

**MINUTES**

**CITY COUNCIL MEETING**

**AUGUST 14, 2007**

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 6:00 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR SEAMANS.

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At 6:00 p.m., the CITY COUNCIL convened into closed session.

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**14. CLOSED SESSION (*Taken out of order*)**

**A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**

(Pursuant to Government Code Section 54956.9 (a)) update report on pending litigation to establish the City's rights within the City's right-of-way adjacent to any easements located on properties at 33, 36, 37 and 38 Aurora Drive

*NO ACTION WAS TAKEN.*

**B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

(Pursuant to Government Code Section 54956.9 (c)) consideration of initiation of litigation regarding damages to bridle trail trees by residents at 18 Roanwood Drive (Woodburns), 4846 Ferncreek (Bocchino), and 4822 Ferncreek (Griggs)

*SETTLED AGREEMENT WITH WOODBURNS WAS APPROVED.*

**C. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**

(Pursuant to Government Code Section 54956.9(a)) update report on pending litigation: City of Rolling Hills Estates v. Linares status

*NO ACTION WAS TAKEN.*

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At 7:35 p.m., the COUNCIL reconvened with MAYOR SEAMANS, MAYOR PRO TEM ZERUNYAN, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZUCKERMAN present.

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**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  
Community Services Director Andy Clark  
Administrative Services Director Mike Whitehead  
Planning Director David Wahba  
Senior Planner Niki Cutler  
Assistant to the City Manager Greg Grammer

Others Present: Dale Allen, Park and Activities Commission  
Jay Golida, Planning Commission

4. **CEREMONIAL ITEMS**

NONE

5. **ROUTINE MATTERS**

A. ADJOURNED CITY COUNCIL MINUTES OF MAY 8, 2007

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE ADJOURNED CITY COUNCIL MINUTES OF MAY 8, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. ADJOURNED JOINT CITY COUNCIL AND PLANNING COMMISSION MINUTES OF MAY 8, 2007

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE THE ADJOURNED JOINT CITY COUNCIL AND PLANNING COMMISSION MINUTES OF MAY 8, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

C. CITY COUNCIL MINUTES OF JUNE 12, 2007

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE CITY COUNCIL MINUTES OF JUNE 12, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

D. ADJOURNED JOINT CITY COUNCIL AND PLANNING COMMISSION MINUTES OF JUNE 26, 2007

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE THE ADJOURNED JOINT CITY COUNCIL AND PLANNING COMMISSION MINUTES OF JUNE 26, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

E. CITY COUNCIL MINUTES OF JUNE 26, 2007

COUNCILMAN ADDLEMAN requested the following corrections under 12. CITY COUNCIL/REGIONAL COMMITTEE REPORTS – CALIFORNIA JOINT POWERS INSURANCE AUTHORITY EXECUTIVE COMMITTEE:

*Page 9: "COUNCILMAN ADDLEMAN reported that there are ~~six~~ **three** new members that will serve on this committee;" and*

*Page 10: "COUNCILMAN ADDLEMAN reported that Proposition P passed with 80% of the vote at a cost of ~~\$280~~ \$209 per parcel."*

COUNCILMAN ADDLEMAN moved, seconded by MAYOR PRO TEM ZERUNYAN

TO APPROVE THE CITY COUNCIL MINUTES OF JUNE 26, 2007 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

F. DEMANDS AND WARRANTS – JUNE, JULY AND AUGUST

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE WARRANTS 42350 THROUGH 42409 IN THE AMOUNT OF \$76,380.36; WARRANTS 42410 THROUGH 42433 IN THE AMOUNT OF \$225,067.08; SUPPLEMENTAL WARRANTS 060107 THROUGH 060207; 41963 THROUGH 41969; 42035 THROUGH 42047; 42106 (VOID); 42107 THROUGH 42120; 070107 THROUGH 070207; 42121 AND 42122 (VOID); 42123 THROUGH 42329 IN THE AMOUNT OF \$1,335,017.45 FOR A GRAND TOTAL AMOUNT OF \$1,636,465.39 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**6. CONSENT CALENDAR**

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

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. JUNE 2007 SCHEDULE OF INVESTMENTS

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

RECEIVED AND FILED.

C. QUARTERLY CODE ENFORCEMENT REPORT

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

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JUNE 22, 2007

RECEIVED AND FILED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JUNE 29, 2007

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JULY 6, 2007

RECEIVED AND FILED.

G. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JULY 13, 2007

RECEIVED AND FILED.

H. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JULY 20, 2007

RECEIVED AND FILED.

I. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JULY 27, 2007

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

*MAYOR SEAMANS pulled Item 6J. for discussion:*

J. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED AUGUST 3, 2007

MAYOR SEAMANS noted she received a call from Governor Schwarzenegger's Office requesting cities to send letters to legislators urging them to take action and approve the State budget.

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO DIRECT STAFF TO SEND A LETTER TO STATE LEGISLATORS STRONGLY ENCOURAGING THEM TO PASS THE BUDGET.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

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

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A. SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) PRESENTATION

Jacki Bacharach, Executive Director, SBCCOG, commended the COUNCIL for their continued support of the COG. She then reviewed the transportation programs and was pleased to report that \$1.6 million dollars has been earmarked from the federal government to fund street improvements for the Cities of Hawthorne and Manhattan Beach.

Mrs. Bacharach noted that, if a COUNCIL MEMBER would like a particular concern addressed, a subcommittee would be created to assist in those discussions.

Michele Swanson, Environmental Deputy, South Bay Energy Savings Center, also thanked the COUNCIL for being so involved in their organization. She noted that, if a local business is interested in obtaining a water broom through the water conservation program, to call (310) 543-3022 as they are available at no cost.

Assistant to the City Manager Grammer noted that the RHE Business Bulletin also mentioned the aforementioned offer. Additionally, he stated that the Maintenance Department has been utilizing these water brooms and are satisfied with the results.

**9. NEW BUSINESS (Taken out of order)**

A. PLANNING COMMISSION MINUTES OF JULY 16, 2007

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZERUNYAN  
TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF  
JULY 16, 2007.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. PLANNING COMMISSION MINUTES OF AUGUST 6, 2007

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILWOMAN MITCHELL  
TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF  
AUGUST 6, 2007.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

COUNCILMAN ADDLEMAN referred to Planning Application No. 22-07; 43  
Buckskin where he noted that he was minimally satisfied with this case as  
approved by the Planning Commission.

C. PARK AND ACTIVITIES COMMISSION MINUTES OF JULY 17, 2007

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZERUNYAN  
TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION  
MINUTES OF JULY 17, 2007.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

D. PARK AND ACTIVITIES COMMISSION MINUTES OF AUGUST 7, 2007

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN  
TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION  
MINUTES OF AUGUST 7, 2007.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

1. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF  
AUGUST 7, 2007 – WATER CONSERVATION PROPOSAL

Recommendation: That the City Council enter into an agreement, that  
would be acceptable to the City Attorney, with Turftech Industries to  
implement this firms' proposed City-wide water conservation program  
backed by a "No Save—No Pay" guarantee.

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

Brian Barklage, President, Turftech Industries, provided an extensive  
explanation of the technical aspects of his proposal.

COUNCILMAN ZUCKERMAN suggested the homeowners' associations be  
apprised of this program as many of them utilize a large amount of water for  
their entryways.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE ENTERING INTO AN AGREEMENT WITH TURFTECH INDUSTRIES TO IMPLEMENT A CITY-WIDE WATER CONSERVATION PROGRAM BACKED BY A “NO SAVE—NO PAY” GUARANTEE SUBJECT TO CITY ATTORNEY APPROVAL.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**8. PUBLIC HEARINGS/MEETINGS**

**A. CMP CONFORMANCE SELF-CERTIFICATION**

Recommendation: That the City Council: 1) Open the public hearing; 2) Receive any public testimony; 3) Close the public hearing; and 4) Adopt Resolution No. 2141 and the 2007 CMP Local Development Report.

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

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

*No public testimony was offered.*

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

**1. RESOLUTION NO. 2141 FOR ADOPTION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2141.

*City Manager Prichard read Resolution No. 2141 by title only.*

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**9. NEW BUSINESS (Continued)**

**E. RENEWAL OF SEAHORSE RIDING CLUB REAL PROPERTY LEASE**

Recommendation: That the City Council approve the Lease Agreement with the Seahorse Riding Club for a five-year period beginning September 1, 2007.

Administrative Services Director Whitehead provided a staff report (as per agenda material).

After extensive discussion, it was the consensus of the COUNCIL

TO TABLE THIS ITEM UNTIL SUCH TIME AS MAYOR PRO TEM ZERUNYAN AND COUNCILMAN ADDLEMAN, ACTING AS THE NEGOTIATING COMMITTEE, CAN MEET AND DISCUSS THE SEAHORSE RIDING CLUB LEASE.

F. PROPOSAL FROM WILLDAN TO PREPARE AN ENVIRONMENTAL IMPACT REPORT FOR THE CHANDLER/ROLLING HILLS COUNTRY CLUB PROJECT (26311 AND 27000 PALOS VERDES DRIVE EAST)

Recommendation: That the City Council authorize the contract with Willdan in the amount of \$269,188 to prepare an EIR for the Chandler/Rolling Hills Country Club project.

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

After brief discussion, it was the consensus of the COUNCIL to have Willdan perform the trip generation study at least three weeks after school starts in September.

John Bellas, Senior Planner, Willdan, noted that their trip generation rates will be based on ITE as long as there is a land use that matches the proposed use or they will utilize SANDAG if it does not.

COUNCILMAN ZUCKERMAN requested clarification on whether or not consideration was given to look beyond the build-out of the project.

COUNCILMAN ZUCKERMAN inquired as to the review of the capped oil wells. Planning Director Wahba indicated that he will investigate this further.

COUNCILMAN ADDLEMAN moved, seconded by MAYOR SEAMANS

TO APPROVE THE CONTRACT WITH WILLDAN IN THE AMOUNT OF \$269,188 TO PREPARE AN EIR FOR THE CHANDLER/ROLLING HILLS COUNTRY CLUB PROJECT AS AMENDED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

G. CONTRACT REQUEST TO UPDATE GENERAL PLAN HOUSING ELEMENT

Recommendation: That the City Council enter into the agreement for professional services for Conexus to complete the General Plan Housing Element update at a cost \$50,424.

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

After brief discussion, MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE ENTERING INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR CONEXUS TO COMPLETE THE GENERAL PLAN HOUSING ELEMENT UPDATE AT A COST OF \$50,424.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**10. OLD BUSINESS**

A. PROPOSAL FROM ECONOMIC & PLANNING SYSTEMS, INC. TO PREPARE AN ECONOMIC ANALYSIS OF THE PENINSULA CENTER COMMERCIAL DISTRICT

Recommendation: That the City Council authorize the contract with Economic & Planning Systems, Inc., in the amount of \$44,000 to prepare an economic analysis of the Peninsula Center Commercial District.

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

COUNCILMAN ZUCKERMAN noted that it would be helpful to receive information regarding recently approved condominiums on Silver Spur Road and Crenshaw Boulevard and suggested making contact with other developments for additional data.

After discussing a few minor changes in the contract, COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO AUTHORIZE THE CONTRACT WITH ECONOMIC & PLANNING SYSTEMS, INC., IN THE AMOUNT OF \$44,000 TO PREPARE AN ECONOMIC ANALYSIS OF THE PENINSULA CENTER COMMERCIAL DISTRICT AS AMENDED.

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.

**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. COUNCILMAN ADDLEMAN

1. CALIFORNIA JOINT POWERS INSURANCE AUTHORITY AWARD

COUNCILMAN ADDLEMAN was pleased to report that the City received an award for “Best Overall Performance” for its Workers Compensation Program. He congratulated Ellen Shinkai, Human Resources Analyst and Mike Goldsmith, Maintenance Department Leadworker, for their diligence in administering this program.

2. MTA GOVERNANCE COUNCIL

COUNCILMAN ADDLEMAN reported that the Operations Department had spent approximately \$17 million dollars on a failing computer system. He noted that, while this is disappointing, they are attempting to correct this problem.

3. PV TRANSIT AUTHORITY

COUNCILMAN ADDLEMAN was pleased to report that PV Transit is expanding their service on Routes 225 and 226.

B. COUNCILWOMAN MITCHELL

1. AUTHORIZATION FOR ATTENDANCE AT THE NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES & EXPOSITION CONFERENCE – NOVEMBER 13-17, 2007

After brief discussion, MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ZUCKERMAN

TO AUTHORIZE COUNCILWOMAN MITCHELL TO ATTEND THE NATIONAL LEAGUE OF CITIES CONFERENCE IN NOVEMBER.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

C. MAYOR PRO TEM ZERUNYAN

1. EQUESTRIAN COMMITTEE MINUTES OF JULY 30, 2007

MAYOR PRO TEM ZERUNYAN reported that progress has been made on an amendment to the code dealing with additional horses in the Horse Overlay Zone.

THERE BEING NO OBJECTION, THE EQUESTRIAN COMMITTEE MINUTES OF JULY 30, 2007 WERE RECEIVED AND FILED.

D. MAYOR SEAMANS

1. DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR 2007 LEAGUE ANNUAL CONFERENCE

After brief discussion, it was the consensus of the COUNCIL

TO APPOINT COUNCILWOMAN MITCHELL AS THE VOTING DELEGATE FOR THE 2007 LEAGUE ANNUAL CONFERENCE IN SEPTEMBER.

2. 2007 ANNUAL LEAGUE CONFERENCE RESOLUTIONS PACKET

After brief discussion, it was the consensus of the COUNCIL

TO SUPPORT ALL FOUR RESOLUTIONS LISTED IN THE 2007 RESOLUTIONS PACKET.

3. MAYOR SEAMANS reported that the League of Women Voters is having an elected officials gathering in November. After brief discussion, MAYOR SEAMANS and COUNCILWOMAN MITCHELL volunteered to serve on the subcommittee to nominate a woman for a Certificate of Commendation honoring her contributions to the City.

4. MAYOR SEAMANS noted that a 50<sup>th</sup> anniversary plaque is being proposed for the Council Chambers. After brief discussion, it was the consensus of the COUNCIL to approve the plaque with an unveiling ceremony.

- E. COUNCILMAN ZUCKERMAN noted that he attended the Vector Control meeting and urged citizens to be aware of the West Nile Virus as there have been a few human cases reported. He also advised everyone to be careful of bed bugs as they are returning to the United States.
- F. COUNCILMAN ZUCKERMAN inquired about the review of the negative declaration of the Sanitation Districts' energy-to-gas facility. Planning Director Wahba noted that he is requesting more information regarding air quality.

It was requested this item be placed on the next agenda.

**15. ADJOURNMENT IN MEMORY OF JOHN SWANSON, HUSBAND OF FORMER RHE EMPLOYEE MICHELE SWANSON**

At 9:47 p.m., MAYOR SEAMANS formally adjourned the City Council meeting to Tuesday, August 21, 2007 at 9:00 a.m. for the purpose of providing for the appointment to the office(s) of this City that were to be elected at the November General Municipal Election.

Submitted by,

Approved by,

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Hope J. Nolan  
Deputy City Clerk

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Douglas R. Prichard  
City Clerk