

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 11/19/07		Item Number: <u>A-2</u>	
AGENDA ITEM: Discussion and Consideration of the Parks and Recreation Commission's and City Council Skateboard Subcommittee's Recommendations Regarding the Skate Park Regulations and Supervision.			
Contact Person/Dept.: Bill La Pointe		Phone Number: (310) 253-6655	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master Notification List (11/07/07); Skatepark Stakeholders (11/07/07).			
Department Approval: Bill La Pointe (11/07/06).		City Attorney Approval: Carol A. Schwab (by H. Iker) (11/08/07)	
Fiscal Impact Approval: Marlee Chang (by M. Noller) (11/08/07)		City Manager Approval: Jerry B. Fulwood (11/16/07)	

RECOMMENDATION:

Staff recommends the City Council consider the Parks and Recreation Commission's and the City Council Skateboard Subcommittee's recommendations regarding the Culver City Skate Park regulations and operations and direct staff as deemed appropriate.

BACKGROUND:

In 1999, a group of teens and community members worked together to raise funds in order to provide local youth with a skateboard park. Due to lack of resources the facility was designed as a temporary skateboard park until funds could be identified to build a permanent skateboard park.

On April 28, 2003 the City Council approved submission of a Land and Water Conservation Fund (LWCF) grant application for funding a permanent skateboard park which was subsequently granted.

On August 22, 2005, the City Council awarded a professional services agreement to SITE Design Group, Inc. to design a permanent Skateboard Park at Culver City Park and a final site plan was developed. At that time it was deemed necessary to expand the City's Municipal Code to include specific rules and regulations to better govern the activities at the skateboard park once it was completed.

Staff researched skateboard park rules by reviewing adopted rules and regulations from a number of other cities and drafting proposed rules. The rules were then reviewed and considered as to applicability and legal liability exposure and approved

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by the Parks, Recreation and Community Services Department; City Attorney's Office, and the Public Works Department.

At the August 7, 2007 Parks and Recreation Commission meeting, the Commission made a recommendation to City Council regarding (1) the introduction of an Ordinance amending Culver City Municipal Code Section 9.10.300 (B) to authorize the City Council to establish, by Resolution, Skateboard Park Rules and Regulations; and (2) adoption of a Resolution establishing Rules and Regulations regarding the use of Skateboard Parks within the City (4-0; Cooper absent). As part of the Commission's decision, it was also recommended that Section 1.i. of the proposed Resolution be clarified to state: "Skating is only permitted within the skateboard park and is prohibited in all other areas of Culver City Park, including its adjacent sidewalks, streets and parking lots."

With this modification, the proposed Ordinance was introduced and the Resolution was unanimously adopted by the City Council on October 13, 2007. The Ordinance was brought before the City Council for a second reading and was unanimously adopted on October 20, 2007. The Ordinance and Resolution as approved and adopted by Council are provided as Attachment 1 and Attachment 2, respectively.

As a result of the adoption and posting of the Skateboard Park Rules and Regulations, the City is in compliance with Section 115800 of the California Health and Safety Code and, therefore, the City can classify skateboarding as a "hazardous recreational activity" and qualify for certain immunity to liability with respect to this type of activity.

DISCUSSION:

The Culver City Skate Park had a "soft opening" on Saturday, September 15, 2007. The purpose of the soft (or "unofficial") opening was to see how well the Skate Park would work and be used by skaters and also to identify any construction or other issues that might need to be addressed or corrected before the Official Grand Opening on Saturday, October 27, 2007.

During the interval between the Skate Park's "soft opening" and the Official Grand Opening, staff, the Parks and Recreation Commission, and the City Council have received comments and questions from the public regarding the Skate Park's regulations and the supervision of skaters. This topic was discussed within the larger discussion of safety on streets within Culver City Park at the October 2, 2007 Commission meeting. Public concern about the enforcement of the Skate Park's posted rules and regulations, specifically the requirement that helmets and pads be worn while skating, was also mentioned briefly during a joint meeting of the Parks and Recreation Commission with the City Council on October 15, 2007.

In response to these concerns, staff met on October 16th and 25th, and a joint meeting of the Council Skate Park subcommittee, the Commission Skate Park

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subcommittee and staff will held on November 1, 2007. The draft minutes of the joint meeting of the City Council and Parks and Recreation Commission Skate Park Subcommittees are provided as Attachment 5. General comments resulting from the November 1, 2007 joint Skate Park Subcommittee meeting and PRCS staff's recommendations to the Parks and Recreation Commission are provided as Attachment 6.

In summary, the City Council Subcommittee recommended the following:

- (1) Continue to operate the Skateboard Park as an unsupervised park as outlined in State Law;
- (2) Continue to enforce the existing Skateboard Park rules and regulations as approved by the City Council, including locking the Skateboard Park between the hours of dusk and dawn;
- (3) Improve the visibility of the locking mechanism by improving the mechanism and installing a light fixture illuminating the entrance area;
- (4) Improve enforcement through the use of periodic sweeps;
- (5) Prepare large, banner-type signage re-enforcing the benefits of wearing proper protective gear; and
- (6) Work with local businesses to offer an incentive-based program for users of the Skateboard Park who comply with the Ordinance (wearing of helmets and pads)

The Subcommittee Members (Vice-Mayor Gross and Councilmember Rose) may wish to provide further comments to the City Council.

At the November 6, 2007 Parks and Recreation Commission meeting, the Commission discussed recommendations from the Council/Commission Skate Park subcommittees meeting of November 1, 2007 where the topic of Skate Park regulations and supervision were discussed. The Commission took action (4-0-0 / Commissioner Deen excused absence) to make the following recommendation to Council:

1. That the Culver City Skate Park remain unsupervised, and
2. That the Skate Park will be locked when the Park is closed, and
3. That there is an increase in frequency of the enforcement of the Skate Park Rules and Regulations, possibly through periodic sweeps and observations, and
4. That incentives be explored to encourage compliance with the Skate Park Rules and Regulations in a positive manner, and
5. That additional signage be installed calling out the requirement of wearing helmets, knee and elbow pads while skating.

Staff would concur with the recommendations provided by the City Council Subcommittee and the Parks and Recreation Commission. The results of implementing these recommendations would improve the operations of the skateboard park while maintaining the protections provided in state law.

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FISCAL ANALYSIS

The cost of additional signage is estimated as \$750. The cost estimate for the light installation is \$1,000. Sufficient funding is available in CIP Project 41900830 – Skateboard Park Project, to fund these items. Costs associated with additional random enforcement would be absorbed in current appropriations within the Police Department and Enforcement Services Division budgets.

ATTACHMENTS:

1. Ordinance Number 2007-006 of the City of Culver City.
2. Resolution Number 2007-R049 of the City of Culver City.
3. California Health and Safety Code Section 115800.
4. California Government Code Section 831.7.
5. Draft Minutes of the November 1, 2007 Joint Meeting of the City Council Skate Park Subcommittee and Parks and Recreation Commission Skate Park Subcommittee.
6. Synoptic comments from the City Council/ Parks & Recreation Commission/ Staff Skate Park Subcommittee Meeting of November 1, 2007 and PRCS Staff's Recommendations on its Management and Operations.

MOTION:

Staff recommends that the City Council:

1. Consider the recommendations of the City Council Skateboard Subcommittee and the Parks and Recreation Commission related to the operations of the Skateboard Park; and,
 2. Direct staff to implement the following: (a) Continue to operate the Skateboard Park as an unsupervised park as outlined in State Law; (b) Continue to enforce the existing Skateboard Park rules and regulations as approved by the City Council, including locking the Skateboard Park between the hours of dusk and dawn; (c) Improve enforcement through the use of periodic sweeps; (d) Improve the visibility of the locking mechanism by improving the mechanism and installing a light fixture illuminating the entrance area; (e) Prepare large, banner-type signage re-enforcing the benefits of wearing proper protective gear; and (f) Work with local businesses to offer an incentive-based program for users of the Skateboard Park who comply with the Ordinance (wearing of helmets and pads)
- or
3. Discuss the item and provide alternate direction to Staff.