

**CITY OF MANHATTAN BEACH PARKING AND PUBLIC IMPROVEMENTS COMMISSION
MINUTES OF A REGULAR MEETING
OCTOBER 22, 2009**

A. CALL TO ORDER

The regular meeting of the Parking and Public Improvements Commission of the City of Manhattan Beach, California, was held on the 22nd day of October 2009, at the hour of 6:30 p.m., in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

B. ROLL CALL

Present: Adami, Vigon, Stabile, Silverman. and Chairman Gross.
Absent: None.
Staff Present: Community Development Director Thompson, Traffic Engineer Zandvliet, Assistant Planner Danna, Management Analyst Madrid, Sgt. Mason, Lt. Harrod and Park Services Enforcement Officer Malatesta.
Clerk: Weeks.

C. APPROVAL OF MINUTES

10/22/09-1 September 24, 2009

Commissioner Stabile modified Page 8, Paragraph 4, of the Parking and Public Improvements Commission (PPIC) minutes to read, "...Should the Park remain a regional workout facility..."

A motion was MADE and SECONDED (Stable/Adami) to approve the Parking and Public Improvements Commission minutes of September 24, 2009 as amended.

D. AUDIENCE PARTICIPATION

None.

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At this time, Community Development Director Thompson introduced new Management Analyst Nhung Madrid, who will replace Assistant Planner Danna as the staff liaison to the Parking and Public Improvements Commission. He acknowledged Assistant Planner Danna's efforts in serving the Parking and Public Improvements Commission.

Community Development Director Thompson announced "The 350 Day of Climate Action" event, October 24, 2009, 3:00 p.m., next to Manhattan Beach Pier.

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E. GENERAL BUSINESS

10/22/09-2 Sand Dune Park Parking Meter and Resident Parking Override Program

Community Development Director Thompson clarified that the item before the Commission this evening includes resident parking override and parking meter programs for the area around Sand Dune Park and that, subsequent to the last meeting (during which this item was continued), staff prepared a parking program that will be presented for the Commission's consideration this evening. Mr. Thompson advised the Commission of significant actions relevant to this matter that have taken place since the last meeting, including the Council's closure of the dune until a solution is found and implemented; the Council's decision that no subcommittees shall be formed to discuss this matter; the Parks and Recreation Commission's consideration of operational issues at Sand Dune Park on October 26, 2009; and the plans for a joint meeting of the Parks and Recreation Commission and the Parking and Public Improvements Commission (PPIC). He related staff's request that the PPIC tentatively approve the parking program and table this item until the joint meeting with the Parks and Recreation Commission.

In answer to questions from the Commission, Community Development Director Thompson shared additional information about the Parks and Recreation Commission's and PPIC's future consideration of this item. He anticipated that a recommendation will be forwarded for the Council's consideration in January 2010 and that this is probably the last PPIC meeting to discuss this issue before the joint meeting with the Parks and Recreation Commission.

Chairman Gross clarified that the Commission will make an effort to arrive at a conclusion this evening; but, any recommendations they make will be tabled until after the joint meeting with the Parks and Recreation Commission.

Community Development Director Thompson called attention to City Attorney Wadden's October 21, 2009 memorandum entitled, "Impact of Proposition A Funding on Sand Dune Park Options," advising that closing the dune would not affect Proposition A funding. He noted three letters received after the agenda packets were distributed which were provided to the Commissioners this evening from the following residents: Patti Riley (dated October 21, 2009), Carre and Brad Porter (dated October 22, 2009) and Barry Deziel (dated October 12, 2009).

Traffic Engineer Zandvliet shared the following information: background information on the parking/traffic problems around Sand Dune Park; the operations and parking plan review process; the public comments received; the positive and negative aspects of resident permit and parking meter programs; and the prior actions taken to improve the traffic/parking conditions at the Park. He noted the staff recommendations to pursue a double fine zone for parking violations and painting 25 feet of the curb red on the east side of Bell Avenue south of 36th Place.

Answering questions from the Commission, Traffic Engineer Zandvliet affirmed that subcommittees will not be formed to consider this matter; that, since the dune has been closed, traffic in the neighborhood is as would be expected; that parking meter/residential parking permit programs are allowed and practiced in other communities when findings can be made that the existing parking conditions adversely impact the public welfare and/or general safety, or would improve the public welfare and/or general safety within the community; that parking meters/restrictions are typically exempt from California Environmental Quality Act (CEQA); that

a red zone, as considered by the Commission at the previous meeting, would not become effective until individual streets opt in to the program; and that Grandview School would be impacted by parking meters, but the time frame for the permit parking restrictions could be changed to reduce the impact. He described how the number of users at the Park during peak hours was derived and the location where patrons of "Beach Babies Preschool" currently park.

Community Development Director Thompson confirmed the Police Department's commitment to enforcing regulations implemented in the area of Sand Dune Park.

The Commission agreed to a public speaker limit of two minutes.

Chairman Gross invited input from the public at 7:30 p.m.

Audience Participation

Having been involved in the development of Sand Dune Park, **David Wachtfogel, No Address Provided**, commented on the complex nature of parking meter and resident parking permit programs and on the public nuisance created by the dune, which he felt should be permanently closed.

Nancy Di Rado, 568 31st Street, encouraged the Commission not to approve the staff recommendations, as they would not resolve the problems, but would just shift the problems to other streets. She noted that the problems have been resolved with the closing of the dune.

It was the opinion of **Will Arvizo, 23rd Street**, that it would be discriminatory to require parking permits.

Community Development Director Thompson advised that, per the City Attorney, the City can approve resident permit parking and parking meter programs, but cannot distinguish between resident and non-resident use of the Park.

Lissen Schnack, 2921 Blanche Road, said that the root of the problem is the dune; that residents should not be penalized with parking meters and resident parking permits, which would not resolve the problems; and that other solutions should be explored.

Dennis White, 586 33rd Street, commented that the cost of additional park services enforcement officers, kiosks, Police Department enforcement, parking fines and parking permits should be itemized. He asked that a traffic study be performed at this time when the dune is closed in order to have a base for "normal."

Gary Osterhout, 598 31st Street, stated concern that excessive parking signage will be installed in the neighborhood. He said that parking permits should be free and mailed to residents' homes. Mr. Osterhout commented on the need for the Coastal Commission's approval; the impact of the proposed program on North End businesses; the need for accountability of the time the Police Department would spend on enforcement; and his disagreement with the initial parking area proposed.

Mark Kemple, 500 Block of 30th Street, related his understanding of the City Attorney's opinion that the City cannot discriminate with regard to place of residence. He stated that the point of a parking plan is to keep people from using the dune, which does not fit into the neighborhood; that the red zone should be larger; that the problems would just be moved to other streets; and that 66% of households on a street should be required to opt out of a parking permit program.

Jane Tournat, 582 31st Street, related her impression of the City Council's goal to restore Sand Dune Park to a neighborhood park. She said that the current number of users with the dune closed is acceptable and should be the goal; that a majority of her neighbors feel parking meters would be a mistake; that the safety of children should be a major focus; that the dune promotes the park as a regional facility; that parking meters should not be installed in the vicinity of schools; that a resident parking permit program would be acceptable; and that closing the dune might not be a bad idea.

Faith Lyons, 574 33rd Street, expressed her opposition to parking meters and fees for a resident parking permit program. She offered information about the parking problems at Grandview School and agreed that, should a resident parking permit program be implemented, the permits should be mailed to residents.

Bill Hory, 1300 Block of Manhattan Beach Boulevard, requested input on the 20-minute parking in the permit zone. He asked if the demographics of parents and children and traffic congestion at Grandview School during drop-off and pick-up times were considered. Mr. Hory related his viewpoint that Manhattan Beach residents should not be restricted from enjoying the dune; voiced concern over the precedent-setting nature of closing it; and related his hope that use can be reduced so the dune can remain open.

Traffic Engineer Zandvliet explained the 20-minute parking in the permit zone. He verified that there would be a few parking spaces for Beach Babies Preschool; that demographics such as families with children were considered; and that the impact during school hours, particularly at Grandview School, would be great and it would be necessary to find ways to deal with it.

Sean Green, 2803 Manhattan Avenue, voiced his feeling that the default policy of municipalities should be to keep parks open. He discussed extending the red curb zone and related his opposition to resident and guest parking permits. However, should a resident permit parking program be approved, resident permits and guest passes should be free and preloaded.

As a regular user of the dune, **Don Tucker, 1166 Chestnut Avenue**, asked that something other than closing it be tried. He offered input on the approximate number of cars present and parking available when he is at the dune and pointed out that the dune users are not the only people causing problems in the neighborhood.

Loralie Ogden, No Address Provided, commented on the inconvenience of resident parking permits. It was her feeling that there are other solutions.

Speakers returning to the podium were as follows:

Mark Kemple drew attention to the narrow streets in the area and the lack of parking in the neighborhood.

Faith Lyons noted the large amount of opposition to resident permit parking and parking meter programs near Sand Dune Park.

Dennis White provided the Commission with copies of photographs he discussed at the previous meeting depicting the problems around Sand Dune Park.

Nancy Di Rado pointed out the need to look at the impact resident parking permits and parking meters would have on Grandview School.

David Wachtfogel commented on the annoyance to residents caused by Park patrons and on the option for the PPIC to recommend against resident parking permit and parking meter programs.

Gary Osterhout discussed the need for clarification on the opt out provision and for additional input on the meter cueing problem; the need to develop empirical data of what is intolerable and does not work in order to make the finding of a public detriment; and the fatal impact of the proposed programs on Grandview School. He questioned why the parking meters at the Public Works Yard were not considered.

Bill Hory said that the vast majority of the Park patrons are respectful of the neighborhood and he mentioned the hostile attitude of some of the neighbors.

Jane Tournat noted that there are other places to work out; that residents should not have to deal with this situation; and that the conditions around Sand Dune Park are unsafe for children.

Will Arvizo stated his understanding of the discrimination factor cited by City Attorney Wadden.

Chairman Gross closed public input at 8:25 p.m.

RECESS AND RECONVENE

At 8:25 p.m., there was a break until 8:33 p.m., when the meeting reconvened in regular agenda order, with all Members present.

Commission Discussion

Community Development Director Thompson advised the Commission with regard to appropriate procedures for considering this item. He reiterated staff's recommendation that the Commission compile a list of options to be considered at the joint meeting with the Parks and Recreation Commission.

Chairman Gross entertained the idea of the Commission outlining a plan and providing details at the joint meeting with the Parks and Recreation Commission. He recalled public discussion at the last meeting on the importance of finding a solution to the traffic/parking problems at Sand Dune Park before summer if the dune remains open.

Commissioner Vigon noted that the Council previously directed the Commission to consider parking measures to reduce use at Sand Dune Park; yet, the Commission is now being asked to formulate a decision and put it on hold until the joint meeting with the Parks and Recreation Commission. He anticipated that it will ultimately become clear that the dune does not need to be closed and could be turned into an ecological reserve with the money that would have been spent on parking measures.

Commissioner Stabile stated his agreement with the majority of Commissioner Vigon's opinion. He pointed out that it would have been helpful to have had the October 21, 2009 memorandum from City Attorney Wadden well in advance of the meeting. Commissioner Stabile related his viewpoint that the most sensible thing to do would be to table the issue without further action until the joint meeting with the Parks and Recreation Commission.

Commissioner Adami expressed his appreciation of staff's efforts and input from the public. He agreed with the opinions of Commissioner Vigon and noted the difficulty of considering details when it is unknown if the dune will be open or closed.

Commissioner Silverman indicated that he agrees with most of his fellow Commissioners' opinions, but the Council is looking for an appropriate solution to parking and opened it up to the Parks and Recreation Commission for a broader approach. He suggested the Council be notified that the process is going to take longer than initially thought and agreed that it would not make sense to reach a determination until a decision is made on whether or not the dune will be closed.

Commissioner Stabile related his understanding that closing the dune would alleviate any action in terms of traffic and parking and felt that it would be appropriate for the Commission to delay a decision until Park usage is determined. He mentioned that a survey similar to the one used in North Manhattan Beach would be useful.

Community Development Director Thompson advised that the Commission could compile a list of options to be considered at the joint meeting with the Parks and Recreation Commission; that this item could be tabled until that time; and that the City Council does not intend to reopen the dune until a solution is found.

Based on discussion this evening, Commissioner Vigon requested more specific guidance from staff on the affect of metered parking and resident permit parking on Grandview School. Should a permit parking program be implemented, he agreed that it should be free and mailed to residents and that it should include the ability for blocks to opt out.

Commissioner Adami asked for information on the cost of implementing metered parking and resident permit parking programs and for the City Attorney to examine discrimination relative to parking, as discussed by a speaker earlier in the meeting.

Chairman Gross agreed with documenting the conditions at the dune while it is closed, both on the streets and inside the Park. He pointed out that volunteers could be asked to take traffic counts and he suggested that the staff report for the joint meeting with the Parks and Recreation Commission include the idea of recommending that the Council authorize funds to obtain various measurements, such as usage, parking, etc., in order to better determine acceptable levels.

Community Development Director Thompson verified that the number of patrons at the Park and the number utilizing the diagonal parking spaces etc. are being recorded and that the city attorney will be contacted to further discuss discrimination relative to parking. He indicated that there is no budget for special studies, such as traffic counts etc. and that staff will provide the cost of implementing parking permit and resident permit programs to the Commission in the future; however, it would be up to the Council to fund them. At the Commission's request, Mr. Thompson shared staff's vision of the Commission's role and the procedures for the joint meeting with the Parks and Recreation Commission.

Traffic Engineer Zandvliet pointed out that monitoring usage at the Park etc. while the dune is closed would provide a baseline. He summarized information to be further examined by staff prior to the joint meeting with the Parks and Recreation Commission as follows: the impact of a permit parking program that is free to residents; the impact of metered and resident parking permit programs on schools in the area, especially Grandview School; various opt-in/out scenarios, including the initial boundary; the cost impacts to the City, including enforcement; the current conditions in the area while the dune is closed; and the legal issues. Traffic Engineer Zandvliet verified that options determined by the Parks and Recreation Commission will be reviewed from a traffic standpoint.

Parks and Recreation Director Gill apologized for any confusion associated with the Commission's consideration of this matter and he thanked the Commissioners for their time in considering it. He agreed with Community Development Director Thompson's depiction of the process.

MOTION: Commissioner Stabile moved to table the discussion on the Sand Dune Park Parking Meter and Resident Parking Override Program until the joint meeting with the Parks and Recreation Commission. The motion was seconded by Commissioner Silverman and passed by unanimous voice vote.

Noting that this will be a good model for the future, Commissioner Stabile stated his agreement with the Commission working with the Parks and Recreation Commission to resolve the problems at Sand Dune Park. His fellow Commissioners agreed.

F. COMMISSION ITEMS

10/22/09-3 Parking Meter Revenues and Traffic Violations Revenues Report

1. Traffic Engineer Zandvliet provided clarification for Chairman Gross regarding the Parking Meter Revenue Report.

Addressing a question from the Commission at a previous meeting, Planning Assistant Danna indicated that the Reports reflect gross income.

2. Commissioner Silverman asked staff to examine the poor sight line at Flournoy and Rosecrans Avenue.

3. Commissioner Vigon asked staff to look into the possibility of residents purchasing smart cards and annual parking stickers.

Traffic Engineer Zandvliet indicated that this is a good idea; that it would be possible to use smart cards in the parking meter kiosks to be purchased for the Pier lots; and that this will be introduced for consideration at the Downtown Parking Management Study review. He noted that the cash keys will be phased out in that, according to Coastal Zone requirements, cash keys must be available to everyone (not just residents).

4. Commissioner Adami asked if a crosswalk could be installed near Target on Manhattan Beach Boulevard between Sepulveda Boulevard and Meadows Avenue.

Traffic Engineer Zandvliet verified that staff will look into this and report back to the Commission.

5. Chairman Gross shared information about the City Council's recent approval of a sewer rate increase.

6. Commissioner Silverman mentioned that the recharge kiosk in front of the Kettle restaurant is out of order.

G. STAFF ITEMS

H. ADJOURNMENT

At 9:50 p.m., the meeting was adjourned to Thursday, November 19, 2009.