

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

May 24, 2011

A regular meeting of the City Council of the City of Palos Verdes Estates was called to order this day at 7:30 p.m. in the City Council Chambers of City Hall by Mayor Rea.

PLEDGE OF ALLEGIANCE

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

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, Executive Asst./Deputy City Clerk Kroneberger

MAYOR'S REPORT – Matters of Community Interest

Mayor Rea reported on his attendance, along with Councilmember Goodhart, Chief Dreiling and City Manager Hoefgen, at the South Bay Area Police & Fire Medal of Valor Ceremony, where PVE Police Officers Dave Blitz and Richard Delmont received Distinguished Service Awards on May 11th, noting that former PVEPD Officer Michael Mitchell was also honored with the Sustained Superiority Award for his career work.

Mayor Rea reported that the Palos Verdes Beach and Athletic Club's expanded Summer Swim program/lessons are open to non-members and quite a few have registered; sign-ups are still available.

CONSENT AGENDA

It was moved by Councilmember Goodhart, seconded by Mayor Pro Tem Bird and unanimously approved that the following Consent Agenda items (except for Agenda Item #12j - Planning Commission Action for NC-1417-11 for 3401 Via Palomino; Mayor Rea recused himself, citing potential conflict of interest due to the proximity of his residence to the project) be approved:

- CITY COUNCIL MINUTES OF MAY 10, 2011
- TREASURER'S MONTHLY REPORT – APRIL 2011

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- RESOLUTION R11-09; REVISED GENERAL FUND BALANCE POLICY IN CONFORMANCE WITH PROVISIONS OF THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD – STATEMENT NO. 54
- OPPOSITION TO SENATE BILL 474 PROHIBITING INDEMNIFICATION AGREEMENTS IN LOCAL CONTRACTS
- PW-579-11; AWARD OF THE ANNUAL CITYWIDE TREE TRIMMING CONTRACT FOR FY 11-12 AND FY 12-13
- PW-580-11; AWARD OF CONSTRUCTION CONTRACT FOR THE COMPLETION OF THE FY 2011-12 OVERLAY PROJECT
- PW-581-11; AWARD OF CONSTRUCTION CONTRACT FOR COMPLETION OF THE FY 2011-12 SLURRY SEAL PROJECT
- SPECIAL EVENT APPLICATION AND REQUEST TO POST SIGNS FOR THE PALOS VERDES INDEPENDENCE DAY CELEBRATION ON MONDAY, JULY 4, 2011 AT THE MALAGA COVE SCHOOL GROUNDS
- SPECIAL EVENT APPLICATION FOR THE LUNADA BAY HOMEOWNERS ASSOCIATION “SUMMER CONCERTS IN THE PARK” AT LUNADA BAY PARK
- SPECIAL EVENT APPLICATION FOR THE MALAGA COVE LIBRARY TO HOLD A SING-A-LONG EVENT AT FARNHAM MARTIN PARK ON SATURDAY, AUGUST 20, 2011
- PARKLANDS COMMITTEE MEETING ITEMS OF MAY 9, 2011

PC-325-11; Application to remove 1 Liquidamber tree located in the city parkway adjacent to 2704 Via Anita

Applicant: Krista Badagliacca

Action: Approved with conditions

PC-326-11; Application to remove 10 Canary Island pine trees located in the city parkways adjacent to 2001 (1), 1925 (2), 1917 (5) and 1909 (2) Via Coronel

Applicant: Salvador Munoz

Action: Approved with conditions

PC-327-11; Application to remove 3 Canary Island Pine trees located in the parklands adjacent to the rear of 2624 Via Carrillo

Applicant: Arlen Millman

Action: Approved with conditions

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- **PLANNING COMMISSION ACTIONS OF MAY 17, 2011**

Planning Commission Resolution No. 2011-0510; Confirming the Planning Commission's denial of **NC-1405/V-83/M-796-10;** Neighborhood Compatibility, Variance and Miscellaneous Applications for a new single family residence located at 36 Margate Square. Lot 19, Block 1370, Tract 7140.

Owner: John Katnik

Action: Adopted

NC-1415-11; Consideration of a Neighborhood Compatibility Application for additions to the second story deck at the single family residence located at 1716 Espinosa Circle. Lot 1, Block 1485, Tract 6889.

Owner: Susan Overman

Action: Approved with conditions

NC-1420-11; Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 3905 Via Solano. Lot 2, Block 6201, Tract 6887.

Owner: Adrian & Susan Foley-Gang

Action: Approved with conditions

M-806-11; Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 1341 Via Margarita. Lot 7, Block 8, Tract 7538.

Owner: Tim & Fifi Moore

Action: Approved with conditions

M-808-11; Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 4124 Via Picaposte. Lot 7, Block 6316, Tract 7143.

Owner: Kelly Barry

Action: Approved with conditions

WT-115-10; Consideration of a Wireless Telecommunication Facilities Application for equipment proposed within the City right-of-way adjacent to 2827 Via Victoria. Lot 7, Tract 30393.

Applicant: NextG Networks

Action: Denied

CDP-82/NC-1416/GA-1483-11; Consideration of Coastal Development Permit, Neighborhood Compatibility and Grading Applications for a new single family residence located at 3000 Paseo Del Mar. Parcel 1 of parcel map 70848, PMB 367-12-14.

Owner: Michael & Gina Mulligan

Action: Approved with conditions

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NC-1412-11; Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 4124 Via Solano. Lot 11, Block 6312, Tract 7143.

Owner: Mr. & Mrs. Berry

Action: Approved with conditions

NC-1413/GA-1482-11; Consideration of Neighborhood Compatibility and Grading Applications for a new single family residence located at 3613 Palos Verdes Drive North. Lot 14, Block 6210, Tract 6887.

Owner: Keith Rutherford & Kimiko Inoue

Action: Approved with conditions

NC-1417-11; Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 3401 Via Palomino. Lot 9, Block 1901, Tract 6883.

Owner: Andrew & Kristin Curren

Action: Approved with conditions

NC-1419/GA-1486/M-814-11; Consideration of Neighborhood Compatibility, Grading and Miscellaneous Applications for a new single family residence located at 1501 Chelsea Road. Lot 13 & a portion of 14, Block 1350, Tract 7140.

Owner: Robert & Sharon Coors

Action: Approved with conditions

M-783R-11; Consideration of a revised Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 2816 Via Anacapa. Lot 5, Block 2232, Tract 7144.

Owner: Don & Dianne Ecker

Action: Approved with conditions

M-805-11; Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 560 Via Del Monte. Lot 20, Block 1713, Tract 6885.

Owner: Tina Yeh

Action: Approved with conditions

COMMUNICATIONS FROM THE PUBLIC – No one came forward to speak.

OLD BUSINESS

NEW BUSINESS

REVIEW OF TRAFFIC CALMING MEASURES ON VIA DEL MONTE
(TRAFFIC SAFETY COMMITTEE MEETING ITEM OF MAY 11, 2011)

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- Review of the Via Del Monte Speed Cushions.

Traffic Safety Committee recommended that staff: 1) Remove the existing speed cushions and their corresponding signage and striping from Via Del Monte, 2) conduct a STOP sign warrant analysis for Via Del Monte/Via Pinale, and 3) pursue a traffic circle analysis at Via Del Monte/Via Pinale in the future if a STOP sign is not recommended. (Approved 4-0, Beall absent).

Public Works Director Rigg reported that the Traffic Safety Committee met recently and reviewed traffic calming measures on Via Del Monte--a combination of the speed cushions, signage, and stenciling done several months ago. They made a recommendation to City Council to remove the speed cushions. In review, he said traffic concerns on Via Del Monte had been heard by the Traffic Safety Committee many times. In 2004, consultants were hired to do a traffic study on Via Del Monte to determine different measures that could be undertaken to slow traffic. He commented that the traffic calming measures, most of them by their very design, create inconvenience and negative impacts. He said they tried to come up with the traffic calming measures with the least amount of negative impacts that would be effective on Via Del Monte, which is not an easy task. He described characteristics of the street which necessitated the need for experts--vertical and longitudinal slope, as well as the width, the number of driveways, fairly small lots, and impacts to parking. Katz Okitsu, a traffic engineering firm, came up with conceptual traffic calming measures. He described the traffic calming procedures, per policy, which included neighborhood input and voting procedures. He said until 2010, no group came forward to say they wanted to implement those restrictions—traffic calming measures. Malaga Cove Homeowners Association's application was received, which specifically asked for the speed cushions, signage, and striping. He said they went through a design procedure, Council approved it, and then the cushions, signage and striping were installed in March 2011.

Public Works Director Rigg said Katz Okitsu determined what was the 85th percentile of speeds on Via Del Monte – a measure of the speeds on a street in both directions (or in one direction) that 85% of the cars are going at or below. In theory, this speed is used to figure out at what speed most people will drive a street safely. The 15% above that are determined to be not as safe. He said we use that for studying speed limits; they calculated those numbers to take a look at what were the speeds on Via Del Monte; they were quite high in various areas. [Katz Okitsu] came up with a variety of measures to try to calm the traffic on Via Del Monte; one of them was speed cushions. They did not recommend speed humps because our traffic calming policy adopted by Council in 1999 specifically precluded the installation of speed humps on various streets in the City, including Via Del Monte and PV Drive West. When Katz Okitsu did their study, speed humps were not an option given the adopted policy. The reason we didn't have speed humps as a consideration, he explained, is the impacts to emergency access--both police and fire; so they were not on the table when Katz Okitsu did the study. He said speed cushions were a relatively new measure that was designed for areas like Via Del Monte, because they are skinny enough that a fire truck can drive over the top of them and normal cars cannot get both wheels on either side of them. He'd seen demonstrations. Katz Okitsu provided a summary of measures (speed cushions, bulges, medians, and the like) – in particular, the speed cushions are only proposed at the top and the bottom of the hill because of a design restriction—they are only to be installed in areas where the longitudinal slope is less than 5%. He said in some instances they can go up to 7%, but they try to keep at the 5%, which is why they limit them to these two areas. Suggestions

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from residents to put them up and down Via Del Monte can't be done because of potential safety impacts due to speed and grade. The conceptual plan was provided by Katz Okitsu, as Public Works Director Rigg pointed to the area on PowerPoint, where (two sets of cushions) are installed on Via Del Monte. He described a set of cushions were found to be on a grade that was too steep for them to be installed; there were significant objections from the property owner immediately adjacent to a cushion, and per policy, they do not install cushions immediately adjacent to homes where the people are adamantly against them.

After the Katz Okitsu study, a traffic engineer was hired to do the final design – the actual design plan that was reviewed by the Traffic Safety Committee and Council prior to installation—two cushions and corresponding signage. He said there was a variety of other signage put up to try to slow down the traffic, including more 25MPH signs, more 25 MPH stenciling on the pavement, radar enforced signs, and some signage at the Stop sign. As part of the traffic calming application, they installed the signage, striping, and the speed cushions at the two locations. He showed photos; he described his involvement to make sure they were absolutely per the design specifications, along with the manufacturer's rep and contractor to make sure they were absolutely installed. He described the bumps are at 556/557 Via Del Monte.

After two months, Public Works Director Rigg said they went to the Traffic Safety Committee for review of the traffic calming measures—reiterating that they create positive impacts and they can create significant negative impacts. The Traffic Safety Committee weighs those to determine if they have had significant success with an installation. He said they took significant testimony from the public – a lot of people really loved the cushions; a lot really hated them. He said speed surveys were looked at; they obviously knew that there would be a slowdown of speeds between the cushions; 556/557 Via Del Monte were the closest before-and-after speed surveys we had, and they found that the 85th percentile (an average of both uphill and downhill) was still 35 MPH. The speed cushions and traffic calming devices tried to get the speed down to everywhere on the street, not just immediately at the cushions or devices, to 25 MPH. The Traffic Safety Committee listened to testimony of the public, looked at the speeds, they had their own observations, and comments from the Fire Department voicing concern for response times. The Traffic Safety Committee decided to recommend removal of the speed cushion. Public Works Director Rigg said there was significant concern from the residents that if we're going to go ahead and remove them, that something else be installed, and they committed to look at other measures to try to slow the speeds down on Via Del Monte. Public Works Director Rigg concluded during his tenure with the City, he was struck by the passion of people on this street over the years are absolutely on opposite sides of the issue; it is a tough one. The Traffic Safety Committee was torn; he would love to have measures that we could install that wouldn't create significant impacts and would solve the speeds on Via Del Monte tomorrow. This is why they brought in experts; we had their best opinions. He is committed to still work on the speeds on Via Del Monte regardless of what is decided tonight.

Mayor Rea asked for the scope of tonight's hearing. City Attorney Hogin said they are considering traffic calming on Via Del Monte; that is the full range. Traffic Safety Committee has provided a recommendation and Council can narrowly act on just that or they can look at other alternatives.

Councilmember Goodhart said there have been comments about these speed surveys over time to create the 85th percentile data. He asked how often they were performed, what time of day, and what

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the conditions were when the speed survey was taken. Public Works Director Rigg responded that the speed surveys were all taken at 24-hour count, on a weekday, during the school year. He said they used the speed surveys that Katz Okitsu did, not wanting to spend the extra money knowing that the speeds hadn't really changed over time. Then they recently took the surveys after the cushions had been installed about 5 weeks. Public Works Director Rigg confirmed with Councilmember Goodhart that the method used for surveys conducted was use of tubes stretched across the street with a mechanical counter. Public Works Director Rigg noted that people will slow down when they see the tubes, so they can result in lower readings, and he'd heard that people will speed up to slant a reading. It's a standard used to get the best reading. Public Works Director Rigg confirmed with Councilmember Goodhart that due to problems with the reader, they did readings for several days and the data was as accurate as you can get. Public Works Director Rigg said he'd seen speed surveys done over the course of a week and speeds and volumes will vary 25%; depending on the conditions of the day. He said it is difficult to have an exact view; they take their best measurements under the accepted guidelines and they realize that there is a variation that can occur with those speeds and volumes.

Councilmember Goodhart asked if the people opposed to the cushions, as they're installed, were from the design of the cushions or the nature of the traffic calming device itself. Public Works Director Rigg said a lot of the comments were the impacts caused by the specific device; they had lots of comments inquiring why a speed hump was not installed, as they have elsewhere in the City, adding that it was consistently expressed that would have been a much better and acceptable design at this location. The Traffic Safety Committee didn't have the option of doing a speed cushion because of the adopted traffic calming policy; they were trying to minimize that impact to the emergency vehicles.

Mayor Pro Tem Bird confirmed with Mr. Rigg that everyone agrees there is a problem on Via Del Monte, and confirmed their policy about not allowing speed humps on certain street. Council could decide to modify that policy to allow speed humps on Via Del Monte. Mayor Pro Tem Bird asked for a description of the difference between speed humps, speed bumps, and speed cushions and where else in the City these traffic calming devices may be located. Public Works Director Rigg said they don't utilize speed bumps in the City at all; there are no installations. Speed humps are typically 12 ft. wide, 2-5/8 in. tall, and are basically gutter line to gutter line, and are installed on Paseo Del Campo, Via Valmonte, Via Coronel, Via Rivera, Via Pinale, and Via Ramon – all the same exact design. They do not have any breaks in them for tires; everybody has to go over them equally. Public Works Director Rigg explained that speed cushions are made out rubber, approximately 7 ft. wide, 3 in. tall, with slots in them to allow fire trucks to straddle one cushion towards the middle of the road. He said they work similar to cushions, as far as reductions of overall speeds, although they are a little bit taller, typically each vehicle only has one wheel on top of them, so it is less of an impact. From a design standpoint, he opined that the speed humps have a less jarring impact, which was also expressed by a number of people.

Mayor Pro Tem Bird asked Director Rigg if he was familiar with traffic calming devices in Rancho Palos Verdes on Basswood, south of Granvia [Altamira] and Silver Spur, where there are 5 or 6 speed humps within a half mile of each other in an area that seemingly has more than 5 degrees downhill [slope]. Director Rigg said he would have to study that; [RPV] operates under the same criteria as we do. He recollected they are very similar to the speed humps we have in the City; 12 ft. wide by 2-5/8 to

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3 in. tall is pretty much the standard. Mayor Pro Bird confirmed with Public Works Director Rigg that speed humps are similarly restricted as speed cushions insofar as placement on inclines.

Councilmember Humphrey asked Director Rigg to explain the traffic circle analysis as recommended by the Traffic Safety Committee. Director Rigg said a number of residents expressed that the speed cushions had greatly increased the safety of the Via Pinale/Via Del Monte intersection; it is angled with some limited visibility, especially when making a left from Via Pinale onto Via Del Monte. A positive benefit expressed was that the speed cushions made this intersection significantly safer. The Committee, with their recommendation to take these out and not wanting to revert to the previous situation, asked that the staff undertake a warrant analysis to see if stop signs were actually needed at this location; if stop signs were installed it would help make it a safer intersection compared to what it would be without them, and without speed cushions. The Traffic Safety Committee also asked if the stop signs were not warranted (a specific State regulated process) it was recommended they take a look at a circle as recommended by Katz Okitsu as one of the potential traffic calming measures.

Councilmember Humphrey asked for more information on issues with L.A. County Fire and traffic calming devices. Director Rigg said they've always engaged the Fire Department in the discussion of traffic calming devices because they know there is a concern about response times. In the past, the Fire Department has opposed all the speed humps we have in the City and expressed their concerns, as they did with the speed cushions. The Traffic Safety Committee is trying to balance overall safety as well as a variety of other factors. The Fire Department feels speed humps or cushions may slow down a fire truck or ambulance, but hopefully they have a lot less to respond to because there are less accidents. He said they've taken their input in the past, weighed it, and the Traffic Safety Committee has installed a number of devices. As of January 1st, the Fire Department changed their Code (Title 32) and it has a specific prohibition against traffic calming measures, unless specifically authorized by them. As a matter of Code, there is a prohibition of installing additional [traffic calming measures] in the future, unless they've approved them. He said in his conversations with them, being that we are in a very high fire hazard severity zone, they would oppose anything. If we were to go forward, we would need to make sure to get their approval with any additional speed humps or cushions in the future, or to evaluate it further as a matter of law and decide that we actually can do it.

Councilmember Humphrey confirmed with staff and City Attorney that any traffic calming measures, except for a stop sign would not be allowed by the Fire Department. She asked if all fire departments have [adopted] this Code. Director Rigg said he did not know, but it is in the L.A. County Fire Code.

Councilmember Perkins asked what process would be appropriate if they wanted to change the 1999 policy adopted by Council which restricted traffic humps on certain streets. City Manager Hoefgen responded that it was adopted by minute motion in 1999; a review followed, and it was more formally adopted and amended by resolution. To amend it, it would be a resolution action by the City Council.

Councilmember Perkins said it sounds like if they have less than a 5-7% grade restriction on traffic humps, as well as speed cushions, and asked would adopting an amendment to that resolution to allow speed humps on Via Del Monte enable us to place them on other parts of the street in addition to the parts of the street where we have them now. Director Rigg responded that they probably could; when a cushion, hump or otherwise is placed, there's lots of design requirements--distance from intersections, traffic engineer's judgment regarding placement. Katz Okitsu came up with the two locations-- where

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they were installed and also up above near Paseo Del Sol. They could absolutely be installed up there because it's flat enough.

Councilmember Perkins confirmed with Director Rigg that in the event we do not meet the warrant requirements to install a stop sign, the other option would be to amend our policy to look at traffic humps in the Paseo Del Sol area for calming upper Via Del Monte. Director Rigg explained that stop signs are a regulatory device and they're to be placed at intersections to help drivers define who has the right-of-way. A stop sign installation will get a traffic impact (a slowdown in the area) similar to a cushion, but we're strictly regulated in how they can be placed. If the policy was amended by Council, he explained, speed humps could then be installed on Via Del Monte. She asked about the Fire Department's approval requirement. Director Rigg said it is complicated; there is some rationale for the replacement of a cushion with a hump which isn't subject to that new Fire Department restriction, but the installation of any new ones would be subject to that restriction.

City Attorney Hogin confirmed that Fire Dept. approval for installation of new humps in another location would be required, but replacement of traffic calming measures might be grandfathered-in, such as with a remodel, in an existing location.

Mayor Rea confirmed with Director Rigg that the tube speed surveys were done 200 ft. uphill of the speed cushions, and no testing occurred between them. Director Rigg said they observed that the traffic speed between were probably under 20MPH.

Mayor Rea asked if the tubes pick up bicycle [speeds] and Director Rigg responded that they do not—just vehicles. Director Rigg said they would have to monitor those speeds with a motor officer and do a manual radar gun-type survey of speeds.

The following residents spoke in favor of retaining the existing speed cushions and traffic calming measures on Via Del Monte:

- Lee Herendeen, [resident]
- Matt Hill, [resident]
- Nelu Ardeljan, [resident]
- Andrea Del Guercio, [resident]
- Frank Brajevic, [resident]
- Don West, [resident]
- Elizabeth Kessler, [resident]
- Gilbert Hoxie, [resident] (but not as placed)
- Tom Kessler, [resident]
- Linda Flynn, [resident]
- Tom Rudenko, [resident]
- Denise Dixon, [resident]
- Ray Azar, [resident]
- Elena Pollack, [resident]
- Joanna Rudenko, [resident]
- Brent Flynn, [resident] (insufficient data analysis)
- Steven Beck, [resident]

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Dan Crane, [resident]
Bill Morino, [resident]
Valerie Beranek, [resident]
Lisa Faulkner, [resident]
Travers Wood, [resident]
Carol Boss, [resident]
Alice Shippee, [resident]
Max Shippee, [resident]
Gail Morino, [resident]
Karen Merickel, [resident]
Ray Eastwood, [resident]
Steven Van Sicklen, [resident]
John Dixon, 641 [resident]
Tom Malone, 1617 [resident]
Eugene Vollucci, [resident]
Ginny Dixon, [resident]
Alyssa Hoxie, [resident]

The following speakers were not in support of retaining the speed cushions:

Jim Dutton, [resident]
Rex Farnsworth, Redondo Beach

Captain Ricky Lewis, Los Angeles County Fire Department Fire Prevention Division, stated that he was responsible for the fire life safety and inspection practices for most of the Peninsula and the consensus of the Department's position is that the speed humps are prohibited, but they can be authorized by the fire official. Speed humps increase response time, damage equipment, and any type of increase in response time or delay, talking seconds; seconds are crucial. He noted that 2-3 minutes from the fire station to the address is very crucial, especially to seniors. A fire access road is considered a direct path from the fire station to the address site. The Code says that they want clear access and a clear width of at least 20 ft. on all fire access roads – it can be a private driveway, a public road, alley, easement, etc. They do not want any obstructions. He said if they're going to be kept, it is probably suggested that [the speed cushions] not be removed. If they are removed, then request to reinstall them at a later date, they would be considered a new installation and the new Code prohibits that. He suggested that a Fire Department representative be included in future discussions.

Mayor Rea said he did not see where speed cushions are prohibited in his review of the L.A. County Fire Code. Capt. Lewis said the new Code states that all traffic calming devices—speed bumps and speed cushions-- are included in that definition. He confirmed with Mayor Rea the exception are those approved by the Fire official. Mayor Rea asked, hypothetically, if they have speed cushions on the roadway that are specifically designed to take into account the wheel base of a fire truck, so they don't have to slow down and can go right across, what rational basis would the Fire Department have for saying that we could not have those speed cushions. Capt. Lewis reiterated their position is that they do not want anything obstructing the road. In this particular case, in theory engines or trucks could pass through them when there are no cars parked on the street or no traffic/cars on the road, noting that

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a responding unit may have to cross the center divider [to get] through oncoming traffic. The placement doesn't necessarily mean that every engine would be able to maneuver and go through it. Also, there may be personnel unfamiliar with the jurisdiction/road and the engine operator may not know how to maneuver going through those speed bumps. Slowing down a 14,000 lb. vehicle to 10MPH would still get a lot of vehicular damage and spoke of his personal experience in the area. If the City can prove their case in an appeal to the Fire Marshall, chances are that the installation can be okayed, but there's a chance it could be denied as well.

Mayor Pro Tem Bird asked Captain Lewis if it is fair to say that the FD institutional position is against all traffic calming devices, such as speed humps and speed bumps. Captain Lewis responded, as of January 1st, yes. Prior to that, there wasn't a clear definition of devices; the Code stated that access should be clear without any obstruction; "...and speed bumps" was added. In November of last year, they proposed an ordinance to be effective in January that included (more restrictive) all types of calming measures—speed bumps, speed humps, and the like.

MPT Bird said it is ultimately an issue of law, not to be decided tonight, whether or not this fire ordinance usurped our police power to protect the public in Palos Verdes Estates by installing traffic calming devices without consulting the Fire Department. He said the traffic calming devices we currently have installed (the cushions) have the spaces in between for trucks to go through. He asked if that was sufficient to allow [fire] trucks in the lanes of traffic to right and left of the center divider to traverse that roadway without any impediment or delay.

Captain Lewis responded that without cars parked on both ends or back-and-forth traffic flow, an engine company probably could go through. If cars were parked on both sides and there was oncoming traffic on both sides, there could be a condition where the engine may not be able to go through as the space prescribes. The engine may have to maneuver around or go over it, or go across the center divider line and make it hit the bump. In that case, the operator would have to slow down at least to 10MPH to go through that bump.

MPT Bird asked the captain if he was familiar with that street and the installed traffic safety cushions. Capt. Lewis responded that he drove it last week, but only with his sedan vehicle, not an engine.

MPT Bird asked for an estimate of the number of seconds' delay the bumps would cause. Captain Lewis said he couldn't say; a response may be provided by the engine company with their experience of traveling the street.

MPT Bird said ~40 citizens spoke this evening about the safety issues – getting in/out of their driveways, walking, the inability to have children on the street because of the nature of drivers and cyclists, and the frustration at the possibility of removing what has already been done. As a public safety official, he asked what would be his response. Capt. Lewis said they greatly sympathize and empathize with the City and its effort to curb and slow down traffic and safety relative to traffic. But, they also have to worry about their responding to the City and the residents they serve. He said they do not want to be prolonged or compromised in their response time; none whatsoever. He emphasized that seconds count when going to fires and medical responses. In the event of earthquake or major catastrophe, it is probable their utilities and means of access would be further compromised. To add to

the conflagration with speed bumps or obstructions in the road would greatly diminish their ability to respond in a quick and safe time.

MPT Bird said given the problem as heard tonight one could understand wanting to give up a couple seconds in fire response time for the safety of the residents in the area, and Capt. Lewis confirmed he could understand that position. Capt. Lewis added that they are in the business of trying to get there as quick as they can—seconds without oxygen or a defibrillator could have a different serious outcome. MPT Bird asked him if was against traffic calming devices of all kinds; Capt Lewis confirmed that is the position of the Fire Dept.; they are all prohibited, but the fire official can allow it.

Councilmember Humphrey thanked Capt. Lewis for his participation. She asked him what the process would be should they decide to not only leave [the cushions] there, but to add more. Capt. Lewis responded that any traffic calming or installation devices should be plan-checked by their prevention division submitted by our staff. Janna Massey is the supervisor of the Land and Development unit; the City's plans should go through them for review. A recommendation is made; if that determination is to be pursued further, the City would appeal to the Fire Marshall for the final say.

Councilmember Humphrey confirmed with Capt. Lewis that type of review has not taken place to his knowledge, but that history indicates they are seldom approved. He described lower and wider speed bumps with additional stop signs and signage, in a local South Bay gated community were allowed, but wasn't in a thoroughfare like this.

Councilmember Perkins asked Capt. Lewis if their ordinance applies to a traffic circle as a traffic calming device. Capt. Lewis responded no, there are provisions for turn outs, traffic circles and calming devices of that nature. He confirmed that traffic circles would not require the approval of the Fire Department, although they would still ask for review, although they would have no veto power.

City Attorney Hogin said per the new Fire Code, effective January 1, traffic calming devices are defined as design elements of fire apparatus access roads (all streets) such as street alignment, installation of barriers, and other physical measures included to reduce traffic and cut-through volumes and slow vehicle speeds. She said they are looking at it more broadly, perhaps, than Capt. Lewis maintains.

Mayor Rea described his personal experience driving on Via Pinale en route to the high school and that Via Del Monte cars are slowing down because of the speed cushions. He noted bicycle riders do not slow down, but rather shoot through the cushion gaps. With vehicular traffic, he observed the cyclists typically slow to the speed of the cars, but not so much from the cushions.

Councilmember Perkins shared that she spent numerous hours reviewing the data, reports and all correspondence provided; she then spent time on a Sunday and Monday to observe vehicle and bicycle traffic. She observed similar instances where cyclists shot through the cushions at their regular speed, but that most cars slowed down in between the cushions; particularly, the traffic slowed going uphill. A few cars did slow to a crawl, she observed, to about 5MPH and, if redesigned, opined that this much of a down would be something they want to avoid. She said we do not want people grinding to a halt; we just want them to slow down.

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Councilmember Goodhart lives in the Valmonte area, noting that he is a recreational cyclist and rides this area often. While riding on Via Del Monte, he experienced being passed by a car to his left going downhill into the oncoming/uphill lane attesting to the speeding problem. He said a cyclist must pay attention over the cushions going uphill (~15MPH); coming downhill (~20MPH) he could safety cross over knowing that it was ahead.

MPT Bird said he drives down Via Del Monte at least twice a day for the last 12 year and there has been a speed problem; the most irritating is when someone passes over the double yellow to pass, endangering anyone uphill and downhill. There is no doubt in his mind that after [the speed cushions] were installed he's noticed, anecdotally, a reduction in speed between the signs and further up Via Del Monte; a positive impact.

Councilmember Humphrey commented that she goes up and down [Via Del Monte] regularly and conducted a similar exercise as Councilmember Perkins, by driving and also standing on the side of the road. She observed that people slowed down and noted that the signage also helped. She said speed humps on Via Coronel (her area of residence) have a definite impact on slowing.

Councilmember Goodhart confirmed with Chief Dreiling that revenue from traffic tickets is not substantial enough to fund a police officer full time.

Chief Dreiling reported that of the 1374 citations written in the City last year, 113 were written on Via Del Monte (8%) last year having motor officers all year. We did not have motor officers the first part of the year; we do have officers working on motors now. This YTD, we've written 539 citations in the City; 38 of those on Via Del Monte (7%). Since the speed bumps were installed March 10th until now, 313 citations were written in the City; 29 citations were written on Via Del Monte (9%). Councilmember Humphrey asked how many of those were written to cyclists. Chief Dreiling responded of the 29, 2 cyclists were cited.

Director Rigg pointed out the steepness of Via Del Monte; the slope is almost at 5% at each of the two cushions but changes to 10% or above. It is known that speed cushions are effective, but it is too steep and there is no way more could go in. Responding to a suggestion for speed cameras, he said tickets are thrown out of court; they're not legal; we can't use them. Addressing Fire Department concerns (also heard at the Traffic Safety Committee), if the cushions remain, he said they could do some red curb to minimize the potential impact of adjacent parking. Councilmember Humphrey asked if the affected property owners were present at the Traffic Safety Committee meeting when red curb was discussed. Planning Director Rigg did not know.

Mayor Pro Tem Bird asked City Attorney Hogin if other L.A. County cities have presented traffic calming device applications to the Fire Department for approval. She stated she was not aware. This provision of the Fire Code was something she recently learned; upon researching, she has since found out there has been some controversy within the fire regulations community.

Mayor Pro Tem Bird stated we are a City that has the power to police and protect our citizens and if we should decide that a traffic calming device is in the best interest of our citizens how would the County prevent it. City Attorney Hogin said the Council is addressing competing safety interests and it is true that the City's interests in providing emergency services are to be able to get someone from point A to

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point B as quickly as possible. Concurrently, they need to create a circulatory system for safe residential uses, e.g. so kids can go out or people can walk their dogs—those are directly competing interests. Speed cushions are attempts at addressing competing interests. She said it will be incumbent upon the Fire Dept. to apply this regulation with some rationale. To the extent that they believe a traffic calming measure we're proposing is a real impediment to response times, then they're going to need to help us find something that achieves the goal of calming without creating some significant impediment.

Mayor Rea confirmed with City Attorney Hogin that they are precluded by state law in prohibiting bicycles coming downhill on Via Del Monte for the interest of public safety. City Attorney Hogin said the State Vehicle Code makes bicycles and cars equal users of public streets; it would be an unenforceable law.

Councilmember Humphrey said this has been a problem for a long time and one of the reasons that the City Council adopted traffic calming measures comes is that proposals come from the residents with what types of measures would work well for them. This was pretty much a resident initiative with guidance from the City and she would be very concerned to remove them because the Fire Dept. representative indicated they may not be able to get them back in until they have some other solution. She said it would be good to proceed with stop sign analysis, as recommended by the Traffic Safety Committee. She spoke of enforcement measures, noting that sometimes it's the area residents themselves that are speeding, and all should be responsible. She said additional signage might assist. She did not support taking anything out if they may be precluded from putting them back in.

Councilmember Perkins said they all would agree there is a problem with speed on Via Del Monte. It is also clear that traffic calming measures have a degree of effectiveness; whether through cushions or humps or with the collateral benefit from having a stop sign, cars go slower and it becomes safer. She agreed that they do not want to do anything precipitous by removing anything they would not have the opportunity to replace, but there are a variety of things that they'll want to look at further. She supported review of 1999 policy to explore adding speed humps on the area of upper Via Del Monte, and to know more about the City's rights between public safety and the power the Fire Dept. seems to have to veto some of these measures. She would like to see if they could justify stop signs and to look at the possibility of a traffic circle. Our responsibility is to have safe streets.

Councilmember Goodhart said speed bumps work. He said he doesn't like these, but the ones in Valmonte and Pinale are probably more in character and appropriate than what is there now. Clearly, these work, but the other ones would work as well. He agreed we shouldn't remove these unless they can figure out a way to replace them effectively with the others. The Traffic Safety Committee decision to suggest removal was based on the fact that there were no alternatives and we've learned since that it is City policy not to have speed humps in the ROW other than these; this is a possibility for change and we can fix that. He would like to see the application of the study Katz Okitsu made with traffic circles, narrowing of the roadway, or a raised curb in areas to slow traffic substantially. He said the Fire Dept. are partners in public safety and we have to pay attention to what they say; the issue is a matter of risk and whether if it's better to slow down emergency vehicles or to slow down traffic on this roadway overall. He said they have to work with the Fire Dept. to find an effective way to achieve slowing the cars down. He did not support making changes until they have a better solution. He supported speed humps to replace these [cushions].

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Mayor Pro Tem Bird agreed with the Council members. He thanked the residents who spoke and heard their comments loud and clear. The speed cushions have worked. Traffic calming measures are necessary. A number said safety trumps inconvenience. These speed cushions are inconvenient and he also hated slowing down to not jar passengers in his car or getting in line behind other people, but it is worth it, he opined, because Via Del Monte is safer now as a result of the efforts of the Homeowners Association and everyone who has contributed to get us to where we're at now. Speed humps are better than speed cushions; they are more consistent with our City and would like to see these pursued. Having been the recent beneficiary of emergency response, he was willing to give up 2 seconds for the safety of everybody else who lives on Via Del Monte. He couldn't believe that we've lost the power to create traffic calming devices in our cities due to bureaucracy, so he was willing to be aggressive on that issue with the Fire Department and looked forward to the City Attorney's opinion of the law. He favored denying the Traffic Safety Committee recommendation to remove what's there now. He would like to add to what's there now, either more cushions or humps, up Via Del Monte.

Mayor Rea thanked everyone who attended and voiced his appreciation for all the correspondence and emails received; quite a lot of work and effort went into some of them. He said this is a decision by the Council, it is a not a vote of the neighborhood. He agreed with everything that's been said so far, and he supported keeping these speed cushions as we explore if there is a superior alternative. Staff should continue to examine the expansion of additional traffic calming devices on this street, which would include the recommendations of the Traffic Safety Committee to conduct a stop sign warrant analysis and to analyze the possibility of a traffic circle at Via Pinale. He agreed with Councilmember Perkins and supported review and reexamination of our Traffic Calming Policy adopted in 1999, last revised in 2001. He recalled that it does not address speed cushions. City Council is doing a complete review and overhaul of our Municipal Code; as part of that process we will look at our own Fire Code, currently a blanket adoption of the County Fire Code.

Councilmember Humphrey, concerned about comments regarding loss of seconds in response time, confirmed with staff that the speed cushions were chosen so that emergency vehicles could go over them without a loss of time. She agreed that humps are nicer.

Mayor Rea confirmed with that staff that would it appropriate for Traffic Safety Committee to determine replacement measures only if and when it is determined that we have the legal ability to put anything onto Via Del Monte. Director Rigg added that the Traffic Safety Committee recommendation for analysis and stop sign warrant at the Via Pinale intersection was if the speed cushions came out; he believed it was the opinion of the Traffic Safety Committee that those were not warranted if the cushions remained. He said it would create a better intersection at Pinale/Via Del Monte.

Mayor Rea asked if Council should take action tonight in light of all the discussion. City Attorney Hogin said it sounds as though Council has decided not to accept the Traffic Safety Committee recommendations. She will take Council's direction to do a more complete analysis of what our legal options are and work with Director Rigg and City Manager Hoefgen about how they are going to go forward. City Attorney Hogin said they will also explore the other ideas suggested—stop sign, increased enforcement, new or different signs.

Councilmember Goodhart concurred. He said the Katz Okitsu study dealt with the entire length of Via Del Monte, and it's clear that first step was at the lower part, but the rest of roadway needs to be dealt with. If they were to give direction to staff to finalize the implementation of that study, which slows down traffic throughout, he asked how long this would take. City Attorney Hogin said the study itself deals with a number of different types of traffic calming measures, all of which fall within this definition, and suggested the order of business is to first determine the effect the 2011 Fire ordinance has on the proposals, if any. Once this is organized, they can make a good report to the Traffic Safety Committee and advise to them their available options.

Director Rigg agreed with the need to take that legal step first, and spoke of the reason for the traffic calming policy within the City as being set up to be resident-initiated is because any of these devices can cause significant negative impacts to the residents. He said the exhibit provided indicates lots of median; this negatively impacts parking on Via Del Monte and he hesitated putting together a plan that includes measures which cause additional limited visibility from driveways. As with the cushions, none of these [options] are optimal; he said when they took a look at speeds not just next to the cushions but up the street. 769 Via Del Monte had a decrease from 39 to 33MPH; additional signage put up there and stenciling on the roadway. If they were going to take a direction from this point forward, knowing the significant impacts on any of the Katz Okitsu traffic calming measures, they should work with our traffic engineer to come up with additional signage and striping, perhaps even narrowing the lanes.

Councilmember Goodhart spoke relative to "texas dots" or curbs alongside the insides of curbs. He didn't think losing all parking is necessarily better than slowing traffic. New technology in attention-grabbing speed signs is available. If they are going forth with a City-initiated/supported design to show the residents with less invasive measures, they could still preserve a lot of the character of the neighborhood.

MPT Bird said the speed cushions are in the study; could we pursue installation of the speed cushions up Via Del Monte. Director Rigg said yes, they could go forward with this, after the legal steps [are determined]. Director Rigg said when the Malaga Cove Homeowners Association took a look at the Katz Okitsu plan, they suggested the speed cushions at the bottom [of the street], signing, striping, and stenciling; they didn't choose the medians and different items either. Director Rigg suggested they can do a lot without going into the parking lanes and within the medians; the limitations of left turns into driveways would be very difficult.

Councilmember Humphrey said she supported stop sign analysis; she was not limiting it to just that area. She supported adding additional signage right now, which can only enhance safety and perhaps slow people down earlier because they know what's coming up [ahead].

Councilmember Goodhart asked, after all analysis is completed, when an update could come back to City Council. Director Rigg responded after the legal analysis, about 3-4 months before they could return with a fully designed engineered plan.

Councilmember Humphrey supported an update on the legal analysis first, and then they could proceed.

Mayor Pro Tem Bird said given the amount of time spent and feedback they've been given from the citizens, he asked if they should refer it back to the Traffic Safety Committee or are they in the best position to address and decide upon the recommendations.

Mayor Rea said it is premature to make that decision tonight as they are going towards a motion to deny the recommendations from the Traffic Safety Committee. Staff has been given a great deal of direction as to the desire of the Council; what's to be accomplished in terms of legal analysis, revisiting the Traffic Calming Policy from 1999, and continuing at staff level to explore the alternatives that are available. Whether that should go back to the Traffic Safety Committee or Council can be part of an ongoing discussion. Consensus was indicated.

MPT Bird moved to deny the recommendations of the Traffic Safety Committee of May 11, 2011, seconded by Councilmember Goodhart, and adopted unanimously by oral vote.

Councilmember Humphrey, with concurrence of Council, reiterated direction to staff to conduct a legal analysis of the current L.A. County Fire Code; and to present resulting alternatives to Via Del Monte traffic calming measures, and review and update existing Traffic Calming Measures Policy as discussed.

The Mayor ordered a brief recess at 10:43 p.m. and reconvened the meeting at 10:48 p.m.

CITY HALL SEISMIC SAFETY STUDY REPORT AND FINDINGS

Public Works Director Rigg said per Council direction, staff investigated the structural adequacy of City Hall to withstand earthquakes. Melvyn Green & Associates was contracted, prepared and completed a report. Staff has reviewed the report, found it to be complete and accurate. A critical part of their report is a difference in the analysis from a structural standpoint of buildings as what was done in 1992 when we had a seismic evaluation of the building and retrofits, and what was done today. More attention has been directed to post-earthquake operability of building in the past decade; it is called 'immediate occupancy', or that the building is operable after the earthquake so we can still set up our Emergency Response Center and this building will still be occupiable. When the seismic analysis was done in 1992, it was done to a life safety performance level (the building can fail, but people need to be able to get out safety), which is why there is a difference in their analysis and why they have recommended retrofits. There are suggested upgrades, which can be done within the cost estimate provided, except for interior finishes and nonstructural elements. These are invasive types of items; they are so costly and do not need to be done now because they do not get the benefit if we were to go ahead and do them on their own. Melvyn Green & Assoc. has recommended that we implement those as we do future remodels. The cost estimate they provided does include some contingencies, along with the cost for architectural design services. Architectural and structural drawings would need to be done to implement the work. He said the next prudent step would be to employ and architect/engineer to do the design construction documents and much more detailed costs estimates, which staff estimates will cost ~\$50,000. He said they could either implement the different items within the overall plans, or to do a portion of them, or they could shop for different grants and opportunities for funding. He said there is \$263,000 from the Haig Estate that Council directed we may want to use for the structural upgrades; \$249,000 is left, which is more than adequate to fund the design costs. To implement the entire program, some additional funds would need to be found.

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Councilmember Goodhart confirmed with Director Rigg that we are using the most up to date seismic information in terms of design. He said Melvyn Green is a recognized expert on historic buildings, retrofits, and items like this and assured Council he's using the latest criteria.

Councilmember Goodhart confirmed that the premise of the design would be for the building to be operable as our Emergency Response Center in the event of a major event.

Councilmember Humphrey suggested we include interior finishes and nonstructural elements so we can do it all at once; she confirmed with staff it is not known how much more it would cost. Melvyn Green's judgment was that it would be more effective as part of a remodel; it would be much more expensive at this point. Director Rigg said he could get a cost estimate included with the design.

Councilmember Humphrey said it may be appropriate to include anchoring all equipment and ceiling bracing.

Councilmember Perkins asked if there is additional grant funding support available. Director Rigg said Melvyn Green advises that there are opportunities.

City Manager Hoefgen said authorization to move forward with construction drawings for a minimum of the work as outlined in the report, not including interior finishes and nonstructural elements, with the proviso that we will check with the consultant is suggested. If the cost estimate is within 10% of the construction budget, they would include those elements. If it is more, they would return to Council. We would have to supplement this budget in any event based on these estimates.

Councilmember Goodhart supported funding for the design with these elements included.

Director Rigg said they could create complete construction drawings and then bid out portions of it based on final cost estimates.

Mayor Pro Tem Bird moved to staff to proceed with the engagement of an architectural/engineering firm to prepare construction documents and cost estimates for the implementation of the retrofits identified in the report. The motion was seconded by Councilmember Perkins and was approved by unanimous oral vote.

STAFF REPORTS

City Manager's Report

City Manager Hoefgen reported the prescription drug collection program held in cooperation with the DEA on April 30th was a great success and the City will look to offer the program again in the future. He added that there will be a drug collection program as part of the October Senior Health Fair. He also reported that the P.V. Marathon will be held this Saturday, May 14th and concluded his comments by welcoming Executive Assistant/Deputy City Clerk Vickie Kroneberger to her first Council meeting in this capacity.

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DEMANDS

It was moved by Councilmember Perkins and seconded by Councilmember Humphrey that the demands, as approved by a majority of the City Council, totaling \$225,378.57 be allowed and it was unanimously approved.

It was moved by Councilmember Perkins and seconded by Councilmember Humphrey that the demands, as approved by a majority of the City Council, No. 519461V, 519523 to 519608 totaling \$196,061.14 be allowed and it was unanimously approved.

MAYOR & CITY COUNCILMEMBERS' REPORTS

Councilmember Goodhart reported on his attendance at the League of California Cities' Advanced Leadership Workshop in Sacramento.

Councilmember Perkins reported that she and Councilmember Humphrey represented the City at the annual Lunada Bay Homeowners Association Meeting on May 18th.

ADJOURNMENT

There being no further business before Council the meeting was adjourned at 11:07 p.m. to Tuesday, June 14, 2011 at 4:30 p.m. in the City Council Chambers of City Hall for the purpose of an Adjourned Regular Meeting to conduct applicant interviews for Traffic Safety and Parklands Committees, and Planning Commission.

RESPECTFULLY SUBMITTED,

**VICKIE KRONEBERGER,
EXECUTIVE ASSISTANT/DEPUTY CITY CLERK**

APPROVED:

WILLIAM JOHN REA, MAYOR

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