

May 23, 2017
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 up to three (3) minutes. Anyone wishing to address the City Council is requested to 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. 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. R17-17
NEXT ORDINANCE NO. 17-724**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

**CITY COUNCIL AGENDA
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ROLL CALL (7:30 PM)

APPROVAL OF AGENDA

MAYORS REPORT – MATTERS OF COMMUNITY INTEREST

PUBLIC COMMENTS FOR ITEMS ON CONSENT AGENDA

(Speakers shall be provided up to 3 minutes to speak regarding all topics on the Consent Agenda.)

CONSENT AGENDA (ITEMS 1 – 9a-f)

All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember or staff requests that an item be removed for separate discussion. An applicant or interested citizen who wishes to appeal any Planning Commission decision (Item #9a-f) 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. Waive Further Reading

Recommendation: After the City Attorney has ready the title, waive full reading of ordinances considered on this agenda for introduction on first reading or adoption on second reading.

2. Draft Council Action Minutes of April 11, 2017

Recommendation: Review and Approve.

3. Demands of May 23, 2017

Recommendation: Approve payment of Motions #1 and #2.

- a. Motion #1 – Payroll Warrant of May 19, 2017
- b. Motion #2 – Warrant Register of May 23, 2017

4. Los Angeles Urban County Community Development Block Grant Program

Recommendation: It is recommended that the City Council decline the invitation to participate in the Los Angeles Urban County Community Development Block Program for Federal Fiscal Years 2018-2020.

5. PW-648-17; Award of Plans and Specifications and Award of a Construction Contract for the 2017 Pavement Striping Project on Various Streets in the City of Palos Verdes Estates

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Recommendation: It is recommended that the City Council approve the plans and specifications and award the contract for the 2017 Pavement Striping on Various Streets in the City of Palos Verdes Estates in the amount of \$29,500 to Sterndahl Enterprises, Inc., along with authorization of the \$2,950 10% contingency.

6. Annual Rate Adjustment for Refuse Collection by Athens Services for FY17-18

Recommendation: It is recommended that the City Council receive and file Athens Services' letter dated April 29, 2017, requesting a 3.68% increase for single family service, acknowledging the rate adjustment as of July 1, 2017, as authorized by the existing agreement.

7. Resolution R17-15; Approving on Appeal from the Planning Commission NC-1578/G-1584/M-1162-16; Neighborhood Compatibility, Grading & Miscellaneous Applications for a New Single Family Residence Located at 4072 Via Valmonte with Additional Modifications. Lot 17, Block 6321, Tract 7143.

Recommendation: It is recommended that the City Council adopt Resolution R17-15; Approving on appeal from the Planning Commission NC-1578/G-1584/M-1162-16; Neighborhood Compatibility, Grading & Miscellaneous Applications for a New Single Family Residence Located at 4072 Via Valmonte, with modifications. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

8. Parklands Committee Meeting Items of May 11, 2017

Recommendation: Review and Approve.

- a. PC-459-17; Application to retain private plantings and nonstandard encroachments located in Horcada Path adjacent to **702 Via Horcada**

Applicant: James P. Duncun
702 Via Horcada
Palos Verdes Estates, CA 90274

Action: Recommended denial of PC-459-17 and require removal of all plantings, irrigation and private plantings and the path be restored to a natural grade with a minimum 10 feet wide access. Require a restoration plan to be returned and reviewed by the Parklands Committee. (3-0-2 in favor, Kaviani and Rubincam absent).

- b. PC-462-17; Application to retain private plantings and nonstandard encroachments located in Parklands adjacent to **976 Via Rincon** and review the unpermitted planting of Olive trees in the parkway

Applicant: John Deluca
976 Via Rincon
Palos Verdes Estates, CA 90274

Action: Recommended denial of PC-462-17 and require removal of all unpermitted private plantings and nonstandard encroachments in the Parklands, require the Parklands to be graded to restore the original grade, removal of all non-native trees, shrubs, hedges, irrigation system, header boards, tree stumps, pipes and nonconforming trees and nonstandard encroachments in the parkway and Parklands and to provide a restoration plan to be returned and reviewed by the Parklands Committee. (3-0-2 in favor, Kaviani and Rubincam absent).

Second Action: Recommended that the Olive trees be approved as an optional designated street tree on Via Rincon, that the Olive trees in the parkway adjacent to 976 Via Rincon be approved contingent upon a license agreement and a provision that the trees not be allowed to become a view impairment. (2-1-2 in favor, Wade dissenting, Kaviani and Rubincam absent).

- c. PC-463-17; Application to retain private plantings and nonstandard encroachments located in Parklands adjacent to **1353 Via Zumaya**

Applicant: Abbie Gougerchian
1353 Via Zumaya
Palos Verdes Estates, CA 90274

Action: Recommended denial of PC-463-17 and require removal of all unpermitted private plantings and encroachments in the Parklands and the area be restored to the original grade with a prepared restoration plan. Require the hedge in the parkway to be reduced to 30 inches and recommend a miscellaneous application to the Planning Commission for consideration of nonstandard encroachments (lights, pergola, walks and steps) in the parkway. (3-0-2 in favor, Kaviani and Rubincam absent).

- d. PC-465-17; Application to retain private plantings and nonstandard encroachments in the Parklands located adjacent to **3848 Palos Verdes Drive North**

Applicant: Clifford Evans
3848 Palos Verdes Drive North
Palos Verdes Estates, CA 90274

Action: Recommended denial of PC-465-17 and require removal of the Carissa, artificial turf, birds-of-paradise, irrigation and header boards and allow the Cherry and Pittosporum trees to remain. The applicant is to work with staff for a native planting if proposed. (3-0-2 in favor, Kaviani and Rubincam absent).

- e. PC-CTP-09-17; Minor planting plan for habitat restoration and refurbishment of a Parklands area located adjacent to **2801 Via Segovia**

Applicant: Werley Family Trust/Rainville Design Studio
1632 aviation Blvd.
Redondo Beach, CA 90278

Action: Recommended approval of PC-CTP-09-17 with modification to limit plant height to 18 inches in height in areas that have potential for view impairment. Require a complete landscape plan be submitted to staff for review. Require an agreement between the City and the applicant defining maintenance standards to run in perpetuity with the property. (3-0-2 in favor, Kaviani and Rubincam absent).

9. Planning Commission Actions of May 16, 2017

Recommendation: Receive and File.

- a. **Planning Commission Resolution No. 2016-0980**; Confirming the Planning Commission's denial of **M-1131-16**; Consideration of a Miscellaneous Application for encroachments in the City Parklands at the single family residence located at **1445 Via Coronel**. Lot 7, Tract 30905. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant/Owner: Cyrus & Jessica Irani

Action: Approved (5-0 in favor) Planning Commission Resolution No. 2016-0980 confirming the Planning Commission's denial of M-1131-16.

- b. **M-1194-17**; Consideration of a Miscellaneous Application for non-standard encroachments within the City right-of-way at the single family residence located at **2216 Via Fernandez**. Lot 22, Block 4, Tract 7538. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant/Owner: Ewa & Voytek Gawora

Action: Approved the application (5-0 in favor) with standard conditions and the following additional conditions: 1) An encroachment permit shall be obtained for the construction of the stairs; 2) The applicant shall obtain an encroachment permit and

pay triple fees for after-the-fact work for construction of the stone paver walk; and 3) The property owners shall execute a license agreement allowing the non-standard encroachments, which shall be notarized, submitted for recordation at the Los Angeles County Registrar-Recorder office, and required insurance certificates submitted to the City prior to finalizing permits.

- c. **M-1195-17**; Consideration of a Miscellaneous Application for an after-the fact approval for non-standard encroachments within the City right-of-way at the single family residence located at **3819 Via La Selva**. Portion of Lot T, Tract 6887. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant/Owner: Javier & Jeanna Martinez

Action: Approved the application (5-0 in favor) with standard conditions and the following additional conditions: 1) The applicant shall obtain an encroachment permit and pay triple fees for after-the-fact work; and 2) The property owners shall execute a license agreement, which will include stipulations for maintenance of the existing public oak tree. The agreement shall be notarized, submitted for recordation at the Los Angeles County Registrar-Recorder office, and required insurance certificates submitted to the City prior to obtaining a final of the permits.

- d. **CDP-100/WT-146-16**; Coastal Development Permit and Wireless Telecommunication Facilities Applications to co-locate with an existing wireless facility or a new facility within the City right-of-way **across from 1009 Palos Verdes Drive West**.

Applicant: Crown Castle NG West LLC
300 Spectrum Center Dr., #1200
Irvine, CA 92618

Action: Approved the application (5-0 in favor) for the primary location with a shroud around the antennas with standard conditions and the following additional conditions: 1) AT&T and Verizon must each install and at all times maintain in good condition an “RF Notice” sign on the steel pole one foot below its antennas; 2) AT&T and Verizon must each ensure that all RF signage complies with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions; 3) AT&T and Verizon must each install signage on the pole and on its base station cabinet listing the site identifier for its site with a local or toll free telephone number to reach a live person at the network operations center on a 24 hour a day, 7 day a week basis; 4) The steel pole and cabinet shall be automatically dedicated to the City by the applicant immediately upon building department approval of the actual installation, and the applicant shall enjoy no ownership rights or claims to the pole and cabinet whatsoever once so approved. The steel pole, as its primary function, is a street sign pole. Wireless use is only a secondary use of the street sign pole; 5) The steel pole shall be designated as a replacement for the existing pole to

be removed, and after installation, the replacement pole shall be dedicated to the City for a fee of \$1.00 so that it is clear for federal law purposes that replacement pole maintains its primary use and function as a City traffic sign support; 6) The steel pole shall be burnished prior to painting. The pole and antennas must be painted a flat dark brown, or other color selected by City Staff, and maintained in the same condition thereafter; 7) The specification of the steel pole shall be submitted for approval by the Director and shall utilize a tapered design unless an alternate design is approved; 8) The equipment cabinet shall be painted dark brown or other color selected by City Staff to blend in with the existing surrounding environment; 9) All cables interconnecting the antennas and all transmission equipment shall run within the pole except as minimally required to connect to the antennas. The installation shall utilize flush mount brackets and ninety degree connectors to the maximum extent possible; 10) This authorization shall expire at 12:01 a.m. on the day following the tenth (10th) anniversary of the date the building permit for this site is issued. Unless this authorization is renewed prior to the expiration date, following whatever the applicable procedure is at that time, the wireless facility permitted herein shall be promptly removed at applicants sole cost and expense, and any damage to the land, pole and/or cabinet shall be promptly repaired by applicant; 11) Attached traffic sign shall be installed in accordance with the MUTCD (Manual Uniform Traffic Control Devices) California Edition; 12) Attached traffic sign shall be with approved hardware per the City's Maintenance Foreman; 13) The applicant shall work with City Staff to provide appropriate landscaping to screen the proposed cabinet and related equipment; and 14) Upon installation of the facility, the applicant shall demonstrate that the project will not result in levels of radio frequency emissions that exceed Federal Communications Commission standards, including FCC Office of Engineering Technology (OET) Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, as amended. Additionally, if the Director determines the wireless telecommunications facility, as constructed, may emit radio frequency emissions that are likely to exceed Federal Communications Commission uncontrolled/general population standards in the FCC Office of Engineering Technology (OET) Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, as amended, in areas accessible by the general population, the Director may require post-installation testing to determine whether to require further mitigation of radio frequency emissions. The cost of any such testing and mitigation shall be borne by the applicant.

- e. **NC-1583/G-1593-16;** Consideration of Neighborhood Compatibility & Grading Applications for a new single family residence located at **608 Avenida Mirola**. Lot 1, Block 2223, Tract 6888. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant: Brett Buchmann
746 4th St.
Hermosa Beach, CA 90254

Owner: Morgan Blais
1940 Overlook Rd.
Fullerton, CA 92831

Action: Approved the applications (5-0 in favor) with standard conditions and the following additional conditions: 1) A licensed survey of the building coverage shall be completed and submitted to the City to verify compliance with the approved building coverage for the subject lot.

- f. **M-1182-17**; Consideration of a Miscellaneous Application for non-standard encroachments in City Parklands adjacent to the single family residence located at **990 Paseo La Cresta**. Lot 1 of Tract 31329. This project is exempt from CEQA pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Applicant: Albro Lundy III
515 Pier Ave.
Hermosa Beach, CA 90254
Owner: Jason & Wendy Moskowitz

Action: Approve the application (5-0 in favor). A resolution will be brought back for adoption at the June meeting.

PUBLIC HEARINGS/ORDINANCE(S)

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

10. Introduction on First Reading of Ordinance 17-722 Amending Chapter 18.55 of the PVEMC Regarding Wireless Communication Facilities, Including Addressing Eligible Facilities that Meet the Requirements of Section 6409(A) of the Middle Class Tax Relief and Job Creation Act

Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and introduce upon first reading Ordinance 17-722, amending Title 18 (Zoning Procedures) regulating wireless communication facilities.

11. Introduction on First Reading of Ordinance 17-723 Amending Title 15 of the PVEMC by Adopting by Reference the 2016 California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building, Historical Building and Existing Building Codes; the 2016 California Referenced Standards, the 2015 International Property Maintenance Code; the 2015 Uniform Swimming Pool, Spa, and Hot Tub Code; the 2015 Uniform Solar Energy and Hydronics Code; Amending Chapter 8.12 (Fire Code) of Title 8 (Health and Safety) by

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Adopting by Reference the 2017 L.A. County Fire Code, Ratifying the More Restrictive Building Standards Contained in that Code, and Delegating Enforcement of the Fire Code in the City to the Fire Chief; and Adding a New Chapter 13.14 (“Sanitary Sewer and Industrial Waste”) to Title 13 (Public Services) of the PVE Municipal Code to Adopt by Reference the L.A. County Sanitary Sewers and Industrial Waste Ordinance (Title 20, Division 2 – L.A. County Code).

Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and introduce upon first reading Ordinance 17-723, amending Title 15 of the Palos Verdes Estates Municipal Code by adopting the new 2016 California Building Code and other related Codes addressing construction activities, sanitary sewer/industrial waste, and fire and life safety building standards.

NEW BUSINESS

12. Introduction of Davenport Institute – A Discussion on Community Engagement

Recommendation: Receive and File.

13. Approval of Professional Services Agreement with Tramutola LLC for Revenue Measure Feasibility and Related Strategic Services for a Period of Six Months in the Amount of \$7,500 per Month and Appropriation of Funds

Recommendation: It is recommended that the City Council consider the recommendation of the ad hoc committee to approve the proposed professional services agreement with Tramutola LLC for revenue measure feasibility and related strategic services and adopt Resolution R17-16 appropriating the funds for the described services, and adjusting the FY16-17 budget.

14. Status Report on the Development of a Community Choice Aggregation Energy Purchase Program in the South Bay Area

Recommendation: It is recommended that the City Council receive and file the Joint Powers Authority Agreements and Draft Business Plan and direct staff accordingly.

15. Special Event Application for the Lunada Bay Homeowners Association’s “Summer Concerts in the Park” on June 4, June 18, July 23, August 6, August 13, and August 27 at Lunada Bay Park.

Recommendation: It is recommended that the City Council consider the Special Event Application, associated overtime costs, and request to post signs for the annual “Summer Concerts in the Park” at Lunada Bay Park on Sundays, June 4, July 23,

August 6, and August 13, and August 27, 2017 from 4:00 p.m. to 7:00 p.m., and provide direction to staff.

16. Special Event Application and Request to Post Signs/Flags for the Annual for the Palos Verdes Independence Day Celebration on Tuesday, July 4, 2017 Celebration at the Malaga Cove School Grounds from 7:00 A.M. to 2:00 P.M.

Recommendation: It is recommended that the City Council consider the Special Event Application and request to post signs/flags for the annual Palos Verdes Independence Day Celebration at the Malaga Cove School grounds on Tuesday, July 4, 2017 from 7:00 a.m. to 2:00 p.m., and provide direction to staff.

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.

STAFF REPORTS

17. City Manager's Report
 - a. FY 2017-18 Budget Preparation Update

MAYOR & CITY COUNCILMEMBERS' REPORTS

18. Ad Hoc Committee Reports

ADJOURNMENT TO TUESDAY, MAY 30, 2017, 1:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF CONDUCTING COMMISSION AND COMMITTEE MEMBER INTERVIEWS; AN ADJOURNED REGULAR MEETING.

i. This City Council meeting can be viewed via live-stream or on demand thereafter on the City Website at www.pvestates.org.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall Bulletin Boards located by front door and inside adjacent to Council Chambers located at 340 Palos Verdes Drive West, Palos Verdes Estates, CA 90274, Palos Verdes Golf Club, and Malaga Cove Library not less than 72 hours prior to the meeting in accordance with Government Code Section 54954.2. Dated this 19th day of May, 2017.

Vickie Kroneberger, CMC, City Clerk

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