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Office of Parks and Recreation

October 28, 2003

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Life Enrichment Committee
Oakland City Council

Subject: INFORMATIONAL REPORT FROM THE CITY STABLES ADVISORY COUNCIL
(CSAC) ON THE PERFORMANCE OF THE CITY STABLES CONCESSIONAIRE,
WILDCAT CANYON RANCH YOUTH PROGRAM (WCRYP)

To Chairperson Cbang and Members of the Committee:

SUMMARY

This informational report is presented by the City Stables Advisory Council (CSAC) and responds to a requirement of the Master Concession Agreement between the City and the Wildcat Canyon Ranch Youth Program. This fourth, and last, report covers the period from **January** 1, 2003 through September 15, 2003 and focuses on the first amendment, guidelines, conditions and programming at City Stables. The Concessionaire has three responsibilities to the City of Oakland: 1) Youth Programs, 2) Horse Boarding services, and 3) City Stables Facility Property Management.

The City Stables is a unique and unusual publicly-owned “rural feeling” facility which over time will provide incredibly valuable learning opportunities for the youth and citizens of this urban city. Currently, approximately 118 youth from the Oakland Unified School District (OUSD) alternative school programs are served on a weekly basis. **An** average of **20** people board an average of 30 horses month to month. The weekend drop-in horseback riding lesson program serves 7 to 15 youth each weekend. Other programs offered are the Girl Scouts and the Office of Parks and Recreation (OPR) summer youth program.

In summary, WCRYP adequately performs youth programs and boarding care services. However, since the retirement in January 2003 of the Oakland Park and Recreation Supervisor who **was** the City Stables liaison, contract compliance and communication has continued to deteriorate. Although another OPR staff person has been designated as liaison, that person **has** not attended any Advisory Council meeting. The designee has not taken an active role in overseeing the contract.

FISCAL IMPACTS

Although this report is informational only, since we do recommend that the person designated as liaison take an active role in overseeing the contract, including attendance at CSAC meetings and

Item: 7
Life Enrichment Committee
October 28, 2003

greater interaction between concessionaire, the City & CSAC, a slight fiscal impact may be anticipated.

BACKGROUND

The management and operation of City Stables has been governed by the License and Master Concession Agreement entered into October 1, 1995, between the City and the Concessionaire. This contract terminated September 30, 2000. **An** extension was granted on September 26, 2000 to allow the Concessionaire to continue operations on a month-to-month basis pending approval of a new contract. A new contract, approved October 24, 2000 to become effective as of November 1, 2000, was granted for a three-year term with an option to extend for two additional years. Exercise of this option is conditioned upon the satisfactory performance of the concessionaire during the initial three-year term.

In response to concerns raised by citizens and neighbors regarding facility management, WCRYP, CSAC and OPR jointly developed control measures and procedures for those issues that needed improvement. The issues addressed are:

- | | |
|-------------------|--------------------------------|
| a. Dust Control | d. Site management and control |
| b. Manure Control | e. Site condition |
| c. Fly Control | |

KEY ISSUES AND IMPACTS

1. Control Measures as Stipulated in the First Amendment to the License and Master Concession Agreement are:

- **Arena Dust Control:** Dust control measures require that the Concessionaire water the arenas as follows:
 - November through March – once a day
 - April through October – twice a day
 - Watering frequency may be increased/decreased depending on:
 - ✓ Activity in the arenas
 - ✓ Rainfall
 - ✓ Temperature

The Concessionaire has **not** performed the watering and dragging of the arenas as required by the agreement. Dragging standards have been established from recommendations by West Coast Footings (the vendor who installed the footing in the arenas). The Concessionaire Contract needs to be amended to reflect these standards.

Reportedly, the watering and dragging operation has been hampered by the lack of new sand, which was requested in February 2003 but not yet received. However,

without the new sand, dragging and watering has occurred since the Labor Day weekend and the beginning of the Oakland Unified School District's academic year.

Non-compliance creates a nuisance condition that adversely affects the quality of the stable users' experience and the property owners' reasonable expectation for the use of their property.

- **Manure Control:** The Concessionaire is required to remove manure from the site so:
 - Manure level in the manure holding bin will not exceed 50% capacity
 - Excess manure is removed from City Stables and disposed of legally
 - Manure is not stored in the dump truck that is used to remove manure from the site.

The Concessionaire has been inconsistent in the removal of manure from the bin and from the property as required. For the weekdays preceding and through the Labor Day holiday the operator did not provide bedding materials required to absorb horse urine and feces in the horse stalls. The manure was not removed from the site over the same weekday period until Monday of the Labor Day weekend. As a result, the smell of urine and feces extended for blocks in to the adjacent neighborhood throughout this period.

The concessionaire has located an additional area for storing manure outside the bin, which is not allowed. The Health Code requires that manure storage be contained.

- **Fly Control:** Fly control has **not** been satisfactory. This situation has considerably worsened with the hotter months of July, August and September. The growth of the fly population has been exacerbated by the increase of the chicken flock to approximately 100 birds. See site control below for discussion of the chickens and attendant issues.
- **Site Management and Control:** There is no access control of the site at any time. There is an on site caretaker. However, his presence alone is inadequate as the following incidents illustrate:
 - On June 6, 2003 a powerful explosive device was set off in the knoll area of the site. Three men, described as boarders at the site, one of whom also worked at the City Stables, were observed to be involved.
 - In late Spring and/or early summer, the Concessionaire permitted the development of a cock stable on the site. Roosters, hens and coops to contain them were placed on the property by various unidentified persons and maintained by those persons. By contract, use of the property for any purpose other than those related to equestrian uses is not allowed prior to written permission from The City of Oakland. This permission had not been granted.
 - Expansion of the original chicken flock at the City Stables. The chicken flock population is uncontrolled. As a result, the flock has expanded significantly, as has the fly and

rodent population. Currently, there are 60+ chickens on site. Approximately 35 roosters have been removed by their owners. Several roosters remain. The Concessionaire, at the request of OPR, submitted a program plan calling for a population of **75** chickens. In response to a citizen contact, a report from the Alameda Health Department is anticipated providing recommendations as to the placement of the flock on the site and fly control measures. According to Health Department personnel, chickens can be legal, roosters are not and must be removed. Further, the flytraps that have been in use are not the ones recommended by the Health Department. The Health Department personnel have requested that the current flock be moved from the north property line to a site distant from residences. The Advisory Council also made this request on August 20, 2003 at the regularly scheduled meeting on that date. Kenneth Wesley, the Concessionaire representative at that meeting, stated the flock would be moved as requested. As of the date of this report, the flock has not been moved.

- **Fire Extinguishers:** The Concessionaire's contract requires that the Concessionaire maintain and service fire extinguishers at the City Stables. The week of August 15, 2003, a member of the Advisory Council noted and informed the Concessionaire that one extinguisher was missing from the holder and that the two **remaining** fire extinguishers had not been serviced since April of 2000. On August 18th, the Concessionaire stated that arrangements would be made to service the extinguishers. As of the date of this report, the fire extinguishers have not been serviced.
 - **Site Condition:** As noted in prior reports, the physical state of the stable buildings, the paddocks and fencing are in poor condition. In part, as result of the basically deteriorated condition, routine property maintenance is difficult. Due to lack of funding by the City of Oakland for capital improvements and major deferred maintenance, some outside paddocks and inside stalls are not useable. Based on the Master Plan developed for the City Stables, 50 horses should be boarded at the City Stables. However, only 42 spaces are available. Of these, 15 slots are reserved for the Concessionaires program. Income from an additional **8** horses would generate new revenue (at current rates) of over \$24,000 annually.
2. **Other Issues** - WCRYP is allowing the storage of items on the property such as pallets and used equipment, etc. Pallets and other blight conditions exist on the property and need to be removed.
 3. **Quarterly Program Reports** - Concessionaire is required to report on programs every quarter. For the quarters ending March 31, and June 30, 2003, the quarterly reports were submitted on time.

RECOMMENDATIONS AND RATIONALE

1. Control Measures:
 - a. Issue an RFP to solicit proposals for the Concessionaire Contract
 - b. Restore active OPR supervision of the Concessionaire contract.
 - c. The City of Oakland direct the Concessionaire to follow the manure and dust control measures that were agreed to by all the parties.

- d. Amend the Concessionaire Contract to reflect the arena dragging standards. If inconsistency continues, a cure letter should be issued to the Concessionaire.
 - e. Release the maintenance funds requested so sand can be purchased in order to control the dust.
 - f. Require control for site access, supervision and security during evenings, weekends and holidays.
 - g. Require that the Concessionaire provide coverage during personnel vacation or other absence periods.
 - h. Remove all roosters from the site, relocate flocks away from residences and reduce the flock to no more than 10 hens.
2. Other Issues: that the City of Oakland continues to work with the CSAC to implement the buffering of the knoll and remove accumulated debris from the site.
3. Quarterly Reports: this contract is terminating on October 31, 2003. However, the City of Oakland directs the Concessionaire to make quarterly reports within the time required.

ACTION REQUESTED OF THE CITY COUNCIL

That City Council accept this report.

Respectfully submitted,



Anne Woodell
Chair, City Stables Advisory Council

Prepared by: City Stables Advisory Council

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:



OFFICE OF THE CITY MANAGER