

From: [REDACTED]
To: [Mary Gourley](#)
Subject: Parklets - Equitable? The Best Way to Support Downtown? Who Is Liable? - Public Comment 9/20/22 Item 9
Date: Monday, September 19, 2022 9:56:28 AM

Dear Council,

I am writing in regards to item #9/ Parklets.

As it appears that CalTrans limits commercial activity of parklets, "Designated use is Park and Recreational Use Only. Restrictions on commercial activities on state highway apply (ref. S&H Code §731) such as no table service, open to the public, and no advertisement" and their main current function is to support the commercial activity of local businesses, it would appear that the parklets would not be a good fit for the desired purposes.

In addition, it appears that only specific businesses benefit from these tax based funds. If we are to use tax money to support our local businesses, it seems that the money should be used to support all businesses regardless of location.

I am a customer of all three businesses - Screamin' Mimi's, Retrograde and Sunshine Cafe. I love all three businesses. I want all three businesses to survive and thrive, especially as Main Street seems to be on a decline with the recent closing of Jasper's and People's Music. I think the parklets add life to Main Street and downtown.

Liability

The CalTrans restrictions clearly denote the spaces for recreation purposes only. In this regard, they are no longer the commercially focused spaces that currently exist.

It is extremely important from a liability standpoint, that it is clear who is legally responsible for these spaces in case of an accident. We all know that a vehicle already crashed into the parklet at Screamin' Mimi's. If someone was injured, does the City want the responsibility of that injury or (hopefully this never happens) death. With the current CalTrans guidelines, the City would be liable.

Equitable Distribution of Public Resources

If the parklets that support Screamin' Mimi's, Retrograde and Sunshine Cafe move forward as recreational spaces with the City assuming full liability, another question arrives: is it fair that they get to expand their business footprint and have it paid by taxpayers?

As the parklets are designated as public, recreational space, the City cannot ask these businesses to share the costs as they do in other cities. For instance, business owners in San Francisco pay a fee to the City for any parking spots used (with a new limit of two parking spots) and also pay for the construction of the parklets as the parklets are a clear expansion of their businesses.

Not Enough Funding to Take Care of Our Current Public Spaces

If the parklets are purely for public space and recreation, then I would argue against them as the City has trouble maintaining its current public spaces. There have been a series of fires started by transients near the Joe Rodota Trail on City land. This land has not been cleared of dry and dead debris, leaving neighboring homes in a precarious position.

Ives' Park has a ragged, 60 year old chain link fence that needs to be replaced. Even though the City is working on the Calder Creek redesign, that is a project that might take more than a decade to realize as it is dependent on grants. Even if the City had millions of dollars required to complete the project, it would still take years from design to opening day. We could instantly upgrade Ives by simply replacing the old, cattywampus chain link fence, with a new, black chain link fence for under \$100,000.

How to Support All Businesses with This Money

The \$16,000 set up fees, coupled with \$85,000 construction costs equals \$101,000. It seems that this money could be used more wisely to benefit all the downtown businesses instead of 3. I would suggest a dedicated street clean team to spruce up Main Street and the Town Square. I would suggest using the money to offer free, small scale music events in various downtown businesses. I would suggest using the money to offer holiday programs in the town square for families.

The City could sponsor a giant citywide cross promotional event that could take place over one weekend. The idea: the City would buy \$101,000 of \$25 gift certificates from businesses who wanted to participate in the event. If a person made a purchase at one local business the purchase would come with a \$25 gift certificate to another participating business, restaurant or bar. You could extend it to memberships at the art center, tickets at the theater and rialto, events and classes at the Community Center. Thus one purchase or membership or ticket purchase would lead the purchaser to another local business. \$101,000 would yield 4040 \$25 gift certificates. You could directly support 100 local businesses by purchasing \$1010 worth of gift certificates.

With \$101,000 the City could do a strategic overhaul of the town square to more directly connect McKinley from Main Street to the Barlow by widening the sidewalk that abuts the townsquare and lining it with cafe lights and repurposing the area currently taken up by the dry fountain. The Barlow has a tremendous marketing budget and brings in thousands of consumers into Sebastopol. If there was a more direct visual and pedestrian link between Main Street and the Barlow, people would be more apt to circulate from the Barlow to Main Street.

If the goal of the money is to support our downtown and local businesses, then there are ways it can be used to benefit all the businesses. The parklets are not that way.

Remove the People Music Parklet Immediately

In addition, the parklet in front of the vacant People's Music should be removed immediately as it is an eyesore, takes up parking spaces, and adds to the blighted appearance of downtown.

Best,
Kate Haug