

TO: James L. App, City Manager
FROM: Ann Robb, Director, Library and Recreation Services
SUBJECT: Agreement with Parks 4 Pups
DATE: March 4, 2008

Needs: For the City Council to consider continuing a suspension of enforcing the ordinance prohibiting dogs in city parks in a designated area of Centennial Park and renewing an agreement with Parks 4 Pups.

Facts:

1. It is currently unlawful for any person to have a dog or other animal on the grounds of any city park. Exceptions are for Seeing Eye dogs or when permits are granted for special organized programs involving canines.
2. In February, 2006, the city entered into a one year agreement with Parks 4 Pups to provide an opportunity for dogs to be allowed on leash on a designated trail in Centennial Park. Parks 4 Pups volunteers provide pet waste bags and dispensers, and walk the trail to keep it free of litter.
3. By resolution (07-027), City Council also suspended enforcement of the ordinance prohibiting dogs in parks for one year, to be reviewed at the end of the trial period.
4. Parks 4 Pups volunteers have upheld their commitment to maintain the trail. At the end of the one year trial period, they recommended that two changes be made to the existing agreement. The new proposal requests that they walk the trail once per week instead of twice, and that they be relieved of the requirement to check in to the office at Centennial Park each visit.
5. At their February 11, 2008 meeting, Parks and Recreation Advisory Committee unanimously voted to recommend that City Council make the existing agreement and ordinance suspension in effect indefinitely, with the changes requested by Parks 4 Pups. They deferred discussion of the second part of Parks 4 Pups proposal, which requests that the city ordinance be permanently changed, and not specific to Centennial Park.
6. The agreement and suspension could be terminated if Parks 4 Pups does not continue to meet their commitment, or by written request of either party.

Analysis and Conclusion:

City Council approved a one year trial period for suspending enforcement of the ordinance prohibiting dogs in parks; the suspension applies to a designated trail in Centennial Park. . The suspension was made in conjunction with an agreement with Parks 4 Pups who supply and monitor the designated trail in Centennial Park. Parks and Recreation Advisory Committee recommends that City Council continue the suspension and agreement indefinitely. The agreement and

suspension could be terminated if Parks 4 Pups does not uphold their commitment, or by written request of either party.

Policy

Reference: City ordinances:
8.08.020 Leash Law
8.08.055 Dogs in Public Places
Resolution No. 07-027

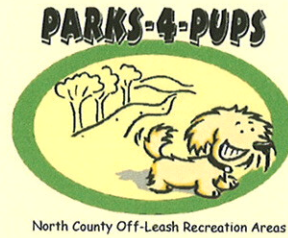
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Impact: None.

Options:

- a. Adopt Resolution No. 08-xxx which indefinitely suspends enforcement of ordinance 8.08.055, Dogs in Public Places, on a designated walking path in Centennial Park, and authorize an agreement with Parks 4 Pups to supply and monitor dog waste dispensers on the trail.
- b. Amend, modify, or reject above option.

Attachments: Parks 4 Pups proposal
Proposed Agreement between City and Parks 4 Pups
Centennial Park trail map



January 14, 2008

Mr. Robert Nash
Chairperson,
Parks and Recreation Advisory Committee
City of El Paso de Robles
600 Nickerson Drive
Paso Robles, CA 93446

Dear Mr. Nash:

On February 6, 2007, the Paso Robles City Council voted to accept our proposal (see Attachment B) to adopt Centennial Park for a one-year trial period to allow park visitors to walk their dogs on leash on a designated "dog walk" trail. Since March 1, 2007, our organization has been diligent in providing and restocking dog walk bag dispensers. Our "park angels" walk the trail on a twice weekly basis to pick up people and dog litter and sign in on the trail maintenance roster or send in reporting postcards.

Our experience this past year has been very positive. Park maintenance staff estimate that between 50 to 100 people per day walk the trail with their dogs on leash. According to Annie Robb, there have been no complaints or incidents related to our project. We have seen a reduction in the amount of dog litter on the half-mile trail from an initial average of 10 pickups to less than 3 pickups on the trail. We have observed that people litter has slightly decreased in the past year.

As we approach the one-year milestone, we are asking the Parks and Recreation Advisory Committee to support our proposal for the following:

- 1) Parks-4-Pups would like to renew our adopt-a-trail agreement for one year with modifications to include once-a-week volunteer visits (instead of twice weekly) and no volunteer sign-in or mail-in postcard requirements. We agree to send "park angel" schedules and contact lists monthly. As most of our volunteers visit the trail after hours, the reporting requirements are onerous. We will continue to provide dog walk bags and maintain dispenser units.
- 2) Parks-4-Pups will be asking the Paso Robles City Council to amend ordinance #489 (Sec 8.08.055) to allow dogs on-leash in designated park areas (see Attachment A for suggested revision). As we approach the master planning process with several city parks and in new housing developments, we want to encourage the development of recreation areas for dog owners. With the ordinance as currently written, the needs of dog owners cannot even be considered in planning. **Our ultimate goal is to develop an off-leash dog park as an amenity within a city park.**

Proposal to Paso Robles Park and Recreation Advisory Committee
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Every city in San Luis Obispo County, every city on the Central Coast from San Francisco to Ventura, and 92% of all cities in California allow dogs on-leash in city parks (see attached proposal). **We would appreciate the PRAC endorsement of this ordinance change.**

We feel it's time to address the recreational needs of dog owners in Paso Robles. We hope you will support our proposal.

Sincerely,



Paula O'Farrell
President
Parks-4-Pups
P.O Box 795
Paso Robles, CA 93447
239-4437
ofarrell@tcsn.net

Attachments

Appendix A: Proposed Ordinance Revision

8.08.055 Dogs in public places

Pursuant to the provisions of the Vehicle Code Section 21113 with respect to animals that may be found in a public park whether or not they are in the company of their owners, it is unlawful for any person to permit any dog or any other animal, owned, harbored or controlled by him to be on the grounds of any public park *unless the park area has been specifically designated with sign postings as allowing dogs on-leash or off-leash* or the individual has been granted a city permit by the parks and recreation department for the specific purpose of conducting an organized program or activity involving but not limited to canines *or a* Properly licensed seeing-eye dogs are automatically exempted from this section.

It shall be the duty of the pound master to seize and impound all dogs found on the grounds of any public park *not specifically exempted from this ruling* within the city limits or cite the owner or persons in control of the animal for violation of this section. Any person violating this section shall be subject to a fine of twenty dollars for each occurrence. (Ord. 489 N.S., 1984)

**AGREEMENT BETWEEN THE
CITY OF EL PASO DE ROBLES AND PARKS 4 PUPS REGARDING
TEMPORARY SUSPENSION OF ENFORCEMENT OF THE
ORDINANCE ADDRESSING DOGS IN PUBLIC PLACES**

THIS AGREEMENT, made and entered into this _____ day of _____, 2008, by and between the CITY OF EL PASO DE ROBLES, a municipal corporation, hereinafter called “CITY”, and PARKS 4 PUPS, a project committee of SLOPOST, a California nonprofit corporation, hereinafter called “PARKS 4 PUPS”.

WITNESSETH

WHEREAS, the CITY, through its Library and Recreation Services Department (LRS) and Public Works Department (PW), and PARKS 4 PUPS are mutually interested in allowing dogs on leash on a designated trail in Centennial park; and

WHEREAS, PARKS 4 PUPS has offered to be responsible for providing certain materials and for performing certain maintenance of designated areas for a one-year trial basis; and

WHEREAS, pursuant to an agreement, dated _____, 2007, PARKS 4 PUPS did satisfactorily provide such materials and maintenance services on a one-year trial basis; and

WHEREAS, the CITY and PARKS 4 PUPS wish to continue this arrangement.

NOW, THEREFORE, the CITY and PARKS 4 PUPS agree as follows:

Section 1. USE OF WALKING TRAILS IN PARKS: The CITY agrees to indefinitely suspend enforcement of Paso Robles Municipal Code section 8.08.055, Dogs in Public Places, to the extent set forth herein, and allow persons with leashed dogs to use the designated pedestrian paths in Centennial Park, as indicated on the map attached hereto as Exhibit A and incorporated herein by reference.

Section 2. LENGTH OF SUSPENSION: The period of suspension for enforcement of section 8.08.055 pursuant to Section 1 hereof shall continue so long as this Agreement is in effect.

Section 3. PARKS 4 PUPS RESPONSIBILITIES: PARKS 4 PUPS agrees to:

1. Order and purchase, at its sole cost, signs, posts, and accompanying hardware to be placed in Centennial Park parking lot. Signs are to include wording “Leash and clean up after your dog” and must be approved by Public Works staff prior to ordering. Order and purchase, at its sole cost, replacements if damaged or destroyed.

2. Order and purchase, at its sole cost, 3 dog walk bag dispensers with 400 bag capacity, posts and accompanying hardware. PARKS 4 PUPS shall obtain the approval of City Public Works department of all such materials prior to purchasing. PARKS 4 PUPS shall also be responsible for maintaining, restocking and replacing equipment or materials as necessary and at its sole cost.

3. Provide a list of participants with contact information to Library and Recreation Services staff.

4. Provide a monthly work schedule of PARKS 4 PUPS participants to Library and Recreation Services staff by the 1st of each month.

5. Assign a minimum of one (1) participant to fill bag dispensers, and inspect and clean up trail once weekly using own equipment. PARKS 4 PUPS participants should be appropriately identified with a uniform T-shirt, name badge, apron, cap, or other appropriate means of identification.

Section 4. CITY RESPONSIBILITIES: The CITY agrees to:

1. Install 3 dog walk bag dispensers along walking path in Centennial Park. Install replacements to be provided by PARKS 4 PUPS if the dispensers are damaged or destroyed.

2. Install new park rules sign provided by PARKS 4 PUPS at parking lot entry. Install replacement signs provided by PARKS 4 PUPS if damaged or destroyed.

3. Maintain a record of PARKS 4 PUPS volunteer activity at the park

4. Notify PARKS 4 PUPS designated contact person to request replacement bags, dispensers or signs, as necessary, or if trail is in need of immediate attention.

Section 5. The parties understand and agree that PARKS 4 PUPS is acting as an independent contractor, and that its members shall not be considered CITY employees or volunteers.

Section 6. Designated Contact Persons.

The designated contact person on behalf of the City shall be

Annie Robb
Director of Library and Recreation Services
600 Nickerson Drive
Paso Robles, CA 93446
(805) 237-3993

The designated contact person for PARKS 4 PUPS shall be:

Paula O'Farrell
P. O. Box 795
Paso Robles, CA 93447
(805) 239-4437

Each party shall notify the other of any change in the designated contact person.

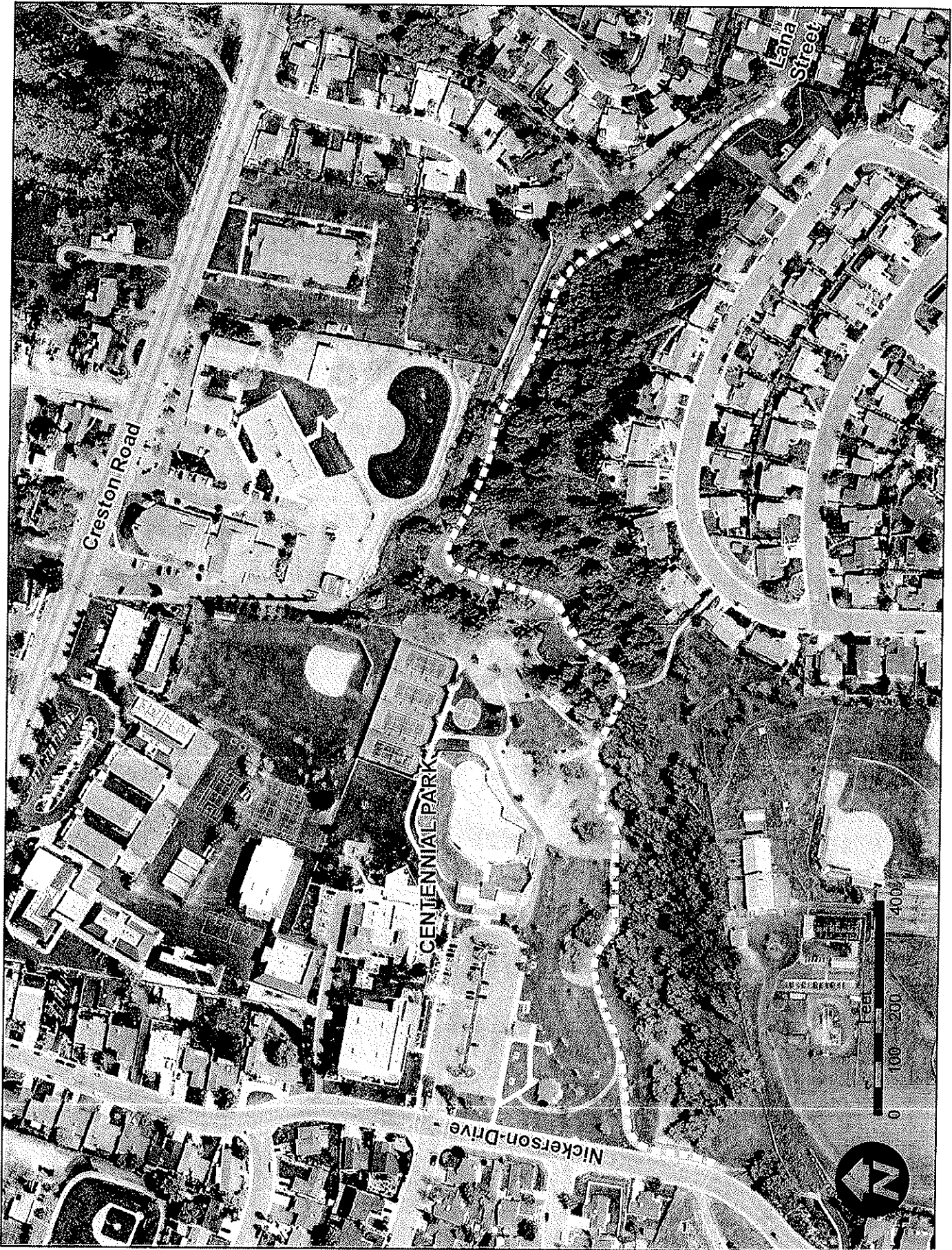
Section 7. TERMINATION: Either party may terminate this Agreement with or without cause by giving the other party thirty (30) days written notice.

PARKS 4 PUPS, a committee of SLOPOST,
a California nonprofit corporation

By: _____

CITY OF PASO ROBLES

By: _____
James L App, City Manager



RESOLUTION NO. 08- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
EL PASO DE ROBLES SUSPENDING ENFORCEMENT OF CITY ORDINANCE 8.08.055,
DOGS IN PUBLIC PLACES, IN SELECTED AREAS

WHEREAS, it is currently unlawful for any person to have a dog or other animal on the grounds of any city park with the exception of seeing-eye dogs or by special permit; and

WHEREAS, Parks 4 Pups has submitted a proposal to designate the walking path at Centennial Park open to dogs on leash; and

WHEREAS, Parks 4 Pups has offered to pay for dog walk bag dispensers, supplies and trail signs and to keep trails free of pet waste and litter; and

WHEREAS, Parks 4 Pups successfully performed this service for one year on a trial basis; and

WHEREAS, the Parks and Recreation Advisory Committee recommends accepting Parks 4 Pups proposal as it applies to Centennial Park;

THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES AS FOLLOWS:

SECTION 1. That enforcement of ordinance 8.08.055, Dogs in Public Places, will be suspended on a designated walking trail in Centennial Park only. Trail is indicated on attached map.

SECTION 2. That the City enter into an agreement wit Parks 4 Pups to continue monitoring and maintaining the trail. The agreement may be cancelled by either party with or without cause by written notice 30 days before cancellation.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 4th day of March, 2008, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk