

MINUTES

CITY COUNCIL MEETING

DECEMBER 12, 2006

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:35 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 Kristin Pelletier
Assistant City Manager Sam Wise
Planning Director David Wahba
Administrative Services Director Michael Whitehead
Assistant to the City Manager Greg Grammer
Senior Planner Niki Cutler
Zoning and Code Administrator Roy Beall

Others Present: Sheri Clewis, Park and Activities Commission
Judith Bayer, Planning Commission

4. CEREMONIAL ITEMS

A. PRESENTATION TO JIM STAHL UPON HIS RETIREMENT FROM THE LOS ANGELES COUNTY SANITATION DISTRICTS

MAYOR ZUCKERMAN was pleased to present Jim Stahl with a City plaque for his outstanding service to the City. He noted Mr. Stahl's various accomplishments and responsibilities over the 37 years of working with the Sanitation Districts and wished him well in his retirement.

B. RESOLUTION OF COMMENDATION PRESENTED TO TRISH MAYFIELD UPON HER RETIREMENT IN RECOGNITION OF AND APPRECIATION FOR HER DEDICATION AND SERVICE AS RECORDS CLERK

MAYOR ZUCKERMAN noted his pleasure at presenting long-time City employee Trish Mayfield with a Resolution of Commendation for her 24 years of service as Records Clerk. He commented that she will always be a member of the City family and will be sorely missed.

C. PRESENTATION TO OUTGOING MAYOR STEVE ZUCKERMAN

MAYOR PRO TEM SEAMANS presented outgoing MAYOR ZUCKERMAN with a photograph of the COUNCIL and thanked him for his leadership throughout the year.

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF NOVEMBER 28, 2006

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE CITY COUNCIL MINUTES OF NOVEMBER 28, 2006 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

B. DEMANDS AND WARRANTS – NOVEMBER AND DECEMBER

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE WARRANTS 40925 THROUGH 40992 IN THE AMOUNT OF \$169,694.88; SUPPLEMENTAL WARRANTS 40733 VOID; 40734 THROUGH 40753; 40831 THROUGH 40923; (40906 REPLACED BY 40906000); 111016 THROUGH 110406 IN THE AMOUNT OF \$751,547.20 FOR A GRAND TOTAL AMOUNT OF \$921,242.08 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. COUNCIL REORGANIZATION

MAYOR ZUCKERMAN noted that it has been his pleasure serving as MAYOR. He commended the various subcommittees on their work over the last year and stated how proud he was to represent the COUNCIL.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR ZUCKERMAN

TO APPOINT MAYOR PRO TEM SEAMANS AS THE CITY'S NEW MAYOR BY ACCLAMATION.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

MAYOR SEAMANS noted she is looking forward to a wonderful year as Mayor.

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO APPOINT COUNCILMAN ZERUNYAN AS THE CITY'S NEW MAYOR PRO TEM BY ACCLAMATION.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

RECESS

7. CONSENT CALENDAR

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE ITEMS A AND B.

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 DECEMBER 1, 2006

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

8. AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

- A. Tom Judge commended the COUNCIL on the following items: 1) Retention of Waste Management; 2) Pending removal of the island on Palos Verdes Drive North and Silver Spur; 3) Installation of the traffic control candlesticks along Silver Spur Road at Kingspine; and 4) Cleaning up the former 76 Station site.

9. PUBLIC HEARINGS/MEETINGS

- A. CONTINUED PUBLIC HEARING - PLANNING APPLICATION NO. 17-06; APPLICANT: MR. AND MRS. KEN SAUNDERS; LOCATION: 5 FERNCREEK DRIVE

Recommendation: That the City Council: 1) Take public testimony; 2) Discuss the issues; 3) Close the public hearing; and 4) Approve PA-17-06 with the listed conditions.

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

Doug Leach, Architect, explained the Applicant's modified plan

Marlene Washko distributed a newspaper cartoon to the COUNCIL that expressed her feelings opposing the project. She noted that, while she is not against the Applicant enlarging his home, she does object to its massive scale.

Joe Washko reiterated his belief that the City is unwilling to enforce the code and concurred with the aforementioned speaker.

Diane Bailey spoke in support of the Applicant stating that with the reduced massiveness it is compatible with the existing neighborhood.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM ZERUNYAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

After extensive discussion, the COUNCIL was satisfied with the revisions the Applicant had made to the home.

COUNCILWOMAN MITCHELL suggested the COUNCIL consider whether or not guidelines should be addressed with respect to the ratio of second-story versus single-story homes that could assist future applicants in their design plans.

COUNCILMAN ADDLEMAN also suggested that renderings be provided by applicants in order to provide a clear illustration to the COUNCIL of what is being requested.

MAYOR SEAMANS requested Planning Director Wahba review the guidelines with respect to utilizing windows for privacy.

COUNCILMAN ZUCKERMAN moved, seconded by MAYOR PRO TEM ZERUNYAN

TO APPROVE PLANNING APPLICATION NO. 17-06 AS CONDITIONED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

10. NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF DECEMBER 4, 2006

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM ZERUNYAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF DECEMBER 4, 2006.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

11. OLD BUSINESS

A. PLANNING APPLICATION NO. 42-05 (PENINSULA VILLAGE OVERLAY ZONE) – RECOMMENDATION FOR AN APPROACH TO CURRENT APPLICATION, ADDITIONAL COMMUNITY MEETINGS, AND A CITY COUNCIL WORKSHOP TO DISCUSS RELATED ISSUES

Recommendation: That the City Council discuss staff's recommended approach to the current Planning Application No. 42-05, direct staff to contact MIG to conduct further community workshops or direct staff to prepare a Request for Proposals for distribution to qualified consulting firms, and direct staff to coordinate a City Council workshop in January 2007 to discuss pending Peninsula Village issues.

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

Extensive discussion ensued with the COUNCIL wishing to provide the public with as much opportunity as possible to speak on this issue.

Planning Director Wahba noted that a notice will be sent out to interested residents informing them of the January 31 deadline.

It was noted that two different meetings will take place; one regarding developer fees and the other with MIG on conducting public workshops.

COUNCILMAN ZUCKERMAN moved, seconded COUNCILWOMAN MITCHELL

TO DIRECT STAFF TO: 1) SCHEDULE A WORKSHOP IN JANUARY 2007 WITH THE COUNCIL TO DISCUSS DEVELOPER FEES; 2) RETAIN MIG TO UNDERTAKE COMMUNITY WORKSHOPS FOR THE PENINSULA VILLAGE MASTER PLAN AFTER THE CLOSE OF THE COMMENT PERIOD AND BRING A SCOPE OF SERVICE TO THE COUNCIL; AND 3) CONTINUE RECEIVING PUBLIC COMMENT ON THE DRAFT PROGRAM EIR UNTIL JANUARY 31, 2007.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. CABLE BROADCAST OF PLANNING COMMISSION MEETINGS

Recommendation: That the City Council provide staff with direction on the broadcast of Planning Commission meetings.

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

Tom Judge commented that, in his opinion, the Planning Commission meetings should be broadcast as residents are mostly interested in projects in their own neighborhoods rather than major commercial projects.

After brief discussion, COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO DIRECT STAFF TO BROADCAST PLANNING COMMISSION MEETINGS
AT A COST OF \$7,500.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

12. CITY ATTORNEY ITEMS

NONE

13. 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 on her attendance at the National League of Cities Conference. She noted it was well attended by city representatives throughout the nation.
- B. MAYOR PRO TEM ZERUNYAN wished everyone a Happy Hanukkah and Merry Christmas. He urged everyone to do their shopping in Rolling Hills Estates.
- C. MAYOR SEAMANS noted that the next meeting of the L.A. County Division of the League of California Cities is January 4. She noted that Will Kemp, State Director of CalTrans is scheduled to speak at this function.
- D. COUNCILMAN ADDLEMAN noted that JPIA currently has a position open on the Executive Committee for which he will apply. MAYOR SEAMANS noted that a letter of support will be sent on behalf of the COUNCIL to the JPIA.
- E. MAYOR SEAMANS noted that the Holiday Parade and 50th Anniversary kick-off dinner was very successful and well attended.
- F. MAYOR SEAMANS noted that the City calendar was sent to all residents and commended Assistant to the City Manager Grammer and David Fairchild, Photographer, for their outstanding work on this project.

- 14. 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.

NONE

At 9:32 p.m., the CITY COUNCIL convened into closed session.

14. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Pursuant to Government Code Section 54956.9(b)(1), there is significant exposure to litigation regarding responsibility for the repair and maintenance of a private drainage facility located at 4500 Marloma Drive.

COUNCIL RECEIVED A STATUS REPORT AND DIRECTED STAFF TO CONTINUE TO SEEK A RESOLUTION TO THE ISSUE.

- B. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
(Pursuant to Government Code Section 54956.9(b)(1) there is a significant exposure to litigation regarding the City’s right-of-way and easement rights in property located at 37 and 38 Aurora Drive.

COUNCIL RECEIVED A STATUS REPORT AND DIRECTED STAFF TO CONTINUE TO SEEK A RESOLUTION TO THE ISSUE.

At 10:15 p.m., the COUNCIL reconvened with MAYOR SEAMANS, MAYOR PRO TEM ZERUNYAN, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZUCKERMAN present.

15. ADJOURNMENT

At 10:15 p.m., MAYOR SEAMANS formally adjourned the City Council meeting to Tuesday, December 24, 2006 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk