

**CITY OF MANHATTAN BEACH  
PARKING AND PUBLIC IMPROVEMENTS COMMISSION  
MINUTES OF A REGULAR MEETING  
August 26, 2010**

**A. CALL TO ORDER**

The regular meeting of the Manhattan Beach Parking and Public Improvements Commission was held on the 26<sup>th</sup> day of August, 2010, 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, Gross, Stabile, Vigon and Chairman Silverman.  
Absent: None.  
Staff Present: Management Analyst Madrid, Lt. Harrod, Sgt. Mason and Traffic Engineer Zandvliet.  
Clerk: Weeks.

**C. APPROVAL OF MINUTES**

**06/24/10-1 July 22, 2010**

Commissioner Stabile corrected Page 9, last paragraph, of the July 22, 2010 Parking and Public Improvements Commission minutes to read, "...A 24 hour period (where vehicle was off the street) would be necessary **after** each 48 hour increment."

**MOTION:** Commissioner Gross moved to approve the Parking and Public Improvements Commission minutes of July 22, 2010 as amended. The motion was seconded by Commissioner Stabile and passed by unanimous voice vote, with Commissioner Adami abstaining due to his absence from that meeting.

**D. AUDIENCE PARTICIPATION**

None.

**E. GENERAL BUSINESS**

**08/26/10-2 Consideration of City Council 2009-2010 Work Plan Item Regarding Parking Meters on Parkview Avenue**

Q Traffic Engineer Zandvliet presented the staff report. He explained that this item arose as part of the City Council's 2009-2010 Work Plan to make the area more consistent with other commercial areas in the City. Copies of letters from Roger Cox, Rotary Club of Manhattan Beach, and Toni Reina, Continental Development, relating concerns over the proposed parking meters, were distributed at the meeting. Mr. Zandvliet shared input on the notification for this item and he verified that it will be re-noticed when it is considered by the Council.

Prior to receiving input from the public, discussion amongst the Commission and staff included the following: the revenue from the proposed parking meters and whether

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it would be cost effective; lengthening the maximum parking time; the lack of responses from property owners in the area; the appropriate parking meter rate and the rate of \$1.25 per hour, which is consistent with the rate in other parts of the City; the reasons why drivers sometimes prefer to park on the street rather than in private lots; the subject area being the only commercial area in the City without parking meters; the idea that parking meters produce movement in cars; the availability of parking spaces in private lots in the area; the potential effects of the proposed parking meters on various businesses/activities in the area, such as the Marriott Hotel, Manhattan Beach Country Club and special events; the implementation of the proposed parking meters with a trial period; and the idea of offering parking passes.

### **Audience Participation**

**An unidentified speaker** commented on the potential impacts of the proposed parking meters and on the importance of having alternatives to the expensive parking at the Marriott Hotel.

As a resident and Rotary Club member, **Steve DeBaets, 1350 – 18<sup>th</sup> Street**, related his understanding that the purpose of encouraging vehicle turn over in a commercial zone is to allow patrons of retail businesses to access the businesses, but that is not the case in this area. He discussed the negative impact parking meters would have on employees of Manhattan Marketplace and employees/patrons of Marriott Hotel and Manhattan Beach Country Club; the probability that drivers think the private lots in the area are for patrons of the businesses; and the lack of anything positive about the proposed parking meters, other than revenue.

**Miles Tucker, Redondo Beach resident and employed by Manhattan Beach Country Club, 1330 Parkview**, expressed concern over the potentially negative impact the proposed parking meters would have on Manhattan Beach Country Club. Referring to written material he distributed to the Commission during the meeting, Mr. Tucker explained the negative public relations the proposed parking meters would create for the Country Club and the cost burden of installing gates into the Country Club's parking lot, which will be necessary if the proposed parking meters are installed. He related his understanding of the number of parking spaces in the area compared to information provided in Exhibit B (Calculated Parking Surplus/Deficit Parkview Avenue) attached to the staff report and the use of Kinecta's parking lot when parking near the Country Club is unavailable. Mr. Tucker advised that at least 20 local associations patronize the Country Club and that the Club intends to seek more banquet business in the future, which will require more than two hour parking.

**Gerry O'Connor, No Address Provided**, voiced concern over the possibility of Manhattan Beach Country Club expanding its business in the future. He discussed that the Country Club should not be dependent on on-street parking and that this should not impact the Commission's consideration of the proposed parking meters.

### **Commission Discussion**

Commissioner Stabile noted the difficulty of absorbing written material distributed to the Commission during the meetings. He pointed out that there is no problem in the area in need of a solution; but, the City Council desired a means of enhancing revenue and providing consistency with other commercial areas in the City. Commissioner

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Stabile stated his opinion that a two-hour parking restriction would be totally unreasonable, particularly since this is not a retail area with the need for vehicle turn over and the type of parking needed is more long-term; and he, therefore, suggested that consideration be given to a four- to six-hour maximum parking time.

Noting his very personal and extensive experience parking on the street while previously working in the area, Commissioner Vigon stated his feeling that the proposed parking meters make sense conceptually because there is a demand for them and they will create revenue for the City. But, he cautioned that the parking meter program must be "simple" and structured to be practical, enforceable and raise revenue. He noted that the amount of revenue obtained on weekends would be less because parking spaces in some of the private lots in the area are available on weekends. Commissioner Vigon felt that two-hour parking would be incongruent with the general uses in the area; that the rate of \$1.25 should be further examined to ensure it would be appropriate; and that unmetered handicapped parking spaces should be provided. He indicated that he could support the parking meters as proposed, with a longer maximum parking time and an hourly rate which is more consistent with the supply and demand for the parking in the area.

Commissioner Gross stated his appreciation of information provided in the staff report. He related his agreement with parking meters as recommended by staff, with the understanding that this area is much different than the Downtown area and that the time restrictions and hourly rates shall be flexible. He pointed out that parking in the area will eventually become difficult, so meters should be installed, and that the revenue obtained could be used to build up the parking fund to expand parking where it is needed in other parts of the City.

Commissioner Adami estimated that the revenue from the parking meters would result in a two- to three-year payback for the cost of the meters and he suggested that, should the meters be approved, they be implemented in two phases. He agreed with an hourly rate of \$.75 or \$1.00 and discussed the financial burden of area employees paying for parking; the need to increase the maximum parking time to four/five hours; and the idea of providing handicapped parking, such as on Manhattan Beach Boulevard.

Chairman Silverman agreed that there is not a parking problem in the area and that, unlike Downtown, turn over in parking in the area is not necessary for retail uses. He voiced his concern that community groups would be impacted by the parking meters and entertained the idea of the meter hours beginning later in the morning to help reduce the impact. Chairman Silverman favored flexible/cautionary hours and rates should the meters be approved.

Commissioner Stabile related his understanding of the Council's desire for a revenue enhancer and he indicated that he could support a "simple" parking meter plan; an hourly rate of \$.75; a four-hour maximum parking time; and no handicapped parking. Commissioner Stabile mentioned that it would have been helpful to have had information on the estimated revenue to be obtained from the parking meters prior to making a determination. He noted that on-street parking could be greatly reduced when parking spaces are available in private lots.

Chairman Silverman and Commissioner Stabile voiced concern that businesses in the area could charge less than the on-street rate to park in their lots, which would diminish the demand for the on-street parking and lower potential revenue.

Traffic Engineer Zandvliet clarified that the smart meters which would be installed would not contain a vehicle sensor; that the west side of the Kinecta private parking lot is free; and that the Marriott Hotel has a large number of employees and all parking for that establishment is supposed to be on site. Staff anticipated that, excluding maintenance and enforcement costs, the parking meters would produce approximately \$250,000 per year in revenue. He recommended against implementing the parking meters in two phases since this could be a bit risky due to unforeseen problems.

Commissioner Gross agreed with Commissioners Stabile and Vigon about the importance of implementing a "simple" parking meter program; an hourly rate of \$.75; and a four-hour maximum parking time.

**MOTION:** Commissioner Stabile moved to recommend to the City Council that parking meters be installed on both sides of Parkview Avenue between Village Drive and its easterly terminus east of Market Place, and on Village Drive between Rosecrans Avenue and Parkview Avenue, with the following conditions: a maximum parking time of four hours; enforcement between the hours of 8:00 a.m. and 9:00 p.m. daily; and an hourly parking rate of \$.75. The motion was seconded by Commissioner Gross and ultimately withdrawn.

Commissioner Adami related his preference that a parking meter program be implemented in two phases.

Chairman Silverman suggested that the parking meters be enforced from 9:00 a.m. to 6:00 p.m. with unlimited hours. His fellow Commissioners agreed.

Commissioner Stabile withdrew the motion and Commissioner Gross withdrew his second.

Commissioner Gross suggested that staff further analyze this topic and provide recommended modifications at the next meeting.

Commissioner Vigon supported the Commission approving parking meters this evening, with the understanding that further analysis will be provided to the City Council.

**MOTION:** Commissioner Stabile moved to recommend to the City Council that parking meters be installed on both sides of Parkview Avenue between Village Drive and its easterly terminus east of Market Place, and on Village Drive between Rosecrans Avenue and Parkview Avenue, with the following conditions: that parking shall be for an unlimited time; that the parking meters shall be enforced between 9:00 a.m. and 6:00 p.m. daily; and that an hourly parking rate of \$.75 shall be charged. The motion was seconded by Commissioner Gross and passed by unanimous roll call vote:

Ayes:	Adami, Gross, Stabile, Vigon and Chairman Silverman.
Noes:	None.
Abstain:	None.
Absent:	None.

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Traffic Engineer Zandvliet advised that pertinent cost information and anticipated on-street parking demand, etc. will be provided for the Council's consideration of this item.

### **RECESS AND RECONVENE**

At 8:20 p.m., there was a recess until 8:27 p.m., when the meeting reconvened in regular agenda order with all Commissioners present.

### **08/26/10-3 Oversized Vehicle Parking Ordinance and Parking Permit Program**

Lt. Harrod presented the staff report. He provided background information; outlined the proposed draft Oversized Vehicle Parking Ordinance and Parking Permit Program; and addressed concerns expressed by the Commission at the last meeting.

During discussion between the Commission and staff, Traffic Engineer Zandvliet clarified that individuals not associated with persons in Manhattan Beach could not take advantage of the proposed Oversized Vehicle Parking Ordinance and Parking Permit Program; that the proposed 24-hour period would be from noon to noon so only one permit would be required to park overnight; and that running hook-ups from a residence is not allowed due to related liability and the only exception would be an encroachment permit for a temporary purpose. He further clarified that the staff recommendation is for the Commission to develop guidelines which can be recommended to the City Council.

Lt. Harrod advised that, unless pedestrian and vehicular safety are jeopardized, the goal would be not to tow oversized vehicles; that there is no rule as to the number of violations required before towing; that the \$45.00 fine for each infraction would be imposed every 24 hours.

With regard to Section 14.46.090, Violation of Chapter, Commissioner Stabile related his opinion that the phrase "...with the intent to avoid compliance with this Chapter..." should be deleted in that there is no plausible explanation as to why an individual displaying a fraudulent permit would not have the intent to violate the Ordinance and this phrase could result in much litigation.

### **Audience Participation**

Due to the late hour and the large number of individuals wishing to speak to this item, with the agreement of his fellow Commissioners, Chairman Silverman announced that speakers would be limited to three minutes.

Individuals addressing the Commission on this item were as follows:

**Steve DeBaets, 1350 18<sup>th</sup> Street, Manhattan Beach RV Owners' Association**, related his support of oversized vehicle parking restrictions contiguous to schools. He voiced his opposition to any parking permit programs for oversized vehicles and related his understanding that a very small number of recreation vehicle (RV) owners are generating complaints; and that California Department of Motor Vehicle Code 22507 gives cities the opportunity to make regulations to stop parking of vehicles on public streets; but, not the authority to discriminate on which type of vehicle can be parked.

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**Steven Robins, No Address Provided**, voiced concern over the huge inconvenience the proposed regulations would place on RV owners. He questioned how the success of such a program would be defined; stated his impression that the enforcement tool for 72-hour parking is the only goal of the proposed Ordinance; asked if the proposed Ordinance and Parking Permit Program would include a grace period; and explained that the permit time of midnight to midnight would be much easier than noon to noon.

**Dan Hutchinson, 1513 Manzanita Lane**, commented on the lengthy amount of time it takes to prepare for a trip in his RV. He agreed that the proposed requirements would be discriminatory, noting that residents store smaller vehicles on the street for longer than 72 hours. Mr. Hutchinson stated his feeling that the proposed Ordinance has to do with aesthetics and that there is a simple solution to oversized vehicles parking near schools, but the Commissioners do not want to listen to it because their minds were made up prior to this meeting.

**Mike Griffith, 1408 Harkness Street**, said that, while this has been presented as a safety issue, the real issue is aesthetics. He indicated that a very small number of RV owners are causing problems and stated his disagreement with the proposed Ordinance, which would be discriminatory. Mr. Griffith noted his letter of April 21, 2010 (of record, in agenda packet) in which he requested information on documented accidents involving RVs in Manhattan Beach.

**Dennis White, 33<sup>rd</sup> Street**, Supports parking restrictions for Oversized Vehicles and agreed that the issue appears to be about aesthetic. He said; that the information about parking oversized vehicles near schools and the definition of City property and whether oversized vehicles can park on it should be more specific and that the Ordinance should address RV owners parking their RVs in their driveways/front yards.

**Timothy Jones, 115 Morningside Drive**, expressed his viewpoint that the proposed Ordinance is based on personal, subjective feelings of what should be parked where. He contended that law abiding RV owners should not be penalized and that any problems with RVs in Manhattan Beach could be resolved if the 72-hour parking restrictions were enforced.

**Stephanie Monash, 1805 Herrin Drive, Manhattan Beach RV Owners' Association**, voiced concern that there has been no discussion about the burdens of RV storage and related fees. She stated her understanding that the City of Redondo Beach does not plan to charge for oversized vehicle permits, nor do they plan to implement a daily use fee. She agreed that enforcement of the 72-hour parking restriction could resolve the problem.

**Lynn Griffith, 1408 Harkness Street**, related her concern about the financial hardship resulting from storing RVs. She provided input on how her family's RV enhances their family life/sense of neighborhood and pointed out the inequity with the proposed requirements applying to oversized vehicles, but not monster trucks.

**Kristi Hutchinson, 1513 Manzanita Lane**, shared information about problems with the notification of this item and she asked the Commission to work with residents in resolving this issue. Ms. Hutchinson voiced her impression that have been very little

problems with RVs in the City and she agreed that oversized vehicles should be prohibited from parking near schools and that violations of existing restrictions should be enforced.

**Gerry O'Connor, No Address Provided**, suggested that the Parking and Public Improvements Commission be broadcast. He said that there is a clear problem with the definition of quantification based on valid current data; that solutions are easy when problems are not properly defined; that this item was inadequately noticed; that very few of the total number of RVs in Manhattan Beach are the problem and a fairly broad approach has been taken; that visibility and safety near schools are valid concerns; that many concerns expressed have been due to aesthetics; that he has yet to hear an accurate quantification of the clear magnitude of the problem; and that, rather than prohibit them, oversized vehicles should be allowed with exceptions. Mr. O'Connor suggested that the specific problem should be addressed; that a visibility ordinance which includes discretion and warnings could be created; and that the 72-hour parking restriction could be adjusted to require a minimum distance the vehicle must be moved.

**Ron Symmes, 1320 8<sup>th</sup> Street**, explained that the proposed requirements would make it very difficult for RV owners to use their vehicles as they normally would. He stated his concern over the possibility of having to store his RV away from his home and expressed his concern that the proposed Ordinance would not apply to smaller RVs, which are of dispute amongst neighbors in the City.

### **Commission Discussion**

A lengthy discussion began with Commissioner Gross explaining that, as a boat owner, he understands the financial and inconvenience concerns expressed over storing RVs, as well as how important RVs are to lifestyles; that this issue arose as a result of many citizen complaints, safety and aesthetics, which is part of the issue and can be considered in an ordinance; that the proposed Ordinance is modeled after successful ordinances in other cities; that communications received, including those from individuals who do not own RVs, will be taken into account; and that the Police Department currently has no means of enforcing the 72-hour parking limit or controlling RV storage on private property.

Commissioner Stabile related his understanding that many communities have ordinances similar to the proposed and that, even though there are a small number of violators, Manhattan Beach does not currently have the tools to enforce the 72-hour parking limit. Commissioner Stabile pointed that there are general costs associated with owning an RV and he related his continued feeling that a permit system might not be the best way to deal with this problem; but, viable alternatives to address citizen complaints, safety and aesthetics have not been presented.

Commissioner Vigon noted the difficulty of balancing the different special interests of citizens. He discussed that many communities have adopted ordinances similar to the proposed and that no solutions better than the proposed Ordinance have been suggested. Commissioner Vigon said that he remains in favor of the proposed Ordinance, even though it was inspired by a very small minority, and it was his viewpoint that the violation fees should be high enough to encourage strong compliance and that this is about the greater good and not personal freedom.

Commissioner Adami explained that, even though he supports less government; there have been many complaints and no solutions better than the proposed Ordinance have been recommended.

Chairman Silverman agreed that this is about the greater good and he voiced his understanding that many residents are unhappy about RVs in neighborhoods do not confront their neighbors. He expressed his opinion that land in Manhattan Beach is very tight and must be protected; that the Ordinance should include a grace period; and that the City Attorney should examine the question of discrimination. Chairman Silverman verified that the Commission's consideration of this topic has been appropriately advertised and he recommended that Mr. DeBaets and Mr. O'Connor be given additional time to speak to offer alternatives to resolve this problem without an ordinance, with which his fellow Commissioners agreed.

Returning to the podium, **Steve DeBaets** suggested a three-tier, off-street parking program for oversized vehicles, as described in his letter of April 24, 2010 (of record, in agenda packets).

**Gerry O'Connor** came forward again to propose that oversized vehicles be prohibited from parking near schools; that an ordinance addressing visibility and safety issues be developed; that one warning per vehicle be allowed; and that the existing 72-hour limit be revised to include a minimum movement requirement.

The Commission discussed that the speakers' proposals would not assist in enforcing the 72-hour parking requirement.

Commissioner Vigon stated his objection to an exemption based on how a vehicle is configured -- specifically, its size. He suggested that the proposed Ordinance include towing after a certain number of violations and that citations escalate to discourage an owner from choosing to pay citations and store their oversized vehicles at home.

In answer to questions from the Commission, Traffic Engineer Zandvliet provided information about parking exemptions for oversized vehicles with handicapped placards. He clarified that it is not necessary to address vehicles with handicapped placards in the proposed Ordinance because they are addressed in a separate policy.

**An Unidentified Speaker** returned to the podium to suggest that, in order to allow owners to load up their RVs during the day, the parking of oversized vehicles on the street without permits be prohibited over night.

Lt. Harrod explained that prohibiting the parking of oversized vehicles on the street without permits over night would unfairly task Police Officers working the late shift.

The Commission discussed recommended modifications to the proposed Ordinance as suggested by Commissioner Stabile and agreed to the following:

**Section 14.4.010 Definitions**

"Oversized Vehicle' shall mean any vehicle, as defined by Section 670 of the California Vehicle Code, or combination of vehicles, which exceeds twenty-two

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feet in length or seven feet in width or eight feet in height, exclusive of projecting lights or devices allowed by Section 35109 or 35110 of the California Vehicle Code. (Deleted last line.)”

**Section 14.16.020 Parking of Oversized Vehicles and Trailers**

Add at the beginning of this section: “Except as otherwise provided in this chapter.”

**Section 14.46.050 Oversized Vehicle Daily Parking Permit–Issuance of Permits**

A1. “Daily Parking Permits issued and approved by the Police Department shall include the registration number and license plate number of the designated Oversized Vehicle or Trailer and the date for which it is valid.”

A2. “An Oversized Vehicle Daily Parking Permit shall be valid for a period of not to exceed 24 hours. An Oversized Vehicle Daily Parking Permit will be valid from 11:00 a.m. one day until 10:59 a.m. the next day...”

B1b. “Proof of Manhattan Beach residency:

Acceptable proof of residency must be current and must include the following: California Driver’s License or California Identification Card and one of the following: Property Tax Bill or Public Utility Bill. Telephone bills are not acceptable.”

B1c. “The name, address, and phone number of the registered owner or renter of designated Oversized Vehicle or Trailer;”

**Section 14.46.090 Violation of Chapter**

B. “Any person who displays a fraudulent, forged, altered, or counterfeit Oversized Vehicle Resident Registration Sticker is guilty of a misdemeanor.”

C. “Any person who displays a fraudulent, forged, altered, or counterfeit Oversized Vehicle Daily Parking Permit or Permit number is guilty of a misdemeanor.”

E. “Any person who parks or leaves standing an Oversized Vehicle or Trailer on a public street or highway without a valid Oversized Vehicle or Trailer Daily Parking Permit will be subject to citation, towing or both.”

F. “Any person who parks or leaves standing an Oversized Vehicle or Trailer on a portion of public street where signs are erected that prohibits oversized vehicle parking will be subject to citation, towing or both.”

Traffic Engineer Zandvliet confirmed that it is within the Commission’s purview to make recommendations regarding citation fines.

**MOTION:** Chairman Silverman moved to recommend to the City Council that the proposed Oversized Vehicle Ordinance be adopted as amended pursuant to discussion this evening. The motion was seconded by Commissioner Gross and passed by the following unanimous roll call vote:

Ayes: Adami, Gross, Stabile, Vigon and Chairman Silverman.  
Noes: None.  
Abstain: None.  
Absent: None.

**MOTION:** Commissioner Stabile moved to recommend to the City Council that the fine for violating the proposed Oversized Vehicle Ordinance shall be three times the ordinary parking violation fine; that, if the oversized vehicle shows a safety problem when cited, it shall be towed; and that otherwise, oversized vehicles shall be towed on the third violation. The motion was seconded by Commissioner Gross and passed by a 3-2 majority roll call vote, with Commissioner Adami and Chairman Silverman dissenting:

Ayes: Gross, Stabile and Vigon.  
Noes: Adami and Chairman Silverman.  
Abstain: None.  
Absent: None.

Commissioner Adami and Chairman Silverman explained their dissenting votes due to their opinions that it is not the Commission's job to recommend citation fines to the City Council and the fines should be determined by staff.

#### **F. COMMISSION ITEMS**

F1. In answer to an inquiry from Commissioner Adami, Management Analyst Madrid provided input on the information technology available in Council Chambers.

F2. Commissioner Gross provided input about individuals in an extra-wide truck who were supposedly doing a study for the City. Staff will look into this and report back.

F3. Management Analyst Madrid advised Commissioner Stabile that the City Council has not recently acted on any recommendations made by the Commission.

F4. Commissioners Vigon and Stabile asked staff to examine the project the Commission previously considered at 441 2<sup>nd</sup> Street to verify that it is in compliance with the City Council's approval.

F5. In response to a comment from Chairman Silverman, Traffic Engineer Zandvliet verified that staff is aware of problems with Smart Car parking spaces and he advised that consideration is being given to changing the wording on Smart Car parking signs.

#### **G. STAFF ITEMS**

**08/26/10-4                      Monthly Revenue and Expenditure Report: Receive and File**

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Received and filed.

**08/26/10-5                      Notice to Cancel September 23, 2010 PPIC Meeting**

Management Analyst Madrid advised that the Parking and Public Improvements meeting on September 23, 2010 has been cancelled and the next regular meeting will be on October 28, 2010.

**H.      ADJOURNMENT**

The meeting was adjourned at 11:05 p.m. to Thursday, October 28, 2010.