

MINUTES
SPECIAL
CITY COUNCIL MEETING
FEBRUARY 14, 2006

A special meeting of the City Council of the City of Rolling Hills Estates was called to order at 6:10 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
*MAYOR PRO TEM SEAMANS arrived at 6:15 p.m.

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
Administrative Services Director Mike Whitehead
Senior Planner Niki Cutler

Others Present: Dan O'Day, Planning Commission
Deborah Davis, Park & Activities Commission

CEREMONIAL ITEMS

NONE

ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF JANUARY 24, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE CITY COUNCIL MINUTES OF JANUARY 24, 2006
APPROVED AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. DEMANDS AND WARRANTS – DECEMBER AND JANUARY

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE WARRANTS 38865 THROUGH 38933 IN THE AMOUNT OF \$299,183.44; SUPPLEMENTAL WARRANTS 010906 THROUGH 012306; 38593 VOID; 38710 THROUGH 38716; 38761 THROUGH 38776; 38834 THROUGH 38848 IN THE AMOUNT OF \$252,253.53 FOR A GRAND TOTAL AMOUNT OF \$482,117.94 WITH PROPER AUDIT.

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

CONSENT CALENDAR

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

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. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 20, 2006

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 27, 2006

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED FEBRUARY 3, 2006

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

NONE

NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF FEBRUARY 6, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

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

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF FEBRUARY 7, 2006

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF FEBRUARY 7, 2006.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

ADJOURNED TO THE PEPPER TREE FOUNDATION CORPORATION MEETING

C. PEPPER TREE FOUNDATION REGULAR ADVISORY BOARD ACTION ITEM FROM MEETING OF FEBRUARY 7, 2006 – 2006 HILLS ARE ALIVE RACE CONSULTANT AGREEMENT

Recommendation: That the Pepper Tree Foundation Board of Directors approve the agreement with Educational Sponsorship Partners to provide fundraising, promotional, and consulting services for the 2006 Hills are Alive Race.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE AGREEMENT WITH EDUCATIONAL SPONSORSHIP PARTNERS TO PROVIDE FUNDRAISING, PROMOTIONAL, AND CONSULTING SERVICES FOR THE 2006 HILLS ARE ALIVE RACE.

AYES: Addleman, Mitchell, Zerunyan, Zuckerman

ABSENT: Seamans

RECONVENED CITY COUNCIL MEETING

OLD BUSINESS

A. RESOLUTION NO. 2092 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES DENYING A NEIGHBORHOOD COMPATIBILITY APPLICATION (PA-39-05) TO CONSTRUCT AN ACCESSORY STRUCTURE (GARAGE) LOCATED IN THE REAR YARD; APPLICANT: MR. DENNIS LA CHARITE; LOCATION: 21 RANCHVIEW ROAD.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT RESOLUTION NO. 2092.

City Manager Prichard read Resolution No. 2092 by title only.

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

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. MAYOR ZUCKERMAN

1. EQUESTRIAN COMMITTEE MINUTES OF JANUARY 23, 2006

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM SEAMANS

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

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. COUNCILMAN ADDLEMAN

1. REGIONAL LAW ENFORCEMENT MEETING OF FEBRUARY 9, 2006

COUNCILMAN ADDLEMAN reported that he attended this meeting and was pleased to report that crime has decreased in all categories. He noted that discussion also included a recommendation to add another dedicated traffic patrol car.

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. CITY OF LOMITA CONSIDERATION OF ORDINANCE TO ALLOW FIREWORKS

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO DIRECT STAFF TO SEND A LETTER STATING THE CITY'S OPPOSITION TO ALLOWING SAFE AND SANE FIREWORKS IN THE CITY OF LOMITA DUE TO THE CLOSE PROXIMITY TO THE PALOS VERDES PENINSULA.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. MAYOR PRO TEM SEAMANS reported that the South Bay Cities COG and Los Angeles Division of the League have sponsored legislation, AB 2015 (Lieu) to add County representation to the AQMD Board of Directors.

C. After some discussion, MAYOR PRO TEM SEAMANS was appointed to the Lomita Reservoir Committee.

At 6:30 p.m., the CITY COUNCIL convened into closed session.

At 7:32 p.m. the COUNCIL reconvened with MAYOR ZUCKERMAN, MAYOR PRO TEM SEAMANS, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL, AND COUNCILMAN ZERUNYAN present.

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9)

CORRESPONDENCE FROM NextG REGARDING CELL SITE LOCATIONS IN RIGHT-OF-WAY

NO ACTION WAS TAKEN.

B. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
(Government Code Section 54956.9(a))

CODE ENFORCEMENT CASE AT 4609 PALOS VERDES DRIVE NORTH (FRANCISCO LINARES)

NO ACTION WAS TAKEN.

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Property: Chandler's Right-of-Way
City Negotiator: City Manager Doug Prichard
City Attorney Stephen Pfahler
Negotiating Parties: City and Chandler's
Under Negotiation: Vacation of easement

NO ACTION WAS TAKEN.

PUBLIC HEARINGS/MEETINGS

A. PLANNING APPLICATION NO. 33-04; APPLICANT: GARY BUTCHER;
LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH
AND PALOS VERDES DRIVE EAST

Recommendation: That the City Council: 1) Open the public hearing; 2) Take no public testimony; 3) Close the public hearing; and 4) Continue PA-33-04 to a date uncertain.

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

COUNCILMAN ZERUNYAN moved, seconded by COUNCILWOMAN MITCHELL

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO CONTINUE THE PUBLIC HEARING TO A DATE UNCERTAIN.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. PLANNING APPLICATION NO. 34-05; APPLICANT: BRUCE SOROUDI;
LOCATION: 627 DEEP VALLEY DRIVE SOUTHEAST OF THE
INTERSECTION OF DRYBANK DRIVE AND DEEP VALLEY DRIVE

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) Direct staff to prepare a Resolution approving the proposed project as well as adopting the associated Mitigated Negative Declaration subject to the conditions of approval identified in Planning Commission No. PA-34-05.

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.

Bruce Soroudi, Applicant, thanked the COUNCIL and staff for their input, proactive approach in planning this project and making their vision known to the community.

MAYOR PRO TEM SEAMANS inquired as to the roof decks. Mr. Soroudi noted that at this location they would be desirable. He noted that there are no adjacent homes at this location so the decks would not affect other residents.

COUNCILMAN ZERUNYAN inquired if the decks would be visible from the "twin towers" office buildings. Mr. Soroudi noted that the roof decks would not be visible from the adjacent office building or the street.

No additional public testimony was offered.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

COUNCILMAN ADDLEMAN inquired as to potential construction traffic. Planning Director Wahba indicated that this will be coordinated at a later time noting that peak traffic times must be considered as well as business hours for adjacent retailers.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM SEAMANS

TO REOPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

Jan Van Tilburg, Architect, addressed a variety of points and questions from the COUNCIL with respect to the project.

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

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

COUNCILMAN ZERUNYAN voiced concern regarding the practicality of this suggestion and difficulty in enforcement of such conditions on the property or tenant leases.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO REOPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

Mr. Soroudi expressed his objection to requiring either CC&R's or lease conditions that the City would have to approve to address the issue of employee and/or customer parking.

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

MAYOR ZUCKERMAN restated his desire to see conditions imposed regulating employee parking.

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO DIRECT STAFF TO BRING BACK THE APPROPRIATE ORDINANCE AND RESOLUTION APPROVING THE FOLLOWING: 1) PLANNING APPLICATION NO. 34-05; 2) ELIMINATING CONDITION NO. 72; 3) INCLUDING ROOFTOP DECKS IN CONDITION NO. 16; AND 4) ADOPTING THE ASSOCIATED MITIGATE NEGATIVE DECLARATION SUBJECT TO OTHER CONDITIONS OF APPROVAL IDENTIFIED IN PLANNING COMMISSION RESOLUTION NO. 34-05.

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

ADJOURNMENT IN MEMORY OF BEVERLY PERNELL

At 8:31 p.m., MAYOR ZUCKERMAN formally adjourned the City Council meeting to Tuesday, February 28, 2006 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk