

Minutes
Parks and Recreation Board
August 13, 1990

The regular meeting of the Parks and Recreation Board was held in the Parks and Recreation Department Board Room, 1500 W. Riverside Drive, on August 13, 1990. Mrs. Beverly Griffith, Chair, called the meeting to order at 12:05 p.m. Board Members present: Beverly Griffith, Louise Nivison, Lawrence Britton, Ruby Williams, Ron Cartlidge, Terry Colgan, Doug Matthews, Agnes Edwards, Charles Heimsath and ErmaLinda Cruz Torres. Staff present: Manuel Mollinedo, Jody Hamilton, Stuart Strong, David Mascorro and Donna Bohls.

There being no citizen communications, committee reports, Chair's report or Director's report, the meeting began with items for action.

ITEMS FROM PREVIOUS AGENDAS

Approval of Option for 138 kV Lines Across Town Lake

This item was postponed until August 28, 1990.

Approval of Resolution Regarding Continued Funding for Community Education

This item was postponed until August 28, 1990.

Approval of final Mt. Bonnell Report

Parks Board members reviewed the report prepared by staff in response to their request of July 24, 1990. The following is the text of the report.

HISTORY

Mt. Bonnell is an Austin landmark that has been used as a public park since 1939. From 1939 to 1972, Mount Bonnell was a Travis County park, called Covert Park. In 1972, Mount Bonnell was transferred to the City of Austin for use as a public park. Should Mt. Bonnell cease to be used as a public park by the City of Austin, it would revert to the ownership of Travis County. When control of Mt. Bonnell was transferred from the County to the City of Austin, the park was largely undeveloped, with stone steps leading to the mountain top, and some sections of stone wall along the top of the bluff. In 1983, using Capital Improvement funds, PARD constructed an overlook and planters at the top of the stairs. The bluff line itself, which is in some places almost 300 feet above the lake, is marked for most of its length with steel cable running between stone posts.

In the mid-1980s, a residential development called WatersEdge was permitted on previously marshy land at the foot of Mt. Bonnell, on Lake Austin.

LEGAL HISTORY

The Law Department has determined that there have been at least two lawsuits related to Mt. Bonnell. These lawsuits are 30 and 10 years old. The suits refer to a development known as Mt. Bonnell Shores. The suits resulted in the City of Austin approving development of this area.

LIABILITY

A legal opinion regarding the respective liability of the City of Austin and the homeowners is attached.

CURRENT STATUS

The problems at Mt. Bonnell can be categorized as follows:

A. SAFETY

The edge of the bluff is not secured by a barrier. While no feasible method of securing the bluff line will prevent people who want to risk their lives from doing so, a more substantial barrier at the bluff line would cut down on the likelihood of accidental injury to more prudent park users.

Safety has also become an issue with regard to rock throwing. The houses in WatersEdge, at the base of the mountain, are within rock throwing distance of the top of the mountain for most of the lake (west) side of the park. Problems are currently most acute at the south end of the park, on the rocky slope to the adjacent private property. Access to private property from the park has provided a prime location for throwing rocks onto private property below the mountain. Rock throwing has also been reported from park property. This has resulted in reported damage to private property and concern for personal safety.

B. ENVIRONMENTAL DAMAGE

Mt. Bonnell receives more and different use than originally anticipated. The result is that many footpaths are cut into the hillside, with resultant erosion and damage to vegetation. Mt. Bonnell is home to one plant that is an endangered species; therefore, minimizing environmental degradation is important.

C. PARK POLICE ACTIVITY

At the direction of Council, the Park Police were assigned to initiate a full-time patrol at Mount Bonnell. The areas affected primarily by the reassignment of the Park Police to Mount Bonnell are:

- a. Reduced patrols on the Hike and Bike trails
- b. Virtual elimination of park police patrols and security at the Recreation Centers
- c. Reduction of patrols in the Neighborhood Parks and Swimming Pools

Existing resources in Park Police were shifted to accommodate this new assignment. There are no funds in the FY 89-90 Park Police budget designated for this activity.

The Parks and Recreation Department acquired a list of all of the calls and/or incidents of police activity concerning Mount Bonnell, recorded by the APD 9 1 1 Communications Office's Computer Aided Dispatch (CAD) system for the months of June 1989 through July 1990.

This is not a summary of the number of phone calls received by the dispatchers. This is simply a summary of the monthly totals of "incidents" of police activity. As an example, in June 1989, according to the summary below, there were 22 police "incidents" on Mount Bonnell. According to the Park Police report, a total of 170 curfew violations and 9 other police actions were the result of these 22 "incidents" in June 1989.

The CAD system at APD does not keep records of all phone calls; therefore, we are unable to document the numbers of calls received during this period from the Young family and others from the WatersEdge community.

The summary of police incidents by month for the time period indicated is as follows, and includes all City of Austin police enforcement incidents.

**APD AND PARK POLICE
INCIDENT SUMMARY
(By Month)**

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June	22	January	2
July	34	February	23
August	21	March	14
September	10	April	11
October	9	May	19
November	7	June	25
December	2	July	39

NOTE: For the period of July 1 - 31, 1990 there were a total of 39 incidents of police activity on Mount Bonnell. There were 254 field release citations issued for curfew violations, 3 citations involving fireworks, 8 involving minors in possession of alcohol and 1 involving theft.

For the period from June 1989 through June 1990, there were a total of 846 curfew citations issued. In July 1990 there were a total of 254 curfew citations issued.

EFFORTS TOWARDS RESOLUTION

PARD has initiated the following methods to address the concerns of the WatersEdge homeowners:

1. CURFEW ENFORCEMENT

It has been reported that most of the rock throwing occurs after the 10:00 p.m. park curfew. Curfew violators are routinely

ticketed by the Park Police, who are on duty until 3:00 AM.

2. TOW AWAY ZONE

The parking lot at the base of the steps is designated a tow away zone after curfew. Park Police regularly ticket illegally parked cars. Since the week of August 6, violators have been towed by Southside Towing.

3. SIGNAGE

Signs requesting park users not to throw rocks have been installed at both the parking area and on the mountain. Signage also exists advising park users of the 10:00 p.m. curfew.

4. ROCK THROWING ORDINANCE

An ordinance prohibiting rock throwing from Mt. Bonnell has been drafted by the Law Department for Council consideration on August 16.

5. FENCING

In cooperation with the WatersEdge neighborhood, an 8' chain link fence was partially installed along part of the park boundary to keep park users from gaining access to the bluffs by trespassing across the adjacent privately owned land. This fence was later removed at the direction of City Council. Since July 1, 1990, the residents of WatersEdge report that rock throwing incidents still occur; however, they have been significantly reduced.

6. INCREASED ENFORCEMENT

At the direction of City Council on June 28, 1990, a full-time patrol at Mt. Bonnell was instituted. On June 29, the Park Police established a patrol of the area approximately 16-hours per day: 9:00 AM-5:00 PM and 7:00 PM-3:00 AM. Although this schedule had to be adjusted at times, its effectiveness is indicated by the increase in the number of citations issued.

7. UNDERCOVER PATROLS

The Austin Police Department will be implementing periodic undercover patrols of the top of the mountain, to apprehend rock throwing perpetrators.

Other measures have been considered and discarded as impractical or not feasible:

1. VEGETATION

Planting to keep park users away from the bluff or to mark the property line has been considered. As the most useful planting sites are in solid rock, and there is no water to the site, it is unlikely that the plants would become well enough established to form an impenetrable barrier against foot traffic.

2. LAND ACQUISITION

Attempting to acquire the properties immediately south of the park was considered. Those properties are now vacant, and were apparently considered parkland by many park users until recently. While acquiring these lots would increase the park size, it would not usefully address the problems of access to the bluff and rock throwing. Further, the owner has indicated that she is not willing to sell.

After considerable discussion and public comment the Board adopted the following recommendations.

RECOMMENDATIONS

In reviewing options regarding the situation in Mount Bonnell Park, the Parks and Recreation Department has considered a variety of short-term and long-term remedies. However, no method has been identified to eliminate rock throwing at Mt. Bonnell.

The list below represents recommendations compiled from staff, Parks Board members, and WatersEdge residents:

Longer Term Options:

These options are intended to provide park visitors with better opportunities to view the area from Mt. Bonnell, to create a scenic barrier to prevent visitors from cutting trails down to the areas from which rocks are thrown, and to prevent further deterioration of the environment.

1. FENCING ALONG MOUNT BONNELL ROAD

The Mt. Bonnell road frontage along the park is now cut with numerous trails, which cause erosion and destroy vegetation. In addition, such trails also make curfew enforcement very difficult. It is therefore recommended that an attractive wrought iron fence of no more than six feet in height be built on the property line along the road frontage (from 6-10' above the road level). The fence should be placed and planted sensitively, with the intent of being as invisible as possible. Decorative wrought iron gates should be built at both the stairs and the service road.

Fencing along Mt. Bonnell road on privately-owned land which connects with the fencing on the park would also be necessary to make the fence an effective barrier. Representatives of Mrs. Wilson have indicated that she would consider constructing a connecting fence on her property.

Cost estimate: \$162,380

2. REVEGETATION

Formal paths should be developed to allow park users to walk comfortably among the facilities. The numerous other trails that have been worn in the mountainside should be blocked and revegetated. Establishing vegetation anywhere on Mount Bonnell is difficult, due to shallow soil and the lack of water. However, it is anticipated that a careful revegetation system,

combined with strict control of foot traffic, will make reclaiming the paths possible. Appropriate temporary signage, explaining the environmental reasons for blocking the paths, is recommended.

Cost estimate: \$11,500

3. SIGNAGE

Although there are signs on Mt. Bonnell that remind park visitors not to throw rocks, these may not be adequate and additional signs have been suggested. However, it is important that Mt. Bonnell and other sensitive park sites not become cluttered with signs listing all the rules and prohibitions that apply. Inappropriate park use should be addressed with design changes as much as possible. Signage where required should be carefully and attractively designed.

Opportunity should also be taken to place interpretative signage in the park. The rare plant and animal features, as well as the geology and history of the area, should be explained. In addition, the proposed overlooks offer possibilities for identifying the buildings and features that can be seen: the different buildings downtown, the UT Tower, the bridges, and others.

Cost estimate: \$11,500

Total cost for above recommendations: \$185,380

4. CREATION OF AN OVERLOOK

The best views from Mt. Bonnell are currently from private property or dangerous ledges. Otherwise prudent law-abiding citizens trespass onto private property and clamber on gravel goat trails, in search of the best view. The 1983 park development plan proposed alleviating this problem by creating an overlook tower at the picnic table east of the pergola. An overlook at that location would involve a substantial tower, in order to see over the tops of the live oak trees.

To avoid the expense of such a tower, it is recommended that an overlook terrace be developed at the south edge of the park, on the rock ledge that slopes down to the adjacent private property. Because a substantial retaining wall would be required to create a level terrace, access onto the private property would be deterred. A stone retaining wall, back-filled with granite gravel, would be the most attractive and easy to maintain solution. However, because there is no vehicle access to that part of the park and all materials must therefore be carried in on foot, a wooden deck is a more immediately feasible solution.

By building an overlook, PARD would be providing park users with the facilities they need to use the park safely and providing a method for visitors to stay within the park boundaries.

We understand that the Wilson family has plans to build a home on their property. The placement of this structure could affect the view from the overlook. They are working with an architect but do not have final plans. They hope to begin construction in six months to a year.

Cost estimate: Wood deck overlook \$34,500
Stone retaining wall overlook \$46,000

5. ENFORCEMENT

It would be possible to hire additional Park Police to provide a dedicated force for continuation of the patrol of Mt. Bonnell. A minimum of five Park Police would be needed (four officers and a sergeant). The estimated cost below includes salaries and equipment but not vehicles. Another possibility would be to contract with a private security force to provide

the patrol. The estimated hourly labor cost is \$10. The estimate below assumes 147 hours per week. We recommend that costs for any additional security for Mt. Bonnell, whether Park Police or a private security force, be borne by the WatersEdge homeowners.

Cost estimate: Park Police Patrol \$143,413
Security Guard \$76,440

Enforcement would include the towing of cars parked at Mt. Bonnell after curfew, ticketing and investigation of the possible use of a boot.

6. WROUGHT IRON FENCING ALONG BLUFF LINE

The Parks and Recreation Board recommends the addition of a low (approx. 3 foot high) wrought iron fence along the bluffline. This fencing would provide a safety barrier to keep park patrons from getting too close to the edge of the cliff and also discourage rock throwing from the ledges below the bluff.

FUNDING SOURCES

The Parks and Recreation Department's CIP includes \$40,000 in approved but unsold bonds which could be used for the Mt. Bonnell projects. The Planning Commission did not recommend sale of these bonds for 1990-91. In adoption of the 1990-91 CIP in September, City Council could include the \$40,000 and add any additional funds needed for Mt. Bonnell for voter approval. More immediate funding could also come from the 1989-90 operating budget ending balance.

This was proposed as a motion by Charles Heimsath, seconded by Terry Colgan and passed unanimously.

NEW BUSINESS

Approval of Aqua Fest Contract

Board Members discussed the proposed contract at length. Several members expressed concerns about Aquafest following regulations that may be passed in the future after the contract is possibly approved. Charles Heimsath made a motion to accept the agreement for reservation and use of Auditorium Shores, drafted by City staff, as a concept document from which to negotiate with Austin Aquafest. The motion was seconded by Terry Colgan and passed on consent.

Mr. George Avery, Sierra Club representative, addressed the Parks Board regarding the disrepair of the current City preserves. He noted several problems, including fire ants, exotic plants, and increased public use. The preserves are underfunded and understaffed. Mr. Avery asked that the preserves be made a priority item during the budget sessions.

There being no further business, the meeting was adjourned.