

**From:** [Dorothy Freeman](#)  
**To:** [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [Malia Vella](#)  
**Cc:** [Lara Weisiger](#); [Manager Manager](#)  
**Subject:** [EXTERNAL] City Council October 5, 2021 Item 10F  
**Date:** Sunday, October 3, 2021 9:55:30 PM

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October 3, 2021

City Council October 5, 2021 Item 10F  
Consider Directing Staff to Move Jean Sweeney Park Fencing

Hello Mayor Ashcraft, Vice Mayor Villa, Council Members Daysog, Knox-White, and Spencer;

In 2018 a fence was placed along the southern "wooded area" edge of the Jean Sweeney Open Space Park. The fence was needed because the Jean Sweeney Park land in the "wooded area" had not been cleaned up enough for park visitors to enjoy and the park was opening on December 19, 2018. Also beyond the fence was land owned by Union Pacific Railroad.

In 2019 the Jean Sweeney Open Space Park Fund was tasked with offering memorial bench and picnic table sales in the "wooded area" of Jean Sweeney Park with the understanding that the fence would be moved south to allow park visitors in the "wooded area".

As requested, we placed a web page on the <http://sweeneyopenspacepark.org> website with instructions informing the public that the area was available for memorial benches and picnic tables. We also sent an email to our list informing the group of the availability of the area. As time passed and the fence was not relocated, while the page is still on the website, we made the page inactive. See attached Reference link.

Since the beginning of the park development, the public understood that the 4.52 acres of Union Pacific Railroad land on the south edge of the Jean Sweeney Park would become part of the park. It was always understood that the Jean Sweeney Park land beyond the fence would become available, the fence would be removed, and the land cleaned for inclusion into the park.

In 2018 the City Council held a public meeting to inform the public that the City Council had determined that only 2.8 acres of the 4.52 Union Pacific land would be practical for addition to the Sweeney Park because the 1.72 acres Union Pacific owned between Wood Street and Eight Street, which was already zoned as residential, would be extremely expensive. The public was able to participate in the discussion of the purchase of the remaining 2.8 acres the city would obtain by condemnation law that allows cities to obtain land for public use by filing an eminent domain law suit in the California Superior Court. The City Council approved the eminent domain suit and requested immediate possession of the 2.8 acres which was approved by the court.

Subsequently this City Council has made the decision, without public input, to purchase only .55 acre of the 2.8 acres of Union Pacific land leaving all of the railroad land on the south edge of the park in the railroad's ownership. Since that decision has been made, it's time to move the fence to the border of the Union Pacific Railroad land, returning the Jean Sweeney Park land to the park.

The attachment to the Council Referral shows the overlay of Union Pacific land, from the maps included in the court documents for the law suit case number RG18921261, and the fence line on the Google Earth map which shows several acres of Jean Sweeney Park land between the yellow fence line and the blue line of Union Pacific land.

The people of Alameda should be enjoying the wooded space since that land belongs to the Jean Sweeney Open Space Park and by law cannot be used for anything else. Also, the people of Alameda, especially those who live in the neighborhood, need to know exactly what land, per the Cities agreement with the Union Pacific Railroad, is destined to become zoned as residential space.

Reference: [http://sweeneyopenspacepark.org/docs/projects/bench\\_project\\_wooded\\_area.html](http://sweeneyopenspacepark.org/docs/projects/bench_project_wooded_area.html)

Respectfully,

Jean Sweeney Open Space Park Fund  
Jim Sweeney Co-Chairman  
Doug DeHaan Co-Chairman  
Dorothy Freeman Secretary/Treasurer  
Joseph Woodard Media

cc: City Clerk: Lara Weisiger  
City Manager: Eric Levitt