

December 13, 2016
7:30 P.M.
Council Chambers of City Hall
340 Palos Verdes Dr. West
Palos Verdes Estates



**AGENDA
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF
PALOS VERDES ESTATES, CALIFORNIA**

Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk and are available for public inspection. If applicable, materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Any person having any question concerning any agenda item may call the City Clerk to make inquiry concerning the item. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk at 310-378-0383, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

The City Council welcomes and encourages public participation at the Council meetings; however, to allow for the orderly progression of business, each person wishing to comment or make a presentation shall be limited to up to three (3) minutes. Anyone wishing to address the City Council is requested to fill out a green speaker's card available at the end of each row in the Chambers. The card permits the City to identify persons for purposes of City Council minute preparation. The City Council, at the direction of the Mayor with concurrence of the Council, may modify the order of items shown on the agenda.

**NEXT RESOLUTION NO. R17-01
NEXT ORDINANCE NO. 17-720**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL (7:30 PM)

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APPROVAL OF AGENDA

MAYORS REPORT – MATTERS OF COMMUNITY INTEREST

PUBLIC COMMENTS FOR ITEMS ON CONSENT AGENDA

(Speakers shall be provided up to 3 minutes to speak regarding all topics on the Consent Agenda.)

CONSENT AGENDA (ITEMS 1 –11a-e)

All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember or staff requests that an item be removed for separate discussion. An applicant or interested citizen who wishes to appeal any Planning Commission decision (Item #11a-e) may file an appeal with the City Clerk's office within 15 days after the date of the Planning Commission's decision.

Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.

1. Demands of December 13, 2016

Recommendation: Approve Payment of Motions #1 and #2.

- a. Motion #1 – Payroll Warrant of December 2, 2016
- b. Motion #2 – Warrant Register of December 13, 2016

2. Treasurer's Quarterly Interest Report – July-September 2016

Recommendation: Receive and File.

3. Approval of Agreement with Los Angeles County Flood Control District Relating to Trash Excluder Maintenance

Recommendation: It is recommended that the City Council approve an agreement with Los Angeles County Flood Control District for the maintenance of County-owned catch basins modified by the installation of trash excluders.

4. PW-641-16; Completion of Construction Agreement for Removal of Unpermitted Structure and Miscellaneous Debris from Lunada Bay and Filing Notice of Completion

Recommendation: It is recommended that City Council accept as complete the Construction Agreement PW-641-16; Removal of Unpermitted Structures and Miscellaneous Debris from Lunada Bay in the amount of \$61,511.00 and direct the City Clerk's office to file the Notice of Completion, and release the 5% retention 30

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days after the County Recorder's office records the Notice of Completion, if no stop notices are filed.

5. Approval of Amendment No. 1 to Professional Services Agreement with Telecom Law Firm

Recommendation: It is recommended that the City Council authorize the City Manager to execute an amendment to the City's existing agreement with Telecom Law Firm extending the agreement for specialized consultation services as it pertains to wireless telecommunications facilities applications to the City through December 31, 2017.

6. Palos Verdes Tennis Club – 2016 Projected Fiscal Results and 2017 Proposed Operating and Capital Budgets

Recommendation: It is recommended that the City Council approve the Palos Verdes Tennis Club 2017 Operating and Capital budgets.

7. Palos Verdes Golf Club – 2016 Projected Fiscal Results and 2017 Proposed Operating and Capital Budgets

Recommendation: It is recommended that the City Council approve the Palos Verdes Golf Club 2017 Operating and Capital budgets.

8. Action Items of Joint Meeting with Planning Commission and PVHA of December 6, 2016

Recommendation: It is recommended that the City Council receive and file the actions from the joint City Council, Planning Commission, and Palos Verdes Homes Association meeting held on December 6, 2016.

9. Traffic Safety Committee Recommended Actions of November 2, 2016

Recommendation: Review and Approve.

- a. Granvia Altamira and Via Rafael Intersection Pedestrian Circulation

TSC Recommendation: Install a ladder crosswalk across the northern leg of Granvia Altamira in conjunction with the upcoming slurry seal project. (5-0 in favor)

- b. Request to Retain a Convex Mirror at 2601 Via Segunda

TSC Recommendation: Require the applicant to file an application with the Planning Commission to obtain approval to maintain the convex mirror as a non-standard

encroachment and to leave the sign in place until the Planning Commission has taken action. The applicant is to file an application with the Planning Commission within 60 days. (5-0 in favor)

10. Parklands Committee Recommended Actions of November 10, 2016

Recommendation: It is recommended that the City Council review and approve the Parklands Committee Recommended Actions of November 10, 2016 and approve PC-442-16 (Item #11b) subject to the modified conditions contained in this report.

a. PC-441-16; Application to remove 1 Canary Island pine tree located in the parkway adjacent to 1729 Via Boronada

Applicant: Stefanie Forsey
1729 Via Boronada
Palos Verdes Estates, CA 90274

Parklands Committee Recommendation: Approval of PC-441-16: an application to remove 1 Canary Island Pine tree located in the parkway adjacent to 1729 Via Boronada according to the standard conditions for tree removal approvals. Payment of \$500 to the Tree Bank, removal of the stump and planting of the 'Designated Street Tree' are required. (4-1 in favor, Richie-Bray dissenting)

b. PC-442-16; Application to remove/top 3 Torrey pines located in Bea Wyse Garden adjacent to City Hall, 1 Red Iron Bark located in the center median on Tejon Place, 1 Jacaranda, 1 Ash, 1 Eucalyptus and 1 Ficus located in the Parklands at the rear of 533/529 Via Del Monte

Applicant: Isabelle Allemann
525 Via Del Monte
Palos Verdes Estates, CA 90274

Parklands Committee Recommendation: Approval of PC-442-16 with modification to remove 1 Jacaranda, 1 Ficus, 1 Eucalyptus and 1 Ash tree in the parklands at the rear of 529-533 Via Del Monte according to the standard conditions for tree removal approvals. Payment of \$2,000 to the Tree Bank and removal of the stumps are required. The Eucalyptus on Tejon Place is recommended to be lowered and shaped to near the last topping cuts and no trimming on the Torrey pines is recommended. (5-0 in favor)

Pursuant to filing/withdrawal of appeal and to memorialize the agreement reached between the applicant and property owner at 533 Via Del Monte, staff recommends that the City Council modify the Parklands Committee recommendation as follows:

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That the City Council approve PC-442-16 with modification as follows:

1. Remove 1 Jacaranda, 1 Eucalyptus and 1 Ash tree in the parklands at the rear of 529-533 Via Del Monte according to the standard conditions for tree removal approvals.

2. Payment of \$1,500 to the Tree Bank and removal of the stumps are required.

3. The Eucalyptus on Tejon Place to be lowered and shaped to near the last topping cuts

4. No trimming on the Torrey pines.

5. The property owner at 533 Via Del Monte shall, on an annual basis, provide for the trimming of the Ficus tree in the parklands located to the rear of the property to a height of 10 feet. The Ficus tree shall be subject to removal if the property owner at 533 Via Del Monte fails to perform the required annual trimming after 30 days of being provided written notice by the City identifying that the annual trimming has not been completed.

c. PC-443-16; Application to remove 1 Coral tree located in the parkway adjacent to 4017 Via Valmonte

Applicant: Ken Roberts
4017 Via Valmonte
Palos Verdes Estates, CA 90274

Parklands Committee Recommendation: Approval of PC-443-16: an application to remove 1 Coral tree according to the 'Standard Conditions For Tree Removal Approvals'. A payment of \$500 to the 'Tree Bank and removal of the stump is required. (5-0 in favor).

d. Re-designation of the 'Designated Street Tree' for address 500 through 601 Paseo Del Mar from the Kentia palm to the optional Pigmy Date palm.

Parklands Committee Recommendation: Approval of the Mediterranean Fan palm as the new 'Designated Street Tree', replacing the Kentia palm for address 500 through 601 Paseo Del Mar. All in lieu requests to waive the requirements to plant the 'Designated Street Tree' require Parklands Committee review.

11. Planning Commission Actions of November 15, 2016

Recommendation: Receive and File.

a. **M-1147-16;** Consideration of a Miscellaneous Application for non-standard encroachments within the right-of-way at the single family residence located at **1416 Via**

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Margarita. Lot 14, Block 11, Tract 7538. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant/Owner: Alex Knowles

Action: Approve the application (4-0 in favor, Hunter absent) with standard conditions and the following additional conditions: 1) A license agreement shall be submitted to defend, indemnify, and hold harmless the city, its officers, agents and employees from and against any and all loss, damage, liability, claims, demands, costs, charges, and expenses, including attorney's fees, and causes of action of whatsoever character which the City may incur, sustain or be subjected to on account of loss or damage to property or loss of use thereof, or for bodily injury to or death of any person arising out of or in any way connected to the encroachment; and 2) A license agreement shall be submitted to reimburse the City for any costs incurred by the City to repair damage, restore premises, or satisfy claims incurred by reason of the encroachment.

b. **WT-139-15;** Wireless Telecommunication Facilities Application for consideration of two alternative locations for new equipment within the City right-of-way either **in the alley between Yarmouth Road and Oakley Road or on the northwest corner of Yarmouth Road and Chelsea Road.**

Applicant: Crown Castle NG West LLC
300 Spectrum Center Dr., #1200
Irvine, CA 92618

Action: Deny the application (3-0 in favor, Kao recused, Hunter absent). A denial resolution will be prepared and brought back to the Planning Commission for adoption on December 20, 2016.

c. **NC-1572/G-1583-16;** Consideration of Neighborhood Compatibility & Grading Applications for a new single family residence located at **1505 Espinosa Circle.** Lot 21, Block 1376, Tract 6889. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant: Cauthen Design Inc.
20141 E. Chapman Ave.
Orange, CA 92869
Owner: Amir Esfahani
314 Tejon Pl.
Palos Verdes Estates, CA 90274

Action: Approve the applications (4-0 in favor, Hunter absent) with standard conditions and the following additional conditions: 1) Prior to issuance of building permits, the property owner shall: (a) Obtain approval for the "Release of One Building Site", and (b) File to remove the "lot tie" with the Los Angeles County Assessor's Office; 2) The

developer shall remove existing curb and replace with standard curb and gutter along Espinosa Circle frontages per the City Engineer. Required street improvements may be modified at the discretion of the City Engineer; 3) A licensed survey of the floor area and building coverage shall be completed and submitted to the City to verify compliance with the approved floor area and lot coverage for the subject lot; 4) The orientation of the house shall be flipped so that the courtyard and entry are on the north side; 4) The north facing second floor rear bedroom windows shall be eliminated; 5) The north facing second floor rear bathroom windows shall be translucent; and 6) The covered roof over the second floor front patio shall be changed to a trellis.

d. **CUP-92-16;** Consideration of a Conditional Use Permit Application for a new market and deli with alcohol sales within an existing tenant space at **2201 Palos Verdes Drive West**. Lot 1, Block 22, Tract 6888. This project is exempt from CEQA per a Class 1 categorical exemption as there will not be any exterior alteration of the existing building and no expansion of use.

Applicant: Rick & Jocelyn Lopez
2125 Palos Verdes Dr. West
Palos Verdes Estates, CA 90274
Owner: N&H Partners, LLC & Penn Assets, LLC
1559 S. Sepulveda Blvd.
Los Angeles, CA 90025-3311

Action: Approve the application (4-0 in favor, Hunter absent) with standard conditions and the following additional conditions: 1) Employees shall not park within the parking spaces in front of the subject property; 2) The building shall be painted and maintained in good condition; 3) Landscaping around the market and deli shall be repaired and maintained in good condition; 4) The outdoor seating area to the south adjacent to the restaurant entrance shall be redesigned so that it does not obstruct access to the trash enclosure and provides a buffer between the dining area and the trash enclosure; 5) Outdoor seating shall be configured so that there is no obstruction to accessibility along the sidewalk. The applicant shall coordinate with the property owner and other businesses on the property to ensure sidewalk accessibility is provided for all outdoor seating areas. Use of the sidewalk area for an outdoor dining area is permitted only where the sidewalk is wide enough to allow for a minimum of four (4) consecutive feet of sidewalk width at every point in front of the dining establishment which is clear and unimpeded for pedestrian and wheelchair traffic; 6) The outdoor seating area shall be maintained free of litter, refuse, and debris. Washing of exterior walls and sidewalks shall be conducted on an as needed basis to maintain cleanliness; 7) Employees shall deliver alcoholic beverages for onsite consumption to customers in an outdoor seating area. Employees shall ensure customers are appropriately seated and shall monitor activities in the outdoor seating area; 8) The outdoor dining area, when serving alcohol and when permitted by this section to be located on a sidewalk, must be clearly delineated from pedestrian traffic with a minimum 30 inch to a maximum 36 inch tall removable open style railing, fence or roped boundary or plants and flowers in ornamental planter boxes and pots that are

architecturally compatible with the structure housing the dining establishment; 9) The operator shall post a written notice to customers as approved by the city which states that the drinking or carrying of an alcoholic beverage is prohibited and unlawful outside of the outdoor dining area; 10) The service of the alcoholic beverages in the outdoor dining area must be licensed by the California Department of Alcoholic Beverage Control and comply with all licensing requirements; 11) The service of alcoholic beverages and its consumption by customers in an outdoor dining area may be revoked upon a determination of a public safety concern by the Planning Commission; 12) No outdoor storage or display is allowed unless designated on an approved plan on file at the City; 13) Trash receptacles shall be placed in outdoor seating areas and regularly maintained to prevent overflow and nuisance odors; 14) Prior to special events to be conducted in the outdoor area, the applicant shall obtain a temporary use permit from the City that shows the location of the portable outdoor barbecue and any other outdoor equipment used for such event; 15) A sign permit shall be obtained for any exterior signage; 16) Deliveries shall be scheduled to minimize impacts to business operations in the area. Preferably, deliveries should be made in the early morning prior to the opening of businesses; 17) The proposed business shall coordinate a business security plan with the Palos Verdes Estates Police Department and shall implement security measures determined to be reasonably necessary to promote public safety. Security cameras shall be utilized and recordings maintained for a period of at least seven (7) days; 18) This project shall be subject to annual review by the City.

e. **M-1155-16;** Consideration of Miscellaneous Applications for walls, fences, and accessory structures exceeding the allowable height at the single family residence located at **2600 Palos Verdes Drive West**. Lot 1, Block 4, Tract 16945. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant: Scott Martin, ASLA
2455 190th St. A
Redondo Beach, CA 90278
Owner: Steve & Gail Chelebian

Action: Approve the application (4-0 in favor, Hunter absent) with standard conditions.

NEW BUSINESS

12. Discussion Pertaining to Creation of an Investment Advisory Committee and Update of City Information About the Role and Function of the City Treasurer

Recommendation: It is recommended that the City Council review and consider the information presented in this report and provide direction.

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COMMUNICATIONS FROM THE PUBLIC

This portion of the agenda is reserved for comments from the public on items which are NOT on the agenda. Due to state law, no action can be taken by the Council this evening on matters presented under this section. If the Council determines action is warranted, the item may be referred to staff or placed on a future Council agenda.

STAFF REPORTS

13. City Manager's Report

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO WEDNESDAY, JANUARY 11, 2017, 7:30 P.M. IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF A REGULAR MEETING.

i. This City Council meeting can be viewed via live-stream or on demand thereafter on the City Website at www.pvestates.org.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall Bulletin Boards located by front door and inside adjacent to Council Chambers located at 340 Palos Verdes Drive West, Palos Verdes Estates, CA 90274, Palos Verdes Golf Club, and Malaga Cove Library not less than 72 hours prior to the meeting in accordance with Government Code Section 54954.2. Dated this 9th day of December, 2016.

Vickie Kroneberger, CMC, City Clerk