AMENDED FOLLOW-UP AGENDA RANCHO PALOS VERDES CITY COUNCIL REGULAR MEETING SEPTEMBER 3, 2013

FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD

**AMENDED AGENDA – MODIFIED ITEM NO. 5 TITLE

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

7:00 P.M. REGULAR SESSION

(30 mins) CALL TO ORDER:

ROLL CALL:

FLAG SALUTE:

MAYOR'S ANNOUNCEMENTS:

Mayor Brooks announced the recent passing of former Redondo Beach Councilman and civic leader John Parsons, noting the meeting would be adjourned in his memory.

City of Rolling Hills Estates Mayor Zerunyan presented a proclamation to the City of Rancho Palos Verdes in commemoration of the City's 40th Anniversary.

Mayor Brooks presented a check for the amount of \$2,500 from the proceeds of the City's 40^{th} Anniversary Gala to each of the following recipients: Los Serenos de Point Vicente Docents and the Palos Verdes Peninsula Land Conservancy.

Capt. Bolin, Lomita Station, Los Angeles County Sheriff Department, provided an update regarding the City's crime statistics for the second quarter of 2013.

Mayor Brooks presented a certificate of appreciation to Capt. Bolin to present to Gail Lorenzen, for her unending efforts as the RPV Neighborhood Watch Volunteer Coordinator.

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: Deputy City Manager Petru introduced Cory Linder, the City's new Director of Recreation and Parks.

NEW BUSINESS:

(15 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

Action Taken: Approved the Minutes of the August 6, 2013 Regular Council Meeting.

C. Gifts for Parks (Howe)

Action Taken: Accepted the Gifts for Parks donations and directed staff to prepare donor letters of appreciation for the Mayor's signature.

- D. Claim Against the City by Marian McCann (Morreale)

 Action Taken: Rejected the claim and directed staff to notify the claimant.
- E. Claim Against the City by Michael O'Keefe (Morreale)Action Taken: Rejected the claim and directed staff to notify the claimant.
- F. Notice of Completion for the FY2011-2012 Areas 3 and 5 Residential Streets Improvement Project Phase I (Supports 2013 City Council Goal #4, Public Infrastructure Citywide Street Maintenance) (Murphy)

 Recommendations: 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 Performance bond; and, 3) Authorized the Director of Public Works to release the 5% retention payment in the amount of \$66,695.40 to Hardy and Harper, Inc. 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.

- G. July 2013 Monthly Report of Cash Balances (McLean)
 Action Taken: Received and filed the July 2013 Monthly Report of Cash Balances for the City of Rancho Palos Verdes.
- H. Notice of Completion for Ryan Park Restrooms Improvements and Accessibility Compliance Project (Supports 2013 City Council Goal No. 4, Public Infrastructure) (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 Performance Bonds; and, 3) Authorized the Director of Public Works to release the 5% retention payment in the amount of \$13,028.49 to ZK Construction 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.
- I. Approve First Amendment to Professional Services Agreement for Ryan Park Southern Entrance Realignment and Parking Lot Expansion Project (Supports 2013 City Council Goal No. 4, Public Infrastructure) (Motahari)

 Action Taken: 1) Approved the First Amendment to the Professional Services Agreement to Willdan Engineering for On-Call Civil and Traffic Engineering Services; and, 2) Authorized the Mayor and City Clerk to execute the First Amendment to the Professional Services Agreement to Willdan Engineering for On-Call Civil and Traffic Engineering Services.
- J. Participation in the California FIGTREE Property Assessed Clean Energy (PACE) Program to Allow Residents and Commercial Business Owners to Finance Certain Energy-Related Projects (Mikhail) **Action Taken:** 1) Adopted the following resolutions for participation in a program referred to as the FIGTREE PACE and Job Creation Program: a) ADOPTED RESOLUTION NO. 2013-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY (CEDA), AND AUTHORIZING PARTICIPATION IN ECONOMIC DEVELOPMENT FINANCING PROGRAMS FOR THE BENEFIT OF BUSINESSES AND NONPROFIT ENTITIES WITHIN THE CITY OF RANCHO PALOS VERDES WHICH ARE OFFERED BY MEMBERSHIP WITH CEDA; and, B) ADOPTED RESOLUTION NO. 2013-59, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, AUTHORIZING THE CITY OF RANCHO PALOS VERDES TO JOIN THE FIGTREE PACE PROGRAM, AUTHORIZING THE CEDA TO CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS THROUGH THE ISSUANCE OF BONDS WITHIN THE CITY'S JURISDICTION TO ALLOW THE FINANCING OF CERTAIN RENEWABLE ENERGY, ENERGY EFFICIENCY AND WATER EFFICIENCY PROGRAMS; AND APPROVING A

DRAFT CEDA RESOLUTION OF INTENTION AND PARTICIPATION AGREEMENT.

- K. Participation in the California Home Energy Retrofit Opportunity (HERO) Program to Allow Residents and Commercial Business Owners the Opportunity to Finance Certain Energy-Related Projects (Mikhail)
 Action Taken: ADOPTED RESOLUTION NO. 2013-57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM, THEREBY ALLOWING RESIDENTIAL AND COMMERCIAL PROPERTY OWNERS IN THE CITY TO FINANCE ELIGIBLE ENERGY EFFICIENCY, RENEWABLE GENERATION AND WATER CONSERVATION IMPROVEMENTS WITH LOW-INTEREST LOANS REPAID THROUGH A PROPERTY TAX BILL FOR RESIDENTIAL AND COMMERCIAL PROPERTY OWNERS; AND APPROVING AN AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO.
- L. Register of Demands (McLean)
 Action Taken: ADOPTED RESOLUTION NO. 2013-54, 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.

REGULAR BUSINESS:

- 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 \$49,010, 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 \$49,010 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.
- League of California Cities 2013 Annual Conference Resolutions (Fox)

 Action Taken: 1) Authorized the City Council's Voting Delegate to support the adoption of League of California Cities General Assembly Resolution No. 1 (Water Bond Funds); and, 2) Authorized the City Council's Voting Delegate to support the adoption of League of California Cities General Assembly Resolution No. 2 (Public Safety Realignment), with recommended amendments; and authorized Staff to send letters to the League's Regional Public Affairs Manager and the Chair of the Public Safety Policy Committee in advance of the conference.
- (20 mins) 3. Abalone Cove Shoreline Park Status Update on the Project Plan Related to the Land and Water Conservation Fund Grant Award (Supports 2013 City Council Goals Increase Citizen Involvement) (Mihranian)

Action Taken: Received and filed a status update on the final project plan for the Abalone Cove Shoreline Park Improvement Project pursuant to a Land and Water Conservation Fund (LWCF) State grant previously awarded to the City; and directed staff to return to a future Council meeting with more accurate estimates regarding this project, with the goal of staying within the original allocated budget.

- Sunnyside Ridge Trail Segment Improvement Grant Application for L.A. County Fourth Supervisorial District (Ramezani)

 Action Taken: 1) ADOPTED RESOLUTION NO. 2013-55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ADOPTING ADDENDUM NO. 1 TO THE 2007 COUNCIL ADOPTED NEGATIVE DECLARATION IN CONNECTION WITH THE FUTURE CONSTRUCTION OF THE SUNNYSIDE RIDGE TRAIL SEGMENT; and, 2) ADOPTED RESOLUTION NO. 2013-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING THE APPLICATION FOR COMPETITIVE EXCESS FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARKS AND OPEN SPACE DISTRICT FOR FOURTH SUPERVISORIAL DISTRICT FUNDING FOR THE SUNNYSIDE RIDGE TRAIL SEGMENT IMPROVEMENT PROJECT.
- Adoption of an Urgency Ordinance and Introduction of a Non-Urgency Ordinance to Establish Certain Permit Restrictions on Residential Construction Projects that Have Been Ongoing for 4 Years or More (Rojas)

 Action Taken: 1) Continued the item to no later than the October 1, 2013 Council meeting to consider all of the options and refine the ordinance language to address the issues raised; and, 2) Directed staff to return with a separate item to address the start and end times of construction hours and construction days, with consideration of 8:00 A.M. to 5:00 P.M. on Monday through Friday, and 9:00 A.M. to 4:00 P.M. on Saturday; and restrictions regarding idling of construction trucks on construction sites to help address construction noise.
- (20 mins) 6. Long-Range Property Management Plan (Downs/Lynch)

 Action Taken: Directed the transfer of the eleven properties that had been acquired by the Rancho Palos Verdes Redevelopment Agency, which now are controlled by the Successor Agency to the Rancho Palos Verdes Redevelopment Agency, to the City of Rancho Palos Verdes for governmental use.
- (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.)

None.

(10 mins) CITY COUNCIL ORAL REPORTS: (This section of the agenda is designated for oral reports from Council Members, as elected officials of the City, to report action taken at intergovernmental organizations, committee, or association meetings. Council Members are required to provide a brief oral report on their attendance at any meetings where City funds have been expended. Detailed reports should be made in writing and will be posted on the City's website.)

CLOSED SESSION REPORT: City Attorney Lynch reported that the City Council voted unanimously, with all five Council Members present, to direct the City Attorney's Office to stay enforcement of the Code Enforcement action against Dr. Allman pending the outcome of the litigation that was filed by Dr. Allman against the City and other named individuals.

ADJOURNMENT: Adjourned at 11:18 P.M. in the memory of former Redondo Beach Councilman John Parsons.

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: Ralph B. Allman, Jr. and Sigrid C. Allman as Trustees of the Allman

Family Trust U/T/A Dated May 4, 1990 vs. William G. Gerstner; the City of Rancho Palos Verdes - Complaint for (1) Declaratory Relief, and (2) Temporary Restraining Order, Temporary/Permanent

Injunction, Los Angeles County Superior Court. Case No. BC517821.

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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