CITY OF RANCHO PALOS VERDES

FOLLOW-UP AGENDA
AMENDED AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
JUNE 1, 2010
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD

**** Remote location has been eliminated; no Council participation from a remote site.**

<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: None

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 & Associates, who explained how the staff decides which grants to pursue and provided an update on the grants for which the City has applied.

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 4, 2010 Regular Meeting.

3. Nature Education Center Grant Application (Petru)
   Action Taken: ADOPTED RESOLUTION NO. 2010-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING THE APPLICATION FOR NATURE EDUCATION FACILITY PROGRAM FUNDS AVAILABLE THROUGH THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006.

4. Award a Three-Year As-Needed Maintenance Contract to the Los Angeles Conservation Corps (LACC) for FY10-11 to FY12-13 (Holland)
   Action Taken: 1) Approved project specifications for the subject project; 2) Awarded a three-year as-needed maintenance contract to the Los Angeles Conservation Corps (LACC) with an option to renew for three one-year extensions by mutual agreement; and, 3) Authorized the Mayor and City Clerk to execute the as-needed maintenance contract with the LACC.

5. Professional Services Agreement – Community Development Block Grant Program Administration (Huey)
   Action Taken: 1) Approved a professional services agreement with Diana Cho and Associates to administer the Community Development Block Grant Program for a not-to-exceed amount of $18,500 for FY10-11, with two one-year options to renew the agreement in FY11-12 and FY12-13 with the mutual consent of both parties; and, 2) Authorized the Mayor and City Clerk to execute the proposed Agreement with Diana Cho and Associates.

6. Professional Services Agreement – Home Improvement Program (Huey)
   Action Taken: 1) Approved a professional services agreement with MDG Associates, Inc., to administer the Home Improvement Program for a not-to-exceed amount of $30,000 for FY10-11, with two one-year options to renew the agreement in FY11-12 and FY12-13 with the mutual consent of both parties; and, 2) Authorized the Mayor and City Clerk to execute the proposed Agreement with MDG Associates, Inc.

7. Water Quality and Flood Protection Program-Public Hearing for Annual User Fee Rate FY10-11 (Singer)
Action Taken: ADOPTED RESOLUTION 2010-38, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DESIGNATING A TIME AND PLACE FOR HEARING PROTESTS IN CONNECTION WITH THE PROPOSED LEVY OF THE ANNUAL STORM DRAIN USER FEE FOR FISCAL YEAR 2010-11.

8. License Agreement with Universal Waste Systems, Inc. (Ramezani)
Action Taken: Authorized the Mayor and City Clerk to execute the license Agreement with Universal Waste Systems, Inc. for the temporary use of a portion of the City Yard.

9. Professional Services Agreement for FY10-11 through FY12-13; National Pollutant Discharge Elimination System (NPDES)/ Total Maximum Daily Load (TMDL) Implementation (Winje)
Action Taken: 1) Awarded a professional services contract to John L. Hunter and Associates, Inc. (JLHA) for FY10-11 through FY12-13 for National Pollutant Discharge Elimination System (NPDES) work, for an amount not to exceed $58,045 for FY10-11, $61,630 for FY11-12, and $62,455 for FY12-13; inclusive of up to $5,000 each fiscal year for unspecific services related to unanticipated events such as major sanitary sewer overflows, or new adopted rules and regulations based upon time and materials; and up to $12,500 annually for services related to Total Maximum Daily Load (TMDL) implementation; and, 2) Authorized the Mayor and City Clerk to execute an agreement with John L. Hunter and Associates, Inc.

10. April 2010 Monthly Report of Cash Balances (McLean)
Action Taken: Received and filed the April 2010 Monthly Report of Cash Balances for the City of Rancho Palos Verdes.

11. Register of Demands (McLean)
Action Taken: ADOPTED RESOLUTION NO. 2010-39, 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:

(60 mins) 12. Planning Case No. ZON2007-00377 (Code Amendment, Zone Change & Environmental Assessment): Residential Development Standards Steering Committee Code Amendment and Zone Change [continued from May 18, 2010]

(Fox)
Action Taken: 1) ADOPTED RESOLUTION NO. 2010-43, AS AMENDED TO EXCLUDE ISSUE SUMMARY-71 (IS-71), A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, THEREBY CERTIFYING THE NEGATIVE DECLARATION; 2) INTRODUCED ORDINANCE NO. 510, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, ADOPTING MISCELLANEOUS AMENDMENTS TO THE PROVISIONS OF TITLE 17 (ZONING) OF THE CITY'S MUNICIPAL CODE AND THE CITY'S ZONING MAP TO ENACT THE RECOMMENDATIONS OF THE RESIDENTIAL DEVELOPMENT STANDARDS STEERING COMMITTEE; and, 3) Adopted the staff recommendation for IS-71.

PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

(45 mins) 13. Appeal of the Planning Commission's Conditional Approval of the Marymount College Facilities Expansion Project (Case No. ZON2003-00317) / 30800 Palos Verdes Drive East (Mihranian)
Action Taken: 1) ADOPTED RESOLUTION NO. 2010-41, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CERTIFYING THE PROJECT'S ENVIRONMENTAL IMPACT REPORT, INCLUDING APPENDICES A AND D, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT WITH A MITIGATION MONITORING AND REPORTING PROGRAM AND A STATEMENT OF OVERRIDING CONSIDERATIONS; and, 2) ADOPTED RESOLUTION NO. 2010-42, AS AMENDED, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, UPHOLDING THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF THE PROPOSED EXPANSION PROJECT WITH THE FOLLOWING MODIFICATIONS THAT: A) REDUCE THE HEIGHT OF THE PROPOSED ATHLETIC BUILDING A TOTAL OF 10-FEET AND REQUIRE LANDSCAPING, CONSISTING OF PRESERVED AND REPLANTED EXISTING MATURE TREES ON THE SOUTHERN SLOPE, TO HELP SCREEN THE ATHLETIC BUILDING AND THE ADJACENT RETAINING WALL THAT SUPPORTS THE FIRE ACCESS LANE; B) REQUIRE THAT INCOMING STUDENTS TAKE A DRIVER TRAINING COURSE REGARDING LOCAL ROADWAY CONDITIONS; C) IDENTIFY ALTERNATIVE NO. D-2 AS THE APPROVED DESIGN AND LAYOUT OF THE ATHLETIC FIELD AND SPLIT TENNIS COURTS WITH THE FOLLOWING CONDITIONS: 30-FOOT RETRACTABLE NETTING ON THE NORTH, SOUTH AND THE ENTIRE LENGTH OF THE WEST SIDE OF THE ATHLETIC FIELD; 20-FOOT HEIGHT TENNIS COURT FENCING AROUND THE ENTIRE PERIMETER OF THE WEST TENNIS COURTS; 6-FOOT HIGH WROUGHT IRON FENCING ALONG THE CURVATURE OF PALOS VERDES DRIVE EAST BETWEEN THE EAST TENNIS COURTS AND THE DETENTION BASIN; and, D) ACCEPT THE

COLLEGE'S OFFER TO PAY $200,000 TOWARDS THE CITY'S CONSTRUCTION OF A ROADWAY MEDIAN BARRIER ALONG THE CURVATURE OF PALOS VERDES DRIVE EAST.

(20 mins) 14. Beautification Grant Program Modification (Ramezani)
Action Taken: 1) Directed staff to continue and improve the Beautification Grant Program and modify it to be in compliance with State law and City purchasing policies; and, 2) Appointed an Ad Hoc Committee consisting of the following: Mayor Pro Tem Long; Councilman Campbell; one representative from the Rancho Palos Verdes Council of Homeowners Associations (CHOA); one representative from a homeowners association (HOA) that is not a member of CHOA; and three representatives from neighborhoods that are not represented by an HOA, to work with staff and seek public input to prioritize beautification projects to be funded by the Recycling Rebate (CRV) revenue.

(10 mins) 15. FY10-11 Advisory Board Work Plans (Petru)
Action Taken: Approved the FY10-11 Work Plans for the Emergency Preparedness Committee, Finance Advisory Committee and Traffic Safety Commission, with an addition to the Finance Advisory Committee's Work Plan to include a review of a cost/benefit analysis of refurbishing the City Hall buildings versus new construction, and adjusting the Emergency Preparedness Committee's Work Plan to eliminate the quarterly emergency preparedness newsletter.

(15 mins) 16. Floor Area Ratios (Long)
Action Taken: Directed staff to present the issue of implementing a "floor area ratio" (FAR) limitation for residential and nonresidential zones to the Planning Commission for review and to provide a recommendation back to City Council.

(15 mins) 17. Height Variation Permit View Findings (Long)
Action Taken: Received and filed the report; directed staff to take no further action.

(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.)

CLOSED SESSION REPORT: City Attorney Lynch reported on the following Closed Session items: 1) Unanimous direction was given to the City Attorney regarding negotiations with the Portuguese Bend Club, (4-0) with Councilmember Campbell absent; 2) Report provided and no action taken; 3) Report provided and no action taken; and, 4) Report provided and no action taken. .

ADJOURNMENT: Adjourned at 1:05 PM.

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 letter dated April 13, 2010 from Timi Hallem, who represents the Portuguese Bend Club Homeowners Association, a copy of which is on file in the City Clerk's Office.

Number of Potential Cases (1)

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*.

Enstedt and the Portuguese Bend Alliance For Safety v. City of Rancho Palos Verdes, et al., Los Angeles County Superior Court Case No. BS123281

Lisa Dennen Monks and Zone 2 Property Rights v. Superior Court of Los Angeles County, California Court of Appeal Case No. B224628

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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