

MINUTES

CITY COUNCIL MEETING

JUNE 10, 2003

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:32 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR RAUCH.

PLEDGE OF ALLEGIANCE

MAYOR RAUCH led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

City Council Members Present: Addleman, Mitchell, Rauch, Seamans, Zuckerman

City Staff Present: City Manager Doug Prichard

City Attorney Richard Terzian

Assistant City Manager Sam Wise

Community Services Director Andy Clark

Administrative Analyst Greg Grammer

Finance Director Jud Norrell

Planning Director David Wahba

Others Present: Andrew Rein, Planning Commission

CEREMONIAL ITEMS

NONE

ROUTINE MATTERS

A. CITY COUNCIL MINUTES – MEETING OF MAY 13, 2003

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM MITCHELL
TO APPROVE THE CITY COUNCIL MINUTES OF MAY 13, 2003 AS PRESENTED.
THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

B. DEMANDS AND WARRANTS – MONTHS OF MAY AND JUNE

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS
TO APPROVE WARRANTS 33758 THROUGH 33798 IN THE AMOUNT OF \$42,271.00;
WARRANTS 33662 THROUGH 33739 IN THE AMOUNT OF \$289,352.45;
SUPPLEMENTAL WARRANTS 050301 THROUGH 050302; 33583 THROUGH 33593;

33621 VOID; 33643 THROUGH 33661; 33740 THROUGH 33743 IN THE AMOUNT OF \$180,648.40 FOR A GRAND TOTAL AMOUNT OF \$517,271.85 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

CONSENT CALENDAR

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM MITCHELL

TO APPROVE ITEMS A-I.

A. READING OF ORDINANCES AND RESOLUTIONS

APPROVED.

B. APRIL 2003 SCHEDULE OF INVESTMENTS

RECEIVED AND FILED.

C. CLAIM AGAINST THE CITY – SHARP

REJECTED.

D. ADOPTION OF THE ANNUAL SALARY RESOLUTIONS

Recommendation: That the City Council adopt Resolution Nos. 2023, 2024 and 2025 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. 2023 FOR ADOPTION

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

ADOPTED.

2. RESOLUTION NO. 2024 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. 2025 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.

City Manager Prichard read Resolution Nos. 2023, 2024 and 2025 by title only.

E. 2003-2004 MEMORANDUM OF UNDERSTANDING

Recommendation: That the City Council approve the 2003-04 Memorandum of Understanding between the City and the Rolling Hills Estates Employees' Association.

approved the 2003-2004 Memorandum of Understanding between the City and the Rolling Hills Estates Employee's Association.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 9, 2003

RECEIVED AND FILED.

G. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 16, 2003

RECEIVED AND FILED.

H. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 23, 2003

RECEIVED AND FILED.

I. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 30, 2003

RECEIVED AND FILED.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

COUNCILWOMAN SEAMANS reiterated the City's practice of monitoring various bills in order to make informed decisions. City Manager Prichard noted an update will be forthcoming at a future COUNCIL meeting.

AUDIENCE ITEMS NOT ON THE AGENDA/WITTEN AND ORAL COMMUNICATIONS

A. Bernard Van Wie, 4835 Elmdale Drive, requested COUNCIL consideration to call up PA-12-03 (63 Rollingwood) for public hearing as he has specific concerns he would like to address. MAYOR PRO TEM MITCHELL noted her intention to do so.

At 7:38 p.m., the CITY COUNCIL convened in closed session. At 9:04 p.m., the CITY COUNCIL reconvened in open session with MAYOR RAUCH, MAYOR PRO TEM MITCHELL, COUNCILMAN ADDLEMAN, COUNCILWOMAN SEAMANS and COUNCILMAN ZUCKERMAN present.

CLOSED SESSION

A. DISCUSSION WITH RESPECT TO REAL PROPERTY TRANSACTION DEVELOPMENT AGREEMENT DATED MARCH 17, 1998 WITH COUSINS MARKETCENTERS

(Government Code Section 54956.8)

Property: The Avenue of the Peninsula

City Negotiator: City Manager Prichard

Planning Director David Wahba

Negotiating Parties: City and Cousins Marketcenters

Under Negotiation: Final vacation of street easement

NO ACTION WAS TAKEN.

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.

PUBLIC HEARINGS/MEETINGS

A. FISCAL YEAR 2003-04 BUDGET PUBLIC HEARING AND ADOPTION

Recommendation: That the City Council: 1) Open the public hearing and take any public testimony related to the budget adoption, including fees and charges, fund balance policy and investment policy; 2) Close the public hearing; and 3) Review and adopt Resolution Nos. 2026, 2027 and 2028, the Equipment Replacement Funding Schedule, the Statement of Fund Balance Policy, and the Statement of Investment Policy.

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

MAYOR RAUCH commended Finance Director Norrell on another outstanding budget document.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM MITCHELL

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

MAYOR PRO TEM MITCHELL requested clarification regarding items listed in the Fund Balance Policy.

Discussion ensued with COUNCILMAN ZUCKERMAN suggesting the City maintain a baseline data base for traffic volumes at designated intersections to be paid for by an applicant through the creation of a fee for this material. It was noted this may be an item for consideration at a future COUNCIL meeting.

COUNCILMAN ZUCKERMAN then inquired as to what the City of Rancho Palos Verdes has decided in regards to their COPS funding. City Manager Prichard indicated their budget was adopted with two CORE deputies being funded rather than three. He noted RPV's desire to require one of the deputies teach the Student and the Law classes at Peninsula High School.

Additionally, it was noted the City's budget includes all three deputies and separately funds this class consistent with discussion that took place at the Budget Study Session.

Captain Jay Zuanich, Lomita Sheriff's Station, concurred with City Manager Prichard's remarks and pointed out that he has since spoken with RPV, and they have placed the Student and the Law class on a future agenda as there was concern over whether or not the CORE Deputies would be qualified to teach this class.

City Manager Prichard then provided a brief history of how the CORE Deputy Program developed. He stated that, if RPV does not participate in the cost of a third deputy, the City may wish to fund this deputy in its entirety, or utilize these funds for other supplemental law enforcement such as traffic, assuming the COPS grant is received from the State.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE the Equipment Replacement Funding Schedule, the Statement of Fund Balance Policy, AND the Statement of Investment Policy.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

1. RESOLUTION NO. 2026 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING THE 2003-04 FISCAL YEAR APPROPRIATION LIMIT FOR THE CITY.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2026.

City Manager Prichard read Resolution No. 2026 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

2. RESOLUTION NO. 2027 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING THE CONSOLIDATED BUDGET FOR THE FISCAL YEAR 2003-04 MAKING APPROPRIATIONS THERETO AND AUTHORIZING EXPENDITURES THEREFROM.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2027.

City Manager Prichard read Resolution No. 2027 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

3. RESOLUTION NO. 2028 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING A COMPREHENSIVE SCHEDULE OF MUNICIPAL FEES AND CHARGES FOR THE FISCAL YEAR 2003-04.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN TO ADOPT RESOLUTION NO. 2028.

City Manager Prichard read Resolution No. 2028 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

NEW BUSINESS

A. PLANNING COMMISSION MINUTES – MEETING OF MAY 19, 2003

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE INCOMPLETE PLANNING COMMISSION DRAFT MINUTES OF MAY 19, 2003.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

COUNCILWOMAN SEAMANS called up for public hearing PA-29-01; Applicant: Rolling Hills Covenant Church to be scheduled at the June 24, 2003 COUNCIL meeting.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

B. PLANNING COMMISSION MINUTES – MEETING OF JUNE 2, 2003

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF JUNE 2, 2003.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

MAYOR PRO TEM MITCHELL called up for public hearing PA-12-03 at 63 Rollingwood Drive to be scheduled at a future COUNCIL meeting.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

C. GENERAL SERVICES AGREEMENT

Recommendation: That the City Council approve the General Services Agreement between the City and the County of Los Angeles and authorize the appropriate City Officials to execute the document.

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

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO approve the General Services Agreement between the City and the County of Los Angeles and authorize the appropriate City Officials to execute the document.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

D. ENGINEERING SERVICES PROPOSAL FOR STREET IMPROVEMENT PROJECTS

Recommendation: That the City Council approve the proposal and contract agreement from Willdan Associates to provide Engineering and Inspection Services for the City's Annual Street Resurfacing Program at a total cost of \$72,750.

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

Assistant City Manager Wise noted that the increased cost is a direct result of the difficulty in resurfacing particular streets.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM MITCHELL

TO approve the proposal and contract agreement from Willdan Associates to provide Engineering and Inspection Services for the City's Annual Street Resurfacing Program at a total cost of \$72,750.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

E. DEEP VALLEY DRIVE MASTER PLAN

Recommendation: That the City Council authorize the City Manager to enter into the agreement with Stefanos Polyzoides in the amount of \$29,750.

Planning Director Wahba provided a staff report (as per agenda material). He indicated that the former McDonald's site has been included in this proposal.

City Attorney Terzian recommended including an indemnification and insurance clause in the agreement, if approved.

COUNCILWOMAN SEAMANS noted that this plan would become a working document to guide the City in future uses of the commercial district.

Brief discussion ensued regarding the state of current projects. Planning Director Wahba noted he will meet with the applicants to review what their intentions are to include the Mixed-Use Committee and the consultant.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM MITCHELL

TO authorize the City Manager to enter into the agreement with Stefanos Polyzoides in the amount of \$29,750 subject to review and approval by the city attorney.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

F. INITIAL PREPARATIONS FOR NOVEMBER GENERAL MUNICIPAL ELECTION

Recommendation: That the City Council review and approve Resolution Nos. 2020, 2021 and 2022 pertaining to initial preparations for the upcoming November 4, 2003 General Municipal Election.

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

1. RESOLUTION NO. 2020 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 4, 2003 FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM MITCHELL

TO ADOPT RESOLUTION NO. 2020.

City Manager Prichard read Resolution No. 2020 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

2. RESOLUTION NO. 2021 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON NOVEMBER 4, 2003 WITH THE 2003 BIENNIAL SCHOOL AND SPECIAL DISTRICT ELECTIONS TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM MITCHELL

TO ADOPT RESOLUTION NO. 2021.

City Manager Prichard read Resolution No. 2021 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

3. RESOLUTION NO. 2022 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AND THE COSTS THEREOF FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 4, 2003.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM MITCHELL

TO ADOPT RESOLUTION NO. 2022.

City Manager Prichard read Resolution No. 2022 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

MAYOR RAUCH announced that she does not intend to run for re-election, and mentioned that Planning Commissioner Frank Zerunyan has announced in intention to run.

G. MAINTENANCE OF EFFORT (MOE) CERTIFICATION

Recommendation: That the City Council adopt Resolution No. 2029 related to compliance with the Maintenance of Effort provisions of AB 2928 certifying that General Fund expenditures for street and road purposes will be maintained above the \$133,828 minimum requirement for both Fiscal Years 2002-03 and 2003-04.

Finance Director Norrell provided staff report (as per agenda material).

1. RESOLUTION NO. 2029 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES CERTIFYING COMPLIANCE WITH THE MAINTENANCE OF EFFORT PROVISIONS OF ASSEMBLY BILL 2928.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN TO ADOPT RESOLUTION NO. 2029.

City Manager Prichard read Resolution No. 2029 by title only.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

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 agendized.

A. PLANNING APPLICATION NO. 10-01; LOCATION: CITY-WIDE; APPLICANT: CITY OF ROLLING HILLS ESTATES

Recommendation: That the City Council continue this matter to a date uncertain and direct staff to re-notice PA-10-01 prior to conducting a continued public hearing before City Council.

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

City Manager Prichard noted that traffic methodologies were discussed at the recent CEQA Committee meeting. The next meeting is scheduled for July 2 with another public hearing to be scheduled and re-noticed before the COUNCIL.

COUNCILMAN ZUCKERMAN noted several items remain that need to be discussed. He went on to commend the residents who serve on the committee noting that their participation has proven to be very valuable and thanked Planning Director Wahba who has undertaken an extensive amount of work on this committee.

It was the consensus of the COUNCIL

TO CONTINUE THIS MATTER TO A DATE UNCERTAIN AND DIRECTED STAFF TO RE-NOTICE PA-10-01 PRIOR TO CONDUCTING A CONTINUED PUBLIC HEARING BEFORE THE CITY COUNCIL.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

B. COUNCILWOMAN SEAMANS noted it was her understanding that the Housing of Community Development is considering postponing or eliminating Regional Housing Needs Assessment (RHNA) requirements due to unfunded mandates.

C. MAYOR PRO TEM MITCHELL reported she attended, along with COUNCIL MEMBERS ADDLEMAN and SEAMANS, the League of California Cities meeting noting that discussion included State budget issues.

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. SANTA MONICA BAY RESTORATION COMMISSION CALL FOR REPRESENTATIVES

After brief discussion, COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPOINT MAYOR PRO TEM MITCHELL to serve AS DELEGATE AND COUNCILWOMAN SEAMANS TO SERVE AS ALTERNATE REPRESENTATIVE TO THE SANTA MONICA BAY RESTORATION COMMISSION.

THERE BEING NO OBJECTION, MAYOR RAUCH SO ORDERED.

B. COUNCILMAN ZUCKERMAN announced that the City's Cross Country Run is scheduled for August 2 and invited everyone to attend.

C. MAYOR RAUCH announced that the next Household Hazardous Waste is scheduled for June 21 at American Honda on Van Ness Blvd. in Torrance.

D. COUNCILWOMAN SEAMANS noted her appreciation to the Palos Verdes News for providing a supportive editorial regarding the State restoring VLF funding to cities. She suggested sending a thank you letter to the Editor for realizing the impact loss of these revenues would have on local government.

E. COUNCILMAN ZUCKERMAN thanked everyone who voted to pass Measure P at the last election.

ADJOURNMENT IN MEMORY OF PATRICIA REIN

At 10:27 p.m., MAYOR RAUCH formally adjourned the City Council meeting to June 24, 2003 at 7:30 p.m. in the City Hall Council Chambers.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Clerk