

**MINUTES**  
**SPECIAL**  
**CITY COUNCIL MEETING**  
**JUNE 29, 2004**

A special 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 MITCHELL.

**PLEDGE OF ALLEGIANCE**

MAYOR MITCHELL led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

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

\*COUNCILMAN ZUCKERMAN arrived at 7:35 p.m.

City Staff Present: City Manager Doug Prichard

City Attorney Richard Terzian

Assistant City Manager Sam Wise

Planning Director David Wahba

Community Services Director Andy Clark

Finance Director Jud Norrell

Zoning and Code Administrator Roy Beall

Others Present: Judith Bayer, Planning Commissioner

Lou Persichina, Park and Activities Commissioner

**CEREMONIAL ITEMS**

NONE

**ROUTINE MATTERS**

A. ADJOURNED POLICY DEVELOPMENT SESSION MINUTES – MEETING OF MAY 17, 2004

COUNCILWOMAN SEAMANS requested the following addition on Page 5, Paragraph 1:

*"....After brief discussion, it was the consensus of the COUNCIL to be notified when a Commissioner's term is up, determine their interest in being reappointed, as well as advertise for applications from the public as well as incumbents, conduct interviews, and then appoint*

*or reappoint a Commissioner to a four-year term. It was noted that the existing Commissioners should be notified of this new policy."*

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE ADJOURNED POLICY DEVELOPMENT SESSION MINUTES OF MAY 17, 2004 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. ADJOURNED CITY COUNCIL MINUTES – MEETING OF MAY 24, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE ADJOURNED CITY COUNCIL MINUTES OF MAY 24, 2004 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

C. ADJOURNED BUDGET STUDY SESSION MINUTES – MEETING OF JUNE 1, 2004

MAYOR MITCHELL requested the following correction on Page 2, Paragraph 9:

*"...Additionally, City Manager Prichard noted he had spoken to Mr. Cedillos Ce Dillos in an effort to obtain further information....."*

MAYOR MITCHELL requested the following addition on Page 4, Paragraph 5:

*"MAYOR MITCHELL emphasized that the South Bay Economic Development Partnership has been very active in attempting to preserve the Air Force Base in El Segundo and noted that this closure would affect many residents on the hill."*

COUNCILWOMAN SEAMANS requested a correction on Page 4, Paragraph 12:

*"COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN*

*TO SUPPORT ALL CURRENTLY FUNDED COMMUNITY SERVICE ORGANIZATIONS AT A LEVEL 10% BELOW THE FISCAL 2003-04 AMOUNTS."*

*AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman"*

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO APPROVE THE ADJOURNED BUDGET STUDY SESSION OF JUNE 1, 2004 AS AMENDED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

D. DEMANDS AND WARRANTS – MONTHS OF MAY AND JUNE

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE WARRANTS 35651 through 35730 in the amount of \$254,499.38; Warrants 35555 through 35598 in the amount of \$34,684.44; Supplemental Warrants 050401 through

050402; 35066 Void; 35163 Void; 35401 through 35413; 35463 through 35476; 35538 through 35543 in the amount of \$197,842.64 for a grand total amount of \$487,026.46 with proper audit.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

### **CONSENT CALENDAR**

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN  
TO APPROVE ITEMS A-L.

#### **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. CLAIM AGAINST THE CITY – FONG**

Recommendation: That the City Council send the standard letter of rejection to claimant.

REJECTED.

#### **C. CLAIM AGAINST THE CITY – MC DERMOTT**

Recommendation: That the City Council send the standard letter of rejection to claimant.

REJECTED.

#### **D. MAY 2004 SCHEDULE OF INVESTMENTS**

Recommendation: That the City Council receive and file the Schedule of Investments Report for the month of May 2004.

RECEIVED AND FILED.

#### **E. ADOPTION OF THE ANNUAL SALARY RESOLUTIONS**

Recommendation: That the City Council adopt Resolution Nos. 2045, 2046, and 2047 authorizing the number of positions and compensation for management and professional classifications, the classified employee group, and the part-time employee group.

##### **1. RESOLUTION NO. 2045 FOR ADOPTION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE AUTHORIZED POSITIONS AND COMPENSATION FOR MANAGEMENT AND PROFESSIONAL CLASSIFICATIONS.

ADOPTED.

##### **2. RESOLUTION NO. 2046 FOR ADOPTION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE NUMBER OF AUTHORIZED POSITIONS AND COMPENSATION FOR THE CLASSIFIED EMPLOYEE GROUP IN THE CITY SERVICE.

ADOPTED.

3. RESOLUTION NO. 2047 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE COMPENSATION OF POSITIONS IN THE PART-TIME EMPLOYEE GROUP.

ADOPTED.

F. 2004-05 MEMORANDUM OF UNDERSTANDING

Recommendation: That the City Council approve the 2004-05 Memorandum of Understanding between the City and the Rolling Hills Estates Employees' Association.

APPROVED THE 2004-05 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE ROLLING HILLS ESTATES EMPLOYEES' ASSOCIATION.

G. RESOLUTION NO. 2048

1. RESOLUTION NO. 2048 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING EMPLOYER PICK-UP PRE-TAX PAYROLL DEDUCTION PLAN FOR SERVICE CREDIT PURCHASES (CONTRIBUTION CODE 14).

ADOPTED.

H. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 21, 2004

RECEIVED AND FILED.

I. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 28, 2004

RECEIVED AND FILED.

J. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JUNE 4, 2004

RECEIVED AND FILED.

K. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JUNE 11, 2004

RECEIVED AND FILED.

L. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JUNE 18, 2004

RECEIVED AND FILED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

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At 7:42 p.m., the CITY COUNCIL convened into closed session. At 8:06 p.m., the CITY

COUNCIL reconvened into open session with MAYOR MITCHELL, MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN present.

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### **CLOSED SESSION**

#### **A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation, pursuant to subdivision (c) of Government Code Section 54956.9 (one case)

Property: 5028 Willow Wood

Property Owner: Loren Crawford

NO ACTION WAS TAKEN.

#### **B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Government Code Section 54956.8)

Property: 550 Deep Valley Drive

City Negotiator: City Manager Prichard

City Attorney Terzian

Planning Director Wahba

Negotiating Parties: City and Cousins Marketcenters

Under Negotiation: Consideration of letter of credit pursuant to property development agreement dated March 17, 1998

DIRECTED STAFF TO CONTINUE NEGOTIATIONS.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

### **PUBLIC HEARINGS/MEETINGS**

#### **A. FY 2004-05 BUDGET PUBLIC HEARING AND ADOPTION**

Recommendation: That the City Council: 1) Open the public hearing and take any public testimony related to the budget adoption, including fees and charges, fund balance policy, and investment policy; 2) Close the public hearing; and 3) Review and adopt Resolution Nos. 2049, 2050 and 2051, the Equipment Replacement Funding Schedule, the Statement of Fund Balance Policy, and the Statement of Investment Policy.

City Manager Prichard noted that additional items throughout the agenda will be made a part of the public hearing discussion.

Finance Director Norrell then provided a staff report (as per agenda material). He was pleased to

report that medical insurance rates will decrease as of January 1, 2005 as well as the employer's portion of the PERS pension plan.

COUNCILMAN ZERUNYAN noted his appreciation for the City's fiscal responsibility.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Kelly Johnson, Principal, Peninsula High School, thanked the COUNCIL for their years of support for the Student and the Law classes. He made an appeal to retain this funding for the next fiscal year.

COUNCILWOMAN SEAMANS inquired as to why the School District does not contribute towards this class. Mr. Johnson indicated that they are also under budget constraints and without community support, they would be unable to fund these sessions.

MAYOR MITCHELL noted that several items will be taken out of order for discussion.

*Proposed Tennis Club Revenue Alternatives – Ernie Howlett Park*

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

COUNCILMAN ZUCKERMAN inquired as to the different rates for men and women insisting that they be charged equally.

Dorothy Laird, Marine League Coordinator, noted that the league has been playing at Howlett Park for over 20 years and is very important in terms of bringing revenue to the City. She commented on her disappointment that the City chose to quadruple fees and believed this to be unacceptable. In her report, Ms. Laird provided four proposals for COUNCIL consideration, but recommended that Proposal C be approved. Additionally, she requested that the new tennis rates not go in effect until July 15 to allow transition from the existing rate to the increased membership fee.

MAYOR MITCHELL suggested approving the increased membership fees, as well as Proposal C, and leaving the tennis lesson court fees at the \$20 rate.

Judy Bayer, 4931 Rockbluff Drive, first commented on her support for the Student and the Law Classes as she works with at-risk students.

Mrs. Bayer went on to comment that she has been playing at Howlett Park on Saturdays for many years and thanked the COUNCIL for allowing her to address this issue. She then provided a brief history of the Marine League stating that this enterprise is not a private club as it does not offer any amenities. In an effort to bring players into the park rather than sending them away with the proposed increases, she believed that it is important for the City to maintain the goodwill shown to the players in the past rather than discouraging them with a tremendous rate increase. She noted her confusion regarding how a deficit had occurred and was very disappointed by what the COUNCIL is considering. Additionally, she informed the COUNCIL that the Tennis Clerks are rarely in the office to receive the fees, were not checking on the members' resident/non-resident status and that this was unacceptable.

Carolyn Saiki, 29 Shady Vista Road, Palos Verdes Estates, noted she is a member of the Tennis Club and questioned why the proposed rates are double the amount of other clubs in the area. She referred to improvements at other City facilities that have been completed noting that the tennis courts need resurfacing more regularly.

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

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

*Student and the Law*

MAYOR PRO TEM ADDLEMAN noted that the Regional Law Enforcement Committee voted unanimously to support these classes, but was not approved by the COUNCIL at the Budget Study Session. City Manager Prichard indicated that the School District urged the COUNCIL to reinstate this program at the City's share of \$9670.

MAYOR PRO TEM ADDLEMAN then encouraged the COUNCIL to support this request.

COUNCILMAN ZERUNYAN noted his initial opposition was due to the perception that these classes were easier than most, but because of Mr. Johnson's remarks, he was willing to approve the funding if it helps at-risk students.

COUNCILMAN ZUCKERMAN concurred with the aforementioned comments, but stated that after speaking with many students, he was informed that this class was an elective with open enrollment to any student who might be interested. He noted that he had requested a syllabus for his review, but never received it. He then stated if students were serious about taking this class, he would be in favor of providing one session, but that he has not received any data justifying continuation of two classes. In order for COUNCILMAN ZUCKERMAN to approve this request, he requested additional information prior to expending these funds.

COUNCILWOMAN SEAMANS noted that the COUNCIL voted unanimously at the Budget Study Session to deny this request and will abide by that decision. She concurred with COUNCILMAN ZUCKERMAN regarding the need for additional information and inquired as to how a School District issue becomes the City's responsibility. She then suggested reviewing this later in the year.

MAYOR MITCHELL noted that she serves on the Regional Law Enforcement Committee and they supported this program. She noted her willingness to approve this class for one year, but would like to put in place a mechanism whereby the benefits would be evaluated for COUNCIL consideration.

COUNCILMAN ZERUNYAN believed that Mr. Johnson's comments should be taken at face value and suggested that he provide additional information.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO REINSTATE FUNDING IN THE AMOUNT OF \$9,670 FOR FISCAL YEAR 2004-05 FOR STUDENT AND THE LAW AND REQUEST SPECIFIC DATA BE PROVIDED TO THE CITY FOR COUNCIL CONSIDERATION FOR FUTURE FUNDING.

AYES: Addleman, Mitchell, Zerunyan

NOES: Seamans, Zuckerman

**NEW BUSINESS** *(Taken out of order)*

9C1. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF JUNE 15, 2004 – PALOS VERDES PENINSULA LAND CONSERVANCY AGREEMENT

Recommendation: That the City Council enter into the revised agreement with the Palos Verdes Peninsula Land Conservancy to provide management services for the operation of the George F Canyon Nature Center.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO ENTER INTO THE REVISED AGREEMENT WITH THE PALOS VERDES PENINSULA LAND CONSERVANCY TO PROVIDE MANAGEMENT SERVICES FOR THE OPERATION OF THE GEORGE F CANYON NATURE CENTER.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILMAN ZERUNYAN inquired as to a timeline when the budget deficit will be addressed. Community Services Director Clark noted that it is the intention of Barbara Dye to raise funds in order to make up the difference in that account.

MAYOR PRO TEM ADDLEMAN noted that he and COUNCILWOMAN SEAMANS will meet with the subcommittee to oversee their fundraising activities. Additionally, Community Services Director Clark stated that the Nature Subcommittee will monitor their progress as well as provide assistance where needed.

H. PALOS VERDES PENINSULA CHAMBER OF COMMERCE

Recommendation: That the City Council approve the agreement between the City and the Palos Verdes Peninsula Chamber of Commerce for Fiscal Year 2004-05.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO APPROVE THE AGREEMENT BETWEEN THE CITY AND THE PALOS VERDES PENINSULA CHAMBER OF COMMERCE FOR FISCAL YEAR 2004-05.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**CITY ATTORNEY ITEMS** *(Taken out of order)*

A. CITY ATTORNEY AGREEMENT

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE AGREEMENT WITH BANNAN, GREEN, FRANK AND TERZIAN FOR THE PROVISION OF LEGAL SERVICES FOR FISCAL YEAR 2004-05.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**CITY COUNCIL/REGIONAL COMMITTEE REPORTS (Taken out of order)**

12A1(a). EQUESTRIAN COMMITTEE ACTION ITEM FROM SPECIAL MEETING OF JUNE 14, 2004 – PROPOSED MUNICIPAL STABLE FEE INCREASES

Recommendation: That the City Council: 1) Increase the boarding fees by \$27 per stall per month; 2) Increase the non-resident surcharge fee by \$5 per month per non-resident boarder; and 3) Increase Municipal Stable trainer fees by \$30 per month per trainer.

MAYOR MITCHELL reported that the Equestrian Committee believed the increased rates are modest.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE FOLLOWING INCREASES: 1) THE MUNICIPAL STABLE BOARDING FEES BY \$27 PER STALL PER MONTH; 2) THE NON-RESIDENT SURCHARGE FEE BY \$5 PER MONTH PER NON-RESIDENT BOARDER; AND 3) MUNICIPAL STABLE TRAINER FEES BY \$30 PER MONTH PER TRAINER.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**NEW BUSINESS (Continued)**

Tennis Fees

COUNCILWOMAN SEAMANS concurred with the aforementioned comments made by Marine League representatives, as well as the Saturday women players' representative.

MAYOR PRO TEM ADDLEMAN noted that the tennis fund has been running a deficit for many years and it was his desire to see this enterprise be self-sufficient.

COUNCILMAN ZUCKERMAN noted his opinion that tennis players should pay for their own enjoyment. He stated that the COUNCIL has already provided direction to increase the fees so as not to operate at a deficit and bring back a proposal to the COUNCIL. Additionally, he referred to the state budget and how it continues to affect cities by raiding local funds.

COUNCILMAN ZERUNYAN noted that the deficit issue must be taken care of as the City should not be placed in a position of subsidizing small groups.

After extensive discussion, MAYOR MITCHELL suggested that the COUNCIL approve Proposal C as presented by the Marine League. Additionally, while she acknowledged the deficit, she believed this to be an important City program that is worthy of maintaining.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ZERUNYAN

TO REOPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Ms. Laird explained that some tennis matches may run over three hours.

COUNCILMAN ZUCKERMAN moved, seconded by MAYOR PRO TEM ADDLEMAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO APPROVE THE FOLLOWING: 1) FLAT RATE OF \$72 FOR MARINE LEAGUE PLAYERS PER MATCH FOR APPROXIMATELY THREE HOURS; 2) INCREASE NEW MEMBERSHIP TO \$80 AND NEW MEMBER NON-RESIDENT TO \$90; 3) INDIVIDUAL RESIDENT RENEWAL BEFORE JULY 15, 2004 TO REMAIN AT \$70 AND NON-RESIDENT RENEWAL TO REMAIN AT \$80 BEFORE JULY 15, 2004; 4) INDIVIDUAL RESIDENT RENEWAL AFTER JULY 15, 2004 WILL INCREASE TO \$80 AND NON-RESIDENT RENEWAL WILL INCREASE TO \$90; 5) FAMILY RESIDENT RENEWAL BEFORE JULY 15, 2004 TO REMAIN AT \$110 AND FAMILY NON-RESIDENT RENEWAL BEFORE JULY 15, 2004 TO REMAIN AT \$120; FAMILY RESIDENT RENEWAL AFTER JULY 15, 2004 WILL INCREASE TO \$125 AND FAMILY NON-RESIDENT RENEWAL AFTER JULY 15, 2004 WILL INCREASE TO \$140.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

Discussion ensued regarding the Saturday women players with COUNCILMAN ZERUNYAN emphasizing that the rates should apply to everyone on an equal basis. COUNCILMAN ZUCKERMAN concurred stating that no fees shall be based on gender.

MAYOR MITCHELL suggested one rate for weekend play for members and non-members without having specific categories.

COUNCILMAN ZERUNYAN suggested giving the same arrangement for the Saturday players as the Marine League.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE EXTENDING THE SATURDAY TENNIS PLAYERS THE SAME PRIVILEGES AS THE MARINE LEAGUE AT A FEE OF \$2 PER PERSON PER HOUR.

AYES: Addleman, Zerunyan, Zuckerman

NOES: Mitchell, Seamans

It was noted that staff will formulate a policy amending the discrepancy in fees based on gender for COUNCIL review.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO TABLE DISCUSSION REGARDING BMC LANDSCAPING AND THE SOUTH BAY ECONOMIC DEVELOPMENT PARTNERSHIP.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

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

- A. Joan Davidson, Palos Verdes Estates, distributed information to the COUNCIL regarding additional concerns she has with the Palos Verdes Landfill.

**NEW BUSINESS (Continued)**

- E. TEMPORARY USE PERMIT (TUP) FOR PV CONCOURS D'ELEGANCE; ROLLING HILLS COUNTRY CLUB; 27000 PALOS VERDES DRIVE EAST

Recommendation: That the City Council discuss the proposed TUP application and information for the PV Concours d'Elegance to be held at the Rolling Hills Country Club on September 18-19, 2004 and advise staff accordingly.

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

COUNCILMAN ZERUNYAN inquired if the Rolling Hills Covenant Church had been informed of this event. Planning Director Wahba indicated that this was discussed at the staff level. He noted that staff will look into this and meet with the Sheriff's Department.

City Manager Prichard suggested the Traffic Engineer review the traffic circulation parking plan.

Mike Friedman, Applicant, provided additional information to the COUNCIL which included arrival times, transportation and placement of cars. He believed the Rolling Hills Country Club to be an outstanding facility and it was his hope to continue holding this event at that site in the future.

Discussion ensued regarding signage, parking, etc. Mr. Friedman indicated that he will contact the Sheriff's Department and work out the details.

MAYOR MITCHELL inquired if the residents in that neighborhood were opposed to the 6:00 a.m. start time. Mr. Friedman noted that 75 rigs were anticipated and stated that it takes approximately three hours to have everyone coordinated and ready to begin. Additionally, he indicated that the Country Club Estates Homeowners' Association had been advised of their plans as well.

It was noted that the date of the event is the same as the City Celebration in September, but does not appear to be a problem.

COUNCILWOMAN SEAMANS noted that she lives in the neighborhood, as well as being a Rotary member, and was pleased to state that this is a very well-run event. She noted that the Rotary Club and Palos Verdes Art Center have provided an event that benefits the community, and while it might be disruptive to the neighborhood, every attempt is being made to remain sensitive to the residents.

MAYOR MITCHELL inquired if the TUP, including conditions, will come before the COUNCIL. It was noted that this permit will be presented for review at the next meeting.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO DIRECT STAFF TO BRING BACK APPROPRIATE CONDITIONS OF APPROVAL FOR THE PV CONCOURS D'ELEGANCE TEMPORARY USE PERMIT TO BE HELD AT THE ROLLING HILLS COUNTRY CLUB ON SEPTEMBER 18-19, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

G. PROPOSITION A EXCESS FUND RESOLUTION

Recommendation: That the City Council adopt Resolution NO. 2053 to approve the application for Fourth Supervisorial District Proposition A Excess Grant Funds for the future renovation of the Rolling Hills Estates Municipal Stables.

City Manager Prichard provided a staff report (as per agenda material). He reported that an agreement was brought into City Hall by the County at a very late date urging the City to sign this document. He noted that he was not prepared to execute this document without COUNCIL review and noted his dissatisfaction with how the County Parks Department handled this matter.

Mike Gin, Field Deputy, Supervisor Knabe's Office, clarified that he had spoken with City Manager Prichard explaining that there have been several personnel changes in the Parks Department. He noted that it was not their intent to place an undue burden on the City even though this is routine document submitted to cities. He apologized for this mishap stating that the funds will not be endangered and that there will be an entire package for COUNCIL review. He then commended City Manager Prichard for his willingness to work with him in addressing the City's concerns. Additionally, it was noted the City Attorney has reviewed and approved this agreement.

1. RESOLUTION NO. 2053 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING THE APPLICATION FOR FOURTH SUPERVISORIAL DISTRICT EXCESS GRANT FUNDS FROM THE LOS ANGELES COUNTY PARK AND OPEN SPACE DISTRICT FOR THE DEVELOPMENT OF EQUESTRIAN FACILITIES.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT RESOLUTION NO. 2053.

*City Manager Prichard read Resolution No. 2053 by title only.*

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO MAKE A FINDING THAT THE NEED TO ACT ON THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT SPECIFIED, EXCESS FUNDS – CITIES GRANT PROGRAM PROJECT AGREEMENT BECAME KNOWN SUBSEQUENT TO THE POSTING OF THE AGENDA.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT SPECIFIED PROJECT AGREEMENT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

## I. CITY HALL SEISMIC RISK ASSESSMENT AND EXTERIOR IMPROVEMENTS PROPOSAL

Recommendation: That the City Council enter into the Confirmation of Request for Engineering Services at a cost not to exceed \$7,000 to provide seismic analysis alternatives for the City Hall facilities.

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

David Breiholz, Breiholz Qazi Engineering, Inc., reviewed his proposal for the COUNCIL.

In response to an inquiry by Community Services Director Clark, Mr. Breiholz noted that this project would take at least six to eight weeks to evaluate.

After brief discussion, City Manager Prichard indicated that, if repairs are necessary, a long-term capital project of \$120,000 would be designated out of the fixed asset replacement fund. He noted that this assessment is warranted as it is a public building.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO ENTER INTO THE CONFIRMATION OF REQUEST FOR ENGINEERING SERVICES AT A COST NOT TO EXCEED \$7,000 TO PROVIDE SEISMIC ANALYSIS ALTERNATIVES FOR THE CITY HALL FACILITIES.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

### **OLD BUSINESS** (*Taken out of order*)

#### A. RESOLUTION NO. 2044 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES DENYING PA-29-01 FOR: (1) TWO GENERAL PLAN AMENDMENTS TO CHANGE THE LAND USE DESIGNATION FOR CERTAIN PROPERTY WITHIN A GENERAL PLAN LAND USE DESIGNATION OF "LOW DENSITY RESIDENTIAL" AND "OPEN SPACE" TO "INSTITUTIONAL"; (2) TWO RELATED ZONE CHANGES FOR SAME PROPERTY TO ALLOW a) PROPERTY LOCATED IN THE RESIDENTIAL (RA-20,000) ZONING DISTRICT (ON THE NORTH SIDE OF PALOS VERDES DRIVE NORTH, EAST OF PALOS VERDES DRIVE EAST AND ADJACENT TO THE PROPERTY AT 2221 PALOS VERDES DRIVE NORTH), TO BE REZONED INSTITUTIONAL AND b) PROPERTY LOCATED WITHIN THE "OPEN SPACE RECREATION" (OSR) ZONING DISTRICT (LOCATED ON THE SOUTH SIDE OF PALOS VERDES DRIVE NORTH, EAST OF PALOS VERDES DRIVE EAST AND ADJACENT TO THE WEST OF PROPERTY AT 2222 PALOS VERDES DRIVE NORTH), TO BE REZONED TO "INSTITUTIONAL"; (3) A CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A NEW 1,650 SEAT SANCTUARY TO A MULTI-PURPOSE FACILITY AND FOR ADDITIONAL RELATED SITE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, DEVELOPMENT OF A "SERENITY GARDEN," ALTERATIONS OF SURFACE PARKING, DRIVEWAY ENTRANCE AND EXITS, LANDSCAPING AND RIGHT-OF-WAY IMPROVEMENTS; (4) A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR THE PROPOSED BUILDING IMPROVEMENTS; (5) A GRADING PERMIT TO EXPORT APPROXIMATELY 34,400 CUBIC YARDS OF EARTH FROM THE SITE; AND (6) A SPECIAL USE PERMIT TO ALLOW ADDITIONAL EXTERIOR LIGHTING FOR THE PROJECT APPLICANT:

ROLLING HILLS COVENANT CHURCH; LOCATION: 2221/2222 PALOS VERDES DRIVE NORTH.

City Attorney Terzian noted that this resolution was prepared with the requested findings by the COUNCIL.

MAYOR MITCHELL indicated that she had reviewed this resolution with staff and wished to continue this item as additional issues need to be reviewed. She noted that several amendments are needed and recommended that a subcommittee meet with the attorneys to formulate language for the final resolution for presentation to the COUNCIL at the meeting of August 3.

COUNCILWOMAN SEAMANS then referred to a letter received by the Applicant at a very late date requesting postponement, as well as modification of the original application previously denied by the COUNCIL.

City Attorney Terzian indicated that it would not be appropriate to consider a modified application at this point. He noted that the COUNCIL has already made findings to deny this project, but if the Applicant wishes to pursue additional consideration, a new application must be submitted.

Vergil Best, Applicant, apologized for his letter being sent late. He noted that he has received comments asking why the City and Applicant cannot reach an agreement. Additionally, he requested that COUNCIL allow them to amend this project.

City Attorney Terzian reiterated that the amended application cannot be considered as evidence since the public hearing has been closed.

COUNCILMAN ZERUNYAN noted that the Applicant is not precluded from gleaning information from the resolution as he believed this would actually assist them in presenting a viable project. He commented that the best the COUNCIL can do is provide a "road map" for the Applicant to follow.

MAYOR MITCHELL concurred with many of these comments, but suggested that the City and Applicant meet prior to submittal of a new application and discuss how to bring this project in line with the City's codes as has been done with other major projects.

Mr. Best noted his belief that the system did not work for them as their proposal was rejected.

COUNCILWOMAN SEAMANS reminded Mr. Best that it was at his insistence the COUNCIL take a vote at the public hearing which resulted in a final denial.

After brief discussion, it was the consensus of the COUNCIL

to defer this item to the meeting of August 3 with MAYOR MITCHELL and COUNCILMAN ZERUNYAN volunteering to serve on a subcommittee to consider amending language for Resolution No. 2044.

### **NEW BUSINESS (Continued)**

#### **A. FISCAL YEAR 2004-05 BUDGET PUBLIC HEARING AND ADOPTION**

Recommendation: That the City Council: 1) Open the public hearing and take any public testimony related to the budget adoption, including fees and charges, fund balance policy, and

investment policy; 2) Close the public hearing; and 3) Review and adopt Resolution Nos. 2049, 2050 and 2051, the Equipment Replacement Funding Schedule, the Statement of Fund Balance Policy, and the Statement of Investment Policy.

MAYOR MITCHELL noted her preference to move adoption of the budget forward and defer discussion of BMC Landscaping to a later time.

City Manager Prichard noted that discussion took place regarding the Maintenance Department and a proposed BMC Landscaping performance audit which is intended to provide a definitive review of how the various tasks can be achieved more efficiently by the contractor and City staff. He noted that a consultant may be desirable to undertake this audit.

COUNCILWOMAN SEAMANS strongly suggested renewing the South Bay Economic Development Partnership's membership. MAYOR MITCHELL concurred and recommended that the remaining COUNCIL MEMBERS attend a meeting as it may be beneficial to see what that group does prior to the November expiration date.

COUNCILMAN ZUCKERMAN questioned how this organization directly affects the City as it seems to focus primarily on area-wide issues.

It was noted that staff will bring this matter back prior to the November renewal.

#### 1. RESOLUTION NO. 2049 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE 2004-05 FISCAL YEAR APPROPRIATION LIMIT FOR THE CITY.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN  
TO ADOPT RESOLUTION NO. 2049.

*City Manager Prichard read Resolution No. 2049 by title only.*

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

#### 2. RESOLUTION NO. 2050 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING THE CONSOLIDATE BUDGET FOR THE FISCAL YEAR 2004-05 MAKING APPROPRIATIONS THERETO AND AUTHORIZING EXPENDITURES THEREFROM AS AMENDED.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN  
TO ADOPT RESOLUTION NO. 2050 AS AMENDED.

*City Manager Prichard read Resolution No. 2050 by title only.*

AYES: Addleman, Mitchell, Zerunyan, Zuckerman

NOES: Seamans

#### 3. RESOLUTION NO. 2051 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING A COMPREHENSIVE SCHEDULE OF MUNICIPAL FEES AND CHARGES FOR THE FISCAL YEAR 2004-05.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN  
TO ADOPT RESOLUTION NO. 2051 AS AMENDED.

*City Manager Prichard read Resolution No. 2051 by title only.*

AYES: Addleman, Seamans, Zerunyan, Zuckerman

NOES: Mitchell

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT THE EQUIPMENT REPLACEMENT FUNDING SCHEDULE, THE STATEMENT OF FUND BALANCE POLICY, AND THE STATEMENT OF INVESTMENT POLICY.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**NEW BUSINESS (Continued)**

A. PLANNING COMMISSION MINUTES OF MAY 17, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN  
TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF MAY 17, 2004.  
THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. PLANNING COMMISSION MINUTES OF JUNE 21, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN  
TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF JUNE 21, 2004.  
THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

C. PARK AND ACTIVITIES COMMISSION MINUTES OF JUNE 15, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN  
TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF JUNE 15, 2004.  
THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

D. BUCKSKIN LANE SPEED HUMP SURVEY RESULTS

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

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM ADDLEMAN  
TO RECEIVE AND FILE THE BUCKSKIN LANE SPEED HUMP SURVEY RESULTS.  
THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

F. SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) REPRESENTATIVES

Recommendation: That the City Council adopt Resolution No. 2052.

1. RESOLUTION NO. 2052 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES  
APPOINTING A DELEGATE AND ALTERNATE AS OFFICIAL REPRESENTATIVES OF  
THE CITY TO THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG).

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN  
TO ADOPT RESOLUTION NO. 2052.

*City Manager Prichard read Resolution No. 2052 by title only.*

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**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 MITCHELL

1. EQUESTRIAN COMMITTEE MINUTES OF JUNE 14, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN  
TO RECEIVE AND FILE THE EQUESTRIAN COMMITTEE MINUTES OF JUNE 14, 2004.  
THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. COUNCILMAN ZERUNYAN

1. CITY PROPERTY REUSE UPDATE

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

THERE BEING NO OBJECTION, THIS REPORT WAS RECEIVED AND FILED.

**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. COUNCILMAN ZUCKERMAN reported that precautionary signs have been posted alerting the public to the West Nile Virus. He noted that, although no cases have been reported yet, citizens need to cover up when going out at night.

**ADJOURNMENT**

At 12:05 a.m., MAYOR MITCHELL formally adjourned the City Council meeting to Tuesday, July 13, 2004 at 7:30 p.m.

Submitted by, Approved by,

Hope J. Nolan

Douglas R. Prichard

Deputy City Clerk

City Clerk