

CITY OF NEWPORT BEACH

**Parks, Beaches & Recreation Commission
Regular Meeting
April 1, 2025 – 5:00 p.m.**

I. CONVENE MEETING OF THE PARKS BEACHES & RECREATION COMMISSION TO ORDER – 5:00 p.m.

II. ROLL CALL

Present: Keira Kirby, Chair
Anne Yelsey, Vice Chair
Hassan Archer, Commissioner
Diane Daruty, Commissioner
Kate Malouf, Commissioner
Travis Pirdy, Commissioner
Amy Waunch, Commissioner

Staff: Sean Levin, Recreation & Senior Services Director
Justin Schmillen, Recreation & Senior Services Deputy Director
Michael Sledd, Deputy Public Works Director
Jim Houlihan, Deputy Public Works Director/City Engineer
Tom Sandefur, Assistant City Engineer
Brad Sommers, City Traffic Engineer
Joshua Vincelet, Police Lieutenant
Mariah Stinson, Administrative Support Specialist

III. PRESENTATIONS

A. Presentation to Community Service Award Recipient Judy Aprile

Recognizing her 25 years of dedicated service as a contract instructor improving the quality of life for seniors and adults in Newport Beach through fitness programs at OASIS Senior Center and Marina Park.

Recreation & Senior Services Deputy Director Justin Schmillen presented the Community Service Award to Judy Aprile in recognition of her 25 years of service operating fitness classes at the Older Adult Social and Information Services (OASIS) Senior Center and Marina Park. He noted that since the start of online registration records in 2011 alone, Ms. Aprile has taught over 740 classes with 23,400 participants. He estimated over 50,000 people have benefitted from Ms. Aprile's classes since they began in 2000.

Mimi Shapiro stated it has been a privilege to have Ms. Aprile in her life for the past 25 years. She added that Ms. Aprile is a positive and caring lady who offers fun and innovative classes three days a week for senior citizens. She reported Ms. Aprile studied geriatric exercises at California State University, Fullerton with the knowledge benefitting Newport Beach's citizens. She credited Ms. Aprile's classes

with helping her avoid injury from a pair of recent falls. She stated residents always leave Ms. Aprile's classes happier than when they arrived due to her inspiration and motivation. She thanked Ms. Aprile and presented her with daffodils to plant in her home garden.

Ed Romeo thanked the Commission for the OASIS Senior Center. He stated he built a great rapport with Ms. Aprile immediately after she began teaching classes at OASIS and it has continued for 25 years. He reported he will turn 99 years old next month and credits his continued mobility and good health to Ms. Aprile.

Ms. Aprile stated it is an honor to work at OASIS which has become a home for her. She thanked the City for keeping her on. She stated Mr. Romeo receives credit for her still working in Newport Beach because he said she cannot retire until he does. She accepted the Community Service Award.

IV. NOTICE TO THE PUBLIC

V. PUBLIC COMMENTS ON CONSENT CALENDAR

None

VI. CONSENT CALENDAR

A. Minutes of the Parks, Beaches and Recreation Commission Meeting of March 4, 2025

Recommendation: Waive reading of subject minutes, approve and order filed.

B. PW Activity Report

Recommendation: Receive/file Activity Report of past and upcoming projects and events.

C. RSS Activity Report

Recommendation: Receive/file Activity Report of past and upcoming projects and events.

Motion by Chair Kirby, seconded by Commissioner Archer, to approve Item VI. A-C CONSENT CALENDAR.

The motion carried by unanimous vote.

VII. CURRENT BUSINESS

A. 15th Street Restroom Renovation and Boardwalk Improvement Concepts

Recommendation: Staff requests that the Commission review, provide feedback, and make a recommendation for commencement of final design on the proposed replacement restroom concepts and boardwalk improvements.

Deputy Director of Public Works and City Engineer Jim Houlihan introduced the project and presented an outline for the forthcoming discussion.

Assistant City Engineer Tom Sandefur noted the project area is along a half-mile boardwalk from 20th St. to 14th St. with the restroom located on the beach side of 15th St. He advised that this is the first phase of a larger project due to the restroom's urgent needs, noting the boardwalk and restroom projects are complementary because the boardwalk decisions impact the location of the restroom while the restroom project could impact the layout of the new boardwalk.

Mr. Sandefur reported the existing restroom was initially constructed in 1961 and has since undergone multiple remodels and frequent repairs. He explained that it has reached the end of its useful life, noting a recent Citywide Facilities Condition Reassessment found it to be the lowest rated facility in the entire City due to its heavy use and exposure to elements. He noted that the City Council approved a full replacement because it was less expensive than the cost of a major rehabilitation.

Mr. Sandefur reported that staff will preserve the existing mature palm trees and outdoor surf showers in the new design. He explained that the proposed replacement facility will be slightly larger than the current 1,000 square feet but will still fit in the existing footprint. He noted architects have come up with three replacement options which have been refined following a public meeting in October 2024 and through other public feedback opportunities. He reported public feedback called for distinct men's and women's restrooms and not a large collection of individual stalls. He advised that public opinions called for textured concrete and distinctive architectural features to help mark its placement between Balboa Pier and Newport Pier.

Mr. Sandefur reported Option 1 has a curved roof to evoke the image of a bird in flight to be constructed primarily from concrete and steel. He explained that the louvers are to be laser-cut with a visually interesting design and all options will have a sand wall at the rear to help prevent the sand from covering over the walkways. He noted the interior designs for Option 1 and Option 2 are similar, adding the storage area was relocated from the original plans due to public concerns over the space's security. He noted that a storage area is important to staff as it allows for better portage of the restrooms without requiring trips to a distant warehouse for restroom supplies.

Mr. Sandefur reported Option 2 features a roofline inspired by ocean waves. He noted Option 2 will allow for better natural ventilation than Option 1 due to how it is oriented and how ocean breezes will blow through it. He advised that the orientation of the building and the placement of the decorative metal panels will give the restroom more of a presence from 15th St. without being obtrusive, stating part of the reason for the decorative roofs is to make the facility obvious without detracting. He noted that the ceiling design will create interesting light and reflections.

Mr. Sandefur reported that Option 3 is an entirely new choice created after the October 2024 public feedback sessions featuring softened and dyed concrete panels designed to mimic wood. He explained that Option 3 responds to public feedback calling for the restrooms to look less “bunker-like” by adding columns and other details. He reported that public requests to make the restroom look like the Balboa Pavilion were deemed unsuitable for this location citing two other restrooms already mimicking the Balboa Pavilion and a civic desire to make this location look more unique. He advised that the Balboa Pavilion-styled restrooms have very tall roofs which would be inappropriate for this location as it will block neighborhood beach views.

Mr. Sandefur explained that another big difference on Option 3 at public request is a reorientation of the facility so the entrances are on the beach side. He noted this option includes perforated paneling which will create design elements through the staggered holes. He remarked that the interior is still being worked out for Option 3 but added it will include the City-standard stainless-steel sinks and toilets, and will likely include tiled floors and walls rather than polished concrete due to maintenance and hygiene concerns. He noted that some of these interior design details will be finalized with architects once an option to pursue is selected.

In response to Commissioner Malouf’s inquiries, Mr. Sandefur confirmed Option 3 has many structural and design elements that are similar to the Newport Beach Junior Lifeguard Administration Building due to the restraints of the coastal environment. He confirmed the materials in Option 3 are sustainable.

In response to Commissioner Archer’s inquiry, Mr. Sandefur confirmed there is no substantial cost difference between the three options because they all use roughly the same footprint and will be constructed with many of the same materials.

In response to Commissioner Archer’s inquiry, TAIT & Associates Director of Architecture Drew Ericson stated Option 3 would have an anticipated lifespan of 50 years. He explained that the trusses would be powder-coated aluminum to look like wood but with a longer life expectancy than wood.

In response to Chair Kirby’s inquiry, Mr. Sandefur confirmed the current restroom is slightly recessed and the new one will have to be raised due to flood zone requirements. He noted that this is why there is not a larger roof design.

In response to Chair Kirby’s inquiry, Mr. Sandefur stated a family restroom could be considered but cautioned one of the community concerns against individual stalls was a security concern over someone attempting to live in there. He expressed concerns about an individual family restroom potentially attracting a similar issue.

Commissioner Malouf noted that in lieu of a dedicated family restroom changing tables are often included in a restroom.

Mr. Sandefur agreed and acknowledged that there is likely space for a changing table along the back wall of the men's and women's restrooms where the sinks are planned.

City Transportation Manager and Traffic Engineer Brad Sommers reported the discussions about the boardwalk portion of the project go back to 1991 even just at the City Council level with their current stage being discussed in earnest starting in 2020-21. He noted there have long been concerns about the interaction of faster-moving wheeled vehicles and pedestrians on the boardwalk. He explained that long ago an Oceanfront Safety Committee was created and reviewed conditions persisting to this day. He noted talks of a split trail first came out of this Committee in 2008 and eventually received City Council funding.

Mr. Sommers advised that the three largest concerns remain the speed differential between wheeled travelers and pedestrians, the limited space to work with, and the limited visibility upon entrance to the beachfront area. He explained that signage has helped in the interim focused on speed limits and beach crossing points. He noted rumble strips were also implemented in areas but were not successful in slowing bicyclists. He reported beachfront communities like theirs from the City of San Diego through Los Angeles County were studied and determined there was no single simple solution Newport Beach could implement but a few patterns were found.

Mr. Sommers reported the City of Hermosa Beach widened its trail to 20 feet which lessened the dangerous encounters but did not eliminate the problem. He reported the City of Venice Beach created a dedicated bike trail adjacent to its commercial promenade and, in residential beachfront areas reminiscent of this section of Newport Beach, created a separate wheeled path using landscaping and sand as a divider. He reported the City of Manhattan Beach implemented a split trail system although not one completely aligned with what Newport Beach is proposing. He noted the City of Long Beach's trails are separated by a raised curb to encourage separation and the City of Santa Monica has a comparable curb to create separation between pedestrians and cyclists. He remarked that Santa Monica also has bold points of caution at pedestrian beach crossing points. He acknowledged that a silver bullet has yet to be found but the simplest solution involves separating the wheeled vehicles from pedestrians.

Mr. Sommers presented the City's current proposal for split trails. He advised that moving the trail closer to the beach improved visibility because of the congestion stepping onto the boardwalk around homes. He noted that it can also improve enforcement making it easier to identify bicyclists in the pedestrian-only zones. He explained that separation of the trails allows for the trails to be better engineered for their specific uses, noting many wheeled traffic-calming measures can also become tripping hazards for pedestrians.

Mr. Sommers reported there has been ongoing discussion of banning bicycles and e-bikes but noted that he has not seen a desire by the City Council to take this approach. He added pushing cyclists out to Balboa Blvd. would create additional

issues due to regular congestion on Balboa Blvd. creating additional safety hazards along with adding more unwanted automobile traffic because residents in areas like Newport Heights often instead bicycle to the beach.

Mr. Sandefur reported the background presented by Mr. Sommers and City Council direction led City staff and consulting architects to explore a split trail concept. He advised that the split trail concept received good public feedback in the October 2024 meetings, however concerns were raised about a straight trail potentially leading to excessive bicycle speeds. He noted that the design now includes wiggles designed to both slowdown bicycles and focus riders visually towards street entrances by strategically orienting the wiggles facing towards intersections. He reported that at the end of the trail near Newport Pier, some safe end conditions are being considered so bicyclists will have to walk their bicycles through McFadden Plaza. He noted that similar safe end conditions are also being weighed at the end of the trail by Newport Elementary School. He remarked that sharper curves are being considered at each end but there are physical limitations before the safety of riders becomes a concern.

Mr. Sandefur reported that due to community feedback the distance between the two trails had been increased from five feet to a range from 20-36 feet. He noted landscaping can also be added to this gap to discourage bicyclists from hopping between the two trails. He advised that the beach is relatively wide over this stretch, but the wider distance between the trails may not be feasible as later phases of this project extend the trails into other areas of the City with more narrow beachfronts. He reported that there will be a different color concrete and extra signage near Newport Pier so bicyclists better realize they are approaching an intersection and should use caution. He noted there are opportunities to put in bicycle racks and gathering places along the boardwalk without inconveniently being in the middle of the boardwalk.

Mr. Sandefur reported a future phase of the larger overarching project includes a renovation to the Newport Pier area and McFadden Plaza, but the staff is still formulating ideas for what this may include.

In response to Commissioner Waunch's inquiry, Mr. Sommers clarified cities adding split trails have reported observational safety improvements but not every incident gets officially reported, especially minor incidents, leading to a lack of hard data.

In response to Vice Chair Yelsey's inquiry, Mr. Houlihan reported the trail was funded for design this past year by the City Council. He noted it had been discussed with the City Council as early as 2020 but hit delays due to staffing limitations and other projects usurping staff's time.

Vice Chair Yelsey reported she is a regular cyclist who has been hit by a car. She explained that a designated bicycle path increases safety for residents looking to enjoy the outdoors. She acknowledged enforcement of those paths is beyond the Commission's purview. She endorsed some version of this proposal, noting other

comparably popular beach cities are moving in a split trail direction. She encouraged promoting bicycle transportation over automobiles.

In response to Commissioner Piridy's inquiries, Mr. Sandefur clarified at the end near Newport Pier the trails will end before the driveway that provides lifeguards beach access. He reported that this area could be changed when Newport Pier and McFadden Plaza are redesigned in a later phase of the larger project, theorizing moving the bicycle path under the pier is a potential option, but lifeguard beach access will remain a critical element. He reported the apron will be maintained near 15th St. allowing for continued lifeguard access at the other end of the project.

In response to Commissioner Archer's inquiry, Mr. Sommers explained that the curves are intended to reduce bicycle speeds, but other jurisdictions studied did not have firm speed reduction figures. He noted that without pedestrian interference it is possible the new bicycle path will see raised speeds despite the curves but noted this is where an enforcement component can help. He cautioned that if the trail is too curvy like in the City of Venice Beach, then cyclists could fall off it.

In response to Commissioner Piridy's inquiry, Newport Beach Police Department (NBPd) Lieutenant Joshua Vincelet reported there are daily patrols along the boardwalk with 1-3 officers instructed to conduct enforcement in regular problem areas along the full two-mile boardwalk. He noted that different areas experience different issues. He advised that there are also officers dedicated to patrolling Balboa Peninsula and additional traffic officers patrol the beach area. He estimated there were 2,200 patrol hours covering the area last year. He added most of the complaints are about e-bikes.

In response to Commissioner Daruty's inquiry, Lt. Vincelet clarified the boardwalk allows for bicycles and e-bikes as they are considered the same as regular bicycles per the code because they are pedal-assisted. He confirmed that fully electric bicycles are not permitted. He explained that it is difficult for officers to distinguish between the different classes of e-bikes. He clarified the City's Bicycle Plan allows for bicycles on several sidewalks and it makes enforcement difficult because there are areas where a bicycle on the sidewalk is permissible. He reported that the speed limit for bicycles on the boardwalk is eight miles per hour, but even standard pedal bicycles violate it.

In response to Commissioner Daruty's inquiry, Lt. Vincelet theorized the more restrictive bicycle restrictions on Balboa Island are for residential wishes but could not confirm. He noted Corona Del Mar regularly sees fleets of bicycles together occupying an entire lane of a street. He explained that if bicycles were removed entirely from the boardwalk the neighborhood would likely see more of them on streets and in alleyways. He clarified that enforcement in various areas occurs as they are directed.

In response to Commissioner Daruty's inquiry, Mr. Sommers clarified the bay front around Balboa Island is considered to be a sidewalk which is a different designation

allowing the City's latitude to regulate wheeled travel. He noted that the boardwalk is considered a trail and not a sidewalk, so it has different rules. He reported that cities used to have more regulatory control over e-bikes before the State stepped in and the City now cannot ban e-bikes from trails like the boardwalk. He clarified that any attempts to ban them would require an opinion from the City Attorney.

In response to Commissioner Daruty's inquiry, Mr. Sandefur stated it will be up to the City Council to determine the budgeting for the full project, and this will drive how the project is phased.

In response to Commissioner Malouf's inquiry, Mr. Sommers clarified the California Vehicle Code provides regulations statewide all the way down to trails and, per the City Attorney's office, they can only set restrictions to the degree the code permits.

Commissioner Archer remarked that no one has found a way to slow down bicycles on boardwalks.

Mr. Sommers explained that it is his duty as Transportation Manager to investigate codes such as these and he has been unable to find an e-bike solution although he continues to search.

Chair Kirby clarified the 50-plus emails received on this item have been read by the Commission and are part of the permanent record. She advised that in-person public comments will be limited to two minutes each due to the large number of speakers and encouraged civility. She noted that the representative from the Central Newport Beach Community Association will receive additional time.

Chair Kirby opened public comment.

Matt Webb, a civil and traffic engineer, expressed his support for bicycles but stated the problem is excessive speed. He added the limited space and visibility on the boardwalk are not issues unless bicycles are going too fast. He expressed concerns about additional pavement and lanes encouraging faster speeds. He reported there is currently an e-bike speed reduction experimental program ongoing in the City of Amsterdam, The Netherlands, which could be of interest to Newport Beach's staff.

Mark Herbert supported doubling the width of the boardwalk with pedestrians on one side and bicycles on the other. He lauded the layout of Huntington Beach's boardwalk. He encouraged having an NBPD officer patrolling on an e-bike.

Albert Hana expressed his opposition to the project as it will increase speed and make boardwalk crossings difficult for his children while negatively impacting their home value. He stated Newport Beach should not attempt to emulate Venice Beach or Long Beach.

Jeff Friedman reported seeing surreys on the boardwalk over the weekend and questioned why they are permitted while lamenting how they cover most of the

boardwalk. He stated an additional 4-5 feet of width would be a good idea considering the lampposts are currently spaced this far from the concrete. He added bicycle speed is the primary concern on the boardwalk and will increase with additional width. He confirmed two NBPD officers were on patrol but ineffective for being on foot instead of on bicycles and for being together as opposed to spread out covering a wider area. He agreed Newport Beach is different than the other cities cited as examples.

Andrew Mason stated safety and traffic flow are the biggest issues with the boardwalk. He stated additional NBPD enforcement will not be enough, and they should follow the examples of other cities that have seen success with split trails. He stated split trails would be the most effective long-term solution.

Denise Oberman stated the plan was ill-conceived and expressed her opposition to the project. She stated the City is insufficiently allocating NBPD resources to the boardwalk area, decrying the insufficient number of citations being issued by officers on site and the lack of fines attached to them. She disagreed with adding additional bicycle capacity without additional enforcement when there were enough problems already.

Buzz Lawry echoed Ms. Oberman's comments and lamented what seems like the inevitability of a remodeled boardwalk being approved. He expressed his opposition. He called for better NBPD enforcement of the boardwalk while commending its work with the homeless and other issues near Balboa Pier. He advocated for licensing a full-time group outside of the NBPD to help with boardwalk speed enforcement, including the issuance of tickets with fines as opposed to mere warnings.

Maureen Cotton, representing the Central Newport Beach Community Association, stated the State does allow the City Council to designate bicycle-free trails. She reported input from her organization was sought too late into the process and called for the matter to be continued until more public outreach can be conducted beyond the single meeting last October when residents received incomplete informational packets. She decried a lack of transparency and outreach, presenting a detailed timeline of how much planning work has gone on without input from her Homeowners Association. She stated the community does not want boardwalk expansion. She presented renderings of a design she and her residents would prefer, adding the City's last traffic study came in 2012 before the rise of e-bikes. She called for a continuance of the item so more community input can be sought.

Mike Bavis stated pedal bicycles are critical for boardwalk and beach enjoyment. He added that 36 feet is too wide expressing fear of losing space for beach activities like volleyball and kite flying. He expressed opposition to landscaping to fill the gap between the trails in the proposal for its difficulty of maintenance. He stated a slight widening of the trail like what is in front of Newport Elementary School would be a good compromise.

Russell Adanon expressed appreciation for the complexity of the issue and the time staff has dedicated to it. He encouraged bifurcating the matters of the restrooms and boardwalk. He added he did not hear tonight how the new paths would be integrated into the school's walkway for the safety of children. He added there seem to be no concerns about the restrooms.

Jeff Chandler stated he and his Newport Heights neighbors have been riding bicycles to the beach for years. He noted the main issue is speed and thus danger, particularly as e-bikes become more popular. He encouraged going forward with the restrooms, endorsing either Option 2 or Option 3 but urged caution in constructing the bike trail until the entire length of the project can be plotted, eliminating the dangerous potential of where two lanes return to a single lane, noting it is more than just bicycles as skateboards, baby strollers, and surreys also will be merging into the single lane full of pedestrians. He added more concrete will exasperate the current speed problem.

Jeff Miller agreed the restroom and bike path are separate issues. He theorized they would be creating a bicycle freeway with this plan, increasing speeds. He added the additional weight of an e-bike is problematic when it comes to collisions with pedestrians. He encouraged a stronger focus on the speed issue before discussing potential changes to the boardwalk, encouraging instead spending the construction funds on enforcement.

Pete Anderson lamented the speed and size of e-bikes. He expressed opposition to a bicycle-only lane for its likely negative impacts on already dangerous speeding.

Dale Shepard stated two things historically safely slowing down bicycles are congestion and dips like those near the Balboa Pier. He encouraged adding dips to this area as a speed-reduction measure.

Carmen Rosan stated they can reconstruct the restroom with provisions for future boardwalk integration plans. She stated the issues are not with e-bikes but the behavior of their riders. She added the behavior needs to change, encouraging more field enforcement. She questioned the volume of tickets issued, adding too many are only given a warning. She noted skateboarders are not supposed to be on the boardwalk at all. She called for additional public outreach and enforcement.

An unidentified speaker noted the Commission will ultimately decide on details of the full 42-block project, including all future phases. He added the California Coastal Commission does not allow building on natural dunes which cover much of the area past Newport Elementary School towards Balboa Peninsula. He stated the community has been shaded by City staff because it is impossible to extend this bike path to Balboa Pier and this concept should have never been presented to the City Council in Capital Improvement Plan discussions. He questioned Lt. Vincelet's comments about pedal bicycles causing as many problems as e-bikes. He expressed support for the restroom work but encouraged the Commission to hold off on the bike trails until the reimaging of McFadden Plaza is completed to ensure a good fit.

Rick Flower stated a lack of enforcement is the primary issue. He added parking monitors can also write vehicular tickets and encouraged using them more for enforcement beyond what the NBPD provides.

Robin Cohen expressed her opposition to the bike lane. She reported that e-bikes regularly speed through residential alleys like they are raceways and added this concern has been under-discussed. She noted there is a difference between beach cruisers and e-Bikes.

Caroline Kvakovic stated enforcement must be mastered before anything goes further. She noted the City has a dead-end peninsula, unlike others around the area Newport Beach is being compared to, adding Newport Beach is also entirely single-family homes. She decried the idea of a separate bike path, adding it would be difficult for residents to cross. She encouraged removing the surreys and forcing bicycles to courteously adhere to the posted speed limit. She called for bicycle impoundments, additional study, and more public input.

Brandon agreed on the effectiveness of the dips near Balboa Pier while also encouraging the use of bulbs. He expressed concerns about points of congestion where the bike path merges back into a single boardwalk, faster-moving bicycles at points where pedestrians cross and the end caps. He stated enforcement issues should be solved before attempting to solve other matters.

Marjorie Lovell expressed concerns about dangerous speeds. She stated the plan does not make sense, echoing the opinions of most previous speakers. She endorsed the Central Newport Beach Community Association's bulb proposal. She noted the City does have legal liability around collisions, but critical enforcement is presently laughable with cautionary signage alone being easy to ignore.

Rachel Gabriel expressed her opposition to the split path proposal because more concrete will add more speed. She decried the poor enforcement both on the boardwalk and Balboa Blvd. and called for violation fines as opposed to the prevalent warning citations. She reported the City of Laguna Beach has just passed an ordinance banning e-bikes on Main Beach with a pledge to more closely monitor speeds. She encouraged the Commission to pass along the voices of the residents to the City Council.

Kelly Carlson reported she and her husband own a bicycle store on Balboa Peninsula, and she serves as President of the peninsula's merchants' association. She noted residents were upset but implored the Commission and City staff to not give up on the problem tonight. She added something needs to be done.

Chair Kirby closed public comment.

Commissioner Malouf thanked the speakers and assured those who sent emails were read by her and her fellow Commissioners. She agreed with Ms. Carlson and

expressed her respect for the NBPD, acknowledging bicycles have presented regular problems for the community even before the advent of e-bikes. She expressed regret that many residents expressed a negative opinion of City staff and advised that a renovation is not being force-fed to them. She noted the Commissioners are also concerned parents and acting responsibly towards finding a needed solution. She remarked that all residents are being heard and respected, along with City staff.

In response to Commissioner Malouf's inquiry, Public Works Director Dave Webb clarified there are varying opinions on what the California Coastal Commission will and will not permit as it relates to extending these proposed trails past the school into an area with more dunes. He noted the City has built Marina Park and others despite warnings that the California Coastal Commission would not allow them. He advised that the City Council is presently focused on this busy portion of the boardwalk being discussed tonight and this is the only phase to receive funding approval thus far. He agreed with Ms. Carlson that something needs to be done because speeding has been a long-term problem for the City and the general consensus among City staff is to split the trails. He remarked that nothing can be a win for everyone.

Vice Chair Yelsey stated the Commission has heard residents both in person at the meeting and via email. She noted this project has been identified since 1991. She remarked that there are safety risks for both pedestrians and cyclists and the time has come to make a decision benefitting both.

Chair Kirby encouraged discussing the restroom models in isolation from the boardwalk talks because they can likely come to an easier decision there.

In response to Vice Chair Yelsey's inquiry, a City staff member confirmed a restroom model decision can be reached prior to a decision on the boardwalk.

Commissioner Malouf endorsed Option 3 for the restroom because of its emulation of the nearby Junior Lifeguard Headquarters.

Commissioner Waunch agreed and noted that she prefers the aesthetic seen in the restroom Option 3.

Commissioner Daruty endorsed restroom Option 3 for its incorporation of public comments and its beachside entrances.

In response to Commissioner Malouf's inquiry, a City staff member clarified the screens in Option 3 will provide comparable ventilation to Options 1 and 2.

In response to Chair Kirby's inquiry, Commissioner Archer confirmed they can make separate motions on the restrooms and trail.

Chair Kirby proposed making separate motions. There were no objections from the dais.

Motion by Chair Kirby, seconded by Commissioner Malouf, to approve the recommendation for Option 3 of the final design on the proposed replacement restroom concept.

The motion carried by unanimous vote.

Chair Kirby noted many public speakers stated everyone agrees with them but added there are also many people with opposing opinions about the boardwalk. She noted not all the emails received were against the split trail concept but agreed there are significant community concerns about this subject matter to be taken in.

Commissioner Daruty lauded the meeting, its discussion, and the preparation of City staff. She stated moving the path out towards the ocean takes up more sand and can potentially make crossing more dangerous, but added they must figure out the best way to make the boardwalk safer. She stated potential restrictions on e-bikes are a threshold issue for her, noting the differing opinions between Mr. Sommers and Ms. Cotton on the matter and the City's ability to regulate them. She called for more clarity on options related to removing e-bikes from the boardwalk. She added the Commission needs to know if the entire length of the proposed second path is feasible before going forward with only this segment.

In response to Commissioner Daruty's inquiry, Lt. Vincelet clarified that NBPB officers checking for excessive speeds on the boardwalk use a single-target device. He added whether a second trail would make enforcement easier depends on how busy the trail is. He responded to public comments by Mr. Friedman by clarifying when officers are working together in tandem, one uses the speed detector and the other enters the boardwalk to stop the rider. He added a second trail, regardless of usage, would help in enforcement because there would be no pedestrians in the way, adding this sometimes causes interference.

Commissioner Archer stated he does not have enough data to show how the issue of excessive speed is being addressed in the proposal. He theorized a dedicated bicycle path can help, but noted cars tend to drive faster on wider more open freeways. He expressed concerns about approving the split trail without knowing if e-bikes can be banned if the entire trail can be completed, and if the split trail does work to slow down traffic.

Chair Kirby noted the conflicting information and added the Commission does not have to make a definitive recommendation to the City Council. She inquired about a potential motion other than a straight yes or no. She stated they could conceivably recommend more studies.

Commissioner Daruty called for more study into the City's ability to ban e-bikes and the feasibility of continuing the split path through all three phases of the project.

Commissioner Yelsey clarified the issue is less with e-bikes as a whole and instead with less responsible young people on e-bikes. She expressed concerns that there will

be a bigger danger of putting them onto a street with moving traffic as opposed to a dedicated bike trail.

Commissioner Daruty cited this quandary as an example of not having the best information to decide.

Recreation & Senior Services Director Sean Levin clarified the potential banning of e-bikes is a policy decision only the City Council can make.

Commissioner Malouf referenced Ms. Gabriel's comments about Laguna Beach and stated they could ask the City Council to investigate it. She noted the technology on e-bikes is moving faster than people can keep up with, but they do need to find solutions. She expressed uncertainty over what the proper timeline should be for this so it does not hold the project up too long, noting City staff has already put a lot of effort into the project.

Chair Kirby explained that their job is to make a recommendation to the City Council and not to make a list of questions, although they can recommend further research be conducted on a specific topic to get a better vision. She advised that they need to be cognizant of the City Council having other pressing matters to consider if the Commission starts to discuss a timeline.

In response to Commissioner Daruty's inquiries, Mr. Webb stated there is a precedent of the California Coastal Commission allowing for dune exceptions and mitigations in many other cities. He advised that this section of the boardwalk is being focused on first because it is the most heavily trafficked. He agreed that the City Council probably still does need to think about some policy questions. He noted that there was a past discussion of banning e-bikes and the City Council did not approve it. He explained that more consulting with the City Attorney is needed but his impression is the State is treating e-bikes like regular pedal bicycles so they could conceivably have to ban all bicycles to achieve this goal. He noted the City Council's composition has also changed since this matter was last discussed. Mr. Webb stated several of these safety measures discussed during public comments have been discussed by City staff, including safety bollards, rumble strips, and inverted speed bumps, clarifying they were referred to by the speaker as dips. He noted that there can also be liability issues for the City if someone is injured traversing them, noting they could be obscured by sand or poor visibility on a foggy night. He cautioned that too tight of a turn could also become a civic legal liability.

In response to Commissioner Daruty's inquiry, Mr. Levin clarified that the City Council is unlikely to send this matter back to the Commission, but rather in this case, the City Council is requesting input from the Commission on the boardwalk proposal. He explained that the Commission should not feel pressured to decide the project's fate as they are only being asked to provide feedback.

The Commissioners agreed more information is needed to make a definitive recommendation of support or denial. A suggestion was made by Commissioner

Daruty requesting quantifiable data on whether the boardwalk's new signage has led to a safety improvement. There was a call to also include the Commission's unanswered concerns in such a motion, including the City's legal ability to make an e-bike policy change, the confidence level in how far the path can extend, and a call for data from peer cities about safety improvements resulting from split trails.

Mr. Sommers confirmed that the City has analyzed traffic and accident histories along the boardwalk in the past. He explained that everyone agrees safety is a concern, but noted any potential solution is where the room differs on opinion. He reported staff has requested quantitative data from other cities, but those cities have been unable to produce it.

Commissioner Daruty stated they can consider the volume of calls for assistance received by NBPD and base their enforcement policies around this.

Mr. Levin stated this would be getting too far into enforcement measures to be considered under the Commission's purview. He encouraged focusing the Commission's attention on forming their collective opinion of the project, adding they should either recommend the project, not recommend the project, or state they do not have enough information to form a definitive opinion. He advised that he surmises from hearing the discussion that the Commission is at the later conclusion and does not know where to go with a potential recommendation because they are being pulled both ways and do not have information to properly decide.

Commissioner Daruty agreed with the discussion leaning towards insufficient information to have a definitive recommendation and added the City Council needs to know what type of information they would like to hear from the Commission.

Motion by Commissioner Daruty, seconded by Commissioner Malouf, to forward to City Council that there was not enough information to make a formal recommendation to the City Council and the Commission recommends the City Council get clarification on policies (changing policies on e-bikes, etc.), viability of all three phases of the project, and receive information from other cities on whether the added trail increased safety.

The motion carried by unanimous vote.

VIII. ANNOUNCEMENTS/FUTURE AGENDA ITEMS

Mr. Levin reported that the community programs and special events grants application window opened today and will be open through April 22nd. He announced that summer camps are open for registration and the Mayor's Egg Race will be held on April 12th. He reported the City's volunteer recognition lunch is set for April 23rd at OASIS. He announced that April 23rd is also the grand opening for the City's first universally accessible playground.

Deputy Public Works Director Michael Sledd reported there will be a compost, electronic waste, and document shredding event will be held at the City Yard on April 26th. He announced that the City's Arbor Day event will be held on April 25th at Mariners' Park featuring a tree planting.

Chair Kirby reported seeing many City staff at the recent youth track and field meet and commended the well-attended event.

IX. PUBLIC COMMENTS ON NON-AGENDA ITEMS

An unidentified speaker recommended adding enforcement of the eight miles per hour speed limit to the motion in Item No. VII-A.

Chair Kirby clarified enforcement matters are beyond the Commission's purview but assured the speaker that criticism of the City's enforcement measures has been heard by the City Council.

X. ADJOURNMENT – 7:56 p.m.

Submitted by:

Mariah Stinson, Administrative Support Specialist

Approved by:

Keira Kirby, Chair