



**FOLLOW-UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
JULY 19, 2011
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 Long congratulated the Palos Verdes Peninsula High School on being named one of the Top-Five California High School's in Newsweek's annual list of America's best high schools.

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 reported that information pertaining to employee compensation and benefits are on the City's website.

Sgt. Don Mueller presented an overview of the recently updated Lomita Sheriff's Station website.

Director of Finance/IT McLean provided a status report regarding the upcoming replacement of the City's Financial Accounting System including an Enterprise Organization-wide system and a contract management system.

NEW BUSINESS:

(5 mins) APPROVAL OF CONSENT CALENDAR:

- A. 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.
- B. Approval of Minutes (Morreale)
Action Taken: Approved the Minutes of the June 21, 2011 Regular Meeting.
- C. Request to Authorize the Filing of a Conditional Use Permit Revision Application by Verizon Wireless for the Addition of a Back-Up Generator for Verizon Antennae and Equipment on the City Hall Monopole (Fox)
Action Taken: Authorized the City Manager to sign the application for a Conditional Use Permit (CUP) Revision, thereby allowing Verizon Wireless to seek approval to install a new, back-up generator for its existing antennae and equipment on the monopole at City Hall.
- D. An Appeal of the Planning Commission's Concurrence with the Director's Interpretation Review of the Conditions of Approval of City Tree Review Permit No. 178 (Trester)
Action Taken: ADOPTED RESOLUTION NO. 2011-52, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, THEREBY DISMISSING THE APPEAL OF THE PLANNING COMMISSION'S CONCURRENCE WITH THE DIRECTOR'S INTERPRETATION REVIEW THAT ADDITIONAL TRIMMING OF THE TREES RELATED TO CITY TREE REVIEW PERMIT NO. 178 WAS NECESSARY, SINCE THE TREES SUBJECT TO THE APPEAL WILL BE REMOVED AS A RESULT OF THE JULY 5, 2011 CITY COUNCIL DECISION ON CITY TREE REVIEW PERMIT 2008-00031.
- E. Request to Withdraw the City's Application to the State's Land and Water Conservation Fund Program for the Abalone Cove Shoreline Park Improvement Project (Fox)
Action Taken: This item was removed from the agenda.
- F. Register of Demands (McLean)
Action Taken: ADOPTED RESOLUTION NO. 2011-51, 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) 1. Transfer of Community Development Block Grant Funds from the City of Rolling Hills (Huey)
Action Taken: 1) Accepted the transfer of \$25,732 in Community Development Block Grant (CDBG) Funds for FY 2011-2012 from the City of Rolling Hills; 2) ADOPTED RESOLUTION NO. 2011-53, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING AND AUTHORIZING AN ASSIGNMENT AGREEMENT BETWEEN THE CITY OF ROLLING HILLS AND THE CITY OF RANCHO PALOS VERDES REGARDING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FY 2011-2012 (“AGREEMENT”); 3) Authorized the City Manager and City Clerk to execute the Agreement with the City of Rolling Hills; and, 4) ADOPTED RESOLUTION NO. 2011-54, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION NO. 2011-44, THE BUDGET APPROPRIATION FOR FY 2011-12, FOR A BUDGET ADJUSTMENT OF \$25,732 TO THE CITY’S COMMUNITY DEVELOPMENT BLOCK GRANT FUND.
- (75 mins) 2. Consideration of a Proposed Code Amendment to Eliminate the Current Program that Allows Non-Commerical Organizations to Place Temporary Special Event Banners in the City’s Rights-of-Way [Continued from May 17, 2011] (Harwell)
Action Taken: Adopted the Planning Commission’s recommendation to preserve the existing ordinance regarding the temporary banner sign program with the following stipulations: 1) Allow a maximum of two signs at a given location at one time, to be awarded on a first come, first served basis; and, 2) Directed staff to identify suitable locations for the placement of the banners.
- (20 mins) 3. Public Hearing – Water Quality and Flood Protection Program – Annual User Fee Rate – FY 11-12 (McLean)
Action Taken: 1) Received, reviewed and filed the independent Water Quality and Flood Protection Program Annual Report, dated May 25, 2011, prepared by the Oversight Committee for the storm drain program; 2) Conducted a public hearing pursuant to Health and Safety Code Section 5473.2 and Section 3.44.40 of the Rancho Palos Verdes Municipal Code on July 19, 2011 on the Annual Report prepared by Harris & Associates, the Annual Report prepared by the Oversight Committee and information provided by Staff, and determined to collect the Storm Drain User Fee (the “Fee”) for FY11-12, at the rate per Equivalent Residential Unit (“ERU”) for FY11-12; 3) At the conclusion of the

Public Hearing determined the absence of a majority protest; and,
4) Determined that the rate per ERU for FY11-12 shall be \$92.53 as set forth in the Annual Report, and ADOPTED RESOLUTION NO. 2011-55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, FINALLY ADOPTING A REPORT, AS FILED, IN CONNECTION WITH THE STORM DRAIN USER FEE ESTABLISHED PURSUANT TO CHAPTER 3.44 OF THE RANCHO PALOS VERDES MUNICIPAL CODE; DETERMINING THE AMOUNT OF SUCH FEE FOR FY11-12; AND ORDERING THAT SUCH FEE BE COLLECTED ON THE COUNTY OF LOS ANGELES TAX ROLL FOR FY11-12.

- (90 mins) 4. Revision “TT” to the Trump National Golf Course Project – Proposed Ficus Hedge (Pfof)
Action Taken: Denied the Applicant’s request for the proposed southerly and northerly ficus hedges; and, directed Staff to bring back the appropriate resolutions memorializing this decision to the next City Council meeting.
- (40 mins) 5. Request to Eliminate a 1991 Condition of Approval, thereby Allowing New Railing to Remain at the Perimeter of an Existing Deck for the Property Located at 28105 Golden Meadow (Case No. ZON2010-00386) [Continued from April 5, 2011] (Mikhail)
Action Taken: Granted the deck owner's request to eliminate Condition No. 5 of City Council Resolution No. 91-44, thereby allowing the applicant to retain the deck railing at its current location at the deck edge. Staff will return with a resolution commemorating Council’s action at the next Council meeting.
- (30 mins) 6. Abalone Cove Sewer Service Charge (Dragoo)
Action Taken: 1) Conducted the public hearing on the proposed levy of the annual sewer service charge for the Abalone Cove Sewer System for Fiscal Year 2011/12; and, 2) ADOPTED RESOLUTION NO. 2011-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING A REPORT IN CONNECTION WITH THE SEWER SERVICE CHARGE ESTABLISHED PURSUANT TO CHAPTER 13.06 OF THE RANCHO PALOS VERDES MUNICIPAL CODE, DETERMINING THE AMOUNT OF SUCH CHARGE FOR FISCAL YEAR 2011/12, AND ORDERING THAT SUCH CHARGE BE COLLECTED ON THE TAX ROLL.

REGULAR NEW BUSINESS:

- (30 mins) 7. Recruiting for Position Vacancies (Mausser)
Recommendation: Directed staff to proceed with recruiting in due course and if it is in the City Manager’s best judgment to delay the recruitment until the new Second Tier Pension Program is in place that action shall be taken, yet if the appropriate candidate is found prior to the pension revision, an offer of employment should be made under the current pension program.

(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) With respect to the first item regarding the Monks case, a report was provided and no action taken; 2) With respect to the second item regarding the Enstedt case, a report was provided and no action taken; 3) With respect to the third item regarding the VH Property Corporation case, a report was provided and no action taken; and 4) With respect to the fourth Closed Session item, a report was provided and Council decided to continue the item to the Closed Session at the next meeting, with Councilman Stern dissenting.

ADJOURNMENT: Adjourned at 12:51 A.M.

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.*

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*

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.*

This item was added to the Closed Session of the City Council Agenda:

CLOSED SESSION AGENDA CHECKLIST
Based on Government Code Section 54954.5

(All Statutory References are to California Government Code Sections)

Potential Litigation:
GC 54956.9(b)(1)(A):

Conference with Legal Counsel regarding anticipated litigation pursuant to Government Code Section 54956.9(b)(1)(A), which is potential litigation against the City arising from facts and circumstances that might result in litigation against the City but which the City believes are not yet known to the potential plaintiff, but which facts and circumstances need not be disclosed.

Number of 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 agenda 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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