



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**

February 26, 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. 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. R08-05
NEXT ORDINANCE NO. 08-683**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S REPORT – Matters of Community Interest

CONSENT AGENDA (Items #1– 6)
CITY COUNCIL AGENDA
FEBRUARY 26, 2008

All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember, staff, or member of the public requests that an item be removed for separate discussion, with the exception of Planning Commission Actions – Item #6a-g. An applicant or interested citizen who wishes to appeal any Planning Commission decision may file an appeal with the City Clerk’s office within 15 days after the date of the Planning Commission’s decision.

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

1. Minutes of City Council Meeting of February 12, 2008

Recommendation: Review and File.

2. Treasurer’s Monthly Report – January 2008

Recommendation: Receive and File.

3. Monthly Finance Report – January 2008

Recommendation: Receive and File.

4. Special Event Application for the Palos Verdes Peninsula Land Conservancy to Hold an Art Show Preview Reception Dinner at Farnham Martin Park on June 27, 2008 from 6:00 p.m. to 9:00 p.m.

Recommendation: It is recommended that the City Council approve the Special Event Application for the PVPLC to hold its Art Show Preview Reception Dinner at Farnham Martin Park on Friday, June 27, 2008, from 6:00 to 9:00 p.m.

5. Traffic Safety Committee Meeting Item of February 13, 2008

Recommendation: Review and Approve.

- a. Request for a Southbound Stop Sign at the Via La Selva/Via Picaposte Intersection

Action: Denied (5-0)

6. Planning Commission Actions of February 19, 2008

Recommendation: Receive and File.

- a. **NC-1313-07**; Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 1433 Via Zumaya. Lot 65, Tract 27438.

Applicant: Peter Rahill
205 Avenue I, Suite 1
Redondo Beach, CA 90277

Owner: Mr. and Mrs. Charles Toups

Action: Approved (4-0) with standard conditions and the following additional condition: 1) All walls within the setback adjacent to the right-of-way are not to exceed 42” in height.

- b. **NC-1311/GA-1426-07**; Consideration of Neighborhood Compatibility and Grading Applications for additions to the single family residence located at 4021 Via Picaposte. Lot 16, Block 6313, Tract 7143.

Applicant: Lane Building Design
101 N. PCH, #100
Redondo Beach, CA 90277
Owner: Andrew Martz
3220 Palos Verdes Drive North
Palos Verdes Estates, CA 90274

Action: Approved (4-0) 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 coverage for the subject lot; 2) City standard curb and gutter shall be installed per construction plans prepared by a registered Civil Engineer and approved by the City Engineer.

- c. **NC-1314-07**; Consideration of a Neighborhood Compatibility Application for a new single family residence located at 3929 Via Solano. Lot 8, Block 6201, Tract 6887.

Applicant: Peter Audelo
4612 Allende Avenue
Oceanside, CA 92057
Owner: Henry Hymes

Action: Denied (4-0).

- d. **NC-1317-08**; Consideration of a Neighborhood Compatibility Application for a new single family residence located at 3432 Palos Verdes Drive North. Lot 19, Block 1900, Tract 6883.

Applicant: Douglas Leach
119 W. Torrance Blvd. #24
Redondo Beach, CA 90277
Owner: CCC&R Heritage Point, LLC
23545 Crenshaw Blvd., #205A
Torrance, CA 90505

Action: Approved (3-1, Hoffman dissenting) with standard conditions and the following additional conditions: 1) All non-standard encroachments are to be

removed; 2) City standard curb and gutter or rolled berm shall be installed per construction plans prepared by a registered Civil Engineer and approved by the City Engineer; 3) A licensed survey of the building lot coverage shall be completed and submitted to the City to verify compliance with the approved floor area for the subject lot.

- e. **NC-1298R-07**; Consideration of a revised Neighborhood Compatibility Application for a new single family residence located at 540 Paseo Del Mar. Lot 4, Block 1412, Tract 6886.

Applicant: KAA Design Group
4201 Redwood Ave.
Los Angeles, CA 90066
Owner: Marcus Linden
1811 Agnes Road
Manhattan Beach, CA 90266

Action: Denied (3-0, Vandever recused).

- f. **M-655-07**; Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 808 Gatos Place. Lot 3, Block 1541, Tract 6884.

Applicant/Owner: Lily Liang

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

- g. **M-657-08**; Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 1505 Via Arco. Lot 17, Block 17, Tract 7538.

Applicant: Alan McGregor
16332 Bradbury Lane
Huntington Beach, CA 92647
Owner: Mr. Bottlewalla

Action: Approved (4-0) with standard conditions, excluding the additional condition as recommended by 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.

PUBLIC HEARINGS – 7:30 p.m.

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

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

Recommendation: It is recommended the City Council open the protest hearings in accordance with Resolution R08-01 for unimproved properties, and at the conclusion of the hearing, adjust the list according to the protests heard and adopt a minute resolution directing the County Agricultural Commissioner’s Office (CACO) to inspect and abate weeds, brush, rubbish, and refuse as necessary on unimproved lots contained in the adjusted list.

It is also recommended that the City Council open the protest hearing in accordance with Resolution R08-02 for improved properties, and direct the Los Angeles County Fire Department to inspect all improved properties before affirmation of the final list.

STAFF REPORTS

8. **City Manager’s Report**

DEMANDS

9.
 - a. Authorize Payment of Motion #1 – Payroll Warrant of February 22, 2008
 - b. Authorize Payment of Motion #2 – Warrant Register of February 26, 2008

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

MAYOR & CITY COUNCILMEMBERS’ REPORTS

ADJOURNMENT TO TUESDAY, MARCH 11, 2008, AT 7:30 P.M. IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF A REGULAR MEETING.

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, February 27, 2008 at 7:30 p.m., and Wednesday, March 5, 2008, at 7:30 p.m.*

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: JUDY SMITH, ASSISTANT CITY MANAGER
SUBJECT: MONTHLY FINANCIAL REPORT – JANUARY 2008

Analysis of Graphs

General fund revenues are 3% lower than expected, while total operating revenue is running 2% less than expected. January revenue, especially property transfer tax and development fees, reflect a decline in activity associated with the holidays. With receipt of the state allocations associated with the VLF backfill and sales tax triple flip in January, the year to date performance for “From State” now meets budget expectations.

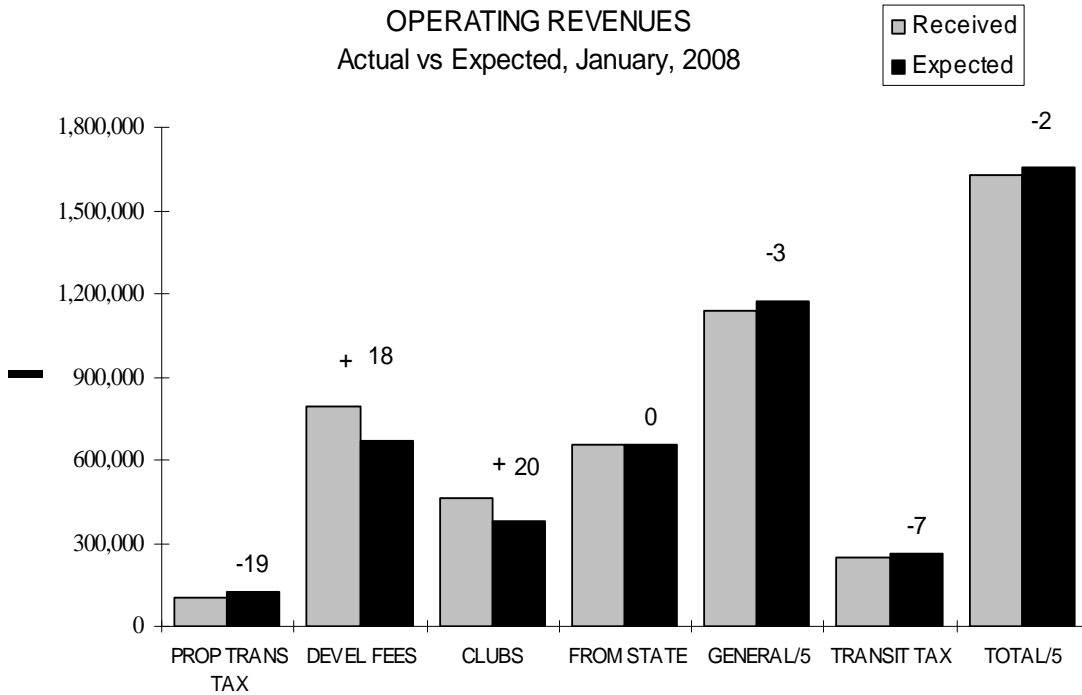
Transit tax revenue, consisting of Proposition A and C at 7% lower than expected, reflects the slowdown countywide in sales tax receipts. The MTA had budgeted a 3% increase in sale tax receipts, which has not materialized this year. The City still receives sufficient revenue to support its PV Transit obligations with Proposition C receipts. Proposition A funds are sold for unrestricted general fund monies, since the City does not need them for transit purposes.

Expenditures for most departments, except Public Works and Capital Outlay (equipment replacement), are at or below expected with total operating expenditures running 2% less than expected. The Police Department is 9% lower than expected, mostly due to salary savings because of several vacancies. While the department is in the process of filling these positions, the timeframe for recruitment, testing and background tends to result in some gap in positions being filled and associated savings, that are offset somewhat by increased overtime costs.

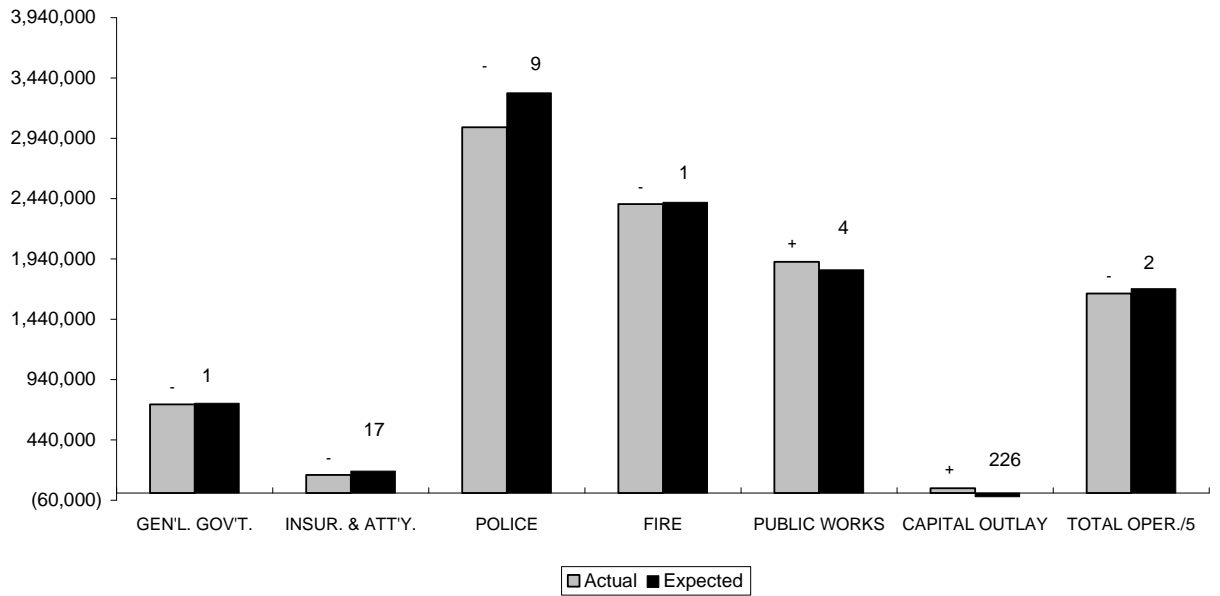
Spot Reports

None.

OPERATING REVENUES
Actual vs Expected, January, 2008



OPERATING EXPENDITURES
Actual vs Expected, January, 2008



TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

**SUBJECT: SPECIAL EVENT APPLICATION FOR THE PALOS VERDES PENINSULA
LAND CONSERVANCY TO HOLD AN ART SHOW PREVIEW
RECEPTION DINNER AT FARNHAM MARTIN PARK ON JUNE 27, 2008
FROM 6:00 P.M. TO 9:00 P.M.**

DATE: FEBRUARY 13, 2008

ISSUE

Shall a Special Event Application be approved for the Palos Verdes Peninsula Land Conservancy to hold its Art Show Preview Reception Dinner at Farnham Martin Park on June 27, 2008 from 6:00 p.m. to 9:00 p.m.?

BACKGROUND AND ANALYSIS

The Palos Verdes Peninsula Land Conservancy (PVPLC) is a non-profit organization dedicated to maintaining the open space on the Peninsula. The PVPLC annually sponsors a fine art exhibition and sale featuring paintings by local and guest artists at the Malaga Cove Library. A portion of the proceeds benefits the Conservancy. In previous years, PVPLC has held a Preview Art Show Reception Dinner for past buyers. Until two years ago, the reception was held off-site from the show itself; however in 2006 and 2007, it was held successfully at Farnham Martin Park without incident. The purpose of the Preview Reception Dinner is to offer previous buyers the opportunity to see and purchase art before the Saturday Art Show Opening; therefore, being on site for the reception is beneficial. PVPLC has completed a Special Event Application to have the reception on the flagstone area around the fountain of Farnham Martin Park, which is adjacent to the Malaga Cove Library where the Art Show is taking place.

The Art Show Preview Reception Dinner will include a cocktail hour and buffet dinner. Guests will be seated on the flagstone area around the fountain with the buffet table placed in the open area of the Malaga Cove Library Gallery. No activity will occur on the green space. Approximately 125 guests are expected to attend. During the dinner, either chamber music or a soft jazz ensemble will be playing. Music will not be amplified so surrounding residents are not disturbed. Similar to last year, the PVPLC will have an overhead awning with screens to offer protection for their guests.

Farnham Martin Park generally requires a Group Gathering Permit approved by the City for events of 30 people or less. The PVPLC anticipates the proposed event will have over 100 participants.

Since it is a larger event, the City has required PVPLC to complete a Special Event Application for Council approval, much like what is required for “Concerts in the Park” held at Farnham Martin Park.

All departments have reviewed the Special Event Application. All fees have been paid and the Certificate of Insurance and Hold Harmless Letter have been received.

RECOMMENDATION

It is recommended that the City Council approve the Special Event Application for the PVPLC to hold its Art Show Preview Reception Dinner at Farnham Martin Park on Friday, June 27, 2008 from 6:00 p.m. to 9:00 p.m.

FISCAL IMPACT

None.

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PLANNING DIRECTOR
DATE: FEBRUARY 26, 2008
SUBJECT: PLANNING COMMISSION ACTIONS OF FEBRUARY 19, 2008

The items attached were acted upon by the Planning Commission on February 19, 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: PROTEST HEARINGS OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES DECLARING THAT WEEDS GROWING UPON OR IN FRONT OF, AND BRUSH, RUBBISH, REFUSE, AND DIRT UPON AND IN FRONT OF CERTAIN IMPROVED AND UNIMPROVED PROPERTIES IN THE CITY ARE A PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF

DATE: FEBRUARY 26, 2008

The Issue

Should the City Council open:

- a) The public hearing in accordance with R08-01 for unimproved properties, and at the conclusion of the hearing, adjust the list according to the protests heard and adopt a minute resolution directing the County Agricultural Commissioner's Office (CACO) to inspect and abate weeds, brush, rubbish, and refuse as necessary on unimproved lots contained in the adjusted list; and
- b) The public hearing in accordance with R08-02 for improved properties, and direct the Los Angeles County Fire Department (LACFD) to inspect all improved properties before affirmation of the final list?

Background and Analysis

Unimproved Lots

At the City Council meeting of February 12, 2008, the CACO 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 weed growth, brush, rubbish, refuse and flammable vegetation within and around the property. These unimproved properties were inspected by the County and weed abatement services will be provided, as needed. By law, each City is required to hold a public hearing, allowing unimproved-property owners the opportunity to protest the County's

assessment of their respective properties, showing that their property has been improved and the nuisance abated.

Improved Lots

On February 12, 2008, per the LACFD's request, the Council also reviewed a list of improved properties. The Los Angeles County Fire Department provided the City with its annual list of improved properties for the weed abatement service. Those properties listed represent a potential fire hazard. The LACFD notifies all property owners on the list of the potential hazard prior to making a final determination of which properties are a definite fire hazard. The hope is that owners, once alerted to the danger, will clear vegetation before the fire season begins. The process for improved parcels calls for the LACFD to inspect listed properties in June and return to the City for authorization to fine for any violations found.

Alternatives Available to Council

The following alternatives are available to Council:

1. a) Open the protest hearing in accordance with Resolution R08-01 for unimproved properties, and at the conclusion of the hearing, adjust the list according to the protests heard and adopt a minute resolution directing the County Agricultural Commissioner's Office to inspect and abate weeds, brush, rubbish, and refuse as necessary on unimproved lots contained in the adjusted list.
- b) Open the protest hearing in accordance with Resolution R08-02 for improved properties, and direct the LACFD to inspect all improved properties before affirmation of the final list.
2. Open only one protest hearing in accordance with the appropriate resolution.
3. Decline to authorize the County to proceed with weed abatement services.

Conclusions and Recommendations

Staff recommends the Council:

- a) Open the protest hearing in accordance with Resolution R08-01 for unimproved properties, and at the conclusion of the hearing, adjust the list according to the protests heard and adopt a minute resolution directing the County Agricultural Commissioner Office (CACO) to inspect and abate weeds, brush, rubbish, and refuse as necessary on unimproved lots contained in the adjusted list.

b) Open the protest hearing in hearing in accordance with Resolution R08-02 for improved properties, and direct the LACFD to inspect all improved properties before affirmation of the final list.

Budget Impacts

There will be no budget impact to the City. Charges for inspection and weed abatement procedures within the city are assessed by the County Agricultural Commissioner and the LACFD and directly billed to respective property owners.

Staff report prepared by:
Floriza Rivera
Public Works Department