



MINUTES

CITY COUNCIL MEETING

JANUARY 25, 2005

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 ADDLEMAN.

PLEDGE OF ALLEGIANCE

MAYOR ADDLEMAN 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
Assistant City Attorney Stephen Pfahler
Assistant City Manager Sam Wise
Planning Director David Wahba
Community Services Director Andy Clark
Interim Finance Director Mike Whitehead

Others Present: Judy Bayer, Planning Commission
Mike Conway, Planning Commission
Lou Persichina, Park and Activities Commission

CEREMONIAL ITEMS

A. PROCLAMATION

MAYOR ADDLEMAN proclaimed the day of February 4, 2005 as "WEAR RED FOR WOMEN DAY" as designated by the American Heart Association.

B. PRESENTATION TO FORMER PLANNING COMMISSIONER RICHARD SOMERS FOR HIS DEDICATION AND SERVICE TO THE CITY

MAYOR ADDLEMAN presented a plaque to Richard Somers for his exemplary service to the community over the last 21 years beginning with the Park and Activities Commission and ending with the Planning Commission. He cited several planning projects for which Mr. Somers played a crucial role. He then noted it was both a pleasure and honor to serve with him on the Planning Commission as he was very thorough and fair in his deliberations and appreciated his many years of service.

Mr. Somers commented that he has enjoyed his tenure with the City and encouraged residents to serve in this capacity as there so much about the community to learn. He particularly thanked his wife, Teri for her support and stated they will still attend various events.

COUNCILMAN ZUCKERMAN noted that the City owes Mr. Somers a debt of gratitude as he could not be appreciated more for what he has done for the community.

Both COUNCIL MEMBERS SEAMANS and ZERUNYAN stated their appreciation as they served on the Planning Commission with Mr. Somers as well.

COUNCILWOMAN MITCHELL commented that Mr. And Mrs. Somers will be greatly missed.

ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF DECEMBER 14, 2004

MAYOR ADDLEMAN requested the following correction on Page 4, Paragraph 8:

“MAYOR COUNCILWOMAN MITCHELL inquired if the ordinances are currently in the process of being revised...”

MAYOR ADDLEMAN requested the following correction on Page 5, Paragraph 3:

“Greg Ploughman Loughnane, District Manager, BFI...”

MAYOR ADDLEMAN requested the following correction on Page 7, Paragraphs 6 and 11, respectively:

“.....With the new contract in place, he indicated that at least 50% 60-70% will be diverted with the service remaining essentially the same.

MAYOR ADDLEMAN noted that many of the newer the trucks may will have cameras on board for monitoring purposes.”

MAYOR ADDLEMAN requested the following additions on Page 8, Paragraphs 7 and 9, respectively:

“Marlene Washko, commented that she attended two meetings and concurred with Mr. Judge’s assessment.....

Mr. Loughnane, General Manager, reiterated that BFI has been a good service provider and was very specific about recycling in the City and the flexibility they provided to the residents....”

MAYOR ADDLEMAN requested a correction on Page 10, Paragraph 5:

“.....Additionally, he noted that he had spoken to the Palos Verdes Peninsula Chamber President and that he was satisfied pleased with the commercial contract as well.”

MAYOR ADDLEMAN requested a correction on Page 13, Paragraph 7:

“At 11:25 p.m., MAYOR MITCHELL ADDLEMAN formally adjourned the City Council meeting....”

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO APPROVE THE CITY COUNCIL MINUTES OF DECEMBER 14, 2004 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. DEMANDS AND WARRANTS – DECEMBER AND JANUARY

MAYOR ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 36860 THROUGH 36909 IN THE AMOUNT OF \$212,235.74; WARRANTS 36739 THROUGH 36789 IN THE AMOUNT OF \$153,812.78; WARRANTS 36677 THROUGH 36729 IN THE AMOUNT OF \$122,161.04; SUPPLEMENTAL WARRANTS 120400 THROUGH 120402; 36574 THROUGH 36584; 36585 VOID; 36586 THROUGH 36589; 36650 THROUGH 36662; 36663 VOID; 36664 THROUGH 36676; 36730 THROUGH 36734; 36798 THROUGH 36850 VOID FOR A TOTAL OF \$337,557.06 FOR A GRAND TOTAL AMOUNT OF \$825,766.62 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

CONSENT CALENDAR

COUNCILWOMAN SEAMANS pulled Items D and E for consideration under New Business.

MAYOR PRO TEM ZUCKERMAN pulled Item C for consideration under New Business.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE ITEMS A, B, AND F-H.

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. NOVEMBER AND DECEMBER 2004 SCHEDULE OF INVESTMENTS

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED DECEMBER 31, 2004

RECEIVED AND FILED.

G. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 7, 2005

RECEIVED AND FILED.

H. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 14, 2005

RECEIVED AND FILED.

NEW BUSINESS

Pulled from Consent Calendar:

C. QUARTERLY CODE ENFORCEMENT REPORT

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

MAYOR PRO TEM ZUCKERMAN inquired into the QBM property and how it has held up with the weather.

Zoning and Code Administrator Beall noted that he visited the site and observed the storm water mitigation plan to be working well with repairs underway to handle the water.

D. WHALE TAIL GRANT APPLICATION – FISCAL YEAR 2004-05

Recommendation: That the City Council approve Resolution No. 2065 approving the City of Rolling Hills Estates' application for grant funds under the Whale Tail Grant Program of the California Coastal Commission in the amount of \$4,771.

COUNCILWOMAN SEAMANS commented that this is a wonderful effort on the part of the City to purchase an EnviroScape® as it was present at the most recent Street Fair. Assistant City Manager Wise noted that Administrative Analyst Grammer worked with the City's Consultant Kathleen McGowan at the booth which attracted many children and teenagers and introduced them to the importance of how pollution affects the environment. It was noted this model will be located at the Nature Center as well as the Street Fair and other community events.

1. RESOLUTION NO. 2065 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING THE APPLICATION FOR GRANT FUNDS UNDER THE WHALE TAIL GRANTS PROGRAM OF THE CALIFORNIA COASTAL COMMISSION.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO ADOPT RESOLUTION NO. 2065.

City Manager Prichard read Resolution No. 2065 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

E. PROPOSITION 50 GRANT APPLICATION

Recommendation: That the City Council submit a letter of support for the West Basin Water District's grant applications for Proposition 50 – Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 funding.

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

MAYOR PRO TEM ZUCKERMAN noted his concern with this recommendation and requested this service be closely monitored.

COUNCILWOMAN SEAMANS noted that the MWD has a program dealing with California native plants and that subsidies are available possibly for Palos Verdes Drive East/Palos Verdes Drive North and suggested the City investigate this further.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO DIRECT STAFF TO SUBMIT A LETTER OF SUPPORT FOR THE WEST BASIN WATER DISTRICT'S GRANT APPLICATION FOR PROPOSITION 50 – WATER SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002 FUNDING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

A. PLANNING COMMISSION MINUTES OF JANUARY 18, 2005

COUNCILWOMAN SEAMANS moved, seconded by ???

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF JANUARY 18, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF JANUARY 18, 2005

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF JANUARY 18, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

1. PETER WEBER MEMORIAL ALTERNATIVES

Recommendation: That the City Council rename the Rolling Hills Estates Municipal Stables as the “Peter Weber Equestrian Center.”

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

MAYOR ADDLEMAN inquired as to the cost of a sign for the facility. Community Services Director Clark noted that it would run approximately \$1,500.

After brief discussion, COUNCILWOMAN MITCHELL moved, seconded COUNCILWOMAN SEAMANS

TO RENAME THE ROLLING HILLS ESTATES MUNICIPAL STABLES AS THE “PETER WEBER EQUESTRIAN CENTER.”

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

ADJOURNED TO THE PEPPER TREE FOUNDATION CORPORATION MEETING

AT 8:04 P.M.

2. REGULAR ANNUAL BOARD OF DIRECTORS MEETING

Recommendation: That the Pepper Tree Foundation Board of Directors: 1) Conduct any necessary Foundation business; and 2) Receive and file this report.

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

COUNCILWOMAN SEAMANS commented that the revenues were higher than anticipated at an amount of \$14,000.

MAYOR PRO TEM ZUCKERMAN noted that most of that amount was due to a donation of \$10,000.

MAYOR ADDLEMAN thanked Clark and Deborah Davis for their generous contribution.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THIS REPORT.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

3. PEPPER TREE FOUNDATION ADVISORY BOARD ACTION ITEM FROM MEETING OF JANUARY 18, 2005 – 2005 HILLS ARE ALIVE 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 2005 Hills are Alive Race.

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

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE AGREEMENT WITH EDUCATIONAL SPONSORSHIP PARTNERS TO PROVIDE FUNDRAISING, PROMOTIONAL AND CONSULTING SERVICES FOR THE 2005 HILLS ARE ALIVE RACE.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

RECONVENED CITY COUNCIL MEETING AT 8:10 P.M.

C. VLF GAP LOAN FINANCING PROGRAM

Recommendation: That the City Council participate in the California Communities VLF Gap Financing Program for the first bond sale targeted for February 2005 and determine the lowest dollar value that the City will accept.

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

MAYOR PRO TEM ZUCKERMAN advised the COUNCIL not to place too high a limit on the minimum dollar value acceptable as there are market forces at work. Rather, he suggested the City set a lower value in order to recoup the monies now.

Interim Finance Director Whitehead noted that two resolutions will be brought back to the COUNCIL for adoption.

Discussion ensued regarding what minimum amount to set. MAYOR PRO TEM ZUCKERMAN stated that he would rather rely on what the market will bear.

COUNCILWOMAN MITCHELL noted that the amount should not fall below \$100,000.

COUNCILMAN ZERUNYAN concurred with comments from both MAYOR PRO TEM ZUCKERMAN and COUNCILWOMAN MITCHELL. He noted that it is the COUNCIL'S duty to act on behalf of the residents so that the City does not lose money.

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS

TO AGREE TO PARTICIPATE IN THE CALIFORNIA STATE-WIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) VLF GAP FINANCING PROGRAM FOR THE FIRST BOND SALE TARGETED FOR FEBRUARY 2005.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO AGREE TO ACCEPT THE LOWEST DOLLAR VALUE AMOUNT OF \$100,000 IN ORDER TO PARTICIPATE IN THE VLF GAP FINANCING PROGRAM WITH RESOLUTIONS TO BE PRESENTED TO THE CITY COUNCIL AT THE NEXT MEETING.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

D. DRAINAGE REPAIRS ON PALOS VERDES DRIVE EAST

Assistant City Attorney Pfahler noted this item has been added to the agenda in order for the COUNCIL to consider whether or not to dispense with the formal bidding process for immediate repairs.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE THE ADDITION OF THIS ITEM TO THE AGENDA AS AN URGENCY MEASURE, BECAUSE THE NEED TO ACT ON THIS ITEM BECAME KNOWN AFTER THE CREATION AND POSTING OF THE AGENDA.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

Assistant City Manager Wise provided a staff report (as per agenda material). He noted that he received estimates anywhere from \$57,000 to \$113,000 and requested the COUNCIL designate at least \$100,000 to this project.

Assistant City Attorney Pfahler concurred with findings being made to dispense with bidding requirements in this case on the grounds of impracticality as it would take additional time to complete these repairs which are required immediately for public health, safety and welfare.

After extensive discussion, COUNCILWOMAN MITCHELL moved, seconded by MAYOR ADDLEMAN

TO MAKE THE FINDINGS TO DISPENSE WITH THE FORMAL BIDDING PROCESS ON THE GROUNDS THAT IT WOULD BE IMPRACTICAL, USELESS OR UNECONOMICAL IN SUCH AN INSTANCE TO FOLLOW THE PROCEDURES AND THAT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC WOULD BE PROMOTED BY FOLLOWING THIS DIRECTION.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILWOMAN MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO ALLOCATE \$100,000 FROM THE UNDESIGNATED, UNRESERVED FUNDS WITH THE INTENT OF FINALIZING THE NATURE OF THE REPAIR WITH COUNTY ENGINEERS AND BEGIN THE WORK IMMEDIATELY UPON THE AVAILABILITY OF A DRAINAGE CONTRACTOR.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Manager Prichard commended Assistant City Manager Wise as well as the City Maintenance crews and County Road Department on their swift response to this problem as it prevented the roadway from being undermined. He noted that the public was well-served by their actions.

OLD BUSINESS

NONE

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 agendaized.

A COUNCILWOMAN MITCHELL

(1) EQUESTRIAN COMMITTEE ACTION ITEM FROM MEETING OF NOVEMBER 15, 2004 – LOS SERRANOS WESTERN HORSESHOWS

Recommendation: That the City Council waive the barn fees only for the 2005 Los Serranos Show Year (Los Serranos will pay the \$600 park use fee).

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

COUNCILWOMAN MITCHELL noted that there are fewer western riders and would like to preserve this style of riding. Therefore, she concurred with this request to waive the barn fee of \$250.

MAYOR PRO TEM ZUCKERMAN inquired if this would set a precedent for other groups to make the same request. COUNCILWOMAN MITCHELL indicated that this would not as each request is considered on a case-by-case basis.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO WAIVE THE BARN FEES ONLY FOR THE 2005 LOS SERRANOS SHOW YEAR (LOS SERRANOS WILL PAY THE \$600 PARK USE FEE).

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. COUNCILWOMAN SEAMANS

(1) PENINSULA HOLIDAY PARADE SUBCOMMITTEE MEETING

Recommendation: That the City Council approve: 1) The change of date and time of the parade from Sunday, December 4, 2005 at 12 noon to Saturday, December 3, 2005 at 6:00 p.m.; and 2) The theme of the parade from "Heart of the Hill" to "The Parade of Lights."

Community Services Director Clark noted that Supervisor Don Knabe was already set to serve as Grand Marshal on Sunday, but will check his availability for Saturday evening.

MAYOR PRO TEM ZUCKERMAN inquired if other cities had changed from daytime to nighttime. COUNCILWOMAN SEAMANS noted that Pageantry Productions was very enthusiastic and believed it would not discourage the public from attending. He then asked if the cost of lighting would increase.

Community Services Director Clark noted that additional lighting would be needed at three locations.

Brief discussion ensued where it was suggested to begin the VIP reception at 4:00 p.m. at Marmalade's Restaurant on the patio if weather permits.

MAYOR ADDLEMAN commented that the evening could be very cold at that time of year.

COUNCILMAN ZERUNYAN noted that he spoke to a number of merchants and they would like to change the time as it affects their prime shopping hours. He asked the COUNCIL to consider all the options as it may be too cold for the children to wait for Santa Claus in the evening.

COUNCILWOMAN SEAMANS indicated that the time could be moved up, but that this was not discussed at the parade meeting.

COUNCILWOMAN SEAMANS then requested that David Benoit be contacted once again to participate in the parade.

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS

TO CHANGE THE DATE FOR THE PENINSULA HOLIDAY PARADE FROM SUNDAY, DECEMBER 4, 2005 TO SATURDAY, DECEMBER 3, 2005 BEGINNING AT 6:00 P.M. AND THE THEME OF THE PARADE FROM THE "HEART OF THE HILL" TO THE "PARADE OF LIGHTS."

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

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. PLANNING COMMISSIONER APPOINTMENT

MAYOR ADDLEMAN noted that everyone who applied had outstanding qualities and experience to serve on this commission.

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

TO REAPPOINT MICHAEL CONWAY TO THE PLANNING COMMISSION.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

After brief discussion, COUNCILMAN ZERUNYAN moved, seconded by COUNCILWOMAN SEAMANS TO APPOINT CARL SOUTHWELL TO THE PLANNING COMMISSION.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. COMMITTEE ASSIGNMENTS

MAYOR ADDLEMAN noted two changes: one on the Economic Development Commission from COUNCILWOMAN SEAMANS to MAYOR ADDLEMAN and the other on the Mixed Use Committee from MAYOR ADDLEMAN to COUNCILWOMAN SEAMANS.

MAYOR ADDLEMAN noted that a committee list will be generated bi-weekly to inform the COUNCIL of the most recent activities and/or actions that have taken place at these meetings.

It was the consensus of the COUNCIL to follow this recommendation.

City Manager Prichard noted that the regional/state-wide committees are listed and requested COUNCIL to provide a list of the various committees on which they serve to Deputy City Clerk Nolan.

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILMAN ZERUNYAN TO APPROVE THE COMMITTEE ASSIGNMENTS AS AMENDED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

C. MAYOR PRO TEM ZUCKERMAN inquired about the PV Loop Trail Project. City Manager Prichard noted that this item was referred to the Equestrian Committee.

At 9:15 p.m., the CITY COUNCIL convened into closed session.

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

CLOSED SESSION

A. DISCUSSION WITH RESPECT TO PERSONNEL MATTERS
(Pursuant to Government Code Section 54957)

1. QUARTERLY CITY MANAGER PERFORMANCE EVALUATION

NO ACTION WAS TAKEN.

ADJOURNMENT

At 10:15 p.m., MAYOR ADDLEMAN formally adjourned the City Council to a joint City Council/Planning Commission meeting on Tuesday, February 1, 2005 at 7:00 p.m. at Rancho Vista School Auditorium, 4323 Palos Verdes Drive North, for the purpose of receiving a presentation from Rolling Hills Covenant Church on revised renovation plans.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard
Deputy City Clerk City Clerk



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