

MINUTES

CITY COUNCIL MEETING

APRIL 8, 2003

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:33 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR RAUCH.

PLEDGE OF ALLEGIANCE

MAYOR RAUCH led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

City Council Members Present: Addleman, Mitchell, Rauch, Seamans, Zuckerman

City Staff Present: City Manager Doug Prichard

City Attorney Richard Terzian

Planning Director David Wahba

Community Services Director Andy Clark

Finance Director Jud Norrell

Assistant Planner Hanh Tran

Others Present: Dale Allen, Park and Activities Commission

CEREMONIAL ITEMS

A. BFI DRAWING FOR ONE YEAR'S FREE RESIDENTIAL REFUSE SERVICE

Barbara Zwart, Recycling Coordinator, BFI, drew the name of Joseph Carey, Vista Real, as the recipient of one year's free disposal service.

ROUTINE MATTERS

A. CITY COUNCIL MINUTES – MEETING OF MARCH 25, 2003

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM MITCHELL

TO APPROVE THE CITY COUNCIL MINUTES OF MARCH 25, 2003 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

B. DEMANDS AND WARRANTS – MONTH OF MARCH AND APRIL

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 33456 THROUGH 33497 IN THE AMOUNT OF \$100,375.33; SUPPLEMENTAL WARRANTS 030301 THROUGH 030302; 33306 THROUGH 33311; 33361 THROUGH 33375; 33442 THROUGH 33449 IN THE AMOUNT OF \$168,538.66 FOR A GRAND TOTAL AMOUNT OF \$268,913.99 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

CONSENT CALENDAR

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE ITEMS A-C.

A. READING OF ORDINANCES AND RESOLUTIONS

APPROVED.

B. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MARCH 21, 2003

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MARCH 28 , 2003

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

A. CORRESPONDENCE REGARDING MEMBERSHIP TO THE CITIZEN'S ADVISORY COMMISSION ON PALOS VERDES LANDFILL

Melody Colbert, 4604 Rockbluff, referred to her letter requesting COUNCIL participation on their soon to be formed Citizen's Advisory Commission, which will, with technical support from the Department of Toxic Substances Control, allow public review and comment on any future department response action regarding the closed Palos Verdes Landfill. She provided a brief history of this property and noted that, since a five-year review is approaching, it would be appropriate to form such a commission to address ongoing concerns by the public as evidenced by the submitted petition.

MAYOR RAUCH noted that she and COUNCILMAN ADDLEMAN serve on the subcommittee regarding the landfill use. COUNCILMAN ADDLEMAN volunteered to apply for membership on this commission.

Ms. Colbert clarified that the purpose of this commission is to discuss overall landfill operations rather than focus only on the proposed golf course.

MAYOR RAUCH noted that applications for membership would be made available at City Hall or the Peninsula Center Library.

NEW BUSINESS

A. PLANNING COMMISSION MINUTES – MEETING OF MARCH 17, 2003

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF MARCH 17, 2003.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

B. PLANNING COMMISSION MINUTES – MEETING OF MARCH 31, 2003

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF MARCH 31, 2003.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

C. PARK AND ACTIVITIES COMMISSION MINUTES – APRIL 1, 2003

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF APRIL 1, 2003.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

D. BUDGET AMENDMENT NO. 2

Recommendation: That the City Council approve Budget Amendment No. 2 to adjust estimated revenues and appropriations of Fiscal Year 2002-03 operating and capital projects budget.

City Manager Prichard was pleased to announce that the Finance Department has once again received the GFOA Award for Outstanding Financial Reporting and congratulated Finance Director Norrell, Account Clerks II Jennifer Boudreau and Amelia Chan, and Moreland and Associates.

Finance Director Norrell provided a staff report (as per agenda material).

COUNCILMAN ADDLEMAN reiterated that this was an outstanding report as well.

MAYOR PRO TEM RAUCH moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE BUDGET AMENDMENT NO. 2 TO ADJUST ESTIMATED REVENUES AND APPROPRIATIONS OF FISCAL YEAR 2002-03 OPERATING AND CAPITAL PROJECTS BUDGET.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

OLD BUSINESS

NONE

CITY ATTORNEY ITEMS

NONE

CITY COUNCIL/REGIONAL COMMITTEE REPORTS: This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

A. EQUESTRIAN COMMITTEE MINUTES – MEETING OF MARCH 24, 2003 (MITCHELL)

MAYOR PRO TEM MITCHELL reported on this meeting and noted that discussion included size, scale and location of the City Celebration which will then be forwarded to the Park and Activities Commission.

THERE BEING NO OBJECTION, THE EQUESTRIAN COMMITTEE MINUTES OF MARCH 24, 2003 WERE RECEIVED AND FILED.

MAYOR PRO TEM MITCHELL also announced that there is now a vacancy on the Equestrian Committee for the resident boarder representative and encouraged any interested residents to apply.

B. COUNCILMAN ZUCKERMAN reported he attended the South Bay Cities Council of Governments meeting and noted that discussion focused primarily on school boards and cities working together. Additionally, he noted that results from the MTA ballot to increase representation of the MTA by two was defeated and that the City of Los Angeles and Los Angeles County will continue to have a

disproportionate presence on that board.

C. MAYOR PRO TEM MITCHELL reported that she attended the League of California Cities meeting noting that AB 1652 (Nakano) will be monitored as it progresses. She noted that discussion also included increased representation of cities on the Southern California Air Quality Management District Board and that Senator Kuehl has introduced legislation on this issue. Other bills included AB 1221 which is being monitored by the League and SB 465 which is being supported by the Los Angeles County Division of the League.

PUBLIC HEARINGS/MEETINGS

A. PLANNING APPLICATION NO. 4-03; APPLICANT: THE CONNOISSEUR; LOCATION: 627 SILVER SPUR ROAD, SUITE 300

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Close the public hearing; 4) Discuss the issues; and 5) Direct staff to prepare a resolution approving a Conditional Use Permit application.

Assistant Planner Tran provided a staff report (as per agenda material).

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

Andrew Digirgis, Applicant, thanked the COUNCIL for the opportunity to present his request. He noted that this store provides an added benefit to the community in that it offers convenience for wine-tasting and gifts at an upscale location. He distributed several favorable e-mails from his customer to the COUNCIL for their review. He asked COUNCIL for support on this application.

MAYOR RAUCH inquired if high school students come into the store. Mr. Digirgis indicated that rarely does this happen as once the student realizes what type of establishment this is, he/she leaves.

Richard Henry, District Administrator, Alcohol Beverage Control Board, reported that this store complies with the law as no one under the age of 21 is allowed. Additionally, he noted this application is fairly routine and would probably be approved and operated in a prudent manner.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

COUNCILMAN ZUCKERMAN noted two concerns regarding the Planning Commission's findings. He referred to Finding Nos. 2 and 3 and believed these should be eliminated entirely.

After lengthy discussion, MAYOR PRO TEM MITCHELL suggested the following amendments: 1) Add the word "district" after "business" to Finding No. 3; 2) Add the words "customized labels" following "the sale of upscale wines;" and 3) Adding "Based on statistical analysis of the census tract...." to Finding No. 6.

COUNCILMAN ZUCKERMAN requested the Applicant include encouragement of drinking responsibly in his wine education program.

Other recommended changes under Conditions of Approval were: 1) Add the words "extended review" in Condition No. 10; and 2) Add the words "within the premises" in Condition No. 16 as reviewed by Planning Director Wahba.

It was the consensus of the COUNCIL to follow this recommendation.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING A CONDITIONAL USE PERMIT APPLICATION AS AMENDED.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public.

A. CITY PROPERTY REUSE COMMITTEE

Recommendation: That the City Council consider the size and representation of this committee.

City Manager Prichard provided a staff report (as per agenda material). He noted that he has received calls of interest to serve from the Bridlewood HOA and Montecillo HOA Presidents.

COUNCILWOMAN SEAMANS suggested leaving participation open for a representative from any homeowners' association in the vicinity who might be interested in joining the committee.

City Manager Prichard noted that, since the Strawberry Lane Homeowners' Association is inactive, he would encourage anyone from the area to apply as well.

It was the consensus of the COUNCIL

TO APPROVE FORMATION OF A COMMITTEE CONSISTING OF TWO MEMBERS EACH OF THE CITY COUNCIL, PARK AND ACTIVITIES COMMISSION, PLANNING COMMISSION AND ONE REPRESENTATIVE FROM EACH INTERESTED HOMEOWNERS' ASSOCIATION IN THE VICINITY OF THE PROPERTY.

B. MAYOR RAUCH reported that a Household Hazardous Waste Round-Up will be held on May 17 at Rancho Palos Verdes City Hall.

C. MAYOR RAUCH announced that a Walk for the Cure event/carnival will take place on April 18 at Peninsula High School. She noted the proceeds will go towards cancer care.

D. MAYOR RAUCH inquired as to which MEMBERS of the COUNCIL will attend the Legislative Action Days in Sacramento scheduled for May 14-15.

At 8:50 p.m., the CITY COUNCIL convened in closed session. At 9:50 p.m., the CITY COUNCIL reconvened in open session with MAYOR RAUCH, MAYOR PRO TEM MITCHELL, COUNCILMAN ADDLEMAN, COUNCILWOMAN SEAMANS, and COUNCILMAN ZUCKERMAN present.

CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Government Code Section 54956.8)

Property: 2500 Palos Verdes Drive North

City Negotiator: Mayor Pro Tem Mitchell

Councilman Addleman

City Manager Prichard

Negotiating Parties: City and Palos Verdes Peninsula Land

Conservancy

Under Negotiation: Negotiation of lease

NO ACTION WAS TAKEN.

B. DISCUSSION WITH RESPECT TO REAL PROPERTY TRANSACTION DEVELOPMENT AGREEMENT DATED MARCH 17, 1998 WITH COUSINS MARKETCENTERS

(Government Code Section 54956.8)

Property: The Avenue of the Peninsula

City Negotiator: City Manager Prichard

Negotiating Parties: City and Cousins Marketcenters

Under Negotiation: Final vacation of street easement

NO ACTION WAS TAKEN.

ADJOURNMENT IN MEMORY OF EARL WEINSTEIN

At 9:50 p.m., MAYOR RAUCH formally adjourned the City Council meeting to April 22, 2003 at 7:30 p.m. in the City Hall Council Chambers.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Clerk