CITY OF RANCHO PALOS VERDES

FOLLOW-UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
JULY 7, 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

(20 mins) CALL TO ORDER:

ROLL CALL:

FLAG SALUTE:

MAYOR'S ANNOUNCEMENTS: Mayor Clark reported on the following: 1) The Ribbon Cutting Ceremony at McCarrell Canyon Drainage Project prior to the start of this evening's Regular Meeting; and, 2) the City's annual 4th of July Celebration. Mayor Clark announced the receipt of gifts of the United States and California flags used in the State Legislative Office and US House of Representatives Office of Steve Kuykendall. Mayor Clark recognized Green Hills Memorial Park as the Business of the Month.

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: City Manager Lehr introduced the City's Grant Writer,

Destin Blais of Blais and Associates, who provided a PowerPoint presentation and status update on the City's current grant applications and future prospects.

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 June 2, 2009 Regular Meeting.

3. Border Issues Status Report (Fox)
   Action Taken: Received and filed the current report on the status of border issues.

4. Authorize an Expenditure Increase for As-Needed Maintenance Contract with Los Angeles Conservation Corps for Citywide Fuel Modification Project (Motahari)
   Action Taken: Authorized the "First Amendment to the Maintenance Services Agreement" to increase the expenditure limit for the "Maintenance Services Agreement" for FY09-10 to $75,000.

5. Tree Trimming/Maintenance Project (Vaish)
   Action Taken: 1) Approved the project specifications and awarded a three year contract to West Coast Arborists, Inc. for FY 2009-2010 through FY 2011-2012, with an option to renew three one-year extensions by mutual agreement; and, 2) Authorized the Mayor and City Clerk to execute the contract with West Coast Arborists, Inc.

6. Construction Contract for Residential Street Overlay and Slurry Seal Project (Area 6 and Section of Area 8) (Vaish)
   Action Taken: 1) Approved the project construction Plans and Specifications; 2) Awarded a contract for the construction of the Residential Street Overlay and Slurry Seal Project to All American Asphalt, Inc. for the contract bid amount of $990,686.80 and authorized staff to spend up to an additional $99,068 for possible extra work or unforeseen conditions, for a total project authorization of $1,089,754.80; and, 3) Authorized the Mayor and City Clerk to execute a contract with All American Asphalt, Inc.

7. Contract Service Agreement for On-Call Photo Simulation Consultant (Mikhail)
   Action Taken: Authorized the Mayor and City Clerk to execute a two-year professional service agreement with VisionScape, Inc. to provide professionally

prepared and certified photo simulations to the City on an as-needed basis for major project applications.

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

9. Register of Demands (McLean)
Action Taken: ADOPTED RESOLUTION NO. 2009-47, 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:

(5 mins) 10. East Tract 16540 Portuguese Bend Club Zone Change (Case No. ZON2009-00053) (Mikhail)
Action Taken: Continued the public hearing to the August 4, 2009 meeting.

PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

(15 mins) 11. Planning Case No. ZON2009-00203 (Code Amendment Initiation Request): A Request to Consider Initiating a Historic Preservation Ordinance to Allow the Designation of Historic Properties and the Execution of Mills Act Contracts between the City and the Owners of Designated Historic Properties (Fox)
Action Taken: Denied the Code Amendment Initiation Request and directed staff to return with another Initiation Request within 6 months to a year as time allows for staff to address the following issues: the review of ordinances with and without tract homes; minimizing the burden to the City regarding the cost of the application process; reviewing ways to minimize the cost and achieve revenue neutrality; limiting the number of homes that can apply for historic preservation per year; and, examining the alternatives that wouldn't necessarily implicate the financial aspects.

(15 mins) 12. Request to Waive the Penalty Fee for an Exotic Animal Permit and Site Plan Review (Case No. ZON2009-00154) on a Property Located at 30822 Via Rivera (Kim)
Action Taken: Denied the requested fee waiver.

(10 mins) 13. Award of Contract for Services to Prepare an Environmental Impact Report for the Proposed Annenberg Project at Lower Point Vicente (Mihranian)
Action Taken: 1) Authorized the Mayor and the City Clerk to sign a Professional Service Agreement in an amount not to exceed $116,559 with Rincon Consultants, Inc., to prepare an Environmental Impact Report (EIR) for the proposed Annenberg Project at Lower Point Vicente; and, 2) Authorized the City Attorney to begin discussions with the Annenberg Foundation on the appropriate agreement between the City Council and the Annenberg Foundation for the use of the City's Lower Point Vicente Property for the proposed site improvements and direct that a trust deposit be established by the Annenberg Foundation for that purpose.

(10 mins) 14. Status Report on Tactical Goals (Lehr)
Action Taken: Received and filed.

(10 mins) 15. Proposal for Restructuring the Equestrian Committee (Mikhail)
Action Taken: 1) Decided to sunset and thank the present Equestrian Committee; and, 2) Transferred the permit review activity dictated by the Development Code from the current Equestrian Committee to the Planning Commission.

(10 mins) 16. Proposed Lobbyist Ordinance (Lynch)
Action Taken: Decided to take no further action on this item.

(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:**

Consideration of a Trails or Recreation & Parks Committee.

CLOSED SESSION REPORT:

City Attorney Lynch reported that the Council voted unanimously to direct the City Attorney to take no action regarding the letter that was received by the City from Jeffrey Rosenfeld, the attorney for Dr. and Mrs. Allman, with Councilman Gardiner absent.

ADJOURNMENT: Adjourned at 10:06 P.M.

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 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 in a letter from Jeffrey A. Rosenfeld, attorney for Mr. and Mrs. Allman, dated July 1, 2009. A copy of the letter from Jeffrey A. Rosenfeld 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.

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