

**PARKS AND RECREATION COMMISSION MINUTES
REGULAR MEETING
City Hall
Monterey, California 93940
7:00 P.M.**

SEPTEMBER 15, 2005

CALL TO ORDER

Chairperson Menendez-Herbst called the meeting to order at 7:00 p.m. and asked the Secretary to call for roll.

ROLL CALL

COMMISSIONERS PRESENT:

Canepa
Laughton
McCarthy
Menendez-Herbst
Woodward

COMMISSIONERS ABSENT:

Cooney (Excused)
Marotta (Excused)

MILITARY LIAISON PRESENT:

None

STAFF PRESENT:

Deputy Public Works Director STAFFORD, Deputy Public Works Director TURNBEAUGH, Recreation Superintendent VIERRA, Recording Secretary NASH, Office Assistant II CRUZ

APPROVAL OF MINUTES

1. The minutes from the Parks and Recreation Commission meeting of Thursday, July 21, 2005 were approved as submitted.

PUBLIC COMMENTS

None.

AGENDA ITEMS

2. Review of Segway Use on the Recreation Trail and Recommendation to City Council

Deputy Public Works Director Stafford reviewed segway use on the Recreation Trail with the Commission. In March 2005, the Parks and Recreation Commission reviewed a request from Mr. Greg Von Lortz to rent segways for use on the Recreation Trail. He said that at that time, the Commission recommended to the City Council that the City should regulate the number of segways to be rented adjacent to the Recreation Trail, that the maximum number of segways to be rented be set at 20, that their speed be set at a maximum of 8 mph, and that this issue be revisited in one year. The Commission's recommendation also included that the vendor must conduct training for each user prior to renting, that users are required to wear a helmet, and that no trailers be allowed to be attached to the segway.

Deputy Public Works Director Stafford said that at their June 7, 2005 meeting, the City Council approved a Use Permit on a limited three-month trial basis allowing the segway rental business at 685 Cannery Row to operate on the Recreation Trail. At that time, the Council also required that the applicant return to the City Council at the end of the trial period in order for the Council to make a final determination. The City Council also requested a recommendation from the Parks and Recreation Commission after the three-month trial period.

Deputy Public Works Director Stafford reported that since the initial approval of a segway rental business adjacent to the Recreation Trail, the City has received one complaint the day after Council approval and one email in support of segways two days after Council approval. He also stated that the Police Department did not report any incidents involving segways on the Recreation Trail during the trial period.

Chairperson Menendez-Herbst opened this item for public comment.

Michael McCormack, Land Use Planner on Cannery Row, said he walks on the Recreation Trail every day and has not encountered any segway incidents. He is in support of allowing segways on the Recreation Trail.

John Wright, Monterey resident, said that he walks and rides his bike on the Recreation Trail and he has also rented a segway. He supports segways on the Recreation Trail and said it's a good direction to take to decrease pollution and parking issues.

Carl Maxey, local architect, said the segways are a fun way to enjoy the Recreation Trail and encouraged the Commission to support their use on the Recreation Trail and throughout the city.

Bruce Crist, New Monterey Neighborhood Association (NMNA) President, said that the NMNA Board voted against segways on the Recreation Trail because of safety issues. He commended Greg and Tammy Von Lortz, owners of Segway by the Sea, and said they are good people and they do a good job. He stated that since the time the City Council approved segway use on the Recreation Trail he has had a positive feeling about them, but that over the weekend he experienced an incident where he and his wife were trying to get out of the way of a bicyclist. They were struck by a segway. Mr. Crist

received a cut on his arm and sprained his ankle. He said he has also noticed riders weaving back and forth and doing wheelies. He said this puts the City at risk with unsafe riders.

Fred Nolan, Monterey resident, said he does not think segways are good for Monterey. He stated health issues and that communities should encourage people to exercise more and not use motorized vehicles.

Tom Muniz, Monterey resident, said that he was a Parks and Recreation Commissioner for 25 years and helped create the Recreation Trail. He said the intent of the Recreation Trail was to create a walking path and that the Commission did a lot of work on this project. He said the Recreation Trail traffic got out of hand with allowing surreys and that the Trail is just too small for the amount of runners, bikers, skaters, and walkers who use it. Mr. Muniz asked how much money the City receives from commercial use on the Recreation Trail. He said he is against adding any more vehicles to the Recreation Trail and that it was originally built for pedestrian use.

John Tracey, manager at Segway by the Sea, said he has received all positive comments from people and that he has only had to deny rental to two people because he didn't feel they would be safe users.

Joe Donofrio, General Manager – Monterey Peninsula Regional Park District (MPRPD), said that his agency has not taken a stand on this issue yet. He said that Monterey, Pacific Grove and MPRPD are members of the Joint Powers Agency (JPA) and that the Trail was to be administered as a pedestrian and bike facility. He also said that no additional commercial use should be allowed without approval from the JPA. He stated that the JPA should be involved in this issue and would like to discuss future commercial use on the Recreation Trail. He said the Trail currently has challenges and a lot of people using it.

Greg Von Lortz, owner of Segway by the Sea, thanked the Commission for their unanimous vote in March to give him a chance with his segway business. He presented the Commission with a packet of information including a chart showing how many rentals he had during the three-month trial period, the waiver and release form that renters must sign, the survey that he has all segway renters fill out, and two emails from NMNA President Bruce Crist. He said that the incident with Mr. Crist being struck by a segway happened last Saturday and he did not receive an email from Mr. Crist about it until Wednesday. He feels his staff does a great job training people and they stress the importance of safety and consideration of others on the Recreation Trail. He said his business has been under great scrutiny by the City over the past three months and that he feels bicyclists are more dangerous than segways because they travel at 30-35 mph.

Commissioner McCarthy asked Mr. Von Lortz what his staff covers during training. Mr. Von Lortz stated that they make sure the segway renter has good balance and talk to them about respecting the Recreation Trail and all other users. He said they also instruct them to look first before moving the segway.

Commissioner McCarthy asked if they are requiring all renters to wear helmets. Mr. Von Lortz stated that is a requirement.

Commissioner Laughton followed up with Mr. Muniz's question regarding reimbursement to the City for commercial use on the Recreation Trail. Mr. Von Lortz stated that they pay taxes and business license fees but do not pay additional fees for commercial use of the Recreation Trail. Deputy Public Works Director Stafford also stated that we do not charge businesses that rent bicycles or skates for use on the Recreation Trail.

Commissioner Laughton said that she had a hard time approving segway use on the Recreation Trail when the Commission reviewed it in March. She has since gone down and observed their use and people are having a great time on them. She said that she met Mr. Von Lortz's son and a friend riding segways and said they were very professional and answered all her questions. She said that they have done a great job with training and promoting safe use on the Trail and would like to see it continue.

Commissioner Canepa stated that he was not in attendance when the Commission reviewed this issue in March. He said he has been on the Commission for years and the Recreation Trail was created for walkers. He agrees with Mr. Donofrio's comments regarding the JPA and that all organizations within the JPA should be involved with the issue of commercial use on the Recreation Trail. He recommends allowing the segway use to continue operating as they have been for the past three months with a review in one year, with the stipulation that the City work with MPRPD and the JPA to clarify the use and ownership of the Recreation Trail.

Commissioner Woodward said that Vehicle and State Codes classify segways as a personal assistive device and that they are considered pedestrians. She said she was unaware of joint ownership of the Recreation Trail and that this issue needs to be addressed. She reiterated that segways are pedestrians and pedestrians are allowed on the Recreation Trail.

Chairperson Menendez-Herbst stated that the Recreation Trail ownership issue needs to be addressed but not on this item. She said we are to make a recommendation to the City Council regarding segway use on the Recreation Trail. She said segways are less dangerous than the bicyclists and surreys and supports segway use with another review in six months.

Deputy Public Works Director Stafford stated that as part of the JPA Agreement, the Recreation Trail was deeded over to the City with provisions for commercial use. He said the Commission could table this issue or have MPRPD make a presentation to the City Council.

Joe Donofrio, General Manager of MPRPD, stated that he would like to gather more data and that he is okay with review in one year of the segway use on the Recreation Trail.

Commissioner McCarthy agreed that the commercial use and ownership issues should be tabled so that we can make sure we have jurisdiction of the Recreation Trail to allow certain uses.

Deputy Public Works Director Stafford stated that the City of Pacific Grove had no objections with segway use on the Recreation Trail.

Commissioner McCarthy motioned that the Parks and Recreation Commission table the ownership and commercial use on the Recreation Trail until the Joint Powers Agency issues can be addressed, and that the segway use be allowed to continue on the Recreation Trail with a follow up review in one (1) year. The motion was seconded by Commissioner Canepa and carried by the following roll call vote:

AYES: 5 COMMISSIONERS: CANEPA, LAUGHTON, McCARTHY,
MENENDEZ-HERBST, WOODWARD

NOES: 0 COMMISSIONERS: NONE

ABSENT: 2 COMMISSIONERS: COONEY, MAROTTA

3. Dennis the Menace Park Tuesday Closure

Deputy Public Works Director Stafford informed the Commission that beginning on Tuesday, September 13, 2005, Dennis the Menace Park will be closed for maintenance. He said that in the 1960's, Dennis the Menace Park was closed on Mondays for weekly maintenance. In the late 1970's, the park was open seven days a week. In August of 1996, the park was closed on non-holiday Mondays and non-Monterey Peninsula Unified School District vacation Mondays from September through May. He said that based on the input received over the years, including input from the Monterey Visitor's Center, it would better serve the public to have the park closed on Tuesdays rather than on Mondays. He said this will also allow the park to be maintained more often and at a higher level.

Commissioner Canepa asked if the Skate Park would also be closed on Tuesdays. Deputy Public Works Director Stafford stated that the Skate Park is only closed when maintenance is required.

4. Memorial Bench Program

Deputy Public Works Director Stafford reviewed the Memorial Bench Program with the Commission and asked them for direction on whether to charge additional annual fees to citizens with existing benches. He said that about 20 years ago, the City started a memorial bench program with the installation of a number of benches on the Recreation Trail between the Wharf and David Avenue. At that time the fee was approximately \$150 including the engraving on the bench. He said that due to the high cost of engraving, staff began using a plaque on the benches. He stated that the fees have been adjusted periodically to cover the cost of the bench but that no additional fee for maintenance has been charged and no expiration date has been set for how long the identifying plaque would remain on the bench. He said that currently the cost for a memorial bench is approximately \$600. He reported that the City has about 125 memorial benches in place and there are about 100 people on the waiting list. Deputy Public Works Director Stafford asked the Commission to consider the following possible options:

1. Leave the program the way it is, which is to charge the cost of the bench at the time of installation with no maintenance fee and no expiration date.

2. Every five years charge a renewal fee of \$100. If this fee isn't paid within 60 days, the bench will be sold to the next person on the waiting list.
3. Every ten years charge a renewal fee of \$500. If the fee isn't paid within 60 days, the bench will be sold to the next person on the waiting list.

Commissioner Canepa said the new benches are made of plastic and have plaques instead of the wood benches that were engraved. He asked what the policy was if someone with an existing bench wanted to add information to their plaque. Deputy Public Works Director Stafford said that the City would just charge them for the cost of a new plaque.

Commissioner McCarthy asked if the City retains ownership of the memorial bench. Deputy Public Works Director Stafford confirmed that the bench is City owned.

Chairperson Menendez-Herbst said she could not imagine charging people an additional fee after the initial purchase of a bench. She suggested that the Commission and staff come up with alternative ideas or locations for memorial benches to address all of the people on the waiting list.

Deputy Public Works Director Stafford also pointed out that some of the benches were purchased years ago and it may be difficult to find the people who purchased the bench if the Commission decided to charge a renewal fee. He also said the reason there are so many people on the waiting list is because they all want to be in locations around the bay and those benches are limited in number.

Chairperson Menendez-Herbst motioned that the Parks and Recreation Commission recommends to leave the memorial bench program as is and to come up with other ideas and locations for memorialization. The motion was seconded by Commissioner Laughton and carried by the following roll call vote:

AYES:	5	COMMISSIONERS:	CANEPA, LAUGHTON, McCARTHY, MENENDEZ-HERBST, WOODWARD
NOES:	0	COMMISSIONERS:	NONE
ABSENT:	2	COMMISSIONERS:	COONEY, MAROTTA

STAFF INFORMATIONAL REPORTS

The Commission received the following reports:

5. **Monthly Reports:**
 - a. **Recreation and Community Services Department – July 2005**
 - b. **Parks Division – July 2005**
 - c. **Recreation and Community Services Department – August 2005**
 - d. **Parks Division – August 2005**

STAFF COMMENTS

Deputy Public Works Director Stafford reported that at the Commission's October meeting, he will be submitting potential Neighborhood Improvement Program (NIP) projects for the next fiscal year. He also reported that the Skyline Forest Greenbelt clean up is about 50% complete and the residents are very happy with the progress. He said they have hired a contractor for the restoration of Anthony's Gate and that they are trying to use the original wood and hardware for this historical project. He gave the Commission an update on staffing issues for the Parks Division.

Recreation Superintendent Vierra informed the Commission that at their October meeting they will meet the new Aquatics Coordinator, the new Center Director at Casanova Oak Knoll Park Center, and the new Office Assistant II in the Administration office. She also said we are recruiting for Recreation Specialists and Afterschool positions. She reported that the Youth Center had 145 Colton students at their last dance. She reported that the gymnasium floor has been refinished at the Sports Center. She said that staff is working on the Winter/Spring 2006 Activities Guide which will be available on Thursday, November 3, 2005. She also reported that the Soccer program and the Co-ed and Men's Soccer Leagues are full.

COMMISSIONER AND MILITARY LIAISON COMMENTS

Commissioner Woodward said she has received several calls regarding certain types of play equipment and the death of the young boy in Spreckels. She asked if the City has any of those types of play structures installed in the parks. Deputy Public Works Director Stafford stated that we do and that he has directed his staff to watch for anything hanging on the equipment and to remove it immediately. Commissioner Woodward said she also has received calls from citizens that heard comments at a City Council meeting that the Parks and Recreation Commission's review of the Catellus Master Plan has not been completed. Deputy Public Works Director Stafford stated that was incorrect and that the Parks and Recreation Commission participated in several public hearings on the Catellus Master Plan and that right now the plan is pretty generic. The Catellus Master Plan will come back to the Commission for more review and details after they receive Council direction to do so. Commissioner Woodward asked if Larkin Park was unavailable for public use because it is under military lease. Deputy Public Works Director Stafford stated that the parks are open for public use.

Commissioner Laughton commended the Parks Division staff for doing such a great job on Jacks Park for the Bronco World Series. She said she heard nothing but great comments from the public during the series.

Commissioner McCarthy said he watched the Little League World Series on national television and Jacks Park looked better than theirs did during the Bronco World Series.

Commissioner Canepa asked about litter pick up adjacent to the highway on-ramps and if we are working with the State to clean these areas up. Deputy Public Works Director Stafford confirmed that we work with the State on this effort. Commissioner Canepa reported that during weekend events at Custom House Plaza, the garbage cans along Alvarado Street fill up quickly and overflow. He also reported that the trees are overgrown by the boat storage area on the Catellus property. He said he has noticed more youth activity and problems at Griffin Plaza. Deputy Public Works Director Stafford said that the tables have been bolted down and the Police Department has stepped up their presence in the area.

NEXT MEETING

- The next meeting of the Parks and Recreation Commission meeting will be Thursday, October 20, 2005 at 7:00 p.m., City Council Chambers.

ADJOURNMENT

Chairperson Menendez-Herbst adjourned the meeting at 8:50 p.m.

The agenda for this meeting was posted at least 72 hours in advance of the meeting outside Few Memorial Hall of Records.

Respectfully submitted,

Kay Russo, Director
Recreation and Community Services Department

Suzanne Menendez-Herbst
Chairperson
Parks and Recreation Commission