

**FOLLOW UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
AUGUST 19, 2008
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD**

6:00 P.M. CLOSED SESSION: SEE ATTACHED BROWN ACT CHECK LIST FOR DETAILS.

7:00 P.M. REGULAR SESSION

CALL TO ORDER:

ROLL CALL:

**NEXT RESOL. NO. 2008-73
NEXT ORDINANCE NO. 477**

FLAG SALUTE:

MAYOR'S ANNOUNCEMENTS: Recognition of Volunteers - Forrestal Fence Removal

RECYCLE DRAWING:

APPROVAL OF AGENDA:

PUBLIC COMMENTS: (This section of the agenda is for audience comments for items **NOT** on the agenda.)

CITY MANAGER REPORT: Cool Cities Program; Announcement of Mobile Source Air Pollution Reduction Grant Award

NEW BUSINESS:

APPROVAL OF CONSENT CALENDAR:

1. Motion to Waive Full Reading
Action Taken: Adopted a motion to waive reading in full of all ordinances presented at this meeting with consent of the waiver of reading deemed to be given by all Council Members after the reading of the title.

2. Approval of the Minutes (Morreale)
Action Taken: Approved the Minutes of the July 1, 2008 Adjourned Regular Meeting and July 15, 2008 Special Meeting.

3. Claim Against the City by Dorian B. Dunlavey (Gyves)
Action Taken: Rejected the claim and direct staff to notify the claimant.
4. Claim Against the City by Carl Muchnick (Gyves)
Action Taken: Rejected the claim and direct staff to notify the claimant.
5. Award of Professional Services Agreement to Update the City's Sewer System Master Plan (Dragoo)
Action Taken: 1) Authorized the award of a Professional Services Contract to Dudek and Associates, Inc. to update the Sanitary Sewer Master Plan in the not to exceed amount of \$122,000; and, 2) Authorized the Mayor and City Clerk to execute the Professional Services Agreement with Dudek and Associates, Inc.
6. Adoption of Ordinance No. 476 Prohibiting Reckless Use of Trails within the Palos Verdes Nature Preserve (Mihranian)
Action Taken: ADOPTED ORDINANCE NO. 476, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, PROHIBITING RECKLESS USE OF TRAILS WITHIN THE PALOS VERDES NATURE PRESERVE AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE.
7. Traffic Safety Commission Mission Statement, Size of Membership, and Frequency of Meetings (Motahari/Bell)
Action Taken: ADOPTED RESOLUTION NO. 2008-77, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ESTABLISHING THE TRAFFIC SAFETY COMMISSION MISSION STATEMENT, SIZE OF MEMBERSHIP, AND FREQUENCY OF MEETINGS.
8. Item removed from the Agenda.
9. Register of Demands (McLean)
Action Taken: ADOPTED RESOLUTION NO. 2008-73, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING FUNDS FROM WHICH THE SAME ARE TO BE PAID.

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PUBLIC HEARINGS:

10. Appeals of View Restoration Permit No. 2006-00007 [Foliage Owners/ Appellants: Mr. & Mrs. Liehr, 3067 Crest Road; Dr. & Mrs. Wyman, 3069 Crest Road; Mr. & Mrs. O'Melveny, 3071 Crest Road] (Alvarez) [Continued from July 15, 2008]
Action Taken: ADOPTED RESOLUTION NO. 2008-74, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, DENYING

THE APPEALS AND AFFIRMING THE PLANNING COMMISSION'S DECISION, AS MODIFIED, TO APPROVE VIEW RESTORATION PERMIT NO. 2006-00007 UPON FINDING THAT ALL APPLICABLE FINDINGS HAVE BEEN CORRECTLY MADE AND ALL PROVISIONS OF SECTION 17.02.040(C)(2) OF THE MUNICIPAL CODE HAVE BEEN COMPLIED WITH.

11. Appeal of a Height Variation, Site Plan Review and Grading Permit (Case No. ZON2008-00040) at 5335 Rolling Ridge Road (Kim)
Action Taken: ADOPTED RESOLUTION NO. 2008-75, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE AN APPLICATION TO CONSTRUCT A NEW 7,067.46ft² TWO-STORY RESIDENCE WITH A 1,229.59ft² ATTACHED GARAGE.

PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

12. 2008 Organizational Assessment Final Report – Recommendations Matrix (Petru)
Action Taken: Council members will identify administrative items for discussion and provide their comments to staff. Council directed staff to prepare a GANT chart to accompany the Recommendations Matrix. Item continued to September 16, 2008 meeting.
13. Overnight Parking Restrictions of All Vehicles Including Oversized Vehicles (Dragoo)
Action Taken: Council directed staff to provide more information regarding the date; number, type and locations of the complaints received regarding oversized vehicle parking and related traffic accidents if applicable. Staff will bring item back to Council in 60 days.
14. Proposed Temporary Program for Penalty Fee Waiver (Peterson)
Action Taken: Directed staff to return with a resolution that incorporates: the fact that the program is voluntary; establishes a defined time line in which residents can apply for the penalty fee waiver; stipulates that this is not an amnesty program; that code compliance will be required and only penalty fees will be waived; the fact that this is a one time only program; that outside consultants fees would also need to be paid. Council also recommended an extensive public outreach to promote this program.
15. City Council Rules of Procedure (Petru)
Action Taken: ADOPTED RESOLUTION NO. 2008-76, AS AMENDED, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING THE CITY COUNCIL RULES OF PROCEDURE

REGARDING THE PLACEMENT OF ITEMS ON A FUTURE CITY COUNCIL AGENDA.

CITY COUNCIL ORAL REPORTS: (This section of the agenda is designated for oral reports from Council Members to report action taken at outside committee and association meetings.)

COUNCIL DISCUSSION & SUGGESTION OF FUTURE AGENDA ITEMS:

Pension reform and Sister City program

CLOSED SESSION REPORT: 1) No Action Taken (4-0, with Long absent); 2) Direction given to the City Attorney (4-0-1 with Long abstaining); 3) Report given and direction given to the City Attorney; and 4) Approved settlement agreement (3-0, with Clark and Long absent).

ADJOURNMENT: 11:54 P.M.

CLOSED SESSION AGENDA CHECKLIST

Based on Government Code Section 54954.5

(All Statutory References are to California Government Code Sections)

Conference with Legal Counsel

Potential Litigation:

G.C. 54956.9(b)(1)(B)

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described facts and circumstances, there is a significant exposure to litigation against the City:

Based on the letter dated May 8, 2008 that was presented to the City Council on behalf of the Portuguese Bend Club Homeowners Association at the May 10, 2008 City Council Meeting/Budget Workshop and a telephone conversation on August 5, 2008, between the City Attorney and the Portuguese Bend Club legal counsel, Timi Hallem. A copy of the letter and the City Attorney's memorandum are on file in the City Clerk's Office.

(Number of Potential Cases – 1)

Potential Litigation:

G.C. 54956.9(b)

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described facts and circumstances, there is a significant exposure to litigation against the City:

Based on a threat of litigation received from Andrea Joannou on January 9, 2008 regarding 40 Cherry Hill in a meeting with City Manager Lehr, City Attorney Lynch and Director of Planning, Building and Code Enforcement Rojas. A copy of the memorandum from the City Attorney documenting the threat of litigation that was made is on file in the City Clerk's Office.

(Number of Potential Cases – 1)

**Existing Litigation:
G.C. 54956.9(a)**

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation:

Name of Case: Protus Taniform v. City of Rancho Palos Verdes and Transnation Title Insurance Company, Los Angeles County Superior Court. *Case No. BC356116.*

**Existing Litigation:
G.C. 54956.9(a)**

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation:

Name of Case: People of the State of California, et al. v. James T. Spiropoulos, et al., Los Angeles County Superior Court. *Case No. YC056412.*

American with Disabilities Act: In compliance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's Office at 310 544-5208 at least 48 hours prior to the meeting.

NOTE: Staff reports are available for inspection at City Hall, 30940 Hawthorne Boulevard during regular business hours, 7:30 A.M. to 5:30 P.M. Monday – Thursday and 7:30 A.M. to 4:30 P.M. on Friday. The agenda and staff reports can also be viewed at Hesse Community Park, 29301 Hawthorne Boulevard during regular business hours: Monday – Friday from 9:00 A.M. until dusk; Saturday and Sunday from 10:00 A.M. until dusk.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at the front counter of the lobby of the City Hall Administration Building at 30940 Hawthorne Boulevard, Rancho Palos Verdes during normal business hours.

You can also view the agenda and staff reports at the City's website www.palosverdes.com/RPV.

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