



**FOLLOW-UP AGENDA  
RANCHO PALOS VERDES CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 1, 2009  
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD**

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**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**

**(20 mins) CALL TO ORDER:**

**ROLL CALL:**

**FLAG SALUTE:**

**CEREMONIAL:** Mayor Clark recognized newly appointed Councilman Ken Dyda and presented him with a framed Certificate of Appointment to the City Council. Mayor Clark presented Gina McLeod with a City tile for her years of service on the Finance Advisory Committee.

**MAYOR'S ANNOUNCEMENTS:** Art Yoon, Manager, Government Affairs, Cox Communications provided a status report updating the Council regarding solutions to recent problems with the broadcast of the August 18, 2009 City Council Meeting.

Mayor Clark provided a PowerPoint presentation regarding the fire in the Portuguese Bend area of the City on August 27 and August 28, 2009. City Manager Lehr provided a summary of the staff response, coordination with the City of Rolling Hills, and communication with the media and other agencies.

Assistant Fire Chief Nugent provided a PowerPoint presentation and report regarding

the Los Angeles County Fire Department personnel, equipment and resources used in response to the Portuguese Bend Incident Fire.

**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 June 30, 2009 Adjourned Regular Meeting.
3. Border Issues Status Report (Fox)  
**Action Taken:** Received and filed the current report on the status of border issues.
4. Adoption of Ordinance No. 497 – Repeal of Ordinance No. 490 (Lynch)  
**Action Taken:** ADOPTED ORDINANCE NO. 497, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, REPEALING ORDINANCE NO. 490 RELATING TO THE CITY'S TRANSIENT OCCUPANCY TAX REBATE PROGRAM.
5. City Hall Campus Generator System Installation (Motahari)  
**Action Taken:** Rejected all bids received for the subject project.
6. Claim Against the City by Ramiro Garcia (Gyves)  
**Action Taken:** Rejected the claim and directed staff to notify the claimant.
7. Claim Against the City by Ferlinda Pasek (Gyves)  
**Action Taken:** Rejected the claim and directed staff to notify the claimant.
8. Construction Contract for Arterial Street Resurfacing Project: ESPL-5413(010)

(Vaish)

**Action Taken:** 1) Approved the project construction plans and specifications; 2) Authorized staff to proceed with the overlay of Hawthorne Boulevard from Palos Verdes Drive West to Dupre Drive and Verde Ridge Road to Indian Peak Road, northbound Palos Verdes Drive West from Hawthorne Boulevard to the northerly city limit and a short segment of eastbound Palos Verdes Drive South from Terranea Way to 2,200 feet west; 3) Awarded a \$2,073,000 construction contract to All American Asphalt Company for the overlay of Hawthorne Boulevard from Palos Verdes Drive West to Dupre Drive and Verde Ridge Road to Indian Peak Road, northbound Palos Verdes Drive West from Hawthorne Boulevard to the northerly city limit and a short segment of eastbound Palos Verdes Drive South from Terranea Way to 2,200 feet west and authorized staff to spend an additional 10% or \$207,300 for possible extra work and contingencies; thereby approving a \$2,280,300 construction budget; 4) Authorized the Mayor and City Clerk to execute a construction contract with All American Asphalt Company; 5) Awarded a contract to Willdan Engineering, for the Construction Management, Inspection, and Federal compliance services in the amount of \$112,260 and authorized an additional 10% or \$11,226 for unforeseen additional work or contingency, thereby approving a not to exceed amount of \$123,486 Construction Management and Inspection services budget; and, 6) Authorized the Mayor and City Clerk to execute a contract with Willdan Engineering.

9. Award Professional Services Contract with KOA Corporation/CBM Consulting (Dragoo)

**Action Taken:** 1) Awarded a contract for Professional Services to KOA Corporation/CBM Consulting for an amount up to \$62,000 for Project Management services for the San Ramon Canyon Storm Drain Project; and, 2) Authorized the Mayor and City Clerk to execute a contract for Professional Services with KOA Corporation/CBM Consulting for an amount not to exceed \$62,000.

10. July 2009 Monthly Report of Cash Balances (McLean)

**Action Taken:** Received and filed the July 2009 Monthly Report of Cash Balances for the City of Rancho Palos Verdes.

11. Register of Demands (McLean)

**Action Taken:** ADOPTED RESOLUTION NO. 2009-65, 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) 12. Property Tax Transfer Resolution Related to the Highridge Condominiums Project, Located at 28220 Highridge Road (Fox)  
**Action Taken:** Adopted the Joint Resolution of the Board of Supervisors of the County of Los Angeles, the City Council of the City of Rolling Hills Estates, and the City Council of the City of Rancho Palos Verdes approving and accepting the negotiated exchange of property tax revenue resulting from the reorganization of territory known as "City of Rancho Palos Verdes Reorganization No. 2009-02," consisting of detachment of territory from the City of Rolling Hills Estates and annexation to the City of Rancho Palos Verdes.

**PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:**

**REGULAR NEW BUSINESS:**

- (1 hour) 13. Planning Case No. ZON2009-00007 (Code Amendment and Environmental Assessment): Revisions to the Landslide Moratorium Ordinance (Chapter 15.20 of the Rancho Palos Verdes Municipal Code) to Establish an Exception Category to Allow for the Future Development of the Sixteen (16) *Monks* Plaintiffs' Undeveloped Lots in Zone 2 (Fox)  
**Action Taken:** 1) Received public comments on the revised Mitigated Negative Declaration; 2) INTRODUCED ORDINANCE NO. 498, AS AMENDED, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, REVISING THE CITY'S LANDSLIDE MORATORIUM ORDINANCE TO ESTABLISH AN EXCEPTION CATEGORY TO ALLOW THE DEVELOPMENT OF THE SIXTEEN (16) *MONKS* PLAINTIFFS' LOTS IN ZONE 2; and, 3) Continued this matter to September 15, 2009.
- (10 mins) 14. Mayor's Appointment of City Council Members to Intergovernmental Organizations and Associations (Morreale)  
**Action Taken:** Mayor Clark assigned Councilman Dyda to serve on several of to the various intergovernmental organizations and associations.

(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:**

- 1) Reverse 9-1-1 system in the City of Rancho Palos Verdes, and a report regarding the cause of the Portuguese Bend Fire, and public information regarding fire insurance;
- 2) Evaluation of methods to abate the Portuguese Bend landslide to protect Palos Verdes Drive South and the erosion of the coastline;
- 3) Lessons Learned summary from the Portuguese Bend Fire; and,
- 4) Update on the Civic Center Tactical Goal.

**CLOSED SESSION REPORT:**

City Attorney Lynch reported that with respect to the Monks v. City of Rancho Palos Verdes case, a report was given with no action taken.

**ADJOURNMENT:** Adjourned at 10:42 P.M. to Saturday, September 12, 2009 at 9:00 A.M. for an Adjourned Regular Meeting to be held at the Peninsula Montessori School Auditorium located at 31100 Hawthorne Boulevard, in the memory of the Los Angeles County Fire Chief and Senior Fire Specialist who lost their lives in the Station Fire this week.

**CLOSED SESSION AGENDA CHECKLIST**  
Based on Government Code Section 54954.5

(All Statutory References are to California Government Code Sections)

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

Name of Case: Monks v. City of Rancho Palos Verdes, Los Angeles County Superior Court. *Case No. YS010425.*

*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.

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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.

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