



City of Palos Verdes Estates City Council Agenda & Staff Reports

DISCLAIMER

The following City Council agenda includes text only version of the - reports associated with the business matters to be brought before for the City Council at its Regular Meeting of this date. Changes to the - reports may be necessary prior to the actual City Council meeting. The City Council may elect to delete or continue business matters at the beginning of the City Council Meeting. Additionally, - reports attachments, including but not limited to, pictures, plans, drawings, spreadsheet presentations, financial statements and correspondences are not included. The attachments are available for review with the official agenda package at the Reception area at City Hall as well as the Malaga Cove Public Library.

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****CLICK HERE FOR CITY COUNCIL AGENDA & REPORTS**

July 22, 2008
7:30 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. R08-25
NEXT ORDINANCE NO. 08-687**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL MATTERS

CITY COUNCIL AGENDA
JULY 22, 2008

- Recognition of Retiring Planning Commissioner Dale Hoffman
- Swearing-In of Police Officer Russell Venegas (Chief Dreiling)

MAYOR'S REPORT – Matters of Community Interest

CONSENT AGENDA (Items 1 - 13)

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 #13a & b. 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 July 8, 2008

Recommendation: Review and File.

2. City Treasurer's Report – June, 2008

Recommendation: Receive and File.

3. City Treasurer's Quarterly Interest Report – April - June, 2008

Recommendation: Receive and File.

4. Adoption of Ordinance 08-684; an Ordinance of the City Council of the City of Palos Verdes Estates, Amending Section 18.36.043 of the Palos Verdes Estates Municipal Code Regarding the Requirements to Meet and Confer

Recommendation: It is recommended that the City Council adopt Ordinance 08-684; an ordinance of the City Council of the City of Palos Verdes Estates, amending Section 18.36.043 of the Palos Verdes Estates Municipal Code regarding the requirements to Meet and Confer.

5. Adoption of Ordinance 08-685; an Ordinance of the City Council of the City of Palos Verdes Estates, Adding Section 18.36.060 Relating to Changes to Neighborhood Compatibility Permits and Amending Sections 18.40.010 and 18.40.030 of the Palos Verdes Estates Municipal Code

Recommendation: It is recommended that the City Council adopt Ordinance 08-685; an ordinance of the City Council of the City of Palos Verdes Estates, adding Section 18.36.060 relating to changes to Neighborhood Compatibility permits and amending Sections 18.40.010 and 18.40.030 of the Palos Verdes Estates Municipal Code.

6. Adoption of Ordinance 08-686; an Ordinance of the City Council of the City of Palos Verdes Estates Relating to Vending from Vehicles

Recommendation: It is recommended that the City Council adopt Ordinance 08-686, adding Chapter 10.42 to, and repealing Section 10.40.050 of, the Palos Verdes Estates Municipal Code relating to vending from vehicles.

7. Resolution R08-23; Confirming Planning Commission's Approval of NC-1151/GA-1346-04; Neighborhood Compatibility and Grading Applications for a New Single Family Residence Located at 2317 Via Acalones. Lot 19, Block 1638, Tract 7330

Recommendation: It is recommended that the City Council adopt Resolution R08-23; denying the appeal and confirming the Planning Commission's approval of NC-1151/GA-1346-04; Neighborhood Compatibility and Grading Applications for a new single family residence located at 2317 Via Acalones, with conditions.

8. Designation of Voting Delegate – League of California Cities Annual Business Meeting

Recommendation: It is recommended that the City Council designate Mayor Sherwood as the voting delegate and Councilmember Goodhart and City Manager Hoefgen as alternates to represent the City at the Annual Business Meeting of the League of California Cities and authorize the City Clerk to sign the voting delegate form.

9. Resolution R08-24; Authorizing the Destruction of Obsolete Records of the Police Department and City Clerk

Recommendation: It is recommended that the City Council adopt Resolution R08-24; authorizing the destruction of specific obsolete records of the Police Department and City Clerk.

10. Special Event Application by the Lunada Bay Homeowners Association to Hold Annual Harvest Festival and Post Signs Promoting the Event

Recommendation: It is recommended that the City Council approve the request of the Lunada Bay Homeowners Association to hold its annual Harvest Festival on Sunday, September 28, 2008, from 11:00am-4:00pm at Lunada Bay Park and Via Anacapa and approve the posting of promotional signs at both permitted locations September 20-28, 2008.

11. Traffic Safety Committee Meeting Items of July 9, 2008

Recommendation: Review and Approve.

- a. Restricted Parking Signage and Edgeline Striping on Cloyden Rd. from Palos Verdes Drive West to Dalton Rd.

Action: Recommended that staff 1) implement restricted parking signage and edgeline striping on the south side of Cloyden Rd. from Palos Verdes Drive West to Dalton Rd. Restricted parking hours shall be 7:30 AM to 8:30 AM M-F and 2:00 PM to 3:30 PM M-F and 2) bring the issue back to the Committee in six months for review (4-0).

- b. Request for Installation of Stop Signs on Via Nivel at Via Azalea

Action: Denied (4-0).

- c. Request for Installation of a Restricted No Right Turn Sign next to 1709 Palos Verdes Drive West

Action: Recommended that staff 1) install a No Right Turn 7-9 AM School Days sign next to 1709 Palos Verdes Drive West and 2) bring the issue back to the Committee in six months for review (4-0).

- d. Request for a Stop Sign at the Via Palomino/Via Colusa Intersection

Action: Recommended that staff 1) prepare a warrant analysis for this issue and 2) have the shrubbery trimmed back in the right-of-way at this intersection (4-0).

12. Parklands Committee Meeting Items of July 14, 2008

Recommendation: Review and Approve.

- a. PC-289-08; Application to install a bench in Farnham Martin Park

Applicant: Jewel C. Scallon
2612 Via Campesina
Palos Verdes Estates, CA 90274

Action: Approved (4-0). The applicant is responsible to submit a design, cost estimate, construction schedule and location for the bench to the Parklands Committee.

- b. Application to re-landscape Via Montemar Circle

Applicant: Malaga Cove Homeowner's Association

Action: Approved (4-0). The applicant is responsible to submit a cost estimate to the Parklands Committee and secure adequate funding before the project can begin.

13. Planning Commission Actions of July 15, 2008

Recommendation: Receive and File.

- a. **NC-1322/GA-1431-08**; Consideration of Neighborhood Compatibility and Grading Applications for a new single family residence located at 1400 Via Arco. Lot 1, Tract 29082.

Applicant: Cauthen Design
17072 Tiffany Circle
Huntington Beach, CA 92649
Owner: Hossein Moalej
1405 Via Castilla
Palos Verdes Estates, CA 90274

Action: Approved (4-0) with standard conditions.

- b. **NC-1327/GA-1433-08**; Consideration of Neighborhood Compatibility and Grading Applications for a new single family residence located at 2120 Via Rivera. Lot 6, Block 2204, Tract 7141.

Applicant: Jeffrey A. Dahl
18681 Amalia Lane
Huntington Beach, CA 92648
Owner: Raymond & Barbara Holdsworth

Action: Approved (4-0) with standard conditions and the following additional condition: 1) The maximum height of the building is to be reduced by 2'-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 other persons addressing the City Council during public hearings shall be limited to three (3) minutes for comment.

14. County Weed Abatement Charges for Fiscal Year 2007-08

Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and confirm the charges as contained in the report prepared by the County of Los Angeles Agricultural Commissioner/Weights and Measures for providing weed abatement services during Fiscal Year 2007-08.

15. Introduce and Adopt 2008 Conformance Self-Certification Resolution R08-22 for the Congestion Management Program

Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and adopt the Self-Certification Resolution R08-22; adopting the Local Development Report for the Congestion Management Program.

OLD BUSINESS

16. Resolution R08-21; Commitment to Climate Protection and to Join the International Council for Local Environmental Initiatives (ICLEI)

Recommendation: It is recommended that the City Council adopt Resolution R08-21; committing to climate protection and direct staff to submit an application for City membership of the International Council for Local Environmental Initiatives (ICLEI).

STAFF REPORTS

17. **City Manager's Report**

- Presentation of FY 2008-09 Work Program

DEMANDS

18.
 - a. Authorize Payment of Motion #1 – Payroll Warrant of July 11, 2008
 - b. Authorize Payment of Motion #2a – Warrant Register of July 22, 2008 (FY07-08)
 - c. Authorize Payment of Motion #2b – Warrant Register of July 22, 2008 (FY08-09)

Recommendation: Authorize Payment of Motions #1, #2a, and #2b.

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO WEDNESDAY, JULY 23, 2008, AT 6:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF BROWN ACT/ETHICS TRAINING.

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, July 23, 2008 at 7:30 p.m., and Wednesday, July 30, 2008, at 7:30 p.m.*

Agenda Item #: 4
Meeting Date: 7/22/08

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: ADOPTION OF ORDINANCE NO. 08-684, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, AMENDING SECTION 18.36.043 OF THE PALOS VERDES ESTATES MUNICIPAL CODE REGARDING THE REQUIREMENTS TO MEET AND CONFER

DATE: JULY 22, 2008

The Issue

Should the City Council adopt Ordinance No. 08-684, an ordinance of the City Council of the City of Palos Verdes Estates, California, amending Section 18.36.043 of the Palos Verdes Estates Municipal Code regarding the requirements to Meet and Confer?

Background and Analysis

The City Council introduced Ordinance No. 08-684 at their meeting on July 8, 2008. The ordinance pertains to Section 18.36.043 of the Palos Verdes Estates Municipal Code regarding the requirements to Meet and Confer. The ordinance includes the following changes: 1) The neighborhood meeting is to be held outside of business hours when there is daylight or during the day on a non-holiday weekend; 2) The meeting will be required to be held at the project site or, when this is not possible, at a location within city limits; 3) The neighbors are to be notified of the neighborhood meeting at least one week prior to the meeting; and 4) The neighborhood meeting is to be scheduled at least four weeks prior to the Planning Commission meeting.

Alternatives Available to the City Council

1. Adopt Ordinance 08-684, an ordinance of the City Council of the City of Palos Verdes Estates, California, amending Section 18.36.043 of the Palos Verdes Estates Municipal Code regarding the requirements to Meet and Confer.
2. Direct staff to modify the Ordinance 08-684 and bring back the ordinance to the City Council for reintroduction.
3. Decline to act.

Recommendation from Staff

Staff recommends that the City Council adopt Ordinance 08-684, an ordinance of the City Council of the City of Palos Verdes Estates, California, amending Section 18.36.043 of the Palos Verdes Estates Municipal Code regarding the requirements to Meet and Confer.

Staff report prepared by:
Stacey Kinsella
Planning Department

Agenda Item #: 5

Meeting Date: 7/22/08

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: ADOPTION OF ORDINANCE NO. 08-685, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, ADDING SECTION 18.36.060 RELATING TO CHANGES TO NEIGHBORHOOD COMPATIBILITY PERMITS AND AMENDING SECTIONS 18.40.010 AND 18.40.030 OF THE PALOS VERDES ESTATES MUNICIPAL CODE

DATE: JULY 22, 2008

The Issue

Should the City Council adopt Ordinance No. 08-685, an ordinance of the City Council of the City of Palos Verdes Estates, California, adding Section 18.36.060 relating to changes to Neighborhood Compatibility permits and amending sections 18.40.010 and 18.40.030 of the Palos Verdes Estates Municipal Code?

Background and Analysis

The City Council introduced Ordinance No. 08-685 at their meeting on July 8, 2008. The ordinance includes minor changes that will be exempt from review such as hardscape, landscape, architectural features and reductions in structure height or floor area. Modifications that would not be exempt, but could still be reviewed by staff through a Minor Modification application include increases in building lot coverage that total 200 sq. ft. or less, increases to the height of structures so long as it is no more than one foot, and relocation of walls outside the required setbacks. Due to the provisions set forth in Section 18.36.060, Section 18.40.010 and 18.40.030 were revised to no longer include neighborhood compatibility permits issued under Chapter 18.36.

Alternatives Available to the City Council

1. Adopt Ordinance 08-685, an ordinance of the City Council of the City of Palos Verdes Estates, California, adding Section 18.36.060 relating to changes to Neighborhood Compatibility permits and amending sections 18.40.010 and 18.40.030 of the Palos Verdes Estates Municipal Code.
2. Direct staff to modify the Ordinance 08-685 and bring back the ordinance to the City Council for reintroduction.
3. Decline to act.

Recommendation from Staff

Staff recommends that the City Council adopt Ordinance No. 08-685, an ordinance of the City Council of the City of Palos Verdes Estates, California, adding Section 18.36.060 relating to changes to Neighborhood Compatibility permits and amending sections 18.40.010 and 18.40.030 of the Palos Verdes Estates Municipal Code.

Staff report prepared by:
Stacey Kinsella
Planning Department

Agenda Item #: 6

Meeting Date: 7/22/08

TO: JOSEPH HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: ADOPTION OF ORDINANCE NO. 08-686 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES RELATING TO VENDING FROM VEHICLES

DATE: JULY 22, 2008

Issue

Should the City Council adopt Ordinance 08-686 relating to vending from vehicles?

Background and Analysis

The City Council reviewed Ordinance 08-686 relating to vending from vehicles at the regularly scheduled meeting of July 8, 2008. The Council introduced the Ordinance with an amendment related to the minimum distance of catering trucks to a permitted toilet facility and the distance between vehicle stops. The originally proposed ordinance specified that catering vehicles be a maximum distance of 500 feet from a permitted toilet facility and specified that vehicles be required to move at least 500 feet after 30 minutes of continuous operation. Based on the Council discussion and direction, we have amended the ordinance to change these distance requirements to 250 feet. These modifications will help ensure that catering trucks operate in close proximity to construction sites with restroom facilities.

As Council will recall, the ordinance includes permit requirements for (1) an annual operations permit for the owner of the catering business and (2) a vendor's permit for those individuals working on the vehicle. As a practical matter, before enforcement of the new ordinance requirements can begin, the fees need to be established by Resolution following a noticed public hearing. Based on the noticing and advertising requirements, the public hearing and resolution to implement fees will occur at the September 9th City Council meeting.

Alternatives Available to the City Council

1. Adopt Ordinance 08-686 relating to vending from vehicles.

CITY COUNCIL AGENDA
JULY 22, 2008

2. Direct staff to modify Ordinance 08-686 and bring back the ordinance to the City Council for reintroduction.
3. Decline to act.

Recommendation from Staff

Staff recommends that the City Council adopt Ordinance 08-686 relating to vending from vehicles.

Attachment

Proposed Ordinance

TO: JOE HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: RESOLUTION R08-23; CONFIRMING THE PLANNING COMMISSION'S APPROVAL OF NC-1151/GA-1346-04; NEIGHBORHOOD COMPATIBILITY AND GRADING APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 2317 VIA ACALONES. LOT 19, BLOCK 1638, TRACT 7330.

DATE: JULY 22, 2008

The Issue

Should the City Council approve Resolution 08-23 confirming the Planning Commission's approval of NC-1151/GA-1346-04; Neighborhood Compatibility and Grading applications for a new single-family residence located at 2317 Via Acalones with conditions?

Background and Analysis

On July 8, 2008 the City Council conducted a public hearing to consider an appeal of the Planning Commission's approval of NC-1151/GA-1346-04; Neighborhood Compatibility and Grading applications for a new single-family residence located at 2317 Via Acalones.

After considering the facts and testimony, the City Council voted 4-0 to deny the appeal and uphold the Planning Commission's approval of NC-1151/GA-1346-04; Neighborhood Compatibility and Grading applications for a new single-family residence located at 2317 Via Acalones with standard conditions and the following additional conditions:

1. City standard curb and gutter shall be installed per construction plans prepared by a registered Civil Engineer and approved by the City Engineer.
2. The entire cellar floor level shall be eliminated, including laundry room, wine cellar, and crawl space.
3. The ridge height of the house and garage shall be reduced by one foot without additional grading.
4. The swimming pool is not approved.
5. Landscape screening shall be planted at the rear property line and maintained at approximately 15 feet in height.

This resolution confirms that decision.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Approve resolution R08-23 confirming the Planning Commission's approval of NC-1151/GA-1346-04; Neighborhood Compatibility and Grading applications for a new single-family residence located at 2317 Via Acalones, with conditions.
2. Decline to act.

Recommendation from Staff

Staff recommends that the City Council approve Resolution R08-23 confirming the Planning Commission's decision to approve NC-1151/GA-1346-04; Neighborhood Compatibility and Grading applications for a new single-family residence located at 2317 Via Acalones, with conditions.

Staff report prepared by:
Stacey Kinsella
Planning Department

TO: MAYOR AND CITY COUNCIL

FROM: JUDY SMITH, ASSISTANT CITY MANAGER

**SUBJECT: DESIGNATION OF VOTING DELEGATE - LEAGUE
OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING**

The Issue

Shall the City Council designate the voting delegate to represent the City at the annual business meeting of the League of California Cities?

Analysis and Findings

The League California Cities will hold their annual business meeting as part of the annual conference to be held September 24-27, 2008 in Long Beach. At this meeting, the League, as an organization and through its voting members, may take a formal position on various League-prepared resolutions. These resolutions generally deal with policy issues of interest to cities. The League requires that all City Councils take formal action to designate the voting delegate and alternate(s) for the business meeting.

Given anticipated attendance at the conference, it is requested that the City Council designate Mayor Sherwood as the voting delegate and designate as alternates Council member Jim Goodhart (1) and City Manager Joe Hoefgen (2).

Recommendation

It is recommended that the City Council designate Mayor Sherwood as the voting delegate and Councilmember Goodhart and City Manager Hoefgen as an alternate to represent the City at the Annual Business Meeting of the League of California Cities and authorize the City Clerk to sign the voting delegate form.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: JUDY SMITH, ASSISTANT CITY MANAGER

SUBJECT: RESOLUTION R08-24; AUTHORIZING THE DESTRUCTION OF OBSOLETE RECORDS OF THE POLICE DEPARTMENT AND CITY CLERK

The Issue

Shall the City Council adopt Resolution R08-24, which authorizes destruction of specific obsolete records of the Police Department and City Clerk?

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 R08-24.
2. Decline to adopt the Resolution.

Recommendation

It is recommended that the City Council adopt Resolution R08-24; authorizing the destruction of specific obsolete records of the Police Department and City Clerk.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

SUBJECT: SPECIAL EVENT APPLICATION BY THE LUNADA BAY HOMEOWNERS ASSOCIATION TO HOLD ANNUAL HARVEST FESTIVAL AND POST SIGNS PROMOTING THE EVENT

DATE: JULY 22, 2008

ISSUE

Shall the City approve a Special Event Application by the Lunada Bay Homeowners Association to hold a Harvest Festival Street Fair at the Lunada Bay Park on Sunday September 28, 2008 between the hours of 11:00 a. m. - 4:00 p.m. and permit promotional signs to be posted in accordance with the City's Sign Policy?

BACKGROUND

The Lunada Bay Homeowners Association (LBHOA) has submitted a Special Event Application to hold their annual Harvest Festival on Sunday, September 28, 2008 at the Lunada Bay Park and the area adjacent to the park on Via Anacapa. This is the ninth year the LBHOA has hosted this event.

Activities include live music, an art show, and children's games, such as a moon bounce, cakewalk, craft booths for face painting, a pumpkin patch, and puppet show. Local merchants will sell food and merchandise to promote their individual business.

The Harvest Festival Committee has enlisted the support of businesses in Lunada Bay and the response by the local business to this event is enthusiastic. Since this is a Sunday activity, there should be minimal disruption in the commercial area. The traffic logistics require closure of a section of Via Anacapa. This has been a successful plan in recent years.

The event organizers are aware of the necessity to have a safe event with a proper clean-up afterward. The Harvest Festival runs smoothly because of the experience from previous successful Harvest Festivals. The LBHOA is making an effort to generate community involvement in the Lunada Bay area and revitalize homeowner activity in the neighborhood.

Additionally, the LBHOA is requesting permission to post signs promoting their event. Since the Harvest Festival is a community event managed by an organization where all its members are homeowners and/or residents of the City of Palos Verdes Estates, and City staff support it by

helping in the planning and preparations, the Harvest Festival is considered City-sponsored and therefore does fall within the City's Sign Policy. The LBHOA is eligible to post promotional signs at the two permitted locations:

1. Palos Verdes Drive West and Via Corta
2. Palos Verdes Drive West and Yarmouth Road

If approved, signs will be displayed for one week, per the LBHOA's request, from September 20-28, 2008.

The Special Event Application has been reviewed and preliminarily approved by all municipal departments. All fees have been paid and the Certificate of Insurance and Hold Harmless Letter have been received.

CONCLUSION AND RECOMMENDATION

The members of the Lunada Bay Homeowners Association Harvest Festival Committee work hard to put together a well-organized community event. This neighborhood activity generates a positive experience for Lunada Bay.

It is recommended that the City Council approve the request by the Lunada Bay Homeowners Association to hold its annual Harvest Festival on Sunday, September 28, 2008 from 11:00 a.m. to 4:00 p.m. at Lunada Bay Park and Via Anacapa and approve the posting of promotional signs at both permitted locations during the time of September 20-28, 2008.

Cc: Police Department
LAC Fire Department
Streets and Parks Department
Ruth Shaffer, President, LBHOA

Attachments:
Special Event Application
Certificate of Insurance
Hold Harmless Letter
Letter to Residents

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PLANNING DIRECTOR
DATE: JULY 22, 2008
SUBJECT: PLANNING COMMISSION ACTIONS OF JULY 15, 2008

The items attached were acted upon by the Planning Commission on July 15, 2008.

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.

TO: JOSEPH M. HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR
SUBJECT: COUNTY WEED ABATEMENT CHARGES FOR FISCAL YEAR 2007-08
DATE: JULY 22, 2008

The Issue

Should the City Council approve the charges for performing weed abatement services on 51 private properties within the City as determined by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures?

Background and Analysis

At the City Council meeting of February 26, 2008, the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures (County) provided the City with their annual lists for weed abatement proceedings. The City Council reviewed this list and declared that these properties are a public nuisance and have weeds growing, and brush, rubbish, refuse, and flammable vegetation within and around the property. The City held a public hearing to allow private property owners to protest the County's assessment of their respective properties. Any resident who wished to protest the fee could show that weed abatement services were provided as required and that the property was subsequently inspected by the County. No residents protested the fees.

The County has now submitted a list of weed abatement charges, which were incurred by the County in performing the weed abatement services. Once approved by the City Council, the charges will be passed on to the individual property owners who have received the service. These charges will appear as a direct assessment on the property tax bill.

For fiscal year 2007-08, the County inspected and/or abated weeds on 51 parcels with total charges amounting to \$21,151.18. In fiscal year 2006-2007, weed abatement charges were assessed for 59 properties, totaling \$4,738.75.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Confirm the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during fiscal year 2007-08.
2. Confirm the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during fiscal year 2007-08, with modifications.
3. Deny the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during fiscal year 2007-08.

Recommendation from Staff

Staff recommends that the Council open the public hearing, receive public input, close the public hearing, and confirm the charges as contained in the attached report prepared by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for providing weed abatement services during fiscal year 2007-08.

Fiscal Impact

There will be no budget impact to the City. Charges for performing weed abatement services on the 51 private properties within the City, as determined by the County of Los Angeles Agricultural Commissioner during fiscal year 2007-08, amount to \$21,151.18. These costs are paid for entirely by the respective property owners.

Staff report prepared by
Floriza Rivera
Public Works Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

**SUBJECT: INTRODUCE AND ADOPT 2008 CONFORMANCE SELF-CERTIFICATION
RESOLUTION NO. R08-22 FOR THE CONGESTION MANAGEMENT
PROGRAM**

DATE: JULY 22, 2008

The Issue

Should the City Council introduce and adopt the 2008 Conformance Self-Certification Resolution, R08-22, for the Congestion Management Program?

Background and Analysis

The Traffic Congestion Relief and Spending Act of 1990 (Proposition 111) was passed by voters in November of 1990. One of the stipulations of Proposition 111 requires counties with urbanized populations greater than 50,000 to develop a Congestion Management Plan (CMP). Because Los Angeles County exceeds this population, a CMP was developed.

In order to verify that the City has taken the necessary actions and is in conformance with the CMP, the Metropolitan Transit Authority (MTA) requires each participating agency to submit the attached resolution of compliance and implement the following three actions:

- 1) The City must adopt and continue to implement a transportation demand management (TDM) ordinance. On January 26, 1993, the City adopted a TDM ordinance, which shows evidence of promoting alternative transportation methods and fulfills this requirement.
- 2) The City must adopt and continue to implement a land use analysis ordinance that is intended to consider the regional transportation impact of new development. All development projects, which are required to prepare an Environmental Impact Report (EIR) based on local determination, shall be subject to the Land Use Analysis Program and shall incorporate into the EIR a CMP Transportation Impact Analysis (TIA). This ordinance was passed by the City Council on March 9, 1993.
- 3) The City must adopt a Local Development Report (LDR) on an annual basis. The LDR is a report on the net development in the City, within the last year. This year's LDR is attached.

In the past, the Congestion Management Program required the City to report both the quantity of local growth, as well as transportation improvements intended to offset local growth. The MTA kept track of “points” for each jurisdiction, subtracting points for increased development and adding points for transportation projects, requiring cities to maintain a positive point balance. In recent years, the MTA has received feedback from cities with concerns regarding the effectiveness of this approach. In response to these concerns, the MTA is currently conducting a study on the feasibility of modifying their existing process and implementing a congestion mitigation fee. While this study is underway, the CMP requirements for maintaining a positive credit balance are suspended. At this time, the City is required only to report development activity and not transportation improvement strategies. A new reporting format has been devised to account for these changes. The previously used “Local Implementation Report” (LIR) has been changed to the “Local Development Report” (LDR), which is very similar to the LIR, without the transportation mitigation sections.

This year the City’s net development activity consisted of 4 dwelling units and is reflected in the attached LDR. The net is derived from the number of new homes (21) minus the number of homes demolished (17).

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Introduce and adopt the 2008 Self-Certification Resolution, R08-22, adopting the Local Development Report for the Congestion Management Program.
2. Decline to act.

Recommendation from Staff

Staff recommends that the City Council open the public hearing, receive public input, close the public hearing and adopt the Self-Certification Resolution, R08-22, adopting the Local Development Report for the Congestion Management Program.

Staff report prepared by:
Stacey Kinsella
Planning Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER

**FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST AND
STACEY KINSELLA, ASSOCIATE PLANNER**

**SUBJECT: ADOPTION OF R08-21; COMMITMENT TO CLIMATE PROTECTION
AND TO JOIN THE INTERNATIONAL COUNCIL FOR LOCAL
ENVIRONMENT INITIATIVES (ICLEI).**

DATE: JULY 22, 2008

ISSUE

Shall the City Council adopt Resolution R08-21 committing to climate protection and direct staff to submit an application for City membership with the International Council for Local Environmental Initiatives (ICLEI)?

BACKGROUND AND ANALYSIS

At the Budget Workshop in March 2008, Council reviewed a Budget Issue Paper (copy attached) and adopted a budget of \$10,000 to establish a Green Program for the City. A Green Program will help to formalize environmental efforts committing the City to climate protection. A comprehensive program will include research and development of the City's past, present and future carbon emissions which will be used to determine the City's "carbon footprint." "Carbon footprint" is a term used to define the carbon dioxide or greenhouse gas emissions in a given area.

Over the course of the past year, staff has attended several Green Task Force meetings, as part of a joint effort of the South Bay City Council of Governments (SBCCOG) and the South Bay Energy Savings Center (SBESC). The Green Task Force brings local public agencies together to discuss climate protection and the ways in which each city is addressing this issue. Through the Task Force, we have learned that over half of South Bay cities have adopted Resolutions stating their intent to work toward climate protection by establishing "green" committees, identifying carbon emissions, supporting green building practices, and developing climate protection/emission reduction plans.

Most cities have pursued their Green Program at the prompting of the State's Assembly Bill 32, the Global Warming Solutions Act of 2006. AB 32 was passed by the state legislature and signed into law by the Governor in 2006. The Bill is designed to reduce greenhouse gases statewide by 2020 using 1990 levels as a baseline with a further reduction expected by 2050. The California Air Resources Board-Climate Change Office is currently researching and developing regulations and mandatory reporting requirements for the Bill. Early action measures and regulations are expected to be adopted in 2010 and in effect by 2012. Many local governments anticipate that the State will

eventually require the same reduction criteria from municipalities, and are utilizing ICLEI (as explained below) to work toward achieving the reductions.

The International Council for Local Environmental Initiatives (ICLEI) is an international organization assisting local governments in climate protection and sustainable development. ICLEI provides support and software to member cities, counties and towns to aid in determining and analyzing their carbon footprint. The software quantifies the data and identifies ongoing emission trends. Ultimately, the information is to be used in developing a Local Climate Action Plan to reduce emissions, if found necessary. By becoming a member of ICLEI, the City is able to utilize the software provided, receive technical assistance and ongoing training, and have access to a network of local governments with the common goal of protecting the climate. The City may chose to participate in the program for one year, or may continue subsequent years in order to track progress and receive technical support.

By joining ICLEI, agencies commit to achieving five milestones, which will guide the City towards a reduction in emissions. These milestones do not need to be accomplished according to any specified timetable, and are simply provided as a guide. The milestones include:

1. Conducting a local emissions inventory and forecast of greenhouse gas emissions
2. Adopt an emissions reduction target
3. Draft an action plan to achieve the target
4. Implement the action plan
5. Evaluate, report on progress and update plans

ICLEI is a voluntary program; therefore, there are no mandatory measures or reporting requirements. Member cities are free to choose their own individualized goals, policies and programs. There are no penalties against a member agency for not reaching specified milestones.

Once a Resolution is adopted, an ICLEI application will be submitted to become active with the organization and also to identify City liaisons. Liaisons will be the Mayor as the elected official liaison, with staff support from the City Manager, Planning Director, Administrative Analyst and Associate Planner as appropriate. The majority of the communication with ICLEI will be handled by staff, however, the elected official liaison will have the opportunity to monitor the progress, assist in the creation of the Climate Action Plan, and attend the South Bay Green Task Force meetings.

Upon submitting our application to ICLEI, the first step the City will follow is gathering 1990 and 2005 emissions data on City facilities such as buildings, water/sewer, streetlights (although minimal within our City), employee commute, vehicle fleet and waste. This information will be used to establish the City's "carbon footprint." This "footprint" will act as a baseline upon which our Local Climate Action Plan will be established. A Local Climate Action Plan serves as a guide of our emissions reduction goal. A successful Local Climate Action Plan includes an implementation timeline for reduction measures, cost and financing mechanisms, various City Department roles, as well as community involvement.

The SBCCOG/SBESC has recently hired a full-time staff person to collect data for cities. This individual will work closely with staff in researching the necessary data to enter into the ICLEI software. It is anticipated that the research will begin in August, after joining ICLEI, and a summary report will be presented to Council in early 2009.

FISCAL IMPACT

The ICLEI annual membership fee is \$600, which will be charged to the Planning Department's Professional Services-Green Program account. Subsequent ICLEI membership fees will be budgeted the same. A one-time fee paid to SBCCOG/SBESC for data collection by its full-time staff member of \$3,000 will also be charged to the Green Program. There is no additional fee for the SBCCOG/SBESC representative.

RECOMMENDATON

It is recommended that the City Council adopt Resolution R08-21; committing to climate protection and direct staff to submit an application for City membership of the International Council for Local Environmental Initiatives (ICLEI).

TO: MAYOR AND CITY COUNCILMEMBERS
FROM: JOSEPH HOEFGEN, CITY MANAGER
SUBJECT: PRESENTATION OF FY 2008-09 WORK PROGRAM
DATE: JULY 22, 2008

Issue

Presentation of FY 2008-09 Work Program for the City of Palos Verdes Estates

Background and Analysis

As indicated as part of the recent presentation and Council adoption of the FY 2008-09 Budget, one of our follow up tasks was for each of the City's Departments to develop a formal "Work Program" for major work activities occurring over the next 12 months. The purpose of the Work Program is to identify work milestones and projected target dates as part of an overall strategy to manage the workload of each of the Departments.

While the Work Program captures many of the department's work activities, it is not a complete list of all of our duties and responsibilities. The Work Program is intended to highlight some of the more notable work projects and/or items that are new for the coming year.

In terms of the FY 2008-09 Work Program, I would like to highlight a number of projects and activities as described below:

In the **City Manager's Office**, one of our major work activities will be completing the RFP process for operation of the Palos Verdes Stables as a result of the notice provided to the City by the current operator. The Work Program specifies milestones to transition stable operations to a new provider by January 1, 2009. This project will require substantial staff time to get up to speed on the current operations as part of the preparation of the RFP and we will work with the Council liaisons as we move toward the release of the RFP in September. Additionally, 2008-09 will include employee negotiations as we come to the end of four year agreements with negotiations anticipated in the Spring of 2009.

The Work Program for the **City Clerk/Finance Department** includes milestones and target dates for conducting the municipal election on March 3, 2009. Additionally, the City Clerk/Finance Department will coordinate a comprehensive review of the PVE Municipal

Code involving all City Departments and the City Attorney's office as previously discussed. The Work Program also identifies milestones for computer system upgrades to implement software and hardware replacement as included in the FY 2008-09 Budget.

In the **Planning and Public Works Department**, the most significant projects are the two sewage pump station replacements and the Bluff Cove roadway stabilization. Each of these projects addresses an existing condition that is continuing to deteriorate, and if not fixed, could fail and cause dramatic hardships to our residents, as well as severe financial consequences for the City.

There are a number of significant projects and programs included in the **Police Department** Work Program. Most notably is the completion of the Disaster District Plan and participation in a Countywide disaster drill in November 2008. The Police Department will complete a POST-funded team building workshop this fall and will also complete some specialized training focusing on Emotional Survivability as an added investment in the well being of our officers. Lastly, the Police Department will continue to address the needs of seniors via the PVE CARES Program with a number of events and outreach over the next year.

The Work Program is organized by Department and includes a summary table of the City's capital improvement projects as well with project milestones for design, bidding and construction for each project.

As unforeseen events occur throughout the year, circumstances may affect the priority of projects and/or new unanticipated projects may be added as necessary. My intention is to bring the Work Program to the City Council in January and July of each year with updates and changes as become necessary.

Recommendation from Staff

As this report is informational in nature, there is no formal action required of the City Council

Attachment

FY 2008-09 Work Program