

**CITY OF MANHATTAN BEACH
PARKING AND PUBLIC IMPROVEMENTS COMMISSION
MINUTES OF REGULAR MEETING
April 22, 2010**

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 April, 2010, at the hour of 6:34 p.m., in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

B. ROLL CALL

Present: Adami, Stabile, Silverman and Chairman Gross.
Absent: Vigon.
Staff Present: Management Analyst Madrid, Lt. Harrod and Sgt. Mason.
Clerk: Schilling.

C. APPROVAL OF MINUTES

04/22/10-1 February 25, 2010

A motion was MADE and SECONDED (Adami/Silverman) to approve the minutes of February 25, 2010. Commissioner Stabile abstained.

D. AUDIENCE PARTICIPATION

None.

E. GENERAL BUSINESS

04/22/10-2 Review of Proposed 2010-2011 Capital Improvement Plan

Management Analyst Madrid introduced the item.

Director of Public Works Jim Arndt gave a brief overview about the improvements made in the City's infrastructure during the last year regarding the upgrade in sewer and water mains. He also addressed the Capital Improvement Projects (CIP) that would be considered in the 2010-2011 fiscal year and how the limited City budget would impact these projects.

Though City Council did approve the Facilities and Strategic Plan in 2008, the project has been shelved due to lack of funds. However there are buildings that are in desperate need of repair now that replacement is currently not an option.

A number of the projects are driven by the recently conducted City Energy Audit. The City has a strong commitment to going Green and many of these projects will not only save money in the long run but decrease our carbon footprint.

Director Arndt spoke of the deficiency in funds for road projects and the challenges the City is facing overall in the budget process.

Chairman Gross asked Director Arndt for clarification of the PPIC role. Director Arndt explained that it was the Commission's job to address different issues and provide comments to the City Council unlike the Planning Commission who could actually regulate and make decisions.

Director Arndt introduced City Engineer Steve Finton who prepared a power point presentation for the meeting giving the Commissioners an over view of what CIP projects were in the works, which had been completed and which projects they hoped to complete in the coming fiscal year. City Engineer Finton also spoke about the funding for each of these projects.

Engineer Finton stated that the City had spend \$2.3 million for the completion of road projects this past year; Aviation, Valley, Peck between Artesia and Manhattan Beach Blvd. These projects were partially funded by stimulus monies.

The following is a list of projects the City would like to address in the 2010-2011 fiscal year:

- The Highland project currently in progress will be completed by May 21st in its entirety; this includes the paving and new crosswalks.
- They have run into a few problems with replacing the sewer line on 13th near Uncle Bills due to the sand, but the project is progressing.
- Erosion control project at is to begin in two – three weeks at the Live Oak tennis courts and the Strand.
- After conducting a thorough video investigation of the City sewer/water mains, many of which are at least 80 years old, construction has begun to replace water mains on ten streets.
- Installation of a canopy over the fuel island at the Public Works yard, this is a requirement of the State.
- Design pedestrian improvements around schools.

- Pre-designed Sepulveda Bridge widening and add fourth lane to the East bound traffic, the Strand stairs and dual left hand turn lanes at Manhattan Beach Boulevard and Sepulveda.

Proposed projects for the next fiscal year are estimated to cost \$8.4 million and include the following:

- Continue upgrading sewer and water mains.
- Installation of a covering for the Police Department SWAT vehicle.
- A number of projects resulting from the City Energy Audit include;
 - New HVAC for City Hall, Heights and Joslyn

Commissioner Silverman asked about the pay back on these high dollar amount HVAC systems. Chair Gross asked about the condition of the existing units and Commissioner Adami asked if there was any grant of stimulus funds available for these projects. There was some discussion among the Commissioners and City Engineer Finton regarding these projects and the fact that it would take between three and fifteen years to see pay back, (based on specific projects) and that the installation of the new HVAC units were identified as the #1 priority from the City Energy Audit.

Director Arndt also spoke to these concerns stating that there was some life left in some units but not much and the new units were energy savers as well as being more efficient. He also noted that there are funds in the General Fund to cover the cost of these items if City Council approves them.

City Engineer Finton continued his presentation on CIP projects for the next fiscal year:

- Installation of automated parking meters to replace the 1700 currently in place throughout the City.

This item initiated discussion among the Commissioners and Director Arndt regarding the financing of the project as there is not enough funds in the parking account to cover the cost, the suggestion of Finance Director Bruce Moe to take a short term loan out to finance the project and the response from the Downtown Business and Professionals Association about the installation of the new meters.

- Pier Condition Assessment – nothing wrong has been noted but the pier hasn't been inspected since the 90's.
- Trash enclosures to be installed throughout the City and sewer connections to be installed at each enclosure, this will be funded by refuse funds.

- Street projects – ongoing to maintain street conditions. Application of slurry seal.
- Upgrade street drainage at Ardmore/Valley including the installation of pervious pavement to prevent run off.
- Sewer projects – Capital funding for the design and construction of the gravity main, installation of fiber optics (redundant to the existing radio connection to prevent a major sewer leakage), replace current lease line.

There were questions raised by Chair Gross and Commissioner Adami regarding the preventative measures put in place to avoid a major sewer spill, (similar to the one in LA County last year) and the presence of an alarm system that would notify staff 24/7 of any problem without a person being on site. The Commission also asked if there was any concern about Council approving these projects. City Engineer Finton and Director Arndt indicated the projects were reviewed by City Council during the Master Plan and rate increase discussions.

- The Pacific Avenue Water Main replacement will be coordinated with the project to repave Pacific Avenue. A new circulation line will be installed on Artesia and design and maintenance of a booster pump and fiber optic improvements will be implemented.

Chair Gross commended staff on completing and initiating the CIP projects mentioned. He also thanked them for their hard work in researching and finding grant and stimulus funds to aid in the costs of these projects and for their part in getting Council to approve the projects.

- There is a substantial financial savings to the City by installing the new sewer line now.
- The City has been awarded a \$500 thousand grant to install a filtration system at 1st Street and the green belt.

Audience Participation

Chair Gross opened the item to public comment at 7:15 p.m. The Following person spoke on this item:

Gary Osterhout, 598 31st Street, expressed his desire to have a citizen oversight committee as part of the PPIC Commission. He contended that general funds are not usually used for the maintenance and upgrades of sewers and roads. He would like to see the numbers from the gas tax and why there aren't enough funds from that to support the road improvements. Mr. Osterhout also shared his concerns about the facilities in the City that are in desperate need of repair such as Begg Pool and why the City can't find the funds to construct a Skate Park. He suggested that Council and staff

don't really look at what the City needs. That the CIP funds are based on a policy established in 2004 with no increase since that time. He also requested that the City Energy Audit be put on the City website. Mr. Osterhout stated that he didn't like the way the City did their CIP's. He also suggested that they go out for a bond to cover the cost of repair of items such as Joslyn auditorium, Begg pool and a Skate Park.

Staff acknowledged Mr. Osterhout's request to place the City Energy Audit on the website and requested staff to follow-up on this request.

Chair Gross closed public comments at 7:25 p.m.

Discussion

There was a lengthy discussion among the Commissioners regarding the CIP projects. Chairman Gross expressed his concern for lack of funds for items such as sewer and water lines which take high priority in his opinion. He reiterated the fact the job of the Commission is to provide comments to City Council but that Council is the one that makes the decisions.

Commissioners Silverman and Adami both agreed that Mr. Osterhout brought up points that have some merit. They also liked the idea of a citizen oversight committee. They both would like to see an advisory committee who had some input on the CIP's, priorities and impact on environmental issues.

Commissioner Silverman suggested that the Commission could make a motion to create a committee tonight.

Commissioner Stabile and Chair Gross expressed concern over the direction of the CIP and how projects are prioritized.

Director Arndt addressed the Commissioners questions and concerns about the implementation of a citizen oversight committee. He pointed out that in 2004 the City had an excess of dollars to fund CIP's. However there are limited funds now so project selection is based on need and the results from the City Energy Audit. Director Arndt stated that though the FSP plans have been put on hold due to lack of funds, there is a \$50,000 remodel in the works for Joslyn auditorium and a \$50,000 upgrade to the lockers at Begg pool.

Commissioner Adami asked staff to contact Mr. Osterhout and get his notes on the items mentioned during the public hearing

Commissioners Adami and Stabile agreed that the CIP document was too involved to address in one meeting especially since they had only received it a few days before. They both would like to have more time to review the proposed CIP projects.

A motion was MADE and SECONDED (Adami/Silverman) to present the following recommendation to City Council that they create a citizen advisory committee.

Commissioner Stabile would like more discussion on this item. He doesn't feel prepared to support this concept now.

Chair Gross stated once more that the PPIC Commission doesn't make decisions.

Commissioner Stabile felt that another layer of bureaucracy wasn't the answer. They just need more time to do their job.

Commissioner Silverman withdrew his second to Commissioner Adami's motion and would like to recommend a Study Session for the CIP projects which would include residents input.

Commissioners, Adami, Stabile and Gross would like City Council to better define their role and provide them with a more active one, beyond the scope of making recommendations.

Chair Gross requested that Staff return to the Commission with a better defined role that would provide them the ability to work with the City Manager and City Council in the form of a motion that they could present to Council for consideration.

The original motion presented by Commissioner Adami was voted on:

AYES: Adami.
NOES: Gross, Silverman and Stabile.
ABSENT: Vigon.
ABSTAIN: None.

A motion was MADE and SECONDED (Stabile/Silverman) to present the recommendation to Council to expand the role of the PPIC to include a more active role in the CIP process, and possibly create a sub-committee for review of the CIP, invite public comment and provide recommendations to City Council regarding CIP projects.

AYES: Gross, Silverman, Adami, and Stabile.
NOES: None.
ABSENT: Vigon.
ABSTAIN: None.

04/22/10-3 Request for Installation of a New Utility Pole at 108 Ardmore Avenue

Management Analyst Madrid introduced Senior Civil Engineer Gilbert Gamboa to present this item.

Senior Civil Engineer Gamboa explained that Verizon has approached the City requesting that they be permitted to install a 25 foot utility pole at 108 Ardmore. The cost of the project would be assumed by Verizon, giving Edison the right to use the pole and again with no cost to the City or the resident at 108 Ardmore. As part of District 2 undergrounding, the pole at 2nd and Ardmore would be removed along Time Warner's fiber optic cable. However the new property owners at 801 First Street objected to the installation of the new pole based on the fact that a riser pole is already in front of their property and if approved the new Verizon utility pole would border the other side of their property and obstruct the views they currently have. Senior Civil Engineer Gamboa continued with his presentation noting the alternatives and impacts the installation of this pole would have on the residents.

Upon conclusion Senior Civil Engineer Gamboa recommended that the PPIC support Verizon's request and present to Council for approval.

A lengthy discussion followed between the Commissioners and Senior Civil Engineer Gamboa regarding possible alternatives for the installation of the pole at 108 Ardmore that Verizon might be willing to consider.

Chair Gross expressed his opposition to adding any additional poles to the Cityscape and recommended that they remove the existing pole in front of the property at 801 1st Street if they install a pole at 108 Ardmore.

Senior Civil Engineer Gamboa declared that City Resolution 5538 approved by City Council in 2000, specifically states that the relocation of poles for view or aesthetic reasons for private property owners is prohibited.

The Commissioners asked Dan Hayes, Engineer for Verizon to approach the podium and address some of their concerns. In answer to some of the Commissioners questions, Verizon Engineer Hayes stated that they are governed by the Public Utilities Commission which puts restrictions on what they are allowed to do regarding such things as pole height and location of their wires.

The Commission asked if Verizon would be willing to work with the resident at 801 1st Street and assist in the cost of possibly undergrounding the wires to their neighbor's property to prevent the obstruction of their view. The Commission suggested that Verizon contribute the amount that they would spend on the installation of the pole to the homeowner.

Audience Participation

Chair Gross opened the item to public comment at 8:10 p.m. The Following person spoke on this item:

Paul DiMartini, 801 1st Street, expressed his opposition to the installation of another pole in front of his property or his neighbor's property. He shared several photos showing where the new pole would be where the existing pole is and the impact it would have on their home and view. He suggested that Verizon work with the Undergrounding District #2 which borders the property at 108 Ardmore and possibly work with Southern California Edison to underground the services to the property.

Chair Gross closed public comments at 8:20 p.m.

Discussion

A discussion ensued between the Commissioners and the Verizon Engineer addressing several issues concerning temporary easements, possible violations of the PUC with placement of the pole, the possibility of leaving in place a service drop cutting across the property of one homeowner to feed service to another.

Commissioner Stabile stated that the options are few and lousy. He is opposed to the installation of more poles and additional costs to homeowners.

Commissioners Adami/Silverman agreed with Commissioner Stables remarks.

Commissioner Silverman asked if there were any contingency funds left in District 2. In answer to his question, Senior Civil Engineer Gamboa stated that there are funds but anything remaining is returned to District 2 residents.

A motion was MADE and SECONDED (Gross/Stabile) to deny Verizon's request to install a pole at 108 Ardmore.

AYES: Gross, Silverman, Adami, and Stabile.
NOES: None.
ABSENT: Vigon.
ABSTAIN: None.

Commissioner Stabile asked to amend the motion and direct Staff to work with Verizon to come up with an alternate solution. Commissioner Adami agreed with Commissioner Stabile. Staff agreed to work with Verizon.

After further discussion Commissioner Stabile withdrew his amendment to the motion.

Chair Gross commended City Engineer Finton on his CIP presentation.

Chairman Gross announced a brief recess at 8:34 p.m.
The meeting was reconvened at 8:40 p.m.

04/22/10-4 Consideration of City Wide Oversized Vehicle Parking Ordinance and Parking Permit Program

Management Analyst Madrid introduced the item.

Lieutenant Andy Harrod presented this item to the Commission. He noted that there had been concerns brought to City Council and the Police Department addressing the parking of oversized vehicles, trailers, RV's and boats on City streets. Folks are concerned about safety, visibility, child safety, loss of parking around the schools for parents (there seems to be quite a number of RV's parked around the schools) and visual blight as some of these vehicles are unsightly.

Lieutenant Harrod stated that this was an item that Council had brought up at the 2009-2010 Work Plan Meeting. A presentation was provided to Council at the March 2nd Council meeting showing an overview of what other cities are doing to mitigate this problem. City Council had requested that other cities be surveyed in Los Angeles County, three cities (out of the 42 surveyed) and the ordinances they had adopted were included in the report.

At the present time there are three ordinances in the City's tool box that can be used to enforce the parking of oversize vehicles on the City streets;

- 72 hour parking limit
- Prohibition of overnight camping from 10:00 p.m. – 6:00 a.m.
- Prohibition of campers parking for 24 consecutive hours.

Lieutenant Harrod recommended a permit program that would allow the City to track the number of RV, unattached trailers, boats, etc. in the City, limit time they can park on the street, perhaps designate areas where they can park and restrict areas where they would prohibit parking due to safety concerns such as parking near schools and intersections. A permit system would also provide the police with information such as the name of owner, contact information, insurance information, etc.

Lieutenant Harrod also pointed out that there has not been any type of significant crime reported regarding these RV's parked on the street. Presently he stated that there are 166 registered RV's in the City, (this doesn't include boats or trailers) and 30 that are routinely parked on the street.

There was some discussion among the Commissioners and Lieutenant Harrod as to if and where there may be some area in the City that could be designated as RV parking. Perhaps a place where the City can charge a fee for RV owners to park their vehicles.

Commissioner Stabile recommended that the City pass an ordinance regarding parking RV's, trailers, oversized vehicles and boats on the streets which the police could enforce and therefore resolve the existing problems.

Lieutenant Harrod would like to see an ordinance drafted that would be fair to all.

Commissioner Adami suggested that the parking lot off Peck at the Manhattan Beach Unified School District could be used and a fee charged that the schools could benefit from.

More discussion followed among the Commissioners and Lieutenant Harrod about the size of the vehicles. Currently Torrance considers any vehicle over 20 feet long, seven feet wide and eight feet high to be oversized.

Commissioner Gross would like the intent of the ordinance to limit parking of RV's on the street to two hours for loading and unloading.

Audience Participation

Chair Gross opened the item to public comment at 9:22 p.m. The Following person spoke on this item:

Steve De Baets, 1350 18th Street, shared his opposition to the permit program, he feels that he already pays a registration fee to the State that allows him to park his RV on the street for two consecutive days to load and unload his vehicle. He currently stores his RV but he and his wife use it a couple times a month and would not want to be fined for parking it on the street those couple days while he prepares or returns from a trip. Mr. De Baets also expressed his confusion as to why police is unable to enforce the laws and keep the RV's from parking on the street continuously.

Aileen Martin, Hermosa Beach, spoke of her opposition to RV parking on City streets. She had safety concerns for children and lack of visibility as well as taking up valuable parking space. Ms. Martin opposes the permit program.

Lieutenant Harrod elaborated on the permit program that the City of Torrance adopted.

- RV owners are permitted to park on City streets 96 times per year. There is a \$25 yearly registration fee, and permits cost \$20 for 24 one day parking permits, which can be used to load and unload your vehicle.
- Allows guest vehicles to stay for 14 consecutive days.

Commissioner Stabile would like to know the cost to the City to implement a permit process.

Steven Robins, 1805 Herrin Avenue, thanked Commissioner Silverman for his efforts to be fair to RV owners.

Stephanie Monash, 1805 Herrin Avenue, an RV owner who currently parks their RV in front of their home. In an effort to be courteous to their neighbors they have approached them about their RV being parked on the street and have yet to have a neighbor complain. She is not opposed to a permit program but doesn't want to have to give up their RV which would happen if they were forced to pay storage fees amounting to more than \$1200 annually.

Joana Gallo Marsteller, 758 26th Street, is concerned about the RV's that park in front of her home as they cause a safety issue, blocking visibility while exiting or entering her drive way. Palos Verdes has an ordinance which requires RV owners to have their neighbors sign off on their parking their RV in front of their home.

Chair Gross closed public comments at 9:50 p.m.

A discussion among Commissioners followed public comment. Commissioner Silverman said it only takes one bad guy to ruin it for the rest. He stated that the responsible RV owners shouldn't be penalized. He would like to try and find a way that would teach those who violate their neighbors how to be more respectful and considerate.

Commissioner Adami asked if limousines were included in the oversized vehicle category.

Commissioner Stabile had a number of concerns about the issues with oversized vehicles parking on City streets. He would like Staff to create an ordinance that was fair. He is opposed to the banning of RV's completely in the City as Torrance has done. Commissioner Stabile would like to address the long term parking of boats, trailers, RV's etc. parked on the City streets. He would like to investigate the complexities of City permits, the cost of implementing the program and the cost imposed on residents. He feels the City is not in a position financially to take on a program that would increase costs to the City. Commissioner Stabile admitted to having a difficult time reconciling the issue of those RV owners who are respectful of their neighbors and those who are not. He also expressed his concern over the difficulty of crafting an ordinance that would permit ease of enforcement by the Police Department and one that would be fair to RV owners.

Chair Gross pointed out that there was less than a quarter of registered RV owners who were the cause of the complaints received by City Council and the police department. (166 registered owners and 30 vehicles that consistently park on the street.) He expressed an interest in the permit program but had several questions as to what it might include such as:

- Would it require owners of oversized vehicles to store their vehicles as opposed to parking them on the street?
- How many days per year would it permit oversized vehicles to park on the street.
- Would a permit program assist in enforcing an ordinance?
- Safety and visibility issues need to be addressed.
- Would 5th wheelers be classified in this group?
- What would the restrictions be on vehicles parked awaiting repairs?
- How long could visiting RV's park on the street?
- What about rented RV's; couldn't be registered, how long could you park on street to load and unload?
- How do you distinguish between commercial vehicles and recreational vehicles?

Commissioner Adami understands that Council would like to see two issues addressed; parking oversized vehicles on streets and a permit program. He feels that the streets west of Sepulveda are narrower than those east of Sepulveda. He is OK with the 72 hour parking restriction and again mentioned the use of the parking lot on Peck at the Manhattan Beach Unified School District.

The commission agreed that the items discussed in the Staff report would not be resolved with a permit program alone. They would like to see required actions that would lessen the burden on our Police Department to enforce the rules.

The commission recommended for staff to report back with a more detailed report and sample draft ordinance addressing the following items:

- Draft an ordinance prohibiting parking of unattached trailers on all City street
- Define and address the size of vehicles to be classified in the oversized vehicle category
- Do we want to restrict where RV's are allowed to park?
- Do we want to restrict RV's from parking in front of schools?
- Do we want to provide the police with a tool that allows them to cite oversized vehicles that obstruct visibility or sticks out prohibiting safe passage?
- Provide options on a permit program
- Which restrictions would allow ease of enforcement for the Police Department and which would not?
- Define parking exceptions for emergency repairs for oversized vehicles
- Feasibility of creating an opt-in program by streets or a City wide ordinance

F. COMMISSION ITEMS

1. None.

G. STAFF ITEMS

04/22/10-5 Parking Meter Revenue and Traffic Violation Revenue Report

Received and filed.

04/22/10-6 Management Analyst Madrid Re. 441 2nd Street Encroachment Permit

Management Analyst Madrid advised that the Commission's recommendation relative to the Encroachment Appeal on 441 2nd Street has been appealed by the applicant and will be considered by the Council at the May 4th City Council meeting.

04/22/10-7 Management Analyst Madrid Re. Status Report on American Martyrs and Pennekamp School

Management Analyst Madrid reported on the status of the work orders to be made around American Martyrs and Pennekamp Schools.

04/22/10-8 Management Analyst Madrid Re. Parking Prohibitions on Sepulveda Boulevard

Management Analyst Madrid reported that the Commission's recommendation relative to the No Parking Prohibitions on Sepulveda Boulevard at the intersections of Marine Avenue and Manhattan Beach Boulevard have been approved by the City Council to be installed on a permanent basis.

04/22/10-9 Lt. Harrod Re. Follow-up Staff Report for OV Ordinance

Lieutenant Harrod asked for an extended period of time to complete the PPIC's direction on proposing an ordinance to deal with RV and oversized vehicles parked on City streets because he is currently focusing on the 6 Man per Council's request.

H. ADJOURNMENT

The meeting was adjourned at 11:04 p.m.