

October 25, 2011
7:30 P.M.
Council Chambers of City Hall
340 Palos Verdes Dr. West
Palos Verdes Estates

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

Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk and are available for public inspection. If applicable, materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Any person having any question concerning any agenda item may call the City Clerk to make inquiry concerning the item. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk at 310-378-0383, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

The City Council welcomes and encourages public participation at the Council meetings; however, to allow for the orderly progression of business, each person wishing to comment or make a presentation shall be limited to three (3) minutes. Anyone wishing to address the City Council shall 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. R11-36
NEXT ORDINANCE NO. 11-700**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL (7:30 p.m.)

CEREMONIAL MATTERS

- Certificate of Recognition – Blake LaMar, Traffic Safety Committee

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MAYOR'S REPORT – Matters of Community Interest

- Swearing-In of Palos Verdes Estates Resident Disaster Service Workers

CONSENT AGENDA (Items #1 - 7)

All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember, staff, or member of the public requests that an item be removed for separate discussion. An applicant or interested citizen who wishes to appeal any Planning Commission decision (Item #7a-e) may file an appeal with the City Clerk's office within 15 days after the date of the Planning Commission's decision.

Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.

1. City Council Minutes of October 11, 2011

Recommendation: Review and Approve.

2. Treasurer's Quarterly Interest Report – July - September 2011

Recommendation: Receive and File.

3. Resolution R11-34; Authorizing the Destruction of Obsolete Records of the City Clerk, Treasurer, Finance, Public Works and Planning Departments

Recommendation: It is recommended that the City Council adopt Resolution R11-34; authorizing the destruction of specific obsolete records of the City Clerk, Treasurer, Finance, Public Works and Planning Departments.

4. Resolution R11-35; Delegating Tort Claims Handling Responsibilities to the California Joint Powers Insurance Authority

Recommendation: It is recommended that the City Council adopt Resolution R11-35, authorizing the California Joint Powers Insurance Authority to handle tort liability claims on behalf of the City.

5. Award of Professional Services Agreement to Kibel Green, Inc. for Purposes of Conducting an Economic Use Evaluation of City Properties at Bluff Cove

Recommendation: It is recommended that the City Council award a professional services agreement to Kibel Green, Inc. for purposes of conducting an economic use evaluation of City properties at Bluff Cove.

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6. Traffic Safety Committee Meeting Items of October 12, 2011

- a. Request for Left-Turn Restriction on Via Anita at the 100 Block of Palos Verdes Drive West

Action: Recommended that staff 1) implement Alternative 1, the installation of W2-1 crossing signage on Palos Verdes Drive West and Palos Verdes Blvd. in Torrance prior to the intersection and 2) implement a restricted left turn from Via Anita to Palos Verdes Drive West between 7 – 9 am and 4 – 6 pm, Mon. - Fri. (Approved 4-0, Friedman absent)

- b. Request to Modify the PVHS RPZ Turn Restriction Signs from a 7:00 am - 9:00 am Time Period to a 6:30 am – 9:00 am Time Period

Action: Recommended that staff 1) modify six PVHS RPZ turn restriction signs to show a 6:30 am – 9:00 am time period. (Approved 4-0)

7. Planning Commission Actions of October 18, 2011

Recommendation: Receive and File.

- a. **M-833-11**; Consideration of a Miscellaneous Application for new structures exceeding the maximum allowable height at the single family residence located at 2704 Via Elevado. Lot 9, Block 1730, Tract 7540.

Applicant: Criss Gunderson
2024 Via Pacheco
Palos Verdes Estates, CA 90274
Owner: Tom Bailey

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

- b. **V-84-11**; Variance Application for mechanical equipment proposed in the sideyard at the single family residence located at 3000 Via Alvarado. Lot 44, Block 2233, Tract 7144.

Applicant/Owner: Gary Freeman

Action: Approved (5-0) with standard conditions and the following additional condition: 1) The equipment is to be surrounded by a sound-attenuating structure.

- c. **M-832-11**; Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 1500 Paseo La Cresta. Lot 1, Block 4, Tract 8043.

Applicant: Alan McGregor
16332 Bradbury Lane

Owner: Huntington Beach, CA 92647
 Dan & Marnie Gruen
 P.O. Box 4439
 Palos Verdes Pen., CA 90274

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

- d. **M-834-11**; Consideration of a Miscellaneous Application requesting after-the-fact approval for structures exceeding the maximum allowable height at the new single family residence located at 1408 Via Fernandez. Portion of Lot 8, Block 6, Tract 8043.

Applicant/Owner: S.K. Khurana
 29219 Beachside Dr.
 Rancho Palos Verdes, CA 90275

Action: Approved (5-0) with standard conditions and the direction that staff is to investigate the contractor's role and if necessary, bring back this item to a future meeting.

- e. SP-4-11; Consideration of a Sign Plan Application for new non-standard signage at 2201 Palos Verdes Drive West. Lot 1, Block 2205, Tract 6888.

Applicant: Adolph Ziemba AIA & Assoc.
 601 S. Glenoaks Blvd., #400
 Burbank, CA 91502
Owner: Veith Moore
 23342 Susana Ave.
 Torrance, CA 90505

Action: Approved (4-0, Chang recused).

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.

OLD BUSINESS

NEW BUSINESS

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STAFF REPORTS

8. City Manager's Report
 - Cancellation of November 22, 2011 City Council Meeting

DEMANDS

9.
 - a. Authorize Payment of Motion #1 – Payroll Warrant of October 14, 2011
 - b. Authorize Payment of Motion #2 – Warrant Register of October 25, 2011

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

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO TUESDAY, NOVEMBER 1, 2011, 6:30 P.M. AT PALOS VERDES GOLF CLUB FOR THE PURPOSE OF A JOINT MEETING OF CITY COUNCIL, PLANNING COMMISSION AND PALOS VERDES HOMES ASSOCIATION.

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, October 26, 2011 at 7:30 p.m., and Wednesday, November 2, 2011, at 7:30 p.m.*

TO: JUDY SMITH, CITY MANAGER

FROM: VICKIE KRONEBERGER, DEPUTY CITY CLERK

**SUBJECT: RESOLUTION R11-34; AUTHORIZING THE DESTRUCTION OF
OBSOLETE RECORDS OF THE CITY CLERK, TREASURER, FINANCE,
PUBLIC WORKS AND PLANNING DEPARTMENTS**

The Issue

Shall the City Council adopt Resolution R11-34, which authorizes destruction of specific obsolete records of the City Clerk, Treasurer, Finance, Public Works and Planning Departments?

Analysis and Findings

The City has a formal records management program which allows for the orderly transfer, maintenance and/or destruction of City records. The retention period for specific records is outlined in the policy in accordance with state regulations and City policy. With storage space at a premium, it is important for the staff to keep current with the records program.

The City Attorney has reviewed and approved the request for destruction as being in conformance with the City's records management program and retention schedule.

Alternatives Available to the City Council

1. Adopt Resolution R11-34.
2. Decline to adopt the Resolution.

Recommendation

It is recommended that the City Council adopt Resolution R11-34; authorizing the destruction of specific obsolete records of the City Clerk, Treasurer, Finance Public Works and Planning Departments.

TO: MAYOR AND CITY COUNCIL

FROM: JUDY SMITH, CITY MANAGER

SUBJECT: RESOLUTION R11-35, DELEGATING TORT CLAIMS HANDLING
RESPONSIBILITIES TO THE CALIFORNIA JOINT POWERS INSURANCE
AUTHORITY

The Issue

Shall the City Council adopt Resolution R11-35 to delegate tort claims handling on behalf of the City to the California Joint Powers Insurance Authority and rescind Resolution R06-17.

Analysis and Findings

Beginning in 1992 (R92-19A) and as modified in 2006 (R06-17, attached), the City Council has provided the City Manager the authority to handle claims processing for minor claims (less than \$50,000). Under this delegated process, the City's Risk Manager provides the claim information to the CJPIA, who in consultation with their third-party claims administrator, Carl Warren & Company, provides a recommendation to the City on handling. If the recommendation is to reject, staff prepares a memo for the City Manager to reject the claim and then a notice of rejection is sent to the claimant with a copy to the CJPIA.

Delegating authority to the CJPIA streamlines the claims handling process. The outcome of the process is no different than if the City retained authority. Efficiency in claims handling is important due to the recent administrative reorganization. Delegation to the CJPIA ensures timely response and appropriate handling, although this has not been an issue for the City in the past. It will also eliminate the need for future staff reports to the Council seeking authority to reject claims.

Finally, the recent change in funding formula for the CJPIA from a retrospective deposit to prospective (first dollar coverage) formula has lessened the need for the City to actively be involved in claims handling for minor claims. In the past, the City was involved in order to be aware of impacts on the City's self-insured retention (\$30,000), as activity and number of claims within the SIR had a significant impact on the formula to determine annual retrospective deposit calculation.

Alternatives Available to the City Council

1. Adopt Resolution R11-35.
2. Decline to adopt the resolution. Authority and responsibility for minor claims handling (\$50,000) will remain with the City Manager as designated by R06-17.

Recommendation

It is recommended that the City Council adopt R11-35, authorizing the California Joint Powers Insurance Authority to handle tort liability claims on behalf of the City.

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ALEXA D. DAVIS, ASSISTANT TO THE CITY MANAGER

SUBJECT: AWARDING OF A PROFESSIONAL SERVICES AGREEMENT TO KIBEL GREEN, INC. FOR PURPOSES OF CONDUCTING AN ECONOMIC USE EVALUATION OF CITY PROPERTIES AT BLUFF COVE

DATE: OCTOBER 25, 2011

ISSUE

Shall City Council award a Professional Services Agreement to Kibel Green, Inc. for purposes of conducting an economic use evaluation of City properties at Bluff Cove?

BACKGROUND

In March 2011, the City Council appointed a subcommittee consisting of the Mayor and Mayor Pro Tem to develop an efficiency and effectiveness study of the City operations and services. As a result, as reported by the Mayor at both the July 12th and October 11th City Council meetings, the subcommittee recommends that one part of this study be to examine the ownership and valuation of the city properties located along Bluff Cove. Specifically, the subcommittee is seeking some expert advice about the best economic use of the city-owned residential properties.

The City last reviewed the Bluff Cove home properties in 2003. At that time, the City Council decided to maintain the properties and allow senior management staff and public safety employees to reside in the homes and to increase the value of housing occupancy for senior management staff members by \$10,000 per year (reportable as compensation).

ANALYSIS

Due to the conflict of interest of senior management staff members who currently reside in the homes, the City Attorney and the Assistant to the City Manager are assigned as the key staff for the purposes of this review and study. The City Attorney has recommended that the City retain a consulting firm to evaluate the current and potential uses, as well as the marketability and value, of the Bluff Cove city properties. This information is central to understanding the City's options with respect to the use of the properties.

Staff has identified the consulting firm, Kibel Green, Inc., for purposes of conducting an economic use evaluation of these properties. Kibel Green is a highly regarded consulting firm with experience on the Peninsula with similar projects and properties. If approved, Kibel Green will be tasked with

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making a recommendation regarding the best economic use of the properties by the City. After reviewing all the relevant documents and conducting research, the Consultant will do the following:

- 1) Provide estimates of the current potential market rate rent ranges for the six single family homes and comparison to the current rents charged to tenants;
- 2) Provide an initial assessment of the potential marketability of all nine of the properties subject to geotechnical issues, including a preliminary estimated range of potential market values; and
- 3) Provide a preliminary analysis and comparison of the advantages and disadvantages to the City of either renting, selling or designating some or all of the properties as open space.

Kibel Green is available to begin work immediately and has already alerted staff of the necessary background materials and documents they will need to begin work.

RECOMMENDATION

It is recommended that the City Council award a professional services agreement to Kibel Green, Inc. for purposes of conducting an economic use evaluation of City properties at Bluff Cove.

FISCAL IMPACT

City Council allocated up to \$25,000 from FY 2011-12 General Fund for an efficiency and effectiveness study. The cost of this consultant will be paid out of the Non-Department - Professional Services budget. The anticipated cost of service is \$8,000 with hourly billing at a discount to standard rates and would not exceed \$8,000 without prior City approval.

Attachments:

- A- Kibel Green Qualifications
- B- Professional Services Agreement

TO: JUDY SMITH, CITY MANAGER
FROM: ALLAN RIGG, PLANNING DIRECTOR
DATE: OCTOBER 25, 2011
SUBJECT: PLANNING COMMISSION ACTIONS OF OCTOBER 18, 2011

The items attached were acted upon by the Planning Commission on October 18, 2011.

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

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

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

Recommendation:

Receive and file.