

**CITY OF MANHATTAN BEACH
PARKING AND PUBLIC IMPROVEMENTS COMMISSION
MINUTES OF A REGULAR MEETING
January 28, 2021**

A. CALL TO ORDER:

The regular meeting of the Parking and Public Improvements Commission of the City of Manhattan Beach, California was held on January 28, 2021 at the hour of 6:04pm., via Zoom Call.

B. PLEDGE TO FLAG

C. ROLL CALL

Present: Commissioners DaGiau, Kirschenbaum, Paralusz, Apostol, and Chair Murillo
Absent: None
Staff Present: Traffic Engineer Erik Zandvliet, Lieutenant Andrew Harrod
Clerks: Fel Cortez

D. APPROVAL OF MINUTES

01/28/21-1 Regular Meeting – December 03, 2020

MOTION: It was moved and seconded (**Apostol/Kirschenbaum**) to approve the minutes without corrections.

AYES: DaGiau, Paralusz, Kirschenbaum, Apostol, and Chair Murillo
NOES: None
ABSTAIN: None
ABSENT: None

E. AUDIENCE PARTICIPATION (3-minute Limit)

Chair Murillo opened Audience Participation.

No Audience Participation.

Chair Murillo closed audience participation.

F. GENERAL BUSINESS

01/28/21-2 Consider a Request for Overnight Permit Parking Restrictions on 45th Street Between Ocean Drive and Highland Avenue

Traffic Engineer Zandvliet stated that staff received a request from **Sarah Nagengast**, a resident on 45th Street, on July 2020 requesting that parking be prohibited on the north side of 45th Street between Ocean Drive and Highland Avenue. **Ms. Nagengast** stated that the parking area was being used as a “party zone” after 5:00 p.m. into the night, which included activities such as loud music, engines running, smoking, etc. that disturb the peace of the residents close-by. **Traffic Engineer Zandvliet** stated that after discussions with **Ms. Nagengast** and **Lieutenant Andrew Harrod**, a letter survey was mailed to residents in the surrounding area between 42nd Street and 45th Street and Ocean Drive to Highland Avenue on November 5, 2020 to gauge interest for special parking restrictions on the north side of 45th Street. **Traffic Engineer Zandvliet** stated that the parking permits would be the same permits used at the El Porto Beach Parking Lot. Staff received about 62 surveys from residents (77% in favor of parking restrictions, 23% against parking restrictions). **Traffic Engineer Zandvliet** further summarized details from the staff report.

Chair Murillo opened discussion to Commissioners

Commissioner Kirschenbaum asked if “No Parking” equates to “No Standing”. **Traffic Engineer Zandvliet** responded no, there is a difference between “No Parking” and “No Stopping”. “No Parking” means you cannot turn off your car and leave it. “No Stopping” means you are in your car with the car running. The permits would be an exemption to “No Parking” restrictions. **Commissioner**

Kirschenbaum further asked how many parking permits would be sold for this area. **Traffic Engineer Zandvliet** stated that there are an unlimited number of parking permits that can be issued for overnight parking restrictions. He said permit parking works on a “first come, first serve” basis. **Commissioner Kirschenbaum** further asked if the permits are issued towards a household or to a specific car. **Traffic Engineer Zandvliet** responded the permits are issued to a household address.

Commissioner DaGiau asked if 9:00a.m. corresponds with the opening of the El Porto Parking Lot. **Traffic Engineer Zandvliet** responded no, there is an overlap between the opening of the El Porto Parking Lot and the existing parking restriction. The gates open in the morning around 6:15a.m. and parking restriction starts around 9:00a.m. **Commissioner DaGiau** further asked if there would be a potential 3-hour period of time where cars are parked on the north side of 45th Street. **Traffic Engineer Zandvliet** responded the permit hours would be the same as the parking restriction currently in effect.

Commissioner Apostol asked for clarification on whether the surfers that tee-up on 45th Street to enter the gate at El Porto Parking Lot early in the morning would be affected by having permit parking on the north side of 45th Street. **Traffic Engineer Zandvliet** that since there are currently cars parked from the previous evening on the north side of 45th Street, the surfers will tee-up in the westbound left turn pocket to enter the El Porto Parking Lot gate with or without permit parking. **Commissioner Apostol** further asked if staff personnel currently open the gate right around 6:00a.m. **Traffic Engineer Zandvliet** concurred. **Commissioner Apostol** asked if guest passes are part of the discussion for residents that have guests that visit their home. **Traffic Engineer Zandvliet** stated that this is a different type of parking permit in which the hangtag is not specific to a vehicle, so it can be used by guests of the residence.

Chair Murillo asked if buying a year’s worth of the parking pass is possible. **Traffic Engineer Zandvliet** stated that it is possible.

Chair Murillo opened the floor to Public Comment.

Manny Hirsch stated he thinks having the parking restrictions would be a good idea and simple to implement as long as signage is changed.

Sarah Nagengast stated she is a tenant on 45th Street. She stated her concerns about the activities happening late at night on 45th Street and considers them “undesirable” and “dangerous”. She has observed people using this area to hangout, drink, smoke, and play loud music into the late night. She feels the spots on that street are missed opportunities for residents in the area.

Ralph Tisdale stated he is in favor of the permits and that a safe and peaceful environment is owed to the tenants.

Joseph Duke stated he is concerned that the permits on 45th Street would divert traffic to other side streets. He stated that he has asked if a more comprehensive residential permitting system could be implemented to cover the El Porto area.

Mike Ferniany stated he is in favor of permits on 45th Street if consideration is given to 42nd Street as well (5 parking spaces west of Ocean Drive on 42nd Street). He stated red curbs and signage prohibiting parking across from garages are all ignored.

Helen Giovino asked a question pertaining to UUAD parking permit. **Traffic Engineer Zandvliet** stated he would provide information pertaining to that project to her after the meeting.

Bruce Greenberg stated there are pluses and minuses to living in El Porto, the first being that non-residents like to come to El Porto Beach, which creates additional traffic. Mr. Greenburg further commented on surfers’ pre and post surfing routine, which includes playing music, smoking, etc. He feels that these activities come with the territory of living in a place like El Porto. He acknowledged that the disruptive behavior crosses the line and sympathizes with Ms. Nagengast, but does not believe permit parking is a solution to the problem. He feels the issue is not a parking issue, but a policing issue. **Mr. Greenberg** asked if Lieutenant Harrod could provide information on the number of complaints the police department has received in the past 6 months and if patrols have increased.

Kyle Weinsheim asked what the enforcement plans would be for the parking permits. **Traffic Engineer Zandvliet** stated that the question would be answered after public testimony is done. **Mr. Weinsheim** further stated if there is enforcement, then he would be willing to pay for the permit. He stated he agrees

with the permit and should be afforded the residents deemed necessary, but at no expense. His support for the permits on 45th Street is dependent on the enforcement tactics.

Jeff Frederick stated his concern that parking on 45th Street would affect parking on surrounding streets. He stated that other streets such as 44th Street have already lost two parking spaces that were changed to red curb. He expressed his compassion for the residents on 45th Street.

Julie Manasfi said she has first-hand experience with the issues occurring on 45th Street. She stated there is a lot of crime occurring in this area (i.e. prostitution and drug deals). She feels that the Police Department is very responsive to complaints, which occur at least once a week and feels are severe enough to warrant the proposed changes.

Chair Murillo closed public comment.

Lt. Harrod summarized the issues and problems the Police Department has experienced with 45th Street. He stated that because the El Porto Beach Parking Lot closes at 8:00p.m., the proposed permit parking on 45th Street will allow residents with the permit to find parking after the gate closed after hours without having to call Manhattan Beach Police Department to possibly open the gate. He stated there are issues with trash, broken glass, condoms, etc. left on the street and cleaned up by the residents in the area. **Lt. Harrod** mentioned that Parking Enforcement Officers are very responsive, but because they are patrolling the whole city, the permit parking and signage on 45th Street will go a long way with helping the community. He further stated the Police Department monitoring the traffic the previous summer helped mitigate traffic issues.

Commissioner DaGiau asked Lt. Harrod if he had any statistics on hand about the number of calls received pertaining to complaints on 45th Street for the past 6 months. **Lt. Harrod** responded that he did not have anything on hand. **Commissioner DaGiau** further asked if enforcement included issuing tickets and towing as a last resort. **Lt. Harrod** stated that having a tow truck come late at night should be avoided, so his preference would be to ticket first.

Traffic Engineer Zandvliet stated that all residents in the El Porto area are currently eligible to purchase and obtain the El Porto Beach Overnight parking permit. Anyone with the orange permit would be eligible to park on 45th Street, so this would not be a new permit program. The permits currently cost \$30 for 3 months. New permit programs in the Coastal Zone are generally denied by the Coastal Commission because all public parking spaces in the Coastal Zone should be kept open to the public.

Commissioner DaGiau asked for clarification regarding the 8 parking spaces on 45th Street and the over subscription of parking permits in the El Porto Beach Parking Lot. He stated that 270 residents could theoretically apply for a permit for the 8 parking spots. **Traffic Engineer Zandvliet** clarified that 1000 or more residents could apply for the parking permits because it works on a first come, first serve basis. The parking lot does not currently fill up at this time because the City has only issues about 100 parking permits per 3 months. **Commissioner DaGiau** further asked if the number of permits is capped. **Traffic Engineer Zandvliet** said no and further stated that not everyone wants or needs a parking permit because they have parking at their own homes.

Julie Manasfi asked if the proposed parking will just shift activities further down to the red zone and if the parking permit on 45th Street can be established on a trial basis for further evaluation. **Traffic Engineer Zandvliet** responded that this plan can be modified and adjusted in the future. The parking in the red zone is more of an enforcement issue.

Chair Murillo stated he is in favor of the permit implementation on 45th Street.

Commissioner Apostol stated he sees two issues with 45th Street; enforcement and the activities occurring on 45th Street. He stated that he is a proponent for access to the beach, but when that access becomes detrimental to the community, there is an obligation to protect the community. The implementation of the parking permit would make it so that more residents are using the parking on 45th Street. **Commissioner Apostol** stated he is in favor of the parking permit on a probationary period for a few months and revisit in the future.

Commissioner DaGiau stated he is in favor of the parking permit on a trial basis.

Commissioner Paralusz concurred with Commissioner Apostol and is in favor of the parking permit on a trial basis.

Commissioner Kirschenbaum stated he is in favor of the parking permit on a trial basis.

MOTION: **Commissioner Apostol** made a motion (**Kirschenbaum – seconded**) to approve the recommendation to provide a permit required for the north side of 45th Street from 5:00p.m. to 9:00a.m. and that staff and a representative from the Police Department report back to the Commission to provide an update on its progress.

AYES: Apostol, DaGiau, Kirschenbaum, Paralusz, and Chair Murillo
NOES: None
ABSTAIN: None
ABSENT: None

01/28/21-3 Temporary Outdoor Dining Program Update

Traffic Engineer Zandvliet summarized the staff report and provided an update pertaining to the Temporary Outdoor Dining Program. In March 2020, restaurants were prohibited from providing indoor dining due to COVID-19 and the City quickly implemented a program to allow restaurants to provide outdoor sidewalk dining while keeping a portion of the sidewalk open for pedestrians. Additionally, a new street dining program was implemented with new guidelines to allow for dining and business in the street. Currently, 24 restaurants have taken advantage of the new street dining program. Outdoor dining was shut down in late November 2020 due to rising numbers of COVID cases. The City worked out a plan to acquire the dining areas and convert them to outdoor public parklet until the state imposed Stay-at-Home orders. **Traffic Engineer Zandvliet** stated that new regulations were expected soon to allow outdoor dining again.

Commissioner DaGiau asked if the restaurants had to pay anything to have the privilege of using the sidewalks and streets for outdoor dining. **Traffic Engineer Zandvliet** responded in the beginning the restaurants were required to pay for everything (permits, permit fees, meter fees, etc.). He further stated that the on July 1, 2020 City Council retroactively removed any meter fee charges. The loss of income from these meter fees is being compensated by an increase in meter cost in other parts of the City.

Chair Murillo asked if the businesses paid for the parking that was lost. **Traffic Engineer Zandvliet** responded they did not. **Chair Murillo** asked what percent of the revenue was lost because of the outdoor dining. **Traffic Engineer Zandvliet** responded that there are under 50 metered parking spaces occupied by outdoor dining which comprises about 2% of the metered parking in the City, but due to the high traffic area, it represents approximately 5% loss in overall meter revenue.

Commissioner Kirschenbaum stated he likes how things are going currently with outdoor dining, but his concern lies on moving forward. The restaurants are paying their rent based on the amount they make. **Commissioner Kirschenbaum** asked who is getting the benefit of having the outdoor dining on a permanent basis. **Traffic Engineer Zandvliet** stated the City Council did not add this to the work plan. If anything permanent were to be made, the economics of the space would be valuable, and that a cost should be imposed.

Commissioner Paralusz echoed Commissioner Kirschenbaum’s concerns that the outdoor dining makes sense during COVID-19, but the benefit is not being extended to other businesses. **Traffic Engineer Zandvliet** responded that there are outdoor permits for other businesses such as nail salons and barbers (Outdoor Facilities Permits), but agreed there should be equity.

G. OTHER ITEMS

01/28/21-4 Monthly Revenue and Expenditure Reports: Receive and File

Commissioner Kirschenbaum asked what is “Unrealized Investment Gain/Loss”. **Traffic Engineer Zandvliet** responded he would find out from finance to clarify. Commissioner Kirschenbaum further asked what does “DMBBPA Allocation” stands for. **Traffic Engineer Zandvliet** responded “Downtown Manhattan Beach Business and Professional Association”.

Commissioner DaGiau asked what percent of the total City budget is represented by all revenue from parking. **Traffic Engineer Zandvliet** responded that this information is in the Budget documents on a pie chart that shows various revenue sources.

Received and filed

01/28/21-5 Staff Updates

Mr. Zandvliet gave updates on the following items:

- Community Development Director Carrie Tai is the acting Public Work Director following the retirement of Director Stephanie Katsouleas.
- Manhattan Village Mall project.
- Skechers Headquarters and office buildings
- Multi-Use Project at Manhattan Beach Boulevard and Sepulveda Boulevard

Commissioner DaGiau asked when the Sepulveda Bridge Project will be completed. **Traffic Engineer Zandvliet** responded Summer 2021. **Commissioner DaGiau** asked what is the future of Fry's. **Traffic Engineer Zandvliet** responded he is not sure how much longer Fry's will last.

Chair Murillo asked for progress of the undergrounding project in the El Porto area. **Traffic Engineer Zandvliet** responded he did not know the latest schedule.

01/28/21-6 Commissioner Items

Chair Murillo asked if the in-road pavement lights at the crosswalk at 12th Street and Highland Avenue is in the works. **Traffic Engineer Zandvliet** responded that the City has applied for a grant that includes this intersection and would find out in February 2021.

H. ADJOURNMENT

The meeting was adjourned at 7:44p.m. to the regular Parking and Public Improvements Commission Meeting on February 25, 2021 at 6:00p.m. via ZOOM Call.