

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

October 12, 2010

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 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

CLOSED SESSION: Council recessed to Closed Session at 6:33 p.m.

• CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Designated Representatives: City Manager Hoefgen

Employee Organization: Management and Confidential Employees

RECONVENE: Council reconvened at 7:30 p.m.

PLEDGE OF ALLEGIANCE

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

Mayor Humphrey announced there was no reportable action from the Closed Session.

MAYOR'S REPORT – Matters of Community Interest

CONSENT AGENDA

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

- MINUTES OF CITY COUNCIL MEETING OF SEPTEMBER 28, 2010
- MONTHLY FINANCIAL REPORT – SEPTEMBER 2010
- ACTION OF JOINT CITY COUNCIL, PLANNING COMMISSION, AND HOMES ASSOCIATION MEETING OF OCTOBER 6, 2010
- ESTABLISH A FEE FOR CANDIDATE STATEMENTS CONSISTENT WITH THE REQUIREMENTS OF RESOLUTION NO. R96-47 IN THE AMOUNT OF \$275 FOR THE MARCH 8, 2011 GENERAL MUNICIPAL ELECTION
- ADOPT RESOLUTION NO. R10-24 APPROVING AN EASEMENT AGREEMENT WITH THE SOUTH BAY CITIES SANITATION DISTRICT OF LOS ANGELES COUNTY GRANTING A NON-EXCLUSIVE EASEMENT FOR PURPOSES OF CONSTRUCTING AND MAINTAINING A RETAINING WALL WITHIN THE PASEO LUNADO CANYON EAST OF THE INTERSECTION OF VIA CARRILLO AND PASEO LUNADO TO PROTECT AGAINST SLOPE FAILURE AND POTENTIAL DAMAGE TO THE DISTRICT'S TRUNK SEWER LINE THAT TRAVERSES THE AREA AND AUTHORIZE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

- SPECIAL EVENT APPLICATION FOR COMPASSIONATE FRIENDS TO HOLD THEIR LOCAL EVENT OF THE WORLDWIDE CHILDREN'S MEMORIAL CANDLE LIGHTING ON DECEMBER 12, 2010 FROM 6:00 P.M. TO 9:00 P.M. AT NEPTUNE FOUNTAIN IN MALAGA COVE PLAZA

COMMUNICATIONS FROM THE PUBLIC - none

PUBLIC HEARINGS

NEW BUSINESS

RESOLUTION SUPPORTING PROPOSITION 22 – THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION ACT OF 2010

City Manager Hoefgen reported that in 2004 voters approved Proposition 1A which provided a basic level of protection for local government revenues. Proposition 22 would close loopholes that have enabled the state to continue to tap local government revenues for state budget purposes.

Councilmember Perkins moved, it was seconded by Mayor Pro Tem Rea and unanimously approved by roll call vote to adopt Resolution R10-23 supporting Proposition 22 – The Local Taxpayer, Public Safety and Transportation Act of 2010 on the November 2, 2010 California General Election ballot.

Mayor Humphrey asked that the Council's action on this matter be reported to the local press.

RESOLUTION R10-20 CALLING FOR THE ELECTION OF CERTAIN CITY OFFICERS AND RESOLUTION R10-21; REQUESTING THE COUNTY REGISTRAR PROVIDE CERTAIN SERVICES RELATING TO THE CITY'S GENERAL MUNICIPAL ELECTION – MARCH 8, 2010

Assistant City Manager Smith reported that the PVE General Municipal Election will be held Tuesday, March 8th, 2011. The two resolutions before the Council start the process for the election calendar. Resolution R10-20 calls for the election of three members of the City Council and R10-21 requests the County Registrar to provide services to assist PVE in conducting the election. The election code governs the dates for the process. The nomination period will open on November 15, 2010 and close on December 10, 2010. If an incumbent Council member does not file papers, an extended filing period will be entered ending December 15, 2010.

It was moved by Mayor Pro Tem Rea, seconded by Councilmember Bird and unanimously approved to adopt Resolution R10-20 calling for the election of City officers, and Resolution R10-21 requesting the Los Angeles Board of Supervisors to have the County Registrar/Recorder provide certain election services.

CONSIDERATION OF A REQUEST BY THE CITY OF LOS ANGELES TO CONSOLIDATE THE PRIMARY NOMINATING ELECTION FOR MEMBERS OF THE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES WITH THE GENERAL MUNICIPAL ELECTION OF THE CITY OF PALOS VERDES ESTATES TO BE HELD MARCH 8, 2011 AND ADOPTION OF RESOLUTION R10-22

Assistant City Manager Smith reported that the City of Los Angeles' election falls on the same date as other general municipal elections within Los Angeles County. The City of Los Angeles conducts elections on behalf of the L.A. Unified School District and also the Community College District. The Community College District has jurisdictional boundaries that are contiguous with PVE. Since 2003, PVE has agreed to hold a consolidated election for the Community College District Board of Trustees. In the event that PVE cancels its election due to the number of candidates equaling the number of available offices, the City of Los Angeles will come and conduct their election for the Community College District. This consolidation benefits PVE as the costs of the election are shared.

It was moved by Councilmember Bird, seconded by Councilmember Goodhart and unanimously approved to accept the request to consolidate the City of Los Angeles Primary Nominating Election for the Los Angeles Community College District Board of Trustees with the City of Palos Verdes Estates General Municipal election of March 8, 2011, and adopt Resolution R10-22

SPECIAL EVENT APPLICATION FOR PALOS VERDES ART CENTER'S "HOMES TOUR EXTRAORDINAIRE" AND BOUTIQUE TO BE HELD APRIL 15 AND 16, 2011

City Manager Hoefgen indicated the Palos Verdes Art Center (PVAC) has conducted its annual homes tour for over 20 years. This year the theme is "Historic Palos Verdes." All four homes are located in PVE and participants will ride shuttle buses to visit the homes. Next year the PVAC building will be undergoing remodeling and the organizers are unable to hold the shopping boutique portion of the event at the center. The boutique consists of 12 individual vendors either under one large tent or individual tents. In the Special Event Application, the PVAC originally proposed that the boutique sale take place at Olmsted Place from the flagpole toward the Malaga Cove Plaza side. The staff report lists some of staff's concerns regarding the use of Olmstead Place. There have been a number of discussions back and forth with PVAC regarding where to allow the boutique to take place. One of the alternatives is to have the boutique share the Malaga Cove Plaza lawn with the PVAC regular (Spring to Fall) monthly art show. The PVAC has agreed to this compromise.

Councilmember Bird asked if the regular PVAC art show dates could be changed for this event. Ann Willens, Director of PVAC, responded that the art shows have been taking place for over 40 years on the same weekend and some feel that the homes tour will bring additional customers to the art show and MC Plaza businesses.

Ann Willens said they conceive of having the artists on one side of the large pine tree and the boutique will be on the other side. She said she has asked the City to block off the perimeter of the parking lot so the businesses are not affected by event. Additionally, they have asked the three plaza restaurants for bids on catering the lunch. She also noted that the homes addresses are not printed on the tickets; all participants will be shuttled from the First Christ Scientist Church on Via Campesina to the homes and then to MC Plaza for the boutique and lunch.

Mayor Humphrey thanked Ms. Willens for agreeing to have the two events share the MC Plaza lawn.

Councilmember Bird thanked the PVAC for their willingness to have volunteers directing pedestrian traffic if necessary. He asked if it was the PVAC's preference to be in MC Plaza lawn or Olmsted Place. Ms. Willens said their preference would be Olmsted Place, but they like MC Plaza and understand the problems with using Olmsted Place. They are willing to pay for a police officer to direct traffic as well as volunteers in MC Plaza to keep things orderly. She said they have been running this event for about 25 years so they are well versed in how to do it properly. She also commented that the Art Center actually started in Malaga Cove Plaza.

Councilmember Perkins wanted to clarify that PVAC was willing to pay for a police officer whether the boutique was located on Olmsted Place or MC Plaza.

Councilmember Goodhart said he reviewed the staff report and the concerns raised by staff. He has attended the art shows in MC Plaza and it is usually very crowded already. He wondered if the Palos Verdes Drive West entrance between MC Plaza and Olmsted Place were blocked off, whether the tents could be placed there. Mayor Humphrey said this was discussed at the Mayors meeting and she was not comfortable with that option as there would not be access for emergency vehicles.

Mayor Pro Tem Rea said he had asked staff about using the island area surrounding Neptune Fountain, but there were concerns with this area being in the middle of a parking lot.

Councilmember Goodhart said that the small portion of street could be blocked and the traffic flow through the parking lot would not be interrupted. Mayor Humphrey was not in favor of this option due to concerns with emergency vehicle access being blocked. She was also in favor of placing a police officer directing traffic.

Nancy Bond, co-chair of the PVAC Home Tour and PVE resident, has been looking since summer for a place to hold the boutique due to the planned remodel of the PVAC. She looked at Farnham Martin Park and believed it is too much of a slope for the tents. She was in favor of barricading the entry from PVDW between the MC Plaza and Olmsted Place. She thought this would be the perfect spot for the shuttle bus to pull in and safely disembark passengers. Councilmember Goodhart and Mayor Humphrey were still concerned with pedestrian safety. Ms. Bond believed that dropping passengers on PVDW would decrease the amount of available parking.

Ann Willens said the PVAC would work closely with the City to figure out the best solution for traffic flow and safety. It would be fitting to have the event in Malaga Cove as next year will be the PVAC 80th anniversary.

Mayor Humphrey asked the City Manager who the PVAC should work with to work out the logistics. Manager Hoefgen said the point of contact would be Administrative Analyst Alexa Davis.

Councilmember Bird was in favor of allowing the event to take place on Olmsted Place as it is a public area and PVAC is a very deserving and responsible group. He does not believe there would be enough room for the dual events using just the MC Plaza lawn. The event will end at 4:00 p.m. each day and will not impede Friday's commuter traffic, especially with a traffic officer in place. Secondly, if it becomes necessary to close a street or two to allow the event, he believes that the police department has expertise to make that safely happen. He supports approving the Special Event Application and allowing the boutique to be held on Olmsted Place and, if necessary, overflow on to MC Plaza.

Councilmember Goodhart said his idea of blocking off part of the street was due to his not being comfortable with Olmsted Place being covered in tents. What he hadn't thought of was the fact that if Council allows the PVAC to hold a one-time event on Olmsted Place then another group can come along and want to hold an event there also. His compromise would be to allow use of Olmsted Place on the east side of the flagpole only, but then there would be pedestrian traffic going across the street. Hence, the idea of placing barricades to block off the entrance from PVDW.

Mayor Humphrey said she was willing to leave it to staff to work out the best plan for safety.

Councilmember Perkins said her idea was closer to Councilmember Goodhart's position. She did not like the idea of using Olmsted Place due to safety concerns with pedestrians and traffic. She did like the idea of keeping the boutique on the northeast side of the flagpole only if there is no safety issue with closing the street access. With a large number of people there will need to be access for emergency vehicles – she would defer to staff for protocol for street closures. She thought it may be safer to block the entrance from PVDW. Nancy Bond said that was the PVAC's initial thought also. Councilmember Perkins would be in support of Councilmember Goodhart's proposal as long as there are no safety issues. If the street must stay open she would not support the use of Olmsted Place.

Mayor Humphrey said the City has been approached by other groups to use Olmsted Place and it has been declined since it is a designated memorial.

Mayor Pro Tem Rea said he had also been concerned about using Olmsted Place due to the same concerns of the other Council members. He said his compromise was a suggestion to use the island around Neptune Fountain, but this area is in the middle of the parking lot with cars moving all around it. He was happy to hear that the PVAC agreed to share MC Plaza area.

Councilmember Goodhart said he is worried that an additional 10 or so tents on MC Plaza would make it too crowded.

Mayor Humphrey asked the PVAC if the Art Show could be held on another weekend, but it has been a long standing event and they do not want to change the dates and think that the boutique will bring additional customers.

Councilmember Goodhart believes that having the 10 tents on the east side of the Olmsted Place flagpole along with barricades on the PVDW entrance would relieve some of the pedestrian congestion on the MC Plaza lawn.

Councilmember Perkins said it is not the Council's role to micro-manage the exact solution. She wondered if the PVAC could have a reduced number of artists at this event on Friday, and the full number on Saturday. Ann Willens said they will probably have to limit the number of artists who participate.

Councilmember Bird said he was in favor of the compromise that Councilmember Goodhart suggested to use the area northeast of the flagpole on Olmsted Place. He asked Chief Dreiling if the Council did authorize the use of this area of Olmsted Place and close the entrance to PVDW to accommodate traffic, the placing of tents and the shuttle stop - would there be any issue impeding public safety or emergency vehicles. Chief Dreiling said if the Council proposes to place tents on the east side of Olmsted Place, closing the access road from PVDW would be essential. He believes it could be done, but he would have to sit down with the Public Works Director and staff and work out how it could work. It has been done in the past. Councilmember Bird asked if there were any emergencies at any location that closing the access road would make it impossible for emergency vehicles to respond to. Chief Dreiling would like to place barricades only and not tents on the street in order to make it safer and easier for vehicle access.

Mayor Humphrey said she feels the Council has no objection to the use of MC Plaza and, if deemed safe, the use of a portion of Olmsted Place and a portion of the street.

It was moved by Councilmember Goodhart, seconded by Councilmember Bird, and unanimously approved by a roll call vote to approve the Special Event Application for the Palos Verdes Art Center home tour at four residential properties within the City limits and, if deemed to be safe by the Police Chief, the northeast portion of Olmsted Place with provisions for barricading for public safety for the Art Center's vendor boutique Friday and Saturday, April 15 and 16, 2011 from 10:00 a.m. to 4:00 p.m.

STAFF REPORTS

City Manager's Report - none

DEMANDS

It was moved by Councilmember Perkins and seconded by Councilmember Goodhart that the demands, as approved by a majority of the City Council, totaling \$225,160.45 be allowed and it was unanimously approved.

It was moved by Councilmember Perkins and seconded by Councilmember Goodhart that the demands, as approved by a majority of the City Council, No. 518158V, 518301 to 518370 totaling \$96,365.00 be allowed and it was unanimously approved

MAYOR & CITY COUNCILMEMBERS' REPORTS - none

ADJOURNMENT

There being no further business before Council the meeting was adjourned at 8:20 p.m. to Tuesday, October 26, 2010 at 7:30 p.m. in the City Council Chambers of City Hall.

RESPECTFULLY SUBMITTED,

MICHÉLE D. MONSON, MINUTES SECRETARY

APPROVED:

ROSEMARY HUMPHREY, MAYOR