

Jay Ingram

From: Denise Duff [denise.duff@hotmail.com]
Sent: Wednesday, October 05, 2011 8:56 PM
To: Jay Ingram
Subject: Rancho Laguna Park

To: Jay Ingram, Parks and Recreation Commission and Town Council Members

From: Denise Duff, 12+ year Moraga Resident and fan of Rancho Laguna Park

Today, I found the time to take the dog for a walk and was surprised when instead of turning left on Larch as she normally does, she continued to walk on past and meander down to Rancho Laguna Park – as we have done hundreds of times in her life. While I was down there, I got to thinking about all this back and forth on the park and am writing to you today to state my case on what I think the park should be. We have an opportunity to change things or maybe keep them just the same. However, just because one group has the time to write a 50 page Powerpoint presentation does not mean that their relationship with the park or point of view are any more valid than those of us who cannot find the time to organize groups and argue at every Town Council meeting.

I have lived in Moraga for over 12 years – exactly ½ mile from RL Park. I first used the park as a dog park – where I met all my dog park friends. My husband and I enjoyed taking our new puppy to a great big open space where she could run free, socialize with other dogs and we could meet people (yes, we moved to Moraga without kids – not an easy transition!). Then, we had kids. That is when we used RLPark as a place to meet friends, push the kids on the swings, enjoy the tranquility and safety that the park has to offer. We walked to that park twice a day, nearly every day. We met some of our best friends there – playing with our kids and our dogs (on leash – because it was not Dog Park hours). My kids still remember the time we spent there --- throwing rocks in the creek, hiking up the trail, playing in the amphitheater, talking to the horses, chasing the birds, learning to ride our bikes and scooters all the way around, flying kites, playing catch, collecting fallen leaves and nuts, climbing trees and having a picnic lunch or snack on the grass. It was a staple in our daily lives for many years. Now that our kids are older (elementary school aged), we use RLPark for organized sports and events like, Eurosoccer camps in the summer, a pick-up flag football game with other families in the fall, girl scout events and end of school picnics in the spring and access to the amazing trails leading out of the park all year long.

The underlying theme is that no matter what we used the park for at what stage, we always treasured it. It is a town jewel that deserves some attention and care, and I can see why it is so near and dear to so many. The challenge being that it is a park for all – not for organized dog owners who have enjoyed the benefit of an off leash dog park for years. First and foremost, I think it is critical to rebuild the play areas so children have a safe place to play. I love the Commons – but my kids are always in two separate places. The concept of building a new play ground for multiple ages in one area is spot on, just make sure you include swings (not built from wood!) so our kids can develop their large motor skills, too. I understand that laws have changed and that fencing or barriers of some sort are needed – just make it tasteful and not jail like ;)

Second, it would be nice to keep an area for dogs to run and for their owners to socialize. I think it should be on grass, but I do not think that dogs should run wild and kids play areas/picnic areas should be fenced in. This seems wrong – let the dogs run wild and fence in the people with kids? Read any article that is pro-dog park and it will read something like “There are many good reasons to keep children out of off-leash dog parks, and no good reasons to bring them in. The possibilities for accidents are staggering. Be a responsible parent, and keep your small children in the parks designed for them.” The problem with this in regards to RLPark is that it is a park designed for people and not dogs. It does not have a fenced in area to keep them separate and some dog owners are not as diligent about keeping their dogs in check (or cleaning up after them) and dogs are animals and can sometimes be unpredictable – especially around young kids who do not understand dog behavior. While a dog bite has not been an issue to date (to my knowledge), I do think the Town could be held liable in such an instance since technically this is not a “no kids allowed” park during dog park hours. A fence or barrier of some sort to keep the dogs enclosed while the people run and ride bikes "free" seems to make the most sense, not sure how to do that with no money in the budget – but this does need to be addressed in some fashion. I know my family has made decisions in the past year to avoid RLPark on occasion because “the dogs are there”. How many others are making this same decision – and how often – is unclear.

Finally, on the topic of sports fields, I agree that Moraga needs to have their own town fields. However, I do not think that RLPark is the place for that. The grass area is in terrible shape with ruts and mud (even at the driest part of summer – how do you do that?). A soccer field seems to serve a small population in town – not the majority. And while there are talks that with minor improvements, we could make money renting out the fields, this seems counter to what the RLPark is all about. First of all, we don’t have the money to fix fields for soccer, and it seems to me failing roads and infrastructure should come first – so make the best of what we have and play occasional games there or host practices in off hours seems a reasonable compromise until the town can figure out a long term plan where sports fields are planned, not retrofitted.

This is my opinion and is shared by my husband. We are just two parents raising their kids in a great town, with a lot to offer. We hope that RLPark continues to build community the way it has for so many years with dog owners and non-dog owners alike. And hope that all parties involved can find a way to compromise some and restore RLPark to the town jewel that it is.

Thank you for your time,

Denise Duff

925-377-0456

Jay Ingram

From: Rich Render [rwrender@comcast.net]
Sent: Wednesday, October 05, 2011 11:02 AM
To: Jay Ingram
Subject: Park Use by Moraga Rotary

Hi Jay,

Moraga Rotary has only 2 members who use the park regularly as a dog park. We also remain proud of the train and station we donated there, but wish the town used them more.

We like the separation idea sketch passed around a few months ago, with the dog area always separate from the soccer field that was drawn in. Not sure the direction, but I think the dog area was to the south.

Thanks. -Rich Render

Jay Ingram

From: Michelle Clancy [michelle.clancy@ymail.com]
Sent: Saturday, October 01, 2011 10:59 PM
To: Mike Metcalf; Howard Harpham; kchew4moraga@sbcglobal.net; Karen Mendonca; dtrotter@bowlesverna.com; Jay Ingram; Jill Keimach; lizfaoro25@gmail.com
Subject: Plans for Rancho Laguna Park

My name is Michelle Clancy and I am a resident of Moraga. We live near the intersection of Camino Pablo and Shuey, and we visit Rancho Laguna Park on a fairly regular basis. I have 4 active children between the ages of 10 and 5, and we often find ourselves at the park for birthday parties, cub scout meetings, school field trips, and swim rallies. We even camped in the park over Memorial Day weekend one year.

I have serious concerns about running off-leash dogs in the park. My first experience with this was when a group of us were picnicing in the park over Memorial Day weekend. I didn't know that the park was opened to off-leash dogs at a certain time of the day. Here we were, grilling and sitting down to dinner when all of a sudden a bunch of dogs came up out of nowhere and started to jump up on the table and eat our food. They also jumped on our children and scared my youngest son to the point of tears. As I looked around trying to figure out where these dogs were coming from, I could see a huddle of people off in the distance and they didn't appear to be too concerned about where their dogs had taken off to. As they walked up, a few of them were laughing and one of them said shame on us for not knowing that the park is turned over to the dogs at 5pm. The fact that I couldn't enjoy a picnic in the park without being surrounded by begging dogs was upsetting and scary.

More importantly, I simply won't take my children to the park during off-leash hours because I am concerned for their safety. My 10 year old son is allowed to ride his bike to the park but absolutely not during off-leash dog hours. I worry when there are cub scout events or parties there that run into the off-leash dog hours. If you've ever been there when the park turns into a dog park, you would agree that it isn't safe for children and off-leash dogs to be running around together. Children seem to love animals but they don't always know how to handle themselves around animals. When they see a dog, they usually run up to it to pet it which can sometimes startle the animal. Not all dogs want to be pet either. An animal can jump up and knock a child over. Sometimes the dogs wrestle and bark at each other which can be scary for a child. Sometime a child finds him/herself in the middle of a bunch of running, barking, wrestling dogs and who knows what could happen. Just like parents of children are often socializing and not paying close attention to their children, dog owners are often chatting and not keeping a close eye on their dogs. In the end, you simply cannot predict the behavior of a dog or child.

In closing, I would like to see more of a shared but separate approach for future park usage. Let the dogs run free but within a fenced area so that they and our children are protected.

Sincerely,

Michelle Clancy

Jay Ingram

From: monikahorst@comcast.net
Sent: Sunday, October 02, 2011 1:07 PM
To: Karen Mendonca; Mike Metcalf; Howard Harpham; kchew4moraga@sbcglobal.net; dtrotter@bowlesverna.com; Jill Keimach; Jay Ingram; lizfaoro25@gmail.com
Subject: dog park

To Whom It May
Concern,

September 28, 2011

I would like to express my concerns and input on the issues around Rancho Laguna Park. I am a resident of Moraga, a parent of 3 children and a dog owner. Our family uses this park in a variety of ways. I use it for walks; my children use it for sporting events and for scouting/school outings; and I also use it on occasion for the dog park. After following the discussion of late concerning the space and time for the dog park users, I do believe that this is a community park and that all groups need to compromise and share the park. It is my understanding that the children's area is going to be fenced off so that is a non issue; however, children often like to play ball for which use of the field is important for that activity. It is my hope that a compromise be reached so that the field can be made available to sporting/children activities and dog users. One suggestion is to make the field available in the morning to dog owners and in the afternoons and early evening for non-dog activities. I would also suggest that there be a separate dog area that is fenced off so that a portion of the park will be available to dog owners all day (in the fenced in area). In my view this would be an ideal compromise. I also would like to emphasize that any dogs off leash in the park be properly trained and of good temperament. Additionally, I have noted several times where dog owners have not picked up their dog's feces. This ruins use of the park for all users.

I sure hope that everyone can be responsible, give a little and share!

Monika Horst

1264 Rimer Dr. Moraga

105 Brookfield Dr.
Moraga, CA 94556
September 28, 2011

Moraga Town Council
329 Rheem Blvd.
Moraga, CA 94556

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TOWN OF MORAGA

Dear Moraga Town Council:

I believe that off-leash dogs should be separated from other users of Rancho Laguna Park. I say this because of several incidents, the latest of which happened today, September 28, 2011.

This morning I came off the King's Canyon Trail at the trailhead behind the campfire circle at Rancho Laguna Park. As I was doing some post-run static stretching, using one of the park benches for support, two dogs approached me very closely, and began barking aggressively. They did not stop, nor did they go away, until their owners came to get them. The owners did apologize for their dogs' behavior.

I like dogs. I have owned dogs, but do not currently own one. The provision of space for dogs to run off-leash is a good idea, provided that park users are protected from potentially aggressive dogs.

Thank you for making Moraga a wonderful place to live.

Sincerely,



Stan Oberg

cc: Parks & Recreation Commission

Jay Ingram

From: Jon Chambers [jon@schultzcollins.com]
Sent: Monday, October 03, 2011 7:49 PM
To: Jay Ingram
Subject: Rancho Laguna Park and the Boy Scout BBQ

Hi Jay. Jeff Baldwin suggested that we send a quick message with feedback about how Rancho Laguna Park worked for a Boy Scout BBQ last month (September).

In general, the location was great. The boys participated in activities on the large grassy area, with cooking and eating at the picnic tables at the south end of the park. There was plenty of space, and a good flow of people. The only issue was that at around 6:00, some of the off leash dogs ran through the food area, attempting to get away with some unauthorized doggie snacks. The owners were quite a distance away, so it took several minutes for them to recognize the problem, and regain control over the dogs. There wasn't any true conflict, but I'm a dog owner, so I know how dogs can get around food, and I was glad it didn't escalate to become a bigger problem.

Best,

Jon Chambers

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Jay Ingram

From: Vranesh, James [JVranesh@commscope.com]
Sent: Thursday, September 29, 2011 8:31 PM
To: Karen Mendonca; Mike Metcalf; Howard Harpham; kchew4moraga@sbcglobal.net; dtrotter@bowlesverna.com; Jill Keimach; Jay Ingram; lizfaoro25@gmail.com
Subject: Rancho Laguna Park

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Hello,

My name is Jim Vranesh. I reside at 294 Deerfield drive along with my wife, 3 kids, (ages 5,9,11) and one dog.

I live within walking distance of Rancho Laguna but rarely go there. The clean up after a visit often takes longer then the actual time spent in the Park. In addition to the crap everywhere, dog owners have no problem letting their animals run thru the kid's areas and when you call them on it, they get down right hostile.

Many of the Moraga families we hang out with at swim team or soccer feel the same way. We shuttle kids to Orinda, Pleasant Hill or Walnut Creek for sporting events many times a week. I spend a lot of money in those cities waiting for soccer practices to end or in the down time between games. It would be great if I did not have to leave the area and could spend my dollars locally.

It is just not fair that one of the two parks in Moraga and some of the only flat land suitable for sports fields is useable by only a small percentage of the town population.

I fully support a fenced in, separate area for dogs at Rancho Laguna and developing the field into usable space for human recreational activities. I applaud the Town for authorizing the funds to explore this.

Sincerely,

Jim Vranesh
925-588-5756

Jay Ingram

From: Jeff Baldwin [Jeff_baldwin@comcast.net]
Sent: Wednesday, September 28, 2011 10:31 PM
To: Jay Ingram
Subject: RE: Town of Moraga - Veteran's Day Observance

Jay,

We had our annual recruiting event at the part with the other troops from Moraga (T212, T 234 and T249). It was a great event highlighted by using the BBQ pit to cook for the scouts and their parents. The scouts enjoyed playing capture the flag on the field and setting tents up near the BBQ area. Rancho Laguna is a wonderful facility, very well maintained and a great place to "entertain" 60 to 80 scouts.

I will send this out to the rest of the troop as well.

Rancho Laguna park is one of the main reasons people love to live in Moraga.

Thanks

Jeff

From: Jay Ingram [<mailto:jingram@moraga.ca.us>]
Sent: Wednesday, September 28, 2011 10:31 AM
To: Jeff Baldwin
Subject: RE: Town of Moraga - Veteran's Day Observance

Jeff,

Good to hear from you. Hope all is well. I was asked to reach out to Rancho Laguna Park users, so that is one reason you are getting this e-mail. Could you share this with your troop?

The Town of Moraga is seeking input from Rancho Laguna Park users. Assuming you have used it recently, we are interested in having you weigh in on your thoughts about the park. Please provide those comments to jingram@moraga.ca.us.

Thanks,

Jay Ingram | Parks and Recreation Director

Town of Moraga | 2100 Donald Drive | Moraga, CA 94556
Ph (925) 888-7034 | Fx (925) 376-2034 | jingram@moraga.ca.us

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**Parks
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Life
Better!**

From: Jeff Baldwin [mailto:Jeff_baldwin@comcast.net]
Sent: Tuesday, September 27, 2011 10:12 PM
To: 'tony knox'; Phillips, Dwayne; Alan Zacharin; Nathan Ogle; Brian Morton; 'Phil Peterson'; 'Patrick Geoghegan'
Cc: Karen Mendonca; Jill Keimach; 'Howard Harpham'; ParkWork; mike.metcalf; Jay Ingram; johnhaffner@comcast.net;

Jay Ingram

From: Sarah Gunn [neilandsarahg@att.net]
Sent: Wednesday, September 28, 2011 2:12 PM
To: Karen Mendonca; Mike Metcalf; Howard Harpham; kchew4moraga@sbcglobal.net; dtrotter@bowlesverna.com; Jill Keimach; Jay Ingram; lizfaoro25@gmail.com
Subject: Rancho Laguna Park

Dear Sir/Madam,

I am writing to you in connection with Rancho Laguna Park. I wanted to inform you of my thoughts regarding the park and how I would like to park used in the future.

I am a ten year Moraga resident, a parent and dog owner. I would like to see the Park used by all who want to use it. I would like to see a dedicated dog friendly section. For example a section of the park that is fenced off for the specific use of dogs and their owners. I feel that the rest of the park could be left as is, to be enjoyed by everyone. The cost of this proposal would be minimal and would keep the dogs contained in a specific area. My dog was attacked by an off leash dog and suffered serious, life threatening injuries, my son is afraid of unleashed dogs after an incident with an off leash dog. If Rancho Laguna had a dedicated, self contained section for dogs, incidents like these would not occur.

I feel very strongly that the Park should be available to be used by anyone wishing to use it. However, this has to happen in a safe and respectful manner. Off leash dogs should be under control and in a safe and separate environment.

I hope that you will consider my thoughts when making decisions about the Parks future.

Thank you

Regards,

Sarah Gunn

Jay Ingram

From: Leslie and Chuck Murray [cnlmurray@msn.com]
Sent: Wednesday, September 28, 2011 11:39 AM
To: webmaster@lamorindadogs.org
Cc: Jay Ingram; andy@lamorindaweekly.com
Subject: Moraga Dog Owner, re: RLP

Hi, I just wanted to share my views with your organization on Rancho Laguna Park (RLP) and doggies.

I am a resident of Moraga, I currently own 2 wonderful dogs and have always owned dogs. My dogs get walks daily. We do occasionally frequent Rancho Laguna Park in the evening session.

What I find frustrating is that I can ONLY USE THE PARK AT SPECIFIC TIMES. I'd like to be able to take the dogs to the park at 10 a.m. - off-lease - and allow them to use a dedicated dog area. I'd like to be able to go down at 3:00 p.m. and use a dedicated dog area. I believe more dog owners would be served if a dedicated dog area was accessible during all park hours.

One reason why I would go at 10 or 3 is it would be less crowded and not as loud so I could enjoy the quiet of the hills and nature in general.

Currently, while all the dogs and owners who go to the RLP in the evening are great peoples, the current limited hours prohibit many residents who are dog owners from using the facility.

I would like to see a dog park that is open during all park hours and hope that your group would consider options that would allow for this. It currently feels like many of the dog park users want no changes made thus limiting the dog park usage to themselves and a very small number of residents.

I was unable to attend the council meeting due to surgery and being restricted to bed. I have previously attended a "dog park meeting".

Very sincerely, Leslie Murray
372 Birchwood Drive, Moraga

cc: Jay Ingram, Moraga
Jay, PLEASE FORWARD to all Parks&Recs commissioners and city council members
Andy & Wendy at Lamorinda Weekly

Jay Ingram

From: Niki Peterson [niki@chrisseterson.com]
Sent: Monday, September 26, 2011 4:13 PM
To: Karen Mendonca; Mike Metcalf; Howard Harpham; kchew4moraga@sbcglobal.net; dtrotter@bowlesverna.com; Jill Keimach; Jay Ingram; Liz Faoro
Subject: Rancho Laguna Park

To whom it may concern,

I understand there are discussions ongoing regarding the future use of Rancho Laguna Park. As a Moraga resident (moved to Moraga with my family in 1983 and returned to raise my family here 13 years ago), I would like to express my support for a sports field at Rancho Laguna park.

As everyone is well aware, there is an extreme shortage of field space here in Moraga. The size of Rancho Laguna park would allow for a sports field in addition to still maintaining a child's play area and fenced off dog park. I don't believe Rancho Laguna park was ever intended to be the Lamorinda dog park, but rather a park for use by all Moraga residents. I think having a separate fenced off dog park and a field to use for sports or play would appease the majority of the residents of our town.

Thank you,

Niki Peterson

Niki Peterson
925 377 1119
niki@chrisseterson.com

Jay Ingram

From: Heather O'Donnell [heatherodonnell@yahoo.com]
Sent: Monday, September 26, 2011 2:03 PM
To: Karen Mendonca; Mike Metcalf; Howard Harpham; kchew4moraga@sbcglobal.net; dtrotter@bowlesverna.com; Jill Keimach; Jay Ingram; lizfaoro25@gmail.com
Subject: Dog Park and Children

Hello! I am a parent and dog owner in Moraga. I have raised four dogs and three kids right next to Rancho Laguna and have seen the growth of dogs, children, families and recreational sports enjoying the park over the eleven years I have lived here. The park's popularity has now reached a tipping point, where something has to change. While I love running down to the park with my dog during off leash hours, I become uneasy watching my 4th grade Cub Scout do push ups and situps in the grass later that afternoon. The dog park idea is wonderful, but not all owners are respectful of the rules. I remind my kids to watch out as I look for poop before playing after school, but there is always one that gets by me and ruins the afternoon for that one child. Ask any of the moms at the CP End of School Picnic last June. There was a terrible mess right at the beginning grass and several kids ended up walking through it. The park now is not suited for so many dogs and kids using the same space, it is unsanitary.

I love the dog park, but I also know that a flat grass area is at a premium for kids to play. As someone who uses many of the dog friendly trails around Lamorinda (Kings Canyon, Mulholland Ridge, Lafayette-Moraga Trail, Briones), I don't feel that dogs need a grassy area to run around in, they just need room to run. My kids have used the park for all their growing up years and love it. It is a safe wide open space they can bike to and play in. The two parks of Moraga (Commons and Rancho Laguna) were one of the reasons we moved to Moraga from Lafayette. There was wide open grass areas for the kids to play. I know the Town will find a solution that works for kids and dogs, but if I had to vote one way or the other, I vote for my kids.

Sincerely,
Heather O'Donnell
16 Brandt Dr
Moraga, CA

Jay Ingram

From: Liz Faoro [lizfaoro25@gmail.com]
Sent: Monday, September 26, 2011 10:48 AM
To: Jay Ingram
Subject: Fwd: Support for Rancho Laguna Redevelopment

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

----- Forwarded message -----

From: Jon @ Tina Chambers <jonandtina@covad.net>
Date: Mon, Sep 26, 2011 at 10:39 AM
Subject: Support for Rancho Laguna Redevelopment
To: Mark Fenske <mdfenske@gmail.com>, Elizabeth Faoro <lizfaoro25@gmail.com>, Frank Avenell <favenell@sbcglobal.net>, Denise Nomura <nomurafamily@gmail.com>, Jeff Johnson <jeffjohnsonhome@gmail.com>, Stacy & Rob Giglio <thegigliofamily@comcast.net>, Cindy Moore <cindy@certuscorp.net>, Jari Hazard <jari94556@comcast.net>, Claudia Miyar <clau_miyar@yahoo.com>, Charleen Avenell <cavenell@gmail.com>, Amy Hiatt <amy@tablegroup.com>, Stephen Fetzko <sfetzko@gmail.com>, Hui Jacobson <hui_jacobson@yahoo.com>, Lisa Stepp <LisaStepp@sbcglobal.net>, John & Becky Thomas <jtthomas5@att.net>, Michelle Clancy <michelle.clancy@ymail.com>, Jon Chambers <jon@schultzcollins.com>, Chris Bradley <cbradley@triu.com>, Erek & Fanny Wilson <fannyerek@gmail.com>, Jenny Moreau <jennymoreau@comcast.net>, Heather O'Donnell <heatherodonnell@yahoo.com>, Patricia & Robert Holloway <rapholloway@yahoo.com>, Erek Wilson <erek.wilson@invesco.com>, Craig Jacobson <craigjacobson5@gmail.com>, Mark and Kim Zembsch <kimmarkz@comcast.net>, Courtly Stevens <cstevens@courtlyandco.com>, Russell Stepp <russellstepp@sbcglobal.net>, Kevin Moore <moore@certuscorp.net>, Craig Nomura <craig_nomura@hotmail.com>

Hi all: here is a personal request for some support to help the redevelopment of RL park, specifically to be sure there is a plan and town support for Lamorinda recreational sports events and practices to be held there. If you are following the developments, yes, there is a lot going on but there is also a lot of misinformed public debate and commentary.

So, a few facts:

1. Our friend Liz Faoro has 2 and half years experience dealing with these issues and discussions have not always been pretty with the dog advocates who really only want RL for open dog space.
2. Moraga Town Counsel is now close to making some final decisions on the design, the next meeting will likely result in a recommendation to the designers for the park.
3. Dog advocates DO NOT want the space to be used for recreational sports. Of any sort.

4. Our family are dog owners and lovers - but think compromise is the key and all space in town should be as multipurpose as possible, as we simple do not have a lot of it.

5. As many of you know I just had foot surgery, I could not have done this if Casey's soccer team was not practicing at RL for the month of September as it has made a 6 week window (down to 1 ½ now) of me not driving feasible.

6. There are only about 20 to 25 active Friends of Lamorinda Dogs (name may not be right) that regulars expressing their opinions and the town needs to hear that there are in fact other points of view. A decision will be made soon so we have to weigh in now.

So, below is the email I sent last night. It would help if you can come out to the next town meeting but just as we were able to secure batting cages at JM through an all email campaign to Bruce Burns, your voice via email can and would be heard.

I realize we are all busy and you can use some or all of my message below. But a simple I live in Moraga, I have a dog (if applicable) but want RL to be designed to meet many needs, including fenced space for the dog owners and recreational sports with the right usage guidelines in place. In addition to the emails being displayed in my message, here they are again for your convenience. And it is recommended all members get the same message so we can be sure all decision makers are hearing from us.

Now, if you have a different point of view, that is fully respected. Like many other public issues we all have a voice and should use it. But, if you share the opinion that compromise must be reached please take a moment and pass this along to the town. and, to others in Moraga to help make a difference. My personal view is that our town and community experience should be about the kids coming first, and our 4 legged furry friends are a close second.

mmetcalfe@moraga.ca.us

kmendonca@moraga.ca.us

hharpham@moraga.ca.us

kchew4moraga@sbcglobal.net

dtrotter@bowlesverna.com

manager@moraga.ca.us

jingram@moraga.ca.us

lizfaoro25@gmail.com

Thanks Tina and Jon

Dear Counsel Members, Park & Recreation Director, Town Manager, and Commissioner of Parks & Recreation:

I am writing to you tonight to express a very simple point of view. Rancho Laguna Park needs to be designed to accommodate ALL community member needs.

A few facts:

1. I am a Moraga resident – 9 years
2. I live very close to RL park
3. I am a dog owner and dog lover
4. I am a board member of Eclipse soccer
5. I am a parent of 2 boys, 9 and 11 who play local sports
6. My family has not used the park in the evenings as much as we would have liked over the past 9 years in the evenings because the dog off leash hours during a dinner/picnic have not made for a nice experience. Being interrupted by off leash dogs begging for food, kids stepping in “leave behinds”, and little to no space for anything else beside dogs running around have made it impossible for us to use the park.
7. Almost the same as#4 for weekends, as you may or may not know, many dog owners do not respect the posted hours for use.
8. Dog parks are almost universally a fenced in area, for many basic reasons including public safety, especially for children who are afraid of dogs, mess “avoidance”, and extended hours and access for owners to take their dogs for exercise while they socialize (we have to know that dogs can be walked or run for exercise and a dog park is a “nice resource to have” but not mandatory for a dog’s health.
9. I could go on and on about poor dog owner behavior at the park, both during and not during off leash hours. Simple comment here is many dog owners are abusing the well known posted hours, hence my comment about our families use of the park. Regardless of development plans the town has to improve enforcement of whatever rules are in place, now and in the future.

I very much support a space for a new play structure, perhaps a facelift to the volleyball court, picnic areas, dog space that IS fenced in (common sense, accepted dog park standards, and risk management all lead to this

conclusion) and space that Moraga or Lamorinda local recreational sports clubs can use with acceptable limitations on use guidelines in place.

I plan to be at the upcoming meetings to discuss this development, but in the event that fact # 5 changes my schedule I wanted to pass on my voice and position of compromise so you can have a broader understanding of the community opinions regarding this town topic.

Thank you for your consideration of my thoughts expressed here.

Tina Chambers

October 14, 2011

Honorable Members of the Moraga Park and Recreation Commission
2100 Donald Drive
Moraga, CA 94556

Re: Request that Commissioner Liz Faoro be recused from any further discussion, deliberations or action involving pending Rancho Laguna Park matters

Honorable Members of the Moraga Park and Recreation Commission:

It is requested that Park and Recreation Member Liz Faoro be recused from any further discussion, deliberations or action involving Rancho Laguna Park matters pending before this Commission and the Town Council.

This request is not made lightly, and the volunteer hours provided by members of this Commission to the community are appreciated. However, Commissioners are public officers who are responsible for faithfully observing California open meeting laws and insuring fair process in Commission proceedings. At the Commission meeting on September 20, 2011 when Rancho Laguna Park matters were being considered (Agenda Item No. X.A.), Member Faoro clearly demonstrated an inability to fulfill this public trust, and further demonstrated outright personal animosity towards members of the audience.

As those of you who were present know, Member Faoro was acting as Chair of the meeting when Item X.A. was called, and during the invited presentation. Presenters Blair Newell on behalf of Lamorinda Dogs, Inc. and Jeanette Fritzky (myself) on behalf of various community members, jointly reviewed a PowerPoint before the Commission with thoughtful information and ideas on the Rancho Laguna Park proposals and process. Audience chairs were full of interested participants with some standing in the back. As you will recall, this Rancho Laguna Park item had previously been returned to the Park and Recreation Commission by the Town Council upon request of the Commission, for the Commission to evaluate issues and provide recommendations.

When public comment was called Chair Faoro loudly interrupted and cut off the second and third public speakers, adamantly instructing that they were not permitted to criticize or "blame" during their public comment (to Barry Behr -- "You are not going to blame anyone." And to Bill Cosden -- "Don't talk to me that way, no don't.") Although public comment was still in progress, and without calling a recess, Member Faoro then rose from her chair in an emotional state, and as she walked down the aisle she directed several derogatory comments towards the audience. Member Faoro continued walking on out the door, and did not ever return to the meeting. After some moments had passed, another member of the Commission and the Director announced a recess. (Public comment later resumed only after the urging of the non-Commission participants, with another Commission member acting as Chair.)

One member of the audience wrote a letter to the editor shortly afterwards, describing what he had seen and heard. Steve Smith wrote that, while exiting down the aisle,

Commissioner Faoro "yelled, 'I hate you People!.'" (Letter to the Editor of Lamorinda Patch from Steve Smith, September 23, 2011.)

Two other members of the audience added their observations to Mr. Smith's letter:

- "I was completely shocked at Commissioner Faoro's uncalled for and hostile attitude. I certainly didn't expect such an outburst by a commissioner at a public meeting. (Gail Staber, September 23, 2011, commenting in Lamorinda Patch on Steve Smith's letter to the editor.)
- "Her behavior at the meeting was worse than characterized by Steve Smith. . . . yes, saying, 'I hate you people.' . . . She had tried (in a very hostile tone) to tell speakers what they could and couldn't say (and DID stifle their comments). But that is not what public discourse is all about. . . ." (Karen Lewis, September 23, 2011, commenting in Lamorinda Patch on Steve Smith's letter to the editor.)
- "Ms. Faoro accepted appointment to the Parks and Rec Commission and in doing so she put herself in the position of evaluating issues for the Town Council with input from the public. While serving in that capacity, in a public forum, she made it clear that she does not tolerate dissenting opinion. . . ." (Gail Staber, September 24, 2011, commenting in Lamorinda Patch on Steve Smith's letter to the editor.)¹

Others reported hearing Commissioner Faoro also use the word "horrible" directed towards the audience on her way down the aisle (words to the effect of, 'you horrible people').

Whether or not the two speakers in public comment were intending to be critical, they had a right to speak. As California's open meeting law has been explained by the League of California Cities:

". . . the legislative body cannot prohibit public criticism of policies, procedures, programs, or services of the agency or the acts or omissions of the legislative body itself." ("Open & Public IV: A Guide to the Ralph M. Brown Act," League of California Cities, Second Edition, Revised July 2010, page 30.)²

The Brown Act itself states its intent:

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

¹ Note: Not all of the dialogue that occurred on September 20 can be heard on the Commission's audio recording of that meeting, which was released the following week. There is a gap in the recording; the Director has explained that the gap occurred when the recording was stopped in anticipation of a recess being called.

² California Government Code §54954.3(c): "The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body." (The Ralph M. Brown Act, California Government Code §§54950 et seq., at §54954.3(c).)

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created." (The Ralph M. Brown Act, California Government Code §§54950 et seq., at §54950, emphasis added.)

Further, as long recognized by California courts, personal animosity that rises to bias can constitute a form of conflict of interest: " 'A public officer is impliedly bound to exercise the powers conferred on him with disinterested skill, zeal, and diligence and primarily for the benefit of the public' " (*Clark v. City of Hermosa Beach* (1996) 48 Cal.App.4th 1152, citations omitted.)

Here, public faith and respect in the Park and Recreation Commission process has been seriously undermined by the actions of Commissioner Faoro, in prohibiting legitimate public comment and in exhibiting adverse personal bias towards the participants. Recusal is therefore requested, as to all pending matters involving Rancho Laguna Park.

Respectfully submitted,

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