FOLLOW-UP AGENDA
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
FEBRUARY 21, 2012
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BLVD.

<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. FOR **CLOSED SESSION: SEE ATTACHED BROWN ACT CHECK LIST DETAILS**

7:00 P.M. **REGULAR SESSION**

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

ROLL CALL:

FLAG SALUTE:

CEREMONIAL: Mayor Misetich recognized Charles Eldred as the Palos Verdes Peninsula Chamber of Commerce "King of the Hill" and presented him with a certificate for his fundraising efforts which focused on education.

MAYOR'S ANNOUNCEMENTS: Mayor Misetich announced the upcoming **"**Whale of a Day" Event to be held on March 3, 2012 at Pt. Vicente Interpretive Center. Mayor Misetich introduced Sgt. Will Bartlett who presented Crime Prevention Tips and offered to speak at homeowners associations regarding this topic. Councilwoman Brooks encouraged homeowners to use the City's free Do Not Disturb/No Solicitation notification stickers at their home.

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: Deputy City Manager/Interim Director of Recreation and Parks Petru provided a status update regarding the Banner Sign Program; City Manager Lehr reported that materials have been posted on the City's website regarding the Civic Center Master Plan and Deputy City Manager/Interim Director of Recreation and Parks Petru provided an overview of the webpage; City Manager Lehr reported that the City has provided additional Enhanced Transparency of Employee Compensation on the City's website.

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 January 3, 2012 Regular Meeting; January 17, 2012 Regular Meeting; January 31, 2012 Adjourned Regular Meeting (Interviews); February 2, 2012 Adjourned Regular Meeting (RPV TV Interviews); February 3, 2012 Adjourned Regular Meeting (Salute to Business Dinner); February 6, 2012 Adjourned Regular Meeting (Interviews); and February 7, 2012 Adjourned Regular Meeting (Interviews).

C. Adoption of Ordinance No. 531 – Change to the City's Official Digitized Zoning Map (Harwell)
Action Taken: ADOPTED ORDINANCE NO. 531, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, MAKING A CORRECTION TO THE CITY'S OFFICIAL DIGITIZED ZONING MAP TO CORRECT AN ERROR.

D. Adoption of Ordinance No. 532 – Change to the City's Municipal Code Pertaining to the Interpretation Procedure for Open-Space Hazard Boundary Line Adjustments (Harwell)
Action Taken: ADOPTED ORDINANCE NO. 532, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, ADOPTING REVISIONS TO SECTION 17.90 OF THE CITY'S MUNICIPAL CODE, THEREBY CHANGING THE ALLOWABLE MOVEMENT OF AN OPEN-SPACE HAZARD BOUNDARY LINE THROUGH THE INTERPRETATION PROCEDURE FROM THIRTY (30) FEET TO ONE-HUNDRED (100) FEET.

E. FY11-12 Midyear Financial Report (Downs)
Action Taken: 1) Received and filed the Midyear Financial Report; and,

2) ADOPTED RESOLUTION NO. 2012-10, 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 ADJUST THE BUDGET IN VARIOUS FUNDS OF THE CITY.

F. Southern California Edison Power Outages (Waters)
Action Taken: Authorized the Mayor to sign the draft letter to Southern California Edison (SCE) encouraging SCE to implement appropriate measures to reduce the frequency and duration of power outages in Rancho Palos Verdes and throughout the Palos Verdes Peninsula, and directed staff to prepare a follow-up letter in the future regarding environmental and safety issues.

G. Abalone Cove Shoreline Park – Land and Water Conservation Fund Grant Budget Appropriation (Mihranian)
Action Taken: ADOPTED RESOLUTION NO. 2012-16, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING A BUDGET APPROPRIATION FOR THE ABALONE COVE SHORELINE PARK IMPROVEMENT PROJECT.

H. December 2011 Monthly Report of Cash Balances (McLean)
Action Taken: Received and filed the December 2011 Monthly Report of Cash Balances for the City of Rancho Palos Verdes.

I. Register of Demands (McLean)
Action Taken: ADOPTED RESOLUTION NO. 2012-13, 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.

J. Approve Universal Waste Systems, Inc. Annual Commercial Hauler Agreement for 2012 (Ramezani)
Action Taken: 1) Authorized the Mayor and the City Clerk to execute a one-year non-exclusive commercial refuse collection and disposal services agreement with Universal Waste Systems, Inc. for 2012; and, 2) ADOPTED RESOLUTION NO. 2012-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION 2011-93 LIMITING THE NUMBER OF HAULERS AUTHORIZED TO PROVIDE SOLID WASTE COLLECTION AND RECYCLING SERVICES FROM COMMERCIAL PREMISES, AND ROLL OFF SERVICES TO RESIDENTIAL AND COMMERCIAL PREMISES IN THE CITY OF RANCHO PALOS VERDES IN CALENDAR YEAR 2012.

K. Approve Second Amendment to the Universal Waste Systems, Inc. Residential Solid Waste Agreement (Ramezani)
Action Taken: Approved the Second Amendment to the Universal Waste

Systems, Inc. residential solid waste agreement.

L. Abalone Cove Sewer Pump Station Repairs (Dragoo)
Action Taken: 1) Based on the facts set forth in this report, found that an emergency exists which will not permit a delay arising from a competitive solicitation for bids and that the actions taken below are necessary to respond to the emergency; 2) Approved and authorized the Director of Public Works to execute a Not to Exceed Contract in the amount of $46,000 with Multi W. Systems, Inc., to make necessary repairs; and, 3) ADOPTED RESOLUTION NO. 2012-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION NO. 2011-44, THE BUDGET APPROPRIATION FOR FISCAL YEAR 2011-12, FOR $46,000 TO REPLACE THE PUMP STATION INFRASTRUCTURE AT ABALONE COVE.

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PUBLIC HEARINGS:

(10 mins) 1. Correction to the Recent Minor Miscellaneous "Clean-Up" Amendments to the City's Development Code (Case No. ZON2011-00023) (Mikhail)
Action Taken: 1) INTRODUCED ORDINANCE NO. 533, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, APPROVING AN INADVERTENT AMENDMENT MADE TO SECTION 17.02.030(D)(4) (ROOF DECKS AND BALCONIES) AS PART OF THE RECENT MINOR MISCELLANEOUS "CLEAN-UP" AMENDMENTS TO TITLE 17 (ZONING) OF THE CITY'S MUNICIPAL CODE VIA ORDINANCE NO. 529 (PLANNING CASE NO. ZON2011-00023).

REGULAR NEW BUSINESS:

(30 mins) 2. City Advisory Board Appointments (Morreale)
Action Taken: 1) Appointed William Gerstner, David Tomblin, and Robert A. Nelson to serve on the Planning Commission, with four-year terms of office until December 2015, pursuant to the Municipal Code; 2) Appointed Dora M. de la Rosa and Ron Santarosa to serve on the Finance Advisory Committee (FAC), with four-year terms of office until February 2016; and, Tuan Ho to serve on the FAC, filling a vacancy with an unexpired term of office ending in December 2014; and, 3) Appointed Krista Johnson, Yi Hwa Kim, and Elizabeth Sala to serve on the Oversight Committee for the Water Quality Flood Protection Program, with four-year terms of office until January 2016, pursuant to the Municipal Code.

(1 hr) 3. Uses at Rancho Palos Verdes Beach (Howe)
Action Taken: Approved Alternative No. 1 to establish a 12-month pilot program for an off-leash dog beach at Rancho Palos Verdes Beach, including

an immediate increase in the Mountains Recreation & Conservation Authority Park Ranger enforcement of leash laws in the public parking lots, Founders Park and the public trails at Trump National Golf Course, and the installation of appropriate signage while the environmental analysis is underway. Staff was directed to work with the Planning Commission to examine and make recommendations to the Council regarding the possibility of bifurcating the beach with fencing or some other method to delineate the allowed off-leash area; explore the concept of requiring permits for dogs to use the off-leash beach, the schedule of operations, including times of days, days of the week or seasons; and, any other recommendations pertinent to the operation of the off-leash dog beach.

(25 mins) 4. Consider Traffic Control Alternatives for the Crest Road at Whitley Collins Pedestrian Crossing (Jules)
Action Taken: This item was continued to the March 6, 2012 Council Meeting.

(10 mins) 5. Agency Shop Agreement between the City of Rancho Palos Verdes and the Rancho Palos Verdes Employees Association (Lynch/Clarke)
Action Taken: ADOPTED RESOLUTION NO. 2012-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING AN AGENCY SHOP AGREEMENT AND AUTHORIZING THE CITY'S LABOR RELATIONS REPRESENTATIVE TO IMPLEMENT THE AGREEMENT.

(10 mins) 6. Next Steps in Redevelopment Agency Dissolution – Housing Assets and Functions (Downs)
Action Taken: 1) ADOPTED RESOLUTION NO. 2012-15, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ELECTING FOR THE CITY TO RETAIN THE HOUSING ASSETS AND FUNCTIONS PREVIOUSLY PERFORMED BY THE RANCHO PALOS VERDES REDEVELOPMENT AGENCY AND ACCEPTING THE TRANSFER OF ALL RIGHTS, POWERS, DUTIES, AND OBLIGATIONS ASSOCIATED WITH THE HOUSING ACTIVITIES OF THE REDEVELOPMENT AGENCY.

(10 mins) 7. Mayor's Appointment of City Council Members to an Ad Hoc Subcommittee on Council Rules of Procedure, Council Protocols, and Code of Conduct for Committee/Commission Members (Misetich)
Action Taken: Appointed an Ad Hoc Subcommittee consisting of Mayor Misetich and Councilwoman Brooks to perform a comprehensive review of Council Rules of Procedures, Council Protocols, and Code of Conduct for Committee and Commission Members.

(20 mins) 8. Consider Request for Proposal – City Banking Relationship (McLean)
Action Taken: This item was removed from the agenda and will be placed on a future agenda.

(20 mins) 9. Employee Performance Incentive Program (PIP) Performance Goals for FY 2011-12 (Mausser)
Action Taken: This item was removed from the agenda and will be placed on a future agenda.

(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 due to the interviews with advisory board applicants, the Council did not have the opportunity to discuss the Monks cases, Enstedt case, or Parsons case. She reported that with respect to the Joannou case, a report was provided and no action taken; and with respect to the Potential Initiation of Litigation by the City concerning two homes located to the south of Palos Verdes Drive South, Council voted unanimously, all members present, to initiate litigation to have those structures removed.

ADJOURNMENT: Adjourned at 11:27 P.M. to Tuesday, March 6, 2012, for an Adjourned Regular Meeting to interview applicants for Chair of the City Advisory Boards.

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

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.*

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 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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