



**CITY OF CHICO
BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)
POLICY ADVISORY COMMITTEE
(Reddemann, Chair, Glatz & Nickell)**

Regular Meeting Agenda
July 11, 2018, 6 p.m.

Chico Municipal Center Council Chamber Building - 421 Main Street, Conference Room 1

Materials related to an item on this Agenda are available for public inspection in the Park Division Office at 965 Fir Street during normal business hours or online at <http://www.chico.ca.us/>.

1. CALL TO ORDER

2. REGULAR AGENDA

2.1. CONSIDERATION OF REVISING THE CLOSING TIMES FOR ALL CITY PARKS AND GREENWAYS.

At its meeting on 6/5/18, the Chico City Council directed the Bidwell Park and Playground Commission (BPPC) to consider changing the closing time for all City Parks and greenways to 11:00 p.m., which is the current closing time for Middle and Upper Bidwell Park and all CARD parks. At its 6/25/18, meeting the BPPC forwarded this discussion to the Policy Advisory Committee (PAC).

Recommendation: *The Committee is requested to provide a recommendation to the BPPC on whether to close all City Parks at 11:00 p.m. for consistency.*

2.2. CONSIDERATION OF THE ADDITIONAL USE OF SECURITY CAMERAS FOR ALL CITY PARKS AND LIMITING THE USE OF BIDWELL BOWL TO CITY-PERMITTED RESERVATIONS OR EVENTS ONLY.

On 6/5/18, the Chico City Council also requested that BPPC consider the additional use of security cameras in City parks and consider closing the Bidwell Bowl Amphitheatre to city-permitted reservations and events only.

Recommendation: *The Committee is requested to provide a recommendation to the BPPC regarding:*

1. *Potential additional locations of security camera in Bidwell Park and other City Parks and greenways;*
2. *Whether to limit the use of Bidwell Bowl to reservations and permitted events only.*

2.3. REVIEW AND CONSIDERATION OF REGULATIONS REGARDING THE USE OF AMPLIFIED SOUND IN CITY PARKS

At its 6/25/18 meeting, the BPPC considered Commissioner Glatz's request that the Commission review the regulations regarding amplified sound in Bidwell and other City parks. The BPPC forwarded this discussion to the PAC.

Recommendation: *The Committee is requested to provide a recommendation to the BPPC on whether to revise the amplified sound restrictions in City Parks and greenways.*

2.4. REVIEW AND CONSIDERATION OF REGULATIONS REGARDING VEHICLE USE IN LOWER BIDWELL PARK

At its 6/25/18 meeting, the Bidwell Park and Playground Commission (BPPC) considered Commissioner Nickell's request that the Commission review the regulations regarding vehicles in Lower Bidwell Park, particularly regarding speed limits and signage. The BPPC forwarded this discussion to its Policy Advisory Committee (PAC).

Recommendation: *The Committee is requested to recommend that the BPPC approve conducting a speed survey on the portions of South Park Drive and Petersen Drive where vehicles are allowed.*

3. BUSINESS FROM THE FLOOR

Members of the public may address the Committee at this time on any matters not already listed on the agenda, comments are limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

4. ADJOURNMENT

Unless otherwise noticed, adjourn to the next regular meeting on August 8, 2018 at 6:00 p.m. in Conference Room 1, Chico Municipal Center Council Chamber Building located at 421 Main Street, Chico, California.



Please contact the Park Division Office at (530) 896-7800 if you require an agenda in an alternative format, or if you need to request a disability-related modification or accommodation. If possible, this request should be received at least three (3) working days prior to the meeting.



Policy Advisory Committee Staff Report

Meeting Date 7/11/18

DATE: 7/5/18
TO: Policy Advisory Committee (PAC) of the Bidwell Park and Playground Commission (BPPC)
FROM: Linda Herman, Parks & Natural Resource Manager
SUBJECT: CONSIDERATION OF REVISING THE CLOSING TIME FOR ALL CITY PARKS

REPORT IN BRIEF:

Earlier this year, the Bidwell Park and Playground Commission (BPPC) recommended changing the closing time for Lower Bidwell Park to 11:00 p.m. from the current 12:00 a.m. closing time, which is the same closing time for Middle and Upper Bidwell Park, and parks owned by the Chico Area Park & Recreation District (CARD). The BPPC also directed Staff to bring the concept of changing the closing times for all City Parks and greenways to 11:00 p.m. for consistency. In addition, on 6/5/18 the Chico City Council directed the BPPC to consider changing the closing time for all City Parks and greenways to 11:00 p.m. At its 6/25/18 meeting, the BPPC forwarded further discussion of this item to its Policy Advisory Committee (PAC).

Recommendation: *The Committee is requested to provide a recommendation to the BPPC on whether to close all City Parks and greenways at 11:00 p.m. for consistency.*

BACKGROUND:

Although gates in Bidwell Park are closed to vehicles earlier, Section 12R.04.370 of the Chico Municipal Code (CMC) establishes closing times for all users of City Parks and greenways as follows:

“12R.04.370 Closure of parks.

- A. *Unless authorized by permit issued by the City of Chico, it is unlawful for any person to be present in any of the parks set forth in subsection B, below, during the hours the park is closed. Closing hours will be posted at all parks subject to this section.*
- B. *The following parks shall be closed between the hours of 12:00 a.m. (midnight) and 5:00 a.m., Pacific Time:*
 - 1. *Lower Bidwell Park;*
 - 2. *Children’s Park;*
 - 3. *Bidwell Bowl Amphitheater;*
 - 4. *Depot Park;*
 - 5. *Ringel Park;*
 - 6. *Wildwood Park;*
 - 7. *All city-owned Greenways;*
 - 8. *All city-owned neighborhood parks.*
- C. *Middle and Upper Bidwell Park shall be closed between the hours of 11:00 p.m. and 5:00 a.m. of the following day, Pacific Time.*
- D. *City Plaza shall be closed between the hours of 2:00 a.m. and 5:00 a.m., Pacific Time.*
- E. *The following exceptions shall apply to this section, if the person is:*
 - 1. *Directly and actively proceeding to a destination outside of the parks listed in subsection B, above; or*
 - 2. *A duly authorized city employee or persons participating in city activities or other activities for which the city has provided written permission to utilize a park beyond the closing time.*
- F. *The director may temporarily close any park or a portion of any park within the city whenever the director determines that such closure is necessary for the protection of public safety or public property. It is unlawful for*

any person to be present in any park or portion of any park within the city that has been temporarily closed by the director.”

On 1/17/18 and 2/14/18, the BPPC PAC discussed potentially revising the Chico Municipal Code to close Lower Bidwell Park earlier than midnight.

At its 2/26/18 meeting, the BPPC approved the Committee’s recommendation to recommend that the City Council consider a CMC revision to change the closing time of Lower Bidwell Park to 11:00 p.m., which is the current closing time for Middle and Upper Bidwell Park. The BPPC also approved agendaing at a future meeting whether to close all other City parks and greenways at 11:00 p.m. for consistency.

At its 6/5/18 meeting, the City Council discussed the merit of providing the public with the same consistent closing time for all City parks and greenways. The need for more enforcement after closing, and that cameras may also be effective in discouraging improper use of City parks and greenways was also discussed. The Council directed the BPPC to consider these items and make recommendations to the Council.

DISCUSSION:

On 6/25/18, the BPPC considered whether to close all City Parks earlier than midnight. The BPPC also considered a memo (attached as Attachment A) from the Chief of Police stating a preference that the closing times for all City parks and greenways be the same for consistency and that 11:00 p.m. seemed like a reasonable time. The BPPC also heard comments from the public regarding concerns about closing City Parks and the impacts it could have on the homeless population. The BPPC recommended 4-0-1 to forward further discussion to the PAC, and that each facility be discussed separately, if needed.

Staff also reviewed park opening hours from some of the other local agencies as follows:

Feather River Recreation & Park District:

Lott/Sank Park	9 a.m. to 9 p.m.
All Other Parks	6 am to 11 pm (summer) 6 am to 7 pm (winter)

Paradise:

Billie Park	7 am to Dusk
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West Sacramento:

All Parks	Dusk to Dawn
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Corning:

Martini Plaza	7 am to 10 pm
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Gridley:

Vierra Municipal Park	6 am to 11 pm
All city parks and/or plazas	6 am to 9 pm (summer) 6 am to 6 pm (winter)

Yuba City:

Neighborhood Parks	Sunrise to ½ hour after Sunset
Community Parks	Sunrise to 10 pm

Davis:

Most Parks	½ hour before Sunrise to ½ hour after Sunset
Specialty Park	5:00 am to Midnight

Attachments:

Attachment A: Chief of Police Memo

ATTACHMENT A



CITY OF CHICO MEMORANDUM

TO: Bidwell Park and Playground Commission DATE: June 25, 2018
FROM: Michael O'Brien, Chief of Police FILE: N/A
SUBJECT: Bidwell Park Closure Time Consistency

Respected Bidwell Park and Playground Commissioners,

This memorandum will serve as to my official position regarding creating a consistent park closure time for all City owned parks. On February 26, 2018, Chico Police Commander Billy Aldridge attended the Bidwell Park and Playground Commission meeting where Lower Bidwell Park closure times were discussed. It was recommended the City of Chico adopt a park closure time of 11:00 pm for the Lower Bidwell Park areas. This recommendation was adopted and helped to align both the Upper and Lower portions Bidwell Parks to the same closure time. The recommendation was also made to create consistent closure times for all City park areas with the same 11:00 pm. This closure time was selected for many reasons. Specifically, consistency regarding closure times negates confusion for both the users and those enforcing laws within our park system.

I believe the 11:00 pm closure time strikes the right balance between legitimate access and limiting illegal conduct. The Chico Police Department often receive complaints from citizens who live within the areas of our park system concerning criminal activity at night. The police department has responded to multiple assaults and robberies within the park system during these late-night hours, amongst other criminal conduct. It is the opinion of myself and my staff that a positive step towards a safe and inviting park system is to standardize all park closure times to 11:00 pm daily.

I would be happy to answer any further questions or concerns you may have.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "M. O'Brien", written over a horizontal line.

Michael O'Brien
Chief of Police, City of Chico



Policy Advisory Committee Staff Report

Meeting Date 7/11/18

DATE: 7/5/18

TO: Policy Advisory Committee (PAC) of the Bidwell Park and Playground Commission (BPPC)

FROM: Linda Herman, Parks & Natural Resource Manager

SUBJECT: CONSIDERATION OF THE ADDITIONAL USE OF SECURITY CAMERAS FOR ALL CITY PARKS AND LIMITING THE USE OF BIDWELL BOWL TO CITY PERMITTED RESERVATIONS OR EVENTS ONLY.

REPORT IN BRIEF:

At its 6/5/18 meeting, the Chico City Council also directed the BPPC to consider putting additional security cameras in City Parks and greenways and to also consider whether to limit the use of the Bidwell Bowl Amphitheater to only permitted reservations and special events. Staff is forwarding discussion of these additional Council directed items to the BPPC Policy Advisory Committee (PAC).

Recommendation: *The Committee is requested to provide a recommendation to the BPPC regarding:*

1. *Potential additional locations of security camera in Bidwell Park and other City Parks and greenways;*
2. *Whether to limit the use of Bidwell Bowl to only City-permitted reservations and events.*

BACKGROUND:

Security Cameras:

Facilities and Police Department staff have been working towards installing security cameras at various facilities to help deter crime and vandalism. Most noticeably was the installation of the cameras on the bike path that runs between the CSU Chico University and Nord Ave and in City Plaza. Cameras have also been recently installed in the City's Parking Structure on Salem Street between 3rd and 4th Street. Staff has found that the cameras are working to reduce the vandalism and criminal behavior.

Bidwell Bowl Amphitheater

The historical Bidwell Bowl Amphitheater was built in 1938 as part of the Federal Works Progress Administration (WPA) program. The Amphitheater is used throughout the year for weddings, graduations, concerts, public speeches and other events. Due to its beautiful creekside setting it is also frequently used by students from CSU, Chico, Chico High and Junior High, and others just passing by. However, the site is also subject to graffiti, trash, and vandalism, resulting in broken benches and other infrastructure damage.

DISCUSSION:

As part of its discussions of the increased vandalism in City parks and greenways on 6/5/18, the City Council requested that BPPC discuss potential additional locations for security cameras. Staff is already working on providing cameras in Children's Playground and Bidwell Bowl, and the Committee is requested to review these proposed locations and to provide other locations that may be suited for cameras.

The Council also requested that the BPPC review and consider potentially closing Bidwell Bowl and only allowing access to the facility for private or public events permitted by the City. The PAC is requested to provide a recommendation on this proposal as well.



Policy Advisory Committee Staff Report

Meeting Date 7/11/18

DATE: 7/5/18
TO: Policy Advisory Committee (PAC) of the Bidwell Park and Playground Commission (BPPC)
FROM: Linda Herman, Parks & Natural Resource Manager
SUBJECT: REVIEW AND CONSIDERATION OF REGULATIONS REGARDING THE USE OF AMPLIFIED SOUND IN CITY PARKS

REPORT IN BRIEF:

At its 6/25/18 meeting, the Bidwell Park and Playground Commission (BPPC) considered Commissioner Glatz's request that the Commission review the regulations regarding amplified sound in Bidwell Park and other City parks. The BPPC forwarded this discussion to its Policy Advisory Committee (PAC).

Recommendation: *The Committee is requested to provide a recommendation to the BPPC on whether to revise the amplified sound restrictions in City Parks and greenways.*

BACKGROUND:

Following are some of the existing Chico Municipal Codes (CMC) Sections pertaining to noise restrictions in City parks and greenways.

"12R.04.190 Unreasonable noises - Prohibited - Exception.

No person shall cause a loud or excessive noise within a city park or playground which unreasonably disturbs the peace and quiet of any neighborhood, the quiet enjoyment of property, or any reasonable person of normal sensitivity residing or working in the area, unless such noise is emanating from a public event for which a permit has been issued by the director or Bidwell Park and Playground Commission, in which case the conditions of such permit as to noise shall apply."

The noise conditions for an event permit would be as follows:

9.38.050 Public property noise limits.

Except as otherwise provided in this chapter, no person shall produce, suffer or allow to be produced on public property, by human voice, machine, animal, or device, or any combination of same, a noise level that exceeds sixty (60) dBA at a distance of 25 feet or more from the source.

9.38.052 General noise regulations.

- A. This section contains an entirely separate and independent method of determining whether a violation of this chapter has occurred. No person shall willfully or negligently make, produce, suffer, or allow to be produced, at any time, any unreasonable noise. Enforcement of this section shall not require the use of a sound level meter.
- B. A violation of this section shall be proven by reference to one or more of the following criteria:
1. The volume or loudness of the noise (measured by the distance away from the source at which the noise can be clearly heard);
 2. The pitch or frequency of the noise;
 3. Whether the nature of the noise is usual or unusual;
 4. Whether the origin of the noise is natural (i.e., not caused or produced by a person or persons) or unnatural;
 5. The tonal or rhythmic quality of the noise;
 6. Whether the noise is recurrent, intermittent, or constant;
 7. Whether the noise is from a commercial or noncommercial activity;
 8. If the noise is from a commercial activity, whether the particular use is permitted in the area, and whether the noise could be reasonably expected to derive from the use;
 9. Whether the noise is a necessary attribute of a particular use (i.e., routine solid waste collection or a properly functioning mechanical device);

10. The proximity of the noise to residential sleeping facilities;
11. The proximity of the noise to offices or places of work;
12. The number of persons affected, or the density of inhabitation of the area;
13. The nature or zoning of the area within which the noise emanates or in which the impact of the noise occurs;
14. The amount and type of background noise, if any;
15. The time of the day or night the noise occurs (indicating the relationship of the noise to the normal activities that occur at a given time);
16. The day of the week; and
17. The duration of the noise.

9.38.056 Noise from vehicles and bicycles.

- A. No person shall use or operate any sound amplification system in or on a vehicle located within a public park, within a public parking lot, or on any other public property other than a highway within the city which is audible to a person of normal hearing sensitivity more than fifty feet from such vehicle nor shall any person use or operate any such sound amplification system on or in a vehicle located on private property where the sound amplification system is audible to a person of normal hearing sensitivity more than twenty-five feet from the vehicle or beyond the property line of such private property, whichever is greater. Noise from a sound amplification system in or on a vehicle located on a public highway shall be regulated in the manner provided for by the California Vehicle Code.
- B. No person shall use or operate any sound amplification system on or from a bicycle on any highway, within a public park, within a public parking lot, or on any other public property within the city which is audible to a person of normal hearing sensitivity more than fifty feet from such bicycle.
- C. Vehicle horns, or other devices primarily intended to create a loud noise for warning purposes, shall not be used when a vehicle is at rest, or when a situation endangering life, health, or property is not imminent.

DISCUSSION:

In preparation of this discussion and at the request of Commissioner Glatz, Staff researched noise restrictions from the following sample of other local agencies:

City of Redding:

Restricts amplified sound to no more than 75 decibels from 50 yards from the source between 1:00 pm and 6:00 pm unless you have a permit. A permit allows sound from 11 am to 10 pm, but still must not exceed 75 decibels from 50 yards.

City of Red Bluff:

Requires a separate noise permit and has same 75 dba from 50 yards from the source restrictions.

City of Yuba City

Sec. 9-2.12. - Loud or boisterous conduct.

It shall be unlawful for any person to use loud, boisterous, threatening, abusive, insulting, or indecent language, or engage in other loud or disturbing conduct by the use of any loudspeaker or other noise making device, or engage in any disorderly conduct or behavior tending to a breach of the public peace and enjoyment in any park or recreation area. Any person who is loud, boisterous, threatening, abusive, insulting, or publicly offensive shall not be permitted to remain within any park or recreation area.

Playing amplified music or a musical instrument may be allowed, if (1) the use meets the City-established noise and operating criteria within City parks and recreational areas and (2) a permit is obtained from Yuba City Leisure Services, located in City Hall at 1201 Civic Center Boulevard. The person responsible for the conduct of an activity shall sign the permit and the permit holder is totally responsible for the supervision and safety of all participants at the event. The permit must be kept at the facility or recreation area during use and shown to anyone requesting to see verification.

City of Davis:

24.04.020 Registration—Required.

It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate within the city a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures or transmitting music, to any persons or assemblages of persons in or upon any street, alley, sidewalk, park, place, or other outdoor public property without first filing a registration statement and obtaining approval thereof as set forth in this article. The provisions of this section shall also apply to the use of sound amplifying equipment upon public or private property when used in connection with outdoor or indoor public or private events, whether or not admission is charged or food or beverages are sold, when such activity is to be attended by more than one hundred persons and the noise emanating from the event will be audible at the property plane, or in the case of a street dance or concert on the nearest residential property. Outdoor sponsored athletic events and graduations held on school property and indoor events held in any assembly hall, school building, or other private or public building with an occupancy rate of more than one hundred people are exempt from the requirements of this section.

24.02.030 Maximum noise limit.

No person shall produce, suffer or allow to be produced in any location a noise level of more than twenty dBA above the limit, but not greater than eighty dBA, on Table No. 1 measured at the property plane. This section constitutes an absolute noise limitation applicable notwithstanding any other provision of this chapter, or any exception, exemption or waiver provided therefrom, except that the provisions of this section shall not apply to those activities referred to in Section [24.02.040](#)(a) through (d) or to emergencies.



Policy Advisory Committee Staff Report

Meeting Date 7/11/18

DATE: 7/5/18
TO: Policy Advisory Committee (PAC) of the Bidwell Park and Playground Commission (BPPC)
FROM: Linda Herman, Parks & Natural Resource Manager
SUBJECT: REVIEW AND CONSIDERATION OF REGULATIONS REGARDING VEHICLE USE IN LOWER BIDWELL PARK

REPORT IN BRIEF:

At its 6/25/18 meeting, the Bidwell Park and Playground Commission (BPPC) considered Commissioner Nickell's request that the Commission review the regulations regarding vehicles in Lower Bidwell Park, particularly regarding speed limits and signage. The BPPC forwarded this discussion to its Policy Advisory Committee (PAC).

Recommendation: *The Committee is requested to recommend that the BPPC approve conducting a speed survey on the portions of South Park Drive and Petersen Drive where vehicles are allowed.*

BACKGROUND:

Following are some of the existing Chico Municipal Codes (CMC) Sections pertaining to vehicle use in Lower Bidwell Park:

"2R.32.010 Vehicle code and Title 10 CMC applicable.

The provisions of the Vehicle Code of the state of California and of Title 10 Vehicles and Traffic of this code are applicable to all roads in Bidwell Park which are open to the public for vehicular traffic, whether paved or unpaved, to the same extent that they would be so applicable in the absence of this rule.

(Res. No. 19 93-94 §7 (part))

12R.32.015 Vehicle - Defined.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power, devices used exclusively upon stationary rails or tracks, and motor-driven wheelchairs or similar devices used by a physically handicapped person.

12R.32.020 Maximum speed limit - Adoption of lesser speed limits authorized.

No person shall operate or drive any vehicle or bicycle within any park or playground within the city at a greater speed than twenty-five miles per hour. Whenever it appears appropriate, reasonable and necessary, this maximum speed limit may be reduced on any park road, or portion thereof, pursuant to the provisions of and in the manner provided by the Vehicle Code.

2R.32.040 Use of roads required - Exceptions.

Vehicles operated in any park or playground in the city shall be operated only upon:

- A. Paved or gravel surfaced roads which are not closed to use by the public for vehicular traffic;
- B. Dirt or unimproved roads marked or otherwise designated for vehicular traffic;
- C. Paved, graveled or otherwise designated picnic or parking areas with operation limited in such areas to parking and ingress to and egress from such areas for picnic or parking purposes;
- D. Other areas designated in written permit issued by the director.

2R.32.070 Petersen and South Park Drive - One-way traffic.

All motor vehicle and bicycle traffic on Petersen and South Park Drive shall be restricted to one-way traffic. This restriction shall be construed to include bicycle traffic on that portion of South Park Drive which is closed to motor vehicles.

DISCUSSION:

At the 6/25/18 BPPC meeting Commission Nickell voiced concerns he has heard from the public regarding cars and cyclists going too fast on the busy South Park and Petersen Drives, especially as the park has become busier with more multi-use modes of travel. Staff has heard these speeding complaints, and the lack of appropriate signage and dangerous speeds of bicyclists on trails.

The current speed limit in Lower Bidwell Park is 20 miles per hour and bicyclists must follow the same laws as vehicles, including going one-way on the section of South Park Drive that is closed to vehicles. As indicated above, CMC Section 12R.32.020 allows the speed limit to be adjusted pursuant to the Vehicle Code. Staff spoke to the Traffic Engineering Division and was advised that to be enforceable, a speed survey should be conducted first before changes are made to speed limits and to properly determine the appropriate limit for the road. The Traffic Division also indicated that they would be able to perform the survey for the Parks Division. Staff recommends that the Committee approve moving forward with the survey.

Staff has also been looking at installing additional signage, and possible One-Way thermoplastic arrows in the roadways. If approved by the Committee and the BPPC, these additional signs and arrows will be installed after the survey is conducted.