

MINUTES

CITY COUNCIL MEETING

MARCH 28, 2006

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by COUNCILMAN ADDLEMAN.

PLEDGE OF ALLEGIANCE

COUNCILMAN ADDLEMAN led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

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

City Council Member Absent: Seamans

*MAYOR ZUCKERMAN arrived at 7:34 p.m.

City Staff Present: City Manager Doug Prichard
Interim City Attorney Kristin Pelletier
Assistant City Manager Sam Wise
Planning Director David Wahba
Community Services Director Andy Clark
Administrative Services Director Michael Whitehead

Others Present: Lou Persichina, Park and Activities Commission

CEREMONIAL ITEMS

NONE

ROUTINE MATTERS

A. ADJOURNED POLICY DEVELOPMENT SESSION MINUTES OF MARCH 24, 2006

COUNCILWOMAN MITCHELL requested the following correction on Page 1, Paragraph 3:

*“Anton ~~Katze~~ **Kotze**, General Manager, The Avenue, noted that he is in favor of the Master Plan....”*

COUNCILMAN ADDLEMAN requested the following correction on Page 6, Paragraph 7:

“COUNCILMAN ADDLEMAN commended Assistant City Manager Wise for his assistance in locating funding for these projects....”

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE ADJOURNED POLICY DEVELOPMENT SESSION MINUTES OF MARCH 4, 2006 AS AMENDED.

THERE BEING NO OBJECTION, COUNCILMAN ADDLEMAN SO ORDERED.

B. CITY COUNCIL MINUTES OF MARCH 14, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE CITY COUNCIL MINUTES OF MARCH 14, 2006 AS PRESENTED.

THERE BEING NO OBJECTION, COUNCILMAN ADDLEMAN SO ORDERED.

C. DEMANDS AND WARRANTS – MARCH

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE WARRANTS 39105 THROUGH 39171 FOR A GRAND TOTAL AMOUNT OF \$85,975.22 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Zerunyan

ABSENT: Seamans, Zuckerman

CONSENT CALENDAR

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

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. FEBRUARY INVESTMENT REPORT

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

RECEIVED AND FILED.

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

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MARCH 17, 2006

RECEIVED AND FILED.

THERE BEING NO OBJECTION, COUNCILMAN ADDLEMAN SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

NONE

NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF MARCH 20, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF MARCH 20, 2006.

THERE BEING NO OBJECTION, COUNCILMAN ADDLEMAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF MARCH 21, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF MARCH 21, 2006.

THERE BEING NO OBJECTION, COUNCILMAN ADDLEMAN SO ORDERED.

1. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF MARCH 21, 2006

Recommendation: That the City Council: 1) Implement the procedures as listed in the staff report; and 2) Declare the six (6) identified date palm trees surplus City property in the George F Canyon Nature Preserve (three trees), Dapplegray Park, Pepper Wood Park, and Rolling Hills Road right-of-way near the intersection of Palos Verdes Drive North and direct staff to sell the trees to the highest interested bidder(s).

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE: 1) IMPLEMENTING THE PROCEDURES AS LISTED IN THE STAFF REPORT; AND 2) DECLARING THE SIX (6) IDENTIFIED DATE PALM TREES SURPLUS CITY PROPERTY IN THE GEORGE F CANYON NATURE PRESERVE (THREE TREES), DAPPLEGRAY PARK, PEPPER WOOD PARK, AND ROLLING HILLS ROAD RIGHT-OF-WAY NEAR THE INTERSECTION OF PALOS VERDES DRIVE NORTH AND DIRECT STAFF TO SELL THE TREES TO THE HIGHEST INTERESTED BIDDER(S).

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

C. SALE OF COMMUNITY DEVELOPMENT BLOCK GRANT

Recommendation: That the City Council adopt Resolution No. 2099 and enter into the agreement with the City of Hawaiian Gardens for authorizing the exchange of Community Development Block Grant funds for Fiscal Year 2006-07.

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

1. RESOLUTION NO. 2099 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AUTHORIZING THE EXCHANGE OF UNEXPENDED COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT AND APPROVE ENTERING INTO THE AGREEMENT WITH THE CITY OF HAWAIIAN GARDENS FOR AUTHORIZING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2006-07.

City Manager Prichard read Resolution No. 2099 by title only.

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

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. COUNCILWOMAN MITCHELL reported that she attended the most recent California Contract Cities Association meeting, along with COUNCILMAN ZERUNYAN. She was pleased to note that she won a raffle and will donate the proceeds to the Pepper Tree Foundation.

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 ADDLEMAN

1. BUILDING LIVABLE COMMUNITIES: MULTIPLYING THE BENEFITS OF SMART GROWTH CONFERENCE

COUNCILMAN ADDLEMAN reported that he attended this conference, along with COUNCILMAN ZERUNYAN. He noted that it provided excellent information. Additionally, COUNCILMAN ZERUNYAN noted that he was impressed with one of the PowerPoint presentations regarding sustainability principles and requested that a copy be forwarded to City Manager Prichard and Planning Director Wahba.

At 7:45 p.m., the CITY COUNCIL convened into closed session.

At 8:28 p.m. the COUNCIL reconvened with MAYOR ZUCKERMAN, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL, AND COUNCILMAN ZERUNYAN present.

CLOSED SESSION

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

Property: 550 Deep Valley Drive

City Negotiators: City Manager Prichard
Interim City Attorney Kristin Pelletier

Negotiating Parties: City and Cousins Properties, Inc.

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

This item was voted on under 10A. Old Business.

- B. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
Pursuant to Government Code Section 54956.9(b)(11) there is a significant exposure to litigation based upon a written communication from a potential plaintiff threatening litigation.

NO ACTION WAS TAKEN.

OLD BUSINESS

- A. COUSINS PROPERTIES INCORPORATED – LETTER OF CREDIT FOR THE AVENUE OF THE PENINSULA AND RESOLUTION NO. 2100 RECOMMENDING VACATION OF A CERTAIN PORTION OF DEEP VALLEY DRIVE

Recommendation: That the City Council adopt Resolution No. 2100 which would formerly vacate said portion of Deep Valley Drive and direct the City Manager to formerly release the Letter of Credit (LOC) for Cousins.

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

1. RESOLUTION NO. 2100 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES FINDING THAT ALL CONDITIONS TO VACATION OF A CERTAIN PUBLIC STREET HAVE BEEN SATISFIED AND DIRECTING RECORDATION OF RESOLUTION NO. 1875 EFFECTING SAID VACATION.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO ADOPT RESOLUTION NO. 2100 AS AMENDED FORMALLY VACATING SAID PORTION OF DEEP VALLEY DRIVE AND DIRECT THE CITY MANAGER TO FORMERLY RELEASE THE LETTER OF CREDIT (LOC) FOR COUSINS, PENDING CONFIRMATION OF ACCURATE LEGAL DESCRIPTION.

City Manager Prichard read Resolution No. 2100 by title only.

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

PUBLIC HEARINGS/MEETINGS

- A. APPROVAL OF PROJECT ENTITLEMENTS FOR 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 adopt Resolution No. 2093 approving project entitlements and the associated Mitigate Negative Declaration.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN OPENED THE PUBLIC HEARING.

No public testimony was offered.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN CLOSED THE PUBLIC HEARING.

MAYOR ZUCKERMAN noted his concern regarding tenant/employee parking on the street and that he would like to see a condition requiring them to park on site.

COUNCILMAN ZERUNYAN indicated that he spoke with the Applicant and stated he could not attend the meeting due to personal reasons. He then noted that the Applicant was satisfied with the condition as he did not wish to prolong this project any further.

1. RESOLUTION NO. 2093 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING A GENERAL PLAN AMENDMENT, A ZONE TEXT AMENDMENT, A TENTATIVE TRACT MAP, A CONDITIONAL USE PERMIT, A PRECISE PLAN OF DESIGN, A VARIANCE APPLICATION TO EXCEED THE MAXIMUM PERMITTED BUILDING HEIGHT, A VARIANCE APPLICATION TO PERMIT A LESSER SETBACK AREA THAN REQUIRED BY CODE, A MINOR DEVIATION TO EXCEED THE MAXIMUM PERMITTED LOT COVERAGE BY LESS THAN 10%, AND A MITIGATED NEGATIVE DECLARATION FOR A MIXED-USE PROJECT FOR FIFTY-EIGHT (58) CONDOMINIUM UNITS ON A 1.45-ACRE PARCEL; APPLICANT: BRUCE SOROUDI, MAXXAM ENTERPRISES; LOCATION: 627 DEEP VALLEY DRIVE.

After additional discussion, COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT RESOLUTION NO. 2093.

City Manager Prichard read Resolution No. 2093 by title only.

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

ADJOURNMENT

At 8:44 p.m., MAYOR ZUCKERMAN formally adjourned the City Council meeting to Tuesday, April 11, 2006 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk