

LITTLE LEAGUE - BECOMING A BETTER NEIGHBOR

SUMMARY

Since 1975 the City of Santa Rosa School District (SRSD) and the Santa Rosa American Little League (SRALL) have entered into Agreements granting the SRALL permission to utilize property owned by the District at the John Monroe Elementary School. The initial Agreement called for the SRALL to develop and maintain two baseball playing fields. Over the years there have been numerous incidents of excess noise, dust and vandalism, as well as verbal confrontations between SRALL parents and residents whose homes adjoin the playing fields. Initially these incidents were basically ignored, but in recent years both the SRSD and SRALL have made a positive effort to address neighborhood concerns. In 1996 turf was installed by the P.T.A., local businesses and concerned citizens in the area between the school buildings and playing fields, which had been primarily rocks and weeds. A rookie playing field and a "T-Ball" field were developed in the improved area, which is also utilized for soccer and by the schools students for organized intramural after school sports. At that time they also made improvements to the existing fields, including backstops and seating.



REASON FOR INVESTIGATION

The Grand Jury received a Citizen Complaint in relative to a variety of problems at the Monroe School, many of which were created by SRALL. Specifically mentioned were dust, crowd noise, honking of horns, repeated use of car alarms, lack of night time security resulting in late night parties and acts of vandalism. In letters to both the Grand Jury and the SRSD Superintendent of Schools the complainant expanded on the reasons for the complaint, including expressing a concern that SRSD was not in full compliance with the California Environmental Quality Act (CEQA) when two additional playing fields, rookie and "T" ball, were added to the area between the school buildings and the existing playing fields. The complainant has followed through with letters describing additional concerns.

BACKGROUND

When the League started using the Monroe facility in 1975, and until 1987, there were no residential developments abutting the school's property. Residential development began in 1987 with the construction of homes adjacent to the two playing fields and an unpaved parking area. In 1988 additional homes were built on Crosspoint Avenue, with their rear property lines along the unpaved access road. The access road separates the property line from the school buildings, a then undeveloped area, and the two baseball fields. Since development of the residential area bordering Monroe School and the SRALL playing fields, there have been countless repetitive incidents involving the items mentioned in the complaint. Neighbors have made numerous complaints to the SRSD concerning a variety of issues including excessive vehicle traffic, high noise levels, dust, verbal confrontations between SRALL parents and neighbors, excessive hours of use and overpopulation at games. Another neighbor, with severe asthma and chronic bronchitis, mentioned being unable to enjoy their backyard in the evenings and on weekends because of the high dust level. Worries that runoff from diesel fuel or other hydrocarbons might leach into backyards after a rainstorm were also mentioned. Other items such as minimal attention to landscaping and drainage along property lines, and misuse of the fields late at night by groups and individuals were also mentioned. A review of complaints received by the S.R.P.D. showed a majority were for excessive noise, mostly occurring well after dark, and included partying, vehicles spinning "wheelies" and vandalism.

In 1996, the P.T.A., Santa Rosa businesses and community volunteers converted an unimproved (rocks, weeds, etc.) portion of the school grounds between the school buildings and the original baseball fields to turf and the Rookie, "T" Ball and soccer fields were subsequently developed. This resulted in a safer environment for students who utilize the area during lunch, recess and after school. Although the improvements and field development were not subject to Section 65352.2 of the California Government Code or Section 21151.2 of the Public Resources Code, it appears that the CEQA provisions of the Public Resources Code may not have been fully complied with.

In 2006 the SRSD sent a letter to the neighbors whose property bordered the Monroe School grounds, requesting their comments regarding the SRALL's activities. As a result of the feedback from neighbors, both the SRSD and SRALL have taken an ongoing proactive approach to address these concerns. Many of the respondents enjoyed having the SRALL as neighbors, citing the positive impact that organized sports has on today's youth. Although SRSD and SRALL are working together to address neighborhood concerns, SRSD's budget problems may impact the timeline for construction related projects such as paving and drainage control. Although located within the Santa Rosa City limits, there are some local zoning and permit requirements that do not apply to the SRSD. However, all capital improvement and construction projects, excluding deferred maintenance, must be approved by the California Division of the State Architect. In addition, some projects are subject to sections 53090 through 53097.5 of the California Government Code, all of which relate to compliance with local zoning ordinances. While local zoning and permit requirements are not required for many projects, the SRSD is subject to the CEQA provisions of the California Public Resources Code. In compliance with CEQA the SRSD must prepare the appropriate environmental document for projects covered by the Act.

INVESTIGATIVE PROCEDURES

Although the Santa Rosa School District was named as the subject in the complaint, based on its initial findings the Grand Jury felt the investigation should also include the SRALL.

Interviews and discussions were held with the following:

- Complainant and Neighbors Adjacent to Monroe School
- Associate Superintendent of Schools for Business
- Elected Members of District's Board of Education
- District's Director of Maintenance and Operations
- League's Current and Past President
- Staff Members of Santa Rosa's Recreation, Parks and Community Services Department
- City of Santa Rosa Community Development Staff Member

The following documents and resources were reviewed:

- Letters and E-mails From Complainant to District
- Letters and E-mails From Neighbors to District
- Current and Past Use Agreements
- District and League Meeting Minutes and Notes
- S.R.P.D. Complaints Log for Monroe School
- District and League Outreach Documents and Letters
- Santa Rosa Recreation and Parks Facilities
- California Public Resources Code (CEQA)
- California Division of the State Architect
- California Civil Code
- California Government Code
- California Code & Regulations
- California Education Code
- Santa Rosa School District Board of Education Policy

In addition Grand Jury members attended SRSD Board of Education Meetings whose agenda included items related to the complaint.

FINDINGS

F-1 Since being notified of the possible CEQA violation the SRSD has adopted a policy that includes mandatory neighborhood outreach and compliance with CEQA for all construction projects at their schools.

a. While the SRSD has a general protocol in place for Community Relations, it does not fully address community notification avenues or the means for community response or input. SRSD in the process of modifying Board Policy 1100 - Community Relations, to include a Comprehensive Communications Plan for establishing community outreach priorities.

F-2 Continuing efforts to minimize parking and dust problems have met with little if any success.

a. The SRSD and SRALL jointly installed chip seal on the access road and dirt parking areas, but this proved to be inadequate. As many as 100 cars per hour use the access road during scheduled games, contributing greatly to the high dust levels.

b. The SRSD has put out for bid a paving plan for the access road and parking area. The SRSD's Director of Maintenance and Operations is working with the complainant on the paving plan, primarily the location of speed bumps and fence line setbacks. The plan calls for widening the buffer zone between neighbor's fences and the road, 68 parking spaces, and will include a series of the newest type of speed bump. As this project is for improving an existing feature it is exempt from CEQA or local permitting.

c. SRALL installed a gate at the entrance to the access road, which they lock each day upon completion of activities. Since installation of the gate the S.R.P.D. has seen a substantial drop in the number of complaints.

d. The SRALL now requires parents to sign, and adhere to, a Parking Lot Agreement designed to control hours of use, speed, parking along the fence line and noise. It includes being courteous to and respectful of neighbors and their property. Enforcement of this agreement is the responsibility of the SRALL.

F-3 The SRSD, with financial assistance from the SRALL, has installed 2 motion activated security type cameras with sound capability to monitor the access road, parking area and the playing fields.

F-4 There has been a substantial reduction in the number of participants, from a high of 651 in 1992 to just 414 in 2009. Based on applications received through February, there will be even fewer participants in 2010. SRALL will field 2 fewer teams for both the minor (rookie) and "T" ball leagues, resulting in fewer games on those fields.

F-5 The License Agreement for Land Use between the SRSD and SRALL for 2010 has addressed many of the concerns of both the complainant and neighbors. The term of the Agreement is now set at one calendar year and the SRSD will hold an open public hearing prior to renewal of the Agreement for 2011. It sets forth SRALL responsibilities, including use of the public address system, parking, respecting the privacy and property of neighbors, traffic control, refraining from honking horns and using car alarms, and the installation of access barriers to keep vehicles a reasonable distance from neighbors property. Hours of use are specified during the Agreement period as from 4:30 p.m. until dark on weekdays and 8:30 a.m. until dark on weekends and holidays. It does not address penalties for failure to comply with or violation of the SRALL's Responsibilities and Duties.

CONCLUSIONS

The Grand Jury found that the SRSD and SRALL are now working together to provide a safe environment for League participants as well as being good neighbors to residents of homes adjacent to the playing fields. While organized youth sports activities such as little leagues have a very positive impact on today's youth, equally important is ensuring that these activities create and maintain a friendly relationship with all members of a community. The Jury also found that today's economy may delay the implementation of several viable options which would either eliminate or minimize concerns expressed by neighbors during interviews and discussions.

It is a possibility that violations of CEQA and the California Code of Regulations occurred during the 1996 improvements and addition of the Rookie and "T" Ball fields, as well as the chip sealing of the access road and parking area. When notified of the possible violation the SRSD initiated their current district wide policy of full CEQA compliance in addition to beginning the process of amending their Community Relations Policy to ensure neighborhood involvement.

COMMENDATIONS

The complainant is to be commended for bringing these matters to the attention of not only the Grand Jury, but the SRSD and SRALL. His observations and comments were invaluable to the Grand Jury during their investigation. Additionally, he worked with the SRSD's Director of Maintenance and Operations in development of the plan for paving the access road and parking lot, including the type and location of speed bumps. Both the SRSD, including staff and the board of education, and SRALL are to be commended for their positive efforts towards rectifying the concerns of neighbors living adjacent to Monroe School and the playing fields. Neighbors along the property line are also commended for their responses, both positive and negative, to the SRSD's request for comments, their attendance at SRSD Board meetings, and the SRALL's Neighborhood Feedback Survey.

RECOMMENDATIONS

R-1 License Agreement for Land Use Between SRSD and SRALL

a. That all future Use Agreements between the SRSD and SRALL include penalties or recourse in the event the SRALL does not fully comply with each of the provisions contained in Section I. A. "League's Responsibilities and Duties." Specific penalties or fines, up to suspension of use for repeated violations of the same provision, should be adopted based on the type and severity of violation.

b. Amend the License Agreement for Land Use for the period January 30, 2010 through November 7, 2010 to include the penalties or fines for noncompliance, and revising Section II. Property and Equipment, D. changing the first sentence to read: "LEAGUE will be permitted use of the property on weekdays from 4:30 p.m. until dark, Saturdays/Holidays from 8:30 a.m. until dark, Sundays from 12:00 noon until dark, with no inning starting after 7:30 p.m. on any day, with the exception of the following days (Back to School Night, Open House, Memorial Day, Mothers Day, and Fathers Day) during the term of the Use Agreement.

c. No later than 60 days prior to the SRSD's Board of Education Meeting to renew the SRALL's Use Agreement the SRSD should schedule and invite all neighbors adjacent to Monroe School and SRALL officials to an open meeting to discuss possible Agreement changes as well as being a forum designed to improve all aspects of the SRALL's Monroe School activities. The meeting notification and agenda should include procedures for filing complaints alleging violations of the Agreement.

R-2 The SRSD and SRALL jointly investigate, to reduce SRALL activity at Monroe School, the availability of other playing fields. In addition to fields at other SRSD schools, Santa Rosa Recreation, Parks and Community Services should be contacted about availability of A Place to Play or their other ball parks. The former playing field at the Sonoma County Fairgrounds should be among the other venues considered.

R-3 That the Director of Maintenance and Operations coordinate with Monroe's neighbors and institute a preventative maintenance program designed to control weeds, landscaping, irrigation and drainage adjacent to their property.

R-4 That the SRSD and SRALL each month during the term of the agreement jointly measure and record the crowd noise level to ensure it falls within the City of Santa Rosa's ambient noise level criteria. In the event there are concerns over excessive noise or vehicle related activities, SRSD and SRALL should jointly review the camera system's audio and visual for the period of the concerns. It will be the SRALL's responsibility to take necessary corrective action if the concern was the result of SRALL related actions.

R-5 Although the Agreement for 2010 specifies when the public address system may be operated, the SRSD and SRALL shall ensure that the speakers are located and directed in such a manner as to minimize the noise levels reaching the neighbors adjacent to the playing fields.

R-6 The amendments to SRSD Board Policy 1100 Community Relations include specific protocols for public notification. These protocols should also be included in Board Policy relating to their Comprehensive Communications Plan. The specific media to be used, dependent upon the notification's purpose, must be identified. Each notification shall contain pertinent District contact information relative to the purpose of said notification, along with specific protocols for the filing of complaints or providing feedback.

R-7 That SRSD develop a Board Policy specifying protocols to ensure that all SRSD construction related projects are in full compliance with applicable portions of Local Zoning Regulations, the California Government Code, California Civil Code, California Code & Regulations, California Education Code and the California Public Resources Code (CEQA). The protocol, in addition to ensuring compliance, should address procedures for both coordination with the Santa Rosa Community Development Department and community notification when requested.

Required Responses to Findings:

Associate Superintendent of Schools, Business - F-1, F-2, F-5
District Director of Maintenance and Operations - F-2(b)

Required Responses to Recommendations:

School District Board of Education - R-1, R-2, R-6, R-7
Associate Superintendent of Schools, Business - R-1, R-2, R-6, R-7
District Director of Maintenance and Operations - R-3, R-4, R-5, R-7

Requested Responses:

City of Santa Rosa Community Development Department - R-7
Assistant City Manager, Recreation, Parks and Community Services - R-2
Sonoma County Fair and Exposition - R-2
Santa Rosa American Little League - F-2(d), F-4, F-5, R-1, R-2, R-4, R-5