

June 22, 2010  
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 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. R10-12  
NEXT ORDINANCE NO. 10-697**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**MAYOR'S REPORT – Matters of Community Interest**

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## CONSENT AGENDA (Items 1-5)

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. 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 June 8, 2010

**Recommendation: Review and File.**

2. Resolution R10-07; Approving Final Adjustments to the FY 2009-10 Budget

**Recommendation: It is recommended that the City Council adopt Resolution R10-07 to make final adjustments to the FY 2009-10 budget.**

3. Resolution R10-08; Approving the Auditor's Report and Setting the Fire and Paramedic Services Special Tax Rate for FY 2010-11

**Recommendation: It is recommended that the City Council adopt Resolution R10-08; approving the Auditor's Report and establishing the FY 2010-11 Fire and Paramedic Services special tax rate in conformance with Ordinance 07-677.**

4. PW-554-09; Completion of Contract for Palos Verdes Drive West Roadway Stabilization Project

**Recommendation: It is recommended that the City Council accept as complete the construction contract PW-554-09, Palos Verdes Drive West Roadway Stabilization Project in the amount of \$593,225.58; and direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder's office records the Notice of Completion, if no stop notices are filed.**

5. Planning Commission Actions of June 15, 2010

**Recommendation: Receive and File.**

- a. **CDP-79-10;** Consideration of a Coastal Development Permit Application for the repair of an existing gunite wall along the bluff adjacent to the Neighborhood Church located at 415 Paseo Del Mar. Lots 3, 4, 5, 6 & 7, Block 1500, Tract 6886.

Applicant: David Buxton  
1420 Paseo La Cresta  
Palos Verdes Estates, CA 90274  
Owner: Neighborhood Church  
415 Paseo Del Mar  
Palos Verdes Estates, CA 90274

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**Action: Approved (3-0, Vandever recused, King absent) with standard conditions and the following additional conditions: 1) The conditions that pertain to the repairs as outlined by the City Geologist must be incorporated into the project; 2) The existing wall is to be colored/painted to match the natural surroundings; 3) An agreement with the City to include items regarding liability, maintenance, and other issues deemed appropriate by the City shall be executed by the applicant; 4) Remove item no. 11 from the resolution; 5) A monitoring plan for the repairs is to be drafted and approved by the City Geologist.**

- b. **NC-1389-10;** Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 504 Via Gorrion. Lot 16, Block 6320, Tract 7143.

Applicant: Tomaro Architecture  
1001 6<sup>th</sup> Street, Suite 100  
Manhattan Beach, CA 90266  
Owner: Dane & Jenny McKay

**Action: Approved (4-0) with standard conditions and the following additional condition: 1) A licensed survey of the building coverage shall be completed and submitted to the City to verify compliance for the subject lot.**

- c. **M-769-10;** Consideration of a Miscellaneous Application requesting after-the-fact approval for a structure exceeding the maximum allowable height at the single family residence located at 1436 Via Arco. Lot 10, Block 3, Tract 29082.

Applicant: Builder's Team  
2259 Honolulu Ave.  
Montrose, CA 91020  
Owner: Dr. Frederick Price

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

- d. **WT-114-09;** Consideration of a Wireless Telecommunication Facilities Application for equipment proposed within the City right-of-way adjacent to 4010 Palos Verdes Drive North. Lot B, Tract 9822.

Applicant: AT&T Mobility  
12900 Park Plaza Dr.  
Cerritos, CA 90703

**Action: Denied (4-0).**

- e. **NC-1380/GA-1469-10;** Consideration of Neighborhood Compatibility and Grading Applications for additions to the single family residence located at 3000 Via La Selva. Lot 27, Block 1800, Tract 7589.

Applicant: Tom Blair  
2785-E PCH, #149  
Torrance, CA 90505  
Owner: Mr. & Mrs. Robert Fazio

**Action: Approved (4-0) with standard conditions and the following additional condition: 1) A licensed survey of the building height and building coverage shall be completed and submitted to the City to verify compliance with the approved quantities.**

f. **NC-1386/M-771-10;** Consideration of Neighborhood Compatibility and Miscellaneous Applications for a new single family residence located at 1533 Via Lopez. Lot 10, Block 8, Tract 7334.

Applicant: Ashai Design Corp.  
21515 Hawthorne Blvd., #975  
Torrance, CA 90503  
Owner: Osamu Irie & Julie Tai

**Action: Approved in part and Continued in part. The Neighborhood Compatibility application was approved (4-0) with standard conditions and the Miscellaneous application was continued.**

g. **NC-1390-10;** Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 4400 Via Pinzon. Lot 1, Block 6333, Tract 7143.

Applicant: Cauthen Design LLC  
17072 Tiffany Cr.  
Huntington Beach, CA 92649  
Owner: Scot & Erin Steenolsen

**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; 2) All nonstandard encroachments shall be removed including but not limited to the rock walls and the header boards within the City right-of-way.**

h. **M-762-10;** Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 1328 Palos Verdes Drive West. Lot 8, Block 1353, Tract 7536.

Applicant/Owner: Scott & Faith Rouse

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

## 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

6. Adoption of City's FY 2010-11 Budget: Resolution R10-09; Establishing the FY 10-11 Appropriations Limit, and R10-10; Adopting the Annual Budget and Fixing the Limitation of Expenditures

**Recommendation: It is recommended that the City Council adopt Resolution R10-09 establishing the FY 2010-11 Appropriations Limit and R10-10 adopting the Annual Budget for FY 2010-11.**

7. Traffic Safety Committee Meeting Items of June 9, 2010
  - a. Installation of a Crosswalk with Programmable Yellow Beacons and Associated Signage on the North Side of the Via Olivera/Via Estudillo Intersection

**Recommendation: The Traffic Safety Committee recommends that the City Council approve the installation of the crosswalk with programmable yellow beacons and associated signage on the north side of the Via Olivera/Via Estudillo intersection with the rest of PBS&J's recommendations, as well as approve the committee's recommended modification to the flashing yellow beacon configuration.**

- b. Installation of Additional Lighting at the Triangle Intersection (Palos Verdes Boulevard, Palos Verdes Drive West, and Palos Verdes Drive North Intersection)

**Recommendation: The Traffic Safety Committee recommends that the City Council approve the installation of six additional lights at the triangle intersection (Palos Verdes Boulevard, Palos Verdes Drive West, and Palos Verdes Drive North Intersection) at an approximate cost of \$11,500.**

8. Resolution R10-11; Authorizing Participation in the Los Angeles County Energy Program Related to the Installation and Financing of Energy and Water Efficiency Improvements for Qualifying Property Owners in Palos Verdes Estates

**Recommendation: It is recommended that the City Council receive the report and adopt Resolution R10-11 authorizing participation in the Los Angeles County Energy Program.**

**STAFF REPORTS**

9. City Manager's Report

**DEMANDS**

10. a. Authorize Payment of Motion #1– Payroll Warrant of June 11, 2010  
b. Authorize Payment of Motion #2 – Warrant Register of June 22, 2010

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

**MAYOR & CITY COUNCILMEMBERS' REPORTS**

**RECESS TO CLOSED SESSION**

**This time has been set aside for the City Council to meet in a closed session to discuss the matter listed below pursuant to Government Code Section 54957.6.**

**CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency Designated Representatives: City Manager Hoefgen, Assistant City Manager Smith  
Employee Organization: Palos Verdes Estates Public Service Employees

**RECONVENE TO OPEN SESSION**

**ADJOURNMENT TO SATURDAY, JULY 10, 2010, 8:30AM IN THE COMMUNITY ROOM OF MALAGA COVE LIBRARY, 2400 VIA CAMPESINA, FOR THE PURPOSE OF A COUNCIL POLICY RETREAT.**

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, June 23, 2010 at 7:30 p.m., and Wednesday, June 30, 2010, at 7:30 p.m.*

**CITY COUNCIL AGENDA  
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**TO: JOSEPH HOEFGEN, CITY MANAGER**  
**FROM: JUDY SMITH, ASSISTANT CITY MANAGER**  
**SUBJECT: RESOLUTION R10-07 APPROVING FINAL  
ADJUSTMENTS TO THE FY 2009-10 BUDGET**

The Issue

Shall the City Council make final adjustments to the FY 2009-10 budget and adopt Resolution R10-07?

Background

This resolution provides for adjustments to certain revenue and expenditure accounts in order to more closely reflect anticipated budget results for the current Fiscal Year 2009-10. These changes have previously been reflected in estimates provided to the City Council for the fiscal year-end 2009-10 and thus have no adverse effect on beginning balances for FY 2010-11.

Analysis and Findings

The budget was reviewed at the fund, department and line item level for major variations from the currently adopted budget. The level of budgetary control is at the fund level, which means actual expenditures may not exceed the legally adopted budget as approved by the City Council. Several of the items outlined in the attached resolution are to account for minor expenditure deviations, involving certain special restricted funds (e.g. Gas Tax, COPS, and Corrections Training).

General fund revenues are increased by a net \$204,350, reflecting lower interest earnings but also the unanticipated income from the Haag Estate and the additional Proposition A transit exchange. Revenue changes for restricted funds increased by a net \$108,010, reflecting adjustments for lower interest (capital and sewer) and FY 09-10 budgeted funds which were received at the end of FY 08-09 (Prop1B and Prop 42 Parks). Increases in restricted revenues include Asset Seizure money, which is hard to predict, and the federal stimulus funds used for the Palos Verdes Drive West Stabilization project.

The largest adjustment to restricted fund expenditures reflects the Prop A Transit exchange (+\$100,000). Other minor restricted fund changes total \$41,920. The general fund budget is adjusted \$32,000 to reflect expenses associated with the new website design and the printing cost for new issues of the Resident Handbook.

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The resolution also includes authorization for certain inter-fund transfers, which require Council approval. The transfers involve restricted funds, transferred to the general and capital improvement funds to reimburse for previously incurred expenditures.

#### Alternatives Available to the City Council

1. Adopt Resolution R10-07 to adjust the FY 2009-10 budget.
2. Do not approve the adjustments, in which case, certain funds and departments will exceed the adopted budget. Failure to adjust the budget will violate the City's policy of not exceeding legally appropriated limits and resulting in a negative audit comment from the City's independent auditors.

#### Recommendation

It is recommended that City Council adopt Resolution R10-07 to make final adjustments to the FY 2009-10 budget.



**TO: JOSEPH HOEFGEN, CITY MANAGER**

**FROM: JUDY SMITH, ASSISTANT CITY MANAGER**

**SUBJECT: RESOLUTION R10-08; APPROVING THE AUDITOR'S REPORT AND SETTING THE FIRE AND PARAMEDIC SERVICES SPECIAL TAX RATE FOR FY 2010-11**

**The Issue**

Shall the City Council approve Resolution R10-08, which adopts the Auditor's Report and sets the Fire and Paramedic Services special tax rate for FY 2010-11?

**Background**

In March, 2007, Palos Verdes Estates voters overwhelming approved (+87%) Measure A (Ordinance 677), which re-authorized for a ten-year period (expiration 6-30-17) a special tax to finance contract fire/paramedic services provided by the Los Angeles County Fire Department. The approved measure allows for a maximum annual tax rate increase of 4.2% or the actual increase in the fire service contract cost, whichever is less. Revenues and fire contract costs are accounted for in a separate fund, Special Fire Tax (fund 22).

The City's current contract with Los Angeles County Fire Department for fire and paramedic services expires June 30, 2016. During the first five years, the maximum annual contract cost increase is capped at 4.2% compared to the prior year's cost. Costs in excess of the cap may be recouped in the following year or future years, but only to the extent that the total contract cost does not exceed that year's cap.

**Analysis and Findings**

On May 25, 2010, the City received contract cost information from Los Angeles County Fire, which included the final actual cost for FY 09-10 and the estimated cost for FY 10-11. Applying the contract cap described above, the maximum permitted cost for FY 09-10 fire and paramedic services totaled \$3,941,972. The final actual cost for FY 09-10 was \$3,820,855 and the County assessed \$121,117 of the prior years' "excess" cap to reach the total permitted contract of \$3,941,972. With these final costs for FY 09-10 there remains \$11,361 of costs in excess of the cap, which had not been assessed to the City. A recap of the recent history of the fire contract cost is included as Attachment 1.

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The FY 10-11 estimated contract cost totals \$3,998,121 or a 4.64% increase compared to the FY 09-10 actual cost (\$3,820,855). Because our contract permits a 4.2% maximum increase, the capped contract cost totals \$3,981,331 and a total of \$28,151 in unbilled costs will be carried forward to future years. The estimated cost does not include any assumptions about wage increases for County Fire contracts that expire in December 2010. For the past two years, County Supervisors extended the existing contracts without wage increases. The increase for the estimated FY 10-11 contract is being driven by benefits and Fire Department overhead costs.

The City's assessment engineers, NBS Government Services, have prepared the Auditor's Report (attached) using a 4.2% increase in the tax rate. There are two components to the tax – a flat cost per parcel, including vacant parcels, and a cost per square foot of building improvement. Applying the increase results in the following rates:

	<u>FY 2010-11</u>	<u>FY 2009-10</u>	<u>Change</u>
Per Parcel	\$283.30	\$271.89	\$ 11.41
Cost/building sq. ft.	\$0.16226	\$0.155723	\$ 0.006537
Median home (2,595 sq. ft.)	\$704.36	\$675.99	<b>\$28.37</b> <b>(\$0.078/day)</b>

A history of the annual tax rate increase and cost for a median home is shown in Attachment 2.

The Auditor's Report shows the tax rate, the estimated revenues to be derived from the special tax, \$3,993,387, and the projected cost for fire and paramedic service. The anticipated revenue, assuming a 100% collection rate, exceeds the estimated cost by \$7,157 and would increase the fire fund balance by that amount. The ending fund balance for the fire tax fund as of June 30, 2011 is projected at \$135,591.

### **Alternatives Available to the City Council**

1. Adopt Resolution R10-08, which approves the Auditor's Report and sets the Fire and Paramedic services special tax rate for FY 2010-11.
2. Decline to adopt Resolution R10-08. Without approval of the special tax, the budget would be out of balance by the amount of the tax or ~\$4 million.

### **Recommendation**

It is recommended that the City Council adopt Resolution R10-08; approving the Auditor's Report and establishing the FY 2010-11 Fire and Paramedic Services special tax rate in conformance with Ordinance 677.

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**  
**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**  
**SUBJECT: PW 554-09; COMPLETION OF CONTRACT FOR THE PALOS VERDES DRIVE WEST ROADWAY STABILIZATION PROJECT**  
**DATE: JUNE 22, 2010**

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**The Issue**

Should the City Council:

- 1) Accept as complete the construction contract PW 554-09, Palos Verdes Drive West Roadway Stabilization Project in the amount of \$593,225.58; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder's office records the Notice of Completion, if no stop notices are filed?

**Background and Analysis**

On September 8, 2009, City Council awarded a Contract in the amount of \$566,695 to Calex Engineering Company for the construction of the Palos Verdes Drive West Roadway Stabilization Project. The project constructed a soldier pile wall with tiebacks and seismic design to mitigate the ongoing subsidence across the entire southbound lane of Palos Verdes Drive West approximately 250 feet north of Via Montemar. The wall allows slope movement along the portion of the road adjacent to the landslide, exposing more of the wall over time as the landslide moves downhill. Construction activities included grading, material removals, construction of soldier piles and tiebacks, installation of lagging, installation of a handrail and a guardrail, overlay of the street surface with new asphalt, and striping. A majority of the project (84.3%) was constructed using federal ARRA funding, with the rest provided by Proposition 1A funding.

The project has now been satisfactorily completed in the amount of \$593,225.58. Project additions included surveying services, asphalt paving, excavation and disposal, curb construction, paving fabric, installation of striping reflectors, and installation of a guardrail end system. Project deletions included asphalt paving, base material, asphalt curb not constructed, guardrail not constructed, filter

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fabric not installed, and a reimbursement to the City for fees to cover the additional design review on the tieback anchors. Three change orders were issued for \$10,878, (\$3,710), and \$49,531.58 which increased the total construction cost to \$593,225.58 (+4.7%)

**Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Accept as complete the construction contract PW 554-09, Palos Verdes Drive West Roadway Stabilization Project in the amount of \$593,225.58, direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder's office records the Notice of Completion, if no stop notices are filed.
2. Decline to accept the project as complete.

**Recommendation from Staff**

Staff recommends that the Council:

- 1) Accept as complete the construction contract PW-554-09, Palos Verdes Drive West Roadway Stabilization Project in the amount of \$593,225.58; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder's office records the Notice of Completion, if no stop notices are filed.

**Fiscal Impact**

The FY 09/10 budget allotted \$1,176,000 for this project. These are the project costs:

Construction Costs	\$593,225.58
Construction Inspection by Huitt Zollars	108,825.00
Administration	\$50,270.00
<hr/> Total	<hr/> \$752,320.58

The project budget is therefore sufficient to cover the total construction cost of \$752,321 shown above.

Staff report prepared by:  
Floriza Rivera  
Public Works Department

**TO: JOSEPH HOEFGEN, CITY MANAGER**  
**FROM: ALLAN RIGG, PLANNING DIRECTOR**  
**DATE: JUNE 22, 2010**  
**SUBJECT: PLANNING COMMISSION ACTIONS OF JUNE 15, 2010**

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The items attached were acted upon by the Planning Commission on June 15, 2010.

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 HOEFGEN, CITY MANAGER**

**FROM: JUDY SMITH, ASSISTANT CITY MANAGER**

**SUBJECT: ADOPTION OF THE CITY'S FY 2010-2011 BUDGET: RESOLUTION R10-09; ESTABLISHING THE FY 10-11 APPROPRIATIONS LIMIT, AND R10-10 ADOPTING THE ANNUAL BUDGET AND FIXING THE LIMITATION OF EXPENDITURES**

The Issue

Shall the City Council adopt the required resolutions to approve the City's Fiscal Year 2010-11 budget?

Appropriations Limit FY 2010-11

Article XIII B of the State Constitution requires the adoption of an annual appropriations limit related to certain tax proceeds. Resolution R10-09 is attached for this purpose.

The City's annual appropriations limit, also known as the "Gann" limit, may be adjusted by certain factors that the City Council, at its option, selects. The factors used to calculate the City's FY 10-11 limit are:

California per capita personal income -2.54% as reported by the State Department of Finance, and

Population increase for Los Angeles County +0.83%, as reported by the State.

The City's FY 09-10 appropriations limit was \$17,193,280. Using the factors above, the FY 2010-11 appropriations limit is \$16,895,650 of which, the City's actual appropriations subject to the limitation (tax proceeds) totals \$12,069,995 or 71.4% of what is allowed. Even though the total appropriations limit is lower for FY 10-11, due to the decline in California personal income, the City's total tax proceeds are still well below the "Gann" limit cap. For Council's information, there were two previous years in which the inflation/per capita income factor was negative: 2002-03 (-1.27%) and 1992-93 (-0.64%). To date, the population factor has never been negative.

Budget Process

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The City Council has held three publicly noticed meetings at which there was an opportunity for public comment by residents or other interested parties on the proposed budget. Those dates included budget workshops on March 31, 2010 and May 27, 2010 and the formal budget public hearing held as part of the June 8, 2010 City Council meeting.

There was one change to the preliminary budget dated May 15, 2010. At the May 27<sup>th</sup> budget meeting, City Council approved a \$10,000 appropriation to provide for a seismic analysis of City Hall, funded by the estate (Haag) proceeds received by the City in FY 09-10.

The City's consolidated budget (operating and capital) for FY 2010-11 is \$18,323,090. The operating budget totals \$14,707,090 and represents a 1.13% increase compared to the FY 09-10 operating budget. The capital budget, including sewer and non-sewer projects, totals \$3,616,000 and includes the annual street maintenance programs (\$1 million) and construction of the Via Barri sewer pump station (\$2.2 million).

#### Alternatives Available to the City Council

1. Approve Resolutions R10-09 and R10-10
2. Approve additional changes to the budget and adopt the required Resolutions.
3. Defer adopting the budget.

#### Recommendation

It is recommended that the City Council adopt Resolution R10-09 establishing the FY 2010-11 Appropriations Limit and R10-10 adopting the Annual Budget for FY 2010-11.

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**

**SUBJECT: INSTALLATION OF A CROSSWALK WITH PROGRAMMABLE YELLOW BEACONS AND ASSOCIATED SIGNAGE ON THE NORTH SIDE OF THE VIA OLIVERA/VIA ESTUDILLO INTERSECTION**

**DATE: JUNE 22, 2010**

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### **The Issue**

Should the City Council approve the installation of a crosswalk with programmable yellow beacons and associated signage on the north side of the Via Olivera/Via Estudillo intersection?

### **Background and Analysis**

At their January 6, 2010, meeting, the Traffic Safety Committee reviewed a letter from Frank Califano, Principal of Palos Verdes Intermediate School (PVIS), requesting that the city provide a crosswalk on Via Olivera at the Via Estudillo intersection. A petition from several PVIS parents accompanied Mr. Califano's letter. The Committee then recommended that staff procure a traffic study to determine the different alternatives for the intersection.

Staff retained the PBS&J consulting firm to conduct a Palos Verdes Intermediate School Pedestrian Mobility and Safety Study. The study was presented at the Committee's March 10 meeting and a copy of it is attached. PBS&J's recommendations include:

1. Install a high visibility crosswalk and associated signage on the north leg of the Via Olivera/Via Estudillo intersection, per Figure 1 in the study.
2. Install school area signage per Figure 1 in the study.
3. Install programmable yellow warning beacons with the Assembly B signage for both directions at the crosswalk location per Figure 1 in the study.
4. Install stopping prohibition signage on the south side of Via Estudillo between Via Olivera and a location approximately 190 feet easterly, per Figure 2 in the study, during the following periods:
  - a. Monday thru Friday 7:30 to 8:30 am
  - b. Monday thru Friday 1:30 to 3:30 pm
5. Install 20 feet of red curb on the west side of Via Olivera from the existing curb ramp northerly per Figure 2 in the study.

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6. Install “KEEP CLEAR” pavement markings and limit lines in the southbound lane between the proposed school crosswalk and the visitor parking lot entrance-only driveway, per Figure 2 in the study.
7. Replace the existing “NO LEFT TURN” sign for northbound traffic at the visitor parking lot entrance-only driveway with an R3-2 (symbol) sign per Figure 2 in the study.
8. Repaint the existing red curb on Via Olivera and Via Estudillo in the vicinity of the school per Figure 2 in the study.

The following locations of existing flashing warning beacons in Redondo Beach were provided to the Committee members the day following the March meeting:

- A. School Flashing Yellow Beacons (FYB)
  - South Prospect Ave between Emerald St and Diamond St
  - Grant Ave between Flagler Ln and Blossom Ln
- B. Flashing Red Beacons
  - Palos Verdes Blvd at Ave F
  - Palos Verdes Blvd at S Helberta Ave

The school FYB’s listed above are possibly mounted on taller Type 1 poles, which PBS&J does not recommend for the Via Olivera/Via Estudillo intersection. The City will want to install on smaller poles, and the red flashing beacons listed above demonstrated installations on those types of poles.

The Committee also requested that PBS&J expand on the following alternatives: 1) push button vs. continuously-flashing warning beacons and 2) in pavement vs. above-ground lighting. PBS&J’s response is given below.

- A. Continuously-flashing (timed) would be preferable to push button warning beacons for the following reasons:
  - Timed operation would enable flashing operation during all arrival and dismissal periods. This ensures that motorists are receiving notification that there is the potential for pedestrian crossings at the critical times.
  - Pedestrians may not always push the button and, if not, the flashers would not come on, thereby eliminating the safety effects of the flashing beacons.
  - When flashing beacons are pedestrian actuated, they operate for a set period of time and then automatically turn off. Pedestrians may just assume that if someone pushes the button, the flashers will stay on indefinitely. As with the issue above, this may result in pedestrians crossing without the benefit of flashing beacon operations.
  - The consistency provided by the timed flashing beacons would program into motorists’ minds during arrival and dismissal periods that there is the potential for pedestrians in the crosswalk. This would result in greater motorist awareness, for the need to pay additional attention to traffic conditions and pedestrian traffic, than would be achieved with an intermittent flashing beacon.

- B. Side-mounted (above-ground) flashing beacons are preferable to in-pavement flashers due to:
- Significantly lower cost, and
  - Fewer maintenance issues

However PBS&J has used in-pavement flashers in Del Mar and La Mesa and they have worked well. For in-pavement flashers, pedestrian actuation is needed.

The Traffic Safety Committee reviewed the alternatives presented by PBS&J, visited the crosswalk/beacon examples in neighboring cities, and recommended that PBS&J's alternatives for the intersection be implemented. They have also recommended modifying the flashing yellow beacons at the crosswalk to install a dual beacon on the west side of the crosswalk, while keeping a single beacon on the east side.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Accept the Traffic Safety Committee recommendation and approve the installation of the crosswalk with programmable yellow beacons and associated signage on the north side of the Via Olivera/Via Estudillo intersection with the rest of PBS&J's recommendations, as well as approve the Committee's recommended modification to the flashing yellow beacon configuration.
2. Approved a modified version of the Traffic Safety Committee recommendation.
3. Decline to accept the Traffic Safety Committee recommendation and take no action.

### **Recommendation**

The Traffic Safety Committee recommends that the Council approve the installation of the crosswalk with programmable yellow beacons and associated signage on the north side of the Via Olivera/Via Estudillo intersection with the rest of PBS&J's recommendations, as well as approve the Committee's recommended modification to the flashing yellow beacon configuration.

**Fiscal Impact**

Staff estimates the following project costs should all of the alternatives be constructed:

Construction	\$18,750
Additional programmable warning beacon	\$4,000
Administration	\$2,300
<hr/> Total	<hr/> \$25,050

The FY 10/11 Traffic Calming budget only allocates \$10,000 for this project. An additional \$15,000 would be needed to supplement the budget in order to install the crosswalk and implement all of the alternatives.

Staff report prepared by:  
Floriza Rivera  
Public Works and Planning Department

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**  
**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**  
**SUBJECT: INSTALLATION OF ADDITIONAL LIGHTING AT THE TRIANGLE INTERSECTION (THE PALOS VERDES BOULEVARD, PALOS VERDES DRIVE WEST, AND PALOS VERDES DRIVE NORTH INTERSECTION)**  
**DATE: JUNE 22, 2010**

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### **The Issue**

Should the City Council approve the installation of additional lighting at the Triangle intersection (the Palos Verdes Boulevard, Palos Verdes Drive West, and Palos Verdes Drive North intersection)?

### **Background and Analysis**

The Traffic Safety Committee introduced the subject of the continuation of lighting at the Triangle Intersection at their January 6, 2010, meeting and subsequently discussed the issue again at their March 10 and June 9 meetings. The attached picture(s) of the locations of existing and proposed lighting at the Triangle intersection, which is bounded by Palos Verdes Blvd., Palos Verdes Drive West, and Palos Verdes Drive North.

Of the six proposed additional lights, four would be installed on the west side of the intersection and two on the east side. The existing streetlamps that line both sides of the intersection are very old. They are no longer manufactured and additional new lamps of this same model are no longer available. The installation of the new lamps would involve minor electrical work, the purchase of six lamps similar to the old lamps, and their installation in the locations shown. View impacts from the new lamps are not anticipated. The lamps would add limited increased visibility to the intersection at night.

An upgrade to the existing lights may be desirable once six new lights have been installed, since the existing post lights are no longer manufactured and an exact match to them for the new lights would be very difficult to find.

The Traffic and Safety Committee considered the issue of additional lighting at the triangle intersection, reviewed estimated costs, and recommended that installation of six additional lights at the triangle intersection, be pursued.

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## **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Accept the Traffic Safety Committee recommendation and approve the installation of six additional lights at the triangle intersection (the Palos Verdes Boulevard, Palos Verdes Drive West, and Palos Verdes Drive North intersection) at an approximate cost of \$11,500.
2. Modify the Traffic Safety Committee recommendation.’
3. Decline to accept the Traffic Safety Committee recommendation and take no action.

## **Recommendations**

The Traffic Safety Committee recommends that the Council approve the installation of six additional lights at the triangle intersection (the Palos Verdes Boulevard, Palos Verdes Drive West, and Palos Verdes Drive North intersection) at an approximate cost of \$11,500.

## **Fiscal Impact**

The FY 09/10 budget has no funding currently available for this project. A rough cost estimate, based on a Time and Materials billing basis, was provided for the cost of providing six additional light fixtures, and the cost to upgrade the existing ten light fixtures to match the new fixtures, if desired:

A.	Installation of Six Additional Lights	\$11,500
	a. Wiring installation (labor)	1,800
	b. Light post installation (labor)	600
	c. Materials other than light fixtures	2,500
	d. Light fixtures	6,600
B.	Upgrade of Ten Existing Light Fixtures	\$13,900
	a. Light post installation	1,800
	b. Materials other than light fixtures	1,000
	c. Light fixtures	11,100

The combined cost of Options A and B would be \$25,400. Unforeseen field conditions may increase each of these costs once construction has begun. The cost given for the light fixtures are on the high end, based on the most expensive light fixture the electrical contractor has encountered. Actual costs for the light fixtures may decrease once a specific fixture is chosen, if that fixture is closer to the lower end of the cost range, which the electrical contractor says varies from \$500 to \$1100 per fixture and includes both the cost for the light post tops as well as the pole.

Staff estimates the following project costs should one or both options be constructed:

	<b>Option A</b>	<b>Options A &amp; B</b>
Construction	\$11,500	\$25,400
10% Contingency Cost	\$1,150	\$2,540
Administration	\$1,300	\$2,800
<b>Total</b>	<b>\$13,950</b>	<b>\$30,740</b>

Staff report prepared by:  
 Floriza Rivera  
 Public Works and Planning Department

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: JOSEPH HOEFGEN, CITY MANAGER**

**SUBJECT: RESOLUTION AUTHORIZING PARTICIPATION IN THE LOS ANGELES COUNTY ENERGY PROGRAM RELATED TO THE INSTALLATION AND FINANCING OF ENERGY AND WATER EFFICIENCY IMPROVEMENTS FOR QUALIFYING PROPERTY OWNERS IN PALOS VERDES ESTATES**

**INTRODUCTION**

This report provides a description of the Los Angeles County Energy Program (LACEP), explains the community benefits from participation in LACEP, and includes a Resolution of participation authorizing the City of Palos Verdes Estates to join LACEP.

**BACKGROUND**

Assembly Bill 811 (AB 811) was approved by the State Legislature and signed by the Governor on July 21, 2008. AB 811 and its amendments authorize local governments to provide financing to qualified property owners for the installation of energy and water efficiency improvements that are permanently fixed to their respective properties. Participating property owners repay the cost of the improvements through an assessment levied against their property which is payable in semi-annual installments on property tax bills and a lien is filed against the property as security. The assessment remains with the property should the owner transfer or sell it.

On May 25, 2010 the County of Los Angeles approved an AB 811 voluntary contractual assessment program, LACEP, to finance the installation of such improvements within the unincorporated areas of the County. These voluntary contractual assessments may also be entered into by property owners in incorporated cities subsequent to the adoption of a resolution of participation in LACEP by the legislative body of the incorporated city. Additional information and the specific types of improvements which may be financed by the Los Angeles County Energy Program is provided as an attachment to this report.

**DISCUSSION**

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LACEP Financing under AB 811 mitigates two key barriers that may prevent property owners from implementing a greater number of energy efficiency, water efficiency and renewable energy projects: 1) it eliminates the need for property owners to pay out of pocket up-front costs for improvements; and 2) it establishes a loan obligation that is attached to the property and not to the individual borrower. LACEP is intended to facilitate a significant industry shift in the region toward a greater energy efficiency and renewable energy resource economy. The availability of AB 811 financing can be a catalyst in spurring the greater Los Angeles economy by creating green home energy retrofit jobs and stimulating development of local manufacturing, distribution, research and development activities. Energy retrofit improvements to existing properties throughout the region will allow property owners to reduce energy and water use as well as greenhouse gas emissions. At the same time, participants will reduce their ongoing costs for electricity, natural gas and water and improve the comfort and safety of their home. Additional benefits to participants and to the City are detailed below.

Benefits to property owners include:

- Up-front funding for improvements will be provided by the County, allowing property owners who otherwise may be unable to make such up front investments the opportunity to upgrade their property.
- Only property owners who choose to participate in the program will have assessments attached to their property.
- There currently may not be attractive private lending alternatives for many property owners to finance energy efficiency/water efficiency/renewable energy improvements.
- Even if private lending alternatives exist, most private loans are due upon sale of the property, which may make it difficult for property owners to match the life of the repayment obligation with the useful life of the financed improvements. Under LACEP, the assessment obligation will transfer to the new property owner upon sale.
- By virtue of countywide aggregation provided by LACEP, both residential and commercial properties will benefit from lower borrowing costs in the municipal bond market.

Benefits to the City of Palos Verdes Estates include:

- The City's participation in LACEP is without cost or obligation.
- As in conventional assessment financing, the City is not obligated to repay the bonds issued by the County of Los Angeles or to pay the assessments levied on the participating properties.
- The County of Los Angeles handles all assessment administration, bond issuance and bond administration functions. As a participant, the City can provide property owners with access to financing of energy efficiency, water efficiency and renewable energy improvements



through LACEP – thereby helping to meet its local environmental economic development goals -- without committing staff time to design, implement and administer the program.

The first phase of LACEP will fund improvements to residential properties. It is anticipated that loans to eligible residential applicants will begin disbursement after September 1, 2010. A subsequent phase of LACEP will fund improvements to non-residential (commercial) properties following full implementation of residential financing. County staff and consultants are currently working with commercial building and financial industry stakeholders to design the non-residential program. Future implementation of the non-residential phase of LACEP will not require any additional approvals from the City. At that time, all non-residential property owners within participating cities will be eligible to apply for voluntary contractual assessment financing from LACEP.

Property owners will have access to LACEP information through a variety of sources, including access to a comprehensive website that includes an online loan application process. Basic marketing and outreach material templates will be provided by the County at no charge for use by the City in its own promotion of the program within the community.

The contractual assessment proceedings will be undertaken by the County of Los Angeles pursuant to Chapter 29 of Division 7 of the Streets & Highways Code, which was amended in 2008 by Assembly Bill 811 and further amended in 2009 by Assembly Bill 474, to allow the financing of renewable energy, energy efficiency and water efficiency improvements on private property. Pursuant to Chapter 29, assessments may be levied to finance energy efficiency, water efficiency and renewable energy improvements only with the free and willing consent of the owner of each lot or parcel on which an assessment is levied and once property owners evidence their consent to the assessments by executing a contract with the County of Los Angeles.

The attached resolution authorizes the County of Los Angeles to accept applications from owners of property within the City of Palos Verdes Estates for financing of energy efficiency, water efficiency and renewable energy improvements through LACEP. It also authorizes the County to conduct assessment proceedings and levy assessments against the property of participating owners within City boundaries. Finally, it authorizes miscellaneous related actions and makes certain findings and determinations required by law. The County of Los Angeles will undertake a judicial validation proceeding as part of its initiation of LACEP. The City can withdraw from LACEP at any time by passing a resolution rescinding the authorization.

### **FISCAL IMPACT**

There are no fiscal impacts to the City of Palos Verdes Estates from adoption of the attached resolution.

### **ALTERNATIVES AVAILABLE TO COUNCIL**

1. Adopt the resolution authorizing participation in the Los Angeles County Energy Program.

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2. Adopt the resolution authorizing participation in the Los Angeles County Energy Program with modifications.
3. Decline to adopt the resolution authorizing participation in the Los Angeles County Energy Program.

**RECOMMENDATION**

It is recommended that City Council adopt the attached resolution authorizing participation in the Los Angeles County Energy Program and deliver a certified copy of the adopted resolution to the Los Angeles County Office of Sustainability, located at 1100 North Eastern Avenue, Los Angeles, California 90063.