

Published February 17th, 2010

## Dogs at Rancho Laguna Park Still have Many Happy Days Ahead

By Sophie Braccini



Orinda Senior Village resident Kay Biondo came in support of keeping Rancho Laguna's off-leash hours. Photo Sophie Braccini

The auditorium at Joaquin Moraga Intermediate School hadn't seen such an outpouring of emotion and packed seating for a Moraga Town Council meeting since the heady days of the speed bump controversy. The house was packed on February 10th and the public endured the rigors of government proceedings as they waited for their chance to give public testimony on the off-leash future of Rancho Laguna Park. The issue finally came up at 9:30 p.m., and most of the residents stayed past midnight to hear the Council not decide anything regarding the park, but to order more study for a dedicated dog park.

37 residents took a stand on the 10th, 30 Moraga residents, five folks from Orinda and two from Lafayette; about 90% of them in support of off-leash activities at the park. It was the publicly advertised objective of the Council to decide what kind of physical barrier should be created at the park to separate off-leash dogs from other types of users. The staff report presented the alternatives: Plan A would fence in the play and picnic areas leaving the field open to off-leash dogs before 9 a.m. and starting again one hour before dusk; Plan B would create a fenced dog park on the north side of the park, and not allow dogs on the grass area. Staff estimated the cost of plan A at between \$74,000 and \$96,250, and of plan B between \$114,900 and \$142,300; the restoration of the field would cost an additional \$179,300.

While most of the pro-dog speakers supported option A, many asked that the Town do nothing at all since the situation was satisfactory as is, and either plan would cost a significant amount of money. "What the problems are we are trying to solve?" asked Moraga resident Luis Salvago-Toledo, "this place brings so much happiness to so many people without cost to the community."

The dog owners then tackled what had been the Council's prominent concern: the Town's liability in case of an accident. Frank Stevens, a lawyer from Stevens, Drummond and Gifford in Walnut Creek, addressed municipal liability for off-leash dogs. He stated that the dog owner is strictly liable for injuries and damages caused by his/her dog while municipalities in the area have never been sued over residents' dogs' injuries or damage.

The Town's attorney, James Atencio responded, "Whether or not a physical barrier is installed to separate users, the Town would still be exposed to liability." Stevens added that municipalities could purchase relatively inexpensive insurance to cover such risks.

With the presentation of Moraga resident Bob Reynolds the debate shifted focus. "The discussion should not stop at alternative A or B," said Reynolds, "mixed use is a bad idea, and those two options are polarizing the population." Reynolds recommended that the Town look at other properties it owns where a dedicated dog park could be established. "The back-40 at the Commons is underutilized and it has good access," he said, referring to the north-east portion of the park, "and there is another piece of land that could be suitable as well; it is located along Saint Mary's road, across from the College."

Mayor Ken Chew supported that proposal and added that he didn't like either Plan A or B because both were expensive and would not resolve the problems at the park. "What we need is for dog owners to formalize an association or club that would take responsibility for the off-leash hour usage," said Chew, "like that, staff would have an interlocutor should a problem arise."

The Council voted unanimously to instruct staff to study other possible locations for a dedicated dog park. Staff was not given a specific deadline by which it must present a preliminary report. The previously established temporary off-leash hours will stand in the meantime.

From April 1 to September 30, dogs are allowed off-leash from park opening to 9:00 a.m. and from 6 p.m. to park closing; from October 1 to March 31 during the same morning hours and in the afternoon from 4:00 p.m. to park closing.

### Rancho Laguna Park Survey Results

From September to November 2009, 475 surveys were completed regarding the use of Rancho Laguna Park. The results have since been discussed in commission meetings. Some of the answers include:

LAMORINDA WEEKLY | Dogs at Rancho Laguna Park Still have Many Happy Days Ahead | Moraga

What do you like best about the park? 65% - Natural setting; 40% - Quiet; 32% - off-leash

What do you like least in the park? 46% - off-leash; 39% - Soggy grass; 12% - team sports

What facilities would cause you to

visit more often? 24% - better lawn; 21% - fenced dog area; 20% - playground

The survey results have been challenged by off-leash supporters on the grounds that the questions were confusing and the survey was not conducted in a scientifically sound manner that did not use representative sampling techniques.

Reach the reporter at: [sophie@lamorindaweekly.com](mailto:sophie@lamorindaweekly.com)

Copyright © Lamorinda Weekly, Moraga CA