



# CITY COUNCIL AGENDA REPORT



**DEPARTMENT:** Public Services

**MEETING DATE:** November 15, 2016

**PREPARED BY:** Tina Cherry, Director

**AGENDA LOCATION:** AR-6

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**TITLE:** Amendment to Chapter 12.32 (Parks) of Title 12 (Streets, Sidewalks, and Public Places) of the Monrovia Municipal Code to add the Hillside Wilderness Preserve (Preserve) to the List of City Designated Parks and Designate Hours of Operation; Introduction of Ordinance No. 2016-13

**OBJECTIVE:** To add the Hillside Wilderness Preserve (Preserve) to the list of City Designated Parks and to establish rules of conduct and hours of operation

**BACKGROUND:** On July 11, 2000, in response to proposed residential development in our hillsides, Monrovia voters approved Measure A (with 84% of the vote) and Measure B (with 77% of the vote). The adoption of Measure A created the "Hillside Wilderness Preserve" and "Hillside Recreation" zoning designations, while approval of Measure B imposed a base tax on Monrovia properties that generated \$10 million to be paid back over 30 years in order to fund the acquisition of privately held hillside properties. Measure B also authorized the collection of \$80,000 per year for hillside maintenance efforts.

Eventually, the City leveraged the monies generated from Measure B to obtain additional grant funding which was ultimately used to acquire eleven (11) privately owned hillside properties at a total cost of more than \$24 million. These purchases resulted in the City gaining ownership of 1,416-acres of hillside property that have since been designated as the Monrovia Hillside Wilderness Preserve (HWP).

Over the years, the City has also worked to develop an overall Resource Management Plan (RMP) for the HWP properties owned by the City. The RMP was intended to serve as a blueprint outlining how the City would manage the Preserve, taking into account environmental impacts, public access, and the need to implement management practices to achieve established goals for the public space.

After several years of work, on February 7, 2012, the City Council approved Resolution No. 2012-07, certifying and adopting the Final EIR for the HWP RMP. Pursuant to the approved EIR for the RMP, the City identified four formal access points into the HWP at the following locations:

1. Highland Access Point
2. Sleepy Hollow Access Point
3. Ridgeside Access Point
4. Cloverleaf Access Point

Since approval of the RMP, staff has worked to complete access into the HWP areas. In particular, during the past year, the City has been working to coordinate the opening of the Cloverleaf Access Point and Ridgeside Access Point. Those efforts were formalized on April 5, 2016, when the City Council approved purchase and sale agreements to acquire the easements needed at the Cloverleaf Access Point, while also directing staff to proceed with various capital outlay activities at both the Cloverleaf Access Point and the Ridgeside Access Point.

As we have continued to assess the overall issues in the HWP, it was determined that the City should identify a preferred trail system connecting the Cloverleaf Access Point and the Ridgeside Access Point. To that end, on September 20, 2016, the City Council approved a contract with the Pokrajac Corporation to make repairs to the HWP trail system, while also formally identifying the City's HWP trail system that connected the Cloverleaf Access Point with the Ridgeside Access Point.

Since that time, staff has been working to finalize elements related to the overall HWP, including completion of all trail system repairs, implementation of access control gates, design / installation of HWP trail signage, and other associated improvements.

Additionally, during the past few weeks, in consultation with the Fire Chief, staff has reassessed the vegetation growth in the HWP off of the Highland Access Point. The area has been closed to the public since the Madison Fire, which occurred in April 2013. Following the fire, Los Angeles County assessed the area and recommended that the area be closed to access until it was deemed that vegetation growth had recovered enough to stabilize the area.

Based on a careful assessment by staff, with concurrence from the Fire Chief, the vegetation in the area has reestablished and the reopening the Highland Access Point into the HWP is now recommended to occur in conjunction with finalization of the work at Ridgeside and Cloverleaf access points.

Given the pending completion of trail repairs and the official opening of the HWP access points, in order to allow the City to enforce rules of conduct and hours of operation within the HWP, it will be necessary to make certain adjustments to Title 12 of the Monrovia Municipal Code to add the HWP as one of the City's identified and designated parks.

**ANALYSIS:** In order for the City to have the authority to enforce rules of conduct for behavior in the park (no smoking, no hunting, staying on the trail, keeping dogs on a leash, no unauthorized vehicles, etc.), it will be necessary to amend the Monrovia Municipal Code to include the HWP as an officially designated City park.

In addition, by adopting the HWP as an official park, it will allow staff the ability to establish formal hours of operation for the HWP. Staff has spent significant time considering various perspectives and meeting with a variety of stakeholders regarding possible HWP operating hours. Staff has received a wide range of feedback on when the public should be allowed to access the HWP, with some believing that the hours of operation should be more limited to minimize the impact on the quality of life for those who live in and / or near the HWP access points. Significantly, staff received feedback from other individuals who believe that operating hours should be more liberal to allow the public early morning and evening access, which would support recreational use during the cooler parts of the day.

As staff has worked to gather community feedback and assess our options, we also took into account the operations at our other parks, including Canyon Park. Pursuant to the City's Municipal Code, the hours of operation at our parks include:

- Grand Avenue Park – open between dawn and 8:00 p.m.
- Julian Fisher Park, Lucinda Garcia Park, Recreation Park, Rotary Park, Library Park – open between dawn and 10:00 p.m.
- Library Park Playground – open between dawn and dusk.
- Canyon Park – open between dawn and 9:00 p.m.

In addition, staff has considered a variety of feedback from residents regarding how the hours for operation should be established in the HWP. Most individuals we have heard from support expanded hours of operation for the HWP. Many residents have cited that they work during the day, and that expanded hours would allow for them to access the HWP during cooler parts of the day. In addition, staff

staff has learned that there is a growing trend of night hikers who appreciate the opportunity to star gazing, engage in night rides, and perform sunrise yoga outdoors.

There are some residents that staff has interfaced with who support more restrictive hours. Those advocating for restricted hours have outlined concerns regarding residential impacts from those accessing the HWP too early or too late in the day, as well as the possibility that expanded hours could pose added public safety risks.

Based on an assessment of the issues at hand, staff has developed four different options for consideration as it relates to the hours of operation for the HWP. Each option has been outlined below for consideration.

*Option 1 – Establish HWP Operating Hours From 7:00 a.m. to 6:00 p.m.*

This first option provides the most restrictive hours of use. No other City park has such limited hours of operation, however, staff has engaged with certain residents who believe that the most restrictive hours of operation would minimize impacts for those residents living in the HWP and could reduce certain public safety risks.

*Option 2 – Establish HWP Operating Hours From Sunrise to Sunset*

This second option provides for slightly expanded hours of operation that would change operating hours in the HWP as the seasons change. However, not having a firm time could confuse those accessing the HWP and could create enforcement concerns.

*Option 3 – Establish Seasonal Hours of Operation for the HWP*

This third option would allow for seasonal hours while addressing the issue of not having a firm time that the HWP is open for operation. A recommendation for seasonal hours of operation has been developed to include:

- October – April (Fall and Winter) hours – 6:00 a.m. to 6:00 p.m.
- May – September (Spring and Summer) hours – 6:00 a.m. to 9:00 p.m.

While seasonal hours could be an option for consideration, with the hours changing between seasons, establishing operating hours in this manner could result in confusion and enforcement challenges.

*Option 4 – Establish HWP Operating Hours From 6:00 a.m. to 9:00 p.m.*

This fourth option would allow for a slightly expanded set of hours through which individuals could access the HWP. Currently all of the City's parks are open until 8:00 p.m., 9:00 p.m., or 10:00 p.m. In trying to balance the competing perspectives related to this issue, expanded operating hours which still provide some restrictions could be to have access to the HWP closed off at 9:00 p.m.

After much discussion and consideration, staff would recommend that the City Council consider establishing the hours of operation for the HWP to be from 6:00 a.m. – 9:00 p.m. This is not allowing the HWP to stay open until 10:00 p.m., as some have suggested. However, it would allow for slightly expanded hours of operation that would be to what is currently allowed at Canyon Park.

In addition, with the establishment of operating hours, staff will have the ability to unlock the access points at 6:00 a.m. each day and we would plan on conducting a minimum of two patrols each day. One of the patrols would occur at 8:30 p.m., just prior to closing. Staff would lock the gate at 9:00 p.m. each night.

**ENVIRONMENTAL IMPACT:** None.

**FISCAL IMPACT:** None.

**OPTIONS:** The following options are provided for the City Council's consideration:

1. Introduce and approve on first reading Ordinance No. 2016-13, thereby amending Chapter 12.32 (Parks) of Title 12 (Streets, Sidewalks, and Public Places) of the Monrovia Municipal Code adding the Hillside Wilderness Preserve to the List of City Designated Parks and establishing operating hours for the Hillside Wilderness Preserve to be from 6:00 a.m. – 9:00 p.m.
2. Establish a different set of operating hours for the Hillside Wilderness Preserve.
3. Request additional information from staff before taking action.

**RECOMMENDATION:** Staff recommends that the City Council select Option 1.

**COUNCIL ACTION REQUIRED:** If the City Council concurs, the appropriate action would be a motion to introduce, waive further reading, and read by title only Ordinance No. 2016-13.

**ORDINANCE NO. 2016-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING CHAPTER 12.32 (PARKS) OF TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) OF THE MONROVIA MUNICIPAL CODE TO ADD HILLSIDE WILDERNESS PRESERVE TO THE LIST OF CITY DESIGNATED PARKS.**

**THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA** does ordain as follows:

**SECTION 1.** Section 12.32.010 (City Parks Designated) of Chapter 12.32 (Parks) of Title 12 (Streets, Sidewalks and Public Places) is hereby amended to read as follows (text to be added is underlined, and text to be deleted is ~~stricken~~):

“The following areas within the city are hereby designated as public parks for the recreational use of the public:

- (A) Monrovia Canyon Park, on North Canyon Boulevard;
- (B) Grand Avenue Park, on North Grand Avenue and Prospect Avenue;
- (C) Julian Fisher Park, on South California Avenue and Almond Avenue;
- (D) Olive Avenue Park, on West Olive Avenue and Mayflower Avenue;
- (E) Recreation Park, on South Shamrock Avenue and Lemon Avenue;
- (F) Monrovia Library Park, on South Myrtle Avenue and Lime Avenue; ~~and~~
- (G) Rotary Park, on South California Avenue and Lime Avenue; ~~and~~ and

(I) Hillside Wilderness Preserve, which can be accessed from the Highland Access Point, Cloverleaf Access Point, Ridgeside Access Point, and Sleepy Hollow Access Point.”

**SECTION 2.** Subsection (C) of Section 12.32.040 (Hours of Operation) of Chapter 12.32 (Parks) of Title 12 (Streets, Sidewalks and Public Places) is hereby amended to read as follows (text to be added is underlined, and text to be deleted is ~~stricken~~):

- “ (A) Grand Avenue Park shall be open to the public between dawn and 8:00 p.m. of each day.
- (B) Monrovia Canyon Park shall be open to the public between dawn and 9:00 p.m. of each day.

- (C) The following city parks shall be open to the public between dawn and 10:00 p.m. of each day: Julian Fisher Park, ~~Olive Avenue~~ Lucinda Garcia Park, Recreation Park, Rotary Park, and Monrovia Library Park. However, the playground at Monrovia Library Park shall be open to the public only between dawn and dusk of each day.
- (D) Use of city parks at times other than those specified in this section may be authorized by a special permit issued by the Community Services Department.
- (E) The City Manager, the Public Services Director, the Public Works Director, or the Community Services Director may adjust the hours of closure at his or her discretion.
- (F) The Hillside Wilderness Preserve shall be open to the public between the hours of 6:00 a.m. and 9:00 p.m. of each day."

**SECTION 3. Severability.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 4.** The City Clerk shall certify to the passage of this ordinance and shall cause same to be published pursuant to state law, and this ordinance shall become effective thirty (30) days after its passage.

**INTRODUCED** this 15<sup>th</sup> day of November, 2016.

**PASSED, APPROVED, AND ADOPTED** this 6<sup>th</sup> day of December, 2016.

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Tom Adams, Mayor  
City of Monrovia

**ATTEST:**

**APPROVED AS TO FORM:**

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Alice D. Atkins, CMC, City Clerk  
City of Monrovia

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Craig A. Steele, City Attorney  
City of Monrovia