

**PUBLIC WORKS COMMISSION
MEETING OF WEDNESDAY, SEPTEMBER 28, 2005
COUNCIL CHAMBERS
1315 VALLEY DRIVE
HERMOSA BEACH, CALIFORNIA
7:00 P.M.**

MINUTES

The meeting was called to order at 7:05 p.m.

1. Roll Call

Present: Commissioners Beste, DiVirgilio, Lombardo, Marinelli, Winnek

Also Present: Richard Morgan, Director of Public Works/City Engineer
Michael Flaherty, Public Works Superintendent
Rhea Punneo, Administrative Assistant, Public Works Department

2. Flag Salute

Commissioner Beste led the flag salute.

3. Approval of Minutes

July 20, 2005

4. Public Comments

Elsie Kirchner, 720 10th St.

Said she is new to the area and is concerned about entering Ardmore from 10th Street. She feels there is a sight distance problem when trying to get onto Ardmore going south. She realizes that Ardmore is a basic artery for the City and that people seldom do the speed limit and especially on Wednesday mornings, it is very, very dangerous. She gave photos to Ms. Punneo.

Mr. Morgan responded that this subject had been brought to his attention previously and he'd suggested that Ms. Kirchner attend this evening's meeting. He noted that it is quite challenging to turn left from 10th St. onto Ardmore Ave. There is 10' of red curb at that this is the standard utilized by the City. He said there have been other complaints and would like to bring the subject to the Commission as a whole project so that a new policy could be set. Right now, the red curb is as long as possible so that as much parking as possible is available. Twenty-five feet would be better but most difficult to maintain in Hermosa. A public hearing could be held at a future meeting, possible October or November.

5. Correspondence

None.

6. Items for Commission Consideration

(Item 6c was heard out of order, but is presented in order for the purpose of clarity.)

a. Disabled Parking Spaces

Mr. Beste opened by saying he believes it is time to take the revised Disabled Parking Policy to Council for final approval. He reviewed the history of the policy and it was noted that the Sub-Committee consisting of Ms. Lombardo and Mr. DiVirgilio worked very hard getting the information together. Mr. Morgan advised the audience that notices had been posted and that an ad had been run in the Easy Reader so that public input would be included in the final version that would go to City Council for approval and implementation.

Commissioner Lombardo read the new guidelines aloud.

Commissioner DiVirgilio arrived at 7:36 p.m.

Discussion of the policy included the following:

- The intention of these guidelines is to ensure that the right people have parking, not to take spaces away.
- Council had directed that the guidelines be reviewed and revised to incorporate as many points of information as possible in an effort to avoid problems and complaints.
- It was noted that there are many residences in the City with driveways and garages that may not accommodate today's vehicles.

During public commentary, many residents came forward to voice their concerns, which included:

- Many cannot park their cars in their garages because of the size of the vehicles.
- Some residents with disabled parking spots are harassed by their neighbors – spots are painted over and repainted by Public Works personnel.
- Several residents came forward in support of their neighbors who need these spaces.
- Complaint was voiced about the new 24-Hour Fitness and the fact that members aren't parking in the garage but are parking on the street, even illegally parking in disabled parking spaces.
- A traffic signal will be put in at 16th and PCH.

Further discussion among the commissioners included:

- Creating a guideline so nuts and bolts fit together, don't want to over regulate "...if it's good enough for the state, it's good enough for us."
- While placards are re-issued every two years, City will review annually.
- There is not charge for this service but does cost the department approximately \$400 in labor and materials.

MOTION by Commissioner DiVirgilio to approve guidelines with agreed upon changes. Commissioner Lombardo seconded.

AYES: Beste, DiVirgilio, Lombardo, Marinelli, Winnek
NAYS: None
ABSENT: None
ABSTAIN: None

b. Revised Tree Ordinance

Mr. Morgan presented the item, noting that quite a bit of time has been expended working on this ordinance revision. The Sub-Committee, consisting of a member of each commission, worked diligently compiling the information and presenting it to the department.

The City Attorney took all the information they'd compiled and created a new document, which primarily addresses trees in the parkway.

Highlights of the discussion regarding the ordinance included the following:

- The committee's original report was focused on trees throughout the City, on private as well as public property.
- There are approximately a dozen locations currently where tree roots are buckling sidewalks and enforcing owner responsibility to repair was not a simple matter.
- Mr. Flaherty was thanked for all his help in the creation of the approved tree list.
- Enforcing property owner responsibility can be difficult, especially when tree was planted by a previous owner.

Public comments included:

Sean Krajewski, 46 10th Street

Mr. Krajewski suggested that if a methodical, step-by-step plan would be put in place asking the property owner to take responsibility, it could take care of the problem.

Further discussion included:

- The property owner should have the right to remove a tree in the parkway but it would require a hearing. If, through the hearing process the City says cannot remove the tree it means the City takes responsibility for potential branch damage, sewer line damage, etc.
- Trees on a property go with the title, new owner responsible for property when title transferred.
- Staff would support any of several suggested nuisance abatement issues:
 - Leave the ordinance as it is – property owner responsible for all damages concerning liability and damages.
 - Leave the ordinance as it is but eliminate the responsibility for sewer line damage.
 - Hold the property owner only responsible for the buckling sidewalk repair.
 - Hold the property owner responsible only when he or she comes in for a permit to plant the tree thereby making tree responsibility run with the property for future damages unless becomes damaging or a nuisance.
 - If a property owner wants to keep a problematic tree, can bring to commission to appeal director's decision.
- Very little has been mentioned about trees on private property where sidewalk could have been put in. These trees can create as many problems as parkway trees.
- Modifications to the ordinance included
 - Section 12.36.050, Paragraph A, first sentence should read: A. No person, including the Property Owner, shall remove a parkway tree without first obtaining a permit from the Director except under exigent or emergency circumstances.
 - **Abatement of nuisance conditions.** Section should be re-numbered from 12.36.70 to 12.36.75 to allow for duplicate section numbering.

MOTION by Commissioner Winnek to recommend the revised Tree Ordinance be forwarded to the City Council for approval. Seconded by Commissioner DiVirgilio.

AYES: Beste, DiVirgilio, Marinelli, Winnek
NAYS: None
ABSENT: None

ABSTAIN: Lombardo

c. Proposed Planter/Barrier for New Clock in Pier Plaza

Mr. Morgan presented the item, advising the Commission that the City had received the generous donation of an old style clock from the Kiwanis Club for Pier Plaza. Concerns were raised regarding the ability of the existing set up to protect the clock as well as pedestrians from a possible run-away vehicle heading westbound on Pier Ave. A plan was conceived to use a reinforced concrete planter with red granite tile, which would be used as a safety barrier for the Plaza.

Review and discussion of the plan included the following:

- The concrete used would be the best available.
- Emergency access is addressed in the plan.
- It was noted that the closure of this portion of Pier Ave. was an official Council action.

The commissioners agreed that they liked the proposed plan.

7. Commissioners' Reports

None

8. Public Works Department Reports

- Grand Opening of the pier will be 11/19/05.
- Grand opening of Fort Lots of Fun will be 10/20/05 – many specialty items were done by Public Works personnel.

9. Items Requested by Commissioners

Commissioner Lombardo asked about signage on public buildings and if they come to the PWC. Mr. Morgan responded that to his knowledge they did not. Mr. Morgan will check that out.

Commissioner announced that he is now a member of the Centennial Committee and will be acting as liaison with the Commission.

Mr. Morgan noted that the Pier Ave. Project will be coming up and that businesses will be involved in the process.

Mr. Beste said he received an email regarding the 500 block of 8th Place complaining about the number of cars that park across the public sidewalk – some feel that this is selectively enforced in Hermosa and can create a liability when making small children and families walk in the street. Mr. Morgan advised it's an enforcement issue.

10. Other Matters

None.

11. Public Comment

None.

12. Adjournment

Chairman Beste adjourned the meeting at 9:03 p.m. to the meeting of October 19, 2005.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Public Works Commission of Hermosa Beach at the regularly scheduled meeting of September 28, 2005.

Robert Beste, Chairman

Richard D. Morgan, P.E., Secretary

Date