

July 27, 2010  
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 three (3) minutes. Anyone wishing to address the City Council must 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. Please see specific agenda sections below for any other requirements related to meeting participation. 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. R10-16  
NEXT ORDINANCE NO. 10-697**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**MAYOR'S REPORT – Matters of Community Interest**

**CITY COUNCIL AGENDA  
JULY 27, 2010**

## CONSENT AGENDA (Items 1-8)

All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember, staff, or member of the public requests that an item be removed for separate discussion. An applicant or interested citizen who wishes to appeal any Planning Commission decision (Item #8a-h) 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. City Council Minutes
  - a. Adjourned Regular Meeting of July 10, 2010
  - b. Regular Meeting of July 13, 2010

**Recommendation: Review and File.**

2. Treasurer's Reports
  - a. Monthly Report – June 2010
  - b. Quarterly Interest Report – April-June 2010

**Recommendation: Receive and File.**

3. Ordinance 09-693 - Correction

**Recommendation: It is recommended that the City Council adopt Ordinance 09-693 – Correction, which provides the correct reference to the Palos Verdes Estates Municipal Code Chapter 5.12 – “Taxicabs” as being repealed.**

4. Two-Year Assignment Agreement with City of Torrance for the Exchange of Excess Proposition A Transit Funds

**Recommendation: It is recommended that the City Council approve the two-year assignment agreement with the City of Torrance to permit the exchange of Proposition A Transit funds in return for unrestricted general fund revenue at 70 cents on the dollar.**

5. Designation of Voting Delegate – League of California Cities Annual Business Meeting

**Recommendation: It is recommended that the City Council designate Council member Goodhart as the voting delegate and City Manager Hoefgen as an alternate to represent the City at the Annual Business Meeting of the League of California Cities and authorize the City Clerk to sign the voting delegate form.**

6. MAP-104-08; Approval of Final Parcel Map No. 70848 for the Division of the Vacant Lot at 3000 Paseo Del Mar. Lot 1, Block 2252, Tract 7144

**Recommendation: it is recommended that City Council approve Final Parcel Map No. 70848 for the division of the vacant lot at 3000 Paseo Del Mar. Lot 1, Block 2252, Tract 7144**

7. Traffic Safety Committee Meeting Item of July 14, 2010

**Recommendation: Review and Approve.**

- a. Review of Proposed Striping Modifications to the Lunada Bay Commercial Center

**Action: Recommended that staff install 22-foot-long, 8-foot-4-inch-wide parking stalls perpendicular to the curb in all Lunada Bay public parking areas. No crosswalks, no offset parking, and no bump-out edgelines will be installed. (5-0)**

8. Planning Commission Actions of July 20, 2010

**Recommendation: Receive and file.**

- a. **Planning Commission resolution No. 2010-0426;** Confirming the Planning Commission's denial of WT-114-09; Wireless Telecommunication Facilities Application for equipment proposed within the City right-of-way adjacent to 4010 Palos Verdes Drive North. Lot B, Tract 9822.

Applicant: AT&T Mobility  
12900 Park Plaza Dr.  
Cerritos, CA 90703

**Action: Approved (4-0, King abstained).**

- b. **NC-1068R-10;** Consideration of a revised Neighborhood Compatibility Application for additions to the single family residence located at 1445 Via Coronel. Lot 7, Tract 30905.

Applicant: Jeffrey A. Dahl  
18681 Amalia Lane  
Huntington Beach, CA 92648  
Owner: Cyrus & Jessica Irani

**Action: Approved (5-0) with standard conditions.**

- c. **M-764-10;** Consideration of a Miscellaneous Application for rebuilding and expanding the detached garage at the single family residence located at 4041 Via Solano. Lot 4, Block 6317, Tract 7143.

Applicant: Sonia Rodrigues  
2066 W. 236<sup>th</sup> St., Unit B  
Torrance, CA 90501  
Owner: Joyce Block-Miller

**Action: Approved (5-0) with standard conditions and the following additional condition: 1) The maximum ridge height on the accessory building is to be limited to 387.95'.**

- d. **M-771-10;** Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 1533 Via Lopez. Lot 10, Block 8, Tract 7334.

Applicant: Ashai Design Corp.  
21515 Hawthorne Blvd., #975  
Torrance, CA 90503  
Owner: Osamu Irie & Julie Tai

**Action: The application was Approved in part and Denied in part. The new 6 ft. high fence and 12 ft. high gazebo are approved with standard conditions and the 11.5 ft. high cabana structure is denied (5-0).**

- e. GA-1465R/M-780-10; Consideration of revised Grading and Miscellaneous Applications for a new single family residence located at 1701 Via Arriba. Lot 8, Block 1530, Tract 6884.

Applicant: Douglas Leach  
119 W. Torrance Blvd., Suite 24  
Redondo Beach, CA 90277  
Owner: Albro & Catherine Lundy  
2729 Palos Verdes Dr. North  
Palos Verdes Estates, CA 90274

**Action: Approved (5-0) with standard conditions.**

- f. **M-773-10;** Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 708 Mexico Place. Lot 11, Block 1436, Tract 6884.

Applicant: Thomas G. Dobos  
50 Santa Monica St.  
Aliso Viejo, CA 92656  
Owner: Steve & Cynthia Underberger

**Action: Approved (4-0, Evans recused) with standard conditions.**

- g. **M-774-10**; Consideration of a Miscellaneous Application for non-standard encroachments within the City right-of-way at the single family residence located at 1221 Via Coronel. Lot 15, Block 1486, Tract 6889.

Applicant/Owner: Gary & Roswaty Lim

**Action: Denied (5-0).**

- h. **M-775-10**; Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 1425 Via Davalos. Lot 28, Tract 30905.

Applicant/Owner: Robert & Sara Neuman

**Action: Approved (5-0) with standard conditions.**

## 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.**

## PUBLIC HEARINGS

**Persons addressing the City Council during public hearings shall be limited to three (3) minutes for comment.**

9. County Weed Abatement Charges for Fiscal Year 2009-10

**Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and confirm the charges as contained in the report prepared by the County of Los Angeles Agricultural Commissioner/Weights and Measures for providing weed abatement services during Fiscal Year 2009-10.**

10. Introduce and Adopt 2010 Conformance Self-Certification Resolution R10-13; Adopting the Local Development Report for the Congestion Management Program

**Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and adopt the Self-Certification Resolution R10-13; adopting the Local Development Report for the Congestion Management Program.**

## **OLD BUSINESS**

11. Update and Overview on Municipal Greenhouse Gas Inventory and Establishment of an Emissions Reduction Target for Municipal Facilities

**Recommendation:** It is recommended that the City Council adopt the suggested Municipal Greenhouse Gas Emissions Reduction Target of a 10% reduction below 2005 levels to be achieved by 2020, with periodic review to determine if the goal can be adjusted to recognize a further reduction, and direct the Environmental Advisory Committee to proceed with developing a formal Climate Action Plan to achieve the 10% reduction goal.

## **NEW BUSINESS**

12. Resolution R10-15 Approving the Memorandum of Understanding Between the City and the Public Service Employees Association

**Recommendation:** It is recommended that the City Council adopt Resolution R10-15 approving the Memorandum of Understanding amending the terms and conditions of employment for the Public Service Employees Association effective July 1, 2010.

13. Resolution R10-14 Adjusting Parking Citation Fees to Reflect a \$10.00 per Citation Increase

**Recommendation:** It is recommended that City Council adopt Resolution R10-14 amending the bail schedule increasing the paid parking citation fees by \$10 in order to 1) achieve parity with the fees charged by other agencies, and 2) to accommodate an anticipated increase in the State surcharges placed on all parking citations.

## **STAFF REPORTS**

14. City Manager's Report

## **DEMANDS**

15.
  - a. Authorize Payment of Motion #1– Payroll Warrant of July 23, 2010
  - b. Authorize Payment of Motion #2 – Warrant Register of July 27, 2010 (FY09-10)
  - c. Authorize Payment of Motion #2a – Warrant Register of July 27, 2010 (FY10-11)

**Recommendation:** Authorize Payment of Motions #1, #2 and #2a.

## **MAYOR & CITY COUNCILMEMBERS' REPORTS**

### **CITY COUNCIL AGENDA JULY 27, 2010**

**ADJOURNMENT TO TUESDAY, SEPTEMBER 14, 2010, IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF A REGULAR MEETING.**

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, July 28, 2010 at 7:30 p.m., and Wednesday, August 4, 2010, at 7:30 p.m.*

Agenda Item #: 3

Meeting Date: 7/27/10

TO: JOSEPH M. HOEFGEN, CITY MANAGER  
FROM: JUDY SMITH, ASSISTANT CITY MANAGER  
SUBJECT: ORDINANCE 09-693 - CORRECTION

The Issue

Shall the City Council adopt Ordinance 09-693 – Correction, to correct a typographical error in the original adopted ordinance referencing the Palos Verdes Estates Municipal Code (PVEMC) Chapter – “Taxicabs”?

Analysis and Findings

This ordinance was introduced at the July 13, 2010 meeting to provide the correct reference to Chapter 5.12 “Taxicabs” of the PVEMC as being repealed, rather than Chapter 5.16 as was incorrectly referenced in both the staff report and ordinance (09-693) presented to and adopted by the Council in September 2009. All other references within the original Ordinance 09-693 remain intact. The correcting ordinance will be filed with the original to document this action.

Recommendation

It is recommended that the City Council adopt Ordinance 09-693 – Correction, which provides the correct reference to the Palos Verdes Estates Municipal Code Chapter 5.12 – “Taxicabs” as being repealed.



Agenda Item #: 4

Meeting Date: 7/27/10

TO: JOSEPH HOEFGEN, CITY MANAGER

FROM: JUDY SMITH, ASSISTANT CITY MANAGER

SUBJECT: TWO-YEAR ASSIGNMENT AGREEMENT WITH CITY OF TORRANCE  
FOR THE EXCHANGE OF EXCESS PROPOSITION A TRANSIT FUNDS

The Issue

Shall the City Council approve an assignment agreement with the City of Torrance to permit the exchange of excess Proposition A Transit funds in fiscal years 2010-11 and 2011-12?

Background and Analysis

The City receives restricted revenue from several ½ cent transit sales tax measures, known as Prop A, Prop C and Measure R, which were approved by Los Angeles County voters. The funds must be used in accordance with program guidelines approved with each measure, including deadlines for expenditures (five years of receipt). The City expects to receive ~\$465,000 from these combined sources during FY 10-11.

For many years, the City has exchanged Proposition A Transit funds with the City of Torrance, in return for unrestricted general fund money. Fund exchange is permitted for Prop A and Measure R monies, but is not permitted for Proposition C. The City; therefore, applies its Prop C receipts to fund its annual Palos Verdes Transit obligation. Up to this time, the annual Prop C revenue has been sufficient to cover that cost and as a result, we have an accumulation of Proposition A monies.

While the City has occasionally entered into one-time exchange agreements with other cities, at the time the agreement with the City of Torrance was initiated; the Council believed there was value to our residents in supporting transit services within the South Bay, rather than providing funds to cities far removed from our area.

A two-year agreement for the exchange of Proposition A funds is again proposed for FY 2010-11 and 11-12, in the amounts of \$100,000 and \$200,000, respectively. The fund exchange rate for this agreement is 70 cents, which will provide \$70,000 and \$140,000 for the general fund in the respective years. The exchange rate of 70 cents is the current “market” rate for these funds.

Alternatives Available to the City Council

1. Authorize the Mayor to execute the assignment agreement.

**CITY COUNCIL AGENDA  
JULY 27, 2010**

2. Decline to approve the agreement.

#### Recommendation

It is recommended that the City Council approve the two-year assignment agreement with the City of Torrance to permit the exchange of Proposition A Transit funds in return for unrestricted general fund revenue at 70 cents on the dollar.

#### Budgetary Impact

The adopted FY 2010-11 City budget assumes approval of the exchange of Proposition A funds at 70 cents per dollar, resulting in \$70,000 for the general fund. After the exchange, the Prop A transit fund balance as of June 30, 2011 is projected at approximately ~\$494,200.

Agenda Item #: 5

Meeting Date: 7/27/10

TO: MAYOR AND CITY COUNCIL  
FROM: JUDY SMITH, ASSISTANT CITY MANAGER  
SUBJECT: DESIGNATION OF VOTING DELEGATE - LEAGUE  
OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING

The Issue

Shall the City Council designate the voting delegate to represent the City at the annual business meeting of the League of California Cities?

Analysis and Findings

The League California Cities will hold their annual business meeting as part of the annual conference to be held September 15-17, 2010 in San Diego. At this meeting, the League, as an organization and through its voting members, may take a formal position on various League-prepared resolutions. These resolutions generally deal with policy issues of interest to cities. The League requires that all City Councils take formal action to designate the voting delegate and alternate(s) for the business meeting.

Given anticipated attendance at the conference, it is requested that the City Council designate Council member Jim Goodhart as the voting delegate and designate City Manager Joe Hoefgen and the alternate.

Recommendation

It is recommended that the City Council designate Council member Goodhart as the voting delegate and City Manager Hoefgen as an alternate to represent the City at the Annual Business Meeting of the League of California Cities and authorize the City Clerk to sign the voting delegate form.

Agenda Item #: 6

Meeting Date: 7/27/10

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PLANNING DIRECTOR**

**SUBJECT: MAP-104-08; APPROVAL OF FINAL PARCEL MAP NO. 70848 FOR THE DIVISION OF THE VACANT LOT AT 3000 PASEO DEL MAR. LOT 1, BLOCK 2252, TRACT 7144.**

**DATE: JULY 27, 2010**

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**The Issue**

Should the City Council approve the Final Parcel Map No. 70848 for the division of the vacant lot at 3000 Paseo Del Mar?

**Background and Analysis**

This application is for the approval of Final Parcel Map No. 70848. The Vesting Tentative Parcel Map and Mitigated Negative Declaration for the subdivision were most recently reviewed by the Planning Commission on August 18, 2009. The map and Mitigated Negative Declaration were approved (3-1, Vandever dissenting) with standard conditions and the following additional conditions:

1. All conditions provided by the City Geotechnical Engineer and City Surveyor are to be addressed prior to final approval.
2. Individual water and sewer services shall be constructed for each lot.
3. A Parklands in-lieu fee of \$28,407 be paid to the City.

Following the Planning Commission's approval, the City Council reviewed the Vesting Tentative Parcel Map and Mitigated Negative Declaration on October 13, 2009. The map and Mitigated Negative Declaration were approved and Resolutions R09-31 and R09-32 were adopted, confirming the approvals.

Attached are the staff report and resolutions, as adopted by the City Council. Please note that all other attachments, such as the soils report and geology review, are not included as these lengthy documents were originally studied prior to tentative map approval.

**CITY COUNCIL AGENDA  
JULY 27, 2010**

### **Discussion and Analysis**

The Final Parcel Map No. 70848 has been reviewed and approved by the City Surveyor for technical correctness. The Planning Department has also reviewed the final map and inspected the site for compliance. Once the City Council approves the final map, the process for recordation will commence.

Please note that the act of approving the final map is truly procedural in nature. The final map was prepared in accordance with the approved Vesting Tentative Parcel Map, thus the City Council has no true alternative other than to approve the map.

### **Alternatives Available to the City Council**

The following are alternatives available to the City Council:

1. Approve Final Parcel Map No. 70848 for the division of the vacant lot at 3000 Paseo Del Mar.
2. Decline to act.

### **Recommendation from Staff**

Staff recommends that the City Council approve Final Map No. 70848 for the division of the vacant lot at 3000 Paseo Del Mar.

Staff report prepared by:  
Stacey Kinsella  
Planning Department

**TO: JOSEPH HOEFGEN, CITY MANAGER**  
**FROM: ALLAN RIGG, PLANNING DIRECTOR**  
**DATE: JULY 27, 2010**  
**SUBJECT: PLANNING COMMISSION ACTIONS OF JULY 20, 2010**

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The items attached were acted upon by the Planning Commission on July 20, 2010.

The Council may, within fifteen days after the date of the decision on or before the first day following the first Council meeting after the date of the Planning Commission decision, whichever occurs last:

1. Confirm the action of the Planning Commission and grant or deny the application;
2. Set the matter for public hearing and dispose of it in the same manner as on an appeal; or
3. Amend, modify, delete, or add any condition of approval which the Council finds is not substantial under the circumstances relative to or affecting the property subject to the application for a development entitlement. Any determination of the Council pursuant to this paragraph shall be conclusive and final.

In the event the Council does not take one of the actions specified above within the period of time required, the decision of the Planning Commission shall be final.

Recommendation:

Receive and file.

Agenda Item #: 9  
Meeting Date: 7/27/10

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**  
**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**  
**SUBJECT: COUNTY WEED ABATEMENT CHARGES FOR FISCAL YEAR 2009/10**  
**DATE: JULY 27, 2010**

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**The Issue**

Should the City Council approve the charges for performing weed abatement services on 47 private properties within the City as determined by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures?

**Background and Analysis**

At the City Council meeting of February 23, 2010, the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures (County) provided the City with their annual lists for weed abatement proceedings. The City Council reviewed this list and declared that these properties are a public nuisance and have weeds growing, and brush, rubbish, refuse, and flammable vegetation within and around the property. The City held a public hearing to allow private property owners to protest the County's assessment of their respective properties. Any resident who wished to protest the fee could show that weed abatement services were provided as required and that the property was subsequently inspected by the County. No residents protested the fees.

The County has now submitted a list of charges they incurred in performing the weed abatement services. Once approved by the City Council, the weed abatement charges will be passed on to the individual property owners who have received the service. These charges will appear as a direct assessment on the property tax bill.

For Fiscal Year 2009/10, the County inspected and/or abated weeds on 47 parcels with total charges amounting to \$19,359.18. In Fiscal Year 2008-09, weed abatement charges were assessed for 52 properties, totaling \$19,266.62.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Confirm the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during Fiscal Year 2009/10.
2. Confirm the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during Fiscal Year 2009/10, with modifications.
3. Deny the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during Fiscal Year 2009/10.

### **Recommendation from Staff**

Staff recommends that the Council open the public hearing, receive public input, close the public hearing, and confirm the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during Fiscal Year 2009/10.

### **Fiscal Impact**

There will be no budget impact to the City. Charges for performing weed abatement services on the 47 private properties within the City, as determined by the County of Los Angeles Agricultural Commissioner during Fiscal Year 2009/10, amount to \$19,359.18. These costs are paid for entirely by the respective property owners.

Staff report prepared by  
Floriza Rivera  
Public Works Department



**TO: JOSEPH M. HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PLANNING DIRECTOR**

**SUBJECT: INTRODUCE AND ADOPT THE 2010 SELF-CERTIFICATION  
RESOLUTION NO. R10-13; ADOPTING THE LOCAL DEVELOPMENT  
REPORT FOR THE CONGESTION MANAGEMENT PROGRAM**

**DATE: JULY 27, 2010**

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**The Issue**

Should the City Council introduce and adopt the 2010 Self-Certification Resolution R10-13, adopting the Local Development Report for the Congestion Management Program?

**Background and Analysis**

The Traffic Congestion Relief and Spending Act of 1990 (Proposition 111) was passed by voters in November of 1990. One of the stipulations of Proposition 111 requires counties with urbanized populations greater than 50,000 to develop a Congestion Management Plan (CMP). Because Los Angeles County exceeds this population, a CMP was developed.

In order to verify that the City has taken the necessary actions and is in conformance with the CMP, the Metropolitan Transit Authority (MTA) requires each participating agency to submit the attached resolution of compliance and implement the following three actions:

- 1) The City must adopt and continue to implement a transportation demand management (TDM) ordinance. On January 26, 1993, the City adopted a TDM ordinance, which shows evidence of promoting alternative transportation methods and fulfills this requirement.
- 2) The City must adopt and continue to implement a land use analysis ordinance that is intended to consider the regional transportation impact of new development. All development projects, which are required to prepare an Environmental Impact Report (EIR) based on local determination, shall be subject to the Land Use Analysis Program and shall incorporate into the EIR a CMP Transportation Impact Analysis (TIA). This ordinance was passed by the City Council on March 9, 1993.
- 3) The City must adopt a Local Development Report (LDR) on an annual basis. The LDR is a report on the net development in the City, within the last year. This year's LDR is attached.

In the past, the Congestion Management Program required the City to report both the quantity of local growth, as well as transportation improvements intended to offset local growth. The MTA kept track of “points” for each jurisdiction, subtracting points for increased development and adding points for transportation projects, requiring cities to maintain a positive point balance. In recent years, the MTA has received feedback from cities with concerns regarding the effectiveness of this approach. In response to these concerns, the MTA is currently conducting a study on the feasibility of modifying their existing process and implementing a congestion mitigation fee. While this study is underway, the CMP requirements for maintaining a positive credit balance are suspended. At this time, the City is required only to report development activity and not transportation improvement strategies. A new reporting format, the “Local Development Report” (LDR), has been devised to account for these changes.

This year the City’s net development activity consisted of 1 dwelling unit. The net is derived from the number of new homes (11) minus the number of homes demolished (10). These quantities are reflected in the attached LDR.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Introduce and adopt the 2010 Self-Certification Resolution, R10-13, adopting the Local Development Report for the Congestion Management Program.
2. Decline to act.

### **Recommendation from Staff**

Staff recommends that the City Council open the public hearing, receive public input, close the public hearing and adopt the 2010 Self-Certification Resolution, R10-13, adopting the Local Development Report for the Congestion Management Program.

Staff report prepared by:  
Stacey Kinsella, Planning Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST  
STACEY KINSELLA, ASSOCIATE PLANNER

SUBJECT: UPDATE AND OVERVIEW ON MUNICIPAL GREENHOUSE GAS  
INVENTORY AND ESTABLISHMENT OF AN EMISSIONS REDUCTION  
TARGET FOR MUNICIPAL FACILITIES

DATE: JULY 27, 2010

### **ISSUE**

Should the City Council adopt the suggested Municipal Greenhouse Gas Emissions Reduction Target of a 10% reduction below 2005 levels to be achieved by 2020 as proposed by the Environmental Advisory Committee?

### **BACKGROUND**

In July 2008, City Council adopted Resolution R08-21, committing to climate protection. This initiative was largely prompted by the State's adoption of Assembly Bill (AB) 32, which is designed to reduce greenhouse gases to 1990 levels by 2020 statewide, with the long range goal requiring an 80% reduction from 1990 levels by 2050. Further, Senate Bill (SB) 375 advances AB 32 by taking a regional approach to greenhouse gas targets focusing on land use and transportation strategies. At this point, there are no specific requirements for reductions at the local government level; however, local governments are essential to the state meeting its goal. Therefore, it is the responsibility of local governments to establish reduction targets and develop strategies to reach those goals.

In 2008, among many other South Bay cities, the City of Palos Verdes Estates joined the International Council on Local Environment Initiatives (ICLEI) to assist in our climate protection efforts. ICLEI set forth five milestones to guide member cities towards a reduction in emissions. These milestones include:

1. Conducting a local emissions inventory and forecast of greenhouse gas emissions
2. Adopt an emissions reduction target
3. Draft an action plan to achieve the target
4. Implement the action plan
5. Evaluate, report on progress and update plans

**CITY COUNCIL AGENDA**  
**JULY 27, 2010**

### ***Inventory Report (Milestone 1)***

Through the South Bay Environmental Services Center (SBESC), the South Bay Cities Council of Governments (SBCCOG) has assisted South Bay cities by conducting carbon emission inventories for municipal facilities. At the June 23, 2009 City Council Meeting, the City of Palos Verdes Estates' Municipal Greenhouse Gas Emissions Inventory report was presented.

The Municipal Greenhouse Gas Emissions Inventory report includes data on City facilities from years 1990, 2005 and 2007. While the year 1990 is the baseline year for some protocols, including AB 32, records are not available and are mostly estimated. It was determined by SBESC, through the recommendation of ICLEI, to concentrate on data that was reliable. Thus, 2005 was determined as the baseline year since more accurate data was available for all South Bay cities that participated in the inventory. The year 2007 acts as an interim year, which captures comparison from the baseline year.

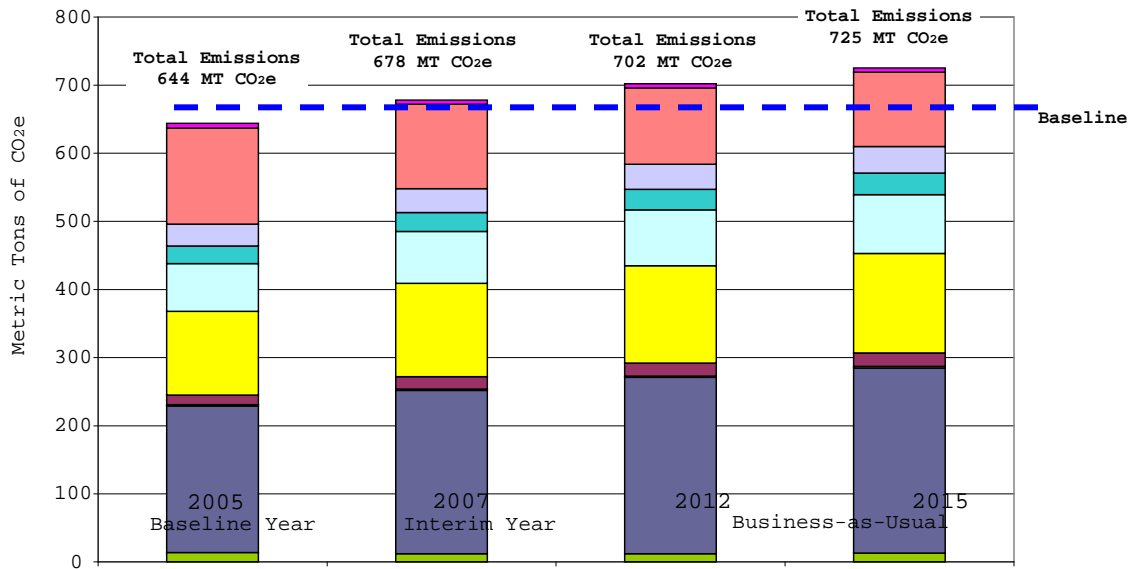
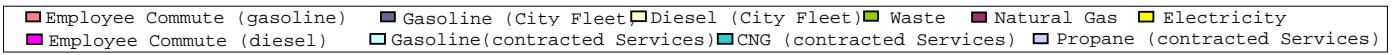
The City's 2009 Municipal Greenhouse Gas Emissions Inventory was updated by the SBESC in October 2009 (updated report attached) to accommodate several factors ensuring consistency in reporting and formulas among all South Bay cities. These factors include:

- 1) Changes in Scope 3 to reflect updated PV Transit data
- 2) Due to ICLEI software upgrades, the Business-as-Usual Forecast was modified
- 3) Adjustment of employee commute data to capture the employees that worked during the report period who may not have responded to the initial survey distributed.

It is important to keep in mind that emissions noted are an approximation of the GHG emitted in the years inventoried. The results should be used as a policy and planning tool rather than a precise measurement of GHGs. Emissions estimates are subject to change as better data and calculation methodologies become available.

The following chart reflects Business-as-Usual projections:

**CITY COUNCIL AGENDA  
JULY 27, 2010**



***Environmental Advisory Committee***

Per Council direction in June 2009, an internal Environmental Advisory Committee (EAC) was created comprising five staff members from each City Department. The EAC is tasked with first reviewing the inventory report and analyzing its findings, then recommending a carbon emission reduction goal for Council adoption (Milestone 2). To date, the EAC has met five times over the last year. The members are as follows:

- Jaylin Albao (Police Department)
- Anthony Mendoza (Streets & Parks)
- Lori Yamasaka (Finance)
- Stacey Kinsella (Planning)
- Alexa Davis (City Manager)
- Heidi Aten (SBESC Representative)

Following the adoption of the reduction target, the EAC will work towards creating a Climate Action Plan (Milestone 3) to achieve this goal. After City Manager and Department Head review, the proposed Climate Action Plan will be forwarded to City Council for review and adoption. Another very important responsibility for the EAC is to establish a solid and consistent recordkeeping system to be used within their respective departments. This will ensure that future gathering of greenhouse gas data will be easy to retrieve and to track in order to monitor progress on a regular basis.

**ANALYSIS**

***Reduction Recommendation (Milestone 2)***

**CITY COUNCIL AGENDA  
JULY 27, 2010**

Palos Verdes Estates is a very unique City with a distinct character. A major part of that distinction includes the fact that it is a small, bedroom community and the municipal facility operations are likewise very modest. Thus, the Environmental Advisory Committee recognizes that a municipal reduction target should mirror the operations of the City and also be reasonable. The EAC therefore recommends that the City Council approve **a 10% reduction in GHG emissions below baseline levels to be achieved by 2020 for municipal operations.** In order to achieve this goal, the City will need to implement a variety of energy savings programs, which will be identified and implemented over the next year and beyond, as described later in this report.

A 10% reduction in GHG emissions translates to a total emissions goal of 580 metric tons, which is a reduction of 98 metric tons from current levels (approximately 10 metric tons being reduced per year over ten years).

To put these quantities in perspective, staff explored various reduction scenarios utilizing the Climate and Air Pollution Planning Assistant (CAPPA) software to determine some of the larger feasible and realistic measures for our City. Two scenarios preliminarily explored, as demonstrated on the following chart, would provide a savings of 15 metric tons (MT). Metric Tons is the common international measurement for the quantity of greenhouse gas (GHG) emissions. The standard conversion factor for GHGs is one metric ton, which equals approximately 2,204.6 pounds.

#### Example of Measures to Reduce GHG Emissions

GHG Reduction Measures	Program/ Project	Benefit to the Local Government/Community
<b>Energy Efficient Buildings:</b> <ul style="list-style-type: none"> <li>• estimated annual kWh saving 27,467</li> <li>• estimated annual <b>GHG saving 8 MT</b></li> </ul>	<ul style="list-style-type: none"> <li>• Upgrade HVAC w UV emitters</li> <li>• Replace old HVAC units</li> <li>• Grants, rebates and incentives are associated with these projects</li> </ul>	<ul style="list-style-type: none"> <li>• Energy Cost Savings</li> <li>• Reduce GHG Emissions</li> <li>• Improves Energy Efficiency of Municipal Facilities</li> </ul>
<b>Vehicle Fleet:</b> <ul style="list-style-type: none"> <li>• estimated annual cost saving 26,671</li> <li>• estimated annual <b>GHG saving 7 MT</b></li> </ul>	<ul style="list-style-type: none"> <li>• Replace up to 2 applicable vehicles with alternative fuel vehicles, where/when applicable</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce GHG Emissions</li> <li>• Fuel Cost Savings</li> </ul>

### ***Reduction Scenarios – Considered, but not Recommended***

As a point of comparison, many cities within our region signed onto the “Cool Cities” agreement (U.S. Mayors Climate Protection Agreement), which refers to the Kyoto Protocol calling for a **7% reduction below 1990 levels by 2012, equivalent to a 20% reduction from 2005 levels by 2020**. As previously mentioned, records for 1990 levels are not only sparse, but may be inaccurate. Furthermore, the 2012 period does not allow for the proper research and implementation of sustainable programs. In order to achieve a 20% reduction by 2020, the City of Palos Verdes Estates would need to reach a total emissions goal of 515 metric tons for its municipals facilities, which is approximately 163 metric tons below the most recent 2007 levels (reducing approximately 16 metric tons per year over the next 10 years). The prospect of making such significant changes in the City’s operations in a two-year period is not realistic and this level of energy savings cannot be achieved in this short time frame.

Many other cities across California have relied upon the Scoping Plan outlined by AB 32, which recommends local governments reduce emissions **15% by 2020**. To achieve a 15% reduction by 2020, Palos Verdes Estates would need to reach a total emissions goal of 547 metric tons, which are approximately 131 metric tons less than current levels. Should we follow suit with the recommended 15% reduction, the City would need to reduce approximately 13 metric tons per year over the next 10 years. While this reduction scenario is more stringent than the 10% staff recommendation, it may be possible over time to achieve this level of energy savings. However, given the small size of our municipal operations, it is important to note that the 15% reduction is approximately 50% more than the 10% targeted reduction. Even the 10% reduction below baseline levels will have its challenges, thus staff did not feel it appropriate to set a reduction goal that would be even more difficult to achieve.

It is important to note that the U.S. Mayors Climate Protection Agreement and AB 32 reduction target recommendations are specifically referring to overall reductions, which include both municipal and community reductions. This report and recommendation as presented targets only municipal operations.

### ***Other Possible Projects to Achieve Reduction***

In this preliminary review, the EAC noted areas that would need further review and possible action in order to achieve a 10% reduction by 2020. These include:

1. Replace applicable vehicles with alternative fuel vehicles, where/when applicable. Upon the EAC’s review, there are up to 10 vehicles eligible to be replaced with an alternative fuel vehicle. Upon the need to replace one of the eligible vehicles, the EAC would have potential, cost-efficient options established for Department Head consideration.
2. HVAC system upgrades.
3. Explore other electricity reduction options - some examples include:

- a. Identify Peak load reductions (Mon-Fri 12 p.m.-6 p.m.), encouraged by South Southern California Edison through their Energy Leadership Program.
  - b. Conduct an electricity audit (recommended by Southern California Edison to be completed every 4-5 years).
  - c. Computer power down programs.
  - d. Review of sprinkler/irrigation electricity usage and any reduction elements that can be implemented.
4. Explore natural gas reduction options, such as the water heater and furnace.
    - a. Conduct a natural gas audit.
5. Review City service contracts to determine if there are measures that can be identified to reduce emissions in the City.
    - i.e. - Waste hauler to utilize alternative fuel vehicles for work performed in the City.

All of the above require further research into the logistics and funding options available (if a cost is involved). Once that research is completed and measures or projects are identified, it would be part of the City's Climate Action Plan (CAP), which is designed to plan the steps toward greener, more sustainable municipal operations.

***Additional Sustainable Projects to Consider***

While the goal is to ultimately reduce greenhouse gas emissions, the Committee will also review other measures as part of a comprehensive Climate Action Plan. Not all actions will necessarily result in a reduction to greenhouse gas emissions, but it is the intention of the committee to have all actions compliment an overall green program that also addresses conservation and education. The following are examples of these types of projects:

1. Continue usage of “green” cleaning products currently used in both the janitorial and carpet cleaning contracts.
2. Install a water filtration system for drinking water in lieu of bottled drinking water (keeping an emergency supply available at all times).
3. Educate Employees on ways they can reduce and conserve in the workplace.
4. Offering No Drugs Down the Drain, or a comparable program, periodic drop-off for employees and residents.
5. Offering a Battery Drop-Off for employees and residents and identifying an entity that will haul these and other hazardous materials away

***Next Steps***

Once Council adopts a reduction goal, the committee will begin Milestone 3 by developing a Climate Action Plan (CAP). The Environmental Advisory Committee will work closely with the



City Manager and Department Heads to ensure that the Climate Action Plan, specifically to municipal operations, will include measures most appropriate for City operations, with careful consideration to cost, resources, time, and long-term effects of each action.

### **FISCAL IMPACT**

There are no immediate fiscal implications associated with adopting a reduction target. However, certain programs to be implemented in the future to achieve energy savings may have upfront costs to the City. The reduction target is merely intended to be the goal, not requirement, for a Climate Action Plan. Please keep in mind that the EAC is tasked with researching grants, rebates, and alternative funding to assist, if not pay for, the cost of proposed projects.

### **RECOMMENDATION**

It is recommended that the City Council adopt the suggested Municipal Greenhouse Gas Emissions Reduction Target of a 10% reduction below 2005 levels to be achieved by 2020, with periodic review to determine if the goal can be adjusted to recognize a further reduction, and direct the Environmental Advisory Committee to proceed with developing a formal Climate Action Plan to achieve the 10% reduction goal.

### **ALTERNATIVES AVAILABLE TO COUNCIL**

1. The Council may choose to adopt the suggested Municipal Greenhouse Gas Emissions Reduction Target of a 10% reduction below 2005 levels to be achieved by 2020, with periodic review to determine if the goal can be adjusted to recognize a further reduction, and direct the Environmental Advisory Committee to proceed with developing a formal Climate Action Plan to achieve the 10% reduction goal.
2. The Council may modify the suggested Municipal Greenhouse Gas Emissions Reduction Target.
3. Decline to Act.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: JUDY SMITH, ASSISTANT CITY MANAGER  
ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

SUBJECT: ADOPTION OF RESOLUTION R10-15; APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE PUBLIC SERVICE EMPLOYEES ASSOCIATION

DATE: JULY 27, 2010

**ISSUE**

Shall the City adopt Resolution R10-15 approving the Memorandum of Understanding between the City and the Public Service Employees Association to be effective July 1, 2010?

**BACKGROUND**

The City has been engaged in negotiations with the Public Service Employees' Association. The Public Service Employees' group consists of 10 full-time employees and 4 part-time employees performing administrative, clerical, maintenance and other support work for the City. Negotiations were concluded with an agreement mutually approved by representatives of the Association and the City. The Agreement is the result of a positive and fair negotiation conducted in a professional and straightforward manner.

Due to the continued current economic uncertainty, this agreement (attached) is for a one-year period (July 1, 2010 –June 30, 2011) and provides the following:

1. A one-time stipend of \$500 per full-time employee and \$250 per part-time employee, in-lieu of salary increase, to be paid on Friday, September 24, 2010.
2. An increase of \$75 per month (\$1,105 total per month) to the City's monthly contribution toward the medical insurance cap effective July 1, 2010.

The \$75.00 increase in the monthly insurance contribution by the City will partially offset higher health and dental insurance premiums, which went into effect on July 1, 2010.

**ALTERNATIVES AVAILABLE TO COUNCIL**

**CITY COUNCIL AGENDA  
JULY 27, 2010**

1. The City Council may choose to adopt Resolution R10-15.
2. The City Council may choose not to adopt Resolution R10-15.
3. The City Council may postpone adoption of Resolution R10-15.

### **CONCLUSIONS AND RECOMMENDATION**

It is recommended that the City Council adopt Resolution R10-15 approving the Memorandum of Understanding amending the terms and conditions of employment for the Public Service Employees' Association effective July 1, 2010.

### **BUDGET IMPACT**

The one-year contract is \$11,400, which represents an aggregate 1.47% increase in total compensation for employees within this unit.

**TO: JOE HOEFGEN, CITY MANAGER**

**FROM: DANIEL DREILING, POLICE CHIEF**

**SUBJECT: RESOLUTION R10-14 ADJUSTING PARKING CITATION FINES BY \$10 PER VIOLATION**

**DATE: JULY 27, 2010**

**Issue:**

Should the City Council adopt Resolution R10-14 increasing parking citation fines by \$10 per violation?

**Background and Analysis:**

In early 2009, SB1407 imposed an additional \$4.50 surcharge on parking fines for the State Courthouse Construction Fund. This brought the total state surcharges on local parking tickets to \$9.50. As a result of SB 1407 and in order to offset the surcharge, the City Council in April 2009 adopted Resolution R09-11 which increased the City's parking fine schedule by \$5 per violation category. The vast majority of fines went from \$30 to \$35. At the time and based upon our citation volume, it was estimated the net additional 50 cents per citation that would be retained by the City would generate \$1,700. Because we had a significant stock of existing parking citations, the fine amounts were modified by affixing labels on the citations. Police Department personnel performed this task.

Cities have been alerted by the League of California Cities that a likely outcome of the state budget process will be a new \$3 parking violation surcharge to help fund trial court operations. The proposed surcharge is not currently part of any Senate or Assembly bill, but according to the League is part of the proposed budget and if approved, would take effect October 1, 2010. If this added surcharge is not recovered, it would directly result in reduced revenue to the city.

In anticipation of a need to modify our fine amounts, staff conducted a survey of the surrounding municipalities' current parking fine schedules. Even without considering the new surcharge, it was noted that current fees assessed for parking violations for Palos Verdes Estates are consistently low. Since fine amounts vary even within the same municipality, depending upon the violation, the chart below compares two separate violations: Red Curb and Timed Parking. The information indicates our current parking citation fines are \$10 lower than the median fine of the South Bay cities surveyed.

**CITY COUNCIL AGENDA  
JULY 27, 2010**

City	Red Curb	Timed Parking
El Segundo	\$40	\$40
Hermosa Beach	\$50	\$45
Inglewood	\$70	\$47
Long Beach	\$46	\$46
Lomita	\$50	\$45
Manhattan Beach	\$45	\$45
Redondo Beach	\$40	\$40
Torrance	\$39.50	\$39.50
<b>Mean/Average</b>	<b>\$47.50</b>	<b>\$43.43</b>
<b>Median</b>	<b>\$45.00</b>	<b>\$45.00</b>
<b>Palos Verdes Estates</b>	<b>\$35</b>	<b>\$35</b>

At this time, and irrespective of the pending additional \$3 surcharge, staff is recommending a \$10 increase in the bail schedule for each violation. We are recommending the change at this time because our citation stock is extremely low and we need to reorder. To avoid the potential scenario of needing to affix labels to reflect a revised fine schedule later this year, staff would like to be able to place the order with the fines that would also protect the City in the event of the \$3 surcharge. In the past, we usually order 10,000 citations at a time in order to receive appropriate volume discount.

Please note, if the state surcharge is approved, it is likely surrounding jurisdictions would revise their bail schedule to recoup the fee. If the state surcharge is not approved, the \$10 increase in our fines brings us into parity with surrounding jurisdictions.

In the 2009 calendar year, the Police Department issued 2,229 parking citations. Assuming the same number of citations for 2010, the City could lose approximate \$6,687 if the surcharge is not incorporated into our parking bail schedule. Using the same estimated number of citations for 2010, the additional \$7 would result in \$15,603 increased revenue for the City.

**Alternatives Available to the City Council:**

- Adopt Resolution R10-14, adjusting the bail schedule to increase paid parking citations by the \$3 to cover the anticipated State surcharge increase.
- Adopt Resolution R10-14 to increase the bail schedule to \$10 per paid parking citation to cover the State surcharge increase as well as any future expense(s) incurred by the City.
- Deny Resolution R10-14, taking no action at this time which will result in lost revenue to the City.

**Recommendations:**

Staff recommends that the City Council adopt Resolution R10-14 amending the bail schedule increasing the paid parking citation fines by \$10 in order to 1) achieve parity with the fees charged by other agencies, and 2) to accommodate an anticipated increase in the State surcharges placed on all parking citations.

**Budget Impact:**

If the \$10 increase is adopted, the Resolution will result in an increase in revenue from paid parking citations of approximately \$22,290 annually, reduced to \$15,600 with the anticipated State surcharge.