

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

**May 27, 2008**

A regular meeting of the City Council of the City of Palos Verdes Estates was called to order this day at 6:30 p.m. in the City Council Chambers of City Hall by Mayor Joseph C. Sherwood.

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

**ABSENT:** None

**ALSO PRESENT:** City Manager Hoefgen, City Attorney Ailin, Public Works Director Rigg

**CLOSED SESSION:** Council adjourned to Closed Session at 6:32p.m.  
Conference with Legal Counsel – Matters of Potential and Existing  
Litigation

Potential Litigation Pursuant to Subdivision (b) of Section 54956.9  
(1 case)

Existing Litigation Pursuant to Subdivision (a) of Section 54956.9  
Gdowski v. City of Palos Verdes Estates LASC Case No. BS096771  
Court of Appeal Case No. B193709

**RECONVENE:** Council reconvened at 7:30pm

**ALSO PRESENT:** Assistant City Manager Smith, Police Chief Dreiling,  
City Treasurer Ritscher, Minutes Secretary Monson

**PLEDGE OF ALLEGIANCE**

**MAYOR'S REPORT – none**

**CONSENT AGENDA**

Councilmember Goodhart abstained from voting on Item #1-Minutes and Item #3-Planning Commission Approval of NC-1304/GA-1422/M-658-07 due to his absence from the May 13, 2008 Council Meeting.

It was moved by Councilmember Humphrey, seconded by Councilmember Goodhart and unanimously approved that the following Consent Agenda items be approved:

- MINUTES OF CITY COUNCIL MEETING OF MAY 13, 2008 (4-0, Goodhart abstained)

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- CITY TREASURER'S REPORT – APRIL 2008
- ADOPT RESOLUTION R08-10; CONFIRMING THE PLANNING COMMISSION'S APPROVAL OF NC-1304/GA-1422/M-658-07; NEIGHBORHOOD COMPATIBILITY, GRADING, AND MISCELLANEOUS APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 376 VIA ALMAR. LOT 5, BLOCK 1514, TRACT 6886 (4-0, Goodhart abstained)
- SPECIAL EVENT APPLICATION FOR THE 47<sup>TH</sup> ANNUAL 4<sup>TH</sup> OF JULY CELEBRATION AT MALAGA COVE SCHOOL GROUNDS, ALLOW THE CELEBRATION COMMITTEE TO POST PROMOTIONAL SIGNS AT THE TWO CITY-PERMITTED LOCATIONS ONE WEEK PRIOR TO THE EVENT, AND TO PLACE FLAGS AT EACH PROMOTIONAL SIGN.
- PARKLANDS COMMITTEE MEETING ITEMS OF MAY 12, 2008

**PC-287-08;** Application to remove five California Pepper trees in the parklands located adjacent to 980 Via Rincon for view restoration  
 Applicant: Charles Dailey  
 953 Granvia Altamira  
 Approved

**PC-288-08;** Application to remove one American Elm tree in the parkway located adjacent to 408 Via Media for view restoration.  
 Applicant: Don and Dot McRell  
 417 Via Almar  
 Approved

**Replacement tree for the Coral Gum eucalyptus.** The Australian Willow (Geijera Paviflora) is the replacement 'Designated Street Tree' for the coral Gum Eucalytus.  
 Approved

- TRAFFIC SAFETY COMMITTEE MEETING ITEMS OF MAY 14, 2008

**Discussion of Preliminary Results of Residential Parking Permit Zone near Palos Verdes High School.**

Recommend that staff 1) allow residents in the RPZ to purchase two additional hangtags (for a maximum of four total hangtags per residence) at a fee of \$20 per additional hangtag, 2) issue hangtags to the residents on the easterly side of Dalton/Pacheco from Cloyden to Epping, 3) procure a traffic engineer to prepare a design for angled parking on the westerly side of Dalton/Pacheco from Cloyden to Epping for Traffic Safety Committee review and possible future implementation, and 4) prepare a restricted parking plan for Paseo Del Mar to possibly be implemented in September.

- PLANNING COMMISSION ACTIONS OF MAY 20, 2008

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**M-616R-06;** Consideration of a revised Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 3708 Via La Selva. Lot 3, Block 6212, Tract 6887.  
Owner: Dr. Carol Edwards  
Approved with conditions

**CUP-83-08;** Consideration of a Conditional Use Permit application for a communications facility located in the open space zone adjacent to 1700 Punta Place. Lot D, Block 1555, Tract 7333.  
Owner: South Bay Regional Public Communications Authority  
Approved with conditions

**CUP-84-08;** Consideration of a Conditional Use Permit Application for restaurant use at 2325 Palos Verdes Drive West Suites 205 and 206. Lots 2, 3 & 4, Block 2214, Tract 6888.  
Owner: Lunada Bay Investment Company  
Approved with conditions

**NC-1323-08,** Consideration of a Neighborhood Compatibility application for additions to the existing single family residence located at 2920 Paseo del Mar. Lot 6, Block 2236, Tract 7144.  
Owner: Milt Owens & Lisa Gladstone  
Approved with conditions

**M-669-08;** Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 710 Via La Cuesta. Lot 8, Block 7539, Tract 26341.  
Owner: Christine Rad  
Approved with conditions

**M-670-08;** Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 3721 Via Palomino. Por. of Lot 17, Block 6215, Tract 6887.  
Owner: Gene and Judy Matsuda  
Approved with conditions

**M-671-08;** Consideration of Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 4300 Via Valmonte. Lot 1, Block 6323, Tract 7143.  
Owner: Kostas and Julie Makrygiannis  
Approved with conditions

**COMMUNICATIONS FROM THE PUBLIC - none**

**OLD BUSINESS**

**REVIEW OF PROPOSED MODIFICATIONS TO THE CITY COUNCIL POLICY FOR  
ISSUANCE OF PROCLAMATIONS AND CERTIFICATES OF RECOGNITION  
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City Manager Hoefgen reported that this policy was put in place in January of 2007 and, after a year of implementation, suggested some minor wording changes to fine-tune the policy. He suggested the following changes (underlined) to the policy: 1) City Proclamations are accorded to recognize notable individuals and/or organizations, at the Mayor's discretion and may be provided to honored residents of Palos Verdes Estates and organizations on the Peninsula (with some minor exceptions), 2) Certificates of Recognition may be extended, at the Mayor's discretion, to notable individuals on the Peninsula (such as, Superintendent of Schools, City Managers, Library Directors, Presidents of the Peninsula Chamber of Commerce, Palos Verdes Art Center, individuals having completed a term of service on a Palos Verdes Estates Advisory Committee or Planning Commission or as Chairperson of the South Bay cities Council of Government), as well as businesses accorded recognition by the Peninsula Chamber of Commerce at the annual Salute to Business Awards Dinner, and 3) the modified Policy would delete the statement, "Certificates of Recognition shall not be accorded to elected officials"; thus allowing the decision on whether to issue a Certificate of Recognition to be made by the Mayor.

After some Council discussion, Councilmember Rea moved and it was seconded by Councilmember Goodhart to approve the proposed modifications to the Proclamation and Certificate of Recognition Policy. The motion was unanimously approved.

## **NEW BUSINESS**

### **PW-539-08; AWARD OF CONTRACT FOR THE FY08-09 FIRE CLEARANCE/WEED ABATEMENT MAINTENANCE**

Director Rigg reported that Los Angeles Country recommends from 100 foot to up to 200 foot clearance in extreme hazard areas to reduce the 'fuel load.' Specifications for fire safety/weed abatement are general and require judgment and coordination with staff in some cases. Rigg reported that it requires, on some properties, judgment of the City Forester to decide how much to clear – cut enough to clear, but not so much that the stability of the hillside is lost. One task that fire clearance tries to accomplish is eliminating the ladder fuels that enable a fire to go from the ground up into the tree canopies. Another specification in the contract is to establish a 20 foot wide defensible space adjacent to a property line which enables firefighters to defend the property. Also, the stables have requested the City clear the horse trail between the PVE Stables and Ernie Howlett Park. The City received only one construction bid from Travers Tree Service for \$134,965 which is \$11,835 higher than what the City anticipated.

Mayor Pro-Tem Perkins asked if Travers had the resources to complete the work by the end of August. Director Rigg responded that Travers is much more suited for the large clean-up work in canyons, cutting large trees and large brush. Travers also is better equipped with staff to complete the job.

Councilmember Goodhart stated that some areas in the City are unique and he wondered if the large trees on City parkland are probably closer together than 30 feet which, according to the contract, should not be allowed – he asked how the crews would proceed in these areas. Director Rigg said it would be up to the City Forester to decide. If the trees were in a grove not near buildings it would be okay; if the trees were between homes it would not be.

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Councilmember Goodhart asked about the areas in the City such as walkthroughs or trails particularly in the Valmonte area. City Forester Carl Moritz said that bidding the fire clearance contract is a difficult procedure in that it is being completed for safety, but the residents live here due to the natural surroundings. The City does not require large, nice trees to be removed, but if they are hazardous they must be removed. In places like the St. Francis church they will make the best defensible space while keeping in mind community sentiment. The crews will be very selective regarding what will be removed to provide safety and also preserve privacy.

Councilmember Goodhart said it is difficult to communicate the City's intentions to the residents and he would like to alert them through the City Newsletter.

Mayor Sherwood asked about the Little League field at PV Drive West and Via Coronel. Director Rigg stated that he spoke with School District personnel and that area is scheduled to be cleared very soon.

Mayor Sherwood asked if anyone in the audience wished to speak to the item.

Councilmember Rea moved, and it was seconded by Councilmember Humphrey, that the Council award a public works contract in the amount of \$134,965 to Travers Tree Services, Inc for the completion of the FY08-09 Fire Clearance/Weed Abatement Maintenance. The motion was unanimously approved.

**PW-540-08; AWARD OF CONTRACT FOR THE FY08-09 AND FY09-10 PARKLANDS AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE**

Public Works Director Rigg reported that the current landscape maintenance contract with Bennett Enterprises would expire June 30, 2008. This contract is for the maintenance of City parklands, street medians, paths, and alleys. The City received three bids for this contract. The lowest bid received was from Merchants Landscape Services, Inc. at \$221,376 which included two additive bid items and is higher than the current budgeted amount of \$192,780. The increase in bid amounts is most likely the outcome of several significant changes to the contract's scope since 2006. Merchants Landscape has completed many projects of similar size and scope for the cities of Palm Springs, Seal Beach, Ontario, Chula Vista, Orange, Santa Ana, and Newport Beach.

Mayor Sherwood said it was important to note that the next lowest bidder was \$40,000 higher and the third was \$120,000 more than Merchants Landscape.

It was moved by Councilmember Goodhart, seconded by Councilmember Humphrey, and unanimously approved to award an annual contract in the amount of \$221,376 to Merchants Landscape Services, Inc. for the completion of the FY 08-09 and FY 09-10 Parklands and Right-of-Way Landscape Maintenance

**STAFF REPORTS**

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**City Manager's Report - none**

**DEMANDS**

It was moved by Councilmember Goodhart and seconded by Councilmember Rea that the demands, as approved by a majority of the City Council, totaling \$219,391.88 be allowed and it was unanimously approved.

It was moved by Councilmember Goodhart and seconded by Councilmember Rea that the demands, as approved by a majority of the City Council No. 513404H to 513405H, 513406 to 513453 totaling \$85,578.50 be allowed and it was unanimously approved.

**MAYOR & CITY COUNCILMEMBERS' REPORTS**

Mayor Pro-Tem Perkins reported that she attended the County Sanitation District meeting and would like to remind the Council to attend their upcoming inspection trips. Also, the South Bay Energy Center will be a featured provider and sponsor for the Palos Verdes Street Fair on May 31st and June 1<sup>st</sup> where residents can exchange their old light bulbs for the new energy efficient light bulbs at no charge. She enjoyed attending the Lunada Bay Homeowners Association Annual Meeting at the Lunada Bay Park.

Mayor Sherwood attended the Green Hills Memorial Day Observance which was attended by veterans from all the wars going back to World War II, the 1<sup>st</sup> Marine Division Band from Camp Pendleton, and skydivers. He was moved by the speaker Navy Captain Charlie Plum a P.O.W. in Vietnam for 2103 days in an 8 foot by 8 foot cell.

**ADJOURNMENT**

There being no further business before Council the meeting was adjourned at 8:12 p.m. to Tuesday, June 3, at 7:00 a.m. at the Malaga Cove Library Community Room for the review of the FY 08-09 & FY 09-10 Budget.

RESPECTFULLY SUBMITTED,

/s/

MICHÉLE D. MONSON, MINUTES SECRETARY

APPROVED:

/s/

JOSEPH C. SHERWOOD, JR., MAYOR

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