

MEETING DATE 07/25/05

AGENDA ITEM Consideration of a Proposed Pilot Program to Allow Dogs on Leashes in Culver West Park for a Period of Ninety Days, and Consideration of Introduction of an Ordinance Amending Culver City Municipal Code Sections 9 01 360 and 9 10 055 (A), Relating to the Prohibition of Dogs Running at Large and in Public Parks, in Order to Implement the Pilot Program

ATTACHMENTS

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ORDINANCE NO 2005-____

AN ORDINANCE OF THE CITY OF CULVER CITY,
CALIFORNIA AMENDING SECTIONS 9 01 360 AND
9 10 055 (A) OF THE CULVER CITY MUNICIPAL CODE
RELATING TO THE PROHIBITION OF DOGS RUNNING AT
LARGE AND IN PUBLIC PARKS, IN ORDER TO
IMPLEMENT A 90-DAY PILOT PROGRAM TO ALLOW
DOGS ON LEASHES IN CULVER WEST PARK

WHEREAS, the Culver City Municipal Code currently prohibits dogs in public
parks, and

WHEREAS, many other cities allow dogs in parks provided that they are on a
leash and other rules are followed, and

WHEREAS, it has been approved by the City Council, upon recommendation
of the Parks and Recreation Commission, to implement a 90-day pilot program to allow
leashed dogs in Culver West Park in order to observe and study the impacts and feasibility
of implementing such a practice on a permanent basis and in additional City parks

NOW, THEREFORE, the City Council of the City of Culver City, California
DOES HEREBY ORDAIN as follows

SECTION 1 Section 9 01 360 of the Culver City Municipal Code is hereby
amended to read as follows

§ 9 01 360 DOGS RUNNING AT LARGE, PROHIBITION, EXCEPTIONS

It shall be unlawful for any person owning or having charge, care,
custody or control of any dog to cause, permit or allow the same to be or to
run at large upon any highway, street, lane, alley court or other public place,
or upon any private property or premises other than those of the person
owning or having charge, care, custody, or control of such dog, in the City,

1 unless such dog be restrained by a substantial chain or leash not exceeding
2 six (6) feet in length and is in charge care custody or control of such
3 competent person Provided however that no such dog shall be allowed or
4 permitted in any of the following places any store market, restaurant cafe
5 lunchroom, soda fountain, bakery or kindred establishments wherein foods for
6 human consumption are served, sold or kept for sale, or in any public park
7 except as permitted by §§ 9 10 055 (A) and 9 10 400

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9 **SECTION 2** Section 9 10 055 (A) of the Culver City Municipal Code is
10 hereby amended to read as follows

11
12 **§ 9 10 055 PROHIBITIONS**

13 Within the limits of any public park it shall be unlawful for any person

14
15 A Having charge, care, custody or control of any dog, except as
16 permitted by § 9 10 400, or other animal, fowl, or reptile to cause, permit or
17 allow the same to be within the limits of any public park within the City unless
18 such person shall have obtained a special permit from the City Council to
19 conduct an entertainment or exhibition in which an animal is a participant
20 Notwithstanding this prohibition, there shall be a 90-day pilot program
21 conducted in Culver West Park from September 7, 2005 through and
22 including December 6, 2005, during which time dogs shall be allowed in
23 Culver West Park during regular operating hours, provided that all persons
24 having charge, care, custody or control of any dog shall comply with the
25 following conditions 1) dogs shall be restrained by a substantial chain or
26 leash not exceeding six feet in length, 2) retractable leashes shall not be

1 permitted, 3) dogs shall not be permitted in the playground and tot lot areas,
2 and 4) dog feces shall be cleaned-up and properly disposed of by the person
3 having charge, care, custody or control of such dog

4 **SECTION 3** Pursuant to Section 512 of the City Charter this
5 Ordinance shall take effect thirty (30) days after the date of its adoption Pursuant to
6 Sections 514 and 517 of the City Charter, prior to the expiration of fifteen (15) days after
7 the adoption, the City Clerk shall cause this Ordinance or a summary thereof, to be
8 published in the Culver City News and shall post this Ordinance or a summary thereof in at
9 least three places within the City
10

11 **SECTION 4** The City Council hereby declares that if any provision, section,
12 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
13 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
14 reason of any preemptive legislation then the City Council would have independently
15 adopted the remaining provisions sections subsections paragraphs sentences phrases
16 or words of this ordinance and as such they shall remain in full force and effect
17

18 APPROVED AND ADOPTED this _____ day of August 2005
19

20
21 _____
22 ALBERT M VERA, Mayor
City of Culver City California

23 ATTEST

24 APPROVED AS TO FORM

25
26 _____
CHRISTOPHER ARMENTA, City Clerk

27 _____
CAROL A SCHWAB, City Attorney

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ATTACHMENT 2

INTEROFFICE MEMORANDUM

DATE June 1, 2004
TO CHAIR DEEN AND MEMBERS OF THE PARKS AND RECREATION COMMISSION
FROM Marty Nicholson, Recreation Manager
THROUGH Don Rogers PRCS Director
SUBJECT Discussion Regarding Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission deny a proposal to recommend to City Council an amendment to the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the Culver City Dog Park is developed

BACKGROUND

The City Council adopted regulations that govern the activities within City parks on January 21, 1957. On May 22, 1961, the City Council added a regulation prohibiting dogs in public parks. Culver City Municipal Code (CCMC) § 9 10 055 (A), Attachment 1, prohibits dogs within any public park within the City unless a special permit from the City Council has been obtained. At the time the "no animals in public parks" regulation was adopted there was a concern about the health impact of dog fecal matter to children who use the limited grass areas in the neighborhood parks.

At the April 2004 Parks and Recreation Commission meeting the Commission directed staff to agendize a discussion regarding a possible amendment to the City Ordinance to allow dogs on leashes in City parks on a temporary basis until the Dog Park is developed.

DISCUSSION

Over the last twenty years, use of City parks has increased dramatically as open space has declined and the population has increased. The needs of park users, like youth sports organizations, picnic permittees and condo/apartment dwellers

have impacted the local neighborhood parks significantly with increased usage. Therefore, today park space is in extremely high demand.

A recommendation to City Council regarding amending the CCMC §§ 9 10 055 to allow dogs on leashes presents the following concerns: 1) children's health, 2) aggressive dogs, 3) conflicts with park users and 4) confusion in ordinance.

Children's Health

Many years ago the City adopted a no dogs in public parks ordinance due to concerns primarily with health and well being of the children who use the park. When dogs defecate in a public park it can lay on the ground overnight. During the night, sprinklers water the fecal matter spreading it around on the grass and making clean up impossible. Small children using the park are prone to sit or lay on the grass and prone to put objects into their mouths which could be contaminated with dog fecal matter. The fecal matter may not be visible to park users as a result of the water sprayed on by the sprinklers.

In addition, though the CCMC prohibits dogs within any public parks, dog fecal matter is already a clean up issue. Some dog owners are responsible and do clean up after their dogs; however, there are many dog owners who do not. It is assumed that if the existing ordinance were changed to allow dogs within public parks, there will be an increase in dog fecal matter in the parks and corresponding increase in maintenance costs and health issues to the children that use the parks for youth sports, recreation programs and drop in use.

Aggressive Dogs

Under current regulations staff has little problem with aggressive dog issues because dogs are not allowed in public parks. However, with a change to the ordinance allowing dogs, there is a potential of aggressive animals impacting the quality of park use for the majority of residents who do not own dogs. A dog owner may not even be aware of his/her dog's aggressive tendencies until they bring the animal to a public park. Due to the high use of City parks, with a change in ordinance conflicts between dogs and park users are bound to occur.

Conflicts with Park Users

We could assume that if dogs on leashes were allowed, some owners would allow their dogs to be without leashes, which results in an increase in conflicts and requires additional enforcement.

A high percentage of permitted park use is for children's birthday parties, company picnics and family gatherings. Dogs allowed to be in City parks may impact the quality of the users' experience with dogs barking and running about without leashes. There are some people who are afraid of dogs, allowing dogs within in public parks may have an impact on the quality of their park experience.

Confusion in Ordinance

A temporary change in the CCMC could create confusion for the public and City staff hired to enforce City regulations. Signage would be required to inform the public of the change in ordinance. The no dog ordinance has taken many years of enforcement to bring most park users into compliance with the ordinance. Residents with dogs would become accustomed to the change and therefore, once the Dog Park is built changing the ordinance back to its former regulation would set back the many years of successful enforcement.

FISCAL ANALYSIS

Changes to park signs to accommodate a temporary change in ordinance have been estimated at \$3,000 including installation costs. Once the Dog Park has been completed signage would have to be changed again. Total costs for signs would be \$6,000. Increase in maintenance as a result of additional clean up has been estimated at \$3,000 per year. There would be a need to provide dog owners with the necessary equipment to clean up after their dogs. Posts to hold the dog fecal bags run approximately \$400 per park including installation. If only one post was installed at every park, the cost would be \$4,400. There is a potential for \$10,400 in equipment costs and approximately \$3,000 annual additional maintenance costs, for an estimated total cost of \$13,400 per year.

ATTACHMENTS

1 CCMS § 9 10 055

MOTION

That the Parks and Recreation Commission deny a recommendation to City Council to amend the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the dog park is opened.

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Gary Ford thanked the Commission for the recognition. He introduced family members who were in the audience: wife Linda, daughters Shauna and Leah, and grand daughter Tammy.

Photographs were taken of the recipient and family with Commissioners and staff members before the dais.

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Item #7a
7 20 p m

Discussion Regarding Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

Don Rogers, PRCS Director, called attention to the staff report and invited questions from the Commission.

Mr. Rogers informed the Commission that he must leave the Commission meeting early to attend the City Council meeting concurrently scheduled at Syd Kronenthal Park.

At this time, Commissioner Alexander entertained the following motion:

IT WAS MOVED BY COMMISSIONER ALEXANDER, SECONDED BY COMMISSIONER SHAPIRO, THAT THE COMMISSION DENY A RECOMMENDATION TO THE CITY COUNCIL TO AMEND THE CITY ORDINANCE TO ALLOW DOGS ON LEASHES IN PUBLIC PARKS ON A TEMPORARY BASIS UNTIL THE DOG PARK IS OPEN.

Commissioner James initiated discussion as she questioned the validity of some of the concerns cited in the staff report relating to 1) children's health, 2) aggressive dogs, 3) conflicts with park users, 4) confusion in ordinance and 5) additional maintenance costs.

She further questioned the source of information and asked staff to return with additional information, including how other cities address the issue of allowing dogs in public parks. She asked that this matter be reagendaized for further discussion and action at the Commission's July meeting.

Commissioner Cooper concurred with Commissioner James' concerns.

After a period of discussion, the following action was taken:

IT WAS MOVED BY COMMISSIONER ALEXANDER, SECONDED BY COMMISSIONER COOPER, THAT THE COMMISSION TABLE THE MOTION AND REAGENDIZE THE ISSUE FOR FURTHER DISCUSSION AND ACTION.

The Chair called for a vote on the motion which resulted in the following:

Ayes	Commissioners James, Shapiro, Alexander, and Cooper
Noes	Commissioner Deen
Abstain	None

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Item #7b
7 31 p m

Consideration and Discussion of the Needs and Benefits Related to the Development of a Community Parks and Recreation Plan

Mr. Rogers circulated a copy of the Culver City Recreation Element, an optional element of the City's General Plan that was adopted by the City Council in January, 1968. He also circulated a copy of the Draft General Plan which he noted was never adopted by the City Council.

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ATTACHMENT 3

INTEROFFICE MEMORANDUM

DATE October 5, 2004
TO CHAIR DEEN AND MEMBERS OF THE PARKS AND RECREATION COMMISSION
FROM Marty Nicholson, Recreation Manager
THROUGH Don Rogers, PRCS Director
SUBJECT Continued Discussion Regarding Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission deny a proposal to recommend to City Council an amendment to the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the Culver City Dog Park is developed

BACKGROUND

At the June 2004 Parks and Recreation Commission meeting, the Commission directed staff to agendize further discussion regarding a possible amendment to the City Ordinance to allow dogs on leashes in City parks on a temporary basis until the Dog Park is developed. Attachment A provides a copy of the staff report from the June meeting. At the June Commission meeting the Commission decided to table the motion and reagendize the issue for further discussion and action. Commissioner James requested additional information regarding how other cities handle allowing dogs in public parks.

DISCUSSION

Staff set out a survey to other cities regarding issues of aggressive dogs in parks and the cost of maintenance regarding dog use in parks. Attachment B provides a copy of the request. Only two cities responded: City of Malibu and City of South Pasadena. The City of Malibu has always had dogs in their parks and therefore had no information regarding increase in maintenance or problems with aggressive dogs. The City of South Pasadena decided to change their ordinance because they do not offer a dog park. The change in ordinance was due to problems with lack of enforcement in the no-dog law. Due to time constraints and the short turn around, staff was unable to conduct additional research on other cities.

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The City has experienced aggressive dogs in the past Three incidents in the last year include

- 1 A woman brought her dog to Culver City Park to use the park as grounds to train her dog to bite The woman was fully clothed in a bite outfit and the dog was extremely aggressive growling and snapping at the air when staff asked that she remove the dog
- 2 On April 30, 2004, Gary Ford, Employee of the Month of June, was working at Carlson Park picking up trash when a dog on a leash approached Mr Ford and bit him in the leg Attachment C provides the police report describing the incident
- 3 On August 15, 2004, an employee distributing flyers door to door had a leashed dog lunge at her and missed being bitten by jumping back while the owner pulled back on the dog's leash The owner claimed the dog was extremely friendly

During the survey of other Cities some Cities are now adopting very strict aggressive dog ordinances to combat the problems with aggressive animals in public parks

When it comes to dog feces, the Parks Division currently experiences problems with people not cleaning up after their dogs It is anticipated, though there is no documentation currently available from other cities, that a change in ordinance to allow dogs in parks would increase the dog fecal matter in parks

In discussing the dogs on leashes in parks issue with members of the Friends of the Culver City Dog Park, there is some concern that allowing dogs in parks on a temporary basis would have a negative impact on the campaign to build a Dog Park

FISCAL ANALYSIS

The fiscal analysis remains the same as last report Costs for signs would be \$6,000 and additional maintenance would run \$3,000 Annual supply costs for bags would be \$400 Posts installation would be \$4,400 Total costs would be \$10,400 in equipment and \$3 000 annually in maintenance

ATTACHMENTS

- A Dog Park Report from the April Commission Meeting
- B Email Survey Questions on Dogs in Parks
- C Police Report Regarding Dog Bite Incident

MOTION

That the Parks and Recreation Commission deny a recommendation to City Council to amendment to City Council an amendment to the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the dog park is developed

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RELATING TO DOGS IN CITY PARKS AND ESTABLISHING THE OFF-LEASH DOG PARK RULES AND REGULATIONS, THE PROPOSED RESOLUTION AUTHORIZING PARK PATROL OFFICERS TO ENFORCE THE RULES AT THE OFF-LEASH DOG PARK, THE PROPOSED RESOLUTION ESTABLISHING DOG PARK HOURS, AND THE PROPOSED SIGNAGE AT THE DOG PARK, AND DIRECT STAFF TO AGENDIZE THE PROPOSED ORDINANCE AND RESOLUTIONS AT A CITY COUNCIL MEETING FOR DISCUSSION AND ADOPTION

Staff fielded questions from the Commission relative to the staff report

Following lengthy discussion, Chair Shapiro called for a vote on the MOTION WHICH PASSED UNANIMOUSLY

Ms Hirohama advised the proposed ordinance is tentatively scheduled for City Council approval on November 8th with the introduction of the first reading of the ordinance The Council will adopt the rules and regulations with the second reading of the ordinance on November 22nd The ordinance would then take effect 30 days after adoption

Mr Rogers mentioned the dog park cleanup is estimated to be completed by late November

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Item #7b
7 50 p m

Discussion Regarding Park Permits Enforcement Issues

As a follow-up to the Commission's discussion several months ago, Heather Iker informed the Commission that the City Attorney's Office is currently researching the issue of enforcing park permits and other related ordinances pertaining to park usage, including

- enforcement of the current state law prohibiting smoking within 25 feet of a playground or sandbox area,
- proposed Municipal Code amendments to the chapters pertaining to abandoned personal property and shopping carts in public parks as it relates to the homeless population

Ms Iker added the City Attorney's Office is also dealing with other legal issues, which has further delayed this process

She mentioned the City presently has a Homeless Subcommittee that is also addressing some of the issues associated with homelessness

Ms Iker indicated the Commission would be apprised of the legal findings regarding these issues as they develop

Recalling the Commission's action a few months ago to prohibit moon bounces in Lindberg Park, Chair Shapiro asked if moon bounces are still being allowed in other parks

Don Rogers responded that this is a policy issue that must be approved by the City Council at a future meeting

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Item #7c
7 55 p m

Continued Discussion Regarding a Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

Jeannine Stehlin, Culver City resident, addressed the Commission and spoke in strong opposition on any change to the Culver City Dog Ordinance

She read statistical facts on insurance costs relating to dog bite claims and cited a list of diseases that can be transmitted from dog feces to humans

Ms Stehlin stated that the health and safety of children should be the primary concern

Commissioner Deen initiated discussion He stated that allowing dogs on leashes in the parks would be counter productive to the purpose of a dog park

Commissioner Deen proposed the following motion That the Commission deny a recommendation to the City Council to amend the City ordinance to allow dogs on leashes in public parks on a temporary basis until the dog park is developed

There was no second to Commissioner Deen s motion

Discussion continued

Commissioner Cooper voiced concern that the staff report reflects a negative, one-sided viewpoint on the issue of dogs in parks, and that the reference to the Friends of Culver City Dog Park has no relevance to the subject of the report

Commissioner Cooper noted that any amendment to the dog ordinance should not be a temporary change but a permanent change He said he was not ready to vote on the proposed motion at this time

Commissioner James concurred with Commissioner Cooper s sentiments She requested additional information regarding how other cities have addressed allowing dogs in public parks

Commissioner Redholtz expressed concern that the reference in the report to the Friends of Culver City Dog Park may connote an implied support of the issue She clarified the Friends is a 501(c)(3) nonprofit organization and cannot take a stance on any issues other than their own mission

Commissioner Redholtz also recommended staff conduct a community survey to assess the public s level of support

Chair Shapiro voiced concern regarding the cost and amount of staff time associated with a community survey

Responding to Chair Shapiro s concern, Commissioner Cooper suggested holding a public hearing as an option

The following motion was proposed

IT WAS MOVED BY COMMISSIONER JAMES, SECONDED BY COMMISSIONER REDHOLTZ TO TABLE THE MOTION AND REAGENDIZE THE ISSUE OF PERMANENTLY AMENDING THE DOG ORDINANCE TO ALLOW DOGS ON LEASHES IN PARKS FOR FURTHER DISCUSSION AT A PUBLIC HEARING TO BE SCHEDULED AT A FEBRUARY COMMISSION MEETING

Ayes	Commissioners Cooper, James, Redholtz
Noes	Commissioners Deen, Shapiro
Abstain	None

PUBLIC HEARING ITEM PH-1

DATE May 31 2005
TO CHAIR SHAPIRO AND MEMBERS OF THE PARKS AND RECREATION COMMISSION
FROM Patricia Mooney, PRCS Senior Management Analyst
SUBJECT Discussion of the consideration of making a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in public parks within Culver City

RECOMMENDATION

That the Parks and Recreation Commission review the report, consider all public input and discuss the issue of making a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in public parks within Culver City

PROCEDURE

- 1 Chair seeks a motion to receive and file the affidavit and notice of publication
- 2 Chair calls on staff for a brief report or asks Commissioners if they have questions of staff on this subject
- 3 Chair declares the Public Hearing open, and calls upon the public for comments
- 4 Chair seeks a motion to close the Public Hearing
- 5 Commissioners discuss the matter and take the appropriate actions concerning the recommendations or specifically approve changes

NOTICING INFORMATION

Notice was published in the Culver City News the Observer and The Front page during the weeks of May 26 and June 2, 2005 On May 19, 2005 the notice of tonight's discussion was sent out to over 500 persons on the Culver City Email Notification List On May 23rd and 31st, and on June 1st and 6th, and a cable crawler was placed on the Channel 35 video broadcasts of City Council meetings Flyers were distributed at all City parks beginning on May 25, 2005 On May 26, 2005, fifteen concerned residents who had signed a petition regarding this issue were noticed via email Neighborhood Associations were contacted regarding this meeting during the week of May 30, 2005

BACKGROUND

Section 9 01 360 reads as follows DOGS RUNNING AT LARGE PROHIBITION

It shall be unlawful for any person owning or having charge care custody or control of any dog to cause permit or allow the same to be or to run at large upon any highway street lane alley court or other public place or upon any private property or premises other than those of the person owning or having charge care custody or control of such dog in the City unless such dog be restrained by a substantial chain or leash not exceeding six (6) feet in length and is in charge care custody or control of such competent person Provided however that no such dog shall be allowed or permitted in any of the

following places any store market restaurant cafe lunchroom soda fountain bakery or kindred establishments wherein foods for human consumption are served sold or kept for sale or in any public park except as permitted by § 9 10 400

Section 9 10 055 (A) reads as follows *PROHABITIONS - 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 other animal fowl or reptile to cause permit or allow the same to be within the limits of any public park within 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

Prior Commission Actions

At the June 7, 2004 Parks and Recreation Commission meeting, the Commission directed staff to agendize further discussion regarding a possible amendment to the City Ordinance to allow dogs on leashes in City parks on a temporary basis until the Dog Park is developed. Attachment A provides a copy of the staff report from the June meeting. At the June Commission meeting the Commission decided to table the item for additional information.

On October 5, 2004 the item was agendized and the Commission moved to table the discussion. A revised request to agendize a permanent amendment to the City Ordinance to allow dogs on leashes in parks was put forth at that time. Attachment B provides a copy of the minutes of the October 5, 2004 meeting.

The purpose of this report is to provide the Commission with an overview of what other California cities are doing with relation to the issue of allowing leashed dogs in public parks.

DISCUSSION

During the period of May 10, through May 20, 2005, individual emails were sent to 325 cities listed on the California League of Cities website. The ***"Dogs-on-Leash" Public Policy Survey*** was sent to appropriate City Administration or City staff members with a posted email address.

The survey posed the following questions:

- 1 How many parks are there in your City's park system?
- 2 What is your City's policy regarding allowing dogs-on-leash in your parks?
- 3 What are the main reasons that your City has this policy?
- 4 In your opinion, what are the advantages of allowing dogs-on-leash in City parks?
- 5 In your opinion, what are the disadvantages of allowing dogs-on-leash in City parks?

Of the 325 emails sent, 94 surveys were received, for a 29% response rate. Attachment C provides a list of the cities whose information is included in this report. The findings for each question are as follows:

Question 1 How many parks are there in your City's park system?

The number of parks per city ranged from 1 (Buelton) to 160 (Sacramento). Approximately 70% of those who responded worked in cities with 25 parks or less. Seven cities said they had 14 parks, which was also the midpoint of the sample.

Question 2 What is your City's policy regarding allowing dogs-on-leash in your parks?

Ninety percent (90%) of those who responded said that leashed dogs were allowed in one or more of their City parks. Seventy-five percent (75%) reported that leashed dogs were allowed in all of their City's parks. Ten cities (or 3%) did not allow dogs in any of their parks and three of these cities said they had or were planning designated dog parks.

Due to the open-ended nature of the questions, some respondents offered additional information regarding their parks. For example, overall, 34% mentioned that off-leash opportunities were or would soon be available in their cities for dogs and their owners. Usually, this opportunity was in the form of one or more designated dog parks. It was also stated that some of the parks allowing leashed dogs included an 'off-leash fenced exercise area'. In addition, a few respondents mentioned that within parks allowing leashed dogs, dogs were excluded from specific areas in the park, such as tot lots, sports fields, buildings, outdoor recreation courts, and/or large community gatherings such as festivals. Other supplemental comments included 20% of respondents remarking that by ordinance, leashes must be 6' or shorter and 13% who said that their cities provided plastic bags or "doggie mitts" for park patrons.

Question 3 What are the main reasons that your City has this policy?

Sixty-four percent (64%) of those responding said public safety was the reason behind their City's policy regarding leashed dogs in parks. Eighteen percent (18%) stated that the main reason behind the policy was to accommodate and/or benefit dog owners while minimizing the impact of the dogs' presence on other members of the community. Twelve percent (12%) said that the policy was a long standing ordinance. Six percent (6%) gave other reasons, such as resident demand.

Question 4 In your opinion, what are the advantages of allowing dogs-on-leash in City parks? Please see the table below (percentages total more than 100% because more than one advantage was sometimes stated)

ADVANTAGES OF ALLOWING LEASHED DOGS IN PARKS	
Owners Can Share Park Experience w/ Dog	40%
Allows Adequate Exercise for Dogs	28%
Allows Shared Usage of the Parks	25%
Encourages Responsible Pet Ownership	13%
Leash Limits Dog's Mobility / More Control	13%
Added Safety of the Owner and/or the Dog	11%

Question 5 In your opinion, what are the disadvantages of allowing dogs-on-leash in City parks? Please see the table below (percentages total more than 100% because more than one disadvantage was sometimes stated)

DISADVANTAGES OF ALLOWING LEASHED DOGS IN PARKS	
Some Owners Fail to Clean up After Their Dogs	60%
Public Safety Issues / Liability	28%
Some Dogs Interfere with Park Activities and/or Other Users or Generally Misbehave	19%
Some Dog Owners Violate the Ordinance	17%
Some Dogs Pose a Threat to Children	12%

Summary Table

OVERVIEW OF SURVEY RESULTS from 94 California Cities	
Cities with 25 parks or less	70%
Cities allowing leashed dogs in parks	90%
Cities with public safety as a reason for their ordinance	64%
Advantage Owners can share park experience with dog	40%
Disadvantage Some owners fail to clean up after their dogs	60%

FISCAL ANALYSIS

Questions regarding financial costs and/or benefits were not included in this survey. Costs related to allowing dogs on leashes in parks within Culver City were stated in the staff report presented at the June 7, 2004 Commission meeting. Costs detailed in that report included changing park signs (\$3,000 per park), increased maintenance costs (\$3,000 annually per park), and the cost of purchasing and installing posts to hold dog fecal bags (\$400 per installation). The fiscal impact of allowing dogs on leashes in parks is dependent upon several factors including the number and size of parks where the policy is implemented, available staff resources, and the degree to which owners take responsibility for cleaning up their dogs' fecal matter. In addition, if the ordinances are amended, there may be costs associated with litigation due to potential public safety issues.

ATTACHMENTS

- A June 7, 2004 Commission Report
- B Minutes of the October 5, 2004 Commission meeting
- C List of cities participating in the survey

MOTIONS

1 Make a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in all public parks within Culver City

OR

2 Make a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in public parks within Culver City, under one or more of the following conditions: initiate a trial period, limit the number of affected parks, designate areas within specific parks, and/or designate hours within specific parks

OR

3 Provide further direction to staff

OR

4 Take no action at this time

oOo

Item P-4
(7 25 p m)

Employee of the Month for Outstanding Leadership

Marty Nicholson requested the Employee of the Month presentation be postponed until after the public hearing

The Commission concurred with her request

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Public Hearing

Item PH-1
(7 25 p m)

Consideration of amending the City ordinance to allow leashed dogs in parks

MOVED BY COMMISSIONER DEEN, SECONDED BY COMMISSIONER JAMES AND UNANIMOUSLY CARRIED, THAT THE PARKS AND RECREATION COMMISSION RECEIVE AND FILE THE COPIES OF THE NOTICE OF PUBLICATION

Chair Shapiro called for a staff report

Patricia Mooney, Senior Management Analyst, gave the staff report, explaining the report presents an overview of what other California cities are doing in relation to allowing leashed dogs in City parks

She briefly reviewed the ' dogs on leash" park policy survey sent out to 325 cities listed in the League of California Cities' website with email addresses, and the 94 responses (29%) received that were used as data for the staff report The survey questions and an overview of the results included the following

- 1) How many parks are there in your City's park system?
Cities with 25 parks or less – 70%
- 2) What is your City's policy regarding allowing dogs on leash in your parks?
Cities allowing leashed dogs in parks – 89%
- 3) What are the main reasons that your City has this policy?
Cities with public safety as a reason for their ordinance – 64%
- 4) In your opinion, what are the advantages of allowing dogs on leash in City parks?
Advantage Owners can share park experience with their dogs – 40%
- 5) In your opinion, what are the disadvantages of allowing dogs on leash in City parks?

Disadvantage Some owners fail to clean up after their dogs

Chair Shapiro declared the public hearing open

Chair Shapiro invited public testimony

The following members in the audience addressed the Commission in support of amending the City ordinance to allow dogs on leash within City parks

Judy Scott
David Leathers
Alisha Martin
Arthur Russell
Deborah Shands
Michael Faugno
Kathy Weaver
Marilyn Russell
Patricia Graf
Doug Roble (submitted written comments)
Stanley Horn-Bostel
Carole Wilson
Joyce Mundle
Linda Gross
Judy Levitow
Peter B Mundle

The following members in the audience addressed the Commission in opposition to amending the City ordinance to allow dogs on leash within City parks

Laura Romero
Jeannine Stehlin (also submitted a copy of an online petition regarding dogs in parks)
Linda Asklof
Jamie Wallace
Jean Stout
Dena Snedden
Steve Newton
Susan Deen
Daisy Horn-Bostel

MOVED BY COMMISSIONER DEEN, SECONDED BY COMMISSIONER COOPER AND UNANIMOUSLY CARRIED, TO CLOSE THE PUBLIC HEARING

Recess (8 30 p m)

At this time, Chair Shapiro called for a short recess

Reconvene (8 40 p m)

The meeting was reconvened with all Commissioners present

It was noted that the following public comments via email were received relating to amending the ordinance to allow dogs on leash within City parks

In support Ed Rybka
 Carol Heimrich
 Simon Hortwitz

In opposition Larry Loughlin
 Stephen O'Donnell
 Gita Terry
 Kathleen O'Donnell
 Ellis D Smith
 Larry Weiner and family
 Jennifer Mann
 Tam Wedekind
 Caroline Cicero
 Pat Hubley
 Emily H Glick
 Gerald Collins
 Alan Resnick
 Mitch Glickman and family
 Melissa Orr Smith
 Mercedes Anderberg
 June Walden
 Nancy Burne
 Susan Wells
 Leonel Ibarra
 Kyle Nudo

No clear position taken but negative comments made regarding certain aspects of allowing dogs on leash in City parks

R. Waters
Yves Parent

Commissioner James initiated discussion, expressing her support of allowing dogs on leash in one of the City parks. She recommended implementing a pilot project at Fox Hills Park (as suggested by a community member), where many of the residents living in condominiums and apartments do not have backyards and must travel out outside of the City to take their dogs to a park.

Commissioner Deen raised questions regarding the statistical aspect of the email survey information.

Patti Mooney provided clarification.

Commissioner Deen shared information about diseases that can be transmitted from dogs to human. He said he would not be in favor of amending the current ordinance to allow dogs on leash in any public park.

Commissioner Cooper commented on the financial costs detailed in the staff report including changing park signs (\$3,000 per park), increased maintenance costs (\$3,000 annually per park), and cost of purchasing and installing posts to hold dog fecal bags (\$400 per installation)

Based on the overall information, he said he would support a test program on a trial basis at Fox Hills Park and possibly along the Nature Trail in Culver City Park. He said he would not support any area where there are children present due to concern for health issues.

Commissioner Daly-Redholtz commended staff on the email notification process and the public notification in the newspapers which resulted in a good turnout and response for the public hearing. Once again, she emphasized the Culver City Friends of Dog Park has not taken a position regarding the issue of dogs on leash in City parks since the issue is not part of their mission and is separate from the dog park.

Commissioner Daly-Redholtz spoke in support of a pilot program, agreeing with Fox Hills Park as a possible site. She noted that this is not an urgent issue that requires immediate action, but something that staff can research and develop a proposal for a pilot program on a trial basis for perhaps a six-month period in order to study and observe the impacts to the community.

There was general discussion regarding the pilot program concept.

Chair Shapiro stated that she is not in favor of dogs in parks, emphasizing that parks are for children and not for dogs. She said she would not vote for any pilot program or for any park to be used for dogs, except for the Bone Yard currently the site for an off-leash dog park.

Following further discussion, the following action was taken:

MOVED BY COMMISSION JAMES, SECONDED BY COMMISSIONER COOPER, THAT THE PARKS AND RECREATION COMMISSION DIRECT STAFF TO COME BACK WITH INFORMATION REGARDING A PROPOSAL FOR IMPLEMENTATION OF A PILOT PROGRAM FOR DOGS ON LEASHES IN ONE OF CULVER CITY'S PUBLIC PARKS

AYES Commissioners James, Cooper, Daly-Redholtz

NOES Commissioners Deen, Shapiro

ABSTAIN None

ABSENT None

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Public Comment – Items Not on the Agenda

(9 40 p m)

Chair Shapiro invited public participation.

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Culver CITY

ATTACHMENT 5

ITEM NUMBER A-2

DATE July 5, 2005
TO Chair Shapiro and Members of the Parks and Recreation Commission
FROM William L. La Pointe, Director of Parks, Recreation and Community Services
SUBJECT CONSIDERATION OF A PROPOSAL FOR A DOGS-ON-LEASHES PILOT PROGRAM IN ONE OF THE PARKS IN CULVER CITY

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission review, discuss and recommend to the City Council

- a) Implementation of the proposed pilot project for dogs on leashes in one of the parks in Culver City, or
- b) that Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code that prohibit dogs in parks within Culver City remain unchanged, or
- c) another option concerning the issue of allowing dogs in parks within Culver City on which the City Council might act

BACKGROUND

There has been much discussion over the past year regarding whether or not to allow dogs in parks within Culver City so long as they are leashed. At the June 7, 2005 meeting, the Parks and Recreation Commission requested staff to bring back a proposal of a "pilot project" on this issue.

DISCUSSION

The proposal for this pilot project is as follows:

That dogs on leashes (retractable leashes are not allowed) be allowed on the grass area below the children's playground (commonly referred to as the "lower park") of Culver City Park during regular park operating hours for a three-month period of time. This pilot project is being proposed for one park in order to study

and observe the impacts of a practice before a decision is made as to whether or not to allow this practice in all the parks

FISCAL ANALYSIS

Approval of this proposal is anticipated to have some impact on staff and resources for cleanup and patrolling efforts. If this pilot project were approved, it is expected that a more detailed analysis of the fiscal impact would be developed.

MOTION(S)

That the Parks and Recreation Commission

- 1) Recommend to the City Council that a pilot project allowing dogs on leashes (retractable leashes are not allowed) on the grass area below the children's playground (commonly referred to as the "lower park") of Culver City Park during regular park operating hours for a three-month period, so as to observe and quantify how a practice such as this might impact the community if it were allowed in all the City's parks.

or

- 2) Recommend to the City Council that Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code that prohibit dogs in parks within Culver City remain unchanged.

or

- 3) Recommend to the City Council another option concerning the issue of allowing dogs in parks within Culver City.

These Minutes are not official until approved by the Parks and Recreation Commission

REGULAR MEETING OF THE
PARKS AND RECREATION COMMISSION, CITY OF CULVER CITY,
CALIFORNIA

July 5, 2005
7 00 p m

CHAIR ANITA SHAPIRO
NEW CHAIR JEANETTE JAMES

Call to Order

The meeting of the Parks and Recreation Commission was called to order at 7 05 p m in the Council Chambers, City Hall

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Roll Call

Members Present	Commissioners Shapiro, James, Cooper, Deen, Daly-Redholtz
Staff Present	William La Pointe, Parks, Recreation and Community Services Director Heather Iker, Assistant City Prosecutor Patti Mooney, Senior Management Analyst Marty Nicholson, Recreation Manager
Others Present	Jay Handal, Culver City Lions Club Susan Deen, Cultural Affairs Commissioner Jamie Wallace, Culver City Jean Stout, Culver City Judy Scott, Culver City Clark Dikeman, Culver City

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(Excerpt)

Item A-2
(7 27 p m)

Consideration of a proposal for a dogs-on-leashes pilot program in one of the parks in Culver City

The following members in the audience addressed the Commission regarding this issue

Jamie Wallace, Culver City, spoke in opposition

Jean Stout, Culver City, spoke in opposition, commenting on the difficulty of enforcing the ordinance

Judy Scott, Culver City, suggested as a compromise, allowing leashed dogs in parks only during early morning or late at night when most children and parents are not in the parks

Susan Deen, Cultural Affairs Commissioner, speaking as a resident, reminded the Commission that three years ago the Friends of Culver City Dog Park conducted a City Council candidates forum where the candidates had taken a position against allowing dogs on leashes in City parks She voiced opposition, citing enforcement concerns

Jay Handal, Culver City Lions Club, speaking as an individual in support of staff's proposal of a pilot program

At this time, the following action was taken

MOVED BY COMMISSIONER SHAPIRO, SECONDED BY COMMISSIONER DALY REDHOLTZ AND UNANIMOUSLY CARRIED, TO RECEIVE AND FILE EMAIL CORRESPONDENCE FROM MR ELLIS D SMITH AND MS DEBORAH RISSMAN IN OPPOSITION AND MS FRAN LONGMIRE IN SUPPORT OF ALLOWING LEASHED DOGS IN A CITY PARK

At this time, Chair James asked for a staff report

William La Pointe, Director of Parks, Recreation and Community Services, gave the staff report, recommending a proposal for a pilot program on the grass area below the children s playground (commonly referred to as the "lower park") of Culver City Park during regular park operating hours The pilot project would be for a three-month trial basis in order to study and observe the impacts before a decision is made as to whether or not to allow the practice in all the parks

Commissioner Cooper initiated discussion, inquiring about the process in selecting Culver City Park for the proposed program He recalled the Commission had previously discussed Fox Hills Park and Culver West Park as possible locations for a pilot project

Commissioner Daly Redholtz did not think Culver City Park was a good location, citing the negative impacts from the Dog Park and construction of the new skateboard park She questioned staff's rationale in selecting Culver City Park, as it was her understanding that the process was to have involved community input

Commissioner Deen voiced his opposition to developing a pilot program, stating that it was not positive use of staff time

Commissioner Shapiro cited her reasons for opposing the concept She said the Dog Park is there for dogs, the rest of the parks are for children

The following action was taken

MOVED BY COMMISSIONER SHAPIRO THAT THE PARKS AND RECREATION COMMISSION RECOMMEND TO THE CITY COUNCIL THAT SECTIONS 9 01 360

24

AND 9 10 055(A) OF THE CULVER CITY MUNICIPAL CODE THAT PROHIBIT DOGS
IN PARKS WITHIN CULVER CITY REMAIN UNCHANGED

Commissioner Deen seconded the Motion

AYES	Commissioners Deen, Shapiro
NOES	Commissioners Cooper, James, Daly Redholtz
ABSTAIN	None
ABSENT	None

The Motion failed

At this time, Commissioner James provided a brief history regarding the issue of allowing dogs on leashes in parks She did not feel Culver City Park was a good location and recommended considering another site

Following further discussion, the following action was taken

MOVED BY COMMISSIONER COOPER THAT THE PARKS AND RECREATION
COMMISSION RECOMMEND TO THE CITY COUNCIL THAT A PILOT STUDY
ALLOWING DOGS ON 6-FT LEASHES BE DEVELOPED FOR IMPLEMENTATION AT
CULVER WEST PARK FOR A 90-DAY PERIOD IN ORDER TO EVALUATE THE
FEASIBILITY AND IMPACTS BEFORE A DECISION IS MADE AS TO WHETHER OR
NOT TO ALLOW THE PRACTICE IN ALL CITY PARKS

Commissioner Daly Redholtz seconded the Motion

AYES	Commissioners Cooper, James, Daly Redholtz
NOES	Commissioners Shapiro, Deen
ABSTAIN	None
ABSENT	None

The Motion carried

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MEETING DATE 07/25/05

AGENDA ITEM Consideration of a Proposed Pilot Program to Allow Dogs on Leashes in Culver West Park for a Period of Ninety Days, and Consideration of Introduction of an Ordinance Amending Culver City Municipal Code Sections 9 01 360 and 9 10 055 (A), Relating to the Prohibition of Dogs Running at Large and in Public Parks, in Order to Implement the Pilot Program

ATTACHMENTS

		<u>Pages</u>
1	Proposed Ordinance	1-3
2	Staff report and excerpt of minutes of 6/1/04 Commission meeting	4-7
3	Staff report and excerpt of minutes of 10/5/04 Commission meeting	8-12
4	Staff report and excerpt of minutes of 6/7/05 Commission meeting	13-20
5	Staff report and excerpt of minutes of 7/5/05 Commission meeting	21-25

ORDINANCE NO 2005-____

AN ORDINANCE OF THE CITY OF CULVER CITY,
CALIFORNIA AMENDING SECTIONS 9 01 360 AND
9 10 055 (A) OF THE CULVER CITY MUNICIPAL CODE
RELATING TO THE PROHIBITION OF DOGS RUNNING AT
LARGE AND IN PUBLIC PARKS, IN ORDER TO
IMPLEMENT A 90-DAY PILOT PROGRAM TO ALLOW
DOGS ON LEASHES IN CULVER WEST PARK

WHEREAS, the Culver City Municipal Code currently prohibits dogs in public
parks, and

WHEREAS, many other cities allow dogs in parks provided that they are on a
leash and other rules are followed, and

WHEREAS, it has been approved by the City Council, upon recommendation
of the Parks and Recreation Commission, to implement a 90-day pilot program to allow
leashed dogs in Culver West Park in order to observe and study the impacts and feasibility
of implementing such a practice on a permanent basis and in additional City parks

NOW, THEREFORE, the City Council of the City of Culver City, California
DOES HEREBY ORDAIN as follows

SECTION 1 Section 9 01 360 of the Culver City Municipal Code is hereby
amended to read as follows

§ 9 01 360 DOGS RUNNING AT LARGE, PROHIBITION, EXCEPTIONS

It shall be unlawful for any person owning or having charge, care,
custody or control of any dog to cause, permit or allow the same to be or to
run at large upon any highway, street, lane, alley court or other public place,
or upon any private property or premises other than those of the person
owning or having charge, care, custody, or control of such dog, in the City,

1 unless such dog be restrained by a substantial chain or leash not exceeding
2 six (6) feet in length and is in charge care custody or control of such
3 competent person Provided however that no such dog shall be allowed or
4 permitted in any of the following places any store market, restaurant cafe
5 lunchroom, soda fountain, bakery or kindred establishments wherein foods for
6 human consumption are served, sold or kept for sale, or in any public park
7 except as permitted by §§ 9 10 055 (A) and 9 10 400

8
9 **SECTION 2** Section 9 10 055 (A) of the Culver City Municipal Code is
10 hereby amended to read as follows

11
12 **§ 9 10 055 PROHIBITIONS**

13 Within the limits of any public park it shall be unlawful for any person

14
15 A Having charge, care, custody or control of any dog, except as
16 permitted by § 9 10 400, or other animal, fowl, or reptile to cause, permit or
17 allow the same to be within the limits of any public park within the City unless
18 such person shall have obtained a special permit from the City Council to
19 conduct an entertainment or exhibition in which an animal is a participant
20 Notwithstanding this prohibition, there shall be a 90-day pilot program
21 conducted in Culver West Park from September 7, 2005 through and
22 including December 6, 2005, during which time dogs shall be allowed in
23 Culver West Park during regular operating hours, provided that all persons
24 having charge, care, custody or control of any dog shall comply with the
25 following conditions 1) dogs shall be restrained by a substantial chain or
26 leash not exceeding six feet in length, 2) retractable leashes shall not be

1 permitted, 3) dogs shall not be permitted in the playground and tot lot areas,
2 and 4) dog feces shall be cleaned-up and properly disposed of by the person
3 having charge, care, custody or control of such dog

4 **SECTION 3** Pursuant to Section 512 of the City Charter this
5 Ordinance shall take effect thirty (30) days after the date of its adoption Pursuant to
6 Sections 514 and 517 of the City Charter, prior to the expiration of fifteen (15) days after
7 the adoption, the City Clerk shall cause this Ordinance or a summary thereof, to be
8 published in the Culver City News and shall post this Ordinance or a summary thereof in at
9 least three places within the City
10

11 **SECTION 4** The City Council hereby declares that if any provision, section,
12 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
13 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
14 reason of any preemptive legislation then the City Council would have independently
15 adopted the remaining provisions sections subsections paragraphs sentences phrases
16 or words of this ordinance and as such they shall remain in full force and effect
17

18 APPROVED AND ADOPTED this _____ day of August 2005
19

20
21 _____
22 ALBERT M VERA, Mayor
City of Culver City California

23 ATTEST

24 APPROVED AS TO FORM

25
26 _____
CHRISTOPHER ARMENTA, City Clerk

27 _____
CAROL A SCHWAB, City Attorney

Culver CITY

ATTACHMENT 2

INTEROFFICE MEMORANDUM

DATE June 1, 2004
TO CHAIR DEEN AND MEMBERS OF THE PARKS AND RECREATION COMMISSION
FROM Marty Nicholson, Recreation Manager
THROUGH Don Rogers PRCS Director
SUBJECT Discussion Regarding Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission deny a proposal to recommend to City Council an amendment to the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the Culver City Dog Park is developed

BACKGROUND

The City Council adopted regulations that govern the activities within City parks on January 21, 1957. On May 22, 1961, the City Council added a regulation prohibiting dogs in public parks. Culver City Municipal Code (CCMC) § 9 10 055 (A), Attachment 1, prohibits dogs within any public park within the City unless a special permit from the City Council has been obtained. At the time the "no animals in public parks" regulation was adopted there was a concern about the health impact of dog fecal matter to children who use the limited grass areas in the neighborhood parks.

At the April 2004 Parks and Recreation Commission meeting the Commission directed staff to agendize a discussion regarding a possible amendment to the City Ordinance to allow dogs on leashes in City parks on a temporary basis until the Dog Park is developed.

DISCUSSION

Over the last twenty years, use of City parks has increased dramatically as open space has declined and the population has increased. The needs of park users, like youth sports organizations, picnic permittees and condo/apartment dwellers

have impacted the local neighborhood parks significantly with increased usage. Therefore, today park space is in extremely high demand.

A recommendation to City Council regarding amending the CCMC §§ 9 10 055 to allow dogs on leashes presents the following concerns: 1) children's health, 2) aggressive dogs, 3) conflicts with park users and 4) confusion in ordinance.

Children's Health

Many years ago the City adopted a no dogs in public parks ordinance due to concerns primarily with health and well being of the children who use the park. When dogs defecate in a public park it can lay on the ground overnight. During the night, sprinklers water the fecal matter spreading it around on the grass and making clean up impossible. Small children using the park are prone to sit or lay on the grass and prone to put objects into their mouths which could be contaminated with dog fecal matter. The fecal matter may not be visible to park users as a result of the water sprayed on by the sprinklers.

In addition, though the CCMC prohibits dogs within any public parks, dog fecal matter is already a clean up issue. Some dog owners are responsible and do clean up after their dogs; however, there are many dog owners who do not. It is assumed that if the existing ordinance were changed to allow dogs within public parks, there will be an increase in dog fecal matter in the parks and corresponding increase in maintenance costs and health issues to the children that use the parks for youth sports, recreation programs and drop in use.

Aggressive Dogs

Under current regulations staff has little problem with aggressive dog issues because dogs are not allowed in public parks. However, with a change to the ordinance allowing dogs, there is a potential of aggressive animals impacting the quality of park use for the majority of residents who do not own dogs. A dog owner may not even be aware of his/her dog's aggressive tendencies until they bring the animal to a public park. Due to the high use of City parks, with a change in ordinance conflicts between dogs and park users are bound to occur.

Conflicts with Park Users

We could assume that if dogs on leashes were allowed, some owners would allow their dogs to be without leashes, which results in an increase in conflicts and requires additional enforcement.

A high percentage of permitted park use is for children's birthday parties, company picnics and family gatherings. Dogs allowed to be in City parks may impact the quality of the users experience with dogs barking and running about without leashes. There are some people who are afraid of dogs, allowing dogs within in public parks may have an impact on the quality of their park experience.

Confusion in Ordinance

A temporary change in the CCMC could create confusion for the public and City staff hired to enforce City regulations. Signage would be required to inform the public of the change in ordinance. The no dog ordinance has taken many years of enforcement to bring most park users into compliance with the ordinance. Residents with dogs would become accustomed to the change and therefore, once the Dog Park is built changing the ordinance back to its former regulation would set back the many years of successful enforcement.

FISCAL ANALYSIS

Changes to park signs to accommodate a temporary change in ordinance have been estimated at \$3,000 including installation costs. Once the Dog Park has been completed signage would have to be changed again. Total costs for signs would be \$6,000. Increase in maintenance as a result of additional clean up has been estimated at \$3,000 per year. There would be a need to provide dog owners with the necessary equipment to clean up after their dogs. Posts to hold the dog fecal bags run approximately \$400 per park including installation. If only one post was installed at every park, the cost would be \$4,400. There is a potential for \$10,400 in equipment costs and approximately \$3,000 annual additional maintenance costs, for an estimated total cost of \$13,400 per year.

ATTACHMENTS

1 CCMS § 9 10 055

MOTION

That the Parks and Recreation Commission deny a recommendation to City Council to amend the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the dog park is opened.

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Gary Ford thanked the Commission for the recognition. He introduced family members who were in the audience: wife Linda, daughters Shauna and Leah, and grand daughter Tammy.

Photographs were taken of the recipient and family with Commissioners and staff members before the dais.

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Item #7a
7 20 p m

Discussion Regarding Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

Don Rogers, PRCS Director, called attention to the staff report and invited questions from the Commission.

Mr. Rogers informed the Commission that he must leave the Commission meeting early to attend the City Council meeting concurrently scheduled at Syd Kronenthal Park.

At this time, Commissioner Alexander entertained the following motion:

IT WAS MOVED BY COMMISSIONER ALEXANDER, SECONDED BY COMMISSIONER SHAPIRO, THAT THE COMMISSION DENY A RECOMMENDATION TO THE CITY COUNCIL TO AMEND THE CITY ORDINANCE TO ALLOW DOGS ON LEASHES IN PUBLIC PARKS ON A TEMPORARY BASIS UNTIL THE DOG PARK IS OPEN.

Commissioner James initiated discussion as she questioned the validity of some of the concerns cited in the staff report relating to 1) children's health, 2) aggressive dogs, 3) conflicts with park users, 4) confusion in ordinance and 5) additional maintenance costs.

She further questioned the source of information and asked staff to return with additional information, including how other cities address the issue of allowing dogs in public parks. She asked that this matter be reagendaized for further discussion and action at the Commission's July meeting.

Commissioner Cooper concurred with Commissioner James' concerns.

After a period of discussion, the following action was taken:

IT WAS MOVED BY COMMISSIONER ALEXANDER, SECONDED BY COMMISSIONER COOPER, THAT THE COMMISSION TABLE THE MOTION AND REAGENDIZE THE ISSUE FOR FURTHER DISCUSSION AND ACTION.

The Chair called for a vote on the motion which resulted in the following:

Ayes	Commissioners James, Shapiro, Alexander, and Cooper
Noes	Commissioner Deen
Abstain	None

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Item #7b
7 31 p m

Consideration and Discussion of the Needs and Benefits Related to the Development of a Community Parks and Recreation Plan

Mr. Rogers circulated a copy of the Culver City Recreation Element, an optional element of the City's General Plan that was adopted by the City Council in January, 1968. He also circulated a copy of the Draft General Plan which he noted was never adopted by the City Council.

Culver CITY

ATTACHMENT 3

INTEROFFICE MEMORANDUM

DATE October 5, 2004
TO CHAIR DEEN AND MEMBERS OF THE PARKS AND RECREATION COMMISSION
FROM Marty Nicholson, Recreation Manager
THROUGH Don Rogers, PRCS Director
SUBJECT Continued Discussion Regarding Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission deny a proposal to recommend to City Council an amendment to the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the Culver City Dog Park is developed

BACKGROUND

At the June 2004 Parks and Recreation Commission meeting, the Commission directed staff to agendize further discussion regarding a possible amendment to the City Ordinance to allow dogs on leashes in City parks on a temporary basis until the Dog Park is developed. Attachment A provides a copy of the staff report from the June meeting. At the June Commission meeting the Commission decided to table the motion and reagendize the issue for further discussion and action. Commissioner James requested additional information regarding how other cities handle allowing dogs in public parks.

DISCUSSION

Staff set out a survey to other cities regarding issues of aggressive dogs in parks and the cost of maintenance regarding dog use in parks. Attachment B provides a copy of the request. Only two cities responded: City of Malibu and City of South Pasadena. The City of Malibu has always had dogs in their parks and therefore had no information regarding increase in maintenance or problems with aggressive dogs. The City of South Pasadena decided to change their ordinance because they do not offer a dog park. The change in ordinance was due to problems with lack of enforcement in the no-dog law. Due to time constraints and the short turn around, staff was unable to conduct additional research on other cities.

8

The City has experienced aggressive dogs in the past Three incidents in the last year include

- 1 A woman brought her dog to Culver City Park to use the park as grounds to train her dog to bite The woman was fully clothed in a bite outfit and the dog was extremely aggressive growling and snapping at the air when staff asked that she remove the dog
- 2 On April 30, 2004, Gary Ford, Employee of the Month of June, was working at Carlson Park picking up trash when a dog on a leash approached Mr Ford and bit him in the leg Attachment C provides the police report describing the incident
- 3 On August 15, 2004, an employee distributing flyers door to door had a leashed dog lunge at her and missed being bitten by jumping back while the owner pulled back on the dog's leash The owner claimed the dog was extremely friendly

During the survey of other Cities some Cities are now adopting very strict aggressive dog ordinances to combat the problems with aggressive animals in public parks

When it comes to dog feces, the Parks Division currently experiences problems with people not cleaning up after their dogs It is anticipated, though there is no documentation currently available from other cities, that a change in ordinance to allow dogs in parks would increase the dog fecal matter in parks

In discussing the dogs on leashes in parks issue with members of the Friends of the Culver City Dog Park, there is some concern that allowing dogs in parks on a temporary basis would have a negative impact on the campaign to build a Dog Park

FISCAL ANALYSIS

The fiscal analysis remains the same as last report Costs for signs would be \$6,000 and additional maintenance would run \$3,000 Annual supply costs for bags would be \$400 Posts installation would be \$4,400 Total costs would be \$10,400 in equipment and \$3 000 annually in maintenance

ATTACHMENTS

- A Dog Park Report from the April Commission Meeting
- B Email Survey Questions on Dogs in Parks
- C Police Report Regarding Dog Bite Incident

MOTION

That the Parks and Recreation Commission deny a recommendation to City Council to amend to City Council an amendment to the City Ordinance to allow dogs on leashes in public parks on a temporary basis until the dog park is developed

10

RELATING TO DOGS IN CITY PARKS AND ESTABLISHING THE OFF-LEASH DOG PARK RULES AND REGULATIONS, THE PROPOSED RESOLUTION AUTHORIZING PARK PATROL OFFICERS TO ENFORCE THE RULES AT THE OFF-LEASH DOG PARK, THE PROPOSED RESOLUTION ESTABLISHING DOG PARK HOURS, AND THE PROPOSED SIGNAGE AT THE DOG PARK, AND DIRECT STAFF TO AGENDIZE THE PROPOSED ORDINANCE AND RESOLUTIONS AT A CITY COUNCIL MEETING FOR DISCUSSION AND ADOPTION

Staff fielded questions from the Commission relative to the staff report

Following lengthy discussion, Chair Shapiro called for a vote on the MOTION WHICH PASSED UNANIMOUSLY

Ms Hirohama advised the proposed ordinance is tentatively scheduled for City Council approval on November 8th with the introduction of the first reading of the ordinance The Council will adopt the rules and regulations with the second reading of the ordinance on November 22nd The ordinance would then take effect 30 days after adoption

Mr Rogers mentioned the dog park cleanup is estimated to be completed by late November

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Item #7b
7 50 p m

Discussion Regarding Park Permits Enforcement Issues

As a follow-up to the Commission's discussion several months ago, Heather Iker informed the Commission that the City Attorney's Office is currently researching the issue of enforcing park permits and other related ordinances pertaining to park usage, including

- enforcement of the current state law prohibiting smoking within 25 feet of a playground or sandbox area,
- proposed Municipal Code amendments to the chapters pertaining to abandoned personal property and shopping carts in public parks as it relates to the homeless population

Ms Iker added the City Attorney's Office is also dealing with other legal issues, which has further delayed this process

She mentioned the City presently has a Homeless Subcommittee that is also addressing some of the issues associated with homelessness

Ms Iker indicated the Commission would be apprised of the legal findings regarding these issues as they develop

Recalling the Commission's action a few months ago to prohibit moon bounces in Lindberg Park, Chair Shapiro asked if moon bounces are still being allowed in other parks

Don Rogers responded that this is a policy issue that must be approved by the City Council at a future meeting

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Item #7c
7 55 p m

Continued Discussion Regarding a Possible Amendment to the City Ordinance to Allow Dogs on Leashes in Public Parks on a Temporary Basis Until the Dog Park is Developed

Jeannine Stehlin, Culver City resident, addressed the Commission and spoke in strong opposition on any change to the Culver City Dog Ordinance

She read statistical facts on insurance costs relating to dog bite claims and cited a list of diseases that can be transmitted from dog feces to humans

Ms Stehlin stated that the health and safety of children should be the primary concern

Commissioner Deen initiated discussion He stated that allowing dogs on leashes in the parks would be counter productive to the purpose of a dog park

Commissioner Deen proposed the following motion That the Commission deny a recommendation to the City Council to amend the City ordinance to allow dogs on leashes in public parks on a temporary basis until the dog park is developed

There was no second to Commissioner Deen s motion

Discussion continued

Commissioner Cooper voiced concern that the staff report reflects a negative, one-sided viewpoint on the issue of dogs in parks, and that the reference to the Friends of Culver City Dog Park has no relevance to the subject of the report

Commissioner Cooper noted that any amendment to the dog ordinance should not be a temporary change but a permanent change He said he was not ready to vote on the proposed motion at this time

Commissioner James concurred with Commissioner Cooper s sentiments She requested additional information regarding how other cities have addressed allowing dogs in public parks

Commissioner Redholtz expressed concern that the reference in the report to the Friends of Culver City Dog Park may connote an implied support of the issue She clarified the Friends is a 501(c)(3) nonprofit organization and cannot take a stance on any issues other than their own mission

Commissioner Redholtz also recommended staff conduct a community survey to assess the public s level of support

Chair Shapiro voiced concern regarding the cost and amount of staff time associated with a community survey

Responding to Chair Shapiro s concern, Commissioner Cooper suggested holding a public hearing as an option

The following motion was proposed

IT WAS MOVED BY COMMISSIONER JAMES, SECONDED BY COMMISSIONER REDHOLTZ TO TABLE THE MOTION AND REAGENDIZE THE ISSUE OF PERMANENTLY AMENDING THE DOG ORDINANCE TO ALLOW DOGS ON LEASHES IN PARKS FOR FURTHER DISCUSSION AT A PUBLIC HEARING TO BE SCHEDULED AT A FEBRUARY COMMISSION MEETING

Ayes	Commissioners Cooper, James, Redholtz
Noes	Commissioners Deen, Shapiro
Abstain	None

PUBLIC HEARING ITEM PH-1

DATE May 31 2005
TO CHAIR SHAPIRO AND MEMBERS OF THE PARKS AND RECREATION COMMISSION
FROM Patricia Mooney, PRCS Senior Management Analyst
SUBJECT Discussion of the consideration of making a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in public parks within Culver City

RECOMMENDATION

That the Parks and Recreation Commission review the report, consider all public input and discuss the issue of making a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in public parks within Culver City

PROCEDURE

- 1 Chair seeks a motion to receive and file the affidavit and notice of publication
- 2 Chair calls on staff for a brief report or asks Commissioners if they have questions of staff on this subject
- 3 Chair declares the Public Hearing open, and calls upon the public for comments
- 4 Chair seeks a motion to close the Public Hearing
- 5 Commissioners discuss the matter and take the appropriate actions concerning the recommendations or specifically approve changes

NOTICING INFORMATION

Notice was published in the Culver City News the Observer and The Front page during the weeks of May 26 and June 2, 2005 On May 19, 2005 the notice of tonight's discussion was sent out to over 500 persons on the Culver City Email Notification List On May 23rd and 31st, and on June 1st and 6th, and a cable crawler was placed on the Channel 35 video broadcasts of City Council meetings Flyers were distributed at all City parks beginning on May 25, 2005 On May 26, 2005, fifteen concerned residents who had signed a petition regarding this issue were noticed via email Neighborhood Associations were contacted regarding this meeting during the week of May 30, 2005

BACKGROUND

Section 9 01 360 reads as follows DOGS RUNNING AT LARGE PROHIBITION

It shall be unlawful for any person owning or having charge care custody or control of any dog to cause permit or allow the same to be or to run at large upon any highway street lane alley court or other public place or upon any private property or premises other than those of the person owning or having charge care custody or control of such dog in the City unless such dog be restrained by a substantial chain or leash not exceeding six (6) feet in length and is in charge care custody or control of such competent person Provided however that no such dog shall be allowed or permitted in any of the

following places any store market restaurant cafe lunchroom soda fountain bakery or kindred establishments wherein foods for human consumption are served sold or kept for sale or in any public park except as permitted by § 9 10 400

Section 9 10 055 (A) reads as follows *PROHABITIONS - 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 other animal fowl or reptile to cause permit or allow the same to be within the limits of any public park within 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

Prior Commission Actions

At the June 7, 2004 Parks and Recreation Commission meeting, the Commission directed staff to agendize further discussion regarding a possible amendment to the City Ordinance to allow dogs on leashes in City parks on a temporary basis until the Dog Park is developed. Attachment A provides a copy of the staff report from the June meeting. At the June Commission meeting the Commission decided to table the item for additional information.

On October 5, 2004 the item was agendized and the Commission moved to table the discussion. A revised request to agendize a permanent amendment to the City Ordinance to allow dogs on leashes in parks was put forth at that time. Attachment B provides a copy of the minutes of the October 5, 2004 meeting.

The purpose of this report is to provide the Commission with an overview of what other California cities are doing with relation to the issue of allowing leashed dogs in public parks.

DISCUSSION

During the period of May 10, through May 20, 2005, individual emails were sent to 325 cities listed on the California League of Cities website. The ***"Dogs-on-Leash" Public Policy Survey*** was sent to appropriate City Administration or City staff members with a posted email address.

The survey posed the following questions:

- 1 How many parks are there in your City's park system?
- 2 What is your City's policy regarding allowing dogs-on-leash in your parks?
- 3 What are the main reasons that your City has this policy?
- 4 In your opinion, what are the advantages of allowing dogs-on-leash in City parks?
- 5 In your opinion, what are the disadvantages of allowing dogs-on-leash in City parks?

Of the 325 emails sent, 94 surveys were received, for a 29% response rate. Attachment C provides a list of the cities whose information is included in this report. The findings for each question are as follows:

Question 1 How many parks are there in your City's park system?

The number of parks per city ranged from 1 (Buelton) to 160 (Sacramento). Approximately 70% of those who responded worked in cities with 25 parks or less. Seven cities said they had 14 parks, which was also the midpoint of the sample.

Question 2 What is your City's policy regarding allowing dogs-on-leash in your parks?

Ninety percent (90%) of those who responded said that leashed dogs were allowed in one or more of their City parks. Seventy-five percent (75%) reported that leashed dogs were allowed in all of their City's parks. Ten cities (or 3%) did not allow dogs in any of their parks and three of these cities said they had or were planning designated dog parks.

Due to the open-ended nature of the questions, some respondents offered additional information regarding their parks. For example, overall, 34% mentioned that off-leash opportunities were or would soon be available in their cities for dogs and their owners. Usually, this opportunity was in the form of one or more designated dog parks. It was also stated that some of the parks allowing leashed dogs included an 'off-leash fenced exercise area'. In addition, a few respondents mentioned that within parks allowing leashed dogs, dogs were excluded from specific areas in the park, such as tot lots, sports fields, buildings, outdoor recreation courts, and/or large community gatherings such as festivals. Other supplemental comments included 20% of respondents remarking that by ordinance, leashes must be 6' or shorter and 13% who said that their cities provided plastic bags or "doggie mitts" for park patrons.

Question 3 What are the main reasons that your City has this policy?

Sixty-four percent (64%) of those responding said public safety was the reason behind their City's policy regarding leashed dogs in parks. Eighteen percent (18%) stated that the main reason behind the policy was to accommodate and/or benefit dog owners while minimizing the impact of the dogs' presence on other members of the community. Twelve percent (12%) said that the policy was a long standing ordinance. Six percent (6%) gave other reasons, such as resident demand.

Question 4 In your opinion, what are the advantages of allowing dogs-on-leash in City parks? Please see the table below (percentages total more than 100% because more than one advantage was sometimes stated)

ADVANTAGES OF ALLOWING LEASHED DOGS IN PARKS	
Owners Can Share Park Experience w/ Dog	40%
Allows Adequate Exercise for Dogs	28%
Allows Shared Usage of the Parks	25%
Encourages Responsible Pet Ownership	13%
Leash Limits Dog's Mobility / More Control	13%
Added Safety of the Owner and/or the Dog	11%

Question 5 In your opinion, what are the disadvantages of allowing dogs-on-leash in City parks? Please see the table below (percentages total more than 100% because more than one disadvantage was sometimes stated)

DISADVANTAGES OF ALLOWING LEASHED DOGS IN PARKS	
Some Owners Fail to Clean up After Their Dogs	60%
Public Safety Issues / Liability	28%
Some Dogs Interfere with Park Activities and/or Other Users or Generally Misbehave	19%
Some Dog Owners Violate the Ordinance	17%
Some Dogs Pose a Threat to Children	12%

Summary Table

OVERVIEW OF SURVEY RESULTS from 94 California Cities	
Cities with 25 parks or less	70%
Cities allowing leashed dogs in parks	90%
Cities with public safety as a reason for their ordinance	64%
Advantage Owners can share park experience with dog	40%
Disadvantage Some owners fail to clean up after their dogs	60%

FISCAL ANALYSIS

Questions regarding financial costs and/or benefits were not included in this survey. Costs related to allowing dogs on leashes in parks within Culver City were stated in the staff report presented at the June 7, 2004 Commission meeting. Costs detailed in that report included changing park signs (\$3,000 per park), increased maintenance costs (\$3,000 annually per park), and the cost of purchasing and installing posts to hold dog fecal bags (\$400 per installation). The fiscal impact of allowing dogs on leashes in parks is dependent upon several factors including the number and size of parks where the policy is implemented, available staff resources, and the degree to which owners take responsibility for cleaning up their dogs' fecal matter. In addition, if the ordinances are amended, there may be costs associated with litigation due to potential public safety issues.

ATTACHMENTS

- A June 7, 2004 Commission Report
- B Minutes of the October 5, 2004 Commission meeting
- C List of cities participating in the survey

MOTIONS

1 Make a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in all public parks within Culver City

OR

2 Make a recommendation to the City Council to amend Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code to allow dogs on leashes in public parks within Culver City, under one or more of the following conditions: initiate a trial period, limit the number of affected parks, designate areas within specific parks, and/or designate hours within specific parks

OR

3 Provide further direction to staff

OR

4 Take no action at this time

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Item P-4
(7 25 p m)

Employee of the Month for Outstanding Leadership

Marty Nicholson requested the Employee of the Month presentation be postponed until after the public hearing

The Commission concurred with her request

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Public Hearing

Item PH-1
(7 25 p m)

Consideration of amending the City ordinance to allow leashed dogs in parks

MOVED BY COMMISSIONER DEEN, SECONDED BY COMMISSIONER JAMES AND UNANIMOUSLY CARRIED, THAT THE PARKS AND RECREATION COMMISSION RECEIVE AND FILE THE COPIES OF THE NOTICE OF PUBLICATION

Chair Shapiro called for a staff report

Patricia Mooney, Senior Management Analyst, gave the staff report, explaining the report presents an overview of what other California cities are doing in relation to allowing leashed dogs in City parks

She briefly reviewed the ' dogs on leash" park policy survey sent out to 325 cities listed in the League of California Cities' website with email addresses, and the 94 responses (29%) received that were used as data for the staff report The survey questions and an overview of the results included the following

- 1) How many parks are there in your City's park system?
Cities with 25 parks or less – 70%
- 2) What is your City s policy regarding allowing dogs on leash in your parks?
Cities allowing leashed dogs in parks – 89%
- 3) What are the main reasons that your City has this policy?
Cities with public safety as a reason for their ordinance – 64%
- 4) In your opinion, what are the advantages of allowing dogs on leash in City parks?
Advantage Owners can share park experience with their dogs – 40%
- 5) In your opinion, what are the disadvantages of allowing dogs on leash in City parks?

Disadvantage Some owners fail to clean up after their dogs

Chair Shapiro declared the public hearing open

Chair Shapiro invited public testimony

The following members in the audience addressed the Commission in support of amending the City ordinance to allow dogs on leash within City parks

Judy Scott
David Leathers
Alisha Martin
Arthur Russell
Deborah Shands
Michael Faugno
Kathy Weaver
Marilyn Russell
Patricia Graf
Doug Roble (submitted written comments)
Stanley Horn-Bostel
Carole Wilson
Joyce Mundle
Linda Gross
Judy Levitow
Peter B Mundle

The following members in the audience addressed the Commission in opposition to amending the City ordinance to allow dogs on leash within City parks

Laura Romero
Jeannine Stehlin (also submitted a copy of an online petition regarding dogs in parks)
Linda Asklof
Jamie Wallace
Jean Stout
Dena Snedden
Steve Newton
Susan Deen
Daisy Horn-Bostel

MOVED BY COMMISSIONER DEEN, SECONDED BY COMMISSIONER COOPER AND UNANIMOUSLY CARRIED, TO CLOSE THE PUBLIC HEARING

Recess (8 30 p m)

At this time, Chair Shapiro called for a short recess

Reconvene (8 40 p m)

The meeting was reconvened with all Commissioners present

It was noted that the following public comments via email were received relating to amending the ordinance to allow dogs on leash within City parks

In support Ed Rybka
 Carol Heimrich
 Simon Hortwitz

In opposition Larry Loughlin
 Stephen O'Donnell
 Gita Terry
 Kathleen O'Donnell
 Ellis D Smith
 Larry Weiner and family
 Jennifer Mann
 Tam Wedekind
 Caroline Cicero
 Pat Hubley
 Emily H Glick
 Gerald Collins
 Alan Resnick
 Mitch Glickman and family
 Melissa Orr Smith
 Mercedes Anderberg
 June Walden
 Nancy Burne
 Susan Wells
 Leonel Ibarra
 Kyle Nudo

No clear position taken but negative comments made regarding certain aspects of allowing dogs on leash in City parks

R. Waters
Yves Parent

Commissioner James initiated discussion, expressing her support of allowing dogs on leash in one of the City parks. She recommended implementing a pilot project at Fox Hills Park (as suggested by a community member), where many of the residents living in condominiums and apartments do not have backyards and must travel out outside of the City to take their dogs to a park.

Commissioner Deen raised questions regarding the statistical aspect of the email survey information.

Patti Mooney provided clarification.

Commissioner Deen shared information about diseases that can be transmitted from dogs to human. He said he would not be in favor of amending the current ordinance to allow dogs on leash in any public park.

Commissioner Cooper commented on the financial costs detailed in the staff report including changing park signs (\$3,000 per park), increased maintenance costs (\$3,000 annually per park), and cost of purchasing and installing posts to hold dog fecal bags (\$400 per installation)

Based on the overall information, he said he would support a test program on a trial basis at Fox Hills Park and possibly along the Nature Trail in Culver City Park. He said he would not support any area where there are children present due to concern for health issues.

Commissioner Daly-Redholtz commended staff on the email notification process and the public notification in the newspapers which resulted in a good turnout and response for the public hearing. Once again, she emphasized the Culver City Friends of Dog Park has not taken a position regarding the issue of dogs on leash in City parks since the issue is not part of their mission and is separate from the dog park.

Commissioner Daly-Redholtz spoke in support of a pilot program, agreeing with Fox Hills Park as a possible site. She noted that this is not an urgent issue that requires immediate action, but something that staff can research and develop a proposal for a pilot program on a trial basis for perhaps a six-month period in order to study and observe the impacts to the community.

There was general discussion regarding the pilot program concept.

Chair Shapiro stated that she is not in favor of dogs in parks, emphasizing that parks are for children and not for dogs. She said she would not vote for any pilot program or for any park to be used for dogs, except for the Bone Yard currently the site for an off-leash dog park.

Following further discussion, the following action was taken:

MOVED BY COMMISSION JAMES, SECONDED BY COMMISSIONER COOPER, THAT THE PARKS AND RECREATION COMMISSION DIRECT STAFF TO COME BACK WITH INFORMATION REGARDING A PROPOSAL FOR IMPLEMENTATION OF A PILOT PROGRAM FOR DOGS ON LEASHES IN ONE OF CULVER CITY'S PUBLIC PARKS

AYES Commissioners James, Cooper, Daly-Redholtz

NOES Commissioners Deen, Shapiro

ABSTAIN None

ABSENT None

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Public Comment – Items Not on the Agenda

(9 40 p m)

Chair Shapiro invited public participation

Culver CITY

ATTACHMENT 5

ITEM NUMBER A-2

DATE July 5, 2005
TO Chair Shapiro and Members of the Parks and Recreation Commission
FROM William L. La Pointe, Director of Parks, Recreation and Community Services
SUBJECT CONSIDERATION OF A PROPOSAL FOR A DOGS-ON-LEASHES PILOT PROGRAM IN ONE OF THE PARKS IN CULVER CITY

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission review, discuss and recommend to the City Council

- a) Implementation of the proposed pilot project for dogs on leashes in one of the parks in Culver City, or
- b) that Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code that prohibit dogs in parks within Culver City remain unchanged, or
- c) another option concerning the issue of allowing dogs in parks within Culver City on which the City Council might act

BACKGROUND

There has been much discussion over the past year regarding whether or not to allow dogs in parks within Culver City so long as they are leashed. At the June 7, 2005 meeting, the Parks and Recreation Commission requested staff to bring back a proposal of a "pilot project" on this issue.

DISCUSSION

The proposal for this pilot project is as follows:

That dogs on leashes (retractable leashes are not allowed) be allowed on the grass area below the children's playground (commonly referred to as the "lower park") of Culver City Park during regular park operating hours for a three-month period of time. This pilot project is being proposed for one park in order to study

and observe the impacts of a practice before a decision is made as to whether or not to allow this practice in all the parks

FISCAL ANALYSIS

Approval of this proposal is anticipated to have some impact on staff and resources for cleanup and patrolling efforts. If this pilot project were approved, it is expected that a more detailed analysis of the fiscal impact would be developed.

MOTION(S)

That the Parks and Recreation Commission

- 1) Recommend to the City Council that a pilot project allowing dogs on leashes (retractable leashes are not allowed) on the grass area below the children's playground (commonly referred to as the "lower park") of Culver City Park during regular park operating hours for a three-month period, so as to observe and quantify how a practice such as this might impact the community if it were allowed in all the City's parks.

or

- 2) Recommend to the City Council that Sections 9 01 360 and 9 10 055 (A) of the Culver City Municipal Code that prohibit dogs in parks within Culver City remain unchanged.

or

- 3) Recommend to the City Council another option concerning the issue of allowing dogs in parks within Culver City.

These Minutes are not official until approved by the Parks and Recreation Commission

REGULAR MEETING OF THE
PARKS AND RECREATION COMMISSION, CITY OF CULVER CITY,
CALIFORNIA

July 5, 2005
7 00 p m

CHAIR ANITA SHAPIRO
NEW CHAIR JEANETTE JAMES

Call to Order

The meeting of the Parks and Recreation Commission was called to order at 7 05 p m in the Council Chambers, City Hall

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Roll Call

Members Present	Commissioners Shapiro, James, Cooper, Deen, Daly-Redholtz
Staff Present	William La Pointe, Parks, Recreation and Community Services Director Heather Iker, Assistant City Prosecutor Patti Mooney, Senior Management Analyst Marty Nicholson, Recreation Manager
Others Present	Jay Handal, Culver City Lions Club Susan Deen, Cultural Affairs Commissioner Jamie Wallace, Culver City Jean Stout, Culver City Judy Scott, Culver City Clark Dikeman, Culver City

oOo

(Excerpt)

Item A-2
(7 27 p m)

Consideration of a proposal for a dogs-on-leashes pilot program in one of the parks in Culver City

The following members in the audience addressed the Commission regarding this issue

Jamie Wallace, Culver City, spoke in opposition

Jean Stout, Culver City, spoke in opposition, commenting on the difficulty of enforcing the ordinance

Judy Scott, Culver City, suggested as a compromise, allowing leashed dogs in parks only during early morning or late at night when most children and parents are not in the parks

Susan Deen, Cultural Affairs Commissioner, speaking as a resident, reminded the Commission that three years ago the Friends of Culver City Dog Park conducted a City Council candidates forum where the candidates had taken a position against allowing dogs on leashes in City parks She voiced opposition, citing enforcement concerns

Jay Handal, Culver City Lions Club, speaking as an individual in support of staff's proposal of a pilot program

At this time, the following action was taken

MOVED BY COMMISSIONER SHAPIRO, SECONDED BY COMMISSIONER DALY REDHOLTZ AND UNANIMOUSLY CARRIED, TO RECEIVE AND FILE EMAIL CORRESPONDENCE FROM MR ELLIS D SMITH AND MS DEBORAH RISSMAN IN OPPOSITION AND MS FRAN LONGMIRE IN SUPPORT OF ALLOWING LEASHED DOGS IN A CITY PARK

At this time, Chair James asked for a staff report

William La Pointe, Director of Parks, Recreation and Community Services, gave the staff report, recommending a proposal for a pilot program on the grass area below the children s playground (commonly referred to as the "lower park") of Culver City Park during regular park operating hours The pilot project would be for a three-month trial basis in order to study and observe the impacts before a decision is made as to whether or not to allow the practice in all the parks

Commissioner Cooper initiated discussion, inquiring about the process in selecting Culver City Park for the proposed program He recalled the Commission had previously discussed Fox Hills Park and Culver West Park as possible locations for a pilot project

Commissioner Daly Redholtz did not think Culver City Park was a good location, citing the negative impacts from the Dog Park and construction of the new skateboard park She questioned staff's rationale in selecting Culver City Park, as it was her understanding that the process was to have involved community input

Commissioner Deen voiced his opposition to developing a pilot program, stating that it was not positive use of staff time

Commissioner Shapiro cited her reasons for opposing the concept She said the Dog Park is there for dogs, the rest of the parks are for children

The following action was taken

MOVED BY COMMISSIONER SHAPIRO THAT THE PARKS AND RECREATION COMMISSION RECOMMEND TO THE CITY COUNCIL THAT SECTIONS 9 01 360

24

AND 9 10 055(A) OF THE CULVER CITY MUNICIPAL CODE THAT PROHIBIT DOGS
IN PARKS WITHIN CULVER CITY REMAIN UNCHANGED

Commissioner Deen seconded the Motion

AYES	Commissioners Deen, Shapiro
NOES	Commissioners Cooper, James, Daly Redholtz
ABSTAIN	None
ABSENT	None

The Motion failed

At this time, Commissioner James provided a brief history regarding the issue of allowing dogs on leashes in parks She did not feel Culver City Park was a good location and recommended considering another site

Following further discussion, the following action was taken

MOVED BY COMMISSIONER COOPER THAT THE PARKS AND RECREATION
COMMISSION RECOMMEND TO THE CITY COUNCIL THAT A PILOT STUDY
ALLOWING DOGS ON 6-FT LEASHES BE DEVELOPED FOR IMPLEMENTATION AT
CULVER WEST PARK FOR A 90-DAY PERIOD IN ORDER TO EVALUATE THE
FEASIBILITY AND IMPACTS BEFORE A DECISION IS MADE AS TO WHETHER OR
NOT TO ALLOW THE PRACTICE IN ALL CITY PARKS

Commissioner Daly Redholtz seconded the Motion

AYES	Commissioners Cooper, James, Daly Redholtz
NOES	Commissioners Shapiro, Deen
ABSTAIN	None
ABSENT	None

The Motion carried

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