CITY OF RANCHO PALOS VERDES

FOLLOW-UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
ADJOURNED REGULAR MEETING
JUNE 30, 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. 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 presented Jon Cartwright with the RPV Heroes Award.

APPROVAL OF AGENDA:

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

CITY MANAGER REPORT: City Manager Lehr announced the Ribbon Cutting Ceremony to be held at the McCarrell Canyon Drainage Project at 5:30 p.m. on July 7, 2009 prior to the Regular Council Meeting. She also announced that RPV TV received Telly Awards in two categories for excellence in local television production.

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 May 19, 2009 Regular Meeting and the May 26, 2009 Special Meeting.

3. Adoption of Ordinance No. 490 – Terranea Resort – Request for Financial Assistance Using Future Transient Occupancy Tax Revenue (McLean)
   Action Taken: REINTRODUCED ORDINANCE NO. 490, AS AMENDED, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, ESTABLISHING A HOTEL INCENTIVE PROGRAM AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE.

4. Adoption of Ordinance No. 491 – Zone Text Amendment to the Commercial Limited (CL) Zoning District (Case No. ZON2009-00034) (Schonborn)
   Action Taken: ADOPTED ORDINANCE NO. 491, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, A CITY INITIATED PROPOSAL TO AMEND CHAPTER 17.14 OF TITLE 17 OF THE CITY'S MUNICIPAL CODE PERTAINING TO THE CL ZONING DISTRICT.

5. Adoption of Ordinance No. 492 - On-Street Parking of Oversized Vehicles (Dragoo)
   Action Taken: ADOPTED ORDINANCE NO. 492, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, CREATING CHAPTER 10.36 (ON-STREET PARKING OF OVERSIZED VEHICLES) OF TITLE 10 OF THE RANCHO PALOS VERDES MUNICIPAL CODE.

6. Adoption of Ordinance No. 493 - An Ordinance of the City of Rancho Palos Verdes, Modifying the Parking Permit Procedures and Amending the Rancho Palos Verdes Municipal Code (Jules)
   Action Taken: ADOPTED ORDINANCE NO. 493, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, MODIFYING THE PARKING PERMIT PROCEDURES AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE.

7. Adoption of City Budget for Fiscal Year 2009-2010 (Petru)
   Action Taken: ADOPTED RESOLUTION NO. 2009-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING A BUDGET APPROPRIATION AND ADOPTING THE OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR

2009-2010.

8. Extension to Lease Agreement with New Cingular Wireless Associated with the Monopole at City Hall (Petru)
Action Taken: Approved the Second Amendment to the Lease Agreement with New Cingular Wireless to extend the term of the agreement to June 30, 2014.

9. Two-Month Extension to the Tolling Agreement with Los Angeles County and the Current Sheriff's Contract (Petru)
Action Taken: 1) Authorized the Mayor to execute a two-month extension to the Tolling Agreement with the County of Los Angeles, which will replace the one-year Tolling Agreement previously approved by the City Council on June 2, 2009; and, 2) Authorized the Mayor and the City Clerk to execute a two-month extension to the 2004 Five-Year City-County Law Enforcement Services Agreement, which will replace the one-year extension previously authorized by the City Council on June 2, 2009.

10. 2009 Five-Year Financial Model (Downs/Singer)
Action Taken: Approved the 2009 Five-Year Financial Model ("2009 Model").

11. Annual Appropriation Limit for FY09-10 (Downs)
Action Taken: ADOPTED RESOLUTION NO. 2009-39, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ESTABLISHING THE CITY'S APPROPRIATION LIMIT FOR FY09-10.

12. Appeal of the Planning Commission's Approval of Case No. ZON2007-00046 (Variance and Coastal Permit) for Property Located at 24 Sea Cove Drive (Schonborn)
Action Taken: Continued to the July 21, 2009 Council meeting to allow staff sufficient time to gather additional information regarding this matter.

13. Professional Services Agreement for Grant Management (Lehr)
Action Taken: Authorized the Mayor and City Clerk to execute the proposed Professional Services Agreement with Blais & Associates to provide grant management services to the City.

# # # # # #

PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

(15 mins) 14. Increase of Transient Occupancy Tax Rate (Lynch)
Action Taken: 1) ADOPTED RESOLUTION NO. 2009-41, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES,

ORDERING THAT A MEASURE RELATED TO INCREASING THE CITY'S TRANSIENT OCCUPANCY TAX BE SUBMITTED TO THE VOTERS AT THE REGULAR MUNICIPAL ELECTION ON NOVEMBER 3, 2009; and, 2) INTRODUCED ORDINANCE NO. 494, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES AMENDING THE PROVISIONS OF MUNICIPAL CODE SECTION 3.16.030 TO INCREASE THE RATE OF THE CITY'S EXISTING UNIFORM TRANSIENT OCCUPANCY TAX FROM TEN PERCENT (10%) TO TWELVE PERCENT (12%); and, 3) Authorized Mayor Clark and Councilman Stern to draft the argument in favor of the measure.

(15 mins) 15. November 3, 2009 General Municipal Election (Morreale/Lynch)
Action Taken: 1) ADOPTED RESOLUTION NO. 2009-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2009, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO INCREASING THE RATE OF THE CITY'S TRANSIENT OCCUPANCY TAX; 2) ADOPTED RESOLUTION NO. 2009-43, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON NOVEMBER 3, 2009 WITH THE SCHOOL DISTRICT AND LIBRARY DISTRICT ELECTIONS TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE; 3) ADOPTED RESOLUTION NO. 2009-44, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2009; 4) ADOPTED RESOLUTION NO. 2009-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; and, 5) ADOPTED RESOLUTION NO. 2009-46, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.

(20 mins) 16. City Council's Proposal for Restructuring the Equestrian Committee (Mikhail)
Action Taken: Adopted staff recommendation to: 1) Sunset the present Equestrian Committee; 2) Appoint a 3-member Equestrian Advisory Ad-Hoc Committee at the July 7, 2009 Council meeting, with staff to return to Council with an evaluation of membership size in January 2010; 3) Direct Staff to

prepare a work plan for the new Ad-hoc Committee for City Council approval; and, 4) Transfer the permit review activity dictated by the Development Code from the current Equestrian Committee to the Planning Commission.

(10 mins) 17. City Council Rules of Procedure – Regular Meeting Start and Stop Times (Petru)
Action Taken: Tabled this item.

(15 mins) 18. Amendment to the City Manager's Employment Agreement (Mayor Clark)
Action Taken: Removed from the agenda.

(10 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:**

Interim review of the City Manager after the Tactical Goals Status Update is provided to Council.

CLOSED SESSION REPORT: City Attorney Lynch reported that with respect to the potential litigation based on a threat of litigation received in a letter from Mr. Brant H. Dveirin, attorney for Mr. and Mrs. Conroy, a report was provided and no action taken, with Councilman Gardiner absent.

ADJOURNMENT: Adjourned at 8:58 P.M. to Tuesday, July 7, 2009 at 5:30 P.M. at the McCarrell Canyon Drainage Project site located at 6359 Tarragon Road for an Adjourned Regular Meeting and Ribbon Cutting Ceremony.

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 in a letter from Brant H. Dveirin, attorney for Mr. and Mrs. Conroy, dated June 10, 2009. A copy of the letter from Brant H. Dveirin documenting the threat of litigation is on file in the City Clerk's Office.

(Number of Potential Cases – 1)

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.

Written materials, including emails, submitted to the City are public records and may be posted on the City's website. In addition, City meetings may be televised and may be accessed through the City's website. Accordingly, you may wish to omit personal information from your oral presentation or written materials as it may become part of the public record regarding an agendized item.

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.

W:\Temporary Follow-Up Agendas\20090630 CC Follow-Up AGENDA ADJ MTG.doc