

February 23, 2010
6:30 P.M.
City Hall
Council Chambers

**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. R10-05
NEXT ORDINANCE NO. 10-697**

CALL TO ORDER

CLOSED SESSION (6:30 p.m. – 7:30 p.m.)

- **PUBLIC EMPLOYMENT**
Title: City Attorney
Pursuant to Government Code Section 54957

At the conclusion of the Closed Session, the Council may reconvene to Open Session to take formal action on any item discussed, as it may be deemed appropriate.

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PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S REPORT – Matters of Community Interest

CONSENT AGENDA (Items 1-6)

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, with the exception of Planning Commission Actions – Item #6a-f. An applicant or interested citizen who wishes to appeal any Planning Commission decision 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. Minutes of City Council Meeting of February 9, 2010

Recommendation: Review and File.

2. Treasurer's Report – January 2010

Recommendation: Receive and File.

3. Monthly Financial Report – January 2010

Recommendation: Receive and File.

4. Approval of Extension of Banking and Custodial Services Agreements with Union Bank

Recommendation: It is recommended that the City Council approve the agreements with Union Bank for Banking and Custodial Services, under the terms and conditions as specified, including an additional five year term and expiration date of March 31, 2015.

5. PW-566-09; Completion of Contract for the Thorley Place Street Improvements and FY 2009-10 Curb and Gutter Replacement Project

Recommendation: It is recommended that the City Council accept as complete the construction PW-566-09, Thorley Place Street Improvements and FY09-10 Curb and Gutter Replacement Project in the amount of \$29,885; and direct the City Clerk to file

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the Notice of Completion, and release the 10% retention 30 days after the County Recorder's office records the Notice of Completion, if no stop notices are filed.

6. Planning Commission Actions of February 16, 2010

Recommendation: Receive and File.

- a. **CDP-76/NC-1368/GA-1460/M-737-09;** Consideration of Coastal Development, Neighborhood Compatibility, Grading and Miscellaneous Applications for a new single family residence located at 721 Paseo Del Mar. Lot 4, Block 1432, Tract 6886.

Applicant: Marsha S. Scully & Associates, Inc.
4555 Comber Ave.
Encino, CA 91316
Owner: Robert & Michele Feller
2409 Via La Selva
Palos Verdes Estates, CA 90274

Action: Approved (3-2, Vandever and King dissenting) with standard conditions and the following additional conditions: 1) A licensed survey of the building height shall be completed and submitted to the City to verify compliance with the approved height for the subject lot; 2) All nonstandard encroachments, including the existing short wall, shall be removed.

- b. **CDP-77 -09;** Consideration of a Coastal Development Application for a new trellis at the single family residence located at 217 Rocky Point Road. Lot 23, Tract 17606.

Applicant: George Shaw
28101 Lobbrook Dr.
Rancho Palos Verdes, CA 90275
Owner: Mr. & Mrs. Peter Kelly

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

- c. **CUP-85-09;** Consideration of a Conditional Use Permit Application for a new café/bakery/flower shop at 430 Via Corta. Lot 14, Block 1617, Tract 6885.

Applicant: Yellow Vase
Saab & Morgan Sanjar
1805 S. Catalina Ave.
Redondo Beach, CA 90277
Owner: Nancy Barnett
1428 Via Cataluna
Palos Verdes Estates, CA 90274

Action: Approved (5-0) with standard conditions and the following additional condition: 1) This project shall be subject to annual review by the City.

- d. NC-1376/GA-1465/M-753-09; Consideration of Neighborhood Compatibility, Grading, Sports Court 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 and the following additional conditions: 1) Approve Miscellaneous application M-753-09 with the exception of the following: the trellis on the southwest side of the property is to be removed and the nonconforming driveway is to be built per City standards; 2) A licensed survey of the floor area shall be completed and submitted to the City to verify compliance with the approved floor area for the subject lot; 3) City standard curb shall be installed per construction plans prepared by a registered Civil Engineer and approved by the City Engineer.

- e. M-747-09; Consideration of a Miscellaneous Application for a wall exceeding the maximum allowable height within the required setback at the single family residence located at 1201 Via Descanso. Lot 9, Block 2306, Tract 7537.

Applicant/Owner: Richard & Selene Fuchs

Action: Denied (4-1, Thomas dissenting).

- f. M-755-10; Consideration of a Miscellaneous Application for nonstandard parking pads within the City right-of-way at the single family residence located at 1825 Paseo Del Sol. Lot 7, Block 1541, Tract 6884.

Applicant: Ashai Design Corp.
21515 Hawthorne Blvd., #975
Torrance, CA 90503
Owner: Suren & Kala Jain
924 Via Mirada
Palos Verdes Estates, CA 90274

Action: Denied (5-0).

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 – 7:30 p.m.

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

7. Protest Hearings of the City Council of the City of Palos Verdes Estates Declaring that Weeds Growing Upon or in Front of, and Brush, Rubbish, Refuse, and Dirt Upon and in Front of Certain Improved and Unimproved Private Properties in the City are a Public Nuisance, and Declaring its Intention to Provide for the Abatement Thereof

Recommendation: It is recommended the City Council open the protest hearing in accordance with Resolution R10-03 for unimproved properties, and at the conclusion of the hearing, adjust the list according to the protests heard and adopt a minute resolution directing the County Agricultural Commissioner's Office (CACO) to inspect and abate weeds, brush, rubbish, and refuse as necessary on unimproved lots contained in the adjusted list.

It is also recommended that the City Council open the protest hearing in accordance with Resolution R10-04 for improved properties, and direct the Los Angeles County Fire Department to inspect all improved properties before affirmation of the final list.

ORDINANCE

Actions to introduce or adopt an ordinance shall be deemed to have the title read and further reading waived.

8. Introduction of Ordinance 10-696; Amending Chapter 9 the Palos Verdes Estates Municipal Code Pertaining to Picketing

Recommendation: It is recommended that the City Council introduce Ordinance 10-696; titled "An Ordinance of the City Council of the City of Palos Verdes Estates Amending Chapter 9.05 of the Palos Verdes Estates Municipal Code Relating to Picketing."

OLD BUSINESS

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NEW BUSINESS

STAFF REPORTS

9. City Manager's Report

DEMANDS

10.
 - a. Authorize Payment of Motion #1 – Payroll Warrant of February 19, 2010
 - b. Authorize Payment of Motion #2 – Warrant Register of February 23, 2010

Recommendation: Authorize Payment of Motions #1 and #2.

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO TUESDAY, MARCH 9, 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, February 24, 2010, at 7:30 p.m., and Wednesday, March 3, 2010, at 7:30 p.m.*