



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**

May 27, 2008
6:30 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. R08-11
NEXT ORDINANCE NO. 08-683**

CALL TO ORDER

CLOSED SESSION (6:30 – 7:30 p.m.)

- **Conference with Legal Counsel – Matters of Potential and Existing Litigation**

Potential Litigation Pursuant to Subdivision (b) of Section 54956.9 (1 case)

Existing Litigation Pursuant to Subdivision (a) of Section 54956.9

Gdowski v. City of Palos Verdes Estates LASC Case No. BS096771

Court of Appeal Case No. B193709

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 (7:30 p.m.)

ROLL CALL

MAYOR'S REPORT – Matters of Community Interest

CONSENT AGENDA (Items 1 - 7)

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 #7a-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 May 13, 2008

Recommendation: Review and File.

2. Treasurer's Monthly Report – April 2008

Recommendation: Receive and File.

3. Resolution R08-10; Confirming the Planning Commission's Approval of NC-1304/GA-1422/M-658-07; Neighborhood Compatibility, Grading, and Miscellaneous Applications for a New Single Family Residence Located at 376 Via Almar. Lot 5, Block 1514, Tract 6886

Recommendation: It is recommended that the City Council adopt Resolution R08-10, denying the appeal and confirming the Planning Commission's approval of NC-1304/GA-1422/M-658-07; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 376 Via Almar, as conditioned. Lot 5, Block 1514, Tract 6886

4. Special Event Application and Posting of Patriotic Signs for the Palos Verdes Independence Day Celebration on Friday, July 4, 2008, to Also Include July 3rd for Set-Up

Recommendation: It is recommended that the City Council approve this Special Event Application for the 47th Annual 4th of July Celebration at the Malaga Cove School grounds, allow the Celebration Committee to post promotional signs at the two City-permitted locations one week prior to the event, and to place flags at each promotional sign.

5. Parklands Committee Meeting Items of May 12, 2008

Recommendation: Review and Approve.

- a. PC-287-08; Application to remove five California Pepper trees in the parklands located adjacent to 980 Via Rincon for view restoration.

Applicant: Charles Dailey
953 Granvia Altamira
Palos Verdes Estates, CA 90274

Action: Approved (3-0, Evans and Levine absent). The applicant is approved to remove up to five California Pepper trees. The applicant shall be responsible to perform all removals according to the ‘Standard Conditions for Tree Removal Approvals’.

- b. PC-288-08; Application to remove one American Elm tree in the parkway located adjacent to 408 Via Media for view restoration.

Applicant: Don and Dot McRell
417 Via Almar
Palos Verdes Estates, CA 90274

Action: Approved (3-0, Evans and Levine absent). The applicant is approved to remove one American Elm tree according to the ‘Standard Conditions for Tree Removal Approvals’. The replacement tree is a 24-inch box size Little Gem Magnolia (*Magnolia grandiflora* ‘Little Gem’).

- c. Replacement tree for the Coral Gum Eucalyptus.

Action: Approved (3-0, Evans and Levine absent). The Australian Willow (*Geijera paviflora*) is the replacement ‘Designated Street Tree’ for the Coral Gum Eucalyptus tree.

6. Traffic Safety Committee Meeting Items of May 14, 2008

Recommendation: Review and Approve.

- a. Discussion of Preliminary Results of Residential Parking Permit Zone near Palos Verdes High School

Action: Recommended that staff 1) allow residents in the RPZ to purchase two additional hangtags (for a maximum of four total hangtags per residence) at a fee of \$20 per additional hangtag, 2) issue hangtags to the residents on the easterly side of Dalton/Pacheco from Cloyden to Epping, 3) procure a traffic engineer to prepare a design for angled parking on the westerly side of Dalton/Pacheco from Cloyden to Epping for Traffic Safety Committee review and possible future implementation, and 4) prepare a restricted parking plan for Paseo Del Mar to possibly be implemented in September. (4-0, Friedman absent)

7. Planning Commission Actions of May 20, 2008

Recommendation: Receive and File.

- *A complete set of all materials related to these action items may be viewed by City Council members in the City Clerk's Office.*

- a. **M-616R-06;** Consideration of a revised Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 3708 Via La Selva. Lot 3, Block 6212, Tract 6887.

Applicant: Brad Dudley
200 Brooks Street
Laguna Beach, CA 92651
Owner: Dr. Carol Edwards

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

- b. **CUP-83-08;** Consideration of a Conditional Use Permit Application for a communications facility located in the open space zone adjacent to 1700 Punta Place. Lot D, Block 1555, Tract 7333.

Applicant: South Bay Regional Public Communications Authority
4440 W. Broadway
Hawthorne, CA 90250

Action: Approved (4-0) with standard conditions and the following additional condition: 1) This project shall be subject to annual review by the City.

- c. **CUP-84-08;** Consideration of a Conditional Use Permit Application for restaurant use at 2325 Palos Verdes Drive West Suites 205 and 206. Lots 2, 3 & 4, Block 2214, Tract 6888.

Applicant: David Letchworth
410 Paseo De La Playa
Redondo Beach, CA 90277

Owner: Lunada Bay Investment Company
P.O. Box 115
Palos Verdes Estates, CA 90274

Action: Approved (4-0) with standard conditions and the following additional conditions: 1) The hours of operation are to be limited to 11am to 10 pm seven days a week; 2) The restaurant is to be limited to 75 seats with no outdoor seating; 3) This project shall be subject to annual review by the City.

d. **NC-1323-08**; Consideration of a Neighborhood Compatibility Application for additions to the existing single family residence located at 2920 Paseo Del Mar. Lot 6, Block 2236, Tract 7144.

Applicant: Pritzkat Architects
304 Vista Del Mar, Suite B
Redondo Beach, CA 90277
Owner: Milt Owens & Lisa Gladstone

Action: Approved (4-1, Bird dissenting) with standard conditions and the following additional condition: 1) The first story ridge on the east side is to be reduced by 18” from 96.7’ to 95.2’.

e. **M-669-08**; Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 710 Via La Cuesta. Lot 8, Block 7539, Tract 26341.

Applicant/ Owner: Christine Rad
4116 Admirable Drive
Rancho Palos Verdes, CA 90275

Action: Approved (3-2, Coffey and Vandever dissenting) with standard conditions and the following additional condition: 1) All previous conditions apply.

f. **M-670-08**; Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 3721 Via Palomino. Por. of Lot 17, Block 6215, Tract 6887.

Applicant: Russell E. Barto
3 Malaga Cove Plaza, Suite 202
Palos Verdes Estates, CA 90274
Owner: Gene and Judy Matsuda

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

g. **M-671-08**; Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 4300 Via Valmonte. Lot 1, Block 6323, Tract 7143.

Applicant: Jacqueline Ignon
843 Avenue C
Redondo Beach, CA 90277
Owner: Kostas and Julie Makrygiannis

Action: Approved (4-0, Hoffman recused) 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

8. Review of Proposed Modifications to the City Council Policy for Issuance of Proclamations and Certificates of Recognition

Recommendation: It is recommended that the City Council review and approve the proposed modifications to the Proclamation and Certificate of Recognition Policy.

NEW BUSINESS

9. PW-539-08; Award of Contract for the FY08-09 Fire Clearance/Weed Abatement Maintenance

Recommendation: It is recommended that the City Council award a public works contract in the amount of \$134,965 to Travers Tree Services, Inc. for the completion of the Fiscal Year 08-09 Fire Clearance/Weed Abatement Maintenance.

10. PW-540-08; Award of Contract for the FY08-09 and FY09-10 Parklands and Right-of-Way Landscape Maintenance

Recommendation: It is recommended that the City Council award an annual contract in the amount of \$221,376 to Merchants Landscape Services, Inc. for the completion of the Fiscal Year 08-09 and Fiscal Year 09-10 Parklands and Right-of-Way Landscape Maintenance.

STAFF REPORTS

11. City Manager's Report

DEMANDS

12. a. Authorize Payment of Motion #1 – Payroll Warrant of May 16, 2008
- b. Authorize Payment of Motion #2 – Warrant Register of May 27, 2008

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

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO TUESDAY, JUNE 3, 2008, AT 7:00 A.M. IN AT MALAGA COVE LIBRARY COMMUNITY ROOM FOR REVIEW OF THE FY08-09 AND FY09-10 BUDGET.

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, May 28, 2008 at 7:30 p.m., and Wednesday, June 4, 2008, at 7:30 p.m.*

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: RESOLUTION R08-10; CONFIRMING THE PLANNING COMMISSION'S APPROVAL OF NC-1304/GA-1422/M-658-07; NEIGHBORHOOD COMPATIBILITY, GRADING, AND MISCELLANEOUS APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 376 VIA ALMAR. LOT 5, BLOCK 1514, TRACT 6886.

DATE: MAY 27, 2008

The Issue

Should the City Council approve Resolution 08-10 confirming the Planning Commission's approval (4-1, Coffey dissenting) of NC-1304/GA-1422/M-658-07; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new Single Family Residence located at 376 Via Almar, as conditioned?

Background and Analysis

On May 13, 2008 the City Council conducted a public hearing to consider an appeal of NC-1304/GA-1422/M-658-07; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new Single Family Residence located at 376 Via Almar.

After considering the facts and testimony, the City Council voted 4-0 (Goodhart absent) to deny the appeal and uphold the Planning Commission's approval of NC-1304/GA-1422/M-658-07; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new Single Family Residence located at 376 Via Almar, as conditioned.

This resolution confirms that decision.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Approve resolution R08-10 confirming the Planning Commission's approval of NC-1304/GA-1422/M-658-07; Neighborhood Compatibility, Grading, and Miscellaneous

applications for a new Single Family Residence located at 376 Via Almar, as conditioned.

2. Decline to act.

Recommendation from Staff

Staff recommends that the City Council approve resolution R08-10 confirming the Planning Commission's approval of NC-1304/GA-1422/M-658-07; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new Single Family Residence located at 376 Via Almar, as conditioned.

Staff report prepared by:
Stacey Kinsella
Planning Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

SUBJECT: SPECIAL EVENT APPLICATION AND POSTING OF PATRIOTIC SIGNS FOR THE PALOS VERDES INDEPENDENCE DAY CELEBRATION ON FRIDAY, JULY 4, 2008 TO ALSO INCLUDE JULY 3rd FOR SET-UP

DATE: MAY 27, 2008

ISSUE

Shall the City approve a Special Event Application for the Palos Verdes Independence Day Committee to hold its annual celebration at the Malaga Cove school grounds?

BACKGROUND AND ANALYSIS

The 47th Annual Palos Verdes Independence Day will be held Friday, July 4, 2008. The program takes place from 9:30 a.m. to 3:00 p.m. The event includes children's patriotic bicycle parade, apple pie baking contest, puppet show, singing, picnics, and music. This event is an annual tradition in the City.

The celebration is held on school district property at the Malaga Cove school grounds. The City's primary concern is traffic control, which is coordinated with the Police Department. The event is well-managed by the Independence Day Committee, which includes a City representative, and has always been held without incident.

The City's current sign policy, revised in October 2006, recognizes that the Palos Verdes Independence Day Celebration is a City-sponsored event, and therefore is eligible to post promotional signs on public property. According to the policy, however, signs are only permitted at the City-approved locations, which include the median strip adjacent to Malaga Cove Plaza at Via Corta, and the median strip across from the Lunada Bay Fountain area. A copy of the City's Sign Policy is attached for your reference. Furthermore, signs may only be posted one week prior to the event. The Committee is requesting the signs be posted from June 27-July 5, it must be modified to fulfill the City's guidelines.

The signs include the following wording:

"Family Fun, 4th of July Picnic, Malaga Cove School, 9:30 a.m." (Plus the name of the guest speaker.)

The Committee also requests permission to erect red, white, and blue flags with the permitted promotional signs, which has been done traditionally.

The Special Event Application has been reviewed and preliminarily approved by the Police Department and Fire Department. Because of the tradition of this event and the City's involvement, the City waives the fee requirements of the Special Event Application. The Hold Harmless Letter and Certificate of Insurance have been received.

ALTERNATIVES AVAILABLE TO COUNCIL

1. Approve the application, posting of promotional signs in the two City-permitted locations one week prior to the event, and placement of flags.
2. Decline to approve the application, signs and flags.
3. Approve the application with conditions, and condition the posting of signs and placing of flags.

RECOMMENDATION:

Approve this Special Event Application for the 47th annual 4th of July Celebration at the Malaga Cove school grounds, allow the Celebration Committee to post promotional signs at the two City-permitted locations one week prior to the event, and to place flags at each promotional sign.

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PLANNING DIRECTOR
DATE: MAY 27, 2008
SUBJECT: PLANNING COMMISSION ACTIONS OF MAY 20, 2008

The items attached were acted upon by the Planning Commission on May 20, 2008.

The Council may, within fifteen days after the date of the decision on or before the first day following the first Council meeting after the date of the Planning Commission decision, whichever occurs last:

1. Confirm the action of the Planning Commission and grant or deny the application;
2. Set the matter for public hearing and dispose of it in the same manner as on an appeal; or
3. Amend, modify, delete, or add any condition of approval which the Council finds is not substantial under the circumstances relative to or affecting the property subject to the application for a development entitlement. Any determination of the Council pursuant to this paragraph shall be conclusive and final.

In the event the Council does not take one of the actions specified above within the period of time required, the decision of the Planning Commission shall be final.

Recommendation:

Receive and file.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

**SUBJECT: REVIEW OF PROPOSED MODIFICATIONS TO THE CITY COUNCIL
POLICY FOR ISSUANCE OF PROCLAMATIONS AND CERTIFICATES
OF RECOGNITION**

DATE: MAY 27, 2008

ISSUE

Shall the City modify its existing Proclamations and Certificates of Recognition Policy in order to accommodate current restrictions?

BACKGROUND AND ANALYSIS

In January 2007, the City Council adopted a Proclamations and Certificates of Recognition Policy. The formal policy was adopted to provide definitions of who could be eligible to receive a Proclamation. It also established an alternative form of recognition through a Certificate of Recognition.

According to current policy, Proclamations are available to honored residents of the City, at the Mayor's discretion. Also, Educators of the Year of schools based on the Peninsula and the Chamber of Commerce's recognized Citizen of the Year may be recognized through Proclamations. Proclamations may also honor organizations on the Peninsula with the minor exceptions to organizations that may not be located on the Peninsula, but widely benefit City residents, such as H.E.L.P.

An alternative form of recognition defined in the Policy is Certificates of Recognition. Certificates of Recognition are currently accorded to notable individuals on the Peninsula, such as Superintendent of Schools, Library Directors, City Managers, Presidents of the Peninsula Chamber of Commerce and Palos Verdes Art Center. Additionally, Certificates may honor the Peninsula Chamber of Commerce's Salute to Business Award recipients. Certificates are currently not provided to elected officials. There is no provision currently to grant Certificates of Recognition at the Mayor's discretion.

Per current policy, all requests must include thorough background information suitable for the preparation of the Proclamation or Certificate text. If a request does not fall within the guidelines

set forth in the Policy and the Mayor would still like to recognize an individual or organization, a letter of recognition or commendation of his/her signature is composed and presented.

The City's Policy was developed after most South Bay cities were surveyed on their practice. The 2006 survey found that cities did not have or follow a written policy. Additionally, half of the cities surveyed offered alternatives to a formal Proclamation in the form of either a Certificate or Letter. This information was recently confirmed.

In 2007 and 2008, the City granted 13 Proclamations, 22 Certificates of Recognition, and 48 Letters of Recognition. Following one year's experience since adoption of the Policy, staff is recommending some fine-tuning adjustments for Council consideration.

The Policy and a revised red-line version of the Policy are attached, however below are some highlighted items of the proposed modifications:

1. City Proclamations are accorded to recognize notable individuals and/or organizations, at the Mayor's discretion and may be provided to honored residents of Palos Verdes Estates and organizations on the Peninsula (with some minor exceptions).
2. Certificates of Recognition may be extended, at the Mayor's discretion, to notable individuals on the Peninsula (such as, Superintendent of Schools, City Managers, Library Directors, Presidents of the Peninsula Chamber of Commerce, Palos Verdes Art Center, individuals having completed a term of service on a Palos Verdes Estates Advisory Committee or Planning Commission or as Chairperson of the South Bay Cities Council of Government), as well as businesses accorded recognition by the Peninsula Chamber of Commerce at the annual Salute to Business Awards Dinner.
3. The modified Policy would delete the statement, "Certificates of Recognition shall not be accorded to elected officials"; thus, allowing the decision on whether to issue a Certificate of Recognition to be made by the Mayor. Please note, in some cases, the Mayor may decide to forward a letter of his/her signature to an elected official in lieu of a Certificate.

RECOMMENDATION

It is recommended that the City Council review and approve the proposed modifications to the Proclamation and Certificate of Recognition Policy.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR

SUBJECT: PW 539-08; AWARD OF CONTRACT FOR THE FY 08/09 FIRE CLEARANCE/WEED ABATEMENT MAINTENANCE

DATE: MAY 27, 2008

The Issue

Should the City Council award a contract in the amount of \$134,965 to Travers Tree Services, Inc., for the completion of the FY 08/09 Fire Clearance/Weed Abatement Maintenance?

Background and Analysis

Fire safety and weed abatement services for city owned property have been separated from the Parkland and Right-of-Way Maintenance contract since FY 07/08. Staff determined these seasonal services would be best bid as a separate contract.

The City has bid the fire clearance and weed abatement service 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. Staff proposes awarding the contract based on the annual Base Bid # 1.

Base Bid Item #1 requires the Parklands open space to be maintained by removing, trimming and thinning vegetation to reduce fuel load. Maintenance specifications for Fire Safety and Weed Abatement are general and require judgment and coordination with staff in some cases. The following specifications are included but are not limited to:

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 that 18 feet in height.
7. Reduce shrubs to establish space between plants to reduce the fuel load and fuel continuity.
8. Large trees should be 30 feet apart. The City Forester will be available with a 48 hour notice to direct tree removals.
9. Small trees and shrubs should be 15 feet apart. Retention of native cherry and oak trees is preferred to non-native plants.
10. Remove over growth and remove the trimmings from the site.
11. This 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 from a property line.
16. Establish a 20 feet wide defensible 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.

Last year, the Fire Safety and Weed Abatement contract removed decades of fuel build up in the Parklands. Bennett Landscape was low bid at \$113,865 and, at \$60,000 higher, Travers Tree Service

had the second lowest bid. Bennett Landscape completed the contract but not within the time frame required by the contract due to the difficult access and steep slopes.

As the winter rains ended, a beautiful carpet of mustard covered the hills. This was due in part to normal and timely rains. An additional factor was the removal of shrubs which created space and allowed seeds to germinate in the sun and grow. This mustard is now dying and will be a fire hazard if not removed.

Staff advertised with Bid America, McGraw Hill, and Reed Construction Services. A contract bid was received on May 15; at 10:30 a.m. Bennett Landscape, along with the three other bidders that picked up bid documents, decided not to submit a bid. Travers Tree Services, Inc. submitted the only bid of \$134,965 for Base Bid Item #1. Travers Tree Service is \$38,000 lower than their last bid for this service. This is due to the large amount of fuel that was removed in last year's contract. This amount, \$134,965 exceeds the Fiscal Year 08/09 budget, and will necessitate a budget adjustment of \$11,825.

Travers Tree Services has completed projects of similar size and scope for the City of Beverly Hills and the Los Angeles County Department of Public Works. They are the City's current tree maintenance contractor under the Tree Trimming Contract and have always performed satisfactorily and capably for the last 8 years. Staff believes they are experienced and well equipped to satisfactorily complete this project.

The following schedule is anticipated:

- May 27 Contract awarded.
- June 16 Contract, insurance certificates signed by contractor & City.
- July 1 Work expected to begin.
- August 31 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 \$134,965 to Travers Tree Services, Inc., for the completion of the FY 08/09 Fire Clearance/Weed Abatement Maintenance.
2. Decline to Act.

Recommendation from Staff

Staff recommends that the Council:

Award a contract in the amount of \$134,965 to Travers Tree Services, Inc., for the completion of the FY 08/09 Fire Clearance/Weed Abatement Maintenance.

Fiscal Impact

This Contract will be funded through the Annual Land Maintenance budget, which is currently budgeted for this project at \$123,140. Thus a budget adjustment of \$11,825 is needed. Staff will adjust the Fiscal Year 2008/09 budget for this line item before adoption by Council.

Staff report prepared by:
Carl Moritz
Public Works Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR
SUBJECT: PW 539-08; AWARD OF CONTRACT FOR THE FY 08/09 AND FY 09/10 PARKLANDS AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE
DATE: MAY 27, 2008

The Issue

Should the City Council award an annual contract in the amount of \$221,376 to Merchants Landscape Services, Inc., for the completion of the FY 08/09 and FY 09/10 Parklands and Right-of-Way Landscape Maintenance?

Background and Analysis

The current Parkland and Right-of-Way Landscape Maintenance contract with Bennett Enterprises, Inc. will expire June 30, 2008. To ensure that the City’s landscaping needs are fulfilled without any interruption in service, staff has completed the bid process and is seeking an award of this contract for a start date of July 1, 2008.

The City uses this contract for the maintenance of City parklands, street medians, paths, and alleys. There are 38 weekly, 2 semimonthly, 48 monthly, and 67 as-required/on call areas that are included in the Base Bid.

Staff advertised with Bid America, FW Dodge, and Reed Construction Data. Three bids were received on June 30, 2006 at 10:30 a.m. The bidders were Merchants Landscape Enterprises Inc., Bennett Enterprises, Inc., and Mariposa Horticultural Enterprises. The following table shows the bid results:

Bid Item	Merchants	Bennett	Mariposa
Parks-R items	\$182,328	\$185,688	\$306,816
Selected paths-O items	\$9,288	\$10,920	\$10,176
Right-of-way-G items	\$17,520	\$35,340	\$12,300
Open Space-B items	\$9,540	\$25,500	\$9,672
Total Base Bid	\$218,676	\$257,448	\$338,964
Additive Bid Item #1	\$2,700	\$14,100	\$5,090
Total w/Additive #1	\$221,376	\$271,548	\$344,054

Merchants Landscape Services, Inc. has completed many projects of similar size and scope for the Cities of Palm Springs, Seal Beach, Ontario, Chula Vista, Orange, Santa Ana, and Newport Beach. Staff believes they are well equipped to satisfactorily complete this project.

The following schedule is anticipated:

- May 27 Contract awarded.
- June 16 Contract, insurance certificates signed by contractor & City.
- July 1 Work expected to begin.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Award an annual contract in the amount of \$221,376 to Merchants Landscape Services, Inc., for the completion of the FY 08/09 and FY 09/10 Parklands and Right-of-Way Landscape Maintenance.
2. Decline to Act.

Recommendation from Staff

Staff recommends that the Council:

Award an annual contract in the amount of \$221,376 to Merchants Landscape Services, Inc., for the completion of the FY 08/09 and FY 09/10 Parklands and Right-of-Way Landscape Maintenance.

Fiscal Impact

This Contract will be funded through the Annual Land Maintenance budget, which is currently budgeted for this project at \$192,780 for FY 08/09. Thus a budget adjustment of \$28,596 is needed. Staff will adjust the Fiscal Year 2008/09 budget for this line item before adoption by Council.

Staff report prepared by:
Carl Moritz
Public Works Department