



**FOLLOW-UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
SEPTEMBER 20, 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

(10 mins) CALL TO ORDER:

ROLL CALL:

FLAG SALUTE:

MAYOR'S ANNOUNCEMENTS: Mayor Long announced that the City will be holding a free document shredding event sponsored by EDCO for the City's residents on Saturday, October 1, 2011 at City Hall.

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 announced that the City's Mirandela Senior Affordable Housing Project was recently named the "2011 Sage Award for Project of the Year" by the Building Industry Association of Southern California. Deputy Community Development Director Pfof explained that this award recognizes projects that make outstanding contributions to enhancing the quality of life for

Senior Engineer Dragoo provided a status update report regarding the San Ramon Canyon Project. Public Works Director Holland reported on the status of potential state and federal funding sources for the project, including the New Jobs Bill proposed by the President.

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 September 6, 2011 Regular Meeting.
- C. Notice of Completion – City Hall Main Waterline Replacement Project (Motahari)
Action Taken: 1) Accepted the project as complete; 2) Authorized the City Clerk to file a Notice of Completion for the project with the County Recorder; and if no claims are filed within 35 days after recordation, and upon the contractor posting an acceptable warranty bond, notice the surety company to exonerate the Payment and Performance Bonds; and, 3) Authorized the Director of Public Works to release the 10% retention payment in the amount of \$3,622.51 to Atlas Allied Inc., 35 days after recordation of the Notice of Completion by the County Recorder contingent upon no claims being filed on the project, and the contractor posting an acceptable warranty bond.
- D. Fourth Amended and Restated Joint Powers Agreement with the South Bay Cities Council of Governments (Waters)
Action Taken: 1) Approved the Fourth Amended and Restated Joint Powers Agreement between the South Bay Cities Council of Governments (SBCCOG) and the seventeen agencies set forth in the agreement; and, 2) Authorized the Mayor to sign the amended Joint Powers Agreement.
- E. Agreement for Skate Park and Dog Park Community Outreach and Site Analysis (Howe)
Action Taken: 1) Approved an agreement with Mia Lehrer & Associates in the amount of \$24,400 for public outreach and site analysis to consider both a skate park and a dog park on the Peninsula; and, 2) ADOPTED RESOLUTION NO. 2011-73, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION NO. 2011-44, THE BUDGET APPROPRIATION FOR FY11-12, TO AMEND THE GENERAL FUND AND CAPITAL IMPROVEMENT PROJECT FUND BUDGETS.
- F. Adoption of Tax Increment Transfer Agreement (Lynch)

Action Taken: ADOPTED RESOLUTION NO. 2011-68, A RESOLUTION OF CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A TRANSFER AGREEMENT PURSUANT TO HEALTH AND SAFETY CODE SECTION 34194.2 AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

- G. Award a Contract for GPS Monitoring in the Landslide Area (Dragoo)
Action Taken: 1) Awarded a contract to Michael McGee Surveying Consulting, Inc. in the amount of \$35,860, to perform a GPS survey of all existing points within the Portuguese Bend/Abalone Cove Landslide area and to prepare the associated report; and, 2) Authorized the expenditure of \$35,860 for the required survey and associated report; and authorized the expenditure of up to \$6,500 as a project contingency in the event additional work is identified during the field survey and is determined to be required by the Director of Public Works.

- H. Agreement to Use Easement at Menominee Place (Dragoo)
Action Taken: 1) Approved the agreement allowing the conditional use of City Right-of-Way and easements at Menominee Place, and authorized the Mayor and City Clerk to execute the agreement; 2) Authorized property owner to perform grading within easements following Planning and Building approval; and, 3) Authorized the City Clerk to record the agreement with the County Recorder following Planning approval of the improvements.

- I. FY10-11 Continuing Appropriations & Fiscal Year-End Budget Adjustments (Downs)
Action Taken: 1) ADOPTED RESOLUTION NO. 2011-69, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION 2010-55, THE BUDGET APPROPRIATION FOR FY10-11, TO REDUCE THE BUDGET FOR THE APPROVED CONTINUING APPROPRIATIONS; 2) ADOPTED RESOLUTION NO. 2011-70, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION 2011-44, THE BUDGET APPROPRIATION FOR FY11-12, TO INCREASE THE BUDGET FOR THE APPROVED CONTINUING APPROPRIATIONS; and, 3) ADOPTED RESOLUTION NO. 2011-71, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION 2010-55, THE BUDGET APPROPRIATION FOR FY10-11, TO ADJUST THE BUDGET IN THE GENERAL FUND, PROPOSITION C FUND, PUBLIC SAFETY GRANTS FUND, MEASURE A MAINTENANCE FUND, AND RPVTV FUND.

- J. Register of Demands (McLean)
Action Taken: ADOPTED RESOLUTION NO. 2011-72, 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. Code Amendment to Revise the Current Program that Allows Non-Commercial Organizations to Place Temporary Special Event Banners in the City's Right-of-Ways (Harwell/Rojas)
Action Taken: Continued the public hearing to October 4, 2011.
- (20 mins) 2. Revision "XX" to the Trump National Golf Course Project (Pfof)
Action Taken: 1) ADOPTED RESOLUTION NO. 2011-74, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ADOPTING ADDENDUM 43 TO ENVIRONMENTAL IMPACT REPORT NO. 36; 2) ADOPTED URGENCY ORDINANCE NO. 525U, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, APPROVING AMENDMENT NO. 12 TO THE TRUMP NATIONAL DEVELOPMENT AGREEMENT, AUTHORIZING AN EXTENSION TO THE DEVELOPMENT AGREEMENT TO MARCH 21, 2012, AND DECLARING THE URGENCY THEREOF; 3) Authorized the Mayor and the City Clerk to execute the documents on behalf of the City; 4) Extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and, 5) ADOPTED RESOLUTION NO. 2011-75, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING GRADING PERMIT NO. 1541 TO ALLOW AN EXTENSION TO THE OPERATION OF THE DRIVING RANGE TO MARCH 21, 2012.
- (40 mins) 3. Tract Map Amendment to Tract No. 52666 (SUB2011-00003) / 30039 Via Victoria (Lot 9) & 30051 Via Victoria (Lot 10) (Schonborn)
Action Taken: ADOPTED RESOLUTION NO. 2011-76, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, THEREBY ADOPTING ADDENDUM 4 TO A MITIGATED NEGATIVE DECLARATION AND APPROVING A TRACT AMENDMENT (REVISION D) TO ALLOW FOR TWO ADDITIONAL ACCESS DRIVEWAYS ALONG VIA VICTORIA, EACH PROVIDING INDIVIDUAL ACCESS FOR LOT 9 AND LOT 10 OF TRACT 52666.

REGULAR NEW BUSINESS:

- (10 mins) 4. State of California Habitat Conservation Fund Project Grant – Palos Verdes Nature Preserve (Mihranian)
Action Taken: 1) ADOPTED RESOLUTION NO. 2011-77, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AUTHORIZING THE PALOS VERDES PENINSULA LAND CONSERVANCY (PVPLC), ON BEHALF OF THE CITY OF RANCHO PALOS VERDES, TO SUBMIT A GRANT APPLICATION FOR THE STATE'S HABITAT CONSERVATION FUND FOR TRAIL WORK AND HABITAT RESTORATION AT THE PALOS VERDES NATURE PRESERVE; and, 2) ADOPTED RESOLUTION NO. 2011-78, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING A \$10,800 BUDGET APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENTS AT THE PALOS VERDES NATURE PRESERVE.

- (10 mins) 5. Department of Fish and Game's Office of Spill Prevention and Response Grant Application for Habitat Restoration at the Vicente Bluffs Reserve (Mihranian)
Action Taken: ADOPTED RESOLUTION NO. 2011-79, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AUTHORIZING THE PALOS VERDES PENINSULA LAND CONSERVANCY TO SUBMIT AN APPLICATION FOR GRANT FUNDS FROM THE DEPARTMENT OF FISH AND GAME'S OFFICE OF SPILL PREVENTION AND RESPONSE FOR HABITAT RESTORATION AT THE VICENTE BLUFFS RESERVE OF THE PALOS VERDES NATURE PRESERVE.
- (60 mins) 6. Pension Revision (Lehr/Mausser)
Action Taken: Approved the recommendations made by the City Council Pension Revision Subcommittee and with concurrence by Management Partners to adopt revisions to the City's pension plan to attain sustainability and cost control for current employees and new hires, and directed Staff as follows: 1) Effective with the pay period beginning September 23, 2011, discontinue the 6.5% employer paid member contribution for full-time employees in conjunction with a one-time salary increase of 5%; 2) Effective with the pay period beginning September 23, 2011, discontinue the 1% employer paid member contribution for part-time employees in conjunction with a one-time wage increase of 1%; 3) Request CalPERS to prepare a contract amendment to establish a 2nd Tier benefit formula for new employees based upon 2%/60 formula with determination of final compensation based upon the average of the three highest years; and, 4) Inquire with ICMA whether or not the City's existing Section 457 defined contribution plan can be amended to enable matching contributions for new employees or research and make a recommendation of other plan providers to administrate such a plan in conjunction with adoption of an amendment to the CalPERS agreement.
- (15 mins) 7. Request from the Palos Verdes Peninsula Unified School District to Support Measure M, a Local School Parcel Tax Measure on the November 8, 2011 Ballot (Waters)
Action Taken: 1) Approved the Palos Verdes Peninsula Unified School District's request for support of Measure M; and, 2) ADOPTED RESOLUTION NO. 2011-80, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AUTHORIZING THE CITY OF RANCHO PALOS VERDES TO ENDORSE AND SUPPORT MEASURE M, A PARCEL TAX MEASURE FOR THE PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT.
- (20 mins) 8. League of California Cities 2011 Annual Conference Resolutions (Fox/Waters)
Action Taken: 1) Directed the City Council's Voting Delegate to vote in support of the adoption of League of California Cities General Assembly Resolution No. 1 (Alternative Methods of Meeting Public Notice Requirements and to Advocate for Revisions to the Government Code Recognizing Alternative Methods as a Means to Meet Noticing Requirements); 2) Authorized the Voting Delegate to support the adoption of League of California Cities General Assembly Resolution No. 4 (Prison Rape Elimination Act of 2003); and, 3) Directed the Voting Delegate to take no position regarding League of California Cities General Assembly Resolution No. 5 (Replacement of the Death Penalty with the

Sentence of Life Imprisonment without the Possibility of Parole).

- (10 mins) 9. Proposed League of California Cities Resolution Regarding Funding of Assembly Bills 109 and 117 (Waters)
Action Taken: Directed the City's League of California Cities Voting Delegate to be mindful of the concerns of the Council regarding the "unfunded mandate" while listening to the issues raised at the League Conference, and then voting accordingly.

(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 Enstedt case, no action was taken; and, 2) With respect to the Monks case, a report was given and the Council voted (3-1), with Councilman Campbell absent, to reject the settlement proposal.

ADJOURNMENT: Adjourned at 11:41 P.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*

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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.

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