

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

December 9, 2008

A regular meeting of the City Council of the City of Palos Verdes Estates was called to order this day at 7:30 p.m. in the City Council Chambers of City Hall by Mayor Joseph C. Sherwood.

PLEDGE OF ALLEGIANCE

**ROLL CALL: Councilmembers Rea, Humphrey, Mayor Pro Tem Perkins,
Mayor Sherwood**

ABSENT: Councilmember Goodhart

**ALSO PRESENT: City Manager Hoefgen, City Attorney Pannone, Assistant City
Manager Smith, Police Chief Dreiling, Public Works Director Rigg,
City Treasurer Ritscher, Administrative Analyst Davis,
Minutes Secretary Monson**

MAYOR'S REPORT – Matters of Community Interest

Due to the resignation of Emmagene Coffey, the Chair of the Planning Commission, George Bird has been appointed as Chair and Jim Vandever is now Vice-Chair. Due to Jennifer King being appointed to the Planning Commission, Lisa Levine has been appointed Chair of the Parklands Committee.

CONSENT AGENDA

Resident Jerry Hawxhurst requested Agenda Item #4 (Prima Facie Speed Limits) be removed from the Consent Agenda.

It was moved by Councilmember Humphrey, seconded by Mayor Pro-Tem Perkins and unanimously approved that the following Consent Agenda items be approved except Item #4 (Prima Facie Speed Limits):

- MINUTES OF CITY COUNCIL MEETING OF NOVEMBER 11, 2008
- TREASURER'S STATEMENT OF INVESTMENT POLICY ANNUAL REVIEW
- CITY TREASURER'S REPORT – OCTOBER 2008
- APPROVE THE CONTRACT WITH PBS&J FOR THE PREPARATION OF SAFE ROUTES TO SCHOOL GRANT APPLICATIONS AND OTHER TRAFFIC SAFETY GRANTS ON AN AS-NEEDED BASIS
- APPROVE THE FY 2008-09 COMPUTER SYSTEM UPGRADES, PROJECTED AT ~\$69,000, AS INCLUDED IN THE ADOPTED BUDGET
- ADOPT RESOLUTION R08-39; DESIGNATING THE FY 08-09 ALLOCATION OF \$39,963 IN PROPOSITION 1B BOND FUNDS FOR THE PALOS VERDES DRIVE WEST REMEDIATION PROJECT
- APPROVE AN AGREEMENT WITH ADVANCED ELECTRONICS FOR MAINTENANCE SERVICES FOR THE POLICE DEPARTMENT'S RADIO SYSTEM
- APPROVE A PUBLIC WORKS CONTRACT WITH ACTION CONTRACTORS, INC. IN THE AMOUNT OF \$22,726 AND ADOPT RESOLUTION R08-37, ADJUSTING THE FY 2008-09 BUDGET FOR THE PROJECT IN THE AMOUNT OF \$6,000

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- ADOPT RESOLUTION R08-38; SUPPORTING THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS ENERGY PARTNERSHIP AND THE CITY'S PARTNERSHIP WITH THE SOUTH BAY ENVIRONMENTAL SERVICES CENTER
- TRAFFIC SAFETY COMMITTEE ITEMS OF NOVEMBER 12, 2008

Request for Installation of Stop Signs on Cloyden Road at Chelsea Road.

Action: Recommended that staff 1) install stop signs on Cloyden Road at Chelsea Road, 2) install a crosswalk on the west side of the intersection, 3) if necessary, re-install the crosswalk on the east side of the intersection at a different angle and 4) bring the issue back to the Committee in six months with new speed and volume counts for review (4-0, Beall abstaining).

Traffic Calming Application for Lunada Bay School Neighborhood.

Action: Recommended that staff 1) have speed surveys and traffic counts performed and 2) bring the issue back to the Committee for review.

Request for Restricted Parking on the 2500 block of Via Campesina.

Action: Denied.

Request for No Parking Signs on Via Palomino.

Action: Denied.

Request for Removal and Re-striping of STOP AHEAD on Via Romero.

Action: Recommended that staff arrange for the striping to be removed and re-striped with paint during the next striping project.

Request for Red Curb at 2109 Via Alamos.

Action: Denied.

Request for Bicycle Signs throughout the City

Action: Denied

- PLANNING COMMISSION ACTIONS OF NOVEMBER 18, 2008

NC-1341-08; Consideration of a Neighborhood Compatibility Application for additions to the existing single family residence located at 2233 Via Alamos. Lot 23, Block 1651, Tract 7330.

Owner: Jon and Barbara Hasegawa

Action: Approved with standard conditions.

M-684-08; Consideration of a Miscellaneous Application for a non-standard structure at the single family residence located at 4201 Via Pinzon. Lot 1, Block 6322, Tract 7143.

Owner: Kurt Slingsby

Action: Approved with standard conditions and the following additional condition: 1) All previous conditions still apply.

NC-1194-07; Consideration of a Neighborhood Compatibility Application for a second story balcony addition to the existing single family residence located at 1921 Via Estudillo. Lot 13, Block 1391, Tract 6889.

Owner: Ellen Lim

Action: Approved with standard conditions.

NC-1337-08; Consideration of a Neighborhood Compatibility Application for additions to the existing single family residence located at 4464 Via Pinzon. Lot 17, Block 6333, Tract 7143.

Owner: Mr. and Mrs. Brett Keshtkar

Action: Approved with standard conditions and the following additional conditions: 1) City standard curb and gutter shall be installed per construction plans prepared by a registered Civil Engineer and approved by the City Engineer; 2) A licensed survey of the floor area shall be completed and submitted to the City to verify compliance with the approved floor area for the subject lot.

NC-1339-08; Consideration of a Neighborhood Compatibility Application for additions and a new detached structure to the existing single family residence located at 3821 Via Palomino. Portion of Lot 2, Block 6218, Tract 6887.

Owner: Tres and Julie Reid

Action: Approved with standard conditions and the following additional conditions: 1) All eaves at the detached building be pulled out of the setback; 2) The roof structure at the detached building be modified to reduce the height by 9 inches.

NC-1084R11-08; Consideration of a revised Neighborhood Compatibility Application for revisions to the single family residence located at 940 Via Rincon. Lot 13, Block 1630, Tract 7142.

Owner: Mr. and Mrs. Brothers

Action: Approved with standard conditions and the following additional condition: 1) All previous conditions still apply.

M-687-08; Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 2749 Via Campesina. Lot 1, Block 1716, Tract 6885.

Owner: Lan and Carol Melville

Action: Approved with standard conditions.

ADOPTION OF ORDINANCE 08-687; AMENDING SECTION 10.64.010 OF THE PALOS VERDES ESTATES MUNICIPAL CODE ESTABLISHING PRIMA FACIE SPEED LIMITS AND APPROVING THE POSTING OF SPEED LIMIT SIGNS ON LOCAL STREETS WITHIN THE CITY

Public Works Director Allan Rigg said this ordinance would amend the City Code with regards to speed limits. The City is required by State law each seven years to review speed limits within the City that are radar enforced. The drivers on the street dictate what the speed limit ends up being. A survey is conducted and it is determined at what speed 85% of the cars are traveling at or below. The City adjusts that 85th percentile to the closest 5mph increment which can be adjusted down 5mph due to driveways or other situations that may cause a surprise for a driver. Many residents have contacted the City with concerns about raising the 25mph speed limit on Granvia Altamira which previously did not have a speed survey. Due to State law the Police Department has not been able to radar enforce this street. The motorcycle officers have asked the City to conduct a survey in order to use radar enforcement. The City surveyed Granvia Altamira on two different occasions and a 38mph 85% was received. Per the process, the City will establish the speed limit at 35mph, and to use radar to enforce the speed limit. The City expects to be able to lower the speed limit with radar enforcement. He understands that residents feel this is counterintuitive and the vehicle speed will increase. Director Rigg said that studies show that over time that people will drive at a speed that they feel safe and they look for observed law enforcement of the speed limit. It is the City's expectation that the speeds will become safer and decrease over time and the City will be able to reduce the speed limit to 30mph.

Resident Jerry Hawxhurst, [address redacted], stated that he is opposed to the ordinance with respect to Granvia Altamira. He spent five hours walking house to house on Granvia Altamira and everyone expressed shock that the speed limit would be increased from 25mph to 35mph. He understands that everyone's goal is to make the City safe. He feels there needs to be more investigation into other ways to keep limits down. He met with Chief Dreiling and Allan Rigg to go over the rules and regulations and alternatives that he discovered while researching this. He asked the Council to put off voting on this ordinance until he and other neighbors can explore with the City Engineer alternatives to reduce speeds. He submitted a petition from residents who oppose raising the speed limit on Granvia Altamira. He offered potential alternatives: 1) not clear if street qualifies as a local street which would enable enforcement of radar at current 25mph, 2) feels report is not thorough and would not stand up in court to a speed challenge, 3) wondered if residents want radar at 35mph or leave at 25mph. He disagrees with proposal and asked that it be tabled or rejected.

Resident Darrell Judge, [address redacted], has lived at this address for 40 years. He lost his split rail fence several times prior to stop sign being installed. He still has his mail box knocked out by

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vehicles occasionally. It is difficult to back out onto Granvia Altamira and will be more difficult if speeds are increased. He would like see further study on speed limits on the street. He feels it is a dangerous street especially with a pocket park where kids play.

Resident Russell Morita, [address redacted], feels that the average traffic travels at 35-40mph which is too fast. He is concerned with the speed limit being raised. He drives at 25-30mph which he feels is the appropriate speed and now feels he will be forced to drive faster by other drivers.

Resident Tom Bechler, [address redacted], has driven Granvia Altamira for 40 years and it is a thoroughfare. If the speed is increased he feels it will increase the already large amount of traffic. He feels more study needs to be completed.

Mayor Sherwood closed the public comments.

Councilmember Humphrey asked if the City has raised the speed limit on any other streets, then radar enforced, and then were able to reduce the speed limit. Director Rigg responded that the City has not had this situation before.

Councilmember Humphrey reported that she receives phone calls from residents asking for the police to use radar on Granvia Altamira. She informs them that the police are unable to use radar as the street has not been surveyed. She said that is why the City has surveyed the street and must now raise the speed limit and use radar to enforce the new speed limit which should slow down traffic; then the City could complete another survey and hopefully drop the speed limit. The other option is not to do anything at all and the City would be unable to enforce the speed limit on Granvia Altamira.

Mayor Pro-Tem Perkins asked if the existence of driveways allows the City to drop the speed limit. Director Rigg said the initial speed limit without the driveways would have been 40mph, but the driveway condition allows the limit to be lowered one 5mph increment.

Mayor Pro-Tem Perkins asked how soon the City would be able to complete another survey if this ordinance is passed. City Manager Hoefgen responded that the first step would be to change the posted signs, then do aggressive enforcement, then in a couple of months conduct another survey.

Councilmember Rea said he believes there are three options: 1) keep the status quo by keeping the 25mph and the police would not be able to enforce the speed limit, 2) to conduct another speed survey now, but he feels that is risky as the next survey could come back with a higher limit, 3) which is the option the Council voted on and approved at the last meeting, which is to post the limit at 35mph allowing the police to enforce with radar and in a few months conduct another survey hoping for a reduced speed. If this does not work the City can reinstall the 25mph signs and the police department will not be able to enforce.

Mayor Sherwood asked Chief Dreiling how many accidents have been reported on Granvia Altamira. Chief Dreiling said he did look at the accident statistics for the last 12 months and there had not been any reported accidents during that time period.

Mayor Sherwood believes the best course of action is to enforce the new limit and re-survey as quickly as possible. City Manager Hoefgen said the enforcement would begin immediately and work toward a new survey in early 2009.

Councilmember Humphrey moved that the City Council adopt Ordinance 08-687 amending section 10.64.010 of the PVE Municipal Code establishing prima facie speed limits and approving the posting of speed limit signs on local streets within the City and directing staff to re-survey Granvia Altamira two months after implementation of the ordinance, it was seconded by Mayor Pro-Tem Perkins and unanimously approved (4-0 Goodhart absent).

COMMUNICATIONS FROM THE PUBLIC - none

PUBLIC HEARINGS CITY COUNCIL 12-09-08

REQUEST TO APPEAL PLANNING COMMISSION DENIAL OF NC-1218R-08; CONSIDERATION OF A REVISED NEIGHBORHOOD COMPATIBILITY APPLICATION FOR REVISION TO THE NEW SINGLE FAMILY RESIDENCE LOCATED AT 2220 VIA ACALONES. LOT 4, BLOCK 1635, TRACT 7330

Planning Director Allan Rigg reported that this item is a revised Neighborhood Compatibility Application for a new single family residence. The application requests after the fact approval to extend the chimney 18-20 inches higher than the approved plans. The building official originally noted the modification at the construction site during an inspection. The official notified the contractor and the Planning Department. The plans presented to the Planning Commission did not reflect the correct chimney height. The code requires chimneys to be at least 24 inches higher than any ridge within 10 feet. The plans approved by the Planning Commission indicated that the chimney would be roughly the same height as the ridge with no specific elevation noted. The chimney revision was denied by Staff in May 2007 as a Minor Modification. Applications for this site were reviewed by the Planning Commission in January 2006 and were approved with conditions. The project was appealed to the City Council in February 2006. It was approved with standard conditions and several additional conditions including that all ridge heights would be reduced by one foot. The applicant brought the project back to the Planning Commission again in October 2008 with the chimney revision. Concerns were raised regarding the view impact of the higher chimney and the revisions were denied. Rigg noted that two large trees shown in the PowerPoint were approved by the Parklands Committee to be removed. The Planning Commission's decision is being appealed by the owner, Libiano Investments. The appeal purports that the extended chimney height is necessary to meet fire code requirements. The appellant believes that the Planning Commissioners did not visit the site prior to the meeting. Director Rigg stated that the Commissioners have been contacted and four of five that responded to his inquiry said that they had visited the site.

Mayor Sherwood asked if Public Notice had been properly given. City Clerk Smith responded that it had.

Mayor Sherwood asked whether the trees had or had not been removed. Director Rigg clarified that there is an approval to remove the trees, they had not yet been removed.

Councilmember Humphrey wanted to be clear that the chimney is of legal height, but not built according to the approved plans. Director Rigg agreed and added that there is a flashing type cap that would add approximately six inches in height.

Councilmember Humphrey asked if the Council denied the application what the remedy would be. Director Rigg said the chimney could be lowered and converted to gas only or removed entirely.

Mayor Sherwood said the chimney does not seem large, but it does block some of the view. If the two trees were removed it would make a big difference.

Mayor Sherwood opened the Public Hearing.

Patrick Killen, the project architect – [address redacted], said the chimney shown on the pictures is at the legally required height for a wood burning fireplace. (Presented slides showing difference in approved height and built height). He also quoted various Planning Commissioners and Councilmembers from previous meetings commenting on how low in height this two-story house was being built. Mr. Killen said that there are only two locations where the plans noted 'tops of chimneys must have same relationship to the maximum ridge elevation approved.' This was a handwritten note that he never saw so it was never transferred to any of the plans on site.

Director Rigg said the plan check for this set of plans was difficult. The architect's employee wrote the note on their set of plans and they are responsible for informing the builders.

Tom Bechler, [address redacted], said this project was approved over two years ago and has undergone significant changes. Windows were added and deleted, which was a major concern for the neighbors. He wants to know when the changes will stop. He asked if it will be possible for a subsequent owner to extend the chimney cap to 30 inches. The current owner has obtained approval

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to remove two trees which will improve Mr. Bechler's view. He thanked the Council for their efforts to preserve views and privacy in the City.

Councilmember Rea asked if the City has the ability to impose a condition that no satellite dish can be installed on the roof or chimney. Director Rigg said the City has no regulations regarding that, but there are specific laws that limit the ability to have restrictions on the satellite dishes. The Art Jury through deed restrictions do try to place them where they have minimal obstruction.

Lance Libiano, [address redacted], said that the 'note' on the plans regarding chimney height was required by the City. The note does not say the chimney has to be the same height as the ridge line. At no point does it say the maximum height of the chimney will not be 21.8 feet. He feels the City should have put the exact height requirements on the plans. There were numerous changes on the plans up to the last minute and when permits are ready to be pulled the City makes you change out everything. When you are building it six months later it is not appropriate; it should all be addressed at the same time. Mr. Libiano said he does have the approval to take down the two trees. He can either remove them or keep them there. He has the ability to remove the trees and give Mr. Bechler a larger view. Mr. Libiano said the view is infinitely better than the 19 inches of chimney height being discussed. He would like a satellite dish somewhere on his property and would be willing to have the City work something out. He would like to have the fireplace and a satellite dish. He spent a lot of time with approvals and had extensive conversations with the neighbors. He only has one chimney which services five fireplaces in the home.

Pat Killen said, regarding the writing of the 'note' on the plans, he was not implying that it was the City's problem or fault. He was pointing out that he felt the Planning Commission thought that they built the chimney out of malice not due to ignorance. It happened as a result of the 'note' being a weak note and the chimney continuing to be shown and not crossed out or changed. He recognized that his employee did not communicate the information; he was told that it was permitted. He apologized and said they were not trying to point fingers. When he realized the problem he reduced the width and length of the chimney to minimize the problem.

Mayor Sherwood closed the Public Hearing.

Councilmember Rea was on the Planning Commission when this application came up. He was also in the audience when the present application came before the Planning Commission in October. He said the applicant has focused his presentation on offering an excuse as to why this situation occurred. Councilmember Rea said the item before the Council is the Neighborhood Compatibility Application and the project's impact on the neighbors. The Council must consider the four factors which includes interference of the views. The chimney as built is 19.5 inches taller than approved which is a differential of about three square feet which is rather minimal. He wondered what the Planning Commission would have done if this chimney height had been included in the original application. The house is already flat and grading has been done to push it down into the ground. He believes the chimney 'as is' is approvable. His only question would be regarding the cap and whether it was functional or decorative.

Director Rigg said the existing cap is as low as possible to be functional and is necessary.

Mayor Pro-Tem Perkins commented that Councilmember Rea's comments reflected a lot of her thought process on the matter. She was also present at the October Planning Commission meeting and was disturbed by the blatant disregard for the City's process. She said that, according to the Staff Report, the chimney revision came to the Staff in May of 2007 and wondered if this was before or after the chimney was built. The application did not come back to the Planning Commission for another year and a half for after the fact approval which she feels is quite a long time after denial by the Staff. Director Rigg said the Staff denial was before the chimney was built.

Mayor Pro-Tem Perkins clarified that the applicants came back to Staff asking for approval which was denied; they built it anyway, and then came to the Planning Commission for after the fact approval. She feels that this is a blatant disregard for the City's processes. But disregard for the procedure is not one of the grounds the Council can use in their decision in deciding after the fact approval. She does not see the chimney as massive and the view impact is not unreasonable. She is inclined to agree that the chimney is within Neighborhood Compatibility guidelines. She would like some restrictions on the cap. She was concerned with the attempted negotiating by Mr. Libiano

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– he’ll cut trees for the chimney approval. She hoped that in the spirit of being good neighbors he would have the trees removed.

Councilmember Humphrey was concerned that there were a set of approved plans that were not built according to the plans. Then the changed plans were denied by the Building Department and the process for approval was not followed. She wondered how to get the message out to the community that there is a process in the City that must be followed in order to preserve the look of the City. She agreed with the other Councilmembers that it is of grave concern that this matter was not handled during the Planning Commission meetings. The architect and the builder made mistakes. She would be in favor of approving the chimney with restrictions on the cap and adding the condition that the two trees be removed.

Mayor Sherwood said he agreed with the other three Council members. He also wanted the architect to understand he should never disregard the City processes. He also would like to have a commitment to remove the two trees and a maximum of a six inch cap on the chimney or what is shown on the plans.

Councilmember Rea wanted to be clear that he does not feel pressure to approve the change. If an applicant chooses to disregard the process and try for after the fact approval, they are taking a huge risk. The appeal focuses on the chimney only and the Council can easily say no which would cost the applicant a huge amount of money. In this case he feels the chimney is approvable.

Councilmember Humphrey said this has come up before and it is not wise to ask for after the fact approval. The Council has the ability to take the application back to ground zero.

Mayor Sherwood asked if the Council can insist on the removal of the trees.

City Attorney Pannone responded that the Council needed to think about perception and precedent. He cautioned the Council against exchanging findings for some other condition to be added.

Director Rigg offered that the Council could direct Staff to allow Mr. Bechler to obtain a no fee application to remove the trees.

Councilmember Rea moved to overturn the Planning Commission’s decision and to deny NC-1218R-08 the revised Neighborhood Compatibility Application and that the Council approve the application as presented. The motion was seconded by Mayor Pro-Tem Perkins and unanimously approved (4-0, Goodhart absent).

Mayor Pro-Tem Perkins asked the City Attorney if there is a way to give the City some leverage for applicants that intentionally go around the City process. City Attorney Pannone responded that there were already measures in place. Director Rigg said there are triple fees for after the fact construction. Mayor Pro-Tem Perkins said she would like to direct Staff to look into this further.

Mayor Pro-Tem Perkins asked if the chimney had yet been removed from the last appeal for after the fact approval. Director Rigg said he would find out.

NEW BUSINESS

PALOS VERDES GOLF CLUB FY 2009 OPERATING AND CAPITAL BUDGETS

City Manager Hoefgen reported that the Golf Club operates on a calendar year basis. 2008 has seen a tightening of the economy and the Golf Club is seeing this in the reduced revenues. The revenues for the Golf Club are still higher today than they were prior to the Clubhouse remodel. The revenues for 2007-08 are up by nearly 40% with total revenues in excess of \$8 million. The golf course revenues are down about 5% at \$1.8 million. Food and beverage revenues are strong at \$3.7 million. The total revenues are up at 3% for the coming year which is based on a proposed 6% increase in member dues and green fees. The expenditures reflect a 3% cost of living increase for personnel. The Club hopes to come out ahead in 2009 at around \$82,000.

Councilmember Humphrey moved to approve the Palos Verdes Golf club FY 2009 operating and capital budgets; and approve the dues and green fees increase to take effect January 1, 2009, it was seconded by Councilmember Rea and unanimously approved (4-0, Goodhart absent).

PALOS VERDES TENNIS CLUB FY 2009 OPERATING AND CAPITAL BUDGET

Assistant City Manager reported that the Tennis Club also operates on a calendar year basis. The budget was approved by the Club Board of Directors in October. The City Liaisons, Councilmembers Humphrey and Rea, met with representatives of the Club to review the budgets. The 2009 budget reflects a net profit of \$3,900 and they anticipate revenue of \$595,500 and expenditures of \$591,600. The revenue is flat with a less than 1% increase from 2008. The expenses represent a 3% increase. The FY 2009 budget is based on member fees assuming 391 memberships in the Club. The budget for this year in 2008 is based on 402 members. There is no wait list for membership. The capital items scheduled for 2009 include court resurfacing and wind screen installation. The initiation fees are strictly designated for capital and they are projecting \$40,000 in initiation fees and an ending capital balance in 2009 of \$78,000.

Councilmember Rea moved to approve the FY 2009 Palos Verdes Tennis Club operating and capital budgets, it was seconded by Mayor Pro-Tem Perkins and unanimously approved (4-0, Goodhart absent).

REVIEW OF REPORT TITLED “PRELIMINARY DESIGN REPORT, ROADWAY STABILIZATION FOR PALOS VERDES DRIVE WEST”

Public Works Director Rigg said that it has been a long road and it is exciting to get to this point on the project. On September 9, 2008 the Council awarded a Professional Services Agreement to GMU Geotechnical & Huitt-Zollars (GMU) for the design of a soldier pile wall on Palos Verdes Drive West. The first task was to prepare a preliminary design report exploring options and cost estimates for the wall for review this evening. At the north end of Bluff Cove, a 1980's landslide destroyed two homes and led to ongoing maintenance activities where the City must continually patch the street due to subsidence. The easterly edge of the landslide has slowly moved toward the East and now extends into the southerly travel lane of Palos Verdes Drive West (PVDW). The loss of PVDW would impact traffic, but also major utilities go through the area as well. One study showed that the landslide would eventually take the roadway; it has moved 10-12 feet over the last 20 years. There were a variety of recommendations especially from the City Geologist and to implement the recommendations the Council approved the retention of a structural engineering firm. The scope of their services were to more fully define design options, create preliminary design costs for the designs, present the results to the Council, and proceed to create construction documents based on the option the Council chose. On October 9, the Council awarded a contract for these services to GMU in the amount of \$113,250. The GMU report is a very extensive report and includes two options for the wall. GMU used the previous reports, analysis, and surveys as a basis for both of the design options they investigated. One consideration used, which is standard practice, is to use a 50 year design life for the wall. Based on the previous research and the 50 year design period, GMU found that the landslide would move 21 feet vertically and 26 feet horizontally as a whole.

Greg Silver of GMU said that design Alternate 1 is their primary alternate for stabilization of the roadway. They first looked at the survey data collected by the City Geologist and extrapolated the data to a 50 year timeline. Based on the movement of the landslide they did geotechnical engineering analyses to look at what would most likely happen behind the slide when the slide moved out over the 50 year period. This created the cantilever condition or the unsupported condition upon which they based their design. Based on the orientation of the landslide, in the middle of the slide there will be the largest amount of cantilever or vertical amount of material that needs to be retained. On each side of the landslide they will create a ten foot cantilever retaining height and a 25 foot high cantilever retainer in the middle of the landslide. This requires two different types of designs. The side walls are Type I poured in place, 30 inch diameter, caisson walls. The middle will be a Type II wall that would require tiebacks due to the retained height being 25 feet. This will restore the roadway out to the current edge of the pavement. They were asked to look at any alternatives during their studies and notify the City of any that could be potentially more viable. They believe that Alternative 1 is the most cost effective in terms of

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design. The City Geologist vetted this design out first and GMU took it further and completed a more detailed preliminary structural design. They did look at one other option identified by the City Geologist which was to push the roadway back far enough to enable the use of just a Type 1 caisson only wall. If the roadway could be pushed back over 20 feet the 50 year protection could be obtained. This is potentially a cheaper way to go, but there are some unknowns associated with this option. For design Alternative I they approached a contractor who specializes in this type of construction and asked them to provide a cost estimate. Alternative I is a soldier pile wall without facing or soil export and is estimated to cost \$923,794. A decision that will need to be made is what the finished product will look like. The cheapest way is to have the timber lagging in between the soldier piles which is not a pretty look. To have shotcrete on the face of the wall or something to make it look a little nicer it will cost more. To get to the tiebacks they will have to excavate dirt in front of the wall and the material has to be exported off-site or try to put it back to somewhat hide the wall. The cost is somewhere in the \$1 million to \$1.2 million for these options. For Alternate II for moving the roadway, they have just an engineer's estimate and it should not be compared to Alternate I costs directly due to the difference in the level of detail. There are things that must be worked out such as right-of-way issues, utility issues, traffic issues, line of site issues, etc. The rough cost estimate for Alternate II is \$568,708. There is a potential to save a significant amount of money.

Director Rigg followed up with a correction to the Staff Report. He said the \$569,000 is the correct number. In the Staff Report they added an additional cost so the \$569,000 is the correct number. So the options are \$569,000 versus \$1 million.

Councilmember Rea stated that the Staff Report shows Alternate II as \$835,000 and wanted to know what that represented. Director Rigg said they misread the way the costs were put together so the total cost for both the wall and the roadway improvements is \$569,000.

Councilmember Rea said that Alternate II in the Staff Report gives the possibility of utility relocation so these amounts do not include relocating the sewer line. Director Rigg said that could add hundreds of thousands of dollars.

Mayor Sherwood asked how the Coastal Commission would be involved in the design. Director Rigg said the project would require a Coastal Development Permit from the City and then we would need a preliminary reading from the Coastal Commission. Staff believes Alternate I is the better option. For the 25 foot wall there would be a cost savings if the City chose to put the dirt back instead of using shotcrete. If this would potentially exacerbate the landslide this would not be done, but the City Geologist said it is tenths of a percent of the mass of the landslide and it would be a viable option.

Mayor Sherwood asked if the City knows where the utilities are located. Director Rigg responded that there is an eight inch sewer line and a Cal water line, but we do not have research on electrical or gas if they needed to be relocated.

Mayor Sherwood asked what a rough estimate of the additional cost would be for Alternative II – 10-20%? Director Rigg said definitely on Alternate II, and Alternate I is an actual bid estimate from a contractor. He said he and the City Geologist agreed that for the long term stability and safety of the roadway, they would prefer design Alternate I.

Director Rigg said this would be a competitive bid process and with the downturn in the economy, Public Works projects prices are lower. For Alternate I the City has \$439,000 in Proposition 1B funds and \$113,000 has been allocated for the design which leaves \$326,000. It looks like the solution will cost approximately \$1 million. So the City is looking to fund \$650,000 to \$1 million depending on how things work out. He said that in anticipation of the national infrastructure push, the South Bay Cities Council of Governments has asked all cities what projects they have that are ready to go in the next three months and the PVDW project is on that list.

Mayor Sherwood reiterated that there may be available Federal funds in addition to County funds.

Councilmember Humphrey asked what the possible traffic impacts will be during construction. Director Rigg responded that the caissons along the sides will be drilled along the existing ground along the edge of the roadway and should be able to be done without traffic disruption. For the

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middle section, the maximum impact would be one lane of traffic open and some traffic would be diverted to Montemar. Also the work would be scheduled during the middle of the day avoiding rush hours.

Councilmember Humphrey asked what the anticipated project timeline would be. Greg Silver estimated roughly three months.

Mayor Pro-Tem Perkins asked at what point the City goes to Planning Commission for the Coastal approval. Director Rigg responded said with the 50% drawings the City would go before the Planning Commission. The Coastal Development Act requires that you keep the bluffs as natural as possible.

Mayor Pro-Tem Perkins would like to fast track the project due to the impending Federal infrastructure project push which would be to create jobs and stimulate the economy. She would hate to see the City miss out on Federal funds due to being hung up on the Coastal Commission approval.

City Manager Hoefgen felt it was important to keep in perspective that two years ago the City did not know what it was up against in regards to the cost and impacts of the project. He thanked Allan Rigg for approaching the project with enthusiasm and his expertise in getting the project to this point. The City has started discussions with the Metro Commission, with Supervisor Knabe's office, and will push for inclusion of this project in the Federal stimulus package. He thanked the Council for their support on the project.

Councilmember Rea moved that consultant prepare construction documents for Alternate I, it was seconded by Mayor Pro-Tem Perkins and unanimously approved (4-0, Goodhart absent).

STAFF REPORTS

City Manager's Report

City Manager Hoefgen notified the Council and community that Edison is in the process of completing upgrades in Lunada Bay. They are changing out transformers and upgrading underground wiring which will affect about 60 customers on Via Victoria, Via Buena, and Via Rivera. Residents will be served temporarily by generators and will be notified by mail.

DEMANDS

It was moved by Councilmember Rea and seconded by Mayor Pro-Tem Perkins that the demands, as approved by a majority of the City Council, totaling \$229,621.19 be allowed and it was unanimously approved (4-0 Goodhart absent).

It was moved by Councilmember Rea and seconded by Mayor Pro-Tem Perkins that the demands, as approved by a majority of the City Council, totaling \$221,124.05 be allowed and it was unanimously approved (4-0 Goodhart absent).

It was moved by Councilmember Rea and seconded by Mayor Pro-Tem Perkins that the demands, as approved by a majority of the City Council, No. 514133V, 514222V, 514255V, 514473 to 514543 totaling \$526,138.15 be allowed and it was unanimously approved (4-0 Goodhart absent).

It was moved by Councilmember Rea and seconded by Mayor Pro-Tem Perkins that the demands, as approved by a majority of the City Council, No. 514544, 514555 to 514618 totaling \$228,810.38 be allowed and it was unanimously approved (4-0 Goodhart absent).

MAYOR & CITY COUNCILMEMBERS' REPORTS

Mayor Sherwood was pleased to report that the Lunada Bay Fountain dedication was held on December 7th and was attended by 200 members of the community. It was a great countdown to the
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lighting. He thanked Allan Rigg, Don Hendrickson, John Quinn for their work. He thanked all those involved in raising the funds: Marsha Allan, Ruth Shaffer, Robin DeBaal, and Bob Kennedy. Mathias did the lighting and Peter Bena did the design. The tiles from the old fountain are being sold for \$5 each.

Mayor Sherwood reported that Santa will visit Lunada Bay on December 11th from 4:00 to 6:00 p.m. and Malaga Cove on December 24th from 4:00 to 6:00 p.m.

Councilmember Humphrey said the fountain lighting was a great time. She reminded the community that PV Transit will again be offering free rides on New Year's Eve until 3:00 a.m. Call 310-544-7108 for reservations.

Mayor Pro-Tem Perkins reminded everyone to attend the South Bay Cities Council of Governments General Assembly on February 27th. The theme is 'Funding City Services' and the speakers will be State Controller John Chiang and State Treasurer Bill Lockyear.

ADJOURNMENT

There being no further business before Council the meeting was adjourned at 9:35 p.m. to Wednesday, January 14th, at 7:30 p.m. in the City Council Chambers of City Hall.

RESPECTFULLY SUBMITTED,

MICHÉLE D. MONSON, MINUTES SECRETARY

APPROVED:

JOSEPH C. SHERWOOD, JR., MAYOR