

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>08/06/13</u>		Item Number: <u>A-2</u>	
PRCS COMMISSION AGENDA ITEM: Consideration of a Recommendation to the City Council Regarding Designating Certain Sidewalks/Walkways within Veterans' Memorial Park as Dog Paths (as illustrated in Attachment A).			
Contact Person/Dept.: Dan Hernandez, PRCS Director		Phone Number: (310) 253-6655	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: (Postcard Mailing) Owners, Occupants and Businesses within a 500 foot radius of Veterans' Memorial Park (extended to the end of the block where appropriate; 734 postcards; 07/17/13); (Email) Subscribers of Culver City News and Events, Parks, Recreation & Community Service Department Updates, Meetings and Agendas – Parks, Recreation, and Community Services Commission, Senior Citizens (07/18/13 and 08/02/13); (Website Posting) Culver City Highlights & PRCS Department Homepage (07/22/13); (Cable Slide) Channel 35/37 (07/31/19 through 08/06/13); (Posted Notices) Veterans' Memorial Park (07/31/19 through 08/06/13).			
Department Approval: Dan Hernandez (07/30/13).		City Attorney Approval: N/A	
Chief Financial Officer Approval: N/A		City Manager Approval: N/A	
<u>RECOMMENDATION:</u> Staff recommends that the Parks, Recreation and Community Services (PRCS) Commission consider making a recommendation to the City Council regarding designating certain sidewalks/walkways within Veterans' Memorial Park as dog paths (as illustrated in Attachment A). <u>BACKGROUND:</u> <u><i>Culver City Municipal Code Relating to Dogs and Designated Dog Paths</i></u> For reference, the following is an excerpt of the Culver City Municipal Code relating to the prohibition of dogs within Culver City Parks: § 9.10.055 PROHIBITIONS Within the limits of any public park it shall be unlawful for any person: A. Having charge, care, custody or control of any dog, except as permitted by § 9.10.400 or § 9.10.600, or other animal, fowl, or reptile to cause, permit or allow the same to be within the limits of any public park within			

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the City, unless such person shall have obtained a special permit from the City Council to conduct an entertainment or exhibition in which an animal is a participant.

§ 9.10.400 relates to the Culver City Dog Park within Culver City Park; § 9.10.600 relates to the designated Pooch Paths within Culver West Alexander Park and Culver City Park. § 9.10.600 is excerpted below:

§ 9.10.600 DESIGNATED DOG PATHS.

A. Notwithstanding any other provision in this Code, a person may have charge, care, custody or control of any dog upon the designated dog paths in Culver West Alexander Park and Culver City Park; provided such dog is at all times restrained by a substantial chain or leash not exceeding six (6) feet in length, in the control of a competent person.

B. For purposes of this Section, **DESIGNATED DOG PATHS** shall mean the pathways in Culver West Alexander Park and Culver City Park that are identified by conspicuously displayed signs indicating that they are **DESIGNATED DOG PATHS**, and where the pathways themselves are marked with pictures of paw prints.

C. Nothing in this Section shall permit or allow any person having charge, care, custody or control of any dog to permit or allow that dog to be in any portion of any public park, except as permitted by § [9.10.400](#), other than on the designated dog paths in Culver West Alexander Park and Culver City Park.

The PRCS Commission's Role in the Development of Designated Dog Paths

In its role as an advisory body on matters pertaining to parks, the PRCS Commission has previously made recommendations to the City Council on both the topic of allowing dogs in Culver City parks and on the creation of designated Pooch Paths within the parks. At the February 9, 2009 meeting, the following action was taken by the City Council:

THAT THE CITY COUNCIL CONTINUE THE EXISTING LAW AND PRACTICES THAT DO NOT ALLOW DOGS IN PARKS, EXCEPT IN THE CULVER CITY DOG PARK OR WHERE THERE IS A DESIGNATED DOG PATH, AND AUTHORIZE STAFF AND PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION TO CONSIDER RECOMMENDATIONS TO COUNCIL FOR DESIGNATED DOG PATHS IN OTHER PARKS WHEN A NEED IS IDENTIFIED, AS RECOMMENDED BY THE COMMISSION.

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Designating Sidewalks/Walkways within Veterans' Memorial Park as Dog Paths

This Agenda Item is before the PRCS Commission because staff has noted that conditions exist in Veterans' Memorial Park that are similar to those that warranted designated dog paths in Culver West Alexander Park and Culver City Park. Specifically, it appears that many members of the public do not realize that sidewalks within the Park are on park property (and are not public right-of-way) and that walking dogs in these areas is prohibited just as it is in other areas of the park. Therefore, dog walkers have no compunction about taking their dogs through the park on the sidewalks, unwittingly violating CCMC Section 9.10.055(A). Designating the sidewalks/walkways within Veterans' Memorial park as dog paths will both eliminate this type of misunderstanding and provide a convenience to the public. In addition, it will further enable PRCS Department staff and Park Patrol to adequately and appropriately enforce the "no dogs in parks" policy.

DISCUSSION:

An aerial view of the proposed dog paths within Veterans' Memorial Park is provided as Attachment A. These areas were chosen because community members often take their dogs on leashes through the Park on these sidewalks/walkways. Staff believes that allowing leashed dogs under the control of competent persons in these areas will not disrupt the activities within the park or disturb park visitors.

As noted in the Public Notification section of this report, extensive public outreach was done to notice this evening's discussion; a map detailing the postcard mailing area is provided as Attachment B. All public comment received by 5:30 p.m. on Tuesday, July 30, 2013 regarding this issue is provided as Attachment C. Any public comment received since that time will be placed on the dais for the Commissioners and/or be read into the record at this evening's meeting. The table below summarizes the public comment detailed in Attachment C:

Designating Certain Sidewalks / Walkways Within Veterans' Memorial Park as Dog Paths		Total
Support		1
Oppose		3

Should the PRCS Commission take action at this evening's meeting to recommend to the City Council that certain sidewalks/walkways within Veterans' Memorial Park become designated dog paths, staff will confer with the City Attorney's office to explore the feasibility of also presenting suggestions to the City Council regarding streamlining the procedure for designating dog paths (i.e. amending the Culver City Municipal Code to allow for the establishment of designated dog paths by resolution of the City Council). Regardless of any change in procedure; however, it is staff's

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recommendation that the PRCS Commission's central role in the process of designating dog paths continue (including public outreach, consideration, discussion and recommendation to City Council).

FISCAL ANALYSIS:

The postcard notification of this PRCS Commission Agenda Item cost approximately \$260.00 (excluding staff time). If, based on the Commission's recommendation, the City Council takes action to designate dog paths in Veterans' Memorial Park, costs associated with marking the route as a "Pooch Path" are expected to be approximately \$1,500.00 for signage, paint and stencils. It should be noted that "paw prints" marking the dog paths will only be stenciled at the beginning, end, and at random intervals within the designated sidewalks (as opposed to along the entire route). Funds for this expenditure are available in PRCS Parks Division Account 10130300.514100 – Departmental Special Supplies. Staff time devoted to the project will be approximately twenty (20) hours and will be posted to PRCS Parks Division Account 10130300.411100 – Regular Salaries.

ATTACHMENTS:

- A. Aerial view of the proposed Pooch Paths at Veterans' Memorial Park
- B. Map detailing Public Notification postcard mailing area
- C. Public comment regarding designating certain sidewalks/walkways within Veterans' Memorial Park as dog paths received by 5:30 p.m. on Tuesday, July 30, 2013.

MOTIONS:

That the Parks, Recreation and Community Services Commission:

1. Make a recommendation to the City Council to designate certain sidewalks / walkways within Veterans' Memorial Park as dog paths (as illustrated in Attachment A);

OR

2. Provide staff with alternate suggestions.