

MINUTES
CITY COUNCIL MEETING
SEPTEMBER 13, 2005

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:33 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, Zerunyan, Zuckerman
City Council Member Absent: Seamans

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
Senior Planner Niki Cutler
Administrative Analyst Greg Grammer

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

CEREMONIAL ITEMS

- A. City Manager Prichard was pleased to introduce Dave Negrete as the City's new Maintenance Superintendent. He noted that he brings over 30 years of experience in the field and comes most recently from the City of Gardena.

ROUTINE MATTERS

- A. SPECIAL CITY COUNCIL MINUTES OF SEPTEMBER 6, 2005

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE SPECIAL CITY COUNCIL MINUTES OF
SEPTEMBER 6, 2005 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. DEMANDS AND WARRANTS – AUGUST AND SEPTEMBER

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO APPROVE WARRANTS 38059 THROUGH 38152 IN THE AMOUNT OF \$304,897.51; SUPPLEMENTAL WARRANTS 080105 THROUGH 080205; 37875 THROUGH 37883; 37954 THROUGH 37969; 38026 THROUGH 38045 IN THE AMOUNT OF \$265,596.58 FOR A GRAND TOTAL AMOUNT OF \$570,494.09 WITH PROPER AUDIT.

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

CONSENT CALENDAR

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE ITEMS A-K.

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. JULY MONTHLY INVESTMENT REPORT

The July Monthly Investment Report was not available.

C. ADOPTION OF THE ANNUAL SALARY RESOLUTIONS

Recommendation: That the City Council adopt Resolution Nos. 2082, 2083, and 2084 authorizing the number of positions and compensation for management and professional classifications, the classified employee group, and the part-time employee group.

1. RESOLUTION NO. 2082 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE AUTHORIZED POSITIONS AND COMPENSATION FOR MANAGEMENT AND PROFESSIONAL CLASSIFICATIONS.

ADOPTED.

2. RESOLUTION NO. 2083 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE NUMBER OF AUTHORIZED POSITIONS AND COMPENSATION FOR THE CLASSIFIED EMPLOYEE GROUP IN THE CITY SERVICE.

ADOPTED.

3. RESOLUTION NO. 2084 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE COMPENSATION OF POSITIONS IN THE PART-TIME EMPLOYEE GROUP.

ADOPTED.

D. AMENDMENT OF JOB DESCRIPTIONS

Recommendation: That the City Council adopt Resolution No. 2085 establishing certain job descriptions in the City service.

1. RESOLUTION NO. 2085 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING CERTAIN JOB DESCRIPTIONS FOR FULL-TIME EMPLOYEES IN THE CITY SERVICE.

ADOPTED.

E. 2005-2006 MEMORANDUM OF UNDERSTANDING

APPROVED.

F. THIRD AMENDMENT TO CITY MANAGER'S EMPLOYMENT AGREEMENT

APPROVED.

G. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED AUGUST 5, 2005

RECEIVED AND FILED

H. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED AUGUST 12, 2005

RECEIVED AND FILED

I. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED AUGUST 19, 2005

RECEIVED AND FILED.

J. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED AUGUST 26, 2005

RECEIVED AND FILED.

K. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED SEPTEMBER 2, 2005

RECEIVED AND FILED.

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

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

A. WASTE MANAGEMENT – SUSAN MOULTON, GENERAL MANAGER

Susan Moulton, General Manager, was pleased to report that an all-time high was reached when residents' recycle rate reached 70%. She noted that service continues to improve week after week. Additionally, she indicated that Waste Management will have a booth and pass out literature at the City Celebration.

Ms. Moulton introduced Darrell Kato, Director of Operations and Scott Bradley, Market Area Manager, who will take over while she is on maternity leave.

B. SOUTH BAY COMMUNITY PARTNERSHIP COUNCIL – HARVEY KAWASAKI, REGIONAL ADMINISTRATOR FOR SPA-8, COUNTY DEPARTMENT OF CHILD AND FAMILY SERVICES

Judy Bayer, (Planning Commissioner), noted that she now works in the Torrance Office of the Department of Child and Family Services and introduced Harvey Kawasaki, Regional Administrator. He, along with two volunteers, explained their program which deals with encouraging South Bay citizens to engage in mentoring foster children. He then asked the COUNCIL to stop by their booth at the City Celebration.

C. LETTER REGARDING REQUEST FOR CONTRIBUTION FROM PALOS VERDES LAND CONSERVANCY FOR THE ACQUISITION OF LAND IN PORTUGUESE BEND

After brief discussion, COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO CONSIDER THIS LETTER ON AN URGENCY BASIS IN ORDER TO DISCUSS A REQUEST FROM THE PALOS VERDES LAND CONSERVANCY FOR THE ACQUISITION OF LAND IN PORTUGUESE BEND.

AYES: Addleman, Mitchell, Zerunyan, Zuckerman

ABSENT: Seamans

Ken Servis, Palos Verdes Peninsula Land Conservancy, requested the COUNCIL contribute \$10,000 for the Portuguese Bend Nature Preserve.

After extensive discussion, it was the consensus of the COUNCIL to have residents send in their own personal donation if they so desire.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO DECLINE THE REQUEST FOR A CONTRIBUTION OF \$10,000 TO THE PALOS VERDES LAND CONSERVANCY FOR THE ACQUISITION OF LAND IN PORTUGUESE BEND.

AYES: Addleman, Mitchell, Zerunyan, Zuckerman

ABSENT: Seamans

PUBLIC HEARINGS/MEETINGS

A. CITIZENS' OPTION FOR PUBLIC SAFETY (COPS)

Recommendation: That the City Council: 1) Open the public hearing; 2) Take any public testimony; 3) Close the public hearing; 4) Authorize the continuation of the three CORE Deputies; and 5) Adopt Resolution No. 2086 establishing a reserve account for the COPS program and making appropriations therefrom.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

No public testimony was offered.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

1. RESOLUTION NO. 2086 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING A RESERVE ACCOUNT WITHIN THE GENERAL FUND FOR THE CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM AND MAKING APPROPRIATIONS THEREFROM.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO AUTHORIZE THE CONTINUATION OF THE THREE CORE DEPUTIES AND ADOPT RESOLUTION NO. 2086.

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

B. PLANNING APPLICATION NO. 16-05; APPLICANT: MR. STEVE BADOUR; APPLICANT: 21 ROLLINGWOOD 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) Affirm the adoption of Resolution No. PA-16-05 upholding the Planning Commission's decision.

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

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

Steve Badour, Applicant, distributed a packet of information to the COUNCIL and noted he has spoken with his neighbors in an effort to address their concerns and received support for his application.

Ike Mbelu, Project Architect, thanked MAYOR ADDLEMAN for his swift response to his phone call. He noted that he has attempted to meet all the City's requirements.

Tom Judge, 28 Rollingwood, provided an extensive history of landslides throughout Southern California.

Betty Austin, 19 Rollingwood, noted her support for the project.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

After some discussion, the COUNCIL noted that the geo-technical report was sufficient to uphold the Planning Commission's approval of the project.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO AFFIRM THE PLANNING COMMISSION'S DECISION TO ADOPT RESOLUTION NO. PA-16-05.

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

NEW BUSINESS

A. PARK AND ACTIVITIES COMMISSION MINUTES OF AUGUST 16, 2005

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF AUGUST 16, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF SEPTEMBER 6, 2005

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF SEPTEMBER 6, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

ADJOURNED TO PEPPER TREE FOUNDATION CORPORATION MEETING AT 8:54 P.M.

1. PEPPER TREE FOUNDATION ADVISORY BOARD ACTION ITEM FROM MEETING OF SEPTEMBER 6, 2005

Recommendation: That the Pepper Tree Foundation Board of Directors approve the purchase of a Fender Passport Delux PD-250 Package Portable Address System with one wireless microphone and rechargeable battery unit at a cost of \$1,228.32 to replace the City's irreparable portable public address system.

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

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE PURCHASE OF A FENDER PASSPORT DELUX PD-250 PACKAGE PORTABLE ADDRESS SYSTEM WITH ONE WIRELESS MICROPHONE AND RECHARGEABLE BATTERY UNIT AT A COST OF \$1,228.32 TO REPLACE THE CITY'S IRREPARABLE PORTABLE PUBLIC ADDRESS SYSTEM.

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

RECONVENED CITY COUNCIL MEETING AT 8:55 P.M.

C. PLANNING COMMISSION MINUTES OF AUGUST 15, 2005

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF AUGUST 15, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

D. PLANNING COMMISSION MINUTES OF SEPTEMBER 6, 2005

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF SEPTEMBER 6, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

E. REPLACEMENT AND PAINTING OF THREE-RAIL FENCING

Recommendation: That the City Council approve the bid documents for the replacement of approximately 1,440 linear feet and the painting of 640 linear feet of existing three-rail wood fencing within the City's rights-of-way and to include the Empty Saddle Homeowners' Association 100 linear feet fence replacement project as a Bid Alternate.

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

MAYOR PRO TEM ZUCKERMAN suggested considering the idea of incentivizing homeowners' associations to maintain their three-rail fences by having the City provide matching funds.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO APPROVE THE BID DOCUMENTS FOR THE REPLACEMENT OF APPROXIMATELY 1,440 LINEAR FEET AND THE PAINTING OF 640 LINEAR FEET OF EXISTING THREE-RAIL WOOD FENCING WITHIN THE CITY'S RIGHTS-OF-WAY AND TO INCLUDE THE EMPTY SADDLE HOMEOWNERS' ASSOCIATION 100 LINEAR FEET FENCE REPLACEMENT PROJECT AS A BID ALTERNATE.

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

OLD BUSINESS

A. UPDATE ON THE STATUS OF THE PENINSULA VILLAGE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) AND PRESENTATION OF THE PRELIMINARY STREETScape MASTER PLAN

Recommendation: That the City Council: 1) Discuss the Peninsula Village project and preliminary traffic analysis; 2) Authorize a contract with LSA Associates, Inc., in an amount not-to-exceed \$214,000 to complete the PEIR subject to review and preparation of a Professional Services Agreement by the City Attorney; and 3) Discuss the Streetscape Master Plan and the possibility of pursuing engineering drawings to implement the plan.

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

Deborah Pracilio, LSA Associates, reported on the progress made for the project description to be incorporated into the PEIR.

Discussion ensued regarding the need for updated traffic information in the report.

Dennis Pascua, DKS Associates, provided his report in regards to traffic.

Brian Hannegan, RRM Design Group, provided a presentation of the proposed Peninsula Village conceptual streetscape master plan.

After extensive discussion, it was the consensus of the COUNCIL

TO 1) DIRECT STAFF AND LSA TO BRING BACK ADDITIONAL TRAFFIC INFORMATION ALONG WITH PLANS FOR THE NEXT STEP OF THIS PROJECT FOR COUNCIL CONSIDERATION; AND 2) CONCURRED WITH THE DIRECTION OF THE STREETScape PLAN IN CONCEPT AND DIRECTED RRM TO PROVIDE PRELIMINARY COST ESTIMATES.

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 PRO TEM ZUCKERMAN noted that Vector Control reported no human incidents of the West Nile Virus in the area.

MAYOR AND COUNCIL ITEMS

- A. MAYOR ADDLEMAN invited everyone to attend the City Celebration on Saturday, September 17 at the Empty Saddle Club.
- B. COUNCILWOMAN MITCHELL noted that Proposition 76 (fiscal reform measure) was discussed at a special board meeting of the League of California Cities where it was determined that a neutral position would be taken. She noted that it may come before the General Assembly.

COUNCILMAN ZERUNYAN reported that he attended the California Contract Cities Association Legislative Committee meeting where he noted that they were considering a position on Proposition 76.

In regards to Proposition 76, MAYOR PRO TEM ZUCKERMAN noted he would not support this initiative as he believed residents can vote for themselves.

It was the consensus of the COUNCIL to allow COUNCILWOMAN MITCHELL to vote her conscience if the issue is brought before the League General Assembly.

- C. COUNCILWOMAN MITCHELL referred to the proposed California Air Resources Board regulations for public and private transit buses, solid waste collection vehicles and school buses.

Administrative Analyst Grammer provided a staff report (as per agenda material).

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN MITCHELL

TO CONSIDER THIS ITEM ON AN URGENCY BASIS.

AYES: Addleman, Mitchell, Zerunyan, Zuckerman

ABSENT: Seamans

After brief discussion, MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN MITCHELL

TO DIRECT STAFF TO SEND A LETTER OF SUPPORT FOR THE PROPOSED CARB REGULATIONS.

AYES: Addleman, Mitchell, Zuckerman

NOES: Zerunyan

ABSENT: Seamans

D. COUNCILMAN ZERUNYAN thanked those who attended the Pepper Tree Foundation Golf Tournament on September 13 and thanked the staff and Park and Activities Commission for their hard work.

At 10:55 p.m., the CITY COUNCIL convened into closed session.

CLOSED SESSION

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

Property: Three acres of land opposite Bridlewood Circle and Palos Verdes Drive East

City Negotiator: City Manager Prichard
City Attorney Stephen Pfahler

Negotiating Parties: Mike Cope, Project Director
Chandler's Sand and Gravel

Under Negotiation: Consideration of vacating easement

It was the consensus of the COUNCIL

TO DIRECT STAFF TO ADVISE CHANDLER'S THAT THE CITY WOULD BE WILLING TO UNDERTAKE DISPOSING OF THE PROPERTY BY THE NECESSARY LEGAL METHODS.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

At 11:20 p.m., the COUNCIL reconvened with MAYOR ADDLEMAN, MAYOR PRO TEM ZUCKERMAN, COUNCILWOMAN MITCHELL, and COUNCILMAN ZERUNYAN present.

ADJOURNMENT

At 11:20 p.m., MAYOR ADDLEMAN formally adjourned the City Council meeting to the Tuesday, September 27, 2005 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk