

MINUTES

CITY COUNCIL MEETING

OCTOBER 14, 2003

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 RAUCH.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

City Council Members Present: Addleman, Mitchell, Rauch, Seamans, Zuckerman

City Staff Present: City Manager Doug Prichard

City Attorney Stephen Pfahler

Assistant City Manager Sam Wise

Planning Director David Wahba

Community Services Director Andy Clark

Finance Director Jud Norrell

Administrative Analyst Greg Grammer

Others Present: Dale Allen, Park and Activities Commission

Larry Vandenbos, Park and Activities Commission

CEREMONIAL ITEMS

NONE

ROUTINE MATTERS

A. SPECIAL CITY COUNCIL AND REGULAR PLANNING COMMISSION MINUTES OF SEPTEMBER 15, 2003

COUNCILMAN ZUCKERMAN requested a correction on Page 8, Paragraph 7:

"COUNCILMAN ZUCKERMAN: No vinyl or ~~metal~~ awnings."

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM MITCHELL

TO APPROVE THE SPECIAL CITY COUNCIL AND REGULAR PLANNING COMMISSION MINUTES OF SEPTEMBER 15, 2003 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

B. CITY COUNCIL MINUTES OF SEPTEMBER 23, 2003

COUNCILMAN ADDLEMAN requested an addition on Page 5, Paragraph 6:

"Brief discussion ensued regarding concerns with V2C Group's performance in several other areas as well as how they administer various contracts."

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CITY COUNCIL MINUTES OF SEPTEMBER 23, 2003 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

C. DEMANDS AND WARRANTS – MONTHS OF SEPTEMBER AND OCTOBER

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 34418 THROUGH 34484 IN THE AMOUNT OF \$111,895.63; SUPPLEMENTAL WARRANTS 090301; 34247 THROUGH 33249; 34307 THROUGH 34318; 34319 (REPLACED 34035); 34320 THROUGH 34325; 34394 THROUGH 34401 IN THE AMOUNT OF \$185,183.44 FOR A GRAND TOTAL AMOUNT OF \$297,079.07 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

CONSENT CALENDAR

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE ITEMS A-G.

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. RELEASE OF BONDS FOR VANTAGE POINTE

DIRECTED STAFF TO AUTHORIZE THE RELEASE OF BOND NO. 3SM90999500 IN THE AMOUNT OF \$71,800 FOR MONUMENTS IN THE CAYMAN SUBDIVISION.

C. CLAIM AGAINST THE CITY – RYAN

REJECTED.

D. CLAIM AGAINST THE CITY – KORTENS

REJECTED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED SEPTEMBER 19, 2003

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED SEPTEMBER 26, 2003

RECEIVED AND FILED.

G. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED OCTOBER 3, 2003

RECEIVED AND FILED.

H. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS JPIA MEMBERSHIP APPLICATION

APPROVED THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS' APPLICATION FOR MEMBERSHIP IN THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (JPIA).

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

- A. COUNCILMAN ZUCKERMAN noted he would like the COUNCIL to respond to a letter sent by Melody Colbert, South Bay CARES and take action similar to that taken by the Rancho Palos Verdes City Council urging extension of the public comment deadline by 90 days for the proposed PV Landfill Golf Course. He requested that the COUNCIL consider this issue on an urgency basis to discuss support for this request.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO CONSIDER THIS ITEM ON AN URGENCY BASIS AS THIS MATTER CAME BEFORE THE CITY COUNCIL AFTER THE AGENDA WAS PREPARED.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

Christina Zimmerman, 19 Ranchview Road, President, Ranchview Homeowners' Association, urged the COUNCIL to support a 90-day extension to allow for careful review of these documents. She also requested additional hearings be held on weeknights at the South Coast Botanic Gardens so as to allow the community an opportunity to provide input as the times and locations set by the County are not feasible for many working residents. She expressly referred to her concern regarding fugitive dust that would occur once the landfill is disturbed.

Angela Houle, 44 Ranchview Road, pointed out that the Environmental Impact Report states that air quality during the proposed 18-month construction would far exceed pollution standards and no answers are provided to address this matter. Additionally, she noted that the EIR does not mention Rancho Vista School or the Methodist Church which are closest to the landfill and have large populations of children who would be put at risk.

Joan Davidson, 1525 Via Arco, Palos Verdes Estates, former School Board Member, noted that she would provide her vast amount of information on this site to City Manager Prichard. She then noted her extensive concerns regarding several points throughout the EIR and disputed many of the statements made and requested a meeting with City Manager Prichard to pass along other information to the COUNCIL.

Patricia Harik, 20 Hitching Post Lane, stated that she is a boarder at the Equestrian Center and requested information on relocation of the Stables.

Discussion ensued regarding the City's response to the EIR noting that Proposition A funding has already been set aside in the amount of one million dollars to assist in the relocation, but that it is doubtful whether or not the County will contribute additional funds. Additionally, City Manager Prichard stated that Supervisor Knabe realizes the importance of this regional facility.

COUNCILMAN ZUCKERMAN then encouraged Ms. Harik to relay her concerns, as well as others, to the Supervisor.

Brooke Cooper, Ranchview Road, noted her frustration regarding the EIR in regards to the proposed equestrian center. She requested the City include comments on this item in its response letter as she believed the EIR did not accurately address the City's concerns, i.e. relocation of horsetrails.

Brief discussion ensued with COUNCILMAN ZUCKERMAN reminding the audience that this project is a privately funded golf course development. He noted that the City believed it was not in its best interest to have this project reviewed by the Los Angeles County Parks Department stating that an initial request was made to have the Los Angeles County Regional Planning Commission consider this project as it made more sense rather than having their own Parks Department undertake this review. He also noted that concerned citizens may wish to request an additional hearing be held as well.

City Manager Prichard noted that once the City's consultants have provided their input to staff, the City's response will be made public when it is presented before the COUNCIL. It was noted that this statement will also be available at City Hall or the website.

Ms. Davidson then presented an obsolete aerial photograph that shows this area to be a former recreational site many years ago and urged that it remain this way.

COUNCILWOMAN SEAMANS then noted that the COUNCIL is knowledgeable about this site commenting that most of the COUNCIL'S children attended Rancho Vista School with no ill effects from the landfill being constructed at that time.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO DIRECT STAFF TO SEND A LETTER REQUESTING: 1) AN EXTENSION OF THE DRAFT ENVIRONMENTAL REPORT COMMENT PERIOD AN ADDITIONAL 90 DAYS; AND 2) AN ADDITIONAL PUBLIC HEARING TO BE SET AT A PRACTICAL TIME AND LOCATION ON A WEEKNIGHT FOR RESIDENTS TO PROVIDE INPUT.

PUBLIC HEARINGS/MEETINGS

NONE

NEW BUSINESS

A. PARK AND ACTIVITIES COMMISSION MINUTES OF OCTOBER 7, 2003

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF OCTOBER 7, 2003.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

1. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF OCTOBER 7, 2003 – PENINSULA HOLIDAY PARADE SERVICES AGREEMENT

Recommendation: That the City Council enter into an agreement with Pageantry Productions to provide parade management services for the 2003 Peninsula Holiday Parade.

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

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE ENTERING INTO AN AGREEMENT WITH PAGEANTRY PRODUCTIONS TO PROVIDE PARADE MANAGEMENT SERVICES FOR THE 2003 PENINSULA HOLIDAY PARADE.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

2. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF OCTOBER 7, 2003 – CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION BOND ACT OF 2002

Recommendation: That the City Council adopt Resolution No. 2034 which approves the City's application for per capita grant program funds under the Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Act of 2002.

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

(a). RESOLUTION NO. 2034 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING THE APPLICANT TO APPLY FOR FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION BOND ACT OF 2002.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2034.

City Manager Prichard read Resolution No. 2034 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

B. COMPREHENSIVE ANNUAL FINANCIAL REPORT AND RELATED DOCUMENTS FOR FISCAL YEAR ENDED JUNE 30, 2003

Recommendation: That the City Council receive and file the Comprehensive Annual Financial Report, Communication with Governing Body letter, Report on Compliance and on Internal Control Over Financial Reporting; and Appropriations Limit Report.

Finance Director Norrell provided a staff report (as per agenda material).

After brief discussion, COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE AS AMENDED AND HAVE THE CAFR SUBCOMMITTEE MEET TO DISCUSS ONGOING FUND POLICIES.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

C. RESOLUTION NO. 2033 – TRANSFER OF STP-L FUNDS

Recommendation: That the City Council adopt Resolution No. 2033 authorizing the transfer of Surface Transportation Local (STP-L) funds to the County of Los Angeles.

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

1. RESOLUTION NO. 2033 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AUTHORIZING THE TRANSFER OF SURFACE TRANSPORTATION LOCAL (STP-L) FUNDS TO THE COUNTY OF LOS ANGELES.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM MITCHELL

TO ADOPT RESOLUTION NO. 2033.

City Manager Prichard read Resolution No 2033 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

D. LEGISLATIVE UPDATE

Recommendation: That the City Council receive and file this report and adopt Resolution No. 2035.

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

Brief discussion ensued regarding AB 1180 (Steinberg). COUNCILWOMAN SEAMANS encouraged COUNCIL MEMBERS to testify before the Assembly Housing and Community Development Committee scheduled for November 18.

MAYOR PRO TEM MITCHELL reported on the League of California Cities' ballot initiative limiting the State from raiding local city funds. She also encouraged the COUNCIL to support this resolution.

1. RESOLUTION NO. 2035 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES SUPPORTING A STATE-WIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAX LOCAL TAX FUNDS.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT RESOLUTION NO. 2035.

City Manager Prichard read Resolution No. 2035 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

COUNCILMAN ZUCKERMAN suggested that the proposed ballot measure language be made clear to the public in order to emphasize what is at stake for local cities.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE LEGISLATIVE REPORT.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

OLD BUSINESS

A. DEEP VALLEY DRIVE MASTER PLAN (PA-21-03)

Recommendation: That the City Council: 1) Discuss the Master Plan; 2) Direct staff to execute the contract from Mr. Polyzoides to include Silver Spur Road in the Master Plan for a total cost of \$10,000; and 3) Review the proposal from Mr. Rex Swanson and direct staff to enter into an agreement to conduct economic analysis at no cost to the City for 627 Deep Valley Drive.

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

MAYOR PRO TEM MITCHELL reported on her meeting with the Mixed-Use Committee and Mr. Swanson. She noted that, while complimentary services were offered by Mr. Swanson, she was reluctant to engage in a formal agreement at this time. She suggested COUNCIL schedule a policy workshop to discuss mixed use issues that the City may face in the future. She also suggested another meeting be held in a type of economic development forum inviting developers to offer their feedback as to the feasibility of the master plan which would assist the City in further honing in on a viable project. Additionally, COUNCILWOMAN SEAMANS noted that the City needs further information, i.e. density,

square footage of housing v. retail, and should hear from developers in a round-table discussion giving the City insight as to the realities of today's market.

Rex Swanson, Metropolitan Development, noted that the proposal before the COUNCIL relates to an economic assessment of a site that the City would select. He noted that a specific location would then be analyzed to determine its value, provide a "menu" of options defining market area demographics, examine inventory of existing sites, etc.

COUNCILMAN ZUCKERMAN inquired if Mr. Swanson has a recent study that is available for review. Mr. Swanson noted that the City has one of his reports from the Pepper Tree Lane development. He then suggested entertaining Mr. Swanson's proposal in conjunction with other proposals so as not to be perceived as favoring one developer over another.

COUNCILWOMAN SEAMANS requested information on what the current vacancy rate is with regards to office space versus retail, but separate The Avenue and Peninsula Center from the "village" concept as they are considered their own entities.

COUNCILMAN ZUCKERMAN noted that this plan is not only meant to look toward additional revenue sources, but to offer opportunities to businesses.

Greg Brown, Applicant, former McDonald's site, urged the COUNCIL to ensure that the consultant understands the background of the community, and specifically, how it would have an impact on his property. He noted his strict timeline on his project and referred to a letter written by Assistant Planner Tran encouraging him to work with Mr. Polyzoides in pursuing a residential project rather than commercial as discussed at the Joint City Council/Planning Commission meeting on September 15, 2003. He once again requested direction so that he may proceed.

Michael Dieden, Creative Housing, applauded the City's efforts to move the City in a progressive direction. He shared his observations with respect to Mr. Polyzoides' plan referring to various impressive developments throughout California and encouraged the COUNCIL to visit these sites. He noted that the retail component is protected by the zoning in regards to residential mixed use. As far as the McDonald's site, he noted he would be willing to pursue the application if the City continues to move forward in this direction.

City Manager Prichard noted that the aforementioned correspondence is incorrect and emphasized that it is incumbent upon the property owner to submit his application to the City on its own merits.

Planning Director Wahba stated that the intent of the letter was to discourage the strip mall-type project that was originally presented by Mr. Brown as it would not be in line with the master plan. Mr. Brown reiterated his desire to receive feedback from the COUNCIL as to which project he should pursue (retail or residential).

COUNCILMAN ZUCKERMAN noted that the City cannot legally deny a use that is in compliance with City codes and pointed out that Mr. Brown must decide on which project to submit as it is his decision whether it be commercial or residential.

Mr. Brown noted he will work with Mr. Dieden to bring a proposal to the City.

Aaron Swertlow, Festival Development Partners, noted he is presently in escrow on the former Arco Service Station site at Silver Spur Road and Beechgate Drive. He noted that his property is retail driven as it is a high visibility site and provided a brief history as well as a presentation of his proposed project. It was his desire to have this property removed from the master plan as he believed it would comply with City codes. He noted that remediation measures would be implemented to bring this site up to commercial standards as well.

MAYOR PRO TEM MITCHELL noted that the master plan may need to consider some of these remediation efforts.

COUNCILWOMAN SEAMANS stated that, since this property is centrally located in the commercial

district, it might be beneficial to obtain Mr. Polyzoides' input.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO DIRECT STAFF TO EXECUTE THE CONTRACT FROM MR. POLYZOIDES TO INCLUDE SILVER SPUR ROAD IN THE MASTER PLAN FOR A TOTAL OF \$10,000 SUBJECT TO REVIEW BY THE CITY ATTORNEY.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

In regards to Mr. Swanson's proposal, MAYOR PRO TEM MITCHELL suggested soliciting requests from other firms as well.

COUNCILMAN ZUCKERMAN noted that he would like to consider Mr. Swanson's offer for complimentary services to see what type of information would be generated, particularly with land use implications on the former Peninsula Carwash site. He concurred with MAYOR PRO TEM MITCHELL on her recommendation to receive other proposals specifically referring to office and retail implications.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE ALLOWING MR. REX SWANSON, METROPOLITAN DEVELOPMENT, TO CONDUCT AN ECONOMIC ASSESSMENT OF THE PENINSULA CARWASH SITE AT NO COST TO THE CITY AS PROPOSED UNDER PHASE I – INITIAL CONSULTATION AND SOLICIT STATEMENTS OF QUALIFICATIONS FROM OTHER FIRMS TO STUDY OFFICE/RETAIL SITES THROUGHOUT THE PROPOSED MASTER PLAN AREA.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

City Manager Prichard noted it was not necessary to enter into an agreement where services are provided at no cost. He concurred with MAYOR PRO TEM MITCHELL regarding a policy workshop in that it would provide a clear direction for staff as to how to proceed. In addition, COUNCILWOMAN SEAMANS suggested meeting with the Mixed-Use Committee immediately so as to set an agenda for this workshop.

Discussion continued with the suggestion to include other developers in the mixed-use discussions as well as including the South Bay Economic Development Partnership in the list of firms to be invited. The Mixed-Use Committee would then consider those issues and return with a recommendation. It was stressed that there are pending applications before the City that need to be addressed.

CITY ATTORNEY ITEMS

NONE

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. COUNCILMAN ADDLEMAN reported that he and COUNCILWOMAN SEAMANS attended the SBCCOG Workshop on Guarding the Public Checkbook: The Council Role in Budgeting. He was pleased to report that the City had the highest rating for money management.

B. MAYOR PRO TEM MITCHELL reported that Palos Verdes Transit is seeing an increase in ridership due to the MTA strike. She warned the audience at home that it would affect ridership since Routes 225 and 226 would not be running and that parents would have to transport their children to school.

C. COUNCILWOMAN SEAMANS noted she will be in Sacramento on October 16 on behalf of the

League of California Cities to meet with Housing Community Development representatives on housing, economic development and Community Development Block Grant issues. COUNCILMAN ZUCKERMAN then urged her to lobby against AB 1160 (Steinberg) regarding limiting local government's ability to address various zoning issues relevant to adding second dwelling units on single-family lots.

D. COUNCILMAN ADDLEMAN reported he and MAYOR RAUCH met with the Stable Relocation Subcommittee and the design consultant noting that a significant amount of money is at stake for this project with a 1.4 million dollar shortfall existing for this relocation effort.

E. MAYOR RAUCH reported on the Vector Control meeting where the West Nile Virus was discussed. She noted that a case was found in Riverside County.

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. APPOINTMENT OF REPRESENTATIVE TO PENINSULA TRANSIT AUTHORITY

COUNCILWOMAN SEAMANS noted that, while she enjoyed working on the Peninsula Transit Authority Committee, she is stepping down to allow another COUNCIL MEMBER to serve on this committee. COUNCILMAN ADDLEMAN volunteered to take over this position.

B. REQUEST FOR SUBCOMMITTEE FOR JACK KRAMER CLUB IMPROVEMENTS

After brief discussion, MAYOR PRO TEM MITCHELL and COUNCILMAN ADDLEMAN volunteered to serve on this committee.

C. 2003 AIR QUALITY MANAGEMENT PLAN

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

Administrative Analyst Grammer provided a staff report (as per agenda material).

MAYOR PRO TEM MITCHELL noted that David Madsen is the City's representative from the Air Quality Control District who attends the South Bay Cities Council of Governments' meetings. She recommended that COUNCIL send a letter to the California Air Resources Board urging them to adopt the Air Quality Management Plan.

It was the consensus of the COUNCIL

TO SEND A LETTER URGING THE AIR RESOURCES BOARD TO CONSIDER IMPLEMENTING THE AQMD'S AIR QUALITY MANAGEMENT PLAN.

ADJOURNMENT

At 11:23 p.m., MAYOR RAUCH formally adjourned the City Council meeting to October 28, 2003.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Manager