

MINUTES

CITY COUNCIL MEETING

MARCH 10, 2009

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:44 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR MITCHELL.

PLEDGE OF ALLEGIANCE

After leading the pledge, David Wagman, President, Peninsula Education Foundation, noted that this organization was formed when a group of concerned citizens joined together to create supplemental funding to support the Palos Verdes Peninsula Unified School District. He outlined their mission, fund raising events and support programs.

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

Others Present: Tim Scott, Planning Commission

4. CEREMONIAL ITEMS

A. RESOLUTION NO. 2188 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES TO SUPPORT TURNING OFF ALL NON-ESSENTIAL LIGHTING IN ALL CITY GOVERNMENT FACILITIES FOR THE HOUR BETWEEN 8:30 P.M. AND 9:30 P.M. ON MARCH 28, 2009 AS PART OF THE CITY-WIDE CLIMATE CHANGE EVENT: EARTH HOUR 2009.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT RESOLUTION NO. 2188.

City Manager Prichard read Resolution No. 2188 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF FEBRUARY 24, 2009

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CITY COUNCIL MINUTES OF FEBRUARY 24, 2009 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. DEMANDS AND WARRANTS – FEBRUARY AND MARCH

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 45419 THROUGH 45459 IN THE AMOUNT OF \$130,745.25; SUPPLEMENTAL WARRANTS 020109 THROUGH 020209; 45176 (VOID); 45254 THROUGH 45261; 45262 (VOID-PRINTER TESTING); 45317 THROUGH 45318; 45319 (VOID); 45320 THROUGH 45337; 45397 THROUGH 45405 IN THE AMOUNT OF \$238,366.99 FOR A GRAND TOTAL AMOUNT OF \$369,112.24 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. CONSENT CALENDAR

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE ITEMS A-C.

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. JANUARY 2009 SCHEDULE OF INVESTMENTS

Recommendation: That the City Council receive and file the Schedule of Investments report for the month.

RECEIVED AND FILED.

C. JANUARY'S MONTHLY EXPENDITURE AND REVENUE REPORT

Recommendation: That the City Council receive and file the report for the month.

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

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

A. DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC) FIVE-YEAR REVIEW OF PV LANDFILL

Allen Wolfenden, Performance Manager, Legacy Landfills, gave an overview of the five year review plan and was pleased to announce that the public comment period would be extended as requested by the CAB.

Dan Zogaib, Hazardous Substances Engineer, Department of Toxic Substances Control (DTSC), provided an extensive operating history of the PV Landfill. He noted the elements that were evaluated in the five-year review included groundwater protection systems, gas collection and control system, soil cover, stormwater, wastewater, etc. Based on their evaluations, it was determined that the environmental controls in place were operating in a satisfactory manner and that no hazardous substances were impacting the adjacent properties.

Deborah Oudiz, Senior Toxicologist, DTSC, noted that this investigation was conducted to check the environmental controls installed in previous years and update the health risk assessment. She noted that the highest maximum exposure calculations in a worst case scenario were determined to be safe and well within established health risk management levels.

Mr. Wolfenden summarized that the site is well-defined, understood and operated effectively by the Sanitation Districts and that routine monitoring will continue with no additional monitoring or remedial measures necessary. He noted that another review will take place in five years. The results of this review will be discussed at the April 27, 2009 meeting. He referred to their website at www.dtsc.ca.gov for further information.

Mr. Wolfenden noted that if someone wished to review the entire five-year review document, it is available for free at the Peninsula Center Library and Torrance Civic Center Library.

Joan Davidson provided a presentation of her concerns regarding the five-year review. She noted her opinion that the Sanitation Districts did not meet any of the standards that it claims to represent.

Christina Zimmerman, Chair, Citizens Advisory Board, Ranchview HOA, noted her appreciation to the DTSC for allowing an extension. She urged them to not only make sure the various systems are in place, but to take into consideration on-site monitoring.

Barbara Epstein, Citizens Advisory Board, asked DTSC representatives various questions regarding evaluating neighborhood boundaries. Mr. Zogaib responded that boundary probes were utilized as necessary.

MAYOR MITCHELL noted that the DTSC will provide an opportunity for public comment at their meeting scheduled for April 27, 2009 at 6:30 p.m. at the South Coast Botanic Garden.

8. PUBLIC HEARINGS/MEETINGS

8:00 P.M.

- A. CONTINUED PUBLIC HEARING – PLANNING APPLICATION NO. 27-06 (REQUEST FOR VACATION OF PORTIONS OF 262ND STREET AND CYPRESS STREET IN CONNECTION WITH THE LOMITA/CYPRESS STREET RESERVOIR PROJECT)
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Recommendation: That the City Council: 1) Continue to take public testimony; 2) Close the public hearing; 3) Discuss the issues; and 4) Adopt City Council Resolution No. 2182.

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

1. RESOLUTION NO. 2182 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ORDERING THE VACATION OF CERTAIN PORTIONS OF CYPRESS STREET AND 262ND STREET WITHIN THE CITY'S BOUNDARIES.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT RESOLUTION NO. 2182.

City Manager Prichard read Resolution No. 2182 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

9. NEW BUSINESS

- A. PLANNING COMMISSION MINUTES OF MARCH 2, 2009

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF MARCH 2, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

“Upon a determination by four-fifths vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in Government Section 54954.2(a)(2).”

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO MAKE THE NECESSARY FINDINGS TO CONSIDER THE COMPLETION OF PALOS VERDES DRIVE NORTH FROM CRENSHAW BOULEVARD TO ROLLING HILLS ROAD PROJECT IN CONJUNCTION WITH THE ILLUMINATED STREET NAME SIGN PROJECT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. ILLUMINATED STREET NAME SIGN PROJECT

Recommendation: That the City Council authorize the Contract Agreement and Proposal with Willdan for the Illuminated Street Sign Project, subject to approval by the City Attorney.

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO AUTHORIZE THE CONTRACT AGREEMENT AND PROPOSAL WITH WILLDAN FOR THE ILLUMINATED STREET NAME SIGN PROJECT, SUBJECT TO APPROVAL BY THE CITY ATTORNEY.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. COMPLETION OF PALOS VERDES DRIVE NORTH FROM CRENSHAW BOULEVARD TO ROLLING HILLS ROAD

Recommendation: That the City Council authorize the contract agreement and proposal with Willdan for the completion of Palos Verdes Drive North from Crenshaw Boulevard to Rolling Hills Road subject to the approval by the City Attorney.

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

Brief discussion ensued with Assistant City Manager Wise noting that there are now three “shovel” ready projects, with two ready to proceed upon approval from CalTrans. He explained the funding from the Federal stimulus plan and how it will affect the City.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO AUTHORIZE THE CONTRACT AGREEMENT AND PROPOSAL WITH WILLDAN FOR THE COMPLETION OF PALOS VERDES DRIVE NORTH FROM CRENSHAW BOULEVARD TO ROLLING HILLS ROAD, SUBJECT TO THE APPROVAL BY THE CITY ATTORNEY.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Manager Prichard commended Assistant City Manager Wise and Assistant to the City Manager Grammer for their diligence on locating funding for these various projects.

C. LA-RICS AGREEMENT

Recommendation: That the City Council adopt Resolution No. 2187 approving the Los Angeles Regional Interoperable Communications System Joint Powers Authority Agreement (LA-RICS JPA) and authorizing the City Manager to execute the agreement

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

In response to COUNCILWOMAN SEAMANS, City Manager Prichard explained the benefits of being represented on the board.

Keith Swensen, Communications, Los Angeles Sheriff's Dept., noted that this program is for first responders and provides data communication in the region in the event of a disaster.

MAYOR MITCHELL inquired as to how long it will take before this system becomes operational. Officer Swensen indicated that it would be at least three years.

1. RESOLUTION NO. 2187 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING THE LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (LA-RICS) JOINT POWERS AGREEMENT (JPA) THUS AUTHORIZING THE CITY'S MEMBERSHIP IN THE LA-RICS AUTHORITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE JPA AGREEMENT.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT RESOLUTION NO. 2187.

City Manager Prichard read Resolution No. 2187 by title only.

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

D. BUDGET AUGMENTATION REQUEST FROM WILLDAN ENGINEERING FOR THE PA-29-07 (CHANDLER RANCH SUBDIVISION/ROLLING HILLS COUNTRY CLUB)

Recommendation: That the City Council approve the Budget Augmentation Request from Willdan Engineering in the amount of \$23,463 for the Chandler Ranch Subdivision/Rolling Hills Country Club Project.

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE BUDGET AUGMENTATION REQUEST FROM WILLDAN ENGINEERING IN THE AMOUNT OF \$23,463 FOR THE CHANDLER RANCH SUBDIVISION/ROLLING HILLS COUNTRY CLUB PROJECT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

10. OLD BUSINESS

A. RESOLUTION NO. 2186 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AMENDING CONDITION OF APPROVAL NO. 56 OF CITY COUNCIL RESOLUTION NO. 2054 TO PERMIT SKINNER'S PHARMACY TO BE RELOCATED FROM ITS CURRENT LOCATION AT 927 DEEP VALLEY DRIVE TO PREVIOUSLY-PERMITTED FLEX SPACE LOCATED ON THE GROUND-FLOOR OF THE ROLLING HILLS VILLAS CONDOMINIUM BUILDING AT 905 DEEP VALLEY DRIVE; APPLICANT: MR. TED WYNNE, WYNNE DEVELOPMENT; LOCATION: 905 DEEP VALLEY DRIVE.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2186.

City Manager Prichard read Resolution No. 2186 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. HOWLETT PARK BARN PAINTING REQUEST FOR PROPOSALS RESULTS

Recommendation: That the City Council: 1) Reject the two (2) Ernie Howlett Park Barn Painting Project proposals; and 2) Direct staff to re-issue the Request for Proposals for this project.

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO DIRECT STAFF TO: 1) REJECT THE TWO (2) ERNIE HOWLETT PARK BARN PAINTING PROJECT PROPOSALS; AND 2) RE-ISSUE THE REQUEST FOR PROPOSALS FOR THIS PROJECT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

11. CITY ATTORNEY ITEMS

NONE

12. 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 SEAMANS

1. 2008 PENINSULA HOLIDAY PARADE DEBRIEFING MINUTES

COUNCILMAN ADDLEMAN moved, seconded by
COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE 2008 PENINSULA
HOLIDAY DEBRIEFING MINUTES.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO
ORDERED.

B. COUNCILMAN ZUCKERMAN

1. JOINT ADJOURNED PLANNING COMMISSION AND
REGULAR EQUESTRIAN COMMITTEE MINUTES OF
FEBRUARY 23, 2009

COUNCILWOMAN SEAMANS moved, seconded by
COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE JOINT ADJOURNED
PLANNING COMMISSION AND REGULAR EQUESTRIAN
COMMITTEE MINUTES OF FEBRUARY 23, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO
ORDERED.

Community Services Director Clark noted that a Request for
Proposal is being created to solicit interested parties to
undertake a concession for a commercial trail riding service
from the stables at Howlett Park.

13. 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.

A. TRAVEL AUTHORIZATION FOR LEAGUE OF CALIFORNIA CITIES
AND CALIFORNIA CONTRACT CITIES ASSOCIATION EVENTS

1. 2009 LEGISLATIVE ACTION DAYS: APRIL 15-16, 2009

It was noted that MAYOR MITCHELL will attend this event as
she is the League of California Cities President.

2. CALIFORNIA CONTRACT CITIES ASSOCIATION 50TH ANNUAL
MUNICIPAL SEMINAR: MAY 14-17, 2009

It was noted that the COUNCIL, Park and Activities
Commissioners, and Planning Commissioners' stay will be
limited to two nights and that a Friday evening reception
would be held in the Governor's Suite.

3. LEAGUE OF CALIFORNIA CITIES MAYORS AND COUNCIL
MEMBERS EXECUTIVE FORUM: MAY 27-30, 2009

It was noted that the COUNCIL'S stay will be limited.

B. UPDATE ON AMERICAN RE-INVESTMENT AND RECOVERY ACT (FEDERAL STIMULUS PACKAGE)

No additional information was presented as this issue was previously discussed.

C. MAYOR MITCHELL noted that the League of California Cities is updating the Federal stimulus package bulletin every week.

D. MAYOR MITCHELL was pleased to announce the appointment of Britt Huff to the Planning Commission.

COUNCILMAN ZUCKERMAN encouraged the other applicants to apply for any openings that may be available.

At 9:36 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) potential and threatened litigation) consideration of a Tolling Agreement to allow time to negotiate settlement of the Los Angeles County Tolling Liability Trust Fund dispute.

STAFF WAS DIRECTED TO DETERMINE THE APPROPRIATE METHOD FOR PARTICIPATING IN THE TOLLING AGREEMENT AND EXECUTE THE APPROPRIATE DOCUMENTS.

At 10:01 p.m., the COUNCIL reconvened with MAYOR MITCHELL, MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN present.

15. ADJOURNMENT

At 10:01 p.m., MAYOR MITCHELL formally adjourned the City Council meeting to Tuesday, March 24, 2009 at 7:30 p.m.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Manager