

**MINUTES OF SPECIAL MEETING OF THE ACTIVE TRANSPORTATION  
COMMITTEE**

**April 17, 2024**

**These meeting minutes represent an “action minute” format. The Active Transportation Committee of the City of Costa Mesa, California met in a Special Meeting at 6:00 p.m. on Wednesday, April 17, 2024.**

**1. CALL TO ORDER**

Chair Taboada called the meeting to order at 6:04 p.m.

**2. ROLL CALL**

Committee Members Present:      Chair Ralph Taboada  
   Vice Chair Bridget Gleason  
   Member Andrew Barnes  
   Member Flo Martin  
   Member Michaela Teissere

Committee Members Not Present: Member Jose Gomez  
   Member Jennifer Vavra  
   Member Jimmy Vivar  
   Member Trace Yulie

City Council Liaison:                      Council Member Arlis Reynolds

Newport-Mesa Unified School  
District Liaison/Representative:      Shelley Humphrey

Staff Present:                              Raja Sethuraman, Public Works Director  
   Jennifer Rosales, Transportation Services Manager  
   Brett Atencio Thomas, Active Transportation Coordinator  
   Captain Bryan Wadkins  
   Lieutenant Stephanie Selinske  
   Sergeant Jared Barnes

**3. PUBLIC COMMENTS**

a. None.

#### 4. ITEMS FOR DISCUSSION

##### a. Municipal Code Updates

1. Active Transportation Coordinator Brett Atencio Thomas provided an update on language within the proposed Title 10 and Title 4 Municipal Code revisions following the March 6 meeting.
2. Chair Taboada presented concepts for potential edits in the proposed Title 4 Municipal Code revisions.
  - Mr. Taboada suggested adding "or greater" to speed in 4-22(b)
    - i. Member Barnes inquired if any vehicle that is not street legal including bikes outside of classification can be ticketed.
      - Captain Wadkins responded "yes."
    - ii. Mr. Thomas indicated that the classification language within 4-22(b) is from the California Vehicle Code (CVC).
  - Mr. Barnes spoke favorably of using state language to define bikeways by classification I through IV.
  - Mr. Taboada spoke favorably of updating the Bicycle Lane Master Plan Map annually to include recently updated or completed facilities.
  - Mr. Taboada spoke favorably of adding language prohibiting the riding of a bicycle over 28 mph in a bicycle lane on flat ground.
    - i. Mr. Thomas indicated that any bicycle going over 28 mph would be out of classification and therefore riding illegally.
  - Mr. Barnes spoke favorably of removing "semi-public rights of way" from 4-32(a).
  - Mr. Barnes indicated that citation "4-24(b)" in 4-26(b) should read 4-22(b).
  - Mr. Taboada spoke favorably to adding clarifying language to 4-26(c)(3) to match 4-26(e)(3).
  - Mr. Taboada spoke favorably to adding language prohibiting the operation of a bicycle with more than its intended number of riders, as outlined in the CVC.
  - Mr. Taboada spoke favorably of adding mention to Ebike throughout Title 4 wherever bicycle is mentioned.
  - Member Martin spoke favorably to adding language exempting location with shared lane marking to 4-26(e).
  - Mr. Taboada, Mr. Barnes, Ms. Martin, Vice Chair Gleason, and Ms. Teissere spoke favorably of removing 4-26(f).
    - i. Captain Wadkins proposed an update to the language of 4-26(f) that would only prohibit Ebikes on sidewalks in residential districts (Zoned 13-20 in the General Plan) or on a roadway where there is a bike lane or trail (I, II or IV).
    - ii. Mr. Taboada spoke of potential public confusion regarding what districts are residential or not.
    - iii. Mr. Barnes inquired why there was proposed language specific to Ebikes beyond the language prohibiting reckless riding in 4-26(g).

- iv. Mr. Taboada spoke favorably to adding language to 4-26(g) to specifically call out Ebikes.
- v. Mr. Barnes spoke favorably of adding language to allow for Ebikes on the sidewalk when a rider feels unsafe or feels the need to make an "emergency maneuver."
- vi. Captain Wadkins indicated that there is an expectation from the community to remove Ebikes from the sidewalk to protect pedestrians, and indicated that restricting Ebikes to the roadway allows for peace officers to enforce the CVC.
- Mr. Taboada spoke favorably to adding language to 4-26(h) that a bicyclist "shall pass to the left of the pedestrian when considered to do so safely."
- Ms. Martin inquired how audible signals will be enforced.
  - i. Public Works Director Raja Sethuraman indicated that audible sounds will be part of the Bicycle Safety Education Program Capital Improvement Project (CIP).
- Newport Mesa Unified School District Liaison Shelley Humphrey spoke favorably for Newport and Costa Mesa bicycle ordinances being in congruence.
- Mr. Barnes spoke favorably of striking the word "all" in front of pedestrians in 4-26(j).
- Mr. Barnes spoke favorably of removing 4-26(k) because it is included in the CVC.
- Mr. Barnes spoke favorably of removing "so as to not be confusing to the operators of motor vehicles or rider of bicycles" from 4-27.
- Mr. Barnes spoke favorably of clarifying language in 4-34 to say "bicycle rack."
- Public Comments opened on Title 4:
  - i. Michael Nolf requested clarification of language in 4-22(b) confirming 750 watts. Mr. Nolf stated that there are some residential streets where cars drive very fast and there are no bicycle lanes. Mr. Nolf indicated concern for his and other children not being able to ride on a sidewalk when it is unsafe to do so in the street. Mr. Nolf indicated concern for riding on the street on Adams Avenue and Anaheim Avenue and places where there are not protected bike lanes despite being residentially zoned.
  - ii. Jenn Tanaka spoke favorably of adding "trash receptacles" to 4-26(e)(3). Ms. Tanaka spoke favorably to adding language to indicate that all place in the ordinance referred to an Ebike and traditional bicycle unless otherwise specified. Ms. Tanka indicated that she is 4-26(f) in its original form and the proposed revision from the Police Department. Ms. Tanaka indicated that she does not support emulating Newport Beach or Huntington Beach ordinances. Ms. Tanaka stated that there is a larger conflict with pedestrians in commercial neighborhoods and that

residential neighborhoods are not regularly patrolled by police, so in her view, the proposed revision to 4-26(f) does not make sense. Ms. Tanaka stated that in her belief, adding Ebikes to 4-26(g) makes more sense.

- iii. Tom Arnold stated that he opposes calling out Ebikes on the sidewalk in any form. He stated that he is strongly opposed because some people have disabilities that prohibit them from riding a traditional bicycle, and that in his view the ordinance discriminates against those that are unable to ride a traditional bike and puts them in potentially dangerous situations.
- iv. Cynthia McDonald stated that she is opposed to the original 4-26(f) language and proposed revisions. She stated that in her view, there are too many places in residential areas that are not safe for Ebikes on the street. Ms. McDonald states that in her view, children under 18 need to be able to ride on the sidewalk regardless of their type of bicycle. Ms. McDonald spoke favorably of prohibiting Ebikes in nature parks.
- v. Newport Mesa Unified School District Board Member Ashley Anderson stated that in her view, there are a lot of places where students do not feel safe riding on the street so they should be allowed on the sidewalk regardless if they are on a regular bike or Ebike. She stated that there are different needs and concerns for people under 18 riding a bicycle on the street.
- vi. Rick Huffman stated that in his view there are issues with how 4-26(f) will be enforced because Ebikes are hard to detect. Mr. Huffman stated that in his view the ordinance will put people in danger. Mr. Huffman stated that people riding on the sidewalk are doing so because that is where they feel safe. Mr. Huffman indicated that in his view, sidewalks are the defacto Class I Bike Trail where there are no existing Class I facilities. Mr. Huffman stated that in his view people often transition from street to sidewalk interdentally where they feel safe. Mr. Huffman stated that increased rules for Ebikes could discourage bike use in the City and hinder the work that has been done to increase bicycling within the community.
- vii. Nathan stated that he rides his Ebike to Orange Coast College on the Joann Trail and often rides on the sidewalk. Nathan inquired if there is anything that is preventing the police from just enforcing reckless behavior. Nathan indicated that he does not see the benefit of an Ebike prohibition on sidewalks.

- viii. NMUSD liaison Shelley Humphrey stated that in her view, Ebikes should not be on the sidewalk if bicycle lanes are present. Ms. Humphrey stated that in her view, ebike riders do not understand basic traffic laws and create unsafe conditions for drivers in cars and pedestrians.
- 3. Chair Taboada presented concepts for potential edits to the proposed Title 10 Municipal Code revisions.
  - Mr. Taboada spoke favorably of updating language from Transportation Services Engineer to Transportation Services Manager throughout the document.
  - Mr. Barnes spoke in opposition to the removal of 10-41(f)
    - i. Mr. Sethuraman and Captain Wadkins proposed updating the language to reflect and report to the Active Transportation Committee.
  - Public comments opened on Title 10.
    - i. Jenn Tanaka stated that she is in favor of an annual report to Council as outlined by 10-41(f). Ms. Tanaka spoke favorably of greater clarity on bicycle citations in parks.
- 4. Mr. Taboada and Mr. Barnes inquired what is the process for Municipal Code revisions moving forward, and if the Committee can make a recommendation to the Council.
  - Mr. Sethuraman indicated that staff would review the comments from the March 6 and April 17 meetings to determine what revisions to the proposed Municipal Code Updates are warranted. Mr. Sethuraman indicated that before the municipal code revisions are presented to Council, they will be provided to the Committee who can make a motion to provide a letter to the Council with their stance on the proposed Municipal Code Updates.
  - Mr. Taboada spoke favorably to a committee goal that ensures that any updates to the Municipal Code do not negatively impact bicycle ridership among individuals who have recently begun riding a bicycle following the proliferation of Ebikes.
    - i. Mr. Barnes spoke favorably to a Committee goal to ensure that people riding an Ebike who fear for their safety on the street are not breaking the law, and to allow for exceptions to the rule.
    - ii. Committee Member Teissere spoke favorably of any Committee goal reflecting the needs of Ebike riders under the age of 18 or those who have a disability that precludes them from riding a traditional bicycle.
- a. Earth Day and Bike to School Day Volunteers
  1. Brett Atencio Thomas provided an update on Earth Day Festival scheduled for April 20, and Bike to School Day events planned for May 8 and May 15
  2. Mr. Thomas asked for volunteers for Earth Day and indicated that he would provide a volunteer sign-up sheet to the Committee via email.

**5. COMMITTEE MEMBER AND LIAISON COMMENTS**

a. None.

**6. STAFF COMMENTS**

a. None.

**7. NEXT MEETING – May 1, 2024**

**8. ADJOURNMENT**

The meeting was adjourned at 8:09 p.m.

Submitted by:

 Andrew Barnes for:  
RALPH TABOADA, CHAIR  
ACTIVE TRANSPORTATION COMMITTEE