

MINUTES

CITY COUNCIL MEETING

MAY 26, 2009

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:35 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR MITCHELL.

PLEDGE OF ALLEGIANCE

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 Mike Whitehead

Others Present: Dale Allen, Park and Activities Commission

4. CEREMONIAL ITEMS

NONE

At 7:36 p.m., the COUNCIL recessed the regular City Council meeting to reconvene the previously recessed Budget Study Session meeting.

At 8:01 p.m., the COUNCIL reconvened the regular City Council meeting with MAYOR MITCHELL, MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN present.

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF MAY 12, 2009

MAYOR PRO TEM ADDLEMAN moved, seconded by MAYOR MITCHELL

TO APPROVE THE CITY COUNCIL MINUTES OF MAY 12, 2009 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. DEMANDS AND WARRANTS – MAY

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 45768 THROUGH 45812 FOR A GRAND TOTAL AMOUNT OF \$134,005.03 WITH PROPER AUDIT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. **CONSENT CALENDAR**

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE ITEMS A AND B.

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. APRIL 2009 SCHEDULE OF INVESTMENTS

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

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

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

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

NONE

8. **PUBLIC HEARINGS/MEETINGS**

8:00 P.M.

A. PLANNING APPLICATION NO. 14-09; APPLICANT: MR. GARY GOO AND MS. PINFUN TSAI; LOCATION: 4 BRIDLEWOOD CIRCLE

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Adopt Resolution No. 2194 and the License Agreement, all to the satisfaction of the City Attorney.

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

City Attorney Pelletier recommended eliminating Paragraph 5, Indemnification, of the Encroachment Agreement.

MAYOR MITCHELL moved, seconded by MAYOR PRO TEM ADDLEMAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Gary Goo, Applicant, noted that he would like some time to think about the indemnification clause.

Mike Russo, President, Bridlewood Circle HOA, stated that he was pleased to see this issue come to a conclusion. He noted his preference to have a six foot opening at the trail without a three-rail fence. In response to an inquiry by Mr. Russo, it was noted that the City has general liability insurance in regards to the public trail.

Pinfun Tsai, Applicant, attempted to explain why they want indemnification for their property. She noted that it should be the same agreement as their neighbor at 38 Aurora Drive.

1. RESOLUTION NO. 2194 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING A NEIGHBORHOOD COMPATIBILITY DETERMINATION AND A VARIANCE FOR A 6' HIGH WALL/FENCE IN THE FRONT YARD (2' HIGH MAXIMUM ALLOWED BY CODE) AND AN ENCROACHMENT PERMIT FOR THE SAME WALL TO CONTINUE WITHIN THE AURORA DRIVE PUBLIC RIGHT-OF-WAY AND WITHIN A PORTION OF THE CITY'S BRIDLE TRAIL AND 1' FUTURE ROAD EASEMENTS.

MAYOR MITCHELL moved, seconded by MAYOR PRO TEM ADDLEMAN

TO CONTINUE THE PUBLIC HEARING TO THE MEETING OF JUNE 23, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

9. NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF MAY 18, 2009

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF MAY 18, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF MAY 19, 2009

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF MAY 19, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

C. ARRA PROJECTS: AUTHORIZATION TO SOLICIT BIDS

Recommendation: That the City Council authorize the solicitation of bids for the projects and incorporate any changes suggested by Caltrans in the final plans and specifications.

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

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM ADDLEMAN

TO AUTHORIZE THE SOLICITATION OF BIDS FOR THE PROJECTS AND INCORPORATE ANY CHANGES SUGGESTED BY CALTRANS IN THE FINAL PLANS AND SPECIFICATIONS.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

10. OLD BUSINESS

NONE

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. JOINT SPECIAL EQUESTRIAN COMMITTEE AD HOC PETER WEBER EQUESTRIAN CENTER DESIGN SUBCOMMITTEE MEETING MINUTES OF MAY 19, 2009

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE JOINT SPECIAL EQUESTRIAN COMMITTEE AD HOC PETER WEBER EQUESTRIAN CENTER DESIGN SUBCOMMITTEE MEETING MINUTES OF MAY 19, 2009.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

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.

- A. COUNCILWOMAN SEAMANS noted that the Silverdes lot on Silver Spur Road and Beechgate is looking overgrown. Planning Director Wahba noted that he spoke with Mr. Edler regarding this matter.
- B. COUNCILWOMAN SEAMANS inquired as to the entryway to Washington Mutual Bank. Planning Director Wahba indicated that Chase Bank has now taken over the property, and they will be repairing the mosaic as well as coming forward with a new logo.
- C. MAYOR PRO TEM ADDLEMAN reported that he attended the Sanitation Districts meeting and was pleased to note that Supervisor Knabe has once again provided funding for PV Transit.
- D. MAYOR PRO TEM ADDLEMAN was pleased to report that he attended the Peninsula High School Panther Hall ribbon-cutting ceremony for new classrooms.
- E. MAYOR MITCHELL noted her pleasure in recognizing Assistant City Manager Wise for his nomination for the Distinguished Public Service Career Award for his 33 years of exemplary service, 25 of which have been spent serving the City. She went on to state his many accomplishments which included overseeing public works projects that resulted in saving taxpayers well over \$10 million dollars by vigorously securing grant funds.
- F. COUNCILMAN ZERUNYAN also noted his pleasure in recognizing City Manager Prichard for receiving El Gran Matador, the highest award given from the California Contract Cities Association. He commented on his service for the SBCCOG, the League of California Cities, and the City Managers Committee and Executive Board of the CCCA. City Manager Prichard also mentioned that COUNCILMAN ZERUNYAN was presented El Gran Matador as well and congratulated him on this honor.

MAYOR MITCHELL commented that between the COUNCIL and staff there are some very distinguished people serving the City and thanked everyone for a job well done.

At 8:49 p.m., the 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 in connection with dispute over right-of-way, easements and structures on or adjacent to 37 and 38 Aurora Drive and 4 Bridlewood Circle.

NO ACTION WAS TAKEN.

At 8:56 p.m., the COUNCIL reconvened with MAYOR MITCHELL, MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN present.

15. ADJOURNMENT

At 8:57 p.m., MAYOR MITCHELL adjourned the regular City Council meeting to reconvene the adjourned Budget Study Session.

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Manager