

DRAFT
MINUTES
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
JULY 21, 2020

CALL TO ORDER:

A Regular meeting of the Rancho Palos Verdes City Council for the purpose of a Closed Session was called to order by Mayor Cruikshank at 6:02 P.M. at McTaggart Hall in Fred Hesse Community Park, 29301 Hawthorne Boulevard, and via teleconference/virtual meeting using the Zoom platform notice having been given with affidavit thereto on file.

City Council roll call was answered as follows:

PRESENT: Bradley, Alegria, and Mayor Cruikshank

ABSENT: Dyda (excused), Ferraro (excused)

Also present were Ara Mihranian, City Manager; William W. Wynder, City Attorney, and Teresa Takaoka, Deputy City Clerk.

PUBLIC COMMENTS:

None.

CLOSED SESSION ITEMS ANNOUNCED:

City Attorney Wynder announced the items to be discussed in Closed Session.

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
GC SECTION 54956.9 (D)(1)**

Indian Peak Properties, LLC, et al v. City of Rancho Palos Verdes, et al
Central District of California Case No. 2:20-cv-00457-DSF-E

RECESS TO CLOSED SESSION (VIA CONFERENCE BRIDGE):

At 6:06 P.M., the Council recessed to Closed Session.

RECONVENE TO REGULAR MEETING:

At 7:00 P.M. the Study Session was adjourned to the Regular meeting.

STUDY SESSION

PUBLIC COMMENTS FOR ITEMS LISTED ON THE AGENDA FOR THE STUDY SESSION:

None.

DISCUSSION TOPICS:

SS1. Review of tentative agendas

Discussion ensued among Council Members and Staff regarding items on the upcoming City Council meetings as listed on the tentative agendas.

Without objection, the tentative agendas were approved, by acclamation.

ADJOURN TO REGULAR MEETING:

At 7:02 P.M. the Study Session was adjourned to the Regular meeting.

REGULAR MEETING – OPEN SESSION

CALL TO ORDER:

A Regular meeting of the Rancho Palos Verdes City Council was called to order by Mayor Cruikshank at 7:03 P.M. Hesse Park, McTaggart Hall, 29301 Hawthorne Boulevard and via teleconference using the Zoom platform notice having been given with affidavit thereto on file.

City Council roll call was answered as follows:

PRESENT: Bradley, Ferraro, Alegria, and Mayor Cruikshank
ABSENT: Dyda (excused)

Also present were Ara Mhuranian, City Manager; Karina Bañales, Deputy City Manager; William W. Wynder, City Attorney; Trang Nguyen, Director of Finance; Ken Rukavina, Director of Community Development; Elias Sassoon, Director of Public Works; Cory Linder, Director of Recreation and Parks; Lukasz Buchwald, Information Technology Manager; and Teresa Takaoka, Deputy City Clerk.

Also present was Captain James Powers, Lomita Station, Los Angeles County Sheriff's Department.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by City Attorney Wynder.

CLOSED SESSION REPORT:

City Attorney Wynder reported that with regards to the one Closed Session item, it met with legal counsel to check status of litigation.

This one item was to provide a privileged and confidential briefing on one matter of pending litigation to which the City is a party. The title of that litigation is Indian Peak Properties vs. the City of Rancho Palos Verdes. United States District Court for the Central District of California case number: 20-CB-00-457-DSF-E. The authority to meet in Closed Session is Government Code section 54956.9D1. The City Attorney's office provided a privileged and confidential briefing on the status of this litigation and discussed with the Council an ongoing litigation strategy. Questions were asked and answered and the Council unanimously gave further direction.

MAYOR'S ANNOUNCEMENTS:

Mayor Cruikshank and the City Council recognized Naomi Porter for Mayor's Honoree Enlightened Entrepreneurship.

RECYCLE AND EMERGENCY PERSONAL PREPAREDNESS KIT DRAWING:

Mayor Cruikshank announced the Recycle Winners for the July 7, 2020, City Council meeting: Rouimi Family Trust and Hung Ngo. He indicated that all winners receive a check for \$250 and urged everyone to participate in the City's Recycling Program. He noted that in addition to winning the Recycler Drawing, the two individuals also won a Personal Emergency Preparedness Kit from the City valued at \$60.00.

APPROVAL OF THE AGENDA:

Mayor Pro Tem Alegria moved, seconded by Councilmember Bradley, to approve the agenda as presented.

The motion passed on the following roll call vote:

AYES: Bradley, Ferraro, Alegria, and Mayor Cruikshank
NOES: None
ABSENT: Dyda (excused)

PUBLIC COMMENTS FOR NON-AGENDA ITEMS:

Deputy City Clerk Takaoka noted there was one request to speak on this item.

The following member of the public addressed the City Council: Kelly Clark.

CITY MANAGER REPORT:

City Manager Mhuranian announced the following: Welcome to Ken Rukavina, Director of Community Development; New orders from the County regarding Covid-19 Permitting process for Barbershops and Outdoor dining; Highlight on #RPVTogether; Professional Services Day thanking Recreation and Park workers.

CONSENT CALENDAR:

Deputy City Clerk Takaoka reported that late correspondence was distributed prior to the meeting regarding Item G; and there was one request to speak regarding item E. F.

Councilmember Bradley moved, seconded by Mayor Pro Tem Alegria, to approve the Consent Calendar with items E to be heard immediately after the Consent Calendar.

The motion passed on the following roll call vote:

AYES: Bradley, Ferraro, Alegria, and Mayor Cruikshank
NOES: None
ABSENT: Dyda

A. Motion to Waive Full Reading

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. Consideration and possible action to accept the Parkland Dedication (Quimby) Fee in Lieu of Dedication for Vesting Final Parcel Map No. 72981 for the property at 29065 Palos Verdes Drive East (Case No. SUB2014-00005). (Silva)

Accepted Parkland Dedication (Quimby) Fee in Lieu of Dedication for Vesting Final Parcel Map No. 72981 in the amount of \$23,652.33.

C. Registers of Demands (Amundson)

Adopted Resolution No. 2020-41, 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.

D. Consideration and possible action to amend the existing Professional Services Agreement with Michael Baker International, Inc. for Community Development Block Grant (CDBG) administrative services. (Eder)

Authorized Amendment No. 2 to the Michael Baker International, Inc. contract in the amount of \$30,000 to the current Professional Services Agreement, thereby

changing the not-to-exceed total contract amount from \$100,671.60 to \$130,671.60 and to extend the services to June 30, 2021.

E. Consideration and possible action to apply for a Highway Safety Improvement Program (HSIP) grant for guardrail improvements. (Eder)

This item was removed for separate consideration.

F. Consideration and possible action to authorize the Mayor to sign a letter in support of SB 1312. (Barnes)

Authorized the Mayor to sign a letter in support of SB 1312 to reduce wildfire risk.

G. Consideration and possible action to award a Contract Service Agreement for custodial and janitorial services to Valley Maintenance Corporation. (Hernandez)

(1) Awarded a Contract Service Agreement for Custodial and Janitorial Services to Valley Maintenance Corporation for FY 2020-21 through FY 22-23 (three years) in the not-to-exceed amount of \$283,176 (\$94,392 annually); and
(2) Authorized the Mayor to sign a new Contract Service Agreement in a form approved by City Attorney's Office

CONSENT CALENDAR ITEM(S) PULLED FOR PUBLIC COMMENT:

E. Consideration and possible action to apply for a Highway Safety Improvement Program (HSIP) grant for guardrail improvements. (Eder)

The following member of the public addressed the City Council: Mickey Rodich

Discussion ensued among Council Members and Staff.

Mayor Pro Tem Alegria moved, seconded by Councilmember Bradley to: (1) Authorize Staff to apply for an HSIP grant to fund the Palos Verdes Drive East Guard Rail Project; and, (2) Authorize Blais & Associates to prepare the HSIP grant application, on behalf of the City, for the Palos Verdes Drive East Guard Rail Project at a cost not to exceed \$7,232.50.

The motion passed on the following roll call vote:

AYES:	Bradley, Ferraro, Alegria, and Mayor Cruikshank
NOES:	None
ABSENT:	Dyda

PUBLIC HEARINGS:

1. Consideration and possible action to approve setting at zero the annual levy and assessments of the existing Citywide Landscaping and Lighting Maintenance District for Fiscal Year 2020-21. (Dragoo)

Deputy City Clerk Takaoka stated that the notice of the public hearing was duly published, no written protests were received and there were no requests to speak.

Mayor Cruikshank declared the public hearing open.

City Engineer Dragoo presented a comprehensive staff report.

Mayor Cruikshank declared the public hearing closed.

Discussion ensued among Council Members and Staff.

Councilmember Ferraro moved, seconded by Mayor Pro Tem Alegria to: (1) Conduct the public hearing on the proposed levy of the annual FY 2020-21 Citywide Landscaping and Lighting Maintenance District; and, (2) Adopt Resolution No. 2020-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DECLARING TO SET THE LEVY AT ZERO WITHIN THE CITYWIDE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT FOR FISCAL YEAR 2020-2021 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE.

The motion passed on the following roll call vote:

AYES:	Bradley, Ferraro, Alegria, and Mayor Cruikshank
NOES:	Dyda
ABSENT:	None

REGULAR BUSINESS:

2. Receive and file a report on the issuance of an encroachment permit to relocate certain utility poles at 3867 Crest Road. (Sassoon)

Deputy City Clerk Takaoka noted that late correspondence was distributed and there were eleven requests to speak.

*one of the speaker was SCE : Cindy Carrillo
Mayor Cruikshank recused himself at 7:28 P.M.

Mayor Pro Tem Alegria noted that while this item is not a public hearing, if the remaining City Councilmembers agreed, he would allow each side to be heard

initially with an opportunity for rebuttals at the end, similar to a public hearing format. Without objection, Mayor Pro Tem Alegria so ordered.

Director of Public Works Sassoon presented a brief staff report and PowerPoint presentation.

The following members of the public addressed the City Council: Giovanni Funicello; Dale Spiegel; Sharon Jang; Naomi Foust; Betty Pop; Tracy Beecher; Naomi Nakata; and Kathy Campbell.

Discussion ensued among Council Members and Staff.

The following members of the public were invited to respond: Giovanni Funicello; Christina Funicello; Kathy Campbell; Dale Spiegel; and Cindy Carrillo.

Discussion ensued among Council Members and Staff.

Mayor Pro Tem Alegria moved, seconded by Councilmember Ferraro to receive and file the report with the added condition that an indemnity clause would be signed by the Funicellos and the applicant of the permit; and, at a future date Staff would return with potential changes to the due process. Additionally, separate from the motion the Council encouraged a continued dialogue with SCE representatives and the interested parties one last time to seek resolution.

Discussion ensued among Council Members and Staff.

Councilmember Bradley moved a substitute motion to: not receive and file the report, but to instead defer the matter to no later than August 18, 2020; ask Staff to engage SCE to become a party in the project for the betterment of the City and SCE. Mayor Pro Tem Alegria seconded this motion.

The motion passed on the following roll call vote:

AYES:	Bradley, Dyda, Ferraro, and Mayor Pro Alegria
NOES:	None
ABSENT:	Dyda
ABSTAIN:	Mayor Cruikshank

Mayor Pro Tem Alegria called for a brief recess at 9:52 P.M. The meeting reconvened at 10:04 P.M.

Mayor Cruikshank returned to the dais at 10:04 P.M.

3. Consideration and possible action to receive a quarterly status report on Fiscal Year 2020-21 City Council Goals. (Bañales)

Mayor Cruikshank moved to waive the staff report and proceed with Council discussion and questions of Staff. Without objection, Mayor Cruikshank so ordered.

Councilmember Bradley moved to extend the meeting to 10:45 P.M. Without objection, Mayor Cruikshank so ordered.

Discussion ensued among Council Members and Staff.

Councilmember Bradley moved, seconded by Councilmember Ferraro to receive and file the quarterly status report on the FY 2020-21 City Council goals. Without objection, Mayor Cruikshank so ordered.

Councilmember Bradley moved to extend the meeting to 11:30 P.M. Without objection, Mayor Cruikshank so ordered.

4. Consideration and possible action to form a “sister city” relationship with the City of Sakura City, Japan (Bañales)

Mayor Pro Tem Alegria moved to waive the staff report. By acclamation, Mayor Cruikshank so ordered.

Councilmember Ferraro moved, seconded by Mayor Pro Tem Alegria to: Adopt Resolution No. 2020-43, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ESTABLISHING A SISTER CITIES PROGRAM WITH SAKURA CITY, TOCHIGI PREFECTURE, JAPAN.

The motion passed on the following roll call vote:

AYES:	Bradley, Ferraro, Alegria, and Mayor Cruikshank
NOES:	None
ABSENT:	Dyda

CONSENT CALENDAR ITEM(S) PULLED BY A COUNCIL MEMBER:

None.

FUTURE AGENDA ITEMS:

Mayor Pro Tem Alegria requested the addition of a status report on the Flock cameras and a reassessment of the Encroachment Permit Issuance Protocols.

Councilmember Ferraro requested the addition of a possible code amendment on Large Scale Treehouse Regulations.

CITY COUNCIL ORAL REPORTS:

Each Council Member present reported on his/her attendance at various organization and association meetings.

ADJOURNMENT

At 11:19 P.M., Mayor Cruikshank adjourned this meeting.

/s/ John Cruikshank
Mayor

Attest:

/s/ Emily Colborn
City Clerk