



**FOLLOW-UP AGENDA  
RANCHO PALOS VERDES CITY COUNCIL  
REGULAR MEETING  
JANUARY 17, 2012  
POINT VICENTE INTERPRETIVE CENTER, 31501 PALOS VERDES DRIVE WEST**

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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**

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

**ROLL CALL:**

**FLAG SALUTE:**

**MAYOR'S ANNOUNCEMENTS:** Mayor Misetich announced the names of the 22 restaurants that have recently been re-certified in the Clean Bay Restaurants Program. He congratulated resident Natalie Pack on her recent success in being named 2012 Miss California USA and presented her with a small gift of congratulations on behalf of the City of Rancho Palos Verdes.

**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:** Community Development Director Rojas provided a Status Report Update regarding the SCAG Compass Blueprint Grant to pay for consultant services for the Western Avenue Corridor Strategy Plan which will enhance

the economic vitality and aesthetics of that corridor. City Manager Lehr provided a report regarding the Median Landscape Spraying of Round-Up Pro for purposes of weed abatement along Palos Verdes Drive South. City Manager Lehr announced the upcoming fun and educational Jr. Ranger Program which will begin on January 28<sup>th</sup> and runs through June 2012. She noted that interested participants can contact the Recreation and Parks Department for a registration form or more information. City Manager Lehr invited Fire Department Representative Richard Luke to provide a brief overview regarding the Crest Fire in the McCarrell Canyon on January 9<sup>th</sup>. Public Works Director Odom provided an update regarding the status of the electrical, gas, and water utilities at the Ladera Linda Community Center.

## **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 December 20, 2011 Regular Meeting.
- C. Adopt Ordinance No. 530 - Ordinance Prohibiting Overnight Camping within the Palos Verdes Nature Preserve and the Abandonment of Animals on City Property (Fox)  
**Action Taken:** ADOPTED ORDINANCE NO. 530, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, PROHIBITING OVERNIGHT CAMPING WITHIN THE PALOS VERDES NATURE PRESERVE AND THE ABANDONMENT OF ANIMALS ON CITY PROPERTY, AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE.
- D. FY10-11 Annual Report of the Redevelopment Agency (Downs)  
**Action Taken:** Received and filed the annual report of the Rancho Palos Verdes Redevelopment Agency.
- E. Agency Shop Agreement between the City of Rancho Palos Verdes and the Rancho Palos Verdes Employees Association (Mausser)  
**Action Taken:** Continued this item to the January 31, 2012 Council meeting.
- F. Initiation of a Code Amendment to Restrict the Number of Residential Garage Sales (Peterson)  
**Action Taken:** Initiated a Code Amendment to restrict the number of garage sales on residential properties to two garage sales within one calendar year.

- G. City Council Meeting Schedule – Interviews of Applicants for City Advisory Boards & Chair of Each of the Five City Advisory Boards (Morreale)  
**Action Taken:** 1) Scheduled an adjourned regular meeting on Tuesday, January 31, 2012 at 6:00 p.m. for the interviews of applicants for the Planning Commission; 2) Scheduled an adjourned regular meeting on Tuesday, February 7, 2012 at 6:00 p.m. for the interviews of applicants for the Finance Advisory Committee; 3) Scheduled an adjourned regular meeting on Tuesday, February 21, 2012 at 6:00 p.m. for the interviews of applicants for the Oversight Committee for Water Quality & Flood Protection Program; and, 4) Scheduled an adjourned regular meeting on Tuesday, March 6, 2012 at 6:00 p.m. for the interviews of applicants interested in serving as Chair of each of the five City Advisory Boards.
  
- H. Register of Demands (McLean)  
**Action Taken:** ADOPTED RESOLUTION NO. 2012-02, 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.
  
- I. Support of Senate Bill 659 (Padilla) to Extend the Dissolution Date of Redevelopment Agencies from February 1, 2012 to April 15, 2012 (McLean)  
**Action Taken:** Authorized the Mayor to sign a letter supporting SB 659 and directed staff to transmit that letter to Senators Padilla and Wright.
  
- J. Item Removed from the Agenda.
  
- K. Disclosure of Communications between the City Manager and Individual Members of the City Council (Campbell)  
**Action Taken:** Continued this item to the January 31, 2012 Council meeting.
  
- L. Ascertain the Current Amount of the City’s Unfunded Pension Liability (Campbell)  
**Action Taken:** Directed the Finance Advisory Committee (FAC) to research and study the alternatives regarding the City’s CalPERS Unfunded Pension Liability owed by the City of Rancho Palos Verdes, with Staff’s assistance, as other California General Law cities have successfully done, and report its finding(s) to the City Council within 90 days.
  
- M. Conduct a Confidential Employee Workplace Satisfaction Survey of Current and Former City Employees (Campbell)  
**Action Taken:** Continued this item to the January 31, 2012 Council meeting.

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## **PUBLIC HEARINGS:**

- (10 mins) 1. Proposed Community Development Block Grant (CDBG) Program Reallocation of Funds (Huey)  
**Action Taken:** 1) Conducted a public hearing to receive citizen input on the proposed reallocation of Community Development Block Grant (CDBG) Program funds; 2) Approved the reallocation of project funding for the Blackhorse Road Americans with Disabilities Act (ADA) Improvements project from Fiscal Year 2012-2013 to Fiscal Year 2011-2012; 3) Authorized the Director of Public Works to execute agreements for CDBG projects with the Los Angeles County Community Development Commission; and, 4) ADOPTED RESOLUTION NO. 2012-05, 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 \$70,000 TO THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT FUND.
- (90 mins) 2. Revision "ZZ" to the Trump National Golf Course Project – Proposed Hedge on Driving Range (Pfof)  
**Action Taken:** 1) ADOPTED RESOLUTION NO. 2012-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ADOPTING ADDENDUM NO. 1 TO A MITIGATED NEGATIVE DECLARATION FOR THE DRIVING RANGE; and, 2) ADOPTED RESOLUTION NO. 2012-04, AS AMENDED, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CONDITIONALLY APPROVING REVISION "ZZ" TO THE TRUMP NATIONAL GOLF COURSE PROJECT ALLOWING A NEW ZEALAND CHRISTMAS TREE HEDGE RANGING IN HEIGHT FROM 6' TALL TO 9'8" TALL TO BE PLANTED AT THE WESTERN EDGE OF THE DRIVING RANGE.

## **REGULAR NEW BUSINESS:**

- (10 mins) 3. FY10-11 Comprehensive Annual Financial Report (Downs)  
**Action Taken:** Received and filed the FY10-11 Comprehensive Annual Financial Report (CAFR) of the City of Rancho Palos Verdes, and the Independent Auditors' Report on Internal Control.
- (5 mins) 4. Next Steps in Redevelopment Agency Dissolution - Compliance with Assembly Bill 936 Regarding Forgiven Debt (Downs/Lynch)  
**Action Taken:** ADOPTED RESOLUTION NO. 2012-06, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, PURSUANT TO ASSEMBLY BILL 936 CONCERNING FORGIVENESS OF LOANS, ADVANCES, OR OTHER INDEBTEDNESS.
- (20 mins) 5. Mayor's Appointment of City Council Members to Intergovernmental Organizations, Associations and City Subcommittees (Morreale)

**Action Taken:** 1) Appointed the members of Council to the various intergovernmental organizations and associations and City Subcommittees; and, 2) Directed staff to notify the various agencies of the Council's decision.

- (20 mins) 6. Overview – Professional/Technical Services Agreement for Services Regarding the Information Technology System – Palos Verdes on the Net (McLean)  
**Action Taken:** Continued this item to the February 7, 2012 Council Meeting.
- (10 mins) 7. Planning for January 31, 2012 Part 2 Council Goal Setting Meeting (Brooks)  
**Action Taken:** Directed staff to develop a Professional Services Agreement with Len Wood pursuant to his proposal and compensate Mr. Edwards at an appropriate rate for his facilitation of the January 3, 2012 Council Meeting.
- (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 that there was no time to discuss the item listed under the Existing Litigation, so there was no discussion regarding the Monks case, Enstedt case, VH Property case, Joannou case, or the Parsons case. She continued that there was not time to discuss the items listed under the Potential Initiation of Litigation by the City to compel removal of two substandard structures located in the City. She reported that the Council discussed the remaining three items. She reported that the Council gave unanimous direction to staff, to obtain some additional information regarding the item of Potential Litigation against the City where the facts are not yet known to the potential plaintiff, but which facts and circumstances need not be disclosed. She reported that with respect to the threat of litigation regarding the BKK Landfill matter, the Council gave unanimous direction to authorize the City to enter into the Second Tolling Agreement, with a 4-0 vote, since Mayor Pro Tem Campbell was delayed and not yet present at that point of the meeting. She reported that with respect to the last item which was the threat of litigation made against the City in a letter to the City Manager from Attorney Dean Wallraff dated November 21, 2011, a copy of which is on file in the City Clerk's office, the Council voted unanimously to decline to give permission to Mr. Wallraff or his client to use a City program that had been produced by RPV TV, with all members of the Council present.

**ADJOURNMENT:** At 11:01 P.M., adjourned to 6:00 P.M. on Tuesday, January 31, 2012 for an Adjourned Regular Meeting to interview applicants for the Planning Commission.

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

(All Statutory References are to California Government Code Sections)

## Conference with Legal Counsel

### 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.*

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

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.*

Name of Case: Andrea Joannou, Trustee of the Andrea Joannou Trust of 2004; 25 Oak, LLC, a California limited liability company v. Orphan Homes at 40 and 41 Cherryhill Lane, Rancho Palos Verdes, et al., Los Angeles County Superior Court. *Case No. BC445457.*

Name of Case: Nancy Parsons v. City of Rancho Palos Verdes, et al., Los Angeles County Superior Court. *Case No. YS022974.*

### Potential Litigation against the City: GC 54956.9(b)(1)(A):

Conference with Legal Counsel-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)

### Potential Litigation against the City: G.C. 54956.9(b)(3)(B)

Conference with Legal Counsel-Anticipated litigation, regarding potential litigation against the City arising from the following facts and circumstances:

- 1) Based on a threat of litigation made against the City concerning the BKK Landfill in a letter dated December 22, 2008 from Attorney James J. Dragna, a copy of which is on file in the City Clerk's office.

- 2) Based on a threat of litigation made against the City in a letter to the City Manager from Attorney Dean Wallraff dated November 21, 2011, a copy of which is on file in the City Clerk's office.

**Potential Initiation of Litigation by the City:  
G.C. 54956.9(c)**

The City Council is meeting to decide whether to initiate litigation to compel removal of two substandard structures located in the City.

Number of potential cases: (2)

*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](http://www.palosverdes.com/RPV).

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