

MINUTES

CITY COUNCIL MEETING

NOVEMBER 14, 2006

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:41 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
Assistant to the City Manager Greg Grammer

Others Present: Dale Allen, Park and Activities Commission

4. CEREMONIAL ITEMS

A. SUPERVISOR DON KNABE PRESENTATION OF HIGHWAYS-THROUGH-CITIES FUNDS

Supervisor Don Knabe noted his pleasure at presenting the City with a \$400,000 check from his discretionary Highways-Through-Cities funds designated for storm drain improvements primarily along Palos Verdes Drive North.

In return, MAYOR ZUCKERMAN presented Supervisor Knabe with a City plaque thanking him for his generous support of the City over the years.

City Manager Prichard thanked Supervisor Knabe as well as his staff for moving this project forward. Additionally, he commended Assistant City Manager Wise for his pursuit of outside funding enabling the City to improve its infrastructure.

Supervisor Knabe was pleased to announce the "last pole ceremony" scheduled for November 20 which will complete the undergrounding of utilities along Crenshaw Boulevard. He then thanked Field Deputy Mike Gin for representing his office on the Peninsula.

Supervisor Knabe then presented MAYOR PRO TEM SEAMANS with a proclamation for her tenure as past President of the Los Angeles Division of the League of California Cities.

B. RESOLUTION OF COMMENDATION CONGRATULATING THE VOLUNTEER CENTER SOUTH BAY-HARBOR-LONG BEACH FOR BEING RECOGNIZED AS THE 2006 VOLUNTEER CENTER OF THE YEAR

MAYOR ZUCKERMAN was pleased to present DeDe Hicks, President and Chief Executive Officer, Volunteer Center South Bay-Harbor-Long Beach, with a Resolution of Commendation for being recognized as the Volunteer Center of the Year.

Ms. Hicks thanked the COUNCIL on behalf of their board, staff and volunteers for this special honor. She commended the COUNCIL on how they are serving the City in retaining its beauty.

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF OCTOBER 10, 2006

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE CITY COUNCIL MINUTES OF OCTOBER 10, 2006 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. JOINT SPECIAL CITY COUNCIL AND REGULAR PARK AND ACTIVITIES COMMISSION MINUTES OF NOVEMBER 7, 2006

COUNCILWOMAN MITCHELL requested an addition on Page 4, Paragraph 14:

“MAYOR ZUCKERMAN and COUNCILWOMAN MITCHELL were not in favor of advertising space in the Book of Residents’ Stories about City’s Historical Development. Rather than sell advertising space, have a ‘Sponsors Page.’
COUNCILWOMAN MITCHELL noted her opposition to having a big screen television at the City Celebration.”

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

C. DEMANDS AND WARRANTS – OCTOBER AND NOVEMBER

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE WARRANTS 40754 THROUGH 40830 IN THE AMOUNT OF \$170,767.69; SUPPLEMENTAL WARRANTS 40597 THROUGH 40603; 40647 THROUGH 40732; 100106 THROUGH 100206; 093006AJ IN THE AMOUNT OF \$669,400.36 FOR A GRAND TOTAL AMOUNT OF \$840.168.05 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. CONSENT CALENDAR

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE ITEMS A-I.

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. SEPTEMBER 2006 SCHEDULE OF INVESTMENTS

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

RECEIVED AND FILED.

C. 2006 HOLIDAY PARTY GUEST LIST

Recommendation: That the City Council approve the 2006 Holiday Party guest list with any necessary changes.

APPROVED.

D. PVP CHAMBER OF COMMERCE – 2ND QUARTER REPORT

Kay Finer, President, PVP Chamber of Commerce, reported on various activities the Chamber has undertaken such as their involvement in establishing a Peninsula Village Overlay Project Task Force, conducting surveys in the Business Journal and providing that data to the businesses, and increasing their membership by 11%.

RECEIVED AND FILED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED OCTOBER 6, 2006

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED OCTOBER 13, 2006

RECEIVED AND FILED.

G. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED OCTOBER 20, 2006

RECEIVED AND FILED.

H. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED OCTOBER 27, 2006

RECEIVED AND FILED.

I. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED NOVEMBER 1, 2006

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

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

A. SOUTH BAY FAMILY JUSTICE CENTER PROGRAM OVERVIEW PRESENTATION

Andrea Welsing-Lowery, Collaboratives for Alternatives to Violence and Abuse (CAVA), provided a presentation to the COUNCIL explaining their organization's efforts to assist domestic violence victims with a "one stop shop" approach so that

they do not have to go from agency to agency seeking help to remove themselves from an abusive situation. She introduced Judy Retter, Director, Emergency Preparedness Risk Management, who is also working with her in this effort. She requested COUNCIL support of this concept and distributed information for their review.

8. PUBLIC HEARINGS/MEETINGS

A. PROPOSED BICYCLE ORDINANCE DELETION AND ADDITION OF NEW ORDINANCE CHAPTER AND SECTION – NON-HORSE DRAWN WHEELED VEHICLES AND DEVICES PROHIBITED ON EQUESTRIAN TRAILS

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Introduce Ordinance No. 634; and 5) Continue this item to November 28, 2006 for the adoption of Ordinance No. 634.

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

1. ORDINANCE NO. 634 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES DELETING SECTION 10.44.080 OF THE ROLLING HILLS ESTATES MUNICIPAL CODE AND ADDING CHAPTER 10.46 AND SECTION 10.46.010—NON-HORSE DRAWN WHEELED VEHICLES AND DEVICES PROHIBITED ON EQUESTRIAN TRAILS.

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.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO CONTINUE THE PUBLIC HEARING TO NOVEMBER 28, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

9. NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF OCTOBER 16, 2006

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF OCTOBER 16, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. PLANNING COMMISSION MINUTES OF NOVEMBER 6, 2006

Councilwoman Mitchell called up PA-17-06 (5 Ferncreek) for public hearing.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM SEAMANS

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF NOVEMBER 6, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

C. BUSINESS RETENTION PLAN

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

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

Patti Nunn, Consultant, noted that she will provide a full report detailing and analyzing the data and information gathered from the business interviews.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO RECEIVE AND FILE THIS REPORT.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

D. SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) ENERGY EFFICIENCY PROCUREMENT PROGRAM RESOLUTION

Recommendation: That the City Council adopt Resolution No. 2121 establishing its commitment to voluntarily participate in the SBCCOG Energy Efficiency Procurement Program.

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

MAYOR ZUCKERMAN suggested this item be presented to the PVP Chamber of Commerce for discussion.

1. RESOLUTION NO. 2121 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING ITS INTENTION TO PARTICIPATE IN THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) ENERGY EFFICIENCY PROCUREMENT PROGRAM.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO ADOPT RESOLUTION NO. 2121.

City Manager Prichard read Resolution No. 2121 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

E. PETER WEBER EQUESTRIAN CENTER RENOVATION PROJECT PROFESSIONAL SERVICES AGREEMENT

Recommendation: That the City Council enter into the Agreement for Professional Services, subject to the City Attorney's review and approval with MIG to prepare conceptual improvements plans for the Peter Weber Equestrian Center renovation project for a fee not to exceed \$15,500.

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

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE ENTERING INTO AN AGREEMENT FOR PROFESSIONAL SERVICES, SUBJECT TO THE CITY ATTORNEY'S REVIEW AND APPROVAL, WITH MIG TO PREPARE CONCEPTUAL IMPROVEMENT PLANS FOR THE PETER WEBER EQUESTRIAN CENTER RENOVATION PROJECT FOR A FEE NOT TO EXCEED \$15,500.00.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

10. OLD BUSINESS

A. THREE-RAIL FENCE BIDS

Recommendation: That the City Council approve the agreement, subject to the City Attorney's review and approval with Peninsula Landscaping to replace 1,445 linear feet of three-rail fencing with Kroy Building Supply's Classic Vinyl Fence materials in various sections of the City's rights-of-way and to paint 1,200 linear feet of three-rail wood fencing along Crenshaw Boulevard at a total cost not to exceed \$31,303.50.

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

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE AGREEMENT, SUBJECT TO THE CITY ATTORNEY'S REVIEW AND APPROVAL, WITH PENINSULA LANDSCAPING TO REPLACE 1,445 LINEAR FEET OF 3-RAIL FENCING WITH KROY BUILDING SUPPLY'S CLASSIC VINYL FENCE MATERIALS IN VARIOUS SECTION OF THE CITY'S RIGHTS-OF-WAY AND TO PAINT 1,200 LINEAR FEET OF 3-RAIL WOOD FENCING ALONG CRENSHAW BOULEVARD AT A TOTAL COST NOT TO EXCEED \$31,303.50.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. PLANNING APPLICATION NO. 27-06 – APPLICANT: CITY OF LOMITA LOCATION: LOMITA CYPRESS RESERVOIR PROPERTY CONTIGUOUS TO THE NORTHERN BOUNDARY OF CHANDLER'S AND WEST OF THE NORTHERLY INTERSECTION OF PALOS VERDES DRIVE EAST AND NARBONNE AVENUE

Recommendation: That the City Council adopt Resolution No. 2122.

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

1. RESOLUTION NO. 2122 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, CONSENTING TO THE DETACHMENT FROM THE CITY OF THE CYPRESS RESERVOIR OWNED BY THE CITY OF LOMITA.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2122.

City Manager Prichard read Resolution No. 2122 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

11. CITY ATTORNEY ITEMS

A. UPDATE ON STATUS OF SOUTH BAY MEDICAL MARIJUANA DISPENSARIES AND PROPOSED CITY ORDINANCE

City Attorney Pelletier noted that medical marijuana dispensaries are illegal under federal law and an ordinance prohibiting these facilities will be presented to the Planning Commission and then to COUNCIL for consideration.

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 agendaized.

A. MAYOR PRO TEM SEAMANS

1. 50TH ANNIVERSARY CITY CELEBRATION COMMITTEE

MAYOR PRO TEM SEAMANS noted that plans for the 50th anniversary celebration are progressing.

2. CONSULTANT FOR LEAGUE BOARD MEMBER REPRESENTATIVE TO LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD

It was the consensus of the COUNCIL

TO APPOINT MAYOR PRO TEM SEAMANS AS THE DELEGATE TO VOTE AND SUPPORT THE BOARD MEMBER REPRESENTING MUNICIPAL GOVERNMENT ON THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD ON A TRIAL BASIS FOR SIX MONTHS AND BRING BACK TO COUNCIL FOR EVALUATION.

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

B. MAYOR ZUCKERMAN

1. COMPREHENSIVE ANNUAL FINANCIAL REPORT AND RELATED DOCUMENTS FOR FISCAL YEAR ENDED JUNE 30, 2006

Recommendation: That the City Council receive and file the following for the fiscal year ended June 30, 2006: Comprehensive Annual Finance Report (CAFR); Communication with Governing Body letter; Report on Compliance and on Internal Control Over Financial Reporting; and Appropriations Limit Report.

Administrative Services Director Whitehead provided a staff report (as per agenda material).

COUNCILMAN ADDLEMAN reported on a few minor clarifications regarding the tennis and equestrian funds and noted that additional information will be forthcoming.

Brief discussion ensued regarding the PERS pension plan, trash franchise fees, etc.

Administrative Services Director Whitehead was commended by the COUNCIL on a job well done.

COUNCILMAN ZERUNYAN moved, seconded by COUNCILWOMAN MITCHELL

TO RECEIVE AND FILE THE FOLLOWING FOR THE FISCAL YEAR ENDED JUNE 30, 2006: COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR); COMMUNICATION WITH GOVERNING BODY LETTER; REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING; AND APPROPRIATIONS LIMIT REPORT AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

2. EQUESTRIAN COMMITTEE MINUTES OF OCTOBER 23, 2006

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE EQUESTRIAN COMMITTEE MINUTES OF OCTOBER 23, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

3. MUNICIPAL STABLE DESIGN COMMITTEE APPLICATIONS/APPOINTMENTS

MAYOR ZUCKERMAN noted that interviews took place and announced the following individuals to be appointed to the Municipal Stable Design Committee:

Dale Allen
Susan Brtis
Deborah Davis
Liz Holmes
Shirley Kline
Pam Schachter
Sheryl Stecker

4. UPDATE ON PROPOSED MONTHLY SOUTH BAY MAYORS NETWORKING MEETINGS

After brief discussion, it was the consensus of the COUNCIL to request MAYOR PRO TEM SEAMANS attend the first of the South Bay Mayors Networking meetings and report back her findings.

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. COUNCILWOMAN MITCHELL

1. NATIONAL LEAGUE OF CALIFORNIA CITIES CONGRESS OF CITIES AND EXPOSITION CONFERENCE - RENO

After brief discussion, it was the consensus of the COUNCIL

TO APPROVE COUNCILWOMAN JUDY MITCHELL AS THE VOTING DELEGATE TO ATTEND THE NATIONAL LEAGUE OF CALIFORNIA CITIES CONGRESS OF CITIES AND EXPOSITION CONFERENCE IN RENO.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. MAYOR PRO TEM SEAMANS

1. SIERRA CLUB – COOL CITIES

MAYOR PRO TEM SEAMANS noted that she received a letter from a resident encouraging the City to become one of the “Cool Cities” which would work towards reducing global warming pollution. It was the consensus of the COUNCIL to investigate this further and bring back for further consideration.

At 10:05 p.m., the CITY COUNCIL convened into closed session.

14. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION

(Pursuant to Government Code Section 54956.9(b)(1) there is a significant exposure to litigation regarding the City’s right-of-way and easement rights in property located at 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 REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code Section 54956.8)

Property: 9 Dobbin Lane
City Negotiator: Community Services Director Clark
Negotiating Party: Ernest Emerson
Under Negotiation: Price and terms of payment for the purchase of trail easement

STAFF WAS DIRECTED TO CONTINUE NEGOTIATIONS FOR THE TRANSFER OF VARIOUS PORTIONS OF THE TRAIL EASEMENT.

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code Section 54956.9(b)(1), there is significant exposure to litigation regarding responsibility for the repair and Maintenance of a private drainage facility located at 4500 Marloma Drive.

STAFF WAS DIRECTED TO NEGOTIATE A DRAINAGE EASEMENT.

At 11:33 p.m., the COUNCIL reconvened with MAYOR ZUCKERMAN, MAYOR PRO TEM SEAMANS, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZERUNYAN present.

15. ADJOURNMENT

At 11:33 p.m., MAYOR ZUCKERMAN formally adjourned the City Council meeting to Tuesday, November 28, 2006 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk