



## 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**

June 9, 2009  
6:00 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. R09-15  
NEXT ORDINANCE NO. 09-693**

**CALL TO ORDER**

**PLANNING COMMISSION APPLICANT INTERVIEW:**

6:00 p.m. David McGowan

**CLOSED SESSION (6:15 p.m. – 7:30 p.m.)**

- **CONFERENCE WITH LABOR NEGOTIATORS**

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Pursuant to Government Code Section 54957.6

Agency Negotiators: Joe Hoefgen, Judy Smith, and Scott Tiedemann

Employee Organizations: Public Service Employees Association and Palos Verdes Estates  
Police Officers' Association

**At the conclusion of the Closed Session, the Council may reconvene to Open Session to take formal action on any item discussed, as it may deem appropriate.**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

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

## **CONSENT AGENDA (Items 1 & 2)**

**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 May 26, 2009

**Recommendation: Review and File.**

2. Adoption of Ordinance 09-692; Restating and Amending Municipal Code Chapter 8.48 on Nuisances

**Recommendation: It is recommended that the City Council adopt Ordinance No. 09-692 restating and amending Palos Verdes Estates Municipal Code Chapter 8.48 on nuisances.**

## **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.**

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**PUBLIC HEARINGS – 7:30 p.m.**

**Appellants and/or applicants shall be provided five (5) minutes for presentation and rebuttal. All other persons addressing the City Council during the public hearing shall be limited to three (3) minutes for comment.**

3. Request to Appeal Planning Commission Approval of NC-1334/GA-1438/M-708-08; Neighborhood Compatibility, Grading and Miscellaneous Applications for a New Single Family Residence Located at 1916 Via Coronel. Lot 1, Block 3, Tract 8043

Appellant: Sanford Davidson  
1525 Via Arco  
Palos Verdes Estates, CA 90274

Applicant: David Boyd  
1874 S. Pacific Coast Hwy., #729  
Redondo Beach, CA 90277

Owner: Salvador Munoz  
1916 Via Coronel  
Palos Verdes Estates, CA 90274

**Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and make a decision on the application.**

4. Request to Appeal Planning Commission Approval of NC-1350/GA-1449/M-705-09; Neighborhood Compatibility, Grading and Miscellaneous Applications for a New Single Family Residence Located at 2228 Via Guadalana. Lot 13, Block 1632, Tract 7330

Appellant/  
Owner: Mr. and Mrs. Ratan Lalchandani  
2228 Via Guadalana  
Palos Verdes Estates, CA 90274

Applicant: Cauthen Design LLC  
17072 Tiffany Circle  
Huntington Beach, CA 92649

**Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and make a decision on the application.**

5. Presentation of the Fiscal Year 2009-10 Budget

**Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and approve the necessary adjustments to the FY 09-10 budget.**

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## OLD BUSINESS

## NEW BUSINESS

6. PW-556-09; Award of Contract for Fire Safety and Weed Abatement Maintenance for FY 2009-10

**Recommendation:** It is recommended that the City Council award a contract in the amount of \$96,294 to Oakridge Landscape, Inc. for the completion of the FY 2009-10 Fire Clearance and Weed Abatement Maintenance.

## STAFF REPORTS

7. City Manager's Report

## DEMANDS

8.
  - a. Authorize Payment of Motion #1 – Payroll Warrant of May 29, 2009
  - b. Authorize Payment of Motion #2 – Warrant Register of June 9, 2009

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

## MAYOR & CITY COUNCILMEMBERS' REPORTS

**ADJOURNMENT TO MONDAY, JUNE 15, 2009, IN COUNCIL CHAMBERS OF CITY HALL AT 4:15 PM FOR THE PURPOSE OF CONDUCTING CITY COMMISSION AND COMMITTEE MEMBER INTERVIEWS.**

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, June 10, 2009, at 7:30 p.m., and Wednesday, June 17, 2009, at 7:30 p.m.*

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: JOSEPH W. PANNONE, CITY ATTORNEY  
JUNE AILIN, ASSISTANT CITY ATTORNEY**

**SUBJECT: ADOPTION OF ORDINANCE NO. 09-692 RESTATING AND AMENDING  
CHAPTER 8.48 OF THE PALOS VERDES ESTATES MUNICIPAL CODE  
RELATING TO NUISANCES**

**DATE: June 9, 2009**

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**The Issue**

Should the City Council adopt Ordinance No. 09-692 to restate and amend Chapter 8.48 of the Palos Verdes Estates Municipal Code (the “PVEMC”) to memorialize the City’s process for abating nuisances on public property and in public rights-of-way?

**Background and Analysis**

On May 26, 2009, the City Council introduced Ordinance No. 09-692, which amends Chapter 8.48 of the PVEMC to memorialize the summary process for abating public nuisances occurring on public property and rights-of-way. The proposed ordinance also restates, in its entirety, Chapter 8.48 with various non-substantive changes to certain provisions.

Section 2 of Ordinance No. 09-692 states the Council’s intent in adopting the ordinance is not in any way to affect the City’s current policy for abatement of encroachments in the public rights-of-way or on other public property as established by Resolution No. R05-32.

If adopted, then Ordinance No. 09-692 will become effective thirty days after the date of that adoption.

**Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Adopt Ordinance No. 09-692.
2. Re-introduce Ordinance No. 09-692, with modifications

3. Not adopt Ordinance No. 09-692 and provide other direction to the City Attorney and staff as deemed appropriate.

**Recommendation**

The City Attorney and staff recommend the City Council adopt Ordinance No. 09-692, by second reading by title only with further reading waived.

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

**FROM: ALLAN RIGG, PLANNING DIRECTOR**

**SUBJECT: REQUEST TO APPEAL PLANNING COMMISSION APPROVAL OF NC-1334/GA-1438/M-708-08; NEIGHBORHOOD COMPATIBILITY, GRADING, AND MISCELLANEOUS APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 1916 VIA CORONEL. LOT 1, BLOCK 3, TRACT 8043.**

**APPELLANT: SANFORD DAVIDSON  
1525 VIA ARCO  
PALOS VERDES ESTATES, CA 90274**

**APPLICANT: DAVID BOYD  
1874 S. PACIFIC COAST HIGHWAY #729  
REDONDO BEACH, CA 90277**

**OWNER: SALVADOR MUNOZ  
1916 VIA CORONEL  
PALOS VERDES ESTATES, CA 90274**

**DATE: JUNE 9, 2009**

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**The Issue**

Should the City Council confirm the Planning Commission's decision to approve NC-1334/GA-1438/M-708-08; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 1916 Via Coronel?

**Background and Analysis**

This project includes Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 1916 Via Coronel. The application proposes a 4357 sq. ft. first floor, a 2897 sq. ft. second floor, and a 681 sq. ft. garage. This project also proposes new walkways, patios, a new swimming pool, and a fence exceeding 42 inches in height within the setback adjacent to Via Arco. Total proposed floor area is 7935 sq. ft. on this 27,443 sq. ft. lot. The maximum allowable floor area for this site is 9983 sq. ft. Total gross floor area proposed is 9666 sq.

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ft. including the covered loggia at the family room (304 sq. ft.), the covered front porch (421 sq. ft.), the covered upper floor rear deck (309 sq. ft.), the covered upper floor west deck (236 sq. ft.), the covered upper floor front deck (366 sq. ft.), and the two-story volume at the stairway (95 sq. ft.). Total grading proposed is 2653 cu. yds. with a maximum cut depth of 2 ft. Building coverage and lot coverage proposed are 22% (30% maximum allowed) and 43% (65% maximum allowed), respectively. Maximum building height proposed is 26.6 ft., which is within the maximum allowed height of 30 ft.

### ***History***

This project was originally reviewed by the Planning Commission on December 16, 2008. Concerns were raised regarding the view impacts, the privacy impacts, the height of the structure, and the overall size of the project. Suggestions were made to lower the house, possibly by grading more, and move the pool outside of the required 25 ft. setback. The project was ultimately continued.

The project was reviewed again on April 21, 2009. The Planning Commission approved (5-0) the project with standard conditions and the following additional conditions:

1. All nonstandard encroachments are to be removed including, but not limited to the nonstandard walkways and boulders.
2. The portion of the curb and gutter in disrepair along Via Arco is to be replaced.
3. All structures within the setback adjacent to the right-of-way are not to exceed 42 inches in height.
4. That the second story ridge height be reduced by 1.5 feet either by adjusting plate heights or by additional grading.

### ***Appeal***

The Planning Commission's decision has now been appealed by Sanford Davidson. The appeal purports that the project will have a negative impact on the character of the neighborhood and the proposed residence will not be compatible with the existing scale of development as compared to the homes within 300 ft. Overall, the appellant believes the project is too big.

The appeal includes the appeal documents, the staff report with all supporting documents as presented to Planning Commission on April 21, 2009, and the minutes from the April Planning Commission meeting.

### **Correspondence Received**

Letters of correspondence received regarding the project are included for review.

### ***Findings Required to Approve***

PVEMC Section 18.36.045 states that in order to approve a Neighborhood Compatibility application, the following findings must be made by the City Council:

- A. That the proposed development is designed and will be developed to preserve the greatest extent practicable the natural features of the land, including the existing topography and landscaping;
- B. That the proposed development is designed and will be developed in a manner which will be reasonably compatible with the existing neighborhood character in terms of scale of development in relation to surrounding residences and other structures;
- C. That the proposed development is designed and will be developed in a manner which will preserve to the greatest extent practicable the privacy of persons residing on adjacent properties; and
- D. That the proposed development is designed and will be developed in a manner to the extent reasonably practicable so that it does not unreasonably interfere with neighbor's existing views.

PVEMC Section 18.24.065, the planning commission or council shall not approve a grading permit application if the commission or council finds:

1. The proposed grading will unreasonably change the natural contours of the land;
2. The proposed grading will create a hazard to the immediate or adjacent property; or
3. The proposed grading will unreasonably interfere with the use and enjoyment of property by other persons in the city.

PVEMC Section 18.32.010 states that the planning commission may approve a wall or fence exceeding the standards set forth, if it finds that the well or fence proposed shall not adversely affect any other property.

### ***CEQA Status***

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

4. Confirm the Planning Commission's decision to approve NC-1334/GA-1438/M-708-08; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 1916 Via Coronel as conditioned.
2. Confirm the Planning Commission's decision to approve NC-1334/GA-1438/M-708-08; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 1916 Via Coronel, with modifications.
3. Overturn the Planning Commission's decision and deny NC-1334/GA-1438/M-708-08; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 1916 Via Coronel.

Once a decision is made by the City Council, a final Resolution will be prepared and presented at the following meeting to confirm the City Council's decision.

**Recommendation from Staff**

Staff recommends that the City Council open the public hearing, receive public input, close the public hearing, and confirm the Planning Commission's decision to approve NC-1334/GA-1438/M-708-08; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 1916 Via Coronel, as conditioned.

Staff report prepared by:  
Stacey Kinsella  
Planning Department

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

**FROM: ALLAN RIGG, PLANNING DIRECTOR**

**SUBJECT: REQUEST TO APPEAL PLANNING COMMISSION APPROVAL OF NC-1350/GA-1449/M-705-09; NEIGHBORHOOD COMPATIBILITY, GRADING, AND MISCELLANEOUS APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 2228 VIA GUADALANA. LOT 13, BLOCK 1632, TRACT 7330.**

**APPELLANT/**

**OWNER: MR. RATAN LALCHANDANI  
2228 VIA GUADALANA  
PALOS VERDES ESTATES, CA 90274**

**APPLICANT: CAUTHEN DESIGN LLC  
17072 TIFFANY CIRCLE  
HUNTINGTON BEACH, CA 92649**

**DATE: JUNE 9, 2009**

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**The Issue**

Should the City Council confirm the Planning Commission's decision to approve NC-1350/GA-1449/M-705-09; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 2228 Via Guadalana?

**Background and Analysis**

This project includes Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 2228 Via Guadalana. The application proposes a 2680 sq. ft. first floor, a 1324 sq. ft. basement, and a 561 sq. ft. garage. The application also proposes walls within the rear yard that exceed 6.5 ft. in height. The maximum height for these walls is 12 ft. Total proposed floor area is 4565 sq. ft. on this 9597 sq. ft. lot. The maximum allowable floor area for this site is 4629 sq. ft. Total gross floor area proposed is 5054 sq. ft. including storage area in the basement (340 sq. ft.), the two-story volume at the tower (113 sq. ft.), and the stairs in the basement (36 sq. ft.). Total grading proposed is 1664 cu. yds. with a maximum cut depth of 15 ft. Building

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coverage and lot coverage proposed are 30% (30% maximum allowed) and 64% (65% maximum allowed), respectively. Maximum building height proposed is 16.5 ft., which is within the maximum allowed height of 30 ft.

### ***History***

This project was originally reviewed by the Planning Commission on March 17, 2009. Concerns were raised regarding the chimneys, the tower height, and the ridge height. It was suggested that the height of both the ridge and the tower be reduced (approximately 2 ft. was suggested by one commissioner) and that the chimneys be eliminated. Other comments included pulling the eaves out of the setbacks, the pool out of the setback, and reducing the plate heights. The project was ultimately continued.

The Planning Commission reviewed the project again on April 21, 2009. The project was approved (4-1, Hoffman dissenting) with standard conditions and the following additional conditions:

1. The maximum ridge height shall be at elevation 856.25 ft.
2. There shall be no features above the tower.
3. There shall be no landscaping that exceeds the maximum roof ridge height.
4. City standard curb and gutter shall be installed per construction plans prepared by a registered Civil Engineer and approved by the City Engineer.
5. 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.

Prior to the March 2009 review, applications for this site were reviewed by the Planning Commission on March 18, 2008. The application proposed a new residence including a first floor, second floor, and basement totaling 4320 sq. ft. with an overall height of 20 ft. The project was considered too big, too high, and too massive. Concerns were specifically raised regarding the view impacts and the grading. The project was ultimately denied.

### ***Appeal***

The Planning Commission's decision has now been appealed by the owner, Ratan Lalchandani. The appeal purports that the house is already designed with a low ridge height and the condition of approval stating the maximum ridge height be lowered to 856.25 ft. will result in additional grading. The appellant requests that this condition of approval be removed.

The appeal includes the appeal documents, the staff report with all supporting documents as presented to Planning Commission on April 21, 2009, and the minutes from the April Planning Commission meeting.

### **Correspondence Received**

Letters of correspondence received regarding the project are included for review.

### ***Findings Required to Approve***

PVEMC Section 18.36.045 states that in order to approve a Neighborhood Compatibility application, the following findings must be made by the City Council:

- E. That the proposed development is designed and will be developed to preserve the greatest extent practicable the natural features of the land, including the existing topography and landscaping;
- F. That the proposed development is designed and will be developed in a manner which will be reasonably compatible with the existing neighborhood character in terms of scale of development in relation to surrounding residences and other structures;
- G. That the proposed development is designed and will be developed in a manner which will preserve to the greatest extent practicable the privacy of persons residing on adjacent properties; and
- H. That the proposed development is designed and will be developed in a manner to the extent reasonably practicable so that it does not unreasonably interfere with neighbor's existing views.

PVEMC Section 18.24.065, the planning commission or council shall not approve a grading permit application if the commission or council finds:

- 1. The proposed grading will unreasonably change the natural contours of the land;
- 2. The proposed grading will create a hazard to the immediate or adjacent property; or
- 3. The proposed grading will unreasonably interfere with the use and enjoyment of property by other persons in the city.

PVEMC Section 18.32.010 states that the planning commission may approve a wall or fence exceeding the standards set forth, if it finds that the well or fence proposed shall not adversely affect any other property.

### ***CEQA Status***

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

- 5. Confirm the Planning Commission's decision to approve NC-1350/GA-1449/M-705-09; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 2228 Via Guadalana as conditioned.

2. Confirm the Planning Commission's decision to approve NC-1350/GA-1449/M-705-09; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 2228 Via Guadalana, with modifications.
3. Overturn the Planning Commission's decision and deny NC-1350/GA-1449/M-705-09; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 2228 Via Guadalana.

Once a decision is made by the City Council, a final Resolution will be prepared and presented at the following meeting to confirm the City Council's decision.

**Recommendation from Staff**

Staff recommends that the City Council open the public hearing, receive public input, close the public hearing, and confirm the Planning Commission's decision to approve NC-1350/GA-1449/M-705-09; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 2228 Via Guadalana, as conditioned.

Staff report prepared by:  
Stacey Kinsella  
Planning Department

**TO: JOSEPH HOEFGEN, CITY MANAGER**  
**FROM: JUDY SMITH, ASSISTANT CITY MANAGER**  
**SUBJECT: PRESENTATION OF FY 2009-10 CITY BUDGET**

The Issue

Shall the City Council present the FY 2009-10 budget and approve adjustments, as necessary, to the preliminary budget?

Background

The City prepares a two-year budget document, but adopts the budget on an annual basis. FY 09-10 represents the second-year of the two-year budget cycle. The purpose of this item is to provide the opportunity for additional public comment on the proposed FY 2009-10 City budget. Council budget meetings, which included an opportunity for public comment, were conducted on March 30, 2009 and May 29, 2009.

Analysis and Findings

The FY 09-10 budget reflects the reality and challenge of providing services in a time of economic uncertainty. Because of its focus on core services, the City is currently able to present a balanced budget without personnel or service reductions. In addition, the priority capital projects for Palos Verdes Drive West remediation and sewer pump station replacement will move forward. The estimated \$1.2 million road remediation project is assisted by outside funds totaling more than \$900,000, including State Proposition 1B and federal stimulus money. The sewer pump station replacement at Via Barri and Rocky Point, estimated at \$4.2 million, is financed by the City's sewer user fee.

FY 09-10 revenue estimates have been revised, reflecting no increase in property values and the associated impact on property taxes. General fund revenues represent less than ½% increase compared to FY 08-09, but represent an 8% decrease from the original budget. The FY 09-10 operating and capital budget, as contained in the preliminary document, totals \$20,883,425. The operating budget is \$14,373,925 and represents a 1.4% decrease compared to the FY 08-09 budget. The budget also reflects a reduction in expenditure from the original proposed FY 09-10 operating budget in the amount of \$471,645. The decrease is attributable to current personnel configurations, including vacancies and the effect of new hires which occurred during the fiscal year. In addition, the budget reflects slight reductions for meetings and training.



There are two modifications required to the preliminary budget which was distributed on May 15, as a result of new information:

- Street Sweeping Maintenance Contract awarded by the Council on May 12 (02-5100-64434) an increase of \$23,420
- Fire/Paramedic Contract LA County Fire - (22- 4100-64430) reduction of \$47,185. This reflects a 4.2% maximum increase for FY 09-10 contract cost, however, the increase is applied to a lower base contract from FY 08-09.

The resolutions required to adopt the budget, including approval of the auditor's report for the fire/paramedic services tax rate, will be presented at the June 23, 2009 Council meeting.

One uncertainty as we approach FY 09-10 is potential impacts from the State's fiscal condition and possible implementation of an 8% property tax diversion permitted under Proposition 1A, as well as a potential diversion of gas tax monies due to the State's budget crisis. Staff continues to monitor the situation closely and will reflect any actions of the State in the monthly budget reports to the City Council as we begin the new fiscal year.

#### Recommendation

It is recommended that the City Council open the public hearing, receive public comment, close the public hearing and approve the necessary adjustments to the FY 09-10 budget.

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

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

**SUBJECT: PW 556-09; AWARD OF CONTRACT FOR THE FY 09/10 FIRE CLEARANCE/WEED ABATEMENT MAINTENANCE**

**DATE: JUNE 9, 2009**

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**The Issue**

Should the City Council award a contract in the amount of \$96,294 to Oakridge Landscape, Inc., for the completion of the FY 09/10 Fire Clearance/Weed Abatement Maintenance?

**Background and Analysis**

Fire safety and weed abatement services (services) for city-owned property were contained as a small portion of the Parkland and Right-of-Way Maintenance contract until FY 07/08. In early 2007, we became aware that the Los Angeles County Fire Department had significantly modified their fire clearance requirements and that the scope of these services would be greatly expanded. We determined that a separate contract would be easier to manage due to the short duration of the services. Also, as a stand-alone contract the services would not be subject to “prevailing wage” requirements, and we would receive lower bids for the services.

The specifications for the services are based on requirements contained in the County of Los Angeles Fuel Modification Plan Guidelines and the Los Angeles County Fire Code. The County recommends clearance of between one hundred (100) feet from a structure to 200 feet in extreme hazardous areas.

The main portion of the contract is within Base Bid Item #1, which requires specific areas within the Parklands to be maintained by removing, trimming and thinning vegetation to reduce fuel load. These areas are shown on a very detailed color-coded map that was part of the specifications used for the bidding of the contract. Please note that the specifications within the contract are general in nature and do require judgment and coordination with staff in some cases. The following are some of the specifications per the contract:

1. Maintain sufficient cover to prevent erosion.
2. Retain native vegetation by thinning or reducing mass as the zone moves away from the property line.

3. Limb up branches on trees less than 18 feet to 6 feet up or one third the height.
4. Remove dead fronds and fronds that hang below eight feet on palm trees less than 18 feet in height.
5. Limb up trees larger than 18 feet to 12 feet or more.
6. Remove dead fronds and fronds that hang below 12 feet on palm trees more than 18 feet in height.
7. Reduce shrubs to establish space between plants to reduce the fuel load and fuel continuity.
8. Remove over growth and remove the trimmings from the site.
9. Remove all vines growing into tree canopies flush to the ground. Leave no cut or detached vines in the trees.
10. Reduce Algerian ivy and sprawling vines where in mounds to be no more than 24-inches above grade and to 12-inches close to a fence.
11. Trimming can be chipped and spread to a maximum depth of 5 inches.
12. Remove all fine fuels.
13. Remove all debris and piles of trimmings including illegal dumping by residents or contractors.
14. Remove invasive weeds (included but not limited to: acacia, castor bean, myporum, fennel, Russian thistle etc).
15. Establish 100 feet fire safety.
16. Establish a 20 feet wide defendable space adjacent to a property line.
17. Remove all dead material, litter and branches on the ground to leave the parklands in a neat and clean condition.

An additional requirement is included for bid item Y36, which includes Valmonte Canyon and Via Opata. Maintenance specifications for Fire Safety and Weed Abatement in this area includes 1-17 of the above specifications and also includes clearance of ten feet on both sides of the horse trails within this canyon.

The contract was advertised and the first round of bids were received on April 23, 2009. American Gardens was the apparent low bidder at \$55,400, but requested to be disqualified due to a software problem that reduced their bid by one-half. The other two bids, American West Landscape at \$165,744.48 and Traver's Tree Service, Inc. at \$247,965, were substantially beyond the budget of \$124,880. All bids were rejected and the contract was advertised to be rebid.

Staff then re-advertised with Bid America, McGraw Hill, and Reed Construction Services. Bids were received on May 28, 2009, and Oakridge Landscape submitted the low bid of \$96,294. Please note that this bid is \$38,671 lower than last year's low bid. We believe this is due to the past removals during the past two years and the competitive environment created by the stalled economy. This amount, \$96,294 is \$33,706 lower than the Fiscal Year 09/10 budget.

<b>Company Name</b>	<b>Base Bid Item # 1</b>
Oakridge Landscape, Inc.	\$96,294
American Gardens	121,600
Traver's Tree Service, Inc	\$207,800

Oakridge Landscape has completed projects of similar size and scope for the Los Angeles County Fire Department Forestry Division. Contract documents are responsive, although there was one missing notarization which is simply a clerical error and has been rectified. All references were called and all contacts conveyed a very positive perspective concerning Oakridge Landscape's responsiveness and professional qualifications. Staff believes they are experienced and well equipped to satisfactorily complete this project.

The following schedule is anticipated:

- June 9                      Contract awarded.
- June 16                     Contract, insurance certificates signed by contractor & City.
- July 1                        Work expected to begin.
- September 30              Work expected to be complete.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1.      Award a contract in the amount of \$96,294 to Oakridge Landscape, Inc., for the completion of the FY 09/10 Fire Clearance/Weed Abatement Maintenance.
2.      Decline to Act.

### **Recommendation from Staff**

Staff recommends that the Council:

Award a contract in the amount of \$96,294 to Oakridge Landscape, Inc., for the completion of the FY 09/10 Fire Clearance/Weed Abatement Maintenance.

### **Fiscal Impact**

This Contract will be funded through the Annual Fire Safety Weed Abatement budget, which is currently budgeted for this project at \$124,880.

Staff report prepared by:  
Carl Moritz  
Public Works Department