

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 12/12/05		Item Number: <u> A-4 </u>	
AGENDA ITEM: Introduction of an Ordinance Amending Various Provisions of Sections 9.10.055 and 9.10.200 of the Culver City Municipal Code Relating to Park Regulations for the Purpose of Mitigating Nuisance Activity and Clarifying Existing Regulations.			
Contact Person/Dept.: Heather Iker/City Attorney		Phone Number: (310) 253-5660	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Via mail on November 28, 2005: Homeowners' Associations and Neighborhood Groups; Los Angeles Homeless Service Authority; Ocean Park Community Center; Department of Veterans Affairs; People Assisting the Homeless; Los Angeles County Department of Mental Health; New Directions, Inc.; St. Joseph Center; and Members of the Culver City Homelessness Ad Hoc Committee; Via mail or e-mail on November 28 and 30, 2005: Individuals who spoke at prior Council Meetings regarding this issue; Via e-mail on December 7, 2005: Master Notification List (12/07/05).			
Department Approval: Carol Schwab, City Attorney (12/05/05)		CAO Approval: Martin Cole for Jerry Fulwood (12/7/05)	
City Controller Approval: N/A			

RECOMMENDATION:

Staff recommends the City Council introduce an Ordinance (Attachment 1) amending various provisions of §§ 9.10.055 and 9.10.200 of the Culver City Municipal Code relating to park regulations for the purpose of mitigating nuisance activity and clarifying existing regulations.

BACKGROUND:

Over the past several years, as the number of people using the City's parks has grown, clarification and enforcement of park regulations have become increasingly important to the community's use and enjoyment of the City's parks. In addition, park-related issues have arisen concerning nuisance activity occurring in the City's parks, including, but not limited to, interference with park maintenance staff, vandalism, littering, abandoned property and persons using the park when it is closed. During this time, the Homelessness Subcommittee (Council Member Gross and Vice Mayor Silbiger) and Task Force (consisting of City staff from various Departments, including CAO; City Attorney; Community Development; Parks,

City of Culver City, California
City Council Agenda Item Report

Recreation and Community Services; Police and Fire) have been discussing these issues in an effort to mitigate this type of activity and address the community's concerns.

On July 26, 2004, the City Council took a number of specific actions to address these concerns, including directing staff to review various provisions of the City's Municipal Code to determine whether certain sections should be amended in order to improve enforceability of park regulations, address nuisance activity, and better secure the City's parks. Copies of the staff report and minutes from the July 26, 2004 City Council meeting are included as Attachment 2. Also included in the actions taken by Council was the formation of the Homelessness Ad Hoc Committee, which consists of City staff, residents and members of the business community. This Committee has also reviewed the proposed amendments and provided input.

As the proposed ordinance relates to regulations in the City's parks, this matter was first brought to the Parks and Recreation Commission on November 16, 2005 for discussion and recommendation to the City Council. The Commission voted unanimously (5-0) to recommend to the Council the introduction of the proposed ordinance. Copies of the staff report and minutes from the November 16, 2005 Commission meeting are included as Attachment 3.

This matter is now before the City Council for consideration.

DISCUSSION:

The following is a brief summary of proposed amendments to various provisions of current CCMC §§ 9.10.055 and 9.10.200 (Attachments 4 and 5, respectively). It is recommended that these sections be amended in order to clarify existing prohibitions on certain activities in the City's parks and upon public property, remove antiquated or unnecessary language, and revise or delete overbroad or ambiguous provisions.

The substantive amendments to these sections include provisions relating to prohibitions and restrictions concerning:

- wading in fountains – §9.10.055(C);
- using barbecues – §9.10.055(D);
- camping – §9.10.055(E);
- sleeping and lying in certain areas – §9.10.055(H);
- littering – §9.10.055(N);
- disturbing the peace – §9.10.055(O);

City of Culver City, California
City Council Agenda Item Report

- interfering with City employees – §9.10.055(P);
- using parks in violation of posted notices – §9.10.055(Q);
- interfering with permit users – §9.10.055(S);
- entering areas closed for maintenance – §9.10.055(T); and
- using and maintaining public restrooms – §9.10.200(D)

These amendments have been discussed and recommended by the Homelessness Subcommittee, Task Force and Ad Hoc Committee, as well as the Parks and Recreation Commission, and are now before Council for consideration.

FISCAL ANALYSIS:

Adoption of the proposed Ordinance may require increased enforcement activity by City staff, particularly the Parks, Recreation and Community Services and Police Departments. These costs cannot be easily quantified. In addition, there would be a cost for the installation of new and adequate signage to reflect changes in regulations.

ATTACHMENTS:

1. Proposed Ordinance (revised and clean versions).
2. July 26, 2004 Council Agenda Item Report and excerpt of City Council minutes.
3. November 16, 2005 Commission Agenda Item Report and excerpt of Commission minutes.
4. CCMC § 9.10.055 (existing provisions).
5. CCMC § 9.10.200 (existing provisions).

MOTION:

That the City Council:

Introduce the Ordinance amending various provisions of Sections 9.10.055 and 9.10.200 of the Culver City Municipal Code relating to park regulations for the purpose of mitigating nuisance activity and clarifying existing regulations.