



**FOLLOW-UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
FEBRUARY 17, 2009
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD**

Time Estimates: The time noted next to an agenda item is only an estimate of the amount of time that will be spent during the meeting on that particular item. Accordingly, these estimates should not be relied on in determining when a matter will be heard, especially since agenda items are often re-ordered during a meeting and may be discussed at any time.

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

7:00 P.M. REGULAR SESSION

(10 mins) CALL TO ORDER:

ROLL CALL:

FLAG SALUTE:

MAYOR'S ANNOUNCEMENTS: Mayor Clark introduced the Mayor's Business Recognition of the Month and highlighted the new business Yogurt Deck in the Golden Cove Shopping Center and introduced owner Jennifer Richardson.

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:

NEW BUSINESS:

(5 mins) 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 October 27, 2008 Adjourned Regular Meeting/TSC Joint Workshop; November 18, 2008 Regular Meeting; December 2, 2008 Regular Meeting; December 16, 2008 Regular Meeting; January 15, 2009 Adjourned Regular Meeting; and, January 31, 2009 Adjourned Regular Meeting/Community Leaders' Breakfast.
3. Claim Against the City by Amber Dunn (Gyves)
Action Taken: Rejected the claim and directed staff to notify the claimant.
4. Agreement for Vehicle Purchase and Operation with the Palos Verdes Peninsula Transit Authority (PVPTA) (Huey)
Action Taken: Authorized the Mayor and City Clerk to execute the attached Agreement for Vehicle Purchase and Operation with the PVPTA.
5. Change Order – Storm Drain Lining Project 2008 – Phase I (Dragoo)
Action Taken: 1) Authorized a change order to the construction contract with Re-Pipe California, Inc., in order to take advantage of a unique price structure reduction due to other work that is currently underway in the City. This change to the construction contract will increase the contract amount by \$356,151.50, for the installation of an additional 2,534 linear feet of cured-in-place polyethylene liner; and, 2) Authorized an increase to the contract with CBM Consulting, Inc. in the not to exceed amount of \$28,000, for Construction Inspection services.
6. Appeal of the Planning Commission's Conditional Approval of the Proposed St. John Fisher Master Plan: Conditional Use Permit (CUP) No. 96 – Revision "D," Grading Permit, Minor Exception Permit, Sign Permit, and Environmental Assessment (Case No. ZON2007-00492); Project Address: 5448 Crest Road (Mikhail)
Action Taken: 1) ADOPTED RESOLUTION NO. 2009-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, THEREBY CERTIFYING THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE MITIGATION MONITORING PROGRAM FOR THE ST. JOHN FISHER MASTER PLAN CASE NO. ZON2007-00492; and, 2) ADOPTED RESOLUTION NO. 2009-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, THEREBY CONDITIONALLY APPROVING THE ST. JOHN FISHER MASTER PLAN, INCLUDING CUP NO. 96 – REVISION "D," GRADING PERMIT, MINOR EXCEPTION PERMIT AND SIGN PERMIT CASE

NO. ZON2007-00492.

7. Register of Demands (McLean)

Action Taken: ADOPTED RESOLUTION NO. 2009-11, 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 mins) 8. Rezoning Ordinance Related to the Highridge Condominiums Project, Located at 28220 Highridge Road (Fox)

Action Taken: 1) ADOPTED ORDINANCE NO. 483U, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, PREZONING THE 440-SQUARE-FOOT PORTION OF THE HIGHRIDGE CONDOMINIUMS PROJECT (ASSESSOR’S PARCEL NO. 7589-007-802), LOCATED AT 28220 HIGHRIDGE ROAD, AS “RESIDENTIAL MULTI-FAMILY, 22 DWELLING UNITS PER ACRE” (RM-22), AND DECLARING THE URGENCY THEREOF; and, 2) INTRODUCED ORDINANCE NO. 484, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, PREZONING THE 440-SQUARE-FOOT PORTION OF THE HIGHRIDGE CONDOMINIUMS PROJECT (ASSESSOR’S PARCEL NO. 7589-007-802), LOCATED AT 28220 HIGHRIDGE ROAD, AS “RESIDENTIAL MULTI-FAMILY, 22 DWELLING UNITS PER ACRE” (RM-22).

(5 mins) 9. General Plan Amendment Initiation Request (GPAIR) and Zone Change Amendment Initiation Request (ZCAIR) (Case No. ZON2008-00608), a Request to Obtain Direction from the City Council Regarding a Proposed Change in the General Plan Land Use Designation and Zoning of a Privately-Owned Property From Single-Family Residential Property with Dual Zoning (RS-2 and RS-5) (Mikhail)

Action Taken: Received and filed the report on the withdrawal of the subject application.

PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

(10 mins) 10. Regulating Availability of Toilet and Hand Washing Facilities for Food Peddling from Motorized Vehicle (Petru)

Action Taken: INTRODUCED ORDINANCE NO. 485, AS AMENDED, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, AMENDING CHAPTER 5.28 (PEDDLERS) OF THE RANCHO PALOS VERDES MUNICIPAL CODE TO REGULATE PEDDLING BY REQUIRING TOILET AND HAND

WASHING FACILITIES WITHIN 200 FEET OF FOOD PEDDLING FROM A
MOTORIZED VEHICLE.

- (10 mins) 11. FY08-09 Midyear Financial Report (Downs)
Action Taken: 1) Received and filed the FY08-09 Midyear Financial Report; and, 2) ADOPTED RESOLUTION NO. 2009-12, AS AMENDED, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION 2008-47, THE BUDGET APPROPRIATION FOR FY08-09, TO ADJUST THE BUDGET IN THE GENERAL FUND, CAPITAL IMPROVEMENT PROJECTS FUND, BIKEWAYS FUND, STREET MAINTENANCE FUND, BEAUTIFICATION FUND, SUBREGION ONE FUND, MEASURE A FUND, PUBLIC SAFETY GRANTS FUND, RPV TV CHANNEL FUND, EQUIPMENT REPLACEMENT FUND, EMPLOYEE BENEFITS FUND, AND BUILDING REPLACEMENT FUND OF THE CITY.
- (40 mins) 12. Cost Based Fee Report (Singer)
Action Taken: 1) Received and filed the Service Cost Update report dated January 22, 2009, prepared by Revenue and Cost Specialists, LLC.; and, 2) Directed staff that Council was generally in favor of full cost recovery as a concept moving forward, with clarification that if the City subsidizes any particular fees it should be with full knowledge and acceptance of these particular fees.
- (15 mins) 13. Proposed Network Modification Plan and Approval of Request for Proposals for Acquisition of Primary Firewall Upgrade (McLean)
Action Taken: 1) Approved Staff's recommendation to make all necessary network modifications (the "proposed Network Modification Plan") to accomplish Management Partners' recommendation #9: "to separate the City's Information Technology ('IT') assets from those of Palos Verdes on the Net ('PVNET)"; 2) Approved the attached Request for Proposals for the acquisition and implementation of the proposed upgrade of the City's current primary firewall, including installation and implementation services and staff training for the proposed SonicWALL NSA E7500 firewall (the "NSA firewall"); and, 3) Approved the transfer of certain IT equipment to/from PVNET that has little or no value, and is beyond, or near the end of, its estimated useful life.
- (10 mins) 14. City Council's Proposal for Restructuring the Equestrian Committee (Mikhail)
Action Taken: 1) Maintained the existing make-up of the Equestrian Committee through the end of the fiscal year, June 30, 2009; and, 2) At the end of the fiscal year, Council to consider all options.
- (5 mins) 15. City Advisory Board Chairs (Morreale)
Action Taken: Appointed Jeffrey Lewis as Chair for the Planning Commission and Frank Lyon as Chair for the Oversight Committee for the Water Quality Flood Protection Program (WQFP).
- (5 mins) 16. City Council Meeting Schedule – Tactical Planning Workshop (Petru)

Action Taken: Continued this item and directed staff to select another date when all four Council Members are available.

(15 mins) **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.)

(5 mins) **COUNCIL DISCUSSION & SUGGESTION OF FUTURE AGENDA ITEMS:**

1) Quasi-judicial decision guidelines; 2) Guidelines or criteria for non-profit organizations receiving grants; 3) Peafowl; and, 4) Location of a dog park on the Peninsula.

CLOSED SESSION REPORT: City Attorney Lynch reported on the following items:

1) Regarding the Quong item, the Council gave direction to staff to delay action with respect to a View Restoration matter (with Councilman Stern absent); 2) Regarding the VH Property Corp. item, a status update report was provided and no action taken; and, 3) Regarding the threat of potential litigation, the Council unanimously voted, including Councilman Stern, to waive the conflict so that Richards, Watson, and Gershon could represent the City, that the case would be tendered to the CJPIA, and that the Tolling Agreement would be approved, with Councilman Gardiner absent on all items.

ADJOURNMENT: Adjourned at 10:09 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 a letter dated December 22, 2008, from James Dragna, Esq., to the City Attorney. A copy of the letter is on file in the City Clerk's Office.

(Number of Potential Cases – 1)

Existing Litigation:

G.C. 54956.9(a)

Name of Case: City of Rancho Palos Verdes v. James Quong et al.
Case No. YC052887

Name of Case: VH Property Corp. and VHPS LLC v. City of Rancho Palos Verdes, et al., Los Angeles County Superior Court. Case No. BC404048.

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.

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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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