



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.

...end of disclaimer..

****CLICK HERE FOR CITY COUNCIL AGENDA**

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

April 28, 2009
7:30 P.M.
City Hall
Council Chambers

**AGENDA
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF
PALOS VERDES ESTATES, CALIFORNIA**

Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk and are available for public inspection. If applicable, materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Any person having any question concerning any agenda item may call the City Clerk to make inquiry concerning the item. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk at 310-378-0383, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

The City Council welcomes and encourages public participation at the Council meetings; however, to allow for the orderly progression of business, each person wishing to comment or make a presentation shall be limited to three (3) minutes. Anyone wishing to address the City Council must fill out a green speaker's card available at the end of each row in the Chambers. The card permits the City to identify persons for purposes of City Council minute preparation. Please see specific agenda sections below for any other requirements related to meeting participation. The City Council, at the direction of the Mayor with concurrence of the Council, may modify the order of items shown on the agenda.

**NEXT RESOLUTION NO. R09-13
NEXT ORDINANCE NO. 09-689**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S REPORT – Matters of Community Interest

**CITY COUNCIL AGENDA
APRIL 28, 2009**

CONSENT AGENDA (Items 1-8)

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 #8a-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 April 14, 2009

Recommendation: Review and File.

2. Treasurer’s Reports
 - a. Monthly Report - March 2009
 - b. Quarterly Interest Report – January - March 2009

Recommendation: Receive and File.

3. Monthly Financial Report – March 2009

Recommendation: Receive and File.

4. PW-536-08; Completion of Contract for the City Entrance at Palos Verdes Boulevard Landscape Improvements Project

Recommendation: It is recommended that the City Council accept as complete the construction contract PW-536-08; Construction of the City Entrance at Palos Verdes Boulevard Landscape Improvements in the amount of \$398,760.46; 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. Special Event Application for Lunada Bay Homeowners Association “Summer Series in the Park”

Recommendation: It is recommended that the City Council approve the request to allow the Lunada Bay Homeowners Association to hold its “Summer Series in the Park” at Lunada Bay Park on May 31st, “Lunada Bay Jams”; July 9th and 23rd, “Concerts in the Park”; and “Movie Night” on September 12, 2009; and approve the posting of promotional signs for Lunada Bay Jams and the two July concerts at both permitted locations one week prior to the activity.

**CITY COUNCIL AGENDA
APRIL 28, 2009**

6. Special Event Application for the Compassionate Friends Organization to Hold a Local Event of the Worldwide Children's Memorial Candle Lighting at the Fountain in Malaga Cove Plaza

Recommendation: It is recommended that the City Council approve the Special Event Application for Compassionate Friends to hold their local event of the Worldwide Children's Memorial Candle Lighting on December 13, 2009, from 6:00PM to 8:00PM at the Fountain in Malaga Cove Plaza.

7. Parklands Committee Meeting Item of April 13, 2009

Recommendation: Review and Approve.

- a. PC-301-09; Application to remove 3 Carob trees located in the city parkway adjacent to 2221, 2224, and 2228 Via Acalones for view restoration

Applicant: Thomas and Barbara Bechler
2229 Via La Brea
Palos Verdes Estates, CA 90274

Action: Denied (5-0)

8. Planning Commission Actions of April 21, 2009

Recommendation: Receive and File.

- a. **Ordinance 09-689**; An ordinance of the City Council of the City of Palos Verdes Estates amending section 18.32.010 of the Palos Verdes Estates Municipal Code relating to heights of walls, fences & accessory structures in the R-1 & R-M zones.

Action: Approved (5-0). Chair Vandever opened the public hearing, closed the public hearing, and Planning Commission approved Ordinance 09-689 for submittal to City Council for review and adoption.

- b. **NC-1334/GA-1438/M-708-08**; Consideration of Neighborhood Compatibility, Grading and Miscellaneous Applications for a new single family residence located at 1916 Via Coronel. Lot 1, Block 3, Tract 8043.

Applicant: David Boyd
1874 S. PCH #729
Redondo Beach, CA 90277
Owner: Salvador Munoz

Action: Approved (5-0) 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.

- c. **NC-1350/GA-1449/M-705-09;** Consideration of Neighborhood Compatibility, Grading and Miscellaneous Applications for a new single family residence located at 2228 Via Guadalana. Lot 13, Block 1632, Tract 7330.

Applicant: Cauthen Design LLC
17072 Tiffany Circle
Huntington, CA 92649
Owner: Mr. & Mrs. Rattan Lalchandani

Action: 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.

- d. **NC-1353/M-707-09;** Consideration of Neighborhood Compatibility and Miscellaneous Applications for additions to the single family residence located at 2004 Paseo Del Mar. Lot 28, Block 1190, Tract 7331.

Applicant: S.K. Architects
4040 Palos Verdes Dr. North, #201
Rolling Hills Estates, CA 90274
Owner: Ben & Denise Nguyen

Action: Approved (5-0) with standard conditions and the following additional conditions: 1) A licensed survey of the floor area shall be completed and submitted to the City to verify compliance with the approved floor area for the subject lot; 2) All nonstandard encroachments, including but not limited to the nonstandard walkway, shall be removed.

- e. **M-700-09;** Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 2500 Via Pinale. Lot 22, Block 1713, Tract 6885.

Applicant: Russell E. Barto
3 Malaga Cove Plaza #202
Palos Verdes Estates, CA 90274
Owner: Marilyn Cohen & Chris Malburg

Action: Approved (5-0) with standard conditions and the following additional condition: 1) All nonstandard encroachments, including but not limited to the loose stones shall be removed.

- f. **M-703-09;** Consideration of a Miscellaneous Application for a new detached structure at the single family residence located at 3932 Palos Verdes Drive North. Lot 1, Block 6230, Tract 6887.

Applicant: Larry Olson
P.O. Box 865
Lomita, CA 90717
Owner: Russell Gill

Action: Approved (5-0) with standard conditions.

- g. **M-704-09;** Consideration of a Miscellaneous Application for a non-standard encroachment at the single family residence located at 1509 Via Coronel. Lot 85, Tract 30905.

Applicant: Jeffrey A. Dahl
18681 Amalia Lane
Huntington Beach, CA 92648
Owner: Ashok & Manisha Raheja

Action: Approved (5-0) 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

- 9. Palos Verdes Peninsula Unified School District Parcel Tax – Measure V

Recommendation: It is recommended that the City Council receive report and consider adoption of a resolution of support for Measure V; R09-12.

**CITY COUNCIL AGENDA
APRIL 28, 2009**

10. Review of Construction Plans and Cost Estimates for the Road Stabilization Project for Palos Verdes Drive West

Recommendation: It is recommended that the City Council approve the construction plans and cost estimates for the roadway stabilization project for Palos Verdes Drive West.

STAFF REPORTS

11. City Manager's Report

DEMANDS

12.
 - a. Authorize Payment of Motion #1 – Payroll Warrant of April 17, 2009
 - b. Authorize Payment of Motion #2 – Warrant Register of April 28, 2009

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

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO TUESDAY, MAY 12, 2009, IN COUNCIL CHAMBERS OF CITY HALL AT 7:30 PM FOR THE PURPOSE OF A REGULAR MEETING.

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, April 29, 2009, at 7:30 p.m., and Wednesday, May 6, 2009, at 7:30 p.m.*

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: JUDY SMITH, ASSISTANT CITY MANAGER
SUBJECT: MARCH 2009 FINANCIAL REPORT

The Issue

What is the status of the FY 2008-09 budgets after nine months?

Analysis of Graphs

The fiscal year is two-thirds complete. General fund revenues are 17% below expected, with total revenues at 14% below expected. This month's report reflects one of the largest deviations from expected performance we have seen, though these results have been anticipated given the decline in the economy and past status reports provided on this subject, including information provided at the March budget workshop.

Our expected to actual performance for revenues will improve during the months of April and May when significant receipts are realized from property tax, special assessments/fees (fire and sewer) and the second half allocation of VLF property tax (\$521,800) and the triple flip sales tax.

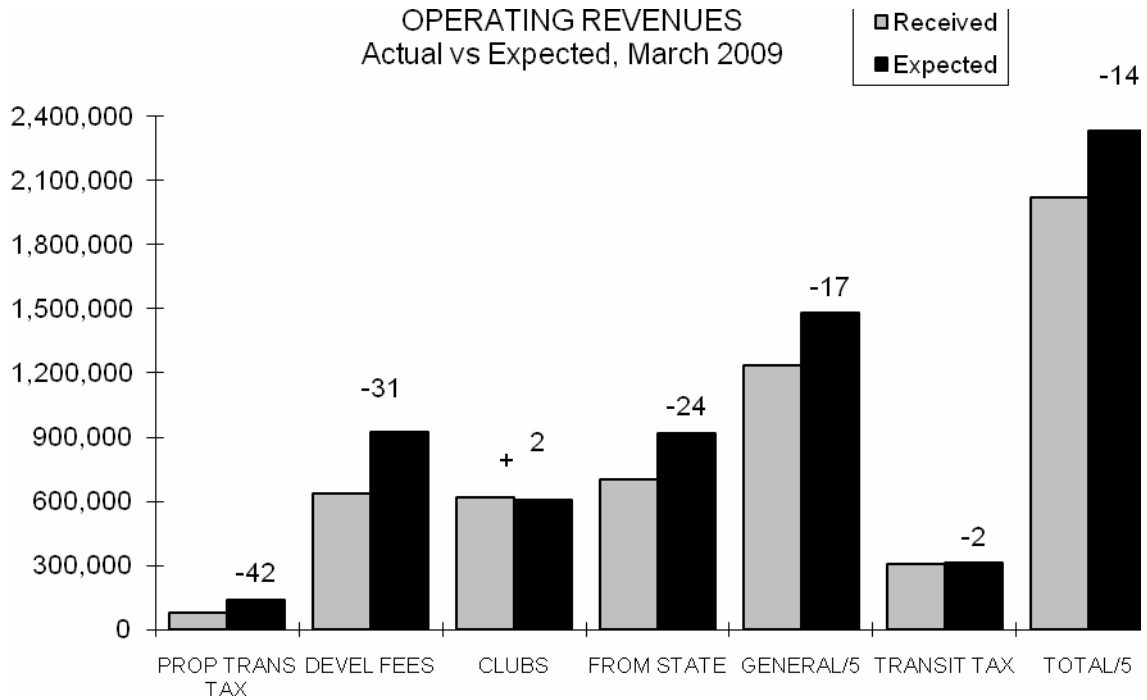
Revenue results are mitigated to a certain degree by the fact that total operating expenditures are 6% lower than expected with all departments running less than expected. As mentioned in last month's report, department performance will track more closely to budget with three pay periods incurred during May, but there will be realized savings to budget at fiscal year end. Departments continue to monitor expenditures very carefully.

It is expected the City will realize a very modest operating surplus for the general fund at fiscal year end.

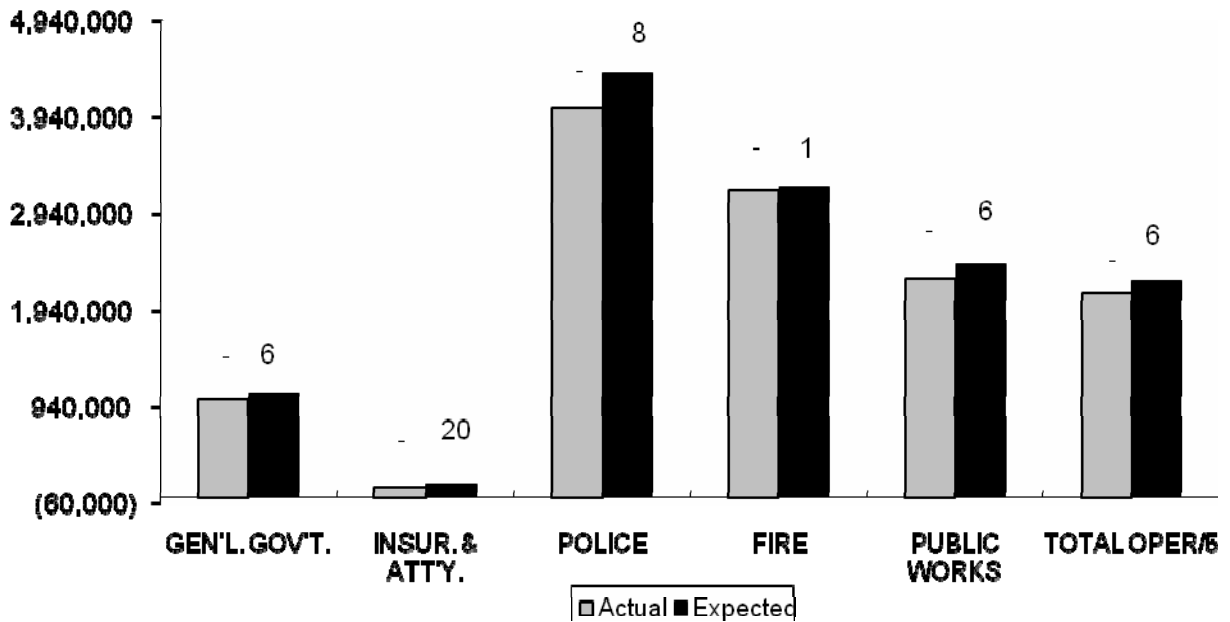
Spot Reports

None.

**OPERATING REVENUES
Actual vs Expected, March 2009**



**OPERATING EXPENDITURES
Actual vs Expected, March, 2009**



TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR

SUBJECT: PW 536-08; COMPLETION OF CONTRACT FOR THE CITY ENTRANCE AT PALOS VERDES BOULEVARD LANDSCAPE IMPROVEMENTS PROJECT

DATE: APRIL 28, 2009

The Issue

Should the City Council:

- 1) Accept as complete the landscape installation contract PW 536-08; Construction of the City Entrance at Palos Verdes Boulevard Landscape Improvements in the amount of \$ 398,760.46; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the retention 30 days after the County Recorder's office records the Notice of Completion, if no stop notices are filed?

Background and Analysis

The City has been working to improve the aesthetics of each of the entrances to the City during the past 9 years. This project was the latest in this effort and included extensive landscaping, irrigation, pathway, and drainage improvements to the City Entrance at Palos Verdes Boulevard. The City Council awarded this project to Bennett Enterprises, Inc. on May 13, 2008 at a cost of \$394,259.72.

Although the initial work was completed diligently as per the following, the maintenance of the landscaping was not performed well:

- May 13 Contract awarded.
- June 10 Notice To Proceed
- July 1 Work began

**CITY COUNCIL AGENDA
APRIL 28, 2009**

- September 24 Complete work and begin 90 day maintenance period
- December 31 Maintenance period extended to complete punch list
- March 22 Punch list items completed

The maintenance period was extended due to plant failures that were caused by the contractor’s lack of attention relative to the irrigation needs. The City Forester required the removal and replacement of 20 of the 28 Cedars trees, 50 bougainvillea, 30 ribes, 20 cotoneasters, 10 buddlieas, and a few grasses. Once these were replaced, the maintenance period began again for these items.

One change order was issued for the project, for \$4,000, to increase the size of the plants on the center median. An irrigation repair, due to a tree failure during the maintenance period, and a re-location of the initial planting increased the contract by \$500.74. The change order, irrigation repair and plant relocation increased the project cost to \$398,760.46. The project has now been satisfactorily constructed and the maintenance period has terminated.

The FY 2008/09 budget contained \$445,225 for this project. The following are all the costs for the project:

- Bennett Enterprises - \$398,760.46
- Staff time for design - \$25,826
- Staff time for inspection and administration - \$12,003
- Two signs to warn pedestrians about the construction along the asphalt path - \$151.55
- Landscape Architectural services to prepare the construction plans - \$12,600
- Blueprint services - \$370.50

Total cost of this project from concept to final product is \$449,711.51. In addition to City capital funds, monies for this project include \$237,200 in Proposition 40 Park bond funds approved by state voters in 2002. The State Department of Parks and Recreation approved this project for use of these funds and the City has filed a final payment request. In January, the State advised all cities that due to the upheaval in the credit markets, they had suspended issuance of previously approve bonds and were waiting for improvement in the markets and the State’s fiscal condition, which had impacted its credit rating.

We have no new information from State Parks on the status of these bonds; however, our authorization for use the funds does not expire until March 2011. Given that the project is approved, complete and final payment filed, we have every reason to believe this money will be received.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Accept as complete the construction contract PW 536-08; Construction of the City Entrance at Palos Verdes Boulevard Landscape Improvements and direct the City Clerk to file the Notice of Completion, and release the 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 landscape construction contract PW 536-08; Construction of the City Entrance at Palos Verdes Boulevard Landscape Improvements.
- 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.

Staff report prepared by:
Allan Rigg

TO: JOSEPH M. HOEFGEN, CITY MANAGER
FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST
SUBJECT: SPECIAL EVENT APPLICATION FOR THE LUNADA BAY HOMEOWNERS ASSOCIATION "SUMMER SERIES IN THE PARK" AT LUNADA BAY PARK
DATE: APRIL 28, 2009

ISSUE

Shall the City approve a Special Event Application by the Lunada Bay Homeowners Association to hold a "Summer Series in the Park" which includes four activities on May 31st, July 9th and 23rd and September 12th, 2009?

BACKGROUND

The Lunada Bay Homeowners Association (LBHOA) has submitted a Special Event Application to hold a series of activities called "Summer Series in the Park." These would be family-friendly activities held at Lunada Bay Park.

The activities are as follows:

Sunday, May 31st (4p.m. - 7 p.m.): Lunada Bay Jams
This activity will showcase music performed by local bands. There will be no heavy metal or rap music allowed.

Thursday, July 9th & 23rd (6 p.m. – 8 p.m.) Concert in the Park
These concerts will feature local musical talent from the South Bay.

Saturday, September 12th (6 p.m. – 9 p.m.) Movie Night
This activity will feature an age-appropriate family film to be shown in the park.

The LBHOA has previously held many successful events in the park. This will be their second year of the "Summer Series in the Park," and the fourth year they have held concerts at Lunada Bay Park. The City is treating all four activities as one event comparable to how the Malaga Cove Concert Series is processed. In order to accommodate this, the City has set forth the following stipulations, which have been fully agreed upon by the LBHOA:

**CITY COUNCIL AGENDA
APRIL 28, 2009**

1. "Series" events are not to exceed 6 separate activity dates in a given year.
2. City staff time, in excess of 16 hours per activity, will be billed to the event sponsor at the employees' rate of pay equivalent to the amount paid for his time assisting at the event. This condition was added last year in order to limit the potential budget impact on the City. Our desire is to achieve a balance between the public benefits of community events and the amount of staff time allocated for set-up and tear down of the events.

The event organizers are aware of the necessity to have a safe event with a proper clean-up afterward. The LBHOA is making an effort to generate community involvement in the Lunada Bay area and revitalize homeowner activity in the neighborhood.

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

The LBHOA is additionally requesting City-sponsorship, which would permit them to post promotional signs for the event. The City's sign policy requires that an event sponsored by a non-profit organization must gain City sponsorship in order to be eligible to post promotional signs. Further, the policy explains that the City will sponsor a maximum of 3 events per calendar year.

In 2008, the LBHOA obtained approval to post signs for two concerts in the park, which were categorized as one event under their 2008 Summer Series, as well as signs for the Harvest Festival and the December Santa Visit in accordance with the constraints the Council's approved policy. While the LBHOA's preference is to post signs for all six of their events held throughout the year, that is not allowed per the Council approved policy. Staff has asked LBHOA President, Wendy Lekavich, to prioritize which events they would like to promote with signage in accordance with the Council policy. As a result of this conversation, LBHOA would like to post signs for the two concerts (treated the same as last year), Lunada Bay Jams (in lieu of the Santa Visit promotion) and the Harvest Festival.

CONCLUSION

The members of the Lunada Bay Homeowners Association work hard to put together well-organized, family-friendly community events. These neighborhood activities generate a positive experience for Lunada Bay and the surrounding community.

ALTERNATIVES AVAILABLE TO COUNCIL

1. That the City Council approve the request by the Lunada Bay Homeowners Association to hold its "Summer Series in the Park" which includes "Lunada Bay Jams" on May 31st, "Concerts in the Park" on July 9th & July 23rd, and "Movie Night" on September 12th, 2009;

**CITY COUNCIL AGENDA
APRIL 28, 2009**

and approve the posting of promotional signs for Lunada Bay Jams and two July concerts at both permitted locations one week prior to the activity. (Staff Recommendation)

2. That the City Council approve the request by the Lunada Bay Homeowners Association to hold its “Summer Series in the Park” which includes Lunada Bay Jams” on May 31st, “Concerts in the Park” on July 9th & July 23rd, and “Movie Night” on September 12th, 2009; but modify the number of promotional signs permitted.
3. Council may choose not to approve the Special Event Application, nor promotional signs.
4. Council may impose additional conditions or restrictions on the sponsors of the event.

RECOMMENDATION

It is recommended that the City Council approve the request by the Lunada Bay Homeowners Association to hold its “Summer Series in the Park” which includes “Lunada Bay Jams” on May 31st, “Concerts in the Park” on July 9th & July 23rd, and “Movie Night” on September 12th, 2009; and approve the posting of promotional signs for Lunada Bay Jams and two July concerts at both permitted locations one week prior to the activity.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

SUBJECT: SPECIAL EVENT APPLICATION FOR THE COMPASSIONATE FRIENDS ORGANIZATION TO HOLD A LOCAL EVENT OF THE WORLDWIDE CHILDREN'S MEMORIAL CANDLE LIGHTING AT THE FOUNTAIN IN MALAGA COVE PLAZA

DATE: APRIL 28, 2009

ISSUE

Shall a Special Event Application be approved for the Compassionate Friends organization to hold a local event of the Worldwide Children's Memorial Candle Lighting on Sunday, December 13, 2009 from 6:00 p.m. to 9:00 p.m. at the Fountain in Malaga Cove Plaza?

BACKGROUND AND ANALYSIS

Compassionate Friends is a worldwide organization with a local chapter meeting in Palos Verdes Estates for approximately 16 years. The organization assists and supports families that have had their child pass away at any age or of any cause. Every year, on the second Sunday of December, the Compassionate Friends sponsors a Worldwide Candle Lighting to honor and remember those children of families that have died.

This is the second year that sponsors have requested the event be held within City limits. Last year, sponsors were not able to secure the event's previous location due to construction constraints; therefore, they sought to hold the event in Palos Verdes Estates. Since the event was held successfully without incident, sponsors are requesting the event be held again in Palos Verdes Estates. The event will have music, an inspirational message and the reading of local children's names that are being remembered. It is expected that there will be between 150-250 people in attendance.

Event sponsors worked diligently to secure a comprehensive Special Event Application. The Application has been reviewed and preliminarily approved by all municipal departments. All fees have been paid and the Certificate of Insurance and Indemnity Agreement have been received. Notice will be provided to business owners that may be affected.

Event organizers are aware of the necessity to have a safe event with a proper clean-up afterward.

RECOMMENDATION

**CITY COUNCIL AGENDA
APRIL 28, 2009**

It is recommended that the City Council approve the Special Event Application for Compassionate Friends to hold their local event of the Worldwide Children's Memorial Candle Lighting on Sunday, December 13, 2009 from 6:00 p.m. to 9:00 p.m. at the Fountain in Malaga Cove Plaza.

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PLANNING DIRECTOR
DATE: APRIL 28, 2009
SUBJECT: PLANNING COMMISSION ACTIONS OF APRIL 21, 2009

The items attached were acted upon by the Planning Commission on April 21, 2009.

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: MAYOR AND CITY COUNCIL
FROM: JOSEPH M. HOEFGEN, CITY MANAGER
SUBJECT: PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT PARCEL TAX –
MEASURE V

The Issue

Shall the City Council adopt Resolution R09-12 expressing support for Measure V?

Background

Measure V is a vote-by-mail ballot measure which would implement a \$165 per year parcel tax to provide supplemental funding for the Palos Verdes Peninsula Unified School District (PVPUSD).

A campaign committee has been established to actively promote the passage of Measure. Attached to this report for Council review is a listing of Frequently Asked Questions provided by the Yes on V Committee.

Ballots will be mailed to registered voters on or around May 23, 2009 with a deadline for return of ballots on June 23, 2009. Local resident Ms. Kate Cocke will be in attendance at the Council meeting representing the Yes on V Campaign Committee. She will provide an overview of Measure V and will also highlight budget control measures PVPUSD has already put in place as well.

Recommendation

It is recommended that the City Council receive the report and consider adoption of the attached resolution.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR

SUBJECT: REVIEW OF CONSTRUCTION PLANS AND COST ESTIMATES FOR THE ROADWAY STABILIZATION PROJECT FOR PALOS VERDES DRIVE WEST

DATE: APRIL 28, 2009

The Issue

Should the City Council approve the plans and cost estimates for the roadway stabilization project for Palos Verdes Drive West?

Background and Analysis

Towards the north end of Bluff Cove near Via Montemar, a landslide in the 1980s destroyed two homes and led to ongoing maintenance activities where the City continually patches the street due to subsidence. The easterly edge of the landslide has slowly moved towards the east, and now extends into the southerly travel lane of Palos Verdes Drive West. In the early 1990s, the striping for Palos Verdes Drive West was moved easterly as the top of the landslide was causing subsidence across the entire southbound lane. It is likely that the top of the landslide will continue to move easterly across the travel lanes. Additional movement/erosion could eventually cause the closure of Palos Verdes Drive West, which would be a tremendous disruption to traffic and utilities, including water, electrical, and sewer lines.

The City has gone through a methodical process to determine a solution to this problem. The following is a summary of the work that has been performed:

- A consulting surveyor monitored survey points from 2003 through 2006 to understand the movement within Bluff Cove, and we found significant movement in the area west of Palos Verdes Drive West and just north of Via Montemar.
- The City hired Moffat Nichol, a consulting coastal engineering firm, to investigate the causes of the movement. Moffat Nichol created a report titled “Palos Verdes Drive West Coastal Engineering Assessment” which was reviewed by the City Council on September 25, 2007.
- Based on recommendations in the report, the City Geologist performed borings in and around the landslide area to better define the extents of the landslide and to begin

CITY COUNCIL AGENDA
APRIL 28, 2009

determining potential remedies. He created a report which was presented to the City Council on June 10, 2008.

- In order to implement the remedy defined in the Geologist's report, the Council approved the retention of structural engineering firm GMU Geotechnical, Inc. (GMU) on September 9, 2008.
- GMU presented a report to the City Council on December 9, 2008 titled "Preliminary Design Report, Roadway Stabilization for Palos Verdes Drive West". The Council reviewed the report, and directed GMU to proceed with construction documents for "Alternate 1".

The two options evaluated by the Council use a combination of caissons and tiebacks to create a wall to support Palos Verdes Drive West. The caissons are built by drilling cylindrical holes vertically into the ground, then filling the holes with rebar and concrete. In areas where the caissons need additional horizontal strength, tiebacks are installed at various points on each caisson. A tieback is a horizontal wire used to reinforce the caisson for stability. With one end of the tieback secured to the caisson, the other end is connected to a concrete deadman which has been created by drilling a horizontal hole into the ground under Palos Verdes Drive West, then filling the hole with concrete. Additionally, an "anchor" may be used within the hole to add greater strength to the tieback.

For Alternate 1, the proposed wall follows the alignment of the asphalt curb on either side of the landslide (there is existing curb on either side of the area that has subsided). In this case, two different types of walls would be used. Near the center of the wall, where the landslide has intruded the most into Palos Verdes Drive West, the wall will be comprised of caissons and tiebacks (Type II wall). The caissons will be at least 53 feet deep and the tiebacks will extend 47 to 59 feet back into the hillside. Outside this center portion of the wall, the wall will be comprised solely of caissons (Type I wall). The caissons will be at least 30 feet deep.

In order to install the tiebacks, the grade adjacent to the wall will need to be excavated, to a depth of around 25 feet. This will leave a rather ugly appearance, and to hide the face of the wall, the construction documents direct that the excavated dirt will be placed permanently in front of the wall.

The construction documents have now been completed and reviewed by City staff, including the City's Geologist and Structural Engineer. Corrections have been made and the plans are now ready for bidding. We are still awaiting Caltrans and MTA approval of our project for the Economic Stimulus funding. The project cannot receive the funding if it is put out to bid prior to their approvals. It is our understanding that no infrastructure projects have been approved yet and we feel it is likely that they are significantly overwhelmed by the enormous numbers of projects being submitted to them. Our best estimate is that we will be approved sometime in June and can then bid the project.

We are aware of the concern of the residents on and near Via Montemar regarding the diversion of traffic during the construction of the project. It is possible that during construction the contractor will need to close one lane of traffic due to the large equipment required to build the caissons. Staff will try to minimize any closures and limit them to occur only between 9 am and 3 pm. We will

**CITY COUNCIL AGENDA
APRIL 28, 2009**

utilize our standard detour plan which takes northbound traffic on Palos Verdes Drive West and reroute the traffic on Via Montemar to Via Del Monte then onto Via Corta. Southbound traffic will stay on Palos Verdes Drive West and will use the northbound lane in the area of the construction.

The plans were reviewed by the Planning Commission on March 17, 2009 and the project was issued a Coastal Development Permit. In terms of its CEQA analysis, the project was found to be Categorically Exempt.

Fiscal Impact

The construction cost estimate from GMU is \$1,055,488.50, including a 10% contingency factor. Based on the nature of the work, we believe the contingency is appropriate.

Staff also typically uses a factor of 10% for administration and inspection costs, which based on this estimate would add another \$105,000 to the cost. As we are receiving Federal funds there are significant and lengthy requirements for inspection, testing, and administration that need to be done, and we believe the 10% is warranted for this project. Thus the total budget for the project would be \$1,160,500 (rounded to the nearest hundred dollars).

The City has \$439,000 of Proposition 1B Funds that have been designated for the stabilization of Palos Verdes Drive West. After the expenditure of the \$113,250 for GMU's services, \$325,750 will remain for construction. We expect to receive \$500,000 of Economic Stimulus funding and have been working with Caltrans and the MTA to submit the required documentation. We also have approximately \$54,000 in "Flexible Funds" from the MTA that can be used on this project. The total available funding is \$879,750, leaving a shortfall of \$280,750. We are investigating another outside funding source from the County of Los Angeles for this project as well.

In any event, it is our intent to solicit construction bids for this project upon receipt of approval from Caltrans and MTA. Both agencies are administering the Federal Economic Stimulus Funds which are essential for this project to move forward.

Alternatives Available to Council

The following alternatives are available to the City Council:

3. Approve the plans and cost estimates for the roadway stabilization project for Palos Verdes Drive West.
4. Direct that modifications be made to the plans for the roadway stabilization project for Palos Verdes Drive West.
5. Decline to act.

Recommendation from Staff

Staff recommends that the Council approve the plans and cost estimates for the roadway stabilization project for Palos Verdes Drive West.

Staff report prepared by:
Allan Rigg, Public Works Department