

MINUTES

CITY COUNCIL MEETING

JANUARY 8, 2008

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:32 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR ZERUNYAN.

PLEDGE OF ALLEGIANCE

The Y-Princess Tongva Tribe led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

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

City Staff Present: City Manager Doug Prichard
City Attorney Kristin Pelletier
Assistant City Manager Sam Wise
Planning Director David Wahba
Administrative Services Director Mike Whitehead
Senior Planner Niki Cutler
Assistant to the City Manager Greg Grammer

Others Present: Dave Pierson, Park and Activities Commission
Andy Rein, Planning Commission

4. CEREMONIAL ITEMS

NONE

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF DECEMBER 11, 2007

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CITY COUNCIL MINUTES OF DECEMBER 11, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

B. DEMANDS AND WARRANTS – DECEMBER

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 43123 THROUGH 43167 IN THE AMOUNT OF \$252,939.92; SUPPLEMENTAL WARRANTS 120107 THROUGH 120207; 43026 THROUGH 43036; 43096 THROUGH 43122; 43168 THROUGH 43177; 42846 (VOID) IN THE AMOUNT OF \$301,063.57 FOR A GRAND TOTAL AMOUNT OF \$554,003.49 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. **CONSENT CALENDAR:** The following routine matters will be acted upon by one vote to approve with the majority consent of the City Council. There will be no separate discussion of these items unless good cause is shown by a member prior to the roll call vote. (Items removed will be considered under New Business.)

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. NOVEMBER 2007 SCHEDULE OF INVESTMENTS

Recommendation: That the City Council receive and file the Schedule of Investments report for the month.

RECEIVED AND FILED THE SCHEDULE OF INVESTMENTS REPORT FOR THE MONTH.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED DECEMBER 7, 2007

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED DECEMBER 14, 2007

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

7. **AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS**

- A. Pat Murnane and Rhonda Reed, Wagonwheel Ranch, stated that they are interested in purchasing a piece of property in the City. Ms. Reed indicated that the owner is wishing to sell this land, but the zoning would need to be changed to fit their needs. She noted that they have neighborhood support for this request. Additionally, Mr. Murnane stated that this is the only property available on the hill and requested this item to be placed on a future agenda.

Planning Director Wahba noted that he has met with these individuals regarding this issue and suggested that the Planning Commission receive direction from the COUNCIL on which way to proceed.

It was the consensus of the COUNCIL to agendaize this item for an upcoming meeting.

10. OLD BUSINESS (*Taken out of order*)

C. PALOS VERDES LANDFILL (REPLACEMENT OF GAS-TO-ENERGY FACILITY)

Recommendation: That the City Council direct staff to send the proposed letter to the Sanitation Districts prior to their January 18, 2008 deadline.

Planning Director Wahba provided a staff report (as per agenda material).

Bill Piazza, Air Quality Dynamics, stated that concerns expressed at the last COUNCIL meeting were thoroughly reviewed and accurately shown in his report and believed it to be within acceptable limits and has been circulated to various agencies for thorough review.

Robert Ferrante, Assistant Department Head Consolidated Waste, Los Angeles County Sanitation Districts, provided an extensive background and history of the landfill project citing that this facility is 27 years past its closure date. He then stated that comments from the City as well as the Citizens' Advisory Board (CAB) were taken into consideration and they are continuing to work with the CAB regarding state of the art technologies. He then stated that once the comment period closes, all comments received will be included in the report and responded to before the project will go to the Sanitation Districts' Board No. 2.

COUNCILMAN ZUCKERMAN noted that this project is replacing a 20-year plant and asked how the Sanitation Districts will adapt over time to the new facility. Mr. Ferrante noted that as the gas decreases, individual turbines will be shut down and natural gas may need to be added.

MAYOR PRO TEM MITCHELL referred to the health risk assessment that was completed noting that another one will be undertaken by the DTSC as part of the five-year review. Mr. Ferrante concurred that the site is regulated by DTSC with a five-year review underway, and that part of the review is to take in all the emissions from the site and develop a health risk assessment report. He noted that they have been working with the CAB in this process.

MAYOR PRO TEM MITCHELL inquired if this report would include emissions from the landfill surface. Mr. Ferrante noted that all pathways of exposure would be included in the scope of the health risk assessment.

MAYOR PRO TEM MITCHELL noted that this project would produce fewer emissions than the present facility.

MAYOR ZERUNYAN noted that the School Board President sent a letter to the Sanitation Districts stating their position on this mater.

Christina Zimmerman, Co-Chair, Citizens Advisory Board, presented a letter to the COUNCIL representing the community. She noted her appreciation to the Sanitation Districts and Mr. Piazza for their cooperation.

Jim Tarr distributed material to the COUNCIL that the CAB believes should be implemented at the PV Landfill.

Brief discussion took place regarding direction of the discussion, particularly related to the proposed letter.

Mr. Tarr noted his concern with on-site supervision of the facility and believed it to be critical to have such supervision 24 hours/7 days a week. He strongly suggested continuing and expanding the ambient air monitoring.

Joan Davidson, Palos Verdes Estates, provided an extensive history of the landfill and believed that the Sanitation Districts did not follow the proper procedures to continue with this project. She noted her belief that an EIR must be undertaken.

Claudia McCulloch, Rancho Palos Verdes, noted her opinion that the landfill has not been accurately described. She continued her opinion that the negative declaration understates the effects on children and that precautions must be taken. Additionally, she asked to have this landfill looked at in its entirety and what its impact is to the community.

Bridget Carman, PVPUSD PTA Councils, noted that a letter was sent to the COUNCIL restating her belief that any project on the landfill site could possibly pose a health risk unless. She noted that the community may be confused that the City does not have jurisdictional authority over the landfill. Additionally, she recommended that the COUNCIL review the new guidelines for CEQA and an EIR.

Barbara Epstein, CAB Member, noted her concern with the 15 MPH fugitive dust in the air. She noted that her neighborhood is adjacent to the landfill and supported the previous comments. She thanked the Sanitation Districts for their cooperation and urged the COUNCIL to utilize the latest technological developments in this plan. She then suggested that a challenge be made to those technological companies to provide a better plan than what has been presented. Additionally, she noted her appreciation to the COUNCIL for including their comments.

Pang Mueller, Rancho Palos Verdes, noted that she is retired from the Air Quality Management District (AQMD). She noted her review of the mitigation negative declaration and felt it did not adequately address the CEQA process with respect to the global warming impact. She felt it was important that the Sanitation Districts consider that point along with construction emissions. She also suggested that the Sanitation Districts undertake an EIR.

Ms. Zimmerman then noted that she received the following responses from the community: 1) The project does not include a buffer zone between the homes; 2) The project does not consider the presence of carcinogens; 3) The project fails to identify any other technological alternatives; and 4) The technology used is at best 75 % efficient and should be 100%. She then stated that they are asking for safeguards and to proceed with caution.

MAYOR ZERUNYAN noted that all the comments made will be considered by the Sanitation Districts and responded to in writing and placed on the City's website.

Mr. Piazza noted that the air model standard mentioned by Mr. Tarr is only for federal projects. He confidently stated that the best tools available were utilized in his analysis which was undertaken according to AQMD protocols.

Mr. Ferrante noted that staffing at the site has to do with the steam system and boiling operations that requires supervision on site 24 hours a day, but the micro turbines would be unmanned with periodic visits. He also noted that the project does not plan to change any of the existing wells.

In regards to Mr. Piazza's remarks, Mr. Tarr insisted that the air modeling study used was invalid.

COUNCILMAN ZUCKERMAN noted that he applauds the efforts by the CAB and Sanitation Districts on their working relationship. He encouraged the Sanitation Districts to undertake an EIR and suggested that the proposed letter from the City have a limited scope that is not an implicit endorsement of the project until all comments have been considered. Additionally, he stated that he wished to reserve the right to include further comments.

COUNCILWOMAN SEAMANS suggested considering the following two items: 1) Lowering emission diesel for heavy equipment; and 2) Removing sulfur from the gas stream combustion.

MAYOR PRO TEM MITCHELL concurred with COUNCILMAN ZUCKERMAN and was glad to see the Sanitation Districts working with the CAB. She noted that the City has no control over the landfill's location, but must do what it can to live with this site. She believed this project should move forward as the City will benefit from lower emissions with the new system.

City Manager Prichard noted that the DTSC is missing from this discussion, and that the City has sent a letter regarding concluding the five-year review, but has yet to receive a response.

COUNCILMAN ZUCKERMAN inquired if the COUNCIL should consider reviewing all comments and the final document at a future meeting.

City Manager Prichard noted that this would allow the City to monitor the situation as the project moves ahead and bring back to the COUNCIL a summary from the Sanitation Districts. He noted that a request will be made for the COUNCIL to review the comments and responses prior to them being agendized for the Sanitation Districts' Board's certification hearing.

It was the consensus of the COUNCIL

TO DIRECT STAFF TO SEND THE PROPOSED LETTER TO THE SANITATION DISTRICTS PRIOR TO THEIR JANUARY 18, 2008 DEADLINE AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

8. PUBLIC HEARINGS/MEETINGS

8:00 P.M.

- A. PLANNING APPLICATION NO. PA-14-04 (SILVER SPUR COURT); APPLICANT: TIM LEFERVE; LOCATION: 981 SILVER SPUR ROAD AT THE SOUTHWEST CORNER OF SILVER SPUR ROAD AND CRENSHAW BOULEVARD (FORMER MC DONALD'S SITE)
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Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Adopt Resolution No. 2153 approving a one-year extension of time for the subject Tentative Tract Map.

Senior Planner Cutler provided a staff report (as per agenda material).

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

Greg Brown, noted that he is appearing before the COUNCIL on behalf of Tim Leferve.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

1. RESOLUTION NO. 2153 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING A ONE-YEAR EXTENSION OF TIME FOR A TENTATIVE TRACT MAP FOR (18) CONDOMINIUM UNITS INCLUDING THREE (3) LIVE/WORK UNITS ON A .81-ACRE PARCEL (PA-14-04: SILVER SPUR COURT); APPLICANT: TIM LEFERVE, THE LEFERVE CORPORATION; LOCATION: 981 SILVER SPUR ROAD.

MAYOR ZERUNYAN noted his concern that the developer needs to bring this project to a conclusion. He noted that extensions should be made shorter so that the COUNCIL can see how the project is progressing.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO ADOPT RESOLUTION NO. 2153 AS AMENDED.

City Manager Prichard read Resolution No. 2153 by title only.

AYES: Addleman, Mitchell, Seamans, Zuckerman
NOES: Zerunyan

10. OLD BUSINESS (Continued)

- B. PA-29-07: CHANDLER/ROLLING HILLS COUNTRY CLUB PROJECT (26311 AND 27000 PALOS VERDES DRIVE EAST) – BOUNDARY MODIFICATION AND ANNEXATION AGREEMENT WITH CITY OF TORRANCE
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Recommendation: That the City Council authorize the Mayor to execute the Boundary Modification and Annexation Agreement between the City of Rolling Hills Estates and the City of Torrance for the Chandler/Rolling Hills Country Club project.

Senior Planner Cutler provided a staff report (as per agenda material).

After brief discussion, a minor correction was noted to change the City of Rolling Hills to Rolling Hills Estates in the agreement.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO AUTHORIZE THE MAYOR TO EXECUTE THE BOUNDARY MODIFICATION AND ANNEXATION AGREEMENT BETWEEN THE CITY OF ROLLING HILLS ESTATES AND THE CITY OF TORRANCE FOR THE CHANDLER/ROLLING HILLS COUNTRY CLUB PROJECT AS AMENDED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

9. NEW BUSINESS

- A. PLANNING COMMISSION MINUTES OF DECEMBER 17, 2007

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF DECEMBER 17, 2007.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

10. OLD BUSINESS (Continued)

- A. PENINSULA CENTER COMMERCIAL DISTRICT ECONOMIC ANALYSIS

Recommendation: That the City Council consider the policy issues described herein and any other desired by Council and direct staff as appropriate.

Senior Planner Cutler provided a staff report (as per agenda material).

COUNCILMAN ZUCKERMAN found this study to be superior and suggested discussing this item in conjunction with the Nexus Study at the Policy Development Session.

COUNCILMAN ZUCKERMAN moved, seconded by MAYOR PRO TEM MITCHELL

TO RECEIVE AND FILE THIS REPORT.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

11. CITY ATTORNEY ITEMS

NONE

12. 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. MAYOR PRO TEM MITCHELL was pleased to report that she was elected as an alternate to the LAFCO Commission for a four-year term.

13. 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. MAYOR ZERUNYAN

1. DRAFT 2008 POLICY DEVELOPMENT CALENDAR

MAYOR ZERUNYAN reported that the Policy Development Session will be held on Saturday, March 1 in the City Council Chambers.

After some discussion, it was the consensus of the COUNCIL

TO DIRECT STAFF TO SEND A LETTER TO RESIDENTS AND BUSINESSES INVITING THEM TO PARTICIPATE IN THE POLICY DEVELOPMENT PROCESS AT A MEETING SCHEDULE FOR TUESDAY, JANUARY 29.

2. DRAFT 2008 CITY COUNCIL, COMMISSION AND COMMITTEE ASSIGNMENTS

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE APPOINTING COUNCILMAN ZUCKERMAN TO A TWO-YEAR TERM ON THE VECTOR CONTROL BOARD; ADOPT A POLICY OF APPOINTING MEMBERS TO VECTOR CONTROL FOR ONLY TWO YEAR TERMS; AND APPROVE THE DRAFT 2008 CITY COUNCIL, COMMISSION AND COMMITTEE ASSIGNMENTS AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

City Manager Prichard noted that Shirley Kline, the Dressage Riding Representative, has resigned from the Equestrian Committee and that an appointment will be needed to fill this vacancy. Additionally, he stated that everyone who has served on the various committees has expressed an interest to continue with the exception of Clark Davis.

COUNCILMAN ADDLEMAN noted he would like information regarding the attendance of the Commissions and Committees.

COUNCILMAN ZUCKERMAN suggested that a certificate of recognition be given to Shirley Kline.

14. CLOSED SESSION

NONE

15. ADJOURNMENT IN MEMORY OF LONG-TIME RESIDENT PATRICIA JUNE BAILEY AND MAYOR ZERUNYAN'S LONG-TIME FRIEND GARY YARDUMIAN

At 11:32 p.m., MAYOR ZERUNYAN formally adjourned the City Council meeting to Tuesday, January 22, 2008 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk