

CITY OF NEWPORT BEACH

Parks, Beaches & Recreation Commission
Regular Meeting
February 3, 2009- 7pm

Convened 7:10pm

ROLL CALL

Present: Marie Marston, Chair
Tim Brown
Bill Garrett
Kathy Hamilton
Phillip Lugar
Greg Ruzicka
Vacancy

Staff: Laura Detweiler, Recreation & Senior Services Director
Mark Harmon, General Services Director
Sean Levin, Recreation Superintendent
Teri Craig, Admin Asst

COMMUNITY SERVICES AWARD PRESENTATION TO LEWIS JONES

Superintendent Levin stated that the Community Services Award Committee had received 4 nominations for Lewis Jones to receive the award.

Commissioner Garrett presented the award to Lewis Jones for his beach cleaning efforts during the past several years.

DIRECTOR COMMENTS

Director Detweiler reported that the OASIS Senior Center building is now closed and that the Annex is in place in the parking lot on the corner of 5th & Marguerite where staff will be housed for the next two years during the OASIS rebuild. She noted that all OASIS programs are running throughout the City and commended staff for their diligent work for their scheduling. She went on to say that the construction bids for OASIS would be opened on February 12 and forwarded to City Council to award the bid on March 10. Director Detweiler also noted that on February 12 the first CYC construction meeting will be held with the project slated for completion by beginning of summer. She reported that Commissioner Trapp's replacement should be appointed at the February 24 City Council meeting in time for the March PB&R Commission meeting. She also noted that former Parks & Recreation Director Ron Whitley passed away on Sunday and asked that the meeting be adjourned in his honor.

Director Harmon reported that staff has begun the modification plans for the 38th Street Park and construction should be completed within the next couple of weeks. He noted that the neighborhood residents have voiced their appreciation for the change to his staff. He stated that the 2030 Leeward Lane Special Tree Removal from last week will come back to the Commission in March once a 3rd party arborist takes a look at the trees in the neighborhood. Director Harmon noted that a letter regarding a lit flag pole at Castaways should be going out in the next week or so. He thanked Commissioner Brown for his offer to review the letter before mailing. In answer to Commissioner Lugar's question; Director Harmon stated that a notice will go out to the entire neighborhood and HOA or at least 300 feet from the homes and back.

PUBLIC COMMENTS

None

CONSENT CALENDAR

1. Item removed by Chair Marston.
2. **Parks & Operations Division Activity Report.** Receive/file monthly Activity Report for activities and upcoming projects.
3. **Recreation & Senior Services Activity Report.** Receive/file monthly Activity Report for activities and upcoming projects.

Motion by Commissioner Ruzicka to accept 2 and 3 of the consent calendar. Motion carried by acclamation.

1. Minutes of January 5, 2009. Chair Marston stated that she had been absent at the last meeting but that her name appeared on page 5.

Motion by Commissioner Ruzicka to accept item 1 of the consent calendar as amended. Motion carried by acclamation.

ACTION

4. **Request for Removal or Relocation of China Cove Volleyball Court.** Superintendent Levin provided a PowerPoint presentation of the history of the China Cove volleyball court to the Commission. He stated that it was staff's recommendation to direct that an application for removal of the volleyball court be forwarded to the Coastal Commission for their approval.

Commissioner Garrett stated that the area seemed too small for beach goers and volleyball users.

Commissioner Lugar noted his concern regarding parking.

Commissioner Brown stated that the biggest issue is access; and as a proponent of volleyball that he felt that this location was not suited for a volleyball court.

Discussion ensued.

Chair Marston opened the public discussion.

Mary Ginear stated that there is illegal parking behind her house and that volleyballs constantly hit cars in her driveway.

Bryan Erart stated that he has played volleyball at China Cove for over 15 years and has never heard of anyone or anything getting hit by a volleyball. He stated that this court is a gem because it is protected from the wind and noted that the courts at CdM State Beach are too busy and not one of them is 50 feet away from the sidewalks. He stated that the park is there for everyone not just the select few that live there. He urged the Commission to retain the court.

Dave Beauchamp stated that he feels that the court is just too close to the homes and that there has been some damage in the past. He stated that the exuberance from the players can sometimes be unpleasant and believes that the court should be moved.

Commissioner Garrett asked about the use of the court.

Mr. Beauchamp stated that since 1988 it is used more and more but for the most part summer and weekends and holidays are extremely busy.

Chris Reedy stated that he has been playing volleyball there for over 15 years and asked the Commission to remember that it is a public beach. He also noted that the players have a sense of community and leave the beach better then when they get there. He asked that the City begin to enforce the rules from 1988.

Art Kisch stated that most players bring their families and that they set a good tone while on the beach and is sympathetic to the residents. He suggested that the court be moved 10-12 feet and promised to limit the enthusiasm. He urged the Commission to keep the court.

Bruce Enzley stated that for the most part that beach is not crowded and that the use of the court does not infringe their use on other beach goers. He asked the Commission to be fair and consider a compromise of moving the court and enforcing the rules.

Sandy MacDougal reminded the Commission that when these people bought their houses that the beach was there for the public to use but noted that this court is farther away than most courts in Newport Beach. She also stated that there are not enough courts at CdM State Beach.

James Morrison stated that it is mostly the beach goers that cause the parking problem because the volleyball players have learned the rules. He asked that the court be moved and that the rules be enforced.

Harold Parker stated that safety is his big issue due to cars backing down the streets. He noted that the court takes up a lot of the sand on a relatively small beach. He noted that Mother's Beach is almost gone because of the tides. He asked that the court be removed.

Peter Bergen stated that most of the play during the week is after 5pm and that the beach is usually deserted. He believes that a compromise can be made with the homeowners and the players.

Steve Vrebalovich stated that all eight of the courts at CdM State Beach are less than 50 feet from the sidewalk and in fact there is one that is only 36 feet. He noted that it would be ok to move the court 10-20 feet as long as it stays in the same format. He stated that he is unaware of any injuries sustained at China Cove and that the Commission should remember that volleyball is now an Olympic Sport and is very popular with the young kids of today. If you are going to allow the exceptions of the 50 foot rule at CdM then the same should be given at China Cove.

Russ Henderson stated that this court is very unique and that the Commission should remember that the beach is for the public and is not a private beach. The residents will still have the same type of problems regardless of the court.

Regina Hollis stated that she would be open to moving the court and that most of the volleyball players are professional business people.

Robert Ganier stated that he believes the best option is to move the court so that his house is not the target. The most part the players are very nice and that he loves the beach and enjoys it seeing it being used. He does not believe that a volleyball is going to hurt anyone. He urged that the sand at the beach at Fernleaf be replenished.

S. Giravich stated that she often sits on the beach about 10 feet away from the court and has never been struck by a volleyball.

Brian Ramer stated that 20 years ago the Commission approved the court and that precedent has been set. The Commission should keep the court.

Dave Donenberg stated that since the court has been down that he has noticed more people using the beach and that his home life has been extremely peaceful.

Joe McCarthy stated that problems will exist regardless of the fact that the volleyball court is there the real problem at that beach is dogs and being off leash.

Chair Marston closed the public discussion.

Commissioner Brown asked if there were other locations for the court.

Superintendent Levin stated that the real issue is that the volleyball court just does not fit in that specific location.

Discussion ensued regarding Park Patrol, rules, vegetation and the Coastal Commission.

Commissioner Brown suggested that the Recreation Committee get together with homeowners and players to discuss options.

Motion by Commissioner Ruzicka to table this item until appropriate and that Commissioner Lugar and Brown meet with a sub-committee representing residents and volleyball players to discuss other options. Motion carried by acclamation.

5. **Tree Donation.** Director Harmon stated that staff had received a request from Mary Kirtland to donate a tree at Old School Park.

Chair Marston opened the public discussion; hearing none the public discussion was closed.

Motion by Commissioner Brown to approve the the tree donation by Mary Kirtland at Old School Park. Motion carried by acclamation.

6. **Revision of Council Policy B-17 - Parks, Facilities & Recreation Program Donations.** Director Harmon reminded the Commission that at the October 7, 2008 that the Commission approved changes to the wording on the donor plaque. He noted that the staff report incorporates the change and forwards to City Council for their review and approval.

Discussion ensued regarding types of donations at specific parks.

Chair Marston opened the public discussion; hearing none the public discussion was closed.

Motion by Commissioner Brown to forward the revision of Council Policy B-17 to City Council for their review and approval. Motion carried by acclamation.

COMMITTEE REPORTS -

Parks - Nothing to report.

RSS - Nothing to report

AD- Hoc

–**Youth Sports Liaison** - Nothing to report

–**Community Services Award** - Award presented to Lewis Jones.

Other

–**Marina Park** - Director Detweiler stated that a presentation will be made at the March meeting regarding Marina Park.

FUTURE AGENDA ITEMS

Commissioner Hamilton requested staff to compile information on the status of maintenance at Pirates Cove and Big Corona and asked if some of the parking fees could be used for better enforcement.

ADJOURNED IN MEMORY OF RON WHITLEY - 9:02PM

Submitted by: _____
Teri Craig, Admin Assistant