

MINUTES
CITY COUNCIL MEETING
DECEMBER 13, 2005

A regular adjourned meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:08 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

*COUNCILWOMAN SEAMANS arrived at 7:11 p.m.

**COUNCILMAN ZERUNYAN arrived at 7:13 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
 Assistant to the City Manager Greg Grammer
 Assistant Planner Wyman Wong

Others Present: Steve Pekich, Park and Activities Commission
 Dale Allen, Park and Activities Commission
 Dan O'Day, Planning Commission

At 7:15 p.m., the CITY COUNCIL convened into closed session.

CLOSED SESSION

- A. 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.

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

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

NO ACTION WAS TAKEN.

At 7:33 p.m., the COUNCIL reconvened with MAYOR ADDLEMAN, MAYOR PRO TEM ZUCKERMAN, COUNCILWOMAN MITCHELL, COUNCILWOMAN SEAMANS and COUNCILMAN ZERUNYAN present.

CEREMONIAL ITEMS

A. PENINSULA HOLIDAY PARADE COMMUNITY GRAND MARSHAL PLAQUE PRESENTATION TO GLENOUS ABSMEIER

MAYOR ADDLEMAN was pleased to announce that the Holiday Parade was a great success.

MAYOR ADDLEMAN then presented Glenous Absmeier with a plaque honoring her as the 2005 Citizen of the Year Award for her volunteerism. She thanked the COUNCIL for this honor.

B. PENINSULA HOLIDAY PARADE MAYOR'S TROPHY PRESENTATION TO THE PALOS VERDES GIRLS SCOUTS FOR BEST LOCAL UNIT

MAYOR ADDLEMAN presented the Mayor's Trophy to the Palos Verdes Girl Scouts and thanked them for their participation.

Steve Pekich, Park and Activities Commissioner, presented the COUNCIL with a trophy for Best Parade Float on behalf of the Peninsula Holiday Parade Subcommittee.

C. WASTE MANAGEMENT DRAWING FOR ONE YEAR'S FREE RESIDENTIAL REFUSE SERVICE

Susan Moulton, Waste Management, reported that the City achieved an all time high of 71.1% for its diversion rate. Additionally, she noted that oil collection has almost doubled.

MAYOR ADDLEMAN drew the name of N. Wallace, 18 Vista Real, as the recipient of one year's free residential service.

D. PRESENTATION TO OUTGOING MAYOR JOHN ADDLEMAN

MAYOR PRO TEM ZUCKERMAN thanked MAYOR ADDLEMAN for his outstanding service over the last year. He pointed out several projects that have been accomplished which included: 1) The City's new trash franchise; 2) Replacement of retired City Attorney Richard Terzian; 3) Independent review of City operations; 4) Dedication of the City Stables in

honor of former Council Member Peter Weber; and 5) Establishment of the Blue Star program to recognize local military servicemen and women as well as many other events throughout the year. He then presented MAYOR ADDLEMAN with a framed photo collage highlighting his year as mayor.

ROUTINE MATTERS

A. ADJOURNED CITY COUNCIL MINUTES OF NOVEMBER 15, 2005

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO APPROVE THE ADJOURNED CITY COUNCIL MINUTES OF NOVEMBER 15, 2005 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. DEMANDS AND WARRANTS – NOVEMBER AND DECEMBER

MAYOR ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 38554 THROUGH 38624 IN THE AMOUNT OF \$586,585.71; WARRANTS 38451 THROUGH 38516 IN THE AMOUNT OF \$132,901.62; SUPPLEMENTAL WARRANTS 110105 THROUGH 110205; 38302 VOID; 38386 THROUGH 38397; 38437 THROUGH 38450; 38517 THROUGH 38524 IN THE AMOUNT OF \$238,640.48 FOR A GRAND TOTAL AMOUNT OF \$958,127.81 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

OATH OF OFFICE/COUNCIL REORGANIZATION

MAYOR ADDLEMAN commented that he was proud to serve as Mayor and enjoyed it very much. He noted that by working as a group the COUNCIL has accomplished many projects over the last year.

MAYOR ADDLEMAN nominated

MAYOR PRO TEM ZUCKERMAN AS THE CITY'S NEW MAYOR BY ACCLAMATION.

THERE BEING NO OBJECTION, IT WAS SO ORDERED.

MAYOR ZUCKERMAN nominated

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

THERE BEING NO OBJECTION, IT WAS SO ORDERED.

At 7:48 p.m., Deputy City Clerk Hope Nolan administered the Oath of Allegiance to newly elected City Council Members Susan Seamans and Steve Zuckerman who by taking this oath, entered into full four-year terms as Members of the Rolling Hills Estates City Council.

RECESS

At 8:08 p.m., the COUNCIL reconvened with MAYOR ZUCKERMAN, MAYOR PRO TEM SEAMANS, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL, and COUNCILMAN ZERUNYAN present.

CONSENT CALENDAR

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS TO APPROVE ITEMS A-E.

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. OCTOBER 2005 SCHEDULE OF INVESTMENTS

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED
NOVEMBER 10, 2005

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED
NOVEMBER 18, 2005

RECEIVED AND FILED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED
DECEMBER 2, 2005

RECEIVED AND FILED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

A. MARCELLA LOW, SOUTHERN CALIFORNIA GAS REGARDING HIGH PRICE OF NATURAL GAS THIS SEASON

Marcella Low provided a brief presentation informing the public that the reason for higher gas prices this winter is due to the increased price of oil. For more information, she noted their website at www.socalgas.com.

B. Kirk Retz thanked the COUNCIL for how they handled the peafowl issue and extended his appreciation for the time taken to address this matter.

- A. PLANNING APPLICATION NO. 44-05; APPLICANT: MR. AND MRS. MIKE TOM; LOCATION: 12 SILVERBIT LANE

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 Planning Commission's decision as conditioned.

Assistant Planner Wong provided a staff report (as per agenda material).

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

Criss Gunderson, Architect, 2024 Via Pacheco, Palos Verdes Estates, believed that the COUNCIL needed more information to approve this project without conditions.

Dan O'Day, Planning Commissioner, noted that this project was an issue of neighborhood compatibility. He stated that changing some elements to meet the appearance of the neighborhood was not an ideal situation, but that is what the Planning Commission recommended.

Gail Barney, stated her concern with the size of the proposed home.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM SEAMANS

TO REMAND PA-44-05 TO THE PLANNING COMMISSION FOR CONSIDERATION OF THE SIZE OF THE HOME IN COMPARISON TO THE LOT.

AYES: Mitchell, Seamans

NOES: Addleman, Zerunyan, Zuckerman

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO UPHOLD THE PLANNING COMMISSION'S DECISION TO APPROVE THIS PROJECT AS CONDITIONED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

- B. PLANNING APPLICATION NO. 48-05; APPLICANT: CITY OF ROLLING HILLS ESTATES; LOCATION: LOT 2 OF PARCEL MAP NO. 24046

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) Introduce Ordinance No. 632 for first reading.

Planning Director Wahba 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.

Bill Ailor, President, Palos Verdes Peninsula Land Conservancy, 1052 Via Palestra, Palos Verdes Estates, commented on how pleased he was with this property being rezoned as open space.

MAYOR PRO TEM SEAMANS thanked Mr. Ailor for his hard work in securing this property through the Land Conservancy.

Kirk Retz, inquired if any development will take place on this lot. It was noted that this property would be remain as open space in perpetuity.

Dale Allen, Park and Activities Commissioner, inquired if the conservation easement would still be in effect. It was noted that this would remain as is.

City Manager Prichard noted that this project is one of the greatest accomplishments of the City over the last 20 years with credit owed to the Chandler family for donating this property to the City and Land Conservancy.

1. ORDINANCE NO. 632 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING A ZONE CHANGE TO CHANGE THE ZONING OF PREVIOUSLY-OWNED VACANT CHANDLER FAMILY PROPERTY (17 ACRES +/-) FROM AGRICULTURAL (ESTATE RESIDENTIAL) TO OPEN SPACE/RECREATION (OS-R) IN ACCORDANCE WITH THE CITY'S GENERAL PLAN LAND USE DESIGNATION. THIS PROPERTY EXTENDS FROM THE REAR OF THE EMPTY SADDLE CLUB IN A SOUTHEAST DIRECTION AND IS BOUND BY THE CITY OF TORRANCE TO THE NORTH AND BUCKSKIN LANE TO THE SOUTH.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO INTRODUCE ORDINANCE NO. 632.

City Manager Prichard read Ordinance No. 632 by title only.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

There being no objection, MAYOR ZUCKERMAN continued the public hearing to January 24, 2006.

NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF DECEMBER 5, 2005

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF DECEMBER 5, 2005.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

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

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

ADJOURNED TO THE PEPPER TREE FOUNDATION CORPORATION MEETING AT 9:12 P.M.

1. PEPPER TREE FOUNDATION ADVISORY BOARD ACTION ITEM FROM MEETING OF DECEMBER 6, 2005 – NATURE CENTER EXHIBITS FUNDING REQUEST

Recommendation: That the Pepper Tree Foundation Board of Directors approve the purchase of leaf and plant kingdoms exhibits at a cost of \$373.84.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE PURCHASE OF LEAF AND PLANT KINGDOMS EXHIBITS AT A COST OF \$373.84.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

2. PEPPER TREE FOUNDATION ADVISORY BOARD ACTION ITEM FROM MEETING OF DECEMBER 6, 2005 – CHANDLER PARK REDESIGN PROPOSAL

Recommendation: That the Pepper Tree Foundation Board of Directors approve the use of Pepper Tree Foundation funds for the proposed project estimated to commence in Spring 2006.

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE USE OF PEPPER TREE FOUNDATION FUNDS FOR THE PROPOSED PROJECT ESTIMATED TO COMMENCE IN SPRING 2006.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

OLD BUSINESS (Taken out of order)

B. PEPPER TREE FOUNDATION ADVISORY BOARD ACTION ITEM FROM MEETING OF DECEMBER 6, 2005 – REVISED COMMUNITY CENTER LANDSCAPE PROJECT

Recommendation: That the Pepper Tree Foundation Board of Directors approve the landscape plan for the Rolling Hills Estates Community Center and George F Canyon Nature Center site.

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

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE THE LANDSCAPE PLAN FOR THE ROLLING HILLS ESTATES COMMUNITY CENTER AND GEORGE F CANYON NATURE CENTER SITE.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

RECONVENED CITY COUNCIL MEETING AT 9:23 P.M.

C. CHAMBER OF COMMERCE COOPERATIVE AGREEMENT

AT THE CHAMBER OF COMMERCE'S REQUEST, THIS ITEM WAS DEFERRED.

D. INTEGRATED FINANCIAL SYSTEM

Recommendation: That the City Council approve the agreement between the City and SunGard Pentamation for the new financial system.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE THE AGREEMENT BETWEEN THE CITY AND SUNGARD PENTAMATION FOR THE NEW FINANCIAL SYSTEM SUBJECT TO CITY ATTORNEY REVIEW AND APPROVAL.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

E. ELECTRONIC IMAGING AND DOCUMENT MANAGEMENT

Recommendation: That the City Council authorize the City Manager to execute an agreement between the City and RCI Image Systems for electronic imaging and document management with approval by the City Attorney.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND RCI IMAGE SYSTEMS FOR ELECTRONIC IMAGING AND DOCUMENT MANAGEMENT WITH APPROVAL BY THE CITY ATTORNEY.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

OLD BUSINESS (Continued)

A. PEAFOWL TRAP AND REMOVAL PROGRAM PROCEDURES

Recommendation: That the City Council: 1) Adopt Resolution No. 2090 establishing a peafowl trap and removal program on private property in certain neighborhoods of the City, repealing and superceding Resolution No. 2072; and 2) Determine any revisions necessary for the draft Peafowl Trap and Removal Permit Application form.

After some discussion, it was recommended that peafowl trapping should only occur during normal business hours and that the animals could be held in a trap for a maximum of four hours.

1. RESOLUTION NO. 2090 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING A TRAP AND REMOVAL PROGRAM FOR PEAFOWL ON PRIVATE PROPERTY WITHIN CERTAIN NEIGHBORHOODS OF THE CITY, REPEALING AND SUPERCEDING RESOLUTION NO. 2072.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO ADOPT RESOLUTION NO. 2090 AS AMENDED.

City Manager Prichard read Resolution No. 2090 by title only.

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

COUNCILMAN ZERUNYAN noted that the peafowl subcommittee met recently and it looks like progress is being made.

C. PROGRESS REPORT - - CITY HALL SEISMIC RETROFIT AND COUNCIL CHAMBERS RESTROOMS RENOVATION PROJECT

Recommendation: That the City Council: 1) Provide further direction, as necessary, to assist staff in planning the proposed City Hall improvements; and 2) Receive and file this report.

Community Services Director Clark thanked MAYOR PRO TEM SEAMANS for offering assistance with interior decorating at not cost to the City.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE PROGRESS REPORT FOR CITY HALL SEISMIC RETROFIT AND COUNCIL CHAMBERS RESTROOMS RENOVATION PROJECT.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

D. NEEDS AND RESOURCES STUDY

Recommendation: That the City Council review and approve the Needs and Resources Survey and direct staff to distribute the survey to each household early in the New Year.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE NEEDS AND RESOURCES SURVEY AND DIRECT STAFF TO DISTRIBUTE THE SURVEY TO EACH HOUSEHOLD EARLY IN THE NEW YEAR.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN SO ORDERED.

E. STORM DRAIN CONDITION ASSESSMENT AND REPAIR

Recommendation: That the City Council: 1) Determine an appropriate level of funding for this project from the sources identified in the report; 2) Authorize the repair of City storm drain facilities as described above; 3) Make a finding by four-fifths vote that it would be impractical, useless, or uneconomical to follow formal bidding procedures, and that the welfare of the public would be promoted by dispensing with the same; and 4) Authorize the appropriate City Officials to enter into our standard agreement with the County or their pre-qualified contractor as approved by the City Attorney.

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

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM SEAMANS

TO APPROVE: 1) DETERMINATION AN APPROPRIATE LEVEL OF FUNDING FOR THIS PROJECT FROM THE SOURCES IDENTIFIED IN THE REPORT; 2) AUTHORIZING THE REPAIR OF CITY STORM DRAIN FACILITIES AS DESCRIBED ABOVE; 3) MAKING A FINDING BY FOUR-FIFTHS VOTE THAT IT WOULD BE IMPRACTICAL, USELESS, OR UNECONOMICAL TO FOLLOW FORMAL BIDDING PROCEDURES, AND THAT THE WELFARE OF THE PUBLIC WOULD BE PROMOTED BY DISPENSING WITH THE SAME; AND 4) AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO OUR STANDARD AGREEMENT WITH THE COUNTY OR THEIR PRE-QUALIFIED CONTRACTOR AS APPROVED BY THE CITY ATTORNEY.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

Assistant City Manager Wise explained that the General Fund expenditures will be reimbursed by FEMA.

City Manager Prichard cited this project as another example of Assistant City Manager Wise's diligence in finding additional funding for a project.

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

1. EQUESTRIAN COMMITTEE MINUTES OF NOVEMBER 30, 2005

MAYOR PRO TEM ZUCKERMAN thanked the Emersons for their willingness to remove the barn and provide access to the trail. City Manager Prichard noted that staff will bring back an agreement for execution.

MAYOR PRO TEM SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE EQUESTRIAN COMMITTEE MINUTES OF NOVEMBER 30, 2005.

THERE BEING NO OBJECTION, MAYOR ZUCKERMAN 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 agendized for future consideration and/or make announcements of interest to the public.

NONE

ADJOURNMENT

At 9:53 p.m., MAYOR ZUCKERMAN formally adjourned the City Council meeting to Tuesday, December 27, 2005 at 8:00 a.m. for the purpose of considering amendments of conditions of approval for 901 Silver Spur Road.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk