CITY OF RANCHO PALOS VERDES

FOLLOW-UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
AUGUST 3, 2010
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD

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

(15 mins) CALL TO ORDER:

ROLL CALL:

FLAG SALUTE:

MAYOR'S ANNOUNCEMENTS: Mayor Wolowicz announced that Jonathan Hanson, a participant in the City of Rancho Palos Verdes' "Pitch, Hit and Run" event qualified for the National Competition and presented him with a Certificate of Recognition. Mayor Wolowicz recognized Barbara and John Dye for their contributions to the Peninsula and announced that they will be joining the Peace Corps. Mayor Wolowicz announced the recent passing of Angela Hollingsworth, wife of former Councilman and Mayor Tom Hollingsworth.

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 provided a brief review of the

regulations regarding the placement of trash containers at the curbside.

City Manager Lehr introduced Alan Braatvedt, consultant for the Public Works Department, who provided an update report and PowerPoint presentation regarding the San Ramon Stabilization Project.

Director of Finance and Information Technology McLean announced that the City of Rancho Palos Verdes has enhanced its website so that residents can obtain Emergency Notification via Text Messaging and Twitter.

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 29, 2010 Adjourned Regular Meeting and July 6, 2010 Regular Meeting.

3. Adoption of Ordinance - Amendments to Administrative Penalty Ordinance (Odom/Lynch)
   Action Taken: ADOPTED ORDINANCE NO. 512, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, AMENDING CHAPTER 1.08 (GENERAL PENALTY) AND CHAPTER 1.16 (ADMINISTRATIVE PENALTIES) OF TITLE 1 (GENERAL PROVISIONS) OF THE RANCHO PALOS VERDES MUNICIPAL CODE RELATING TO THE ADMINISTRATIVE CITATION ORDINANCE.

4. Approve a One-Year Contract Extension with Bennett Enterprises, Inc. dba Bennett Landscape for City Right-of-Way and Median Landscape Maintenance (Blanco)
   Action Taken: Approved and executed the First Amendment to the Weed Abatement/Control & Landscape Maintenance for City Street Rights-of-Way and Medians, which extends the original contract for the period of August 7, 2010 to June 30, 2011.

5. Palos Verdes Landfill Dog Park Proposal (Odom)
   Action Taken: Directed staff to send a letter to the Los Angeles County Board of Supervisors' Office demonstrating the City Council's support.

6. Construction Contract for Residential Streets Resurfacing Project (Area 4 and a Portion of Area 8) (Jules)

Action Taken: 1) Approved the project construction plans and specifications; 2) Awarded a $1,218,105.31 construction contract, as amended, to Sully-Miller Contracting Company for the Residential Streets Resurfacing Project (Area 4 and a portion of Area 8) and authorized an additional 10% or $121,810.53 for possible extra work and contingencies; thereby approving a $1,339,915.84 construction budget; and, 3) Authorized the Mayor and City Clerk to execute a construction contract with Sully-Miller Contracting Company.

7. Budget Appropriation and Extension of Contract for Multi-Family Beverage Recycling Grant (Ramezani)
Action Taken: 1) ADOPTED RESOLUTION NO. 2010-66, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION 2010-55, THE BUDGET APPROPRIATION FOR FISCAL YEAR 2010-11, FOR A BUDGET ADJUSTMENT TO THE CITY'S WASTE REDUCTION FUND; 2) Authorized amendment of the Professional Services Agreement with SCS Engineers to extend the scope of services and increase its existing FY 10-11 contract in the amount not to exceed $30,000 for implementation of the City's AB 939 programs and mandates, Used Oil Payment Program and other support services by a maximum additional amount of $3,500 for a total contract amount of $33,500; and, 3) Authorized the Mayor to execute the Third Amendment to Professional Services Agreement between SCS Engineers and the City of Rancho Palos Verdes.

8. Professional Services Agreement for Grant Management (Singer)
Action Taken: Authorized the Mayor and City Clerk to sign the proposed FY10-11 Professional Services Agreement with Blais & Associates to provide grant management services to the City.

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

10. Register of Demands (McLean)
Action Taken: ADOPTED RESOLUTION NO. 2010-67, 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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PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

(15 mins) 11. Appointment of Charter City Committee Members (Lehr)

Action Taken: 1) Appointed the following residents to serve with the Council Subcommittee of Mayor Wolowicz and Mayor Pro Tem Long to facilitate a public outreach program that will educate our residents on a ballot initiative to change Rancho Palos Verdes from a General Law City to a Charter City: Ann Shaw, Bill Gerstner, Jon Cartwright, Jeffrey Lewis, Dave Emenhiser, Paul Tetreault, and Bill James; 2) Decided to vet the additional four names suggested by Council Members that are not on the list regarding their qualifications and willingness to serve, with the complete list to be brought back for Council consideration at the next meeting; and, 3) Appointed Mayor Wolowicz as the Chair and Mayor Pro Tem Long as the Vice Chair of the Charter City Committee.

(20 mins) 12. Adopting the City Charter (Lynch)
Action Taken: 1) Reviewed and approved the attached draft of the City Charter of the City of Rancho Palos Verdes to propose to the City's voters for adoption at an upcoming election; and, 2) Instructed the Charter City Committee and staff to consider the possibility of formulating language regarding the concept of transparency and memorializing existing practices pertaining to employee compensation.

(10 mins) 13. Marine Life Protection Act Update (Singer)
Action Taken: 1) Received and filed the Marine Life Protection Act Update report; 2) Directed staff to analyze the Draft Environmental Impact Report once it is released and provided a report to the City Council with recommended comments on the document; including the possibility of allowing shore-based fishing at the Point Vicente Fishing Access.

(15 mins) 14. Noise Ordinance Alternatives (Lynch)
Action Taken: Directed the City Attorney to bring back to Council for consideration a general noise ordinance based on objective standards such as unusual, loud and raucous noises.

(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) She reported that the City Council added a Closed Session item to the agenda, with a 4-0 vote, Councilman Long not yet present, due to the immediate need to take action regarding the VH Property Corp. and VHPS LLC v. City of Rancho Palos Verdes lawsuit. A report was provided, unanimous direction was given to direct all inquiries to the City Attorney's Office, and Council Members were directed not to meet individually with VH Property Corp.; 2) With respect to the Existing Litigation regarding the State of California Department of Finance, State Water Resources Control Board, and California Regional Water Quality Control Board, Los Angeles Region, Petitioners, v. Commission on State Mandates, Respondent, County of Los Angeles

and the Cities of Artesia, Azusa, Bellflower, Beverly Hills, Carson, Commerce, Covina, Downey, Monterey Park, Norwalk, Rancho Palos Verdes, Signal Hill, Vernon, and Westlake Village, Real Parties in Interest, a report was provided and no action taken; and, 3) With respect to the Potential Initiation of Litigation regarding a slope failure, a report was provided and unanimous direction given to conduct further investigation of the slope failure (5-0).

ADJOURNMENT: Adjourned at 11:20 P.M., in the memory of Angela Hollingsworth.

CLOSED SESSION AGENDA CHECKLIST
Based on Government Code Section 54954.5

(All Statutory References are to California Government Code Sections)

Potential Initiation of Litigation:
G.C. 54956.9(c)

The City Council is meeting to decide whether to initiate litigation regarding a slope failure.

Number of Potential Cases (2)

Existing Litigation:
G.C. 54956.9(a)

Name of Case: State of California Department of Finance, State Water Resources Control Board, and California Regional Water Quality Control Board, Los Angeles Region, Petitioners, v. Commission on State Mandates, Respondent, County of Los Angeles and the Cities of Artesia, Azusa, Bellflower, Beverly Hills, Carson, Commerce, Covina, Downey, Monterey Park, Norwalk, Rancho Palos Verdes, Signal Hill, Vernon, and Westlake Village, Real Parties in Interest.

Case No. 34-2010-80000605

<u>Item Added to the Closed Session by a four/fifths (4/5) vote</u>:

Existing Litigation:
G.C. 54956.9(a)

Name of Case: VH Property Corp. and VHPS LLC v. City of Rancho Palos Verdes, et al., Los Angeles County Superior Court. *Case No. BC404048.*

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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