

ATTACHMENT A

RESOLUTION R12-11

A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING AMONG THE CITY OF PALOS VERDES ESTATES, THE PALOS VERDES HOMES ASSOCIATION, THE PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT, AND THE PROPERTY OWNERS OF 900 VIA PANORAMA (THOMAS J. LIEB, TRUSTEE, THE VIA PANORAMA TRUST U/DO MAY 2, 2012, TOGETHER WITH TRUSTS FOR THE BENEFIT OF RELATED PARTIES) REGARDING RESOLUTION OF ENFORCEABILITY OF DEED RESTRICTIONS ON PROPERTY OWNED BY PVPUSD AND OF ENCROACHMENT IN CITY PARKLAND NEAR 900 VIA PANORAMA AND DISPOSITION OF CERTAIN OPEN SPACE PROPERTIES (LOTS C & D).

The City Council does find, order and resolve as follows:

Section 1. At its regular meeting of May 8, 2012, the City Council considered all information presented regarding the proposed Memorandum of Understanding (MOU), including any correspondence and comment from the public. The City Council hereby finds that the terms of the MOU are consistent with the General Plan.

Section 2. Approval of the MOU is categorically exempt from the California Environmental Quality Act pursuant to California Administrative Code Title 14, Chapter 3, Section 15317 (Open Space Contracts or Easements) and Section 15325 (Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources) as it involves the transfers of easements or fee interests in order to maintain the open space character of the area. It is also exempt under the common sense exemption as there is no substantial evidence that this MOU portends any development or changes in the physical environment that may have a significant adverse impact on the environment. It can be seen with certainty that there is no possibility that the approval of the MOU may have a significant effect on the environment.

Section 3. The Homes Association approved the MOU and urged the City's approval.

Section 4. The City Council hereby approves the MOU between the City of Palos Verdes Estates, the Palos Verdes Homes Association, the Palos Verdes Peninsula Unified School District, and the property owners of 900 Via Panorama, which is attached as Exhibit "A" and incorporated by reference. The Mayor is authorized to execute the MOU on the City's behalf.

Section 5. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

Section 6. The City Clerk will certify to the passage and adoption of this Resolution and enter it in the book of original Resolutions. The City Clerk will record the passage of this Resolution in the minutes of the meeting at which it is passed and adopted.

PASSED, APPROVED, AND ADOPTED, this 8th day of May 2012.

George F. Bird, Jr., Mayor

ATTEST:

Judy Smith, City Clerk

Approved as to form:

Christi Hogin, City Attorney