

## MINUTES

### CITY COUNCIL MEETING

FEBRUARY 28, 2006

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:37 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 Stephen Pfahler  
Assistant City Manager Sam Wise  
Planning Director David Wahba  
Administrative Services Director Michael Whitehead  
Assistant to the City Manager Greg Grammer

Others Present: Lou Persichina, Park and Activities Commission

#### CEREMONIAL ITEMS

A. WASTE MANAGEMENT DRAWING FOR ONE YEAR'S FREE RESIDENTIAL REFUSE SERVICE

---

MAYOR ZUCKERMAN drew the name of John Hodgkinson, 4611 Rockbluff, as the recipient of one year's free disposal service.

Susan Moulton, General Manager, Waste Management, was pleased to report that the City's overall residential diversion rate is now at 66.3%. MAYOR PRO TEM SEAMANS added that her neighborhood was very happy with the new recycling program.

#### ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF FEBRUARY 14, 2006

MAYOR ZUCKERMAN requested the following correction on Page 7, Paragraph 9:

*"MAYOR ZUCKERMAN requested that the Applicant consider methods to ~~guarantee~~ **enhance** customer parking availability adjacent to the retail component of the project."*

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE THE CITY COUNCIL MINUTES OF FEBRUARY 14, 2006 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. DEMANDS AND WARRANTS – FEBRUARY

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE WARRANTS 38947 THROUGH 39009 FOR A GRAND TOTAL AMOUNT OF \$138,728.66 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**CONSENT CALENDAR**

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE ITEMS A-C.

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. JANUARY 2006 SCHEDULE OF INVESTMENTS

Recommendation: That the City Council receive and file the Schedule of Investments report.

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED FEBRUARY 10, 2006

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

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

A. STREET FAIR HOURS OF OPERATION

Charles Smyth, Member, Chamber of Commerce Board of Directors, Co-Chair of the Street Fair, requested the COUNCIL'S consideration of changing the hours from 11:00 a.m.-6:00 p.m. to 11:00 a.m.-11:00 p.m. on Saturday and 11:00 a.m.-10:00 p.m. on Sunday. He noted the Chamber's desire to attract more people with larger carnival rides and believed that the amended hours would achieve that goal. He indicated that they have the support of The Avenue as well as the Peninsula Shopping Center. In responding to COUNCIL inquiries, he stated that the Chamber will ensure adequate security by hiring four additional

deputies; two for carnival patrol and two for the food court in addition to what they have done at previous Street Fairs.

It was the consensus of the COUNCIL to support this request, with reservations about the reaction from those residents and businesses who might be adversely affected.

- B. Christina Zimmerman, noted that she sent a letter to the COUNCIL regarding her concern about traffic control at Rancho Vista School.

In response to MAYOR PRO TEM SEAMANS' inquiry, Assistant City Manager Sam Wise noted he contacted the Sheriff's Department immediately upon receiving the aforementioned letter and met with the Captain and Traffic Sergeant. He then stated that he was assured this problem would be remedied. When Assistant City Manager Wise was informed of the most recent incident at that location, he contacted the Captain again to determine what had happened.

City Manager Prichard reiterated that, when he and Assistant City Manager Wise met with the Captain, they were satisfied that this situation would be resolved. Upon being notified of this new information, he stated he would contact the Captain the next morning.

Julie Hezlep, 22 Palos Verdes Lane, commented that if traffic is not being directed at the appropriate hours, then maybe a stop sign might be warranted.

COUNCILMAN ADDLEMAN recommended agendaizing this item at a later time for discussion.

MAYOR ZUCKERMAN also recommended looking into extending the traffic control time to 3:45 p.m.

It was the consensus of the COUNCIL to allow the City Manager to resolve the issue immediately with the Captain and review the results at a later date.

## **PUBLIC HEARINGS/MEETINGS**

NONE

## **NEW BUSINESS**

- A. MID-YEAR BUDGET REVIEW

Recommendation: That the City Council receive and file the FY 2005-06 Mid-Year Budget Report.

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO RECEIVE AND FILE THE MID-YEAR BUDGET REVIEW.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. FISCAL HEALTH REPORT: FY 1995-96 THROUGH FY 2004-05

Recommendation: That the City council receive and file the Fiscal Health Report.

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

MAYOR PRO TEM SEAMANS noted that she would like to see how the revenues and expenditures are distributed as well as have a pie chart incorporated into the report for review.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO RECEIVE AND FILE THE FISCAL HEALTH REPORT: FY 1995-96 THROUGH FY 2004-05.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

C. ANNUAL AUDIT SERVICES CONTRACT

Recommendation: That the City Council authorize the firm of Moreland & Associates, Inc., to perform audit services for the next three fiscal years, prepare the State of Controller's Report and the Pepper Tree Foundation's tax returns and authorize the City Manager to execute the engagement letter.

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

At the suggestion of COUNCILWOMAN MITCHELL, COUNCIL considered the possibility of going out to bid after this next audit contract cycle.

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

TO AUTHORIZE THE FIRM OF MORELAND & ASSOCIATES, INC., TO PERFORM AUDIT SERVICES FOR THE NEXT THREE FISCAL YEARS, PREPARE THE STATE OF CONTROLLER'S REPORT AND THE PEPPER TREE FOUNDATION'S TAX RETURNS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE ENGAGEMENT LETTER AND SOLICIT BIDS AFTER THE NEXT AUDIT CYCLE IS COMPLETED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

D. CHAMBER OF COMMERCE AGREEMENT

Recommendation: That the City Council approve the agreement between the City and the Chamber of Commerce for Fiscal Year 2005-06.

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

Barbara Dye, Chair, Chamber Board of Directors, noted she was looking forward to another year of bringing the business community together for shopping and dining on the Peninsula.

Kay Finer, President, Chamber of Commerce, informed the COUNCIL of upcoming ribbon cutting events as well as the Salute to Business Awards dinner. She noted that she, too, was looking forward to a continued partnership with the City.

COUNCILMAN ZERUNYAN noted he was pleased with the agreement, but wish to make the following comments with respect to the Chambers' newsletter: 1) Highlight a Rolling Hills Estates business rather than businesses outside the City; 2) Prominently display the City in the directory; and 3) Encourage business owners to obtain a business license. He thanked the Chamber and staff for their assistance in the City's economic development program.

MAYOR ZUCKERMAN requested a correction on Section 2, Page 3 of the contract.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE THE AGREEMENT BETWEEN THE CITY AND THE CHAMBER OF COMMERCE FOR FISCAL YEAR 2005-06 AS AMENDED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

E. TRAFFIC SIGNAL IMPROVEMENT BID RESULTS

Recommendation: That the City Council award the Traffic Signal Project Bid to Republic Electric at a total cost of \$189,450 and authorize the execution of the Contract Agreement.

Assistant City Manager Wise provided a staff report (as per agenda material). He noted he was pleased to report that surplus funds from the storm drain improvements have been applied to this project.

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO AWARD THE TRAFFIC SIGNAL PROJECT BID TO REPUBLIC ELECTRIC AT A TOTAL COST OF \$189,450 AND AUTHORIZED THE EXECUTION OF THE CONTRACT AGREEMENT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**OLD BUSINESS**

A. APPROVAL OF PROJECT ENTITLEMENTS (PA-34-05)

1. ORDINANCE NO. 633 FOR FIRST READING AND INTRODUCTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AMENDING CHAPTER 17.37 (MIXED-USE OVERLAY DISTRICT) OF THE ROLLING HILLS ESTATES MUNICIPAL CODE WITH RESPECT TO MAXIMUM PERMITTED RESIDENTIAL DENSITY; LOCATION: 627 DEEP VALLEY DRIVE.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO INTRODUCE ORDINANCE NO. 633 FOR FIRST READING.

*City Manager Prichard read Ordinance No. 633 by title only.*

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

### **CITY ATTORNEY ITEMS**

#### A. RESIGNATION OF CITY ATTORNEY

MAYOR ZUCKERMAN presented a plaque to City Attorney Pfahler wishing him well in his new role as a Superior Court judge.

City Attorney Pfahler commented that it has been an honor to serve the City and thanked the COUNCIL for giving him the privilege to work with them as well as City Manager Prichard and the rest of the staff. He stated that the COUNCIL has been exceptional in how they deal with the public with their dedication to preserving the rural character of the City. He then recommended that Assistant City Attorney Kristin Pelletier be appointed to serve as Interim City Attorney.

**CITY COUNCIL/REGIONAL COMMITTEE REPORTS:** This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

#### A. COUNCILWOMAN MITCHELL

##### 1. REQUEST FOR SUPPORT OF AB 2015 (LIEU)

After some discussion, it was the consensus of the COUNCIL to direct staff to send a letter of support to Assemblyman Ted Lieu and bring back a resolution to the COUNCIL for adoption.

**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.

NONE

### **CLOSED SESSION**

NONE

**ADJOURNMENT TO POLICY DEVELOPMENT SESSION SCHEDULED FOR  
SATURDAY, MARCH 4, 2006 AT 8:00 A.M. AT THE NORRIS PAVILION**

At 9:03 p.m., MAYOR ZUCKERMAN formally adjourned the City Council meeting to Tuesday, March 14, 2006 at 7:30 p.m.

Submitted by,

Approved by,

---

Hope J. Nolan  
Deputy City Clerk

---

Douglas R. Prichard  
City Clerk