

**MINUTES OF A REGULAR MEETING  
OF THE CITY COUNCIL OF THE CITY OF  
PALOS VERDES ESTATES, CALIFORNIA**

**February 10, 2009**

**A regular meeting of the City Council of the City of Palos Verdes Estates was called to order this day at 7:30 p.m. in the City Council Chambers of City Hall by Mayor Joseph C. Sherwood.**

**ROLL CALL: Councilmembers Rea, Goodhart, Mayor Pro Tem Perkins,  
Mayor Sherwood**

**ABSENT: Councilmember Humphrey**

**ALSO PRESENT: City Manager Hoefgen, City Attorney Pannone, Assistant City  
Manager Smith, Public Works Director Rigg,  
City Treasurer Ritscher, Administrative Analyst Davis,  
Minutes Secretary Monson**

**PLEDGE OF ALLEGIANCE**

**MAYOR'S REPORT – Matters of Community Interest**

Mayor Sherwood announced there will be a City Council candidate's forum sponsored by the Malaga Cove and Lunada Bay Homeowners' Associations in Council Chambers at 7:30 p.m. Wednesday February 18.

**CONSENT AGENDA**

Mayor Pro Tem Perkins asked to be recused from Item #3 (Weed Abatement Protest Hearings).

It was moved by Councilmember Rea, seconded by Councilmember Goodhart and unanimously approved (Perkins abstaining from Weed Abatement Protest Hearings) that the following Consent Agenda items be approved (4-0, Humphrey absent):

- MINUTES OF CITY COUNCIL MEETING OF JANUARY 27, 2009
- ADOPT ORDINANCE 09-688; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES AMENDING SECTION 10.64.010 OF THE MUNICIPAL CODE ESTABLISHING PRIMA FACIE SPEED LIMITS AND APPROVING THE POSTING OF SPEED LIMIT SIGNS ON LOCAL STREETS WITHIN THE CITY
- ADOPT RESOLUTIONS R09-04 AND R09-05; DECLARING THAT WEEDS GROWING UPON AND IN FRONT OF, AND BRUSH, RUBBISH, REFUSE, AND DIRT UPON AND IN FRONT OF CERTAIN PRIVATE PROPERTIES IN THE CITY ARE A PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE ABATEMENT THEREOF AND SETTING PROTEST HEARINGS FOR FEBRUARY 24, 2009
- APPROVE A TWO-YEAR EXTENSION TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH MAYER HOFFMAN MCCAAN, P.C. FOR CITY AUDIT SERVICES
- APPROVE THE REQUEST BY ADVANCED ELECTRONICS TO EXERCISE THE FIRST FIVE-YEAR OPTION FOR THE LEASE EXTENSION LOCATED AT 2240 VIA CERRITOS
- RECEIVE AND FILE ACTIONS OF JOINT CITY COUNCIL/PLANNING COMMISSION/HOMES ASSOCIATION MEETING OF JANUARY 28, 2009

**COMMUNICATIONS FROM THE PUBLIC**

Resident Randy Hood [PVE] spoke to the Council regarding air pollution and noise caused by leaf blowers and requested the City consider a ban on their use.

Director Allan Rigg said the Municipal Code contains regulations regarding leaf blowers which are primarily focused on noise levels. The existing regulations do not focus on exhaust. Many cities wrestle with this issue due to water usage as an alternative method when blowers are banned.

Mayor Sherwood said he is most concerned with the inhalation of particulate matter and the health aspects.

Councilmember Goodhart said he refers to the leaf blowers as “the symphony of Palos Verdes.” It starts at 8 o’clock in the morning and goes to 5 o’clock at night; it is non-stop.

## **NEW BUSINESS**

### **PW-552-08; AWARD OF CONSTRUCTION CONTRACT FOR THE VIA CAMPESINA, VIA VALMONTE, PALOS VERDES DRIVE NORTH PAVING – LACMTA FLEXIBLE FUNDING PROJECT IN THE AMOUNT OF \$194,758.88 TO PALP, INC. DBA EXCEL PAVING COMPANY**

Director Allan Rigg reported the City exchanged \$293,530 of Federal funding with Los Angeles County MTA in November of 2008 for \$287,659 in flexible funding. This funding will be used for combined overlay and slurry seal projects on areas of Via Campesina, PV Drive North, and Via Valmonte. The City has used Excel Paving on two previous projects and Director Rigg believes they do good work.

Mayor Pro Tem Perkins had concerns regarding the work being completed during the rainy season. Director Rigg responded that 24 hours is needed for the overlay projects to be successful and the temperature should not go below 45 degrees for the slurry projects to be successful.

Councilmember Goodhart asked what additional road repairs are needed on Via Campesina east of the golf course. Director Rigg responded that in that area it will be a full removal and overlay.

Councilmember Rea said he has observed water flowing across Via Campesina near Tennis Club Road and he believes the road deterioration will return. He asked if anything could be done to prevent the deterioration. Director Rigg said it is possible to add cement to the asphalt to make it dry quicker and also makes it harder. Staff will discuss options with the contractor.

Mayor Sherwood asked about the stops signs that were put up on Via Campesina at Paseo del Campo during the PV Golf Club remodel. Director Rigg said these signs would be removed during the road repairs. Mayor Sherwood asked if they could be removed prior to the repairs. Director Rigg said the stops signs could be removed, but paint on the street would still be in place so we will have to wait until the repairs are complete and the road is restriped.

Mayor Pro Tem Perkins moved, it was seconded by Councilmember Goodhart, and unanimously approved to award a construction contract for the Via Campesina, Via Valmonte, Palos Verdes Drive North – LACMTA flexible funding Project in the amount of \$194,758.88 to Palp, Inc. DBA Excel Paving Company, and adopt Resolution R09-06, adjusting the Fiscal Year 08-09 Budget (4-0, Humphrey absent).

### **COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE PERIOD ENDING JUNE 30, 2008 AND FISCAL HEALTH REPORT 1998-2008.**

Assistant City Manager Judy Smith reported that the Comprehensive Annual Financial Report (CAFR) is prepared by the City’s finance department and reviewed by the City’s independent auditors Mayer Hoffman and McCaan. The City’s Audit Committee, Mayor Sherwood and Mayor Pro Tem Perkins, Treasurer Ritscher, and City staff met with the audit manager on February 9<sup>th</sup>. The audit received a clean opinion from the auditors. The City again received the National Government Finance Officers

Award for excellence in financial reporting. In 2008 the City's net assets totaled \$88.344 million including \$61 million of infrastructure values. The Fiscal Health Report complements the audit and is used to identify trends over a ten year time period. This year's report indicates a change in two factors: 1) Annual Growth in Assessed Values has moved to an unfavorable rating, and 2) General Fund Revenue per capita has moved to a stable rating.

Councilmember Goodhart wondered whether the City would have to take drastic measures to run the City effectively in the future with the State budget outlook being so bleak. Ms. Smith said staff is acutely aware it will likely be years before the State sees any recovery and the City will continue to be very cautious in its budgeting. City Manager Hoefgen indicated that additional information will be shared with the City Council when we have updated property tax projections during next month's budget workshop

It was moved by Councilmember Rea, seconded by Councilmember Goodhart, and unanimously approved to receive and file the Comprehensive Annual Financial Report for the Period Ending June 30, 2008 and Fiscal Health Report 1998-2008 (4-0, Humphrey absent).

## **STAFF REPORTS**

### **City Manager's Report**

City Manager Hoefgen warned property owners regarding a mail scam that has been distributed in the City with regards to lowering assessed values due to lower home values. The mailer looks very official, but property owners are able complete the process on their own through the County Assessor without paying for this service.

Also, Manager Hoefgen informed residents that the Fire Department is offering a new service to come to resident's homes and advise them on suitable landscaping to help prevent fires.

## **DEMANDS**

It was moved by Councilmember Rea and seconded by Councilmember Goodhart that the demands, as approved by a majority of the City Council, totaling \$236,564.37 be allowed and it was unanimously approved.

It was moved by Councilmember Rea and seconded by Councilmember Goodhart that the demands, as approved by a majority of the City Council, No. 514867H to 514869H, 514880 to 514935 totaling \$106,473.93 be allowed and it was unanimously approved.

## **MAYOR & CITY COUNCILMEMBERS' REPORTS**

Mayor Sherwood urged the voters to attend the City Council Candidate forum to be held on February 18<sup>th</sup> at 7:30 p.m.

Mayor Pro Tem Perkins reported that she and Councilmember Humphrey met with City staff and the new Stable Concessionaires, HGS Management, to talk about the transition of the Stable. On Monday, February 23<sup>rd</sup>, at 4:00 p.m. there will be a get together at the Stables for all the current boarders and trainers to meet the concessionaire and to receive copies of the new Stable Handbook that is being distributed.

Mayor Pro Tem Perkins reminded residents that the South Bay Energy Center will be holding a free lamp exchange on February 21st and 22<sup>nd</sup>, from 8:00 a.m. to 1:00 p.m. at the South Bay Galleria. Also, there is an energy efficiency program for large multi-family dwelling owners where they can have energy efficient items installed in their buildings for free.

## **ADJOURNMENT**

There being no further business before Council the meeting was adjourned at 8:25 p.m. to Tuesday, February 24, at 7:30 p.m. in the City Council Chambers of City Hall.

RESPECTFULLY SUBMITTED,

MICHÉLE D. MONSON, MINUTES SECRETARY

APPROVED:

JOSEPH C. SHERWOOD, JR., MAYOR