

**MINUTES**

**CITY COUNCIL MEETING**

**APRIL 10, 2007**

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:35 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR SEAMANS.

**PLEDGE OF ALLEGIANCE**

MAYOR SEAMANS 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

\*MAYOR PRO TEM ZERUNYAN arrived at 7:37 p.m.

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

Others Present: Deborah Davis, Park and Activities Commission  
Dan O'Day, Planning Commission

**4. CEREMONIAL ITEMS**

NONE

**5. ROUTINE MATTERS**

A. ADJOURNED CITY COUNCIL POLICY DEVELOPMENT SESSION MINUTES OF MARCH 3, 2007

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COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE ADJOURNED CITY COUNCIL POLICY DEVELOPMENT SESSION MINUTES OF MARCH 3, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. CITY COUNCIL MINUTES OF MARCH 27, 2007

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE CITY COUNCIL MINUTES OF MARCH 27, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

C. DEMANDS AND WARRANTS – FEBRUARY AND MARCH

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE WARRANTS 41599 THROUGH 41679 IN THE AMOUNT OF \$276,884.99; WARRANTS 41438 THROUGH 41495 IN THE AMOUNT OF \$247,012.61; SUPPLEMENTAL WARRANTS 030107 THROUGH 030207; 41425 THROUGH 41437; 41496 THROUGH 41515; 41573 THROUGH 41587 IN THE AMOUNT OF \$270,764.43 FOR A GRAND TOTAL AMOUNT OF \$794,662.03 WITH PROPER AUDIT.

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

**6. CONSENT CALENDAR**

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE ITEMS A-C.

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. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED FEBRUARY 23, 2007

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MARCH 2, 2007

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

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

NONE

**8. PUBLIC HEARINGS/MEETINGS**

NONE

**9. NEW BUSINESS**

A. CONSIDERATION OF SUPPORT OF MEASURE P – SCHOOL PARCEL TAX RENEWAL

Recommendation: That the City Council approve Resolution No. 2126 supporting passage of Measure P to be voted upon in an election on June 5, 2007.

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

Donna Coogan-Segal, Chairperson, Measure P, thanked the COUNCIL for their support.

1. RESOLUTION NO. 2126 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AUTHORIZING SUPPORT FOR MEASURE P.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR SEAMANS

TO ADOPT RESOLUTION NO. 2126.

*City Manager Prichard read Resolution No. 2126 by title only.*

AYES: Mitchell, Seamans, Zerunyan

NOES: Zuckerman\*

ABSENT: Addleman

\*COUNCILMAN ZUCKERMAN explained that, although he supports Measure P individually, he thought it inappropriate for the COUNCIL to take a position on matters that residents can vote on for themselves.

B. STREET SWEEPING BIDS

Recommendation: That the City Council authorize the solicitation of bids for Street Sweeping Services for FY 2007-08 THROUGH FY 2013-14.

Assistant City Manager Wise provided a staff report (as per agenda material).

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO AUTHORIZE THE SOLICITATION OF BIDS FOR STREET SWEEPING SERVICES FOR FY 2007-2008 THROUGH FY 2013-2014.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

C. ORDINANCE FOR CLOSED SESSION MEETINGS

Recommendation: That the City Council introduce Ordinance no. 636 for first reading.

City Manager Prichard provided a staff report (as per agenda material).

1. ORDINANCE NO. 636 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AMENDING RHEMC SECTION 2.04.010 – MEETINGS.

COUNCILMAN ZUCKERMAN moved, seconded by MAYOR PRO TEM ZERUNYAN

TO INTRODUCE ORDINANCE NO. 636 FOR FIRST READING.

*City Manager Prichard read Ordinance No. 636 by title only.*

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

**10. OLD BUSINESS**

A. RESOLUTION NO. 2125 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING A CONDITIONAL USE PERMIT, A PRECISE PLAN OF DESIGN, A TENTATIVE TRACT MAP, A GRADING PLAN, A VARIANCE TO PERMIT FEWER PARKING SPACES THAN REQUIRED BY CODE, AND A MITIGATED NEGATIVE DECLARATION FOR A MIXED-USE PROJECT FOR SIXTEEN (16) CONDOMINIUM UNITS AND THE REMODEL OF AN EXISTING MEDICAL OFFICE BUILDING ON A 1.2-ACRE PARCEL IN THE COMMERCIAL-GENERAL (CG/MIXED-USE OVERLAY) ZONE; APPLICANT: CRAIG KNICKERBOCKER, KNICKERBOCKER AND ASSOCIATES; LOCATION: 827 DEEP VALLEY DRIVE.

Discussion ensued with COUNCILWOMAN MITCHELL inquiring if this development will be required to participate in the AB 939 recycling program.

City Attorney Pelletier noted that this item could be incorporated into the CC&Rs, but will investigate further.

COUNCILWOMAN MITCHELL emphasized the need for developers to utilize green building materials for new projects.

Brief discussion ensued regarding possibly including the recycling program into the resolution.

MAYOR SEAMANS inquired if recycling could be included on other projects that have already been approved. Planning Director Wahba noted that the City could ask for compliance, but was not required to do so.

Discussion continued regarding amending general language to impose specific impact fees under Condition No. 50. Other minor amendments were suggested as well that will be reviewed by City Attorney Pelletier.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZERUNYAN

TO ADOPT RESOLUTION NO. 2125 AS AMENDED SUBJECT TO CITY ATTORNEY REVIEW AND APPROVAL.

*City Manager Prichard read Resolution No. 2125 by title only.*

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

B. RESOLUTION NO. 2124 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AUTHORIZING THE MAYOR TO SIGN THE U.S. MAYORS CLIMATE PROTECTION AGREEMENT.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO ADOPT RESOLUTION NO. 2124.

*City Manager Prichard read Resolution No. 2124 by title only.*

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

C. STREET REHABILITATION ON HIDDEN VALLEY ROAD AND PLEASANT HILL DRIVE

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Recommendation: That the City Council award the bid for street rehabilitation on Hidden Valley Road and Pleasant Hill Drive Project to Hardy & Harper, Inc., and authorize the Mayor to execute the agreement at a total cost of \$128,000.

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

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO AWARD THE BID FOR STREET REHABILITATION ON HIDDEN VALLEY ROAD AND PLEASANT HILL DRIVE PROJECT TO HARDY & HARPER, INC., AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT AT A TOTAL COST OF \$128,000.

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

**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 MITCHELL reported on several policy committee meetings that took place through the League of California Cities. She noted that discussion included the global warming challenge which will be presented to the Board for final resolution.

In regards to fuel efficient vehicles, COUNCILWOMAN MITCHELL questioned whether or not cities would want to accept this state mandate.

B. COUNCILWOMAN MITCHELL noted that the SBCCOG agreed to accept the Regional Housing Need Allocation (RHNA) who will then allocate a share of that number to each city within the region.

Planning Director Wahba noted that the Housing Element needs to be approved by next summer that includes a mechanism for affordable housing.

**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 SEAMANS reported that she received a letter and petition from the Montecillo Homeowners' Association concerning underground utilities in need of repair. She suggested that when these streets are next in line to be resurfaced, Southern California Edison first repair the infrastructure. It was noted that Edison will be contacted on their behalf.

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At 8:30 p.m., the CITY COUNCIL convened into closed session.

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**14. CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
(Pursuant to Government Code Section 54956.9 (c)) consideration of initiation of litigation to establish the City’s rights within the City’s right-of-way adjacent to and easements located on properties at 33, 36, 37 and 38 Aurora Drive

COUNCIL RECEIVED A STATUS REPORT AND DIRECTED STAFF TO CONTINUE TO SEEK A RESOLUTION TO THE ISSUE.

- B. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATORS  
(Pursuant to Government Code Section 54956.8)

Property: 4 Bridlewood Circle

City Negotiators: City Attorney Pelletier  
Zoning and Code Administrator Beall

Negotiating Parties: Mr. and Mrs. Gary Goo

Under Negotiation: Swap of easement

COUNCIL RECEIVED A STATUS REPORT AND DIRECTED STAFF TO CONTINUE TO SEEK A RESOLUTION TO THE ISSUE.

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At 9:00 p.m., the COUNCIL reconvened with MAYOR SEAMANS, MAYOR PRO TEM ZERUNYAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZUCKERMAN present.

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**15. ADJOURNMENT**

At 9:00 p.m., MAYOR SEAMANS formally adjourned the City Council meeting to Tuesday, April 24, 2007 at 7:30 p.m.

Submitted by,

Approved by,

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Hope J. Nolan  
Deputy City Clerk

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Douglas R. Prichard  
City Clerk