Park. SFC Barker stated they are taking the “baby step” approach by getting one facility non-smoking at a time. Eventually they would like to see all parks non-smoking. He informed the Commission that there is a State Code regarding smoking near playgrounds, and

Commissioner Garmire stated information had been passed out by someone in the audience regarding this (a copy is attached to the minutes).

Commissioner Garmire asked if the City Council approved a non-smoking ordinance and are there funds available to assist in the cost of the signage that would be needed? SFC Barker stated there were funds available. Commissioner Garmire asked how this ordinance could be enforced and are there penalties? PFC Barker stated he does not know what the penalties are and felt that a law enforcement official would be the one to site someone.

PFC Barker thanked the Commission for their time.

Stan Cleveland stated he was the one who handed out the information regarding the California Health and Safety Code, Section 104495 – Restriction of Smoking at Public Playgrounds. He stated the City is in non-compliance of the California Health and Safety Code at this time by not having signage around the City playgrounds. He further stated there is funding available for this signage.

Several members from the audience spoke in favor of a non-smoking ordinance at Gauche Aquatic Park, with no one speaking against the ordinance. Topics included children with asthma, the litter problem and behavior modeling. A copy of the sign-in sheet is attached to these minutes.

Diane Kaiser, with the California's Clean Air Project, stated her organization works with cities and counties throughout the State of California by providing current information and the perspective of what this issue is about. At this point in time, there are over 90 cities and counties in California that have smoke-free parks. In January 2006 the California Air Resources Board declared second hand smoke to be a toxic air contaminant that contributes to increased deaths and serious illness. Behavior modeling for children and litter is also an issue.

Commissioner Minnix wanted clarification on the State Law, and Ms. Kaiser stated this is a State law regarding the tot lot areas of a park, and was passed in 2003. She informed the Commission that California has the capability to extend the laws that have been passed, and over 90 cities in California have extended this area from sidewalk to sidewalk so that the entire park area is smoke free. Commissioner Minnix asked if this is what the intent is for Gauche Aquatic Park, and Ms. Kaiser said yes.

Robert Shelby, a resident of Yuba City, concurred with all the comments previously made and asked that this facility be tobacco free as well, i.e. chewing tobacco. He stated that he has been involved in "police call" where people assist in the clean up of cigarette butts and other tobacco related items. He stated this is an environmental issue and asked the commission to weigh the pros and cons of the facility being a smoke-free, tobacco free environment. He feels the pros will outweigh the cons.

Dr. Larry Ozeran, Chairman of the Yuba-Sutter Health Care Council, spoke in favor of this ordinance. He stated it is true that cigarette butts are the most littered object in the world. Also, second hand smoke during exercise is more dangerous than second hand smoke at rest. He stated he has found that enforcement with signage is most important and people normally tend to follow that, however if they do not, individuals in the park can ask them to stop. There is a portion of the State Law that indicates that no one can harass or intimidate someone who tries to enforce the rule, with a \$100 penalty to those who may do this.

A discussion ensued regarding how this ordinance and State Code could be enforced. Narinder Dhaliwal, with California's Clean Air Project, encouraged signage in the park, and said that in other cities this has become a self-enforcing issue. Ms. Dhaliwal stated that once the signs are pointed out to those who are smoking, they usually quite. If the problem persists, the Sutter County Health Department or the Police Department could then be called to deal with the matter. Ms. Dhaliwal said her organization would be more than happy to assist the City in this process, along with the local health department. More discussion ensued regarding signage.

Vice-Chairperson Koll closed the Public Hearing at this time and thanked everyone for their part in this very important process. She reiterated that there would be two more Public Hearings - October 17<sup>th</sup> and November 21<sup>st</sup>.

V. APPEARANCE OF INTERESTED CITIZENS

Public comment was invited regarding items of interest within the City's jurisdiction whether or not agendized for this meeting. No public comments were offered.

VI. BUSINESS FOR THE COMMISSION

A. Park Master Plan Discussion

Gary Marler informed the Commission that 16 architectural firms received the Request for Proposal of the Park Master Plan, with two firms responding – Carter & Burgess from Sacramento and MIG from Portland, OR. He felt the reason for the low amount of bids was due to the amount of money the City had approved for the project. Copies of these submittals were given to the Commission to look over prior to the meeting.

Commissioner Musfelt asked about the geographic component in this bid and stated she thought this was something the department was already doing. Mr. Marler stated either firms components would work with the existing one. Commissioner Garmire asked for clarification on Carter & Burgess, asking if they were the firm who master planned Regency Park? Mr. Marler stated that they were. Commissioner Garmire asked if they were involved in the planning of Gauche Aquatic Park, and Mr. Marler stated they had started the initial process, however it was not funded at that time and the plans didn't go through. Commissioner Garmire asked Mr. Marler's overall impression of Carter & Burgess, and Mr. Marler stated he felt they are one of the best landscape architectural firms the City has ever worked with. Commissioner Garmire stated he thought both of the proposals were nicely done and the amount of effort that went into them was significant. Vice-Chairperson Koll stated she noticed the proposal from MIG was from the firm in Berkeley, however they do have offices in Davis, too. She asked if the Davis firm had done the parks for the City of Davis. Mr. Marler stated that currently they are working with Yuba County, and the person who spearheaded this proposal is from Oregon. Vice-Chairperson Koll asked if there was any contact with Yuba County to see how they are doing, and Mr. Marler stated they have contacted Yuba City to get information from us.

Commissioner Garmire made the motion to adopt the Parks/Facilities/Physical Development Master Plan as submitted by Carter and Burgess. Chairperson Blake seconded the motion, which passed unanimously. This motion will be forwarded to the City Council for their approval at the October 2<sup>nd</sup>, 2007 City Council meeting. Commissioner Garmire asked, if approved, when this would take place. Mr. Marler stated it would start in November of 2007 and be completed by December of 2008.

B. Friends of the Parks & Recreation Foundation Special Event Update – Michele Blake

Chairperson Blake stated 30 tables have been sold for the Luau, which has surpassed the expectations of the Foundation. This event will be held on October 5<sup>th</sup>, beginning at 6 p.m. It is the hope of the Foundation to raise quite a bit of money for the Foundation.

Vice-Chairperson Koll asked how much the Fair Concession raised for the Foundation, and Mr. McIntire stated it had raised \$14,440. Chairperson Blake stated this practically doubled from last year.

VII. ITEMS FOR INFORMATION AND DISCUSSION

A. Parks & Recreation Reports

Parks Report – Gary Marler, Parks Manager -

- The Town Square Fountain, which was damaged in a vehicle accident in December, has been repaired. This was completed the day before the Cultural Celebration. The lights still need to be repaired.
- Most of the Parks staffs energy is being spent at Gauche Aquatic Park at this time. They are renovating the corner triangle areas at C and Emerson with approximately 11,000 square feet of sod. In order to reduce expenditures, the Parks staff have installed the fibar around the playground equipment and are also assisting in assembling the lifeguard stands and some concession items.
- The pools are full and operational, with staff receiving some formal training regarding the equipment today.

Mr. McIntire stated the dedication date is going to be October 4<sup>th</sup> at 5 p.m. He stated invitations will be going out on Monday.

Commissioner Garmire asked if there is a play structure at the park, and Mr. Marler stated there are two - one for 2 – 5 year olds and one for 5 -12 year olds. Commissioner Garmire asked if he could describe the one for the older children, and Mr. Marler stated it is called Rivertown. This area has a concrete bridge to enter the play area, which is designed in an aquatic theme.

Vice-Chairperson Koll asked about the entrance of the park, and Mr. Marler stated the entrance is on C Street, complete with a full circle and upper parking lot.

Recreation Report – Brad McIntire, Recreation Manager –

- The upper playground area at Gauche Aquatic Park will have a wheelchair swing that will allow two wheelchairs to pull up onto to swing, along with it being used for children not in wheelchairs. This swing was purchased and donated by the Friends Foundation at a cost of \$7,600.
- Fall Adult Softball registration went well, with the league only being four teams down from last year.
- Mighty Mite Flag Football is scheduled to begin shortly, with 250 participants enrolled.
- Afterschool Programs are held at six Yuba City Unified School District schools this year.
- Senior Trips are completely full for the fall, with the exception of one trip in November.

- Cultural Celebration was held on September 8<sup>th</sup> and was a very successful event.
- Skip King has announced his retirement for the end of November.

Commissioner Minnix asked if there is a maintenance contract on the wheelchair swing. Mr. McIntire stated there is not, however the Parks Department will maintain it as they do all of the park equipment in the City.

Vice-Chairperson Koll asked if Feather River Aquatics Club was using the pool at Sam Brannan. Mr. McIntire stated they were not, and had been utilizing Marysville High School's pool this past year. He is anticipating that they will be using the new facility in the near future. Meetings have been held, and a contract will need to be drawn up. Vice-Chairperson Koll asked if both of the high schools would be using the facility for swim teams and dive teams? Mr. McIntire said they would be using it for both of these and for water polo as well.

- B. Agenda Items for the Next Commission Meeting  
No items at this time.

VIII. TREE ADVISORY BOARD  
No information at this time.

IX. NEXT COMMISSION DATE  
The next regular scheduled meeting will be held October 17, 2007 at 5:30 p.m. in the City Hall Council Chambers, 1201 Civic Center Boulevard, Yuba City. Chairperson Blake informed the Commission she would not be in attendance at this meeting.

X. ADJOURNMENT  
Vice-Chairperson Koll adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Brad McIntire  
Recreation Manager

BM/bg