

MINUTES

CITY COUNCIL MEETING

OCTOBER 10, 2006

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 ZUCKERMAN.

PLEDGE OF ALLEGIANCE

MAYOR ZUCKERMAN 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
Community Services Director Andy Clark
Planning Director David Wahba
Administrative Services Director Michael Whitehead
Senior Planner Niki Cutler
Assistant to the City Manager Greg Grammer
Zoning and Code Administrator Roy Beall

Others Present: Dale Allen, Park and Activities Commission
Larry Vanden Bos, Planning Commission

4. CEREMONIAL ITEMS

NONE

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF SEPTEMBER 26, 2006

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE THE CITY COUNCIL MINUTES OF SEPTEMBER 26, 2006 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. DEMANDS AND WARRANTS – SEPTEMBER AND OCTOBER

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE WARRANTS 40604 THROUGH 40646 IN THE AMOUNT OF \$423,884.28; SUPPLEMENTAL WARRANTS 40401 THROUGH 40405; 40490 THROUGH 40512; 40585 THROUGH 40596; AND 090106 THROUGH 090206 IN THE AMOUNT OF \$251,739.50, FOR A GRAND TOTAL AMOUNT OF \$675,623.78 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. CONSENT CALENDAR

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN
TO APPROVE ITEMS A-D.

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. QUARTERLY CODE ENFORCEMENT REPORT

Recommendation: That the City Council receive and file this report.

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED SEPTEMBER 22, 2006

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED SEPTEMBER 29, 2006

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

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

NONE

At 7:35 p.m., the CITY COUNCIL convened into closed session.

14. CLOSED SESSION (Taken out of order)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code Section 54956.8)

Property: Palos Verdes Drive East Right-of-Way adjacent to Chandler Landfill

City Negotiator: Mayor Steve Zuckerman
Councilman Frank Zerunyan
City Manager Doug Prichard
Planning Director David Wahba

Negotiating Party: Chandler Ranch Properties

Under Negotiation: Sale of property

Following Closed Session, action was taken under ITEM 8A. PUBLIC HEARINGS/MEETINGS.

At 8:05 p.m., the COUNCIL reconvened with MAYOR ZUCKERMAN, MAYOR PRO TEM SEAMANS, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZERUNYAN present.

8. PUBLIC HEARINGS/MEETINGS

- A. CONTINUED PUBLIC HEARING – PLANNING APPLICATION NO. 16-06; APPLICANT: CITY OF ROLLING HILLS ESTATES/CHANDLER PROPERTIES; LOCATION: SURPLUS PROPERTY CONTIGUOUS TO AND NEAR PALOS VERDES DRIVE EAST AND THE NORTHERLY INTERSECTION OF PALOS VERDES DRIVE EAST WITH NARBONNE AVENUE
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Recommendation: That the City Council: 1) Continue to take public testimony; 2) Discuss the issues; 3) Close the public hearing; and 4) Adopt Resolution No. 2114 with a final sales prices subject to all terms and conditions to the satisfaction of the City Attorney.

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

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN
TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

No public testimony was offered.

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM SEAMANS
TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

1. RESOLUTION NO. 2114 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING THE DISPOSAL OF PROPERTY CONTIGUOUS TO AND NEAR PALOS VERDES DRIVE EAST AND THE NORTHERLY INTERSECTION OF PALOS VERDES DRIVE EAST WITH NARBONNE AVENUE IN THE CITY OF ROLLING HILLS ESTATES.

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN
TO ADOPT RESOLUTION 2114 AND PURCHASE/SALE AGREEMENT SUBJECT TO REVIEW AND APPROVAL OF CITY ATTORNEY, AND AUTHORIZE COUNCIL COMMITTEE TO ADDRESS ANY POLICY MATTERS THAT MAY ARISE AS A RESULT OF CITY ATTORNEY'S REVIEW.

City Manager Prichard read Resolution No. 2114 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. PLANNING APPLICATION NO. PA-14-04 (SILVER SPUR COURT); APPLICANT: TIM LEFEVRE; LOCATION: 981 SILVER SPUR ROAD AT THE SOUTHWEST CORNER OF SILVER SPUR ROAD AND CRENSHAW BOULEVARD (FORMER MC DONALD'S SITE)

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. 2118 approving a one-year extension of time for the subject Tentative Tract Map.

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

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

No public testimony was offered.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

1. RESOLUTION NO. 2118 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 (SILVER SPUR COURT); APPLICANT: TIM LEFEVRE, THE LEFEVRE CORPORATION; LOCATION: 981 SILVER SPUR ROAD.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2118.

City Manager Prichard read Resolution No. 2118 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF OCTOBER 2, 2006

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF OCTOBER 2, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF OCTOBER 3, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF OCTOBER 3, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

1. PARK AND ACTIVITIES COMMISSION ACTION ITEM – PENINSULA HOLIDAY PARADE EVENT MANAGEMENT AGREEMENT

Recommendation: That the City Council enter into an agreement with Pageantry Productions to provide parade management services for the Peninsula Holiday Parade on December 2, 2006.

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE ENTERING INTO AN AGREEMENT WITH PAGEANTRY PRODUCTIONS TO PROVIDE PARADE MANAGEMENT SERVICES FOR THE PENINSULA HOLIDAY PARADE ON DECEMBER 2, 2006.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

C. ENGINEERING SERVICES PROPOSAL FOR STREET IMPROVEMENT PROJECTS

Recommendation: That the City Council approve the proposal and Contract Agreement from Willdan Associates to provide engineering and inspection services for the City's Annual Street Resurfacing Program at a total cost of \$29,400.

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

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE PROPOSAL AND CONTRACT AGREEMENT FROM WILLDAN ASSOCIATES TO PROVIDE ENGINEERING AND INSPECTION SERVICES FOR THE CITY'S ANNUAL STREET RESURFACING PROGRAM AT A TOTAL COST OF \$29,400.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

D. ADDENDUM TO AREA G JOINT POWERS AGREEMENT

Recommendation: That the City Council adopt Resolution No. 2119 approving the Addendum to the Area G Joint Powers Authority for the creation of pre-disaster purchasing agreements and authorize the City Manager to execute this document on behalf of the City.

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

COUNCILMAN ZERUNYAN noted that he attended the recent California Contract Cities conference which included discussion on emergency preparedness. He commended staff for moving forward on this issue and suggested that a community-wide drill be held with other cities on the hill as well as the school district.

1. RESOLUTION NO. 2119 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING AN ADDENDUM TO THE AREA G JOINT POWERS AUTHORITY AGREEMENT TO AUTHORIZE THE OFFICE OF DISASTER MANAGEMENT, AREA G, TO CREATE PRE-DISASTER PURCHASING AGREEMENTS ON BEHALF OF THE AREA G CITIES.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE ADDENDUM ON BEHALF OF THE CITY.

City Manager Prichard read Resolution No. 2119 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

10. OLD BUSINESS

A. LEAGUE OF WOMEN VOTERS OF PVP/SAN PEDRO – NOMINATION FOR CERTIFICATE OF COMMENDATION

After brief discussion, it was the consensus of the COUNCIL to

TO NOMINATE FORMER COUNCIL MEMBER BARBARA RAUCH TO RECEIVE THE LEAGUE OF WOMEN VOTERS' CERTIFICATE OF COMMENDATION.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. COMMERCIAL DISTRICT HOLIDAY LIGHTING RFP RESULTS

Recommendation: That the City Council contract the services of Harrington Decorating Company, Inc., for the installation of holiday lighting on 10 selected pine trees in the Silver Spur Road Commercial District medians for a fee of \$11,924.07.

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

After brief discussion, COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE CONTRACTING THE SERVICES OF HARRINGTON DECORATING COMPANY, INC., FOR THE INSTALLATION OF HOLIDAY LIGHTING ON 12 SELECTED PINE TREES IN THE SILVER SPUR ROAD COMMERCIAL DISTRICT MEDIANS FOR A FEE OF \$14,308.88.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

C. PETER WEBER EQUESTRIAN CENTER DESIGN

Recommendation: That the City Council provide direction to staff regarding negotiating a scope of services with MIG to provide design services for the proposed expansion of the Peter Weber Equestrian Center site.

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

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO SEAMANS

TO TAKE ITEM NO. 12A1(b) – EQUESTRIAN COMMITTEE ACTION ITEM FROM MEETING OF SEPTEMBER 25, 2006 – PETER WEBER EQUESTRIAN CENTER OUT OF ORDER.

(b) EQUESTRIAN COMMITTEE ACTION ITEM FROM MEETING OF SEPTEMBER 25, 2006 – PETER WEBER EQUESTRIAN CENTER

Recommendation: That the City Council accept applications from residents only to select the members of the Peter Weber Equestrian Design Subcommittee.

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

It was the consensus of the COUNCIL

TO DIRECT STAFF TO SEND OUT A PRESS RELEASE REQUESTING INTERESTED RESIDENTS TO SUBMIT AN APPLICATION TO SERVE ON THE PETER WEBER EQUESTRIAN DESIGN SUBCOMMITTEE.

It was the consensus of the COUNCIL

TO REQUEST MIG SUBMIT A PROPOSAL FOR DESIGN SERVICES TO INCLUDE: 1) GENERATION OF A PRELIMINARY CONCEPTUAL DESIGN; 2) DRAFTING THE DESIGN; AND 3) CONSTRUCTION DRAWINGS AND BRING BACK TO COUNCIL FOR REVIEW

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

D. PENINSULA VILLAGE – BUSINESS ASSISTANCE PACKAGE AND PUBLIC OUTREACH

Recommendation: That the City Council to adopt Resolution No. 2120 and provide any further direction to staff as appropriate.

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

Discussion ensued regarding amendments to Resolution No. 2120 which included modifying language to read “current businesses relocating in Rolling Hills Estates,” and referring to the plan as the “Peninsula Center Business District” in the Program EIR.

1. RESOLUTION NO. 2120 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES RELATING TO WAIVING PAYMENT OF FEES FOR BUSINESS LICENSES, CLOSING OUT SALES, CONSTRUCTION PERMITS, TEMPORARY USE PERMITS, SIGNS, CONDITIONAL USE PERMITS, SPECIAL USE PERMITS, AND PRECISE PLANS OF DESIGN.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO ADOPT RESOLUTION NO. 2120 AS AMENDED.

City Manager Prichard read Resolution No. 2120 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

11. CITY ATTORNEY ITEMS

A. City Attorney Pelletier once again introduced Rob Tyson, Assistant City Attorney, who has been attending meetings periodically.

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 ZUCKERMAN

1. EQUESTRIAN COMMITTEE MINUTES OF SEPTEMBER 25, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE EQUESTRIAN COMMITTEE MINUTES OF SEPTEMBER 25, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

(a) EQUESTRIAN COMMITTEE ACTION ITEM FROM MEETING OF SEPTEMBER 25, 2006 – EQUESTRIAN LOG BOOK

Recommendation: That the City Council direct staff to maintain a log bog of equestrian-related comments and suggestions received from the public.

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

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO DIRECT STAFF TO MAINTAIN A LOG BOOK OF EQUESTRIAN-RELATED COMMENTS AND SUGGESTIONS RECEIVED FROM THE PUBLIC.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

- (c) EQUESTRIAN COMMITTEE ACTION ITEM FROM MEETING OF SEPTEMBER 25, 2006 – REVISED TRAIL USAGE SIGN

Recommendation: That the City Council amend the Municipal Code to prohibit all types of strollers on the City's bridle and hiking trails.

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

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO DIRECT STAFF TO FORMULATE APPROPRIATE LANGUAGE AMENDING THE MUNICIPAL CODE TO INCLUDE PROHIBITING ALL TYPES OF STROLLERS ON THE CITY'S BRIDLE AND HIKING TRAILS FOR COUNCIL REVIEW.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN 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. COUNCILMAN ADDLEMAN noted that former Council Member Nell Mirels of the Peninsula Center Library thanked the City for allowing them to post banners each month advertising their book sales.
- B. MAYOR ZUCKERMAN and COUNCILMAN ADDLEMAN were appointed to the Audit Subcommittee.

At 9:24 p.m., the CITY COUNCIL convened into closed session.

14. CLOSED SESSION (Continued)

- B. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
(Pursuant to Government Code Section 54956.9(b)(11) there is a significant exposure to litigation based upon a written communication from a potential plaintiff threatening litigation regarding the City's right-of-way and easement rights in property located at 37 and 38 Aurora Drive.

STAFF WAS DIRECTED TO CONTINUE SEEKING A SOLUTION TO THE OUTSTANDING ISSUES AT 37 AND 38 AURORA DRIVE.

At 10:25 p.m., the COUNCIL reconvened with MAYOR ZUCKERMAN, MAYOR PRO TEM SEAMANS, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZERUNYAN present.

15. ADJOURNMENT IN MEMORY OF ROLLING HILLS CITY MANAGER CRAIG NEALIS

At 10:25 p.m., MAYOR ZUCKERMAN formally adjourned the City Council meeting to Tuesday, October 24, 2006 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk