



MEMORANDUM

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JOEL ROJAS, COMMUNITY DEVELOPMENT DIRECTOR

DATE: SEPTEMBER 10, 2013

SUBJECT: INTER-JURISDICTIONAL TRAIL MATTERS BETWEEN THE CITY OF RANCHO PALOS VERDES AND NEIGHBORING CITIES

Project Manager: Ara Mihranian, Deputy Director of Community Development

DISCUSSION

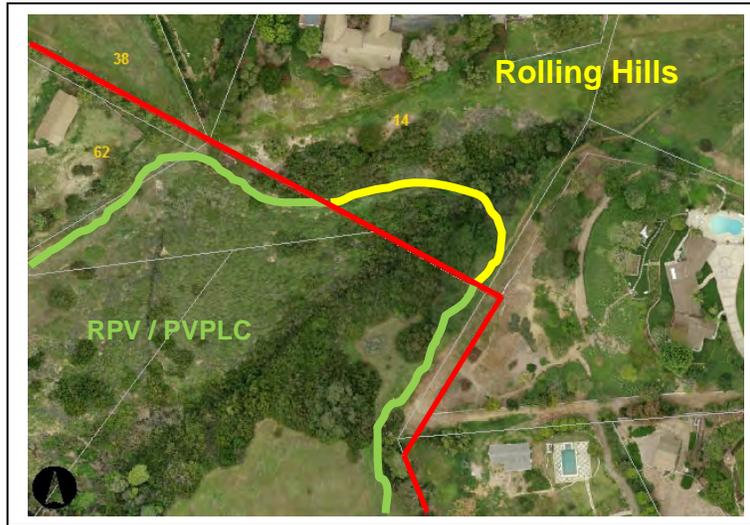
On January 15, 2013, the City Council, in response to public concerns regarding the loss of trail connections between neighboring jurisdictions, directed Staff to monitor and provide quarterly reports to the Council on inter-jurisdictional trail matters. On May 22, 2013, the Council was provided the first quarterly report on trail matters for each of the three neighboring cities. The following is the latest report on inter-jurisdictional trail matters.

Rolling Hills

The following is updated information, if applicable, involving trail connectivity issues with the City of Rolling Hills:

1. Fire Station Trail and Rim Trail Connection (Portuguese Bend Reserve)

It was last reported that prior to the City's acquisition of the approximately 400-acre Portuguese Bend Reserve in 2005 from Barry Hon, one of the many trails historically used by the public traversed private property in the City of Rolling Hills owned by Ms. Cathy Nichols (shown in yellow on the following page).



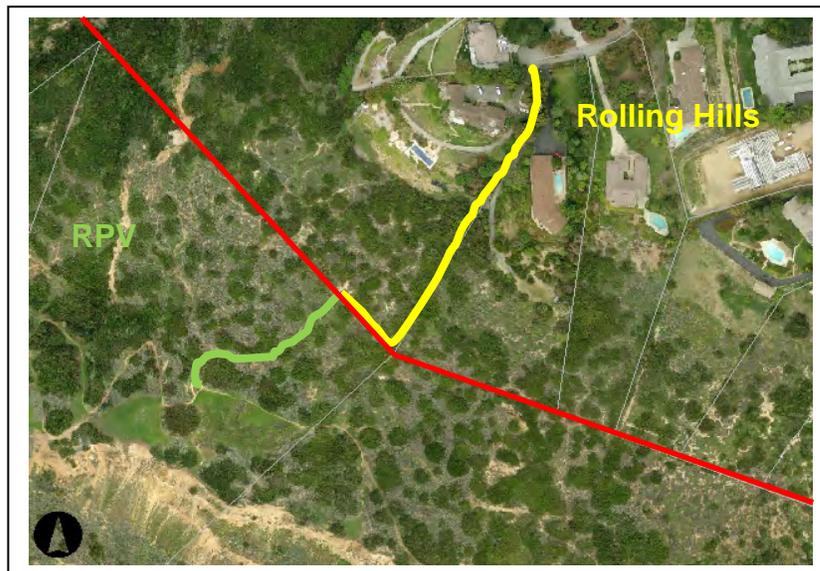
At the request of Ms. Nichols and Rolling Hills officials, the Preserve Trails Plan (PTP) for the Portuguese Bend Reserve that was adopted by the City Council in 2008 did not identify a connection between the Fire Station and Rim Trails (shown in green in the above image), even though a connection physically existed and was regularly used by trail users. In August 2011, Ms. Nichols and the Rolling Hills Community Association informed the City and the PVPLC that the trail traversing her private property would be physically closed with barriers. To help alleviate the vandalism of the barriers she installed at her property line, the City installed private property signs and signs notifying trail users of the trail closure. Additionally, the rangers increased their presence in the area.

In response to Ms. Nichols trail closure, City and PVPLC Staff began to explore alternative trail routes within the Preserve boundary limits. Ultimately, it was concluded that due to the steep topography and the surrounding protected habitat, a trail connection could not be created without impacts to protected habitat, significant grading or construction of a bridge. Thus, at this time the trail connection traversing Ms. Nichols' property remains closed. A trail connection on City-owned property in the Portuguese Bend Reserve has not been created but has been identified as a high priority project for the PVPLC when funding sources, such as grants, become available.

The City and the PVPLC continue to monitor unauthorized trail construction activity in this area through sensitive habitat. Furthermore, the City continues to replace the "no trespassing" signs in this area. Lastly, Ms. Nichols continues to express no interest in realigning the trail nor re-opening the trail on her property.

2. Packsaddle Trail (Forrestal Reserve)

In 2001, when the trails map was approved by the City Council for the Forrestal Reserve, the Council approved trails plan included the Packsaddle Trail that leads up to the City boundary with Rolling Hills (see image below). At the time, it was the City's understanding that an access easement existed in the City of Rolling Hills that led to Packsaddle Road East in the City of Rolling Hills (presumed access easement shown in yellow in the image below).



It has recently come to the City's attention that the City of Rolling Hills has closed the trail at the City's boundary line because trail users coming from the Forrestal Reserve were not obtaining appropriate permission from the City of Rolling Hills and walking into the backyards of private property. During the City's meeting with Rolling Hills Officials, it was expressed that neither the City of Rolling Hills nor its Community Association intends to provide and maintain trail access between Packsaddle Road East and the Packsaddle Trail in the Forrestal Reserve. In fact, City Staff was told that a fence is planned to be installed to protect the adjacent private property owners from trespassers. Rolling Hills officials requested that the City close the Packsaddle Trail, remove the trail from the City's Trails Map, and install signs indicating that the public trail ends at the Mariposa Trail junction. City Staff does not intend to close the Packsaddle Trail nor remove the trail from the Preserve's Trails Maps, but will be installing appropriate signs notifying trail users that the Packsaddle Trail ends and does not provide through access.

3. Martingale Trail

According to the City's Conceptual Trails Plan (CTP), the Martingale Trail (shown as a green solid line) extends from the City-owned Martingale Park to the boundary line with the City of Rolling Hills, at which point the public trail terminates. The City understands that currently there is no official trail connection (shown in a dashed yellow line) continuing from the City boundary line to the Willow Springs Trail (shown in solid yellow line) in the City of Rolling Hills (see image below).



In October 2011, the City received a letter from the Rolling Hills Community Association's attorney that the trail to the Willow Springs Trail in Rolling Hills that traverses private property will be closed at the City boundary line for safety reasons. This is because a horse died after falling down a canyon adjoining the trail and a hiker was lost in the canyon overnight. Soon after receiving the notice, Rolling Hills installed a barricade preventing the public from continuing on the Martingale Trail to the Willow Spring Trail.

In January 2013, the City received a letter from Mr. Douglas Butler, the attorney for the property owner for which the trail in the City of Rolling Hills traverses, indicating that the property owner (Mrs. Cheryl Marcz) is interested in donating a portion of her property to the City of Rancho Palos Verdes as an opportunity to complete the existing gap between these two trails. In light of this offer, City Staff meet with the appropriate parties in June to discuss the details of the offer including the exact property limits of the offer.

At the June meeting, City Staff expressed an interest in Mrs. Marcz' offer to donate land to the City of Rancho Palos Verdes, but wanted to make sure that the land offer will allow the public access to the Willow Springs Trail in the City of Rolling Hills. Furthermore, City Staff requested clarification as to whether the land that would be donated to the City of Rancho Palos Verdes would be subject to any Rolling Hills ordinances and restrictions that would prevent the public from accessing the subject property. As a result of these questions, Rolling Hills officials indicated that such matters would need to be considered by the Community Association Board. City Staff will continue to update the City Council on this matter and if the land offer proceeds, the City Council will be asked to consider the offer contingent on the terms.

4. Library Trail

According to the City's Conceptual Trails Plan (CTP), the Library Trail (shown as a green solid line below) begins at the City boundary line with Rolling Hills in the Colt Canyon area above the Miraleste Library and extends eastward to Palos Verdes Drive East, at which point the trail crosses the roadway at the existing school crosswalk. It should be noted that the trail description in the May 2013 Quarterly Report was incorrect. This is an existing but undedicated trail that will require future easements from various private property owners in order to be formally considered a City public trail. Notwithstanding, a historical trail connection once existed between Rancho Palos Verdes and Rolling Hills, that was not maintained and eventually closed by Rolling Hills.



At this time, it is Staff's understanding from its meeting with Rolling Hills Officials that the existing trail connection will be closed by Rolling Hills at the City boundary line because the trail does not connect to an officially recognized Rolling Hills public trail and that Rolling Hills' residents raised public safety

concerns with unauthorized trail users trespassing onto private property in the City of Rolling Hills.

Notwithstanding the above, the City was recently in communication with a Boy Scout pursuing his Eagle Scout award. As his Eagle Scout project, he was exploring constructing the City's segment of the Library Trail as depicted in green in the above map. The Boy Scout was informed by City Staff that in order for the trail work to occur and for the trail to be recognized by the City as an official public trail, permission would have to be secured from the respective property owners (consisting of the library district and three private property owners) as well as securing the appropriate trail easements so that the property owners are immune from any liability resulting from the public's use of the trail and that the public can legally travel on the trail. As part of the Scout's due diligence, he was able to engage some of the property owners, including the Library District, who expressed an interest in formalizing this trail segment. Unfortunately, due to time constraints associated with completing this Eagle Scout project before his 18th birthday, the Scout has decided to pursue another project with the Library District. However, as a result, the Library District Board will be considering at its September 19th meeting, whether to offer a Revocable License Agreement for trail purposes to the City of Rancho Palos Verdes to help implement the Library Trail. City Staff will be attending this meeting and will continue to update the Council on this matter. If the Library District makes such an offer, the Council will be presented the offer along with a Staff Report on any potential liability or costs to the City.

Rolling Hills Estates

At this time, there are no trail connectivity issues to report with the City of Rolling Hills Estates.

Palos Verdes Estates

It was last reported that there are currently two trail connectivity issues with the City of Palos Verdes Estates. The first involves the City's segment of the California Coastal Trail (CCT), which is under construction at this time. The City is currently working with Staff from the City of Palos Verdes Estates to ensure that the City's segment of the CCT that will be constructed in the Palos Verdes Drive West roadway median will connect to the existing trail in the City of Palos Verdes Estates' roadway median (see image on the following page).



The second trail matter involves a historically used trail connection between Marguerite Drive (RPV) and Paseo del Mar (PVE) that traverses vacant private property adjacent to 7 Marguerite in RPV (see image on the following page). According to the Coastal Commission, unpermitted fences were installed by the owners of the vacant property impeding public access that has been historically used between RPV and PVE. RPV Staff informed Coastal Commission Staff that the vacant property on which the fences are located is privately owned with no dedicated public trail easement on any portion of the property.

While Staff recognizes that there has been some historical use of the private property for trail access between the RPV and PVE, there is no record of any legal decision supporting any type of prescriptive easement over said property. Moreover, the City's approved Local Coastal Plan (LCP), Conceptual Trails Plan (CTP), Coast Vision Plan, or Coastal Trail does not designate any type of trail over the property. In contrast, the aforementioned City documents designate nearby Palos Verdes Drive West as the coastal trail route in that area of the City. Lastly, according to the City's approved LCP, the private property is not within any identified Visual Corridors.



Based on this information, City Staff informed Coastal Commission Staff that it did not intend to pursue any action against the property owner to reinstate a public trail that traverses their private property, and that if a public trail is desired by the Coastal Commission, that it would be the City's preference for the Coastal Commission to assume primary responsibility for resolving this matter and the alleged violation with the installation of the 6-foot tall chain link fencing. Thus, at this time, this trail matter is currently being pursued by the Coastal Commission and City Staff will continue to monitor this matter and update the Council.

Los Angeles County

As part of the San Ramon Stabilization Project, it has come to City Staff's attention that a much desired connection to Friendship Park from the San Ramon Reserve (a sub-area of the Palos Verdes Nature Preserve) can be achieved through the project area without having to secure easements from another jurisdiction. This is because as part of this project, the County of Los Angeles agreed to give the City of Rancho Palos Verdes approximately 5 acres of land that will allow the City to construct a trail within the construction area that will connect to an existing trail at Friendship Park, as roughly illustrated in the map below.

