

MINUTES

CITY COUNCIL MEETING

APRIL 8, 2008

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 ZERUNYAN.

PLEDGE OF ALLEGIANCE

The Peninsula Pony Club led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

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

City Staff Present: City Manager Doug Prichard
City Attorney Kristin Pelletier
Planning Director David Wahba
Community Services Director Andy Clark
Assistant to the City Manager Greg Grammer

Others Present: Lou Persichina, Park and Activities Commission
Judy Bayer, Planning Commission

4. CEREMONIAL ITEMS

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

Vickie Wippel, Waste Management, was pleased to announce that Ken Soji was chosen as the recipients of one year's free disposal service.

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF MARCH 25, 2008

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CITY COUNCIL MINUTES OF MARCH 25, 2008 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

B. DEMANDS AND WARRANTS – MARCH AND APRIL

COUNCILMAN ZUCKERMAN moved, seconded by MAYOR PRO TEM MITCHELL

TO APPROVE WARRANTS 43650 THROUGH 43706 IN THE AMOUNT OF \$274,939.76; SUPPLEMENTAL WARRANTS 030108 THROUGH 030208; 43511 THROUGH 43520; 43569 THROUGH 43579; 43631 THROUGH 43638 IN THE AMOUNT OF \$237,921.14 FOR A GRAND TOTAL AMOUNT OF \$512,860.90 PROPER AUDIT.

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

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.)

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE ITEMS A AND B.

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.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

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

NONE

8. **PUBLIC HEARINGS/MEETINGS** **8:00 P.M.**

NONE

9. **NEW BUSINESS**

A. PLANNING COMMISSION MINUTES OF MARCH 31, 2008

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF MARCH 31, 2008.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF MARCH 18, 2008 – PROPOSED REVISED TEMPORARY RIGHT-OF-WAY SIGN PROCEDURES

Recommendation: That the City Council approve the changes to the permit application for temporary signs in public rights-of-way.

Community Services Director Clark provided a staff report (as agenda material).

MAYOR PRO TEM MITCHELL noted that, since only Peninsula-wide organizations will be allowed to post banners, this should be reflected in the policy. She also suggested sending a letter to the various groups informing them of the new rules. Community Services Director Clark noted that this task had been done and will also include the amended rules in the City's newsletter.

After brief discussion, the COUNCIL commended Planning Secretary Hollis Jackson on her efforts to clarify these procedures.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE CHANGES TO THE PERMIT APPLICATION FOR TEMPORARY SIGNS IN PUBLIC RIGHTS-OF-WAY AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

C. CHAMBER OF COMMERCE REQUEST FOR CITY SPONSORSHIP OF PENINSULA PRIVILEGES PROGRAM AND PALOS VERDES STREET FAIR

Recommendation: That the City Council: 1) Approve the Chamber of Commerce's request for funding in the amount of \$10,000 for City sponsorship of the Peninsula Privileges Program; and 2) Approve the Chamber's request for funding in the amount of \$10,000 for City sponsorship of the Main Stage Entertainment at the Palos Verdes Street Fair.

Assistant to the City Manager Grammer provided a staff report (as per agenda material).

Kay Finer, President, PVP Chamber of Commerce, commented that the Street Fair attracts over 35,000 local residents. She reported that they are supporting the COOL Cities mandate to reduce water and energy usage and will continue to educate businesses on this issue. Additionally, she noted that there will be extensive coverage by the media to promote this event.

Vickie Wippel, Waste Management, noted that they are pleased to support green alternatives at the Street Fair. She stated that they have invited all local and non-profit companies in the green industry to promote their services. Ms. Finer noted that recycling measures will be monitored with results being sent to the City.

Mark Massari, Street Fair Committee, reported on the entertainment schedule with various bands and a planned "artwalk" around the Promenade.

MAYOR PRO TEM MITCHELL inquired as to the businesses who will be applying for temporary business licenses. Ms. Finer indicated that the City will be sending them a list.

MAYOR ZERUNYAN emphatically stated that if vendors do not apply for a business license, they should not be allowed to participate.

Chuck Smyth, Vice Chair, Special Events, noted that last year they were told by the COUNCIL to notify vendors to obtain a business license and once that took place, the City would then inform them to pay the fee.

MAYOR ZERUNYAN reiterated that this requirement must be enforced to be fair to the surrounding businesses and if the fee is not paid, the vendor should not participate.

City Manager Prichard indicated that this item was discussed with the Chamber prior to last year's event, and was agreed upon at the administrative level, to include this material in the vendors' application packets, but this was not done because the Chamber stated it was too late to do so at that time. He suggested that the Chamber include the application in their confirmation packets. Additionally, it was noted that the Chamber will provide the City with a list of vendors with staff following up those who have not paid the license fee via personal contact at the Street Fair.

MAYOR PRO TEM MITCHELL noted that it was also agreed upon not to have the Chamber enforce payment. City Manager Prichard stated that if the vendor has not paid the business license fee, the City will obtain the contact information and send out a bill.

MAYOR PRO TEM MITCHELL noted that this requirement should be included in next year's application and suggested showing some lenience towards the Chamber this year.

MAYOR ZERUNYAN noted that he disagreed with this approach because the City is a partner with the Chamber and reiterated the need to be fair to all the merchants in the commercial district as they often view this event as a losing proposition and it would not be fair if the vendors did not pay. Additionally, he suggested putting in bold letters on the application that payment is required and will be enforced.

Mr. Massari noted that they would like to have the entire business district involved in the process.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CHAMBER'S REQUEST FOR FUNDING IN THE AMOUNT OF \$10,000 FOR CITY SPONSORSHIP OF THE MAIN STAGE ENTERTAINMENT AND \$3,000 TO SPONSOR THE INTERNATIONAL FOOD COURT AT THE PALOS VERDES STREET FAIR TO BE REFLECTED AS A BUDGET ADJUSTMENT.

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

Ms. Finer provided an overview of the Peninsula Privileges Program. She noted that this card will entitle participating residents to receive exclusive discounts, offers, etc. She noted that a business must join the Chamber in order to take advantage of the program and that merchants will be provided with a window decal, store displays, etc. She then stated that

this card differs from other cards in that the establishment will create its own inducements for promotion of the business. Additionally, she noted that surveys will be sent out to the merchants in an effort to evaluate their progress.

COUNCILWOMAN SEAMANS commended the Chamber on their efforts and was pleased to state that this is clearly an economic development project.

COUNCILMAN ZUCKERMAN inquired if the Chamber will be asking for any more funding. Ms. Finer stated that this will be the only request for this year.

City Manager Prichard suggested that the store displays indicate exactly what will be offered to the customer and asked Ms. Finer to explain how they will measure the increase in business.

Ms. Finer noted that once the survey is sent, they will question the vendor to see if there is an increase in customers and/or sales and how the program is working for them. She noted that the focus of the marketing will be primarily on Rolling Hills Estates.

City Manager Prichard noted that the City can also monitor this program through sales tax revenues.

MAYOR ZERUNYAN noted his concern for funding a program in its entirety that he believed does not provide a comfort level of success. He stated that the card itself does not even display a scene from Rolling Hills Estates and noted that since the City is funding this program, a different scene should be provided that depicts the City.

COUNCILWOMAN SEAMANS commented that the Chamber is undertaking a project that a business improvement district would ordinarily perform without imposing any fees.

COUNCILMAN ZUCKERMAN concurred with MAYOR ZERUNYAN'S comments about the scene noting that this card should reflect the City's partnership with the Chamber.

MAYOR PRO TEM MITCHELL also concurred because the City is investing in this program and reiterated that the success of the card will depend upon the willingness of the merchants who participate. She then noted that the COUNCIL will evaluate this item next year.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CHAMBER OF COMMERCE'S REQUEST FOR FUNDING IN THE AMOUNT OF \$10,000 FOR CITY SPONSORSHIP OF THE PENINSULA PRIVILEGES PROGRAM, AND DIRECT STAFF TO ASSIST THE CHAMBER IN CREATING A NEW SCENE FOR ADDITIONAL CARDS.

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

D. AMENDMENT TO WASTE MANAGEMENT FRANCHISE AGREEMENT

Recommendation: That the City Council approve the amendment to Exhibit 2 (“Refuse Rate Index”) of the Franchise Agreement between the City of Rolling Hills Estates and Waste Management. Assistant to the City Manager Greg Grammer provided a staff report (as per agenda material).

COUNCILMAN ZUCKERMAN requested clarification on the changes in the rate index.

Vickie Wippel, Waste Management, noted she will investigate this further.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM MITCHELL

TO CONTINUE THIS ITEM TO THE NEXT MEETING.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

E. WASTE MANAGEMENT REQUEST FOR RATE ADJUSTMENT

Recommendation: That the City Council approve Waste Management’s request for a rate adjustment on all levels of service for fiscal year 2008-09.

Assistant to the City Manager Grammer provided a staff report (as per agenda material).

After brief discussion, it was noted that staff will further investigate the proposed cap on trash bins.

Vickie Wippel, Waste Management, responded to various questions regarding disposal and landfill space. She noted that their company is a leader in technology and stated that they own landfills in the area in an effort to control costs at a reasonable rate.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE WASTE MANAGEMENT’S REQUEST FOR A RATE ADJUSTMENT ON ALL LEVELS OF SERVICE FOR FISCAL YEAR 2008-09.

AYES: Mitchell, Seamans, Zerunyan, Zuckerman

ABSENT: Addleman

F. PROPOSAL FROM LSA ASSOCIATES, INC., TO PREPARE AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR RHE EQUITY

Recommendation: That the City Council authorize the contract with LSA Associates, Inc., in the amount of \$22,800 to prepare an Initial Study for the RHE Equity Office/Retail Project (Silver Center).

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

After brief discussion, MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO AUTHORIZE THE CONTRACT WITH LSA ASSOCIATES, INC., IN THE AMOUNT OF \$22,800 TO PREPARE AN INITIAL STUDY FOR THE RHE EQUITY OFFICE/RETAIL PROJECT (SILVER CENTER) SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY.

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

10. OLD BUSINESS

NONE

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. COUNCILWOMAN SEAMANS

1. EQUESTRIAN COMMITTEE MINUTES OF MARCH 31, 2008

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO RECEIVE AND FILE THE EQUESTRIAN COMMITTEE MINUTES OF MARCH 31, 2008.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

- (a) EQUESTRIAN COMMITTEE ACTION ITEM FROM MEETING OF MARCH 31, 2008 – REQUEST TO REMOVE THE HOWLETT PARK EQUESTRIAN CENTER’S DRESSAGE ARENA’S CONCRETE BORDER SECTIONS AND REPLACE THEM WITH TREX COMPANY, INC., MATERIALS IN ACCORDANCE WITH UNITED STATES DRESSAGE ASSOCIATION ARENA CONSTRUCTION STANDARDS

Recommendation: That the City Council consider a renovation project at the next Budget Study Session to remove the Howlett Park Equestrian Center’s Dressage Arena’s concrete border sections and replace them with Trex Company, Inc., materials in accordance with United States Dressage Association arena construction standards.

Community Services Director Clark provided a staff report (as per agenda material).

After brief discussion, it was the consensus of the COUNCIL

TO DEFER THIS ITEM TO THE BUDGET STUDY SESSION.

THERE BEING NO OBJECTION, MAYOR ZERUNYAN SO ORDERED.

- 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 agendaized for future consideration and/or make announcements of interest to the public.

A. SBCCOG ASSESSMENT CARBON FOOTPRINT CONSULTANT

MAYOR PRO TEM MITCHELL reported that, since the City is taking an active interest in reducing the carbon footprint by joining ICLEI in anticipation of AB 32, she attended the SBCCOG meeting where discussion took place regarding retaining a consultant to assess what the cities' carbon footprint is and input data that would feed into ICLEI in an effort to implement green programs. She noted that once this has been approved by the cities, Rolling Hills Estates' share will be \$3,000 beginning in the next fiscal year.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE \$3,000 TO FUND THE SBCCOG CONSULTANT FOR THE NEXT FISCAL YEAR AND DIRECTED STAFF TO INCLUDE THIS ASSESSMENT IN THE COST OF DUES TO THE SBCCOG FOR FY08-09.

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

14. CLOSED SESSION

NONE

15. ADJOURNMENT

At 9:47 p.m., MAYOR ZERUNYAN formally adjourned the City Council meeting to Tuesday, April 22, 2008 at 7:30 p.m. in the City Council Chambers.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk