

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

**November 23, 2010**

**A regular meeting of the City Council of the City of Palos Verdes Estates was called to order this day at 7:40 p.m. in the City Council Chambers of City Hall by Mayor Humphrey.**

**PLEDGE OF ALLEGIANCE**

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

**ABSENT: None**

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

**MAYOR'S REPORT – none**

**CONSENT AGENDA**

Mayor Pro Tem Rea asked that Item 5h (Planning Commission M-787-10) be removed and heard on a future date.

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

- MINUTES OF CITY COUNCIL MEETING OF NOVEMBER 9, 2010
- CITY TREASURER'S MONTHLY REPORT – OCTOBER 2010
- FINANCE MONTHLY REPORT – OCTOBER 2010
- AMENDMENT TO THE PALOS VERDES BEACH AND ATHLETIC CLUB FY 2010-11 CAPITAL BUDGET IN THE AMOUNT OF \$11,000.
- PLANNING COMMISSION ACTIONS OF NOVEMBER 16, 2010

**NC-1401-10;** Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 4048 Via Solano. Lot 10, Block 6310, Tract 7143.  
Owner: Gary & Julianne Nelson

**Action: Approved with conditions**

**NC-1396/GA-1476/SC-131/M-786-10;** Consideration of Neighborhood Compatibility, Grading, Sports Court and Miscellaneous Applications for a new single family residence located at 908 Via Mirada. Lot 5, Block 1733, Tract 8652.

Owner: Heather & Clay Ramsdell

**Action: Approved with conditions**

**NC-1397/GA-1477-10;** Consideration of Neighborhood Compatibility and Grading Applications for a new second story deck and rear yard terrace at the single family residence located at 1477 Via Coronel. Lot 88, Block 1751, Tract 30905.

Owner: Mr. & Mrs. Savar

**Action: Approved with conditions**

**NC-1395-10;** Consideration of a Neighborhood Compatibility Application for additions and a new second story deck at the single family residence located at 2309 Via Acalones. Lot 17, Block 1638, Tract 7330.

Owner: Mr. & Mrs. Kleinhesselink

**Action: Approved with conditions**

**NC-1399-10;** Consideration of a Neighborhood Compatibility Application for second story additions and new balconies at the single family residence located at 2313 Via Carrillo. Lot 10, Block 2206, Tract 7141.

Owner: Peter & Lily Orsburn

**Action: Approved with conditions**

**NC-1402/GA-1480-10;** Consideration of Neighborhood Compatibility and Grading Applications for a new single family residence located at 616 Via Bodega. Lot 4, Block 6223, Tract 6887.

Owner: Robert & Jeanne Rutkay

**Action: Approved with conditions**

**GA-1459R/M-789-10;** Consideration of revised Grading and Miscellaneous Applications for the new single family residence located at 1820 Paseo Del Sol. Lot 8, Block 1550, Tract 7333.

Owner: Yulong Huang

**Action: Approved in part and denied in part**

**COMMUNICATIONS FROM THE PUBLIC - none**

**ORDINANCE**

**INTRODUCTION OF ORDINANCE 10-698; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES AMENDING TITLE 15 OF THE PALOS VERDES ESTATES MUNICIPAL CODE BY ADOPTING THE 2010 EDITIONS OF THE**

## **CALIFORNIA CODES AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO**

Director Rigg reported that every three years the California Building Standards Commission (BSC) updates the International Codes governing construction practices in California. Affected state agencies review these codes, amend them, and the BSC adopts them in Title 24 of the California Code of Regulations. After the State Code is published, every City and County throughout the state must adopt the Codes, with an opportunity to include more stringent local amendments based on local geological, topographical and/or climatic conditions. Starting in 2007, the State clamped down and limited the ability for local cities to amend the Codes which does create more consistency between cities, but does take away some of the local authority. The State of California published and made available the 2010 edition of the California Code of Regulations in July 2010.

Councilmember Goodhart commented that the last time the City updated these Codes, an article was placed in the City Newsletter informing residents of the Code changes.

It was moved by Mayor Pro Tem Rea, seconded by Councilmember Perkins, and unanimously approved to waive further reading and introduce Ordinance 10-698 adopting the 2010 California Building Code and other Codes regulating construction activities.

## **NEW BUSINESS**

### **AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO UPDATE THE CITY'S PAVEMENT MANAGEMENT SYSTEM IN THE AMOUNT OF \$25,920 TO HARRIS & ASSOCIATES.**

Director Rigg reported that PVE uses a Pavement Management System (PMS) to manage the condition of and improvements to the streets and alleys within the City. The PMS divides the City into seven geographical areas. Each year the PMS is used in one of the seven areas to determine what pavement treatments are needed within this area – slurry, overlay, etc. The PMS is in need of updating as the last update was completed in 2003 and 2010 is the last year covered under the program. During development of the PMS, the consultant will review current methods of maintenance and rehabilitation to asphalt roadways and determine if there are now methods that are more effective and economical. The use of the rubberized slurry has been problematic and PVE would like to evaluate newer methods. Staff recommends continuing to work with Harris and Associates as the original report was very effective and they worked well with the City. Staff contacted Harris & Associates in order to get the best product and to save money. The original price was \$34,000 and after negotiations a price of \$29,920 was agreed to – the original 2003 PMS was \$25,000.

Councilmember Goodhart asked if this contract was below the threshold where bids are required. Director Rigg responded that this is a Professional Services Agreement which gives the Council the ability to award a contract on a qualification based selection. In this case, the Council has the added benefit of Harris being the best qualified in 2003 and their performance of the previous contract.

It was moved by Councilmember Goodhart, seconded by Mayor Pro Tem Rea, and unanimously approved to award a Professional Services Agreement in the amount of \$25,920 to Harris & Associates to update the City's Pavement Management System.

### **IMPLEMENTATION OF TRAFFIC CALMING MEASURES ON VIA DEL MONTE FROM 789 VIA DEL MONTE TO VIA CORTA**

Director Rigg reported that traffic concerns on Via del Monte have been raised by residents many times over the years. Based on these concerns, in 2004 the City commissioned a study of possible traffic calming measures on Via del Monte from Via Rincon to Via Corta. In 2005, the Traffic Safety Committee evaluated a number of traffic calming measures and approved a plan, a toolbox of measures, which residents could then ask to be implemented if they wanted traffic calming measures applied on Via del Monte. Between 2005 and recently, no groups of residents on Via del Monte have come forth with any traffic calming applications. An application was recently submitted based upon measures identified within the 2005 report. Staff worked with a traffic engineer to develop a plan with a few modifications from what was suggested in the original report. There are three particular measures being proposed for installation: 1) additional signage, 2) additional striping, and 3) speed cushions. The first two measures do not have a lot of controversy or cost associated with them. The residents want to raise the awareness of speed limits to drivers and bicyclists. This can be accomplished by posting "Radar Enforced" on speed limit signs and adding speed limit pavement markings. The third measure of installing speed cushions would be a new implementation to the City. These are designed with spaces between them allowing fire trucks to pass over without impacting speed. There are very strict guidelines regarding where these speed cushions are allowed to be implemented on vertical and horizontal grades and have been reviewed by the traffic engineer. There are two locations on Via del Monte where speed cushions can be implemented. A blind vote was conducted to the residents that would be directly impacted as required by the Traffic Calming Program. There was a 91% approval rating. Speed cushions are bolted down to the street which allows for easier removal or modification if needed. If any of these measures are approved, they will be subject to a review by the Traffic Safety Committee in six months. The entire cost of these measures is approximately \$19,000 and there is a current budget of \$10,000 for traffic calming. If awarded, a budget adjustment would be necessary.

There was discussion regarding the difference between speed bumps, speed humps, and speed cushions.

There was discussion regarding the notifications to residents. Director Rigg remarked that the residents that would have a cushion directly in front of their home were specifically notified.

Councilmember Bird asked when speed humps were installed on Via Valmonte, did the City hear opposition from emergency personnel regarding a slower response time. Director Rigg said that there was opposition from emergency personnel. Councilmember Bird asked if, indeed, there was a slower response time. Director Rigg did not have an answer the question, but said he had not heard any complaints except some concerns of alleged diversion of traffic onto Via Nivel. Councilmember Bird said that there is actually no data to support that there is a slower response time for emergency vehicles.

Councilmember Bird asked why the City is not allowed to install speed humps on Via del Monte. Director Rigg said when the Traffic Calming Program was developed it was felt that the speed humps would have too much of an impact on emergency vehicles. Councilmember Bird said the same arguments were heard regarding Via Coronel and Via Valmonte and they “didn’t bear fruit.”

Mayor Pro Tem Rea wondered if this would be the proper time to clarify that the white line markings on our roads are not bike lanes by adding “Share the Road” or “Bike Lane Ends Here.” Director Rigg responded that the consensus of the residents and the Traffic Safety Committee was that the problem is more of the bicyclists not adhering to traffic laws and that posting a “Share the Road” would have the opposite effect by empowering the bicyclists.

Mayor Pro Tem Rea asked if there is a way to modify the distance between the speed cushions. Director Rigg said it could be modified, but if it is modified for police cruisers than regular vehicles could get around them also.

Councilmember Perkins was also concerned with the trade-off of increased traffic safety versus slower response times. She asked the Police Chief if he was aware of any impediment to emergency vehicles due to traffic calming measures in other parts of the City. Chief Dreiling said he was not aware of impediments and he is not aware of any data – but he believes response time is slowed somewhat. Councilmember Perkins said that where these speed cushions would be installed, vehicles would have to slow down for sharp turns anyway – she was not sure a few seconds would be statistically significant.

Councilmember Perkins asked if bicyclists are subject to speed limits. Chief Dreiling said they are - and the posted limit is the safe speed for the conditions - the safe speed for a bicycle could actually at a slower speed than for a car.

Director Rigg said staff could prepare some statistical data for evaluation at a six-month review, if the measures are approved. He said staff could also do some before and after tests of response times from Via Corta to some point on Via del Monte for comparison.

Councilmember Goodhart attended the Traffic Safety Committee meeting where this item was discussed. He noted four major resident concerns: 1) downhill speed all along Via del Monte, 2) bicycle speeds and running of stop signs, 3) accidents that are not being reported to the Police Department – like mirrors being broken off of cars, and 4) driver behavior. He said all of the measures will not work if they are not enforced by the Police Department. He asked Chief Dreiling to increase the enforcement in this area as it is a substantial problem. He is a bicyclist himself and has an odometer on his bike. Chief Dreiling said that approximately 5% of the citations issued are for Via del Monte. In the last month over 20 citations have been written on Via del Monte. The Police Department has indentified six or more streets in the City prone to excessive speed and has a program of rotating enforcement measures for these particular streets.

Councilmember Bird was concerned that upper Via del Monte was not included in the traffic calming measures. He spoke to several residents that were concerned with excessive speed and safety issues on upper Via del Monte. He asked that the issue be tabled until additional studies can be done to include upper Via del Monte for a more accurate picture. Mayor Humphrey was in favor of proceeding and suggested the residents of upper Via del Monte submit an additional Traffic Calming Application. Councilmember Goodhart commented that the issue was brought up during the Traffic Safety

Committee by residents of Gatos Place. The upper and lower lengths of Via del Monte are represented by two separate Homes Associations and it was the Malaga Cove Homeowners' Association that brought the Traffic Calming Application to the Traffic Safety Committee. Director Rigg said the program is designed to respond to residents' concerns as the City does not want to impose these types of measures without support from the residents who will be impacted. He commented that if the calming measures are installed on lower Via del Monte and are successful, the residents of the upper area will more than likely submit an application to install similar traffic calming measures in their area also. Councilmember Perkins felt that it makes sense to go ahead with the first phase of calming measures as the residents have gone through the appropriate process and there is overwhelming support to implement the traffic calming measures. She said we will see if there is interest from the residents of upper Via del Monte, to implement similar measures, at the six month review. Director Rigg said he would be happy to provide copies of the traffic study to upper Via del Monte residents; the study includes the upper area also.

Mayor Pro Tem Rea commented that Via del Monte is a main arterial street through the City and he would like to see the City make the effort to advertise the Traffic Safety Committee six-month review meeting in order to hear the opinions of all impacted parties.

It was moved by Councilmember Perkins, seconded by Councilmember Goodhart, and unanimously approved by a roll call vote to implement traffic calming measures on Via del Monte from 789 Via del Monte to Via Corta.

## **STAFF REPORTS**

### **City Manager's Report**

City Manager Hoefgen announced that at the next meeting he will present an update of the City Manager's Work Program. The results of the City Hall seismic study and the Golf Club budget will also be presented.

## **DEMANDS**

It was moved by Mayor Pro Tem Rea and seconded by Councilmember Bird that the demands, as approved by a majority of the City Council, totaling \$232,296.28 be allowed and it was unanimously approved.

It was moved by Mayor Pro Tem Rea and seconded by Councilmember Bird that the demands, as approved by a majority of the City Council, No. 518435V, 518534 to 518605 totaling \$567,772.93 be allowed and it was unanimously approved

## **MAYOR & CITY COUNCILMEMBERS' REPORTS - none**

## **ADJOURNMENT**

CITY COUNCIL  
NOVEMBER 23, 2010

There being no further business before Council the meeting was adjourned at 8:45 p.m. to Tuesday, December 14th, at 7:30 p.m. in the City Council Chambers of City Hall.

RESPECTFULLY SUBMITTED,

MICHÉLE D. MONSON, MINUTES SECRETARY

APPROVED:

ROSEMARY HUMPHREY, MAYOR