

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

<u>Time Estimates</u>: 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. JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY: 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: 1) Mayor Clark announced the passing of long-time resident Ken Riedman, Jr. and requested a moment of silence in his honor; 2) Mayor Clark presented Roy Jones, Jr. with the Mayor's RPV Heroes award; and, 3) Mayor Clark announced that Barbara Dye was honored as the Woman of the Year for the 54th State Assembly District.

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 February 3, 2009 Regular Meeting.

3. Metro Call for Projects 2009 Application (Jules)

Action Taken: Authorized staff to proceed with applying for the 2009 Metro Call for Projects.

4. 2008 Annual Report on the Implementation of the Rancho Palos Verdes Housing Element (Mikhail)

Action Taken: Directed Staff to forward the City's Annual Progress Report on the implementation of the Rancho Palos Verdes Housing Element for the 2008 calendar year to the Department of Housing and Community Development (HCD).

5. 2008 Annual Report on the Implementation of the Rancho Palos Verdes General Plan (Mikhail)

Action Taken: Directed Staff to forward the City's Annual Progress Report on the implementation of the Rancho Palos Verdes General Plan in calendar year 2008 to the State Governor's Office of Planning and Research and to the Department of Housing and Community Development.

- 6. Professional Services Contract Increase, CBM Consulting, Inc. (Dragoo)

 Action Taken: Authorized an increase to the contract with CBM Consulting, Inc. for Professional/Technical Services up to \$40,000 for assistance with construction contract administration in the Water Quality and Flood Protection Program.
- 7. Register of Demands (McLean)

Action Taken: ADOPTED RESOLUTION NO. 2009-17, 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:

In connection with Public Hearing Item No. 8, staff recommended that the Redevelopment Agency (RDA) Meeting be convened at this time, so that the public hearings being held by the RDA and the City Council in connection with this matter can be held concurrently.

CONVENED THE REDEVELOPMENT AGENCY MEETING: 7:35 P.M.

(60 mins) 8. Disposition and Development Agreement for a proposed Affordable Housing Complex (Case Nos. ZON2008-00649 and SUB2008-00008) on RDA property located at the northwest corner of Crestridge Road and Crenshaw Boulevard (Pfost)

Action Taken: 1) Received and filed the "Summary Report Pursuant to Section 33433 of the California Community Redevelopment Law on a Disposition and Development Agreement by and between the Rancho Palos Verdes Redevelopment Agency and AMCAL Mirandela Fund, L.P." including the "Reuse Analysis, Mirandela Senior Housing Project, Rancho Palos Verdes, CA;" and, 2) ADOPTED RESOLUTION NO. 2009-18, A JOINT RESOLUTION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY, ENTITLED: "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES AND THE RANCHO PALOS VERDES REDEVELOPMENT AGENCY, MAKING CERTAIN FINDINGS AND APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE RANCHO PALOS VERDES REDEVELOPMENT AGENCY AND AMCAL MIRANDELA FUND, L.P.," PERTAINING TO THE DEVELOPMENT OF THE AGENCY'S CRESTRIDGE PROPERTY.

RECESSED THE REDEVELOPMENT AGENCY MEETING: 8:05 P.M.

(90 mins) 9. Zone Text Amendment to the Commercial Limited (CL) Zoning District (Case No. ZON2009-00034) (Schonborn)

Action Taken: Continued to the May 5, 2009 City Council meeting.

(30 mins) 10. Cost Based Fee Report (Singer)

Action Taken: ADOPTED RESOLUTION NO. 2009-19, AS AMENDED, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ESTABLISHING A TOTAL COST ALLOCATION PLAN, APPROVING A COST OF SERVICES ANALYSIS, AND ADOPTING A MASTER SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES.

PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

(10 mins) 11. Regional Interoperable Communications System (LA-RICS) Joint Powers

Agreement (Petru)

Action Taken: 1) ADOPTED RESOLUTION NO. 2009-20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING THE LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM JOINT POWERS AGREEMENT (LA-RICS JPA), THEREBY AUTHORIZING THE CITY'S MEMBERSHIP IN THE LA-RICS AUTHORITY AND AUTHORIZING THE MAYOR TO EXECUTE THE JPA AGREEMENT; and, 2) Directed staff to report back on the status of the LA-RICS Authority prior to the adoption of the funding plan with a recommendation on whether to continue the City's membership in the JPA at that time.

(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:

Lobbyist Ordinance

CLOSED SESSION REPORT: City Attorney Lynch reported on the following items: 1) Regarding the City Manager's Performance Evaluation, the Council did not have sufficient time to discuss the matter and continued the item to the next Council meeting; and, 2) Regarding the Conference with Real Property Negotiators regarding the Potential Purchase of Open Space, a status update report was provided and no action taken, with Councilman Gardiner and Councilman Stern absent for both items.

RECONVENED THE REDEVELOPMENT AGENCY MEETING: 9:45 P.M.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION

REPORT: City Attorney/Agency Attorney Lynch reported on the following item: Regarding the threat of litigation by Ms. Joannou against the City and the Redevelopment Agency, the City Council and the Redevelopment Agency Board considered a proposal by Ms. Joannou, provided further direction to the City Attorney's Office, and no other action was taken, with Councilman/RDA Member Gardiner and Councilman/RDA Member Stern absent.

ADJOURNMENT: Adjourned at 9:46 P.M., in the memory of Ken Riedman, Jr., to Saturday, March 21, 2009, at 9:00 A.M. at Hesse Park for the Budget Policy Issues Workshop.

CLOSED SESSION AGENDA CHECKLIST

Based on Government Code Section 54954.5

(All Statutory References are to California Government Code Sections)

Potential Litigation:

G.C. 54956.9(b)

A point has been reached where, in the opinion of the City Council/Agency 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/Agency:

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; and based on a threat of litigation received in a letter from Douglas W. Beck, Esq. dated February 25, 2009. A copy of the memorandum from the City Attorney documenting the threat of litigation and a copy of the letter from Douglas W. Beck, Esq. are on file in the City Clerk's Office.

Number of Potential Cases (1)

Conference with Real Property Negotiators G.C. 54956.8

Potential purchase of open space:

Property: Filiorum: APN 7572-012-024, 7572-012-028, 7572-012-029, 7573-

003-016, 7581-023-031, 7581-023-029, 7572-002-022

City Negotiators: City Manager; City Attorney; Mayor Clark; Director of Planning,

Building and Code Enforcement Rojas; Mike Kilroy; Bill Swank; and

Henry Jurgens

Negotiating Parties: York Long Point Associates

Under Negotiation: Price and Terms of Payment

Public Employee Performance Evaluation G.C. 54957

Personnel

Title: City Manager

Specify Position/Title of Employee Being Reviewed

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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