



**City of Rancho Palos Verdes
City Council Agenda
& Staff Reports**

DISCLAIMER

The following City Council agenda includes text only version of the staff reports associated with the business matters to be brought before for the City Council at its Regular Meeting of this date. Changes to the staff reports may be necessary prior to the actual City Council meeting. The City Council may elect to delete or continue business matters at the beginning of the City Council Meeting. Additionally, staff reports attachments, including but not limited to, pictures, plans, drawings, spreadsheet presentations, financial statements and correspondences are not included. The attachments are available for review with the official agenda package at the Reception area at City Hall.

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AGENDA

**RANCHO PALOS VERDES CITY COUNCIL
ADJOURNED REGULAR MEETING**

JUNE 30, 2009 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:

NEXT RESOL. NO. 2009-39

NEXT ORDINANCE NO. 494

FLAG SALUTE:

MAYOR'S ANNOUNCEMENTS: Mayor's RPV Heroes Program – Jon Cartwright

APPROVAL OF AGENDA:

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

CITY MANAGER REPORT: Announcement of McCarrell Canyon Drainage Project Ribbon Cutting Ceremony

NEW BUSINESS:

(5 mins) APPROVAL OF CONSENT CALENDAR:

1. [Motion to Waive Full Reading](#)

Recommendation: Adopt 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.

2. Approval of the Minutes (Morreale)

Recommendation: Approve the Minutes of the [May 19, 2009](#) Regular Meeting and the [May 26, 2009](#) Special Meeting.

3. [Adoption of Ordinance No. 490 – Terranea Resort – Request for Financial Assistance Using Future Transient Occupancy Tax Revenue \(McLean\)](#)

Recommendation: ADOPT ORDINANCE NO. 490, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, ESTABLISHING A HOTEL INCENTIVE PROGRAM AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE.

4. [Adoption of Ordinance No. 491 – Zone Text Amendment to the Commercial Limited \(CL\) Zoning District \(Case No. ZON2009-00034\) \(Schonborn\)](#)

Recommendation: ADOPT ORDINANCE NO. 491, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, A CITY INITIATED PROPOSAL TO AMEND CHAPTER 17.14 OF TITLE 17 OF THE CITY'S MUNICIPAL CODE PERTAINING TO THE CL ZONING DISTRICT.

5. [Adoption of Ordinance No. 492 - On-Street Parking of Oversized Vehicles \(Dragoo\)](#)

Recommendation: ADOPT ORDINANCE NO. 492, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, CREATING CHAPTER 10.36 (ON- STREET PARKING OF OVERSIZED VEHICLES) OF TITLE 10 OF THE RANCHO PALOS VERDES MUNICIPAL CODE.

6. [Adoption of Ordinance No. 493 - An Ordinance of the City of Rancho Palos Verdes, Modifying the Parking Permit Procedures and Amending the Rancho Palos Verdes Municipal Code \(Jules\)](#)

Recommendation: ADOPT ORDINANCE NO. 493, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, MODIFYING THE PARKING PERMIT PROCEDURES AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE.

7. [Adoption of City Budget for Fiscal Year 2009-2010 \(Petru\)](#)

Recommendation: ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING A BUDGET APPROPRIATION AND ADOPTING THE OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR 2009-2010.

8. [Extension to Lease Agreement with New Cingular Wireless Associated with the Monopole at City Hall \(Petru\)](#)

Recommendation: Approve the Second Amendment to the Lease Agreement with New Cingular Wireless to extend the term of the agreement to June 30, 2014.

9. [Two-Month Extension to the Tolling Agreement with Los Angeles County and the Current Sheriff's Contract \(Petru\)](#)

Recommendation: 1) Authorize the Mayor to execute a two-month extension to the Tolling Agreement with the County of Los Angeles, which will replace the one-year Tolling Agreement previously approved by the City Council on June 2, 2009; and, 2) Authorize the Mayor and the City Clerk to execute a two-month extension to the 2004 Five-Year City-County Law Enforcement Services Agreement, which will replace the one-year extension previously authorized by the City Council on June 2, 2009.

10. [2009 Five-Year Financial Model \(Downs/Singer\)](#)

Recommendation: Approve the 2009 Five-Year Financial Model ("2009 Model").

11. [Annual Appropriation Limit for FY09-10 \(Downs\)](#)

Recommendation: ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ESTABLISHING THE CITY'S APPROPRIATION LIMIT FOR FY09-10.

12. [Appeal of the Planning Commission's Approval of Case No. ZON2007-00046 \(Variance and Coastal Permit\) for Property Located at 24 Sea Cove Drive \(Schonborn\)](#)

Recommendation: ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, UPHOLDING THE APPEAL AND OVERTURNING THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF CASE NO. ZON2007-00046, THEREBY DENYING CASE NO. ZON2007-00046 FOR A COASTAL PERMIT AND VARIANCE.

13. [Professional Services Agreement for Grant Management \(Lehr\)](#)

Recommendation: Authorize the Mayor and City Clerk to execute the proposed Professional Services Agreement with Blais & Associates to provide grant management services to the City.

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PAUSE TO CONSIDER THE REMAINDER OF THE AGENDA:

REGULAR NEW BUSINESS:

(15 mins) 14. [Increase of Transient Occupancy Tax Rate \(Lynch\)](#)

Recommendation: 1) Approve the attached ordinance, which will increase the City's existing Transient Occupancy Tax by 2% (from 10% to 12%), and adopt the attached resolution placing the ordinance on the ballot for the November 3, 2009 Election; and, 2) Authorize two Members of the City Council to draft the argument in favor of the measure, which can be submitted to the entire City Council for review and approval at the Council meeting on July 21, 2009.

(15 mins) 15. [November 3, 2009 General Municipal Election \(Morreale/Lynch\)](#)

Recommendation: 1) ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2009, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO INCREASING THE RATE OF THE CITY'S TRANSIENT OCCUPANCY TAX;

2) ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON NOVEMBER 3, 2009 WITH THE SCHOOL DISTRICT AND LIBRARY DISTRICT ELECTIONS TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE;

3) ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2009;

4) ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; and, 5) ADOPT RESOLUTION NO. 2009-___, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.

(20 mins) 16. [City Council's Proposal for Restructuring the Equestrian Committee \(Mikhail\)](#)

Recommendation: 1) Sunset the present Equestrian Committee; 2) Appoint a 3-member Equestrian Advisory Ad-Hoc Committee from the list of applicants interviewed in December 2008; 3) Direct Staff to prepare a work plan for the new

Ad-hoc Committee for City Council approval; and, 4) Transfer the permit review activity dictated by the Development Code from the current Equestrian Committee to the Planning Commission.

(10 mins) 17. [City Council Rules of Procedure – Regular Meeting Start and Stop Times \(Petru\)](#)

Recommendation: Provide staff with direction regarding any possible amendments to Section 3.2 – Regular Meetings of the City Council Rules of Procedure.

(15 mins) 18. [Amendment to the City Manager’s Employment Agreement \(Mayor Clark\)](#)

Recommendation: Consider an Amendment to the City Manager’s Employment Agreement.

(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.)

(5 mins) COUNCIL DISCUSSION & SUGGESTION OF FUTURE AGENDA ITEMS:

CLOSED SESSION REPORT:

ADJOURNMENT: Adjourn to Tuesday, July 7, 2009 at 5:30 P.M. at McCarrell Canyon Drainage Project Site located at 6359 Tarragon Road for an Adjourned Regular Meeting and Ribbon Cutting Ceremony.

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CLOSED SESSION AGENDA CHECKLIST

Based on Government Code Section 54954.5

(All Statutory References are to California Government Code Sections)

Potential Litigation:

G.C. 54956.9(b)

A point has been reached where, in the opinion of the City Council/Agency on the advice of its legal counsel, based on the below-described facts and circumstances, there is a significant exposure to litigation against the City/Agency:

Based on a threat of litigation received in a letter from Brant H. Dveirin, attorney for Mr. and Mrs. Conroy, dated June 10, 2009. A copy of the letter from Brant H. Dveirin documenting the threat of litigation is on file in the City Clerk’s Office.

(Number of Potential Cases – 1)

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.