



**FOLLOW-UP  
\*\*AMENDED AGENDA  
RANCHO PALOS VERDES CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 4, 2012  
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD**

---

**\*\*AMENDED AGENDA – Item No. 1 continuation date corrected.**

**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:** None.

**RECYCLE AND EMERGENCY PERSONAL PREPAREDNESS KIT DRAWING:**

**APPROVAL OF AGENDA:**

**PUBLIC COMMENTS:** (This section of the agenda is for audience comments for items **NOT** on the agenda.)

**CITY MANAGER REPORT:** None.

**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 August 7, 2012 Regular Meeting.
- C. Award a Contract for GPS Monitoring in the Landslide Area (Dragoo)  
**Action Taken:** 1) Awarded a contract to McGee Surveying Consulting in the amount of \$50,585 to perform a GPS survey of all existing points within the Portuguese Bend/ Abalone Cove/Klondike Canyon Landslide areas and to prepare the associated report; and, 2) Authorized the expenditure of \$50,585 for the required survey and associated report; and authorized the expenditure of up to \$5,100 as a project contingency in the event additional work is identified during the field surveys and is determined to be required by the Director of Public Works.
- D. Consider Adoption of Fair Political Practices Commission Form 806 (**Supports 2012 Council Goal Regarding Governmental Transparency**) (Morreale)  
**Action Taken:** Adopted Fair Political Practices Commission (FPPC) Form 806, which contains information regarding appointments of Council Members to outside committees, boards, and associations for which compensation is paid. Directed the City Clerk to update the document as necessary and post it on the City's website as mandated by the FPPC regulation.
- E. July 2012 Monthly Report of Cash Balances (McLean)  
**Action Taken:** Received and filed the July 2012 Monthly Report of Cash Balances for the City of Rancho Palos Verdes.
- F. Proposition A Exchange and Gift of other Restricted Money from the City of Rolling Hills (Downs)  
**Action Taken:** 1) Approved the Proposition A assignment agreement; 2) ADOPTED RESOLUTION NO. 2012-62, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AMENDING RESOLUTION 2012-43, THE BUDGET APPROPRIATION FOR FY12-13, TO ADJUST THE BUDGET IN THE CITY'S GENERAL FUND AND BIKEWAYS FUND; and, 3) ADOPTED RESOLUTION NO. 2012-63, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CALIFORNIA, ACCEPTING FROM THE CITY OF ROLLING HILLS, CALIFORNIA, ITS AVAILABLE TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDS.
- G. Designation of City Representative to White Point Landslide Advisory Committee (Waters)  
**Action Taken:** Designated Mayor Anthony Misetich as the City of Rancho Palos Verdes' official representative on the White Point Landslide Advisory Committee.

- H. Notice of Completion for the Vista Grande CDBG ADA Compliant Project (**Supports 2012 City Council Goal #4, Public Infrastructure – Citywide Street Maintenance**) (Jules)  
**Action Taken:** 1) Accepted the work as complete; 2) Authorized the City Clerk to file a Notice of Completion with the L.A. County Registrar-Recorder Office 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 bond; and, 3) Authorized the Director of Public Works to release the 5% retention payment in the amount of \$1,740.40 to Mora’s Equipment & Construction 35 days after recordation of the Notice of Completion by the L.A. County Recorder contingent upon no claims being filed on the project and the contractor posting an acceptable warranty bond.
  
- I. Budget Appropriation in Conjunction with the Proposed Acquisition of Open Space (Rojas)  
**Action Taken:** 1) Directed Staff to continue to work, in conjunction with the Palos Verdes Peninsula Land Conservancy (PVPLC), with the U.S. Fish and Wildlife Service and State Wildlife Conservation Board on the possible acquisition of open space in Malaga Canyon and Windport Canyon for preservation purposes; and, 2) ADOPTED RESOLUTION NO. 2012-66, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING A BUDGET APPROPRIATION TO ADD \$38,000 TO THE COMMUNITY DEVELOPMENT DEPARTMENT’S BUDGET TO FUND CERTAIN DUE DILIGENCE TASKS IN ASSOCIATION WITH THE PROPOSED ACQUISITION.
  
- J. Biennial Update of the City’s Conflict of Interest Code (Morreale)  
**Action Taken:** 1) Received and filed the 2012 Local Agency Biennial Notice for the City of Rancho Palos Verdes and the Rancho Palos Verdes Improvement Authority indicating that the Conflict of Interest Code for these agencies need to be amended; and, 2) ADOPTED RESOLUTION NO. 2012-64, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ADOPTING A CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION AND REPEALING RESOLUTION NO. 2010-71.
  
- K. Register of Demands (McLean)  
**Action Taken:** ADOPTED RESOLUTION NO. 2012-65, 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.

# # # # # #

**PUBLIC HEARINGS:**

- (2.5 hrs) 1. Marymount College Facilities Expansion Project - A Request to Extend the Time Periods for Completion of Phases 1 and 2 for an Additional Year (Case No. ZON2003-

00317) / 30800 Palos Verdes Drive East [\*\*Continued from August 7, 2012]  
(Mihranian)

**Action Taken:** 1) Received and filed a status update on the construction of the temporary and permanent parking lots on the College's campus; 2) Extended the planning entitlements and the construction completion deadline for Phase 1 of the Marymount College Facilities Expansion Project from September 30, 2012 to December 18, 2012, without prejudice to granting a further extension, at the discretion of the Council, up to September 30, 2013; 3) Denied, without prejudice, the College's one-year time extension request to extend the planning entitlements and the construction completion deadline for Phase 2 from June 1, 2015 to June 1, 2016; 4) Authorized City Staff to execute a restricted use covenant pursuant to Condition No. 79 of Resolution No. 2010-42 that restricts certain improvements within the designated Building Geologic Setback Area; and, 5) Directed staff to continue to closely monitor the progress of the Army Corps of Engineers' permit related to the construction of the permanent parking lot.

### **REGULAR BUSINESS:**

- (15 mins) 2. Finance Advisory Committee 2012-13 Work Plan (Downs)  
**Action Taken:** Approved the proposed Finance Advisory Committee (FAC) 2012-13 Work Plan, as amended.
- (10 mins) 3. Renaming Ocean Trails Drive as Trump National Drive (Lynch)  
**Action Taken:** ADOPTED RESOLUTION NO. 2012-67, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, RENAMING OCEAN TRAILS DRIVE AS TRUMP NATIONAL DRIVE.
- (10 mins) 4. City Council Meeting Schedule (Morreale)  
**Action Taken:** 1) Rescheduled the November 6, 2012 Council Meeting to the next evening, Wednesday, November 7, 2012, due to the Presidential Election; and, 2) Scheduled a Council Training Workshop for the National Incident Management System (NIMS) Executive Training for Monday, September 10, 2012, at 6:30 to 8:00 p.m. to be held in the Community Room at City Hall.

- (5 mins) **FUTURE AGENDA ITEMS:** (This section of the agenda is designated for individual Council Members to request that an item be placed on a future City Council meeting agenda.)

Consideration of the formation of a Geologic Hazard Abatement District for the Portuguese Bend area.

- (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 existing litigation in the VH Property Corp. and VHPS LLC v. City of Rancho Palos Verdes, et al. case, a report was provided and no action taken; and, 2) With respect to the existing

litigation in the People of the State of California; City of Rancho Palos Verdes v. Richard and Jean Otto case, a report was provided and the Council voted unanimously, with all members present, to approve the settlement agreement.

**ADJOURNMENT:**

Adjourned at 10:30 P.M. to Monday, September 10, 2012, at 6:30 P.M. for an Adjourned Regular Meeting for National Incident Management Systems (NIMS) Training to be held in the Community Room at City Hall.

**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: 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: People of the State of California; City of Rancho Palos Verdes v. Richard and Jean Otto; Los Angeles California Superior Court.  
*Case No. SB11C03360.*

*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).

E:\20120904 CC Follow-Up AGENDA.doc