

**MINUTES**

**CITY COUNCIL MEETING**

**APRIL 28, 2009**

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:31 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR MITCHELL.

**PLEDGE OF ALLEGIANCE**

Girl Scout Troop 535 led the Pledge of Allegiance, introduced themselves and told the audience about their organization and activities.

**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  
Community Services Director Andy Clark  
Planning Director David Wahba  
Administrative Services Director Michael Whitehead  
Assistant to the City Manager Greg Grammer

Others Present: Deborah Davis, Park and Activities Commission  
Andy Rein, Planning Commission

**4. CEREMONIAL ITEMS**

**A. PROCLAMATION**

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES DECLARING APRIL 24, 2009 AS A DAY OF REMEMBRANCE OF THE ARMENIAN GENOCIDE OF 1915-1923

MAYOR MITCHELL proclaimed April 24, 2009 as a day of remembrance of the Armenian Genocide of 1915-1923.

COUNCILMAN ZERUNYAN noted his appreciation to the COUNCIL for their support year after year of this proclamation. He commented that this is a human rights issue and will work to continue to bring attention to these very important crimes against humanity as it still happening in Darfur today.

**5. ROUTINE MATTERS**

**A. SPECIAL CITY COUNCIL MINUTES OF APRIL 7, 2009**

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE SPECIAL CITY COUNCIL MINUTES OF APRIL 7, 2009 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. DEMANDS AND WARRANTS – APRIL

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE WARRANTS 45643 THROUGH 45682 FOR A GRAND TOTAL AMOUNT OF \$244,918.75 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. MARCH 2009 SCHEDULE OF INVESTMENTS

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

RECEIVED AND FILED THE SCHEDULE OF INVESTMENTS REPORT FOR THE MONTH.

C. MARCH MONTHLY REVENUE AND EXPENDITURE REPORT

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

RECEIVED AND FILED THE REPORT FOR THE MONTH.

D. QUARTERLY CODE ENFORCEMENT REPORT

*COUNCILMAN ZUCKERMAN pulled this item to be considered under New Business.*

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

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

A. PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT MEASURE V - PRESENTATION BY ANDREA SALA

Brian O'Neil noted that he was speaking on behalf of Andrea Sala seeking an endorsement of Measure V from the COUNCIL.

After brief discussion, it was noted that, while the individual COUNCIL MEMBERS may support this measure, they chose not to take a position as a whole.

COUNCILWOMAN SEAMANS noted that the School District needs to do a better job of informing the public of what this measure is about.

COUNCILMAN ADDLEMAN and COUNCILMAN ZERUNYAN suggested that a position paper would be helpful.

B. PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT MEASURE P OVERSIGHT COMMITTEE - PRESENTATION BY CRAIG HUEY

Craig Huey, Measure P Committee, provided an extensive presentation of the Committee's review of Measure P, the parcel tax that voters approved in 2003, and how these funds were allocated. He noted that the primary objective was to purchase up-to-date textbooks, maintain educational programs, and keep class sizes smaller by retaining qualified teachers. He then noted that Measure P will expire in 2012 and that it has delivered what was promised to the voters.

COUNCILWOMAN SEAMANS stated that the School District should make a better case of the facts before asking for more taxes.

COUNCILMAN ADDLEMAN noted that he serves on the Oversight Committee and that Measure P has been spent for new technology, retention of teachers, reduced class size, textbooks and is monitored very closely.

Mr. Huey then announced that the Peninsula Education Foundation's Main Event will be held on Saturday, May 2 and encouraged everyone on the Peninsula to attend this worthwhile event.

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**8. PUBLIC HEARINGS/MEETINGS**

**8:00 P.M.**

NONE

**9. NEW BUSINESS**

A. PLANNING COMMISSION MINUTES OF APRIL 20, 2009

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF APRIL 20, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF APRIL 21, 2009

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF APRIL 21, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

C. BUDGET AMENDMENTS

Recommendation: That the City Council approve the Budget Amendments for Fiscal Year 2008-2009.

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

COUNCILMAN ZERUNYAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE BUDGET AMENDMENTS FOR FISCAL YEAR 2008-2009.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

D. AGREEMENT WITH WILLDAN ENGINEERING

Recommendation: That the City Council authorize the agreement with Willdan Engineering for the Hawthorne Boulevard Resurfacing Project.

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

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO AUTHORIZE THE AGREEMENT WITH WILLDAN ENGINEERING FOR THE HAWTHORNE BOULEVARD RESURFACING PROJECT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Manager Prichard noted that staff has met every ARRA deadline thanks to continued diligence on the part of Assistant City Manager Wise and Assistant to the City Manager Grammer and professional expertise provided by Willdan.

E. EIGHTH AMENDMENT TO AGREEMENT WITH MANURE REMOVAL SERVICES CONTRACTOR

Recommendation: That the City Council approve the Eighth Amendment to the Agreement for Services with Scott Hill, doing business as Seahorse Riding Club, to extend manure removal services for the Peter Weber Equestrian Center from July 1, 2009 through June 30, 2010 to remain at the current monthly service fee of \$2,725.

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

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE EIGHTH AMENDMENT TO THE AGREEMENT FOR SERVICES WITH SCOTT HILL, DOING BUSINESS AS SEAHORSE RIDING CLUB, TO EXTEND MANURE REMOVAL SERVICES FOR THE PETER WEBER EQUESTRIAN CENTER FROM JULY 1, 2009 THROUGH JUNE 30, 2010 TO REMAIN AT THE CURRENT MONTHLY SERVICE FEE OF \$2,725.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

F. QUARTERLY CODE ENFORCEMENT REPORT  
*Taken from Consent Calendar and Considered under New Business*

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

COUNCILMAN ZUCKERMAN requested the following items be investigated:  
1) Substandard property on Hawthorne Boulevard in front of dry cleaners;  
and 2) Extreme proliferation of signs at Karate Studio on Indian Peak.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE QUARTERLY CODE ENFORCEMENT REPORT.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

**10. OLD BUSINESS**

A. HOWLETT PARK BARN PAINTING REQUEST FOR PROPOSALS RESULTS

Recommendation: That the City Council approve Mallard Construction and Painting Company to paint the Howlett Park Equestrian Center barn at a cost not to exceed \$10,995.

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

COUNCILMAN ADDLEMAN moved, seconded by MAYOR MITCHELL

TO APPROVE MALLARD CONSTRUCTION AND PAINTING COMPANY TO PAINT THE HOWLETT PARK EQUESTRIAN CENTER BARN AT A COST NOT TO EXCEED \$10,995.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. PRIVATE LANDSCAPING VIEW RESTORATION DRAFT ORDINANCE

Recommendation: That the City Council: 1) Modify the second draft view restoration ordinance as necessary; and 2) Determine whether to schedule a public meeting(s) requesting community feedback prior to considering taking the required steps to adopt a view restoration ordinance.

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

Brief discussion ensued regarding how to address the arbitration issue. City Attorney Pelletier noted that she will investigate this further.

Edward Mohr thanked the COUNCIL for eliminating one of the proposed code sections listed in the staff report. He commented that the ordinance must have some “teeth.”

COUNCILMAN ZERUNYAN stated that he believes the City needs an ordinance, but if the arbitration issue is not compulsory, then there is little in the way of “teeth” to the ordinance.

MAYOR MITCHELL noted that the COUNCIL recognizes the problem, but does not want to expose the City to any unnecessary liability.

COUNCILWOMAN SEAMANS reiterated her hesitancy in creating a view restoration ordinance.

It was the consensus of the COUNCIL

TO DIRECT THE CITY ATTORNEY TO UNDERTAKE ADDITIONAL RESEARCH, HAVE STAFF MAKE REVISIONS TO THE DRAFT ORDINANCE AND BRING IT BACK ONCE AGAIN FOR COUNCIL CONSIDERATION.

**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. COUNCILMAN ZUCKERMAN**

**1. EQUESTRIAN COMMITTEE MINUTES OF APRIL 20, 2009**

COUNCILMAN ADDLEMAN moved, seconded MAYOR MITCHELL

TO RECEIVE AND FILE THE EQUESTRIAN COMMITTEE MINUTES OF APRIL 20, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

It was noted that that the Howlett Park Trail Riding Business Request for Proposal should be reviewed by the Park and Activities Commission and Equestrian Committee.

B. MAYOR MITCHELL reported that she attended the League of California Legislative Action Days and that Governor Schwarzenegger spoke regarding the upcoming ballot measures. She noted that the League has another upcoming Budget Action Day on June 3.

C. COUNCILMAN ADDLEMAN reported that he attended a Workforce Investment Board meeting. He was pleased to note that \$33 million dollars was designated by Secretary of Labor Solis to fund job assistance and counseling.

D. COUNCILMAN ADDLEMAN noted that he attended a PV Transit meeting and was pleased to report that the budget was approved without imposing a fee increase to cities.

- E. COUNCILMAN ADDLEMAN referred to a letter from Jacki Bacharach on behalf of the South Bay Cities COG to submit a letter to Metro regarding the Green Line. It was noted that staff will prepare a letter for the Mayor's signature.
- F. MAYOR MITCHELL noted that a letter opposing AB 155 was sent at the League of California Cities' request.
- G. COUNCILMAN ZERUNYAN thanked everyone who attended and coordinated the Contract Cities dinner as it turned out to be a great success. He was pleased to note that 100 books have been purchased for the Peninsula Center Library.

MAYOR MITCHELL inquired into the Contract Cities Association's donation of the ambulance to Armenia at the suggestion of COUNCILMAN ZERUNYAN who serves as President of that organization. He noted that because of bureaucracy issues, it may take sometime before this takes place. Additionally, along with the ambulance, he stated that Torrance Memorial and Little Company of Mary Hospitals will be donating medical supplies.

- 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 agendaized for future consideration and/or make announcements of interest to the public.

NONE

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At 9:25 p.m., the CITY COUNCIL convened into closed session.

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**14. CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
(Pursuant to Government Code Section 54956.9 (b), potential and threatened litigation in connection with dispute over right-of-way, easements and structures on or adjacent to 37 and 38 Aurora Drive and 4 Bridlewood Circle.

COUNCIL ACKNOWLEDGED THE CLERICAL ERROR ON THE EXHIBIT TO PREVIOUSLY APPROVED RESOLUTION 2172; DIRECTED STAFF TO CORRECT THE ERROR; AND DIRECTED STAFF TO CONTINUE TO TRY TO RESOLVE THE MATTER.

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At 10:00 p.m., the COUNCIL reconvened with MAYOR MITCHELL, MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN present.

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**15. ADJOURNMENT**

At 10:00 p.m., MAYOR MITCHELL formally adjourned the City Council meeting to Tuesday, May 12, 2009 at 7:30 p.m.

Submitted by,

Approved by,

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Hope J. Nolan  
Deputy City Clerk

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Douglas R. Prichard  
City Manager