



REPORT

THE CITY OF SAN DIEGO TO THE PARK AND RECREATION BOARD

DATE ISSUED: August 16, 2010 REPORT NO. 101

ATTENTION: Park and Recreation Board, Agenda of August 19, 2010

SUBJECT: Proposed Changes to Kate O. Sessions Memorial Park
12 Hour Alcohol Ban

SUMMARY

Issue – Should the Park and Recreation Board recommend amending San Diego Municipal Code 56.54, “*Alcoholic Beverage Consumption Prohibited in Certain Areas*,” to delete Kate O. Sessions Memorial Park from the 12 Hour (Hr.) ban, San Diego Muni Code appendix 56.54B and add Kate O. Sessions Memorial Park to the 24 Hr. ban, San Diego Muni Code appendix 56.54A. **The ban would be in effect year round.**

Director’s Recommendation: Implement a compromise to the 24 Hr. alcohol ban to Kate O. Sessions Memorial Park as follows:

- 24-Hr. ban for all weekends (Friday @ 8:00 p.m. through Monday @ 12:00 p.m.)
- 24-Hr. ban for all City, State and Federal Holidays
- When alcohol is allowed it shall be a 16-Hr. ban (12:00 p.m. to 8:00 p.m.) not the current 12-Hr. (8:00 a.m. to 8:00 p.m.)
- 24-Hr. ban year-round for the flat play area adjacent to the Children’s Playground at the north entrance of the park off Soledad Road, as reflect in Attachment 1 (crosshatch).
- Keg Ban

Other Recommendations: Other recommendations suggested by various community members are included within this report.

Fiscal Impact: Cost for new signage is estimated at \$1,200.

Water and Energy Conservation Status: Kate O. Sessions Memorial Park is operated in compliance with all water and energy conservation guidelines contained in Council Policy 200-14.

Environmental Impact - This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines.

BACKGROUND: Kate O. Sessions Memorial Park currently is listed in the San Diego Municipal Code 56.54 with a 12 Hour Ban.

DISCUSSION

Kate O. Sessions Memorial Park is a neighborhood park which was designed and built to serve the 3,500-5,000 community residents within a 1/2-mile radius, as per the City's General Plan. However, with its sweeping views of downtown and Mission Bay, the park site has always been a venue location attractive to individual users, as well as groups. The park is a popular wedding and celebratory event location which brings people from outside the neighborhood.

In November, 2008 the San Diego voters passed an alcohol ban for the beaches, coastal parks and Mission Bay Park. Since this alcohol ban has been in place for the nearby regional parks and beaches, Kate O. Sessions Memorial Park has increasing become a venue for large groups who recreate in the park with the use of alcohol. Park and Recreation Department staff and residents who live near the park have seen a change in the frequency and number of users in the neighborhood park over the past two years.

While the social use of alcohol continues and most individuals and groups who use the park for picnics and social gatherings do so without incident. However, "binge" drinking and the after effects of such alcohol use have become more prevalent in the park. By the use of "social" networking via the internet an "event" for the park can be posted and hundreds to thousands of people can respond to attend the "event." Staff is unable to permit such events as there is no "organization" or individual who is legally responsible for the event. On several occasions staff has seen vans and shuttle buses being used to drop off large numbers of individuals to the park. With the current 12-Hr. ban drinking can often begin and is in full force before 12 noon. The park's popularity over the past two years has increased the numbers from the low hundreds to the estimated 4,000 who used the park on July 4 of this year. These large numbers have increased the overall need for maintenance in the park, including the installation of up to an additional 15 portable toilets to handle the large number of park users. There are also increased traffic and parking issues for the residents living in the surrounding neighborhood.

In 2009, after community members complained about public urination, fights, parking violations and unruly behavior during the July 4th holiday weekend, Council Member Kevin Faulconer, District 2, staff and staff from the Police and Park and Recreation Departments met with members of the Friends of Kate O. Sessions Memorial Park group and other interested community residents who requested to meet to discuss the growing concerns about the consumption of alcohol in the park. Many community members were present and the discussion included a wide range of viewpoints. At the conclusion of the meeting, three commitments were agreed to 1) there would be a one year evaluation of the park's use before considering a 24 Hr. alcohol ban 2) increase the use of Police Department staff outreach and enforcement; and 3) Park and Recreation Department staff would trim plant shrubbery, place one portable toilet in the area where public urination was occurring, paint a red curb along one side of the driveway leading into Kate O. Sessions Memorial Park to allow for better visibility, and place a cage over the park's backflow to prevent illegal use of City water.

Proposed Changes to Kate O. Sessions
Memorial Park 12 Hour Alcohol Ban
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- Police Department enforcement and outreach has been on-going since this time
- 1 portable toilet was added in September 2009, an additional 4 in May 2010 and upwards of 15 total for the 2010 July 4th holiday weekend.
- Painting of additional red curbing at the park entrance was completed in October 2009, with additional red curbing around the flag pole added in June 2010.
- Trimming of plants and surrounding shrubbery was accomplished October of 2009, with additional trimming in June 2010.
- The backflow cage was installed in June 2010.

In January 2010 the process to amend the Municipal Code 56.54 for a 24-Hr. ban began with the first public hearing at the Santa Clara/Pacific Beach Recreation Council, the park advisory council for Kate O. Sessions Memorial Park. Subsequently, the item was heard by the Community Parks I Area Committee on April 7, 2010 and the Park and Recreation Board on May 20, 2010.

After considerable discussion at the May Park and Recreation Board meeting, the Board Members voted in favor of a motion (motion passed 7-1) asking the Department staff to *“look and seek a compromise with all parties who have an interest in this”* (matter). In response to this request, on June 29 the Park and Recreation Director hosted a meeting with invited community members from the neighborhood surrounding the park seeking advice on a possible compromise that might lead to a consensus on guidelines for alcohol use at Kate O. Sessions Memorial Park which, while allowing for some use of alcohol, would establish rules designed to prevent the abuse of alcohol. A number of recommendations were discussed. The Park and Recreation Department is recommending the following amendments to the Municipal Code as it relates to Kate O. Sessions Memorial Park:

- 24-Hr. ban for all weekends (Friday @ 8:00 p.m. through Monday @ 12:00 p.m.)
- 24-Hr. ban for all City, State and Federal Holidays
- When alcohol is allowed it shall be a 16-Hr. ban (12:00 p.m. to 8:00 p.m.) not the current 12-Hr (8:00 a.m. to 8:00 p.m.)
- 24-Hr. ban year-round for the flat play area adjacent to the Children’s Playground at the north entrance of the park off Soledad Road, as reflect in Attachment 1 (crosshatch).
- Keg Ban

Additionally, other recommendations included:

- 1) Strict permit enforcement
- 2) Conduct enforcement sweeps by the Police Department with the assistance of Park Rangers.

Reduction in Crowding Options:

- 3) Reduce crowding by restricting or eliminating commercial access to the park
- 4) Corporate Events - limit permits, number and size, in May/June/July on Saturdays and/or surcharge
- 5) Wedding - limit permits , number and size, in May/June/July on Saturdays and/or surcharge

- 6) Amplified music limits, via regulation or code determination or permit
- 7) Move some park tables

Traffic Options:

- 8) Consider use of Soledad Club for overflow parking when club is not in use or valet parking during weddings
- 9) Possible re-strip of park parking lot to accommodate more cars

Physical Change/Options:

- 10) Move/add picnic tables to different areas to disperse occupancy
- 11) Gate off steps at bottom of park and lock gates from May-September 30th or on weekends (to prevent loading/unloading on Loring Street)

STAKEHOLDERS'S INPUT

- January 19, 2010 Friends of Kate Sessions O. Sessions Memorial Park, a Committee of City Beautiful of San Diego Inc. submitted a request to the Santa Clara/Pacific Beach Recreation Council to replace the 12 hour ban on alcohol use at Kate Sessions O. Sessions Memorial Park with a 24 hour ban.
- January 19, 2010 the Santa Clara/Pacific Beach Recreation Council voted 4-0, with one abstention to recommend changing the 12 hour alcohol ban at Kate O. Sessions Memorial Park to a 24 hour alcohol ban.
- December 1, 2009 the Pacific Beach Planning Group voted 11-2 to recommend that Kate O. Sessions Memorial Park be added to the list of neighborhood and community parks in the City of San Diego that have a 24 hour ban on alcohol use.
- February 21, 2010 the Parks and Beaches Committee of the La Jolla Town Council voted 7-0, with one abstention to recommend changing the 12 hour alcohol ban at Kate O. Sessions Memorial Park to a 24 hour alcohol ban.
- March 11, 2010 the La Jolla Town Council voted 13-0 in favor of a 24 hour alcohol ban at Kate O. Session Memorial Park.
- March 24, 2010 the La Jolla Parks and Recreation Inc. voted 10-0, with two abstentions to support a 24 hour alcohol ban at Kate O. Sessions Memorial Park.
- April 7, 2010, the Community Parks I Division Area Committee voted (10-0) recommending changing the 12 hour alcohol ban at Kate O. Sessions Memorial Park to a 24 hour alcohol ban.

In closing, the use of alcohol at the park has increased over the past two years since the alcohol ban at the nearby regional parks and beaches. This increased use of the park by the public has brought hundreds and in some cases thousands of people to the park which has impacted the surrounding neighbors use of the park. With the increased public use it has brought forth increased maintenance costs to keeping the park maintained. The Police Department statistics also show an increased number of "calls of services" as well as presence in the park (Attachment 2).

After meeting with neighbors community members who wanted to discuss a possible compromise, the Park and Recreation Department has recommended various changes to the current regulations for the use of alcohol at the park.

ALTERNATIVES

1. Recommend approval of the proposed ban with modifications.
2. Do not amend San Diego Municipal Code 56.54.

Respectfully submitted,

Clay Bingham
Deputy Director, Community Parks I Division

CB/cb

Attachments: 1. Kate O. Sessions Memorial Park Map
2. Information on Police Calls for Service, Permit Activity, and
Maintenance Costs



THE CITY OF SAN DIEGO

Kate O. Sessions Memorial Park
Information on Police Calls for Service, Permit Activity, and Maintenance Costs

Police Calls for Service

2007	2008	2009	2010 YTD
96	143	281	171

Total Park Permits

2007	2008	2009	2010 YTD
98	138	157	128

Park Permit by Type and Year

Permit Type	2007	2008	2009	2010 YTD
Special Equipment	54	75	90	57
Ground Use Without Amplification	11	12	30	32
Ground Use with Amplification	4	5	9	13
Weddings	22	38	16	18
Youth Athletics	7	8	10	7
Adult Athletic	0	0	2	1
Yearly Total	98	138	157	128

Extra Park Maintenance Costs

2007	2008	2009	2010 YTD
<i>Base year</i>	\$1,351	\$46,016	\$42,259

YTD – Thru July 2010

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