

Agenda Report

September 16, 2013

TO: Honorable Mayor and City Council
FROM: Department of Public Works
SUBJECT: PROPOSAL FOR LOWER ARROYO ARCHERY RANGE AND DEAL POINTS FOR NEW AGREEMENT WITH PASADENA ROVING ARCHERS

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the actions proposed herein are exempt from environmental review pursuant to the California Environmental Quality Act, pursuant to State CEQA Guidelines Sections 15301 and 15302 (minor alteration – archery range), Section 15301 (licensing – Pasadena Roving Archers), and 15061(b)(3) (general rule – PMC amendment, rules for archery use and text correction to LAMP);
2. Amend the Pasadena Municipal Code to authorize the City Manager to determine where archery is permitted and promulgate rules for archery activities on public lands consistent with those discussed herein;
3. Approve the development of a new license and operating agreement with the Pasadena Roving Archers (PRA) using the deal points contained in this report; and
4. Approve a correction of language in the Lower Arroyo Master Plan (LAMP) to remove references to the number of targets in the southern archery range.

RECOMMENDATION OF THE RECREATION AND PARKS COMMISSION:

On May 21, 2013, the Recreation and Parks Commission considered the Department of Public Works recommendation to divide the archery range into two areas with different designated uses. The area which includes existing targets 1-19 was proposed as a full-time archery range that would be available for archery activity during park hours. A second area, containing existing targets 20-28, was proposed to be available for archery activity on Sundays from 8 a.m. until 1 p.m. and passive recreational activities at all other times. The proposal also included a provision for indoor archery activities at the Rosemont Pavilion. The Commission voted unanimously not to support the Department of Public Works recommendation as presented by staff and recommend that the City Council ensure that

public access to the southern archery range continues and direct staff to work with the PRA to reach an agreement that would include the following as key elements:

1. Maintain use of the entire existing southern archery range for archery purposes;
2. Install and maintain hard barriers (consisting of rocks and natural plantings) to prevent access to the archery range for uses other than archery;
3. Permanent signage should be developed and installed;
4. Eliminate proposed requirement for a photo credential;
5. Safety training and on-site monitoring should be provided;
6. Analyze project adequately for any environmental impacts; and
7. Implement additional safety measures consistent with the Pasadena Police Department recommendations to ensure safety of the archery range when not being operated by the Pasadena Roving Archers.

RECOMMENDATION OF THE DESIGN COMMISSION:

On June 24, 2013, the Design Commission reviewed design concepts for archery related signage, natural barriers and target enclosures. The Design Commission requested additional information to allow for a more detailed review of these project elements. Additional information about the design of signage and natural barriers will be presented to the Design Commission subsequent to the City Council's action.

EXECUTIVE SUMMARY:

The City has developed a proposal to enhance safety within the area of the Lower Arroyo Seco between the Colorado and La Loma Street bridges which has been used for archery for many years. Following the expiration of the purchase order use agreement with the PRA covering Fiscal Year 2010, safety concerns pertaining to mixed use of the archery range were raised. Since that time staff has been working to enhance the safety of the area and develop an agreement with PRA which contains stronger safety and operational provisions. Items related to the use of this section of parkland and the City's agreement with the PRA have been presented to the Recreation and Parks Commission on multiple occasions, reviewed by an ad hoc subcommittee developed to assess this specific issue and elicited considerable public input.

The proposal submitted for City Council consideration seeks to: 1) Maintain archery as the only permitted activity within the boundaries of the southern archery range and 2) Establish deal points to be used in the development of a new license and operating agreement with the PRA. The proposal involves the implementation of specific components of the LAMP and is consistent with the recommendations of the Pasadena Police Department and City's Risk Management Division. Implementation of the proposal would require an amendment to the Pasadena Municipal Code (PMC) to authorize the City Manager, in consultation with appropriate departments, to identify areas where archery is permitted and develop or revise regulations for use of such areas.

BACKGROUND:

The Lower Arroyo Seco Archery Range is located on the west side of the Los Angeles County flood control basin between the La Loma Street and Colorado Street bridges. The range is a public facility included in the LAMP, adopted by City Council in 2003 and is divided into northern and southern sections, each with different permitted uses. The PRA utilizes both sections of the range for organized archery activities pursuant to a City-approved use schedule. The southern range is currently open to the public outside of times reserved for PRA use.

The City has reviewed the use of this area to enhance safety and assess the appropriate use of this portion of the Lower Arroyo. Items related to the use of this park area and the City's agreement with the PRA have been presented to the Recreation and Parks Commission on multiple occasions, reviewed by an ad hoc subcommittee developed to assess this specific issue and elicited considerable public input. The item was most recently presented to the Recreation and Parks Commission on May 21, 2013.

The report presented to the Recreation and Parks Commission on May 21, 2013 (Attachment A) included a proposal to divide the southern range into two areas. That proposal sought to maximize use of this portion of the Lower Arroyo by allowing non-archery uses of the southern-most portion of the range. The area which encompasses existing targets 1-19 was proposed as a full-time archery area, wherein non-archery activities would be prohibited. A second area, where existing targets 20-28 are located, was proposed for archery use on Sundays from 8:00 a.m. until 1:00 p.m. for PRA-sponsored activities. Under this proposal, this second area would be open and available for passive recreational activities at all other times. The proposal also included a provision for indoor archery activities at the Rosemont Pavilion for six months of the year.

Based on feedback from the Recreation and Parks Commission and to maximize safety, the proposal has been revised to disallow dual use of the subject area. The current proposal is consistent with the recommendations of the Pasadena Police Department and Risk Management Division, both of which sought to minimize risk and maximize safety.

Changes in Use

The northern and southern ranges are divided by the site of the former archery clubhouse building. This facility, which was destroyed by a fire in the spring of 2002, was located north of the pedestrian bridge that leads from the parking lot to the west side of the Arroyo Seco. The current proposal, illustrated by attachment B, calls for the continued use of the southern range for archery activities and proposes a prohibition of all other uses in that area.

An unofficial path which bisects the archery shooting lanes garnered significant public comment and served as a main point of discussion. In addition to the Westside perimeter trail and hiking trail adjacent to the eastern boundary of the archery range, this unofficial path, noted by the magenta line on Attachment B, has been used to travel through this section of the Lower Arroyo. The path consists of approximately 1,630 linear feet and is not included in the 131,649 linear feet of established City trails within the Arroyo Seco. Under the current proposal, this path would be eliminated to discourage unauthorized use of this area.

Use of all range areas will require that archers prominently display City-issued credentials, reflecting completion of a PRA-provided safety training class or competency exam. Archers will be required to immediately produce photo identification upon the request of a Police Officer, Park Safety Specialist, Park Ranger or other city official with enforcement powers. The City will issue credentials no less than 15 calendar days after completion of the safety training class or competency exam. Credentials shall be valid for a period of three years. Renewal will be contingent upon successful completion of the safety training class or competency exam.

Park Safety Specialists and Park Rangers will provide periodic patrols of all archery range areas and will have citation authority. Persons not displaying credentials while using the range and those violating range rules will be subject to citation. Penalties for violations of established range rules will be subject to PMC 1.24. Experienced, visiting archers participating in PRA tournaments and students, under the supervision of instructors certified by USA Archery or other nationally recognized archery organizations, will be exempt from this requirement.

Southern Range

The entirety of the southern archery range will continue to be available for archery activity during open park hours (dawn to dusk). This range will be designated as a full-time archery area and used exclusively for that purpose. The area shall be permitted to the PRA during dates and times listed on a bi-annual use schedule approved by the City and available for public archery use by individuals displaying required credentials at all other times. Organized activities not constituting PRA-sponsored events shall be subject to City permit or separate agreement. Persons seeking to offer instruction shall be certified by USA Archery or other nationally recognized archery organization.

The proposal includes a realignment of approximately 150 linear feet of the hiking trail on the eastern border of the range, as illustrated by the yellow line on Attachment B. This realignment is necessary to allow target 15, which was removed from use after a land survey, determined that it was situated on private property, to be located on public property and accommodate regulation-shooting distances. City will review realignment options with PRA to maximize safety and, as can be reasonably accommodated, desired target configurations. Reconfiguration of the southern range would also include the relocation of three bow hangers to the west side of the hiking trail. The unofficial path which bisects the shooting lanes will be removed.

All targets will be located on public property and situated to enhance safety and minimize encroachment onto private property.

Signage and Natural Barriers

Sections of the LAMP that pertain to the archery range call for the development of permanent signage and natural barriers. The Arroyo Seco Design Guidelines (ASDG) state that permanent physical barriers and signage, which are intended to improve safety by keeping archery and non-archery uses separated, shall be reviewed by the Design Commission. Staff will present additional information about the design of these project elements to the Design Commission subsequent to the City Council's action on the larger proposal. Habitat

restoration which will allow for the development of natural barriers and the development of an Arroyo Seco signage program are current Capital Improvement Program projects.

Permanent signage will be used to inform the public of the existence of this full-time archery area and advise park users of regulations associated with this area. The proposal includes three sign types: directional, regulatory and a map of the range. Examples of directional and regulatory signage are provided as attachments C and D. This proposal seeks to formalize directional signs that were installed as a temporary measure to notify all park users of the archery range boundary. These signs are mounted on wood posts along the western edge of the hiking trail that borders the full time archery range. Regulatory signs would be located at entry points to the southern range. The final sign type would be a map of the range which would be centrally located, in the area between the pedestrian bridge and archery practice area.

A natural barrier consisting of boulders and plantings will be located along the edge of the southern archery range and will provide a consistent barrier between archery and other park uses. The barrier will be comprised of Arroyo stones and/or boulders and appropriate native plantings as described in the LAMP, ASDG, and Arroyo Seco Public Lands Ordinance. Attachment E represents an exhibit from page 4-11 of the LAMP which contains a cross section of the approved barrier type, also known as a landscape buffer, between the archery range and hiking trail.

Northern Range

The LAMP states that the targets in the northern range will be removed, the number of shooting lanes will be reduced and that this range will be authorized for no more than 13 uses per year. This range is only used in connection with PRA scheduled events and when in use consists of 14 temporary targets. When authorized for PRA use, PRA will be required to provide an on-site monitor and temporary signage.

Correction to Language in the LAMP

Discussions about the configuration and use of the southern archery range have highlighted confusion regarding the number of allowable targets in the southern range. Page 4-9 of the LAMP states that the layout of the southern range shall remain the same and references 14 as the number of targets in the southern range.

The reference to 14 targets describes the number of targets studied for the northern range and its inclusion within the section related to the southern range appears to have been made in error. Section 2.3.4.6.2 of the Arroyo Seco Master Plan Master Environmental Impact Report (MEIR) references 14 targets in the northern range. The MEIR indicates that the southern range shall consist of the same elements as the northern range but does not specify the number of targets.

During the June 2, 2003 City Council meeting, a memorandum from the City Manager regarding a reduction in the space and use of the northern archery range, and map of the northern and southern archery ranges was distributed (Attachment F). The map attached to the memorandum, which includes 28 targets in the southern archery range, represents the map that was attached to prior agreements between the City and PRA, and represents the existing condition at the time the LAMP was adopted. Additionally, aerial photographs from

2003 and 2011 (Attachment G) demonstrate that the configuration of the southern archery range has not substantively changed since the adoption of the LAMP.

For these reasons and based on the recollection of staff members involved in the development of the LAMP, it is believed the reference to 14 targets was intended to describe the reduction in targets at the northern range and was erroneously listed as the number of targets in the southern range. It is therefore recommended that the number "14" be deleted from references to the southern range found in the LAMP.

Deal Points for License and Operating Agreement with PRA

The deal points listed below are proposed for use in an agreement between the City and PRA. The agreement term is proposed as a one-year agreement with four one-year renewable options at the discretion of the City Manager. The agreement shall govern PRA-sponsored activities in the Lower Arroyo archery range. Private, commercial or other organized activities not covered by this agreement are subject to separate permits or fee agreements.

An assessment of the effectiveness of the new agreement will be presented to the Recreation and Parks Commission approximately six months after the agreement is executed.

Agreement Deal Points

1. Revenue Basis and Calculation

PRA shall pay to the City a portion of revenues collected pursuant to membership, tournaments, instructional classes (other than safety training classes) and other archery activities conducted by PRA. Revenue provided to the City will be determined on a quarterly basis. If 66% or more of the PRA membership live, work or attend school in Pasadena (PUSD schools), revenue shall be allocated: 70% to PRA and 30% to the City. If less than 66% of PRA membership live, work or attend school in Pasadena (PUSD schools), revenue shall be allocated: 60% to PRA and 40% to City. Payment will be due within 30 days of the end of each quarter.

2. Maintenance Allowance

A maintenance allowance for the costs associated with the purchase and refurbishment of bales in the southern range, not to exceed \$2,000 annually, may be deducted from the total revenues.

3. Provision of Documents

Upon execution of the agreement and thereafter as indicated below, PRA will provide the following documents to the City:

- a. PRA membership roster (including youth/adult designation, names, addresses, zip codes and (if not a Pasadena resident) whether the member works in Pasadena or attends a PUSD school. This document shall be provided quarterly.
- b. Participant activity reports. Such reports shall include the demographic information listed in 3.a. for individuals participating in PRA activities and will be provided on a quarterly basis.

- c. List of user fees charged for activities described in deal point 1. This shall be provided annually or more frequently if mid-year changes are proposed.
- d. Financial reports including all revenues and expenses received or incurred as a result of use of the range. This information will be provided quarterly.
- e. Archery range safety inspection certifications and/or other safety reports and PRA rules governing member use of the archery area. This information shall be provided on an annual basis. The City shall have a representative present during any range inspection or safety review conducted by the NFAA or other archery organization.
- f. Bi-annual use schedule for PRA-sponsored activities in the southern and northern ranges. This information will be provided prior to January 1 and July 1 of each year.

4. Safety Training Class

PRA shall provide a class on range safety and basic archery instruction ("safety training class") to all interested parties. This class will be offered not less than weekly (weather permitting).

5. Safety Training Class Exemptions

Archers with exceptional experience may forgo the safety training class by successfully completing a competency examination. PRA will be responsible for administering such examination.

6. Credential Issuance

PRA will provide the City with a list of the names of persons completing the safety training class (or examination) not less than 2 working days after completion. The City will be responsible for issuing archery range credentials within 15 days of notification from PRA

7. Storage Container

PRA will downsize or remove the storage container located adjacent to the practice area upon execution of the agreement and identification of a reasonable alternate storage location(s) by the City.

8. Vehicular Restriction

Vehicular access to the west side of the flood control channel will be limited to maintenance activities. To facilitate equipment loading, unloading and event coordination, one parking space in the Lower Arroyo parking lot will be designated for PRA use.

9. Insurance

Provide liability insurance naming the City as additional insured for an amount not less than \$1,000,000 combined single limit per occurrence for all PRA-sponsored activities on City lands. With respect to properties where there is a reasonable expectation of encroachment during authorized and appropriate archery activities, PRA shall include as additional insured abutting property owners with respect to PRA's liability arising from PRA events, activities, and programs. Expectation of encroachment shall be determined by the distance and topography of land between the target location and adjacent private property. City retains the right to close any or all shooting lanes should it determine at its sole discretion that the use of such lane or lanes poses a hazard to the general public or adjacent property owners..

10. Target Maintenance

PRA shall be responsible for the maintenance of all permanent targets, bales and other archery facilities.

11. Temporary Targets

PRA shall be responsible for the installation and removal of all temporary targets. Temporary targets used in the Lower Arroyo archery range shall be removed after each authorized use.

12. Monitor

PRA shall provide an on-site monitor for all PRA-sponsored activities. Monitors shall be required to have visible identification denoting their role, ensure that range rules are observed and report violations to the Pasadena Police Department. PRA shall be required to hire a Pasadena Police Department officer for "invitational" tournaments. These tournaments involve experienced PRA and non-PRA archers and represent the tournaments with the largest number of participants.

13. Instruction

All instructors used in the performance of PRA classes and training activities shall be certified by USA Archery or another nationally recognized archery organization. Instructional classes shall conform to an instructor to student ratio of no greater than 1:10 for beginner classes and 1:15 for intermediate classes.

14. Liability Waiver

PRA will be responsible for ensuring that individuals participating in PRA authorized activities complete and sign a document releasing the City from liability arising out of the performance of archery activity.

15. Marketing and Outreach

PRA will be responsible for actively marketing its programs to the Pasadena community and providing information about the sport of archery to the general public.

Northern Range

1. Authorized Use

Available for PRA-sponsored activities no more than 13 Sundays per year according to City approved use schedules.

2. Notification of Use

Dates of use will be posted on-site and online.

3. Targets

Only temporary targets, to be removed after each use, are permitted.

4. Temporary Signage

PRA shall install temporary signage as approved by the City, prior to Sunday use.

Southern Range

1. Authorized Use

Available for PRA-sponsored activities according to a City approved use schedule.

2. Sighting-In Target

One temporary "sighting in" target located north of target #1 shall be available for use on Sundays only. This target will be removed after each Sunday use.

City Review

The proposal incorporates feedback from various City Departments including Pasadena Police, City Attorney, Human Services and Recreation and Risk Management Division. The recommendations contained in the proposal are consistent with the recommendations and comments received from those Departments.

COUNCIL POLICY CONSIDERATION:

This project is consistent with the City Council's goals to 1) Improve, maintain and enhance public facilities and infrastructure and 2) Ensure public safety. The proposal requires the implementation of projects within the Lower Arroyo Seco Master Plan.

ENVIRONMENTAL ANALYSIS:

The Pasadena Arroyo Parks and Recreation District, which includes the Central and Lower Arroyo Seco, is listed in the National Register of Historic Places. The Lower Arroyo contributed to the historical significance of the area as a result of its historic use for recreation. The configuration of the archery range is not identified as a contributing element. In any event, the configuration will not change under this proposal, and instead the informal path will be removed to return the overall Archery range to its intended configuration. Therefore, the projects described herein will not cause a substantial adverse change to the historic significance of this area and are exempt from further environmental review pursuant to the State CEQA Guidelines, as follows:

- The minor alteration of the archery range is exempt pursuant to State CEQA Guidelines Section 15301. That section exempts minor maintenance, repair and alterations of existing public structures involving negligible or no expansion of the use. The minor alteration described herein returns the trail system to its intended configuration by removing an informal path through the range, maintains the general area as an archery range, and does not expand the trail system, number of targets or substantially expand the area to be used for archery.
- The new agreement with the Pasadena Roving Archers is exempt pursuant to State CEQA Guidelines Section 15301. That section exempts the licensing and minor alteration of existing public structures involving negligible or no expansion of the use. The new agreement does not expand the area that is already being used by the Archers.

- The proposed amendment to the PMC, rules for archery activities, and correction of the language in the LAMP are exempt pursuant to State CEQA Guidelines Section 15061 (b)(3). This text correction is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This correction does not increase the number of allowable targets beyond what currently exists, and indeed makes clear that the current level of use is authorized.

FISCAL IMPACT:

The City received \$3,976 from the Pasadena Roving Archers as General Fund Revenue in calendar year 2012. This sum represents 35% of the membership fees collected during 2012. Based on the revenue arrangement proposed in the deal points contained herein, it is anticipated that the execution of this agreement will result in annual revenues of approximately \$10,000 from the Pasadena Roving Archers. These funds would be deposited as General Fund Revenue in account number 6627-101-765300.

Respectfully submitted,



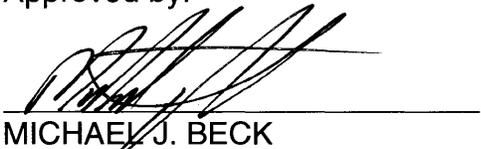
SIOBHAN FOSTER
Director of Public Works

Prepared by:



Charles Peretz
Public Works Administrator

Approved by:



MICHAEL J. BECK
City Manager

- Attachment A – May 21, 2013 Report to Recreation and Parks Commission
- Attachment B – Lower Arroyo Seco Archery Range Exhibit
- Attachment C – Sample of Archery Directional Sign
- Attachment D – Sample of Archery Regulatory Sign
- Attachment E – Natural Barrier Exhibit from LAMP
- Attachment F – City Manager Memorandum dated June 2, 2003
- Attachment G – Aerial Photographs of the Lower Arroyo Archery Range