

## **MINUTES**

### **CITY COUNCIL MEETING**

**JULY 26, 2005**

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:32 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR ADDLEMAN.

#### **PLEDGE OF ALLEGIANCE**

MAYOR ADDLEMAN 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 Stephen Pfahler  
Assistant City Manager Sam Wise  
Community Services Director Andy Clark  
Administrative Analyst Greg Grammer

Others Present: Steve Pekich, Park and Activities Commission  
Pat Killen, Planning Commission

#### **CEREMONIAL ITEMS**

- A. RESOLUTION COMMEMORATING THE 40<sup>TH</sup> ANNIVERSARY OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)

MAYOR ADDLEMAN congratulated the Southern California Association of Governments on their 40<sup>th</sup> anniversary of service to the California region.

- B. WASTE MANAGEMENT DRAWING FOR ONE YEAR'S FREE RESIDENTIAL REFUSE SERVICE

Susan Moulton, General Manager, Waste Management, was pleased to report that the first three months of this program compared to last year resulted in an overall diversion rate of 47% for the month of June as well as a 40% increase in recycling.

MAYOR ADDLEMAN drew the name of Robert Hakimian, Via Majorca, as the recipient of one year's free disposal service.

- C. RESOLUTION OF COMMENDATION RECOGNIZING CITY ATTORNEY RICHARD TERZIAN FOR HIS MANY YEARS OF DEDICATED SERVICE UPON HIS RETIREMENT

MAYOR ADDLEMAN noted his pleasure in presenting Richard Terzian with a plaque and Resolution of Commendation for his 37 years of service to the community as City Attorney. Members of the COUNCIL and staff added their remarks, thanking Mr. Terzian and wishing him well.

Mr. Terzian stated that, while he has worked with many other cities' councils as well as staff members over the years, there is no city better managed with a consistently fine CITY COUNCIL as Rolling Hills Estates. He noted his pleasure in serving the City and that he will miss everyone.

**ROUTINE MATTERS**

A. SPECIAL BUDGET STUDY SESSION MINUTES OF JUNE 14, 2005

MAYOR ADDLEMAN requested a correction on Page 6, Paragraph 1:

*“At 7:40 p.m., MAYOR ADDLEMAN formally adjourned the City Council meeting to Tuesday, June 14 **20**, 2005 at ~~7:30 p.m.~~ **9:00 a.m.**”*

COUNCILWOMAN MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE SPECIAL BUDGET STUDY SESSION MINUTES OF JUNE 14, 2005 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. ADJOURNED CITY COUNCIL ORGANIZATIONAL ANALYSIS AND CONTINUED BUDGET STUDY SESSION MINUTES OF JUNE 20, 2005

MAYOR ADDLEMAN requested a correction on Page 4, Paragraph 8:

*“MAYOR **PRO TEM** ZUCKERMAN suggested reviewing the organizational analysis....”*

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE ADJOURNED CITY COUNCIL ORGANIZATIONAL ANALYSIS AND CONTINUED BUDGET STUDY SESSION MINUTES OF JUNE 20, 2005 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

C. CITY COUNCIL MINUTES OF JUNE 28, 2005

MAYOR PRO TEM ZUCKERMAN requested a correction on Page 5, Paragraph 9:

*“MAYOR PRO TEM ZUCKERMAN noted that residents should be allowed to enjoy their quality of life without interruption in an area ~~that is~~ **where they are** non-established.”*

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE THE CITY COUNCIL MINUTES OF JUNE 28, 2005 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

D. DEMANDS AND WARRANTS – JUNE AND JULY

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE WARRANTS 37759 THROUGH 37829 IN THE AMOUNT OF \$210,593.65; WARRANTS 37637 THROUGH 37701 IN THE AMOUNT OF \$361,403.67; SUPPLEMENTAL WARRANTS 060105 THROUGH 060305; 37423 VOID; 37474 THROUGH 37488; 37550 VOID; 37551 THROUGH 37563; 37620 THROUGH 37626 IN THE AMOUNT OF \$263,011.71 FOR A GRAND TOTAL AMOUNT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**CONSENT CALENDAR**

COUNCILWOMAN SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE ITEMS A-F.

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. QUARTERLY CODE ENFORCEMENT REPORT

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JUNE 24, 2005

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JULY 1, 2005

RECEIVED AND FILED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JULY 8, 2005

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JULY 15, 2005

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

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

NONE

**NEW BUSINESS**

A. PLANNING COMMISSION MINUTES OF JULY 18, 2005

*MAYOR ADDLEMAN called up the following cases for public hearing: PA 16-05; Applicant: Mr. Steve Badour; Location: 21 Rollingwood Drive and PA-29-05; Applicant: Kona Crisp; Location: 40 Peninsula Center.*

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF JULY 18, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF JULY 19, 2005

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF JULY 19, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

1. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF JULY 19, 2005 – MARINE LEAGUE FEES

Recommendation: That the City Council approve a \$63 daily tennis court fee rate for the Marine League based on the new 2005-06 tennis court fees.

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE A \$63 DAILY TENNIS COURT FEE RATE FOR THE MARINE LEAGUE BASED ON THE NEW 2005-06 TENNIS COURT FEES.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**PUBLIC HEARINGS/MEETINGS**

A. CONTINUED PUBLIC HEARING - PROPOSED PEAFAWL REMOVAL POLICY AND ORDINANCE AMENDMENT

Recommendation: That the City Council: 1) Take public testimony; 2) Close the public hearing; and 3) Adopt Ordinance No. 631 amending RHE Municipal Code Section 9.04.060 entitled Wild Birds – Protection.

Ken Bailey, 75 Buckskin, commented that he is a long-time resident and was in great support of the peafowl.

Linda Retz, 18 Dapplegray, noted her belief that the survey circulated did not accurately reflect the question of trapping. She then inquired if the information distributed by her was considered.

Paul Schwartz, 13 Sorrel, provided a brief background of the peacocks and believed his neighbors misunderstood the survey. He noted his main concern was for the humane treatment of the birds and was comfortable having them around.

Hope Heib, Buckskin, stated that she is also a long-time resident and was very fond of the peafowl.

Jerry Glikzman, President, Dapplegray Homeowners' Association, commented that it would be extremely difficult to adopt an ordinance without specific parameters.

Kirk Retz, 18 Dapplegray, pointed out that this ordinance could cause additional harm as well as create disputes among the neighbors.

Chuck Berman, 50 Buckskin, commented that if noise is the issue, trapping would not make a difference.

Pat Bailey, 75 Buckskin, implored the COUNCIL not to change anything as she could not understand why new residents would want to reduce the number of peacocks.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

City Manager Prichard clarified that the ordinance is an enabling one and was designed so that the creation of any peafowl management program would be undertaken via resolution which specifically excludes the Dapplegray and Strawberry Lane areas. He noted that some residents in those areas requested relief from the peafowl which is why the COUNCIL continued the hearing originally. He noted that previously adopted Resolution No. 2072 would allow homeowners to trap on their own property but would only take effect if Ordinance No. 631 is adopted.

COUNCILWOMAN SEAMANS emphasized that the COUNCIL does not wish to eliminate peafowl, but rather assist those residents in other parts of the City. She suggested a committee be formed among those residents who wish to pursue a management program and work together to address this issue.

COUNCILWOMAN MITCHELL noted her concerns regarding Resolution No. 2072 and believed there were some points that were not covered. She suggested considering requiring a resident to retain a trained professional in peafowl trapping. She also noted that Ordinance No. 631 should be reviewed prior to being adopted.

MAYOR PRO TEM ZUCKERMAN concurred with COUNCILWOMAN MITCHELL and noted to keep in mind that there is a need to address the issue in other neighborhoods where peafowl have not been historically. He was dismayed that Strawberry and Dapplegray were brought into this discussion. He noted for the record that a resident, Steve Simeral, reiterated his support for the resolution and ordinance.

MAYOR PRO TEM ZUCKERMAN then indicated that he would be in favor of modifying Resolution No. 2072 to require trapping by a qualified individual, but staff could investigate this further.

City Manager Prichard recommended that the ordinance be tabled and staff be directed to revise the resolution after bringing in a professional for suggestions of appropriate humane methods of control outside the Dapplegray and Strawberry Lanes.

COUNCILMAN ZERUNYAN commented that he is most concerned about the trapping process and was pleased to support the recommendation to bring in a professional.

COUNCILWOMAN MITCHELL mentioned that she received a call from a resident who was concerned about where the peacocks would be relocated. She suggested researching a list of organizations who provide this service.

COUNCILMAN ZERUNYAN moved, seconded by COUNCILWOMAN SEAMANS

TO DIRECT STAFF TO: 1) MODIFY RESOLUTION NO. 2072; 2) RE-DRAFT ORDINANCE NO. 631; 3) RETAIN A PROFESSIONAL AVIAN CONSULTANT; AND 4) TABLE ORDINANCE NO. 631 TO A DATE UNCERTAIN.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

1. ORDINANCE NO. 631 FOR SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AMENDING CHAPTER 9.04 CONCERNING OFFENSES AGAINST PUBLIC PEACE AND DECENCY.

**OLD BUSINESS**

A. ORGANIZATIONAL ANALYSIS PRIORITIES

Recommendation: That the City Council review the prioritized ranking of recommendations from the Organizational Analysis, discuss any modifications, and direct staff to proceed with implementation.

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

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO APPROVE THE PRIORITIZED RANKING OF RECOMMENDATIONS FROM THE ORGANIZATIONAL ANALYSIS AND DIRECTED STAFF TO PROCEED WITH IMPLEMENTATION.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

**CITY ATTORNEY ITEMS**

A. City Attorney Stephen Pfahler introduced his Assistant City Attorney Kristin Pelletier.

**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. MAYOR PRO TEM ZUCKERMAN

1. EQUESTRIAN COMMITTEE MINUTES OF JUNE 27, 2005

THERE BEING NO OBJECTION, THE EQUESTRIAN MINUTES OF JUNE 27, 2005 WERE RECEIVED AND FILED.

MAYOR PRO TEM ZUCKERMAN reported on the most recent Equestrian Committee meeting of July 24. He noted that the committee would like to pursue “modular” improvements to the Municipal Stables.

After brief discussion, it was the consensus of the COUNCIL to direct staff to schedule interviews for the Equestrian Committee prior to a full COUNCIL meeting.

B. COUNCILMAN ZERUNYAN

1. TRAFFIC AND SAFETY COMMITTEE MINUTES OF JUNE 22, 2005

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE TRAFFIC AND SAFETY COMMITTEE MINUTES OF JUNE 22, 2005.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

(a) TRAFFIC AND SAFETY COMMITTEE ACTION ITEM FROM JUNE 22, 2005 MEETING – U-TURN EVALUATION/VARIOUS LOCATIONS

Recommendation: That the City Council approve: 1) Prohibiting U-turns for westbound Palos Verdes Drive North (PVDN) traffic at Hawthorne Boulevard and install appropriate U-turn prohibition signage; 2) Replacing the unnecessary universal “Keep Right” symbol for southbound Silver Spur Road traffic at Hawthorne Boulevard and replace it with an additional “No U-turn” sign to reinforce the existing no U-turn restriction; and 3) Prohibiting U-turns for southbound Crossfield Road traffic at Indian Peak and install appropriate U-turn prohibition signage.

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

Tom Judge, 28 Rollingwood, Traffic and Safety Committee Member, reiterated the recommendations of the committee.

After brief discussion, COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO APPROVE: 1) PROHIBITING U-TURNS FOR WESTBOUND PALOS VERDES DRIVE NORTH (PVDN) TRAFFIC AT HAWTHORNE BOULEVARD AND INSTALL APPROPRIATE U-TURN PROHIBITION SIGNAGE; 2) REPLACING THE UNNECESSARY UNIVERSAL "KEEP RIGHT" SYMBOL FOR SOUTHBOUND SILVER SPUR ROAD TRAFFIC AT HAWTHORNE BOULEVARD AND REPLACE IT WITH AN ADDITIONAL "NO U-TURN" SIGN TO REINFORCE THE EXISTING NO U-TURN RESTRICTION; AND 3) PROHIBITING U-TURNS FOR SOUTHBOUND CROSSFIELD ROAD TRAFFIC AT INDIAN PEAK AND INSTALL APPROPRIATE U-TURN PROHIBITION SIGNAGE.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

**MAYOR AND COUNCIL ITEMS**

A. DESIGNATION OF VOTING DELEGATE FOR 2005 LEAGUE ANNUAL CONFERENCE

MAYOR ADDLEMAN appointed COUNCILWOMAN MITCHELL as Delegate and COUNCILMAN ZERUNYAN as alternate, respectively.

B. COUNCILWOMAN SEAMANS requested letters of opposition regarding legislation amending diversion calculations of AB 939 be sent to the proper officials. COUNCILWOMAN MITCHELL asked to have the League of California Cities' position on hand prior to taking any action. It was noted this issue would be brought back at the next meeting.

**ADJOURNMENT IN MEMORY OF MATTHEW JAMES HAWLEY**

At 9:38 p.m., MAYOR ADDLEMAN formally adjourned the City Council meeting to the Tuesday, August 9, 2005 at 7:30 p.m.

Submitted by,

Approved by,

\_\_\_\_\_  
Hope J. Nolan  
Deputy City Clerk

\_\_\_\_\_  
Douglas R. Prichard  
City Clerk