



# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Ward and Members of the City Council

**THROUGH:** Richard Thompson, Interim City Manager

**FROM:** Laurie Jester, Acting Director of Community Development  
Nhung Madrid, Management Analyst  
Erik Zandvliet, Traffic Engineer

**DATE:** April 6, 2010

**SUBJECT:** Adoption of an Ordinance to Amend Citywide Speed Limits Pursuant to the 2009 Engineering and Traffic Survey as Required by the State

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### RECOMMENDATION:

Staff recommends that the City Council **ADOPT ORDINANCE NO. 2133** to amend speed limits on certain street segments within the City pursuant to the 2009 Citywide Engineering and Traffic Survey report.

### FISCAL IMPLICATION:

Implementation of the identified speed limit changes will require modification of existing signs. These speed limit sign changes will be funded through existing Public Works Department operating budgets. No further study or street modifications are budgeted.

### BACKGROUND/DISCUSSION:

An Engineering and Traffic Survey (ETS) report is required by the State in order to legally enforce the posted speed limits and to enable the Police Department to utilize radar or other electronic speed measuring devices for speed enforcement. On March 2, 2010, the Council approved changing the speed limit on nine (9) street segments as identified by the recently conducted ETS report. Ordinance No. 2133 was introduced and further reading was waived.

On March 16, 2010, Ordinance No. 2133 was presented to Council for adoption. After further discussion, the Council directed staff to remove six (6) of the street segments with increases in speed limits that were initially approved at the March 2, 2010 meeting. Since the physical conditions of the six street segments have not changed significantly, the City's Traffic Engineer can certify that those street segments can remain their current speed until 2013, and radar and other electronic speed monitoring devices for speed enforcement can still be used by the Police Department. Ordinance No. 2133 was reintroduced with the amended changes, and further reading was waived.

At this time, it would be appropriate for the Council to adopt the Ordinance to make the necessary amendments to Section 14.56.010 of the Manhattan Beach Municipal Code relating to special speed zones. The Ordinance would take effect 30 days after adoption.

The following speed limit changes have been approved, and all other street segment speed limits will remain the same.

	<b>STREET SEGMENT</b>	<b>POSTED SPEED LIMIT</b>	<b>APPROVED SPEED LIMIT</b>
1	Manhattan Avenue between Homer Street and 9 <sup>th</sup> Street	30 mph	25 mph
2	Manhattan Beach Boulevard between Valley Drive and Pacific Avenue	25 mph	30 mph
3	Valley Drive between 10 <sup>th</sup> Street and 13 <sup>th</sup> Street	25/30 mph	25 mph

**CONCLUSION:**

Staff recommends that Council adopt Ordinance No. 2133 to amend speed limits on certain street segments within the City pursuant to the 2009 Citywide Engineering and Traffic Survey report.

Exhibit A. Ordinance No. 2133

ORDINANCE NO. 2133

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH AMENDING SECTION 14.56.010 OF CHAPTER 56, TITLE 14 OF THE MANHATTAN BEACH MUNICIPAL CODE RELATING TO SPECIAL SPEED ZONES.

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** The City Council of the City of Manhattan Beach, California does hereby find, determine and declare as follows:

WHEREAS, Section 40802 (b) of the California Vehicle Code (CVC) states that speed limits for streets, other than a local street, must be justified by an Engineering and Traffic Survey conducted less than five, seven or ten years with conditions, prior to enforcement of that speed limit, if it is to be enforced by the use of radar; and,

WHEREAS, the most recent Engineering and Traffic Survey was last completed in 2003; and,

WHEREAS, the City Council of the City of Manhattan Beach wishes to ensure that traffic speeds throughout the community are kept at a safe level given the conditions that exist on certain streets; and,

WHEREAS, the City Council of the City of Manhattan Beach wishes to use electronic speed measurement equipment for speed enforcement on these certain streets; and,

WHEREAS, the Ordinance establishing speed limits must be amended if any changes in speed limits are to be established following the completion of the Engineering and Traffic Survey; and,

WHEREAS, the California Manual of Traffic Control Devices describes the policy to be used in the State of California for setting speed limits, which requires that the posted speed be established at the nearest 10km/h (5mph) increment of the 85th-percentile speed of free-flowing traffic; and,

WHEREAS, the City Council of the City of Manhattan Beach recognizes that the California Manual of Traffic Control Devices also allows the posted speed limit to be reduced by 10km/h (5mph) from the nearest 10km/h (5mph) increment of the 85th-percentile speed, in compliance with CVC Sections 627 and 22358.5, if the Engineering and Traffic Survey documents the special conditions and justification for the lower speed limit and is approved by a registered Civil or Traffic Engineer; and,

WHEREAS, the enforcement of speed limits by the use of radar is necessary in order to protect the safety of the residents of the City of Manhattan Beach;

**SECTION 2.** The City Council of the City of Manhattan Beach hereby amends Section 14.56.010, "Increasing state speed limit in certain zones", of Chapter 56 of Title 14 of the Manhattan Beach Municipal Code is hereby amended to read as follows:

<u>Street</u>	<u>Speed Limit Prima Facie</u>
1. Manhattan Avenue between Homer Street and 9 <sup>th</sup> Street	25 miles per hour
2. Manhattan Beach Boulevard between Valley Drive and Pacific Avenue	30 miles per hour
3. Valley Drive between 10 <sup>th</sup> Street and 13 <sup>th</sup> Street	25 miles per hour

**SECTION 3.** The "2009 Citywide Engineering and Traffic Survey" report, dated March 2010, containing the findings and determinations of the Registered Engineer, incorporated herein and on file in the Office of the City Clerk, shall be the official Engineering and Traffic Survey of the City, a certified copy of which shall be disseminated to the County of Los Angeles Municipal and Superior Courts.

**SECTION 4.** All other provisions of the City of Manhattan Beach Municipal Code shall remain unchanged and continue in full force and effect.

**SECTION 5.** Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other resolution of the City, to the extent that they are inconsistent with this ordinance, and no further, are hereby repealed.

**SECTION 6.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid, by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portion be declared unconstitutional or otherwise invalid.

**SECTION 7.** This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

**SECTION 8.** The City Clerk shall certify to the passage and adoption of this ordinance shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting of said Council at which the same is passed and adopted; and shall within fifteen (15) days after the passage and adoption thereof cause the same to be published once in a weekly newspaper of general circulation, printed, published and circulated within the City of Manhattan Beach, California and which is hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED this 6th day of April, 2010.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Mayor of the City of Manhattan Beach, California

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

By   
\_\_\_\_\_  
City Attorney