

MINUTES

CITY COUNCIL MEETING

JANUARY 23, 2007

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 SEAMANS.

PLEDGE OF ALLEGIANCE

MAYOR SEAMANS 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
City Attorney Kristin Pelletier
Assistant City Manager Sam Wise
Planning Director David Wahba
Community Services Director Andy Clark
Administrative Services Director Michael Whitehead
Senior Planner Niki Cutler
Assistant to the City Manager Greg Grammer

Others Present: Dale Allen, Park and Activities Commission
Larry Vanden Bos, Planning Commission

4. CEREMONIAL ITEMS

NONE

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF DECEMBER 12, 2006

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE CITY COUNCIL MINUTES OF DECEMBER 12, 2006 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. DEMANDS AND WARRANTS – DECEMBER AND JANUARY

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE WARRANTS 41162 THROUGH 41225 IN THE AMOUNT OF \$274,547.19; SUPPLEMENTAL WARRANTS 120106 THROUGH 120206; 40749 (VOID); 40924; 40993 THROUGH 41014; 41015 THROUGH 41089; 41090 THROUGH 41103 IN THE AMOUNT OF \$551,239.46 FOR A GRAND TOTAL AMOUNT OF \$825,786.65 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. CONSENT CALENDAR

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE ITEMS A-I.

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 2006 SCHEDULE OF INVESTMENTS

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

RECEIVED AND FILED.

C. DECEMBER 2006 SCHEDULE OF INVESTMENTS

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

RECEIVED AND FILED.

D. PVP CHAMBER OF COMMERCE SECOND QUARTER REPORT

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

MAYOR SEAMANS pulled this item for discussion.

Kay Finer, President/CEO, Palos Verdes Peninsula Chamber of Commerce, highlighted several events they have either organized or supported. She was pleased to report that they have welcomed many new members. Additionally, she announced the Street Fair scheduled for June 2 and 3 as well as the "Taste of RHE" celebrating the City's 50th anniversary on Saturday, April 14.

In response to COUNCILMAN ZUCKERMAN'S inquiry, Ms. Finer stated that they have revamped their membership committee who are working on an incentive program for new members which will be launched in the next few weeks.

MAYOR SEAMANS thanked Ms. Finer for her creativity in suggesting the City's slogan of "County Living with Style" as well as the "Denim and Diamonds" theme for the City's 50th anniversary celebration.

E. GEORGE F CANYON NATURE PRESERVE RIPARIAN HABITAT RESTORATION PROJECT UPDATE

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

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED DECEMBER 8, 2006

RECEIVED AND FILED.

G. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED DECEMBER 15, 2006

RECEIVED AND FILED.

H. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 5, 2007

RECEIVED AND FILED.

I. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 12, 2007

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

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

A. Mike Russo, Bridlewood Homeowners' Association, requested the COUNCIL take action to remove a blue tarp at 38 Aurora. He noted the neighbors placed this tarp on the fence because some bushes and trees on the Bridlewood side had to be removed. He then explained that this foliage was diseased and had to be cut down so as not to infect other vegetation along that fence. Additionally, he requested that the Bridlewood HOA be advised in writing of any action taken.

Pin fun Tsai, commented that the trees and bushes were cleared out because they were dead. She provided a brief history of the landscaping problems at that location. She then asked the City to examine vegetation along the hiking trail and along the easement at 38 Aurora to determine if any City trees are diseased.

B. Scott Gobble, SCE, reported that they have a new summer discount plan where residents can earn up to \$200 if they will allow a remote-controlled device to be installed on their air conditioners which would shut down at intervals thereby lowering energy consumption. In response to COUNCILMAN ZUCKERMAN'S inquiry, Mr. Gobble noted that this program would generally apply to homes about 3,000 square feet and larger with a 4.5 ton central air conditioning unit.

8. PUBLIC HEARINGS/MEETINGS

NONE SCHEDULED

9. NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF JANUARY 16, 2007

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF JANUARY 16, 2007.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. MEMORANDUM OF AGREEMENT (MOA) JURISDICTION 7 SANTA MONICA BAY BEACHES BACTERIA TMDL IMPLEMENTATION

Recommendation: That the City Council approve the joint TMDL compliance "Memorandum of Agreement" for Jurisdiction 7.

Assistant to the City Manager Grammer provided a staff report (as per agenda material).

Kathleen McGowan, Consultant, reiterated that costs will be shared proportionately among the Peninsula cities and the City of Los Angeles.

COUNCILMAN ZUCKERMAN suggested the City contact the Sanitation Districts in order to obtain manhole cover sealing plugs.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE JOINT TMDL COMPLIANCE "MEMORANDUM OF AGREEMENT" FOR JURISDICTION 7.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

ADJOURNED TO PEPPER TREE BOARD OF DIRECTORS MEETING AT 8:10 P.M.

C. 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 the staff report.

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

On behalf of the CITY COUNCIL, COUNCILMAN ZUCKERMAN wished to extend their appreciation to the Park and Activities Commissioners for their fine work.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE REGULAR ANNUAL BOARD OF DIRECTORS REPORT.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

RECONVENED CITY COUNCIL MEETING AT 8:15 P.M.

D. PROPOSAL FROM LSA ASSOCIATES, INC. TO PREPARE AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR LAING URBAN

Recommendation: That the City Council authorize the contract with LSA Associates, Inc., in the amount of \$98,500 to prepare an EIR for the Laing Urban residential project, subject to the approval of the City Attorney.

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

COUNCILMAN ZUCKERMAN noted he would like to require a slope stability factor incorporated into the scope of work. Other items of concern expressed were the geotechnical element of the project as well as costs.

Planning Director Wahba indicated he will contact LSA with the aforementioned concerns.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO AUTHORIZE THE CONTRACT WITH LSA ASSOCIATES, INC., IN THE AMOUNT \$98,500 TO PREPARE AN EIR FOR THE LAING URBAN RESIDENTIAL PROJECT, SUBJECT TO THE APPROVAL OF THE CITY ATTORNEY, AS AMENDED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

10. OLD BUSINESS

A. PROPOSAL AND CONTRACT FOR MOORE, IACOFANO, GOLTSMAN, INC. (MIG) TO CONDUCT PENINSULA VILLAGE COMMUNITY OUTREACH

Recommendation: That the City Council adopt a contract with Moore, Iacofano, Goltsman, Inc., in an amount not-to-exceed \$38,840 to conduct community workshops and associated work related to the Peninsula Village project.

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

MAYOR PRO TEM ZERUNYAN believed that the amount requested was excessive particularly without knowing the final scope of service. He suggested the City meet with MIG to see what is truly needed to move forward. He then stated that the City would be better served if representatives from their office in Pasadena could provide assistance rather than incurring costs from Northern California. Additionally, he suggested completing the first phase and then evaluating what is needed for the future.

After extensive discussion, City Manager Prichard noted that he will have City Attorney Pelletier draft appropriate language approving Task I, and for future tasks include the provision that work shall not proceed from one task to another without prior authorization from the City.

It was the consensus of the COUNCIL to have Mr. Iacofano as the representative from MIG at the meetings and workshops as scheduled.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILWOMAN MITCHELL

TO ADOPT AS AMENDED TO REQUIRE WRITTEN NOTICE PRIOR TO PROCEEDING WITH THOSE TASKS BEYOND TASK ONE.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. HOWLETT PARK ADA RESTROOM RENOVATION PROJECT BID RESULTS

Recommendation: That the City Council accept Caltec Corporation's bid to bring the two restroom buildings in Ernie Howlett Park into ADA compliance at a cost of \$95,000.

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

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILWOMAN MITCHELL

TO ACCEPT CALTEC CORPORATION'S BID TO BRING THE TWO RESTROOM BUILDINGS IN ERNIE HOWLETT PARK INTO ADA COMPLIANCE AT A COST OF \$95,000.

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 MITCHELL reported that she attended the California Contract Cities Association Legislative Orientation Tour, along with MAYOR PRO TEM ZERUNYAN. She noted that they met with several legislators, of which 35 are new to the Assembly. She also noted that discussion included infrastructure bond implementation and funding disbursement.
- B. COUNCILMAN ZUCKERMAN reported that there are fewer cases of the West Nile Virus and encouraged the public to be aware of ticks when biking or hiking. Additionally, he noted that the West Vector Control Board will be meeting on a bi-monthly basis.
- C. COUNCILMAN ADDLEMAN reported that he attended the MTA meeting. He noted that discussion included a possible deficit that MTA may incur over the next 10 years.
- D. COUNCILMAN ADDLEMAN reported that he attended a PV Transit meeting. He noted that discussion included Metro's call for projects as well as PV Transit's audit.
- E. MAYOR PRO TEM ZERUNYAN also reported on his attendance at the Contract Cities Legislative Tour and commented that he and COUNCILWOMAN MITCHELL were guests at the Governor's state-of-the-state speech.
- F. MAYOR SEAMANS reported that she attended the Sanitation Districts' meeting. She noted that an amicus brief was filed regarding the wastewater permit which will be heard before the California Supreme Court. She also noted that the Sanitation Districts' provides an information Waste-by-Rail video that is available.
- G. MAYOR SEAMANS reported that she attended the Housing, Community and Development Committee meeting that included discussion regarding accessing bond monies to be distributed to cities.

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. MAYOR PRO TEM ZERUNYAN

- 1. TRAFFIC AND SAFETY COMMITTEE MINUTES OF NOVEMBER 16, 2006

MAYOR PRO TEM ZERUNYAN noted that the meeting focused primarily on traffic mitigation measures of the Peninsula Village

Draft EIR. Assistant City Manager Wise pointed out that the purpose of the meeting was to afford the Traffic and Safety Committee an opportunity to directly comment on the EIR.

In response to comments from MAYOR SEAMANS, Assistant City Manager Wise commented on the following streets: 1) Silver Spur Road/Hawthorne Boulevard; 2) Dapplegray Lane/Palos Verdes Drive North; and 3) Portuguese Bend Road/Palos Verdes Drive North.

COUNCILMAN ZUCKERMAN requested that a “before and after” drawing be provided for each intersection and presented to the COUNCIL for assistance in reviewing the proposed mitigation measures.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE TRAFFIC AND SAFETY COMMITTEE MINUTES OF NOVEMBER 16, 2006.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. COUNCILMAN ZUCKERMAN

1. PETER WEBER EQUESTRIAN CENTER AD HOC DESIGN COMMITTEE MINUTES OF JANUARY 17, 2007

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZERUNYAN

TO RECEIVE AND FILE THE PETER WEBER EQUESTRIAN CENTER AD HOC DESIGN COMMITTEE MINUTES OF JANUARY 17, 2007.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

(a) PETER WEBER EQUESTRIAN CENTER AD HOC DESIGN COMMITTEE’S ACTION ITEM FROM MEETING OF JANUARY 17, 2007 – REVISED CONCEPTUAL DESIGN REVIEW

Recommendation: That the City Council authorize staff to solicit proposals for soils stability testing at the Peter Weber Equestrian Center.

After extensive discussion, COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO DIRECT STAFF TO REQUEST A LETTER OF INTENT FROM LOS ANGELES COUNTY THAT ADDRESSES THE CITY’S DESIRE TO MAKE MINOR EXPANSION TO THE FOOTPRINT OF THE EQUESTRIAN CENTER.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILWOMAN MITCHELL moved, seconded by
COUNCILMAN ZUCKERMAN

TO DIRECT STAFF TO SOLICIT PROPOSALS FOR
SOILS STABILITY TESTING AT THE EQUESTRIAN
CENTER.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO
ORDERED.

C. COUNCILWOMAN MITCHELL

1. NATIONAL LEAGUE OF CITIES CONFERENCE –
WASHINGTON D.C.

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN
ZUCKERMAN

TO APPROVE COUNCILWOMAN MITCHELL'S ATTENDANCE
AT THE NATIONAL LEAGUE OF CITIES CONFERENCE.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

D. COUNCILMAN ADDLEMAN

1. CITIZENS ADVISORY BOARD MEETING OF JANUARY 18, 2007

COUNCILMAN ADDLEMAN reported that he attending this meeting
where discussion took place regarding the DTSC five-year plan as
well as the Sanitation Districts' plans for changes to the existing gas-
to-energy facility on Hawthorne.

City Manager Prichard noted that staff will contact the Sanitation
Districts to request a focused EIR for air quality.

E. MAYOR SEAMANS

1. COMMITTEE ASSIGNMENTS

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

TO APPROVE THE 2007 COMMITTEE ASSIGNMENT LIST.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

2. 50TH ANNIVERSARY SUBCOMMITTEE MEETING OF JANUARY 17,
2007

MAYOR SEAMANS reported that the 50th Anniversary Subcommittee
is planning on having a "Taste of RHE" that will be held on the roof of
the Peninsula Center Library. She noted that Kathy Berg will assist
in the publicity for the event.

COUNCILMAN ZUCKERMAN suggested selling RHE refrigerator
magnets. It was noted that staff will be investigating this further.

At 10:01 p.m., the CITY COUNCIL convened into closed session.

14. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
(Pursuant to Government Code Section 54956.9(a))
City of Rolling Hills Estates v. Linares update on status of plea Agreement

AFTER RECEIVING A STATUS REPORT, THE COUNCIL TOOK NO ACTION.

- B. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
(Pursuant to Government Code Section 54956.9(b)(1)there is a significant exposure to litigation regarding the City’s right-of-way and easement rights in property located at 37 and 38 Aurora Drive

AFTER RECEIVING A STATUS REPORT, THE COUNCIL TOOK NO ACTION.

At 10:50 p.m., the COUNCIL reconvened with MAYOR SEAMANS, MAYOR PRO TEM ZERUNYAN, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZUCKERMAN present.

15. ADJOURNMENT IN MEMORY OF MAYOR PRO TEM ZERUNYAN’S LONG-TIME FRIEND AND WORLD RENOWNED JOURNALIST, HRANT DINK, RECENTLY ASSASSINATED IN TURKEY

At 10:50 p.m., MAYOR SEAMANS formally adjourned the City Council meeting to Wednesday, February 7, 2007 at 9:30 a.m. for the purpose of meeting with consultants from MIG regarding schedule of public outreach/input meetings for the Peninsula Village Master Plan area.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk