

July 13, 2010  
6:30 P.M.  
Council Chambers of City Hall  
340 Palos Verdes Dr. West  
Palos Verdes Estates

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

Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk and are available for public inspection. If applicable, materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Any person having any question concerning any agenda item may call the City Clerk to make inquiry concerning the item. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk at 310-378-0383, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

The City Council welcomes and encourages public participation at the Council meetings; however, to allow for the orderly progression of business, each person wishing to comment or make a presentation shall be limited to three (3) minutes. Anyone wishing to address the City Council must fill out a green speaker's card available at the end of each row in the Chambers. The card permits the City to identify persons for purposes of City Council minute preparation. Please see specific agenda sections below for any other requirements related to meeting participation. The City Council, at the direction of the Mayor with concurrence of the Council, may modify the order of items shown on the agenda.

**NEXT RESOLUTION NO. R10-13  
NEXT ORDINANCE NO. 10-697**

**CALL TO ORDER**

**PUBLIC COMMENT ON CLOSED SESSION ITEM**

**CLOSED SESSION (6:30 p.m. – 7:30 p.m.)**

**This time has been set aside for the City Council to meet in a closed session to discuss the matter listed below pursuant to Government Code Section 54957.6. The Mayor or City Attorney will**

**CITY COUNCIL AGENDA  
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**give an additional oral report regarding the closed session at the beginning of the regular City Council meeting.**

**• CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency designated representatives: City Manager Hoefgen, Assistant City Manager Smith

Employee Organization: Palos Verdes Estates Public Service Employees

**At the conclusion of the Closed Session, the Council may continue any item listed on the closed session to the Open Session agenda for discussion or to take formal action as it may deem appropriate.**

**PLEDGE OF ALLEGIANCE** - Flag Salute will be led by Boy Scout Troop # 846.

**ROLL CALL**

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

**CONSENT AGENDA (Items 1-5)**

**All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember, staff, or member of the public requests that an item be removed for separate discussion. Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.**

1. Minutes of City Council Meeting of June 22, 2010

**Recommendation: Review and File.**

2. Ordinance 09-693 - Correction

**Recommendation: It is recommended that the City Council introduce on first reading Ordinance 09-693 – Correction, which provides the correct reference to the Palos Verdes Estates Municipal Code Chapter 5.12 – “Taxicabs” as being repealed.**

3. PW-572-10; Award of Contract for the FY 10-11 Overlay Project and Adoption of Resolution R10-12; Adjusting the FY 10-11 Budget

**Recommendation: It is recommended that the City Council award a construction contract for the completion of the FY 10-11 Overlay Project in the amount of \$638,930 to Hardy and Harper, Inc., and adopt Resolution R10-12, adjusting the FY 10-11 budget.**

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4. PW-573-10; Award of Contract for the FY 10-11 Slurry Seal Project

**Recommendation: It is recommended that the City Council award a construction contract for the completion of the FY 10-11 Slurry Seal Project in the amount of \$281,022.31 to American Asphalt South, Inc.**

5. Special Event Application for the Malaga Cove Library to Hold a Sing-A-Long Event at Farnham Martin Park on Saturday, August 28, 2010

**Recommendation: It is recommended that City Council approve the request of Palos Verdes Library District's Malaga Cove Branch to hold a Sing-A-Long event at Farnham Martin Park on Saturday, August 28, 2010.**

## COMMUNICATIONS FROM THE PUBLIC

**This portion of the agenda is reserved for comments from the public on items which are NOT on the agenda. Due to state law, no action can be taken by the Council this evening on matters presented under this section. If the Council determines action is warranted, the item may be referred to staff or placed on a future Council agenda.**

## OLD BUSINESS

## NEW BUSINESS

6. Review and Approval of the Palos Verdes Stable FY 2010-11 Operating Budget

**Recommendation: It is recommended that the City Council approve the FY 2010-11 Palos Verdes Stable Operating Budget.**

7. Status Report on Efforts to Develop a Dog Park on a Portion of the Former Palos Verdes Landfill Property

**Recommendation: It is recommended that the City Council send a letter to Los Angeles County 4<sup>th</sup> District Supervisor Knabe's office in support of the development of a dog park on a portion of the former Palos Verdes Landfill property.**

8. Palos Verdes Estates Municipal Code Review and Recodification

**Recommendation: It is recommended that the City Council review, provide input and approve the proposed parameters for the review and recodification of the Palos Verdes Estates Municipal Code.**

## CITY COUNCIL AGENDA JULY 13, 2010

## **STAFF REPORTS**

9. City Manager's Report
  - Presentation of FY 2010-11 Work Program

## **DEMANDS**

10.
  - a. Authorize Payment of Motion #1– Payroll Warrant of June 25, 2010
  - b. Authorize Payment of Motion #1a– Payroll Warrant of July 9, 2010
  - c. Authorize Payment of Motion #2 – Warrant Register of July 13, 2010 (FY09-10)
  - d. Authorize Payment of Motion #2a – Warrant Register of July 13, 2010 (FY10-11)

**Recommendation: Authorize Payment of Motions #1, #1a, #2 and #2a.**

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

- Appointments to Planning Commission, Parklands Committee, and Traffic Safety Committee
- Designation of Officers - Planning Commission, Parklands Committee, and Traffic Safety Committee

## **ADJOURNMENT TO TUESDAY, JULY 27, 2010, IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF A REGULAR MEETING.**

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, July 14, 2010 at 7:30 p.m., and Wednesday, July 21, 2010, at 7:30 p.m.*

TO: JOSEPH M. HOEFGEN, CITY MANAGER  
FROM: JUDY SMITH, ASSISTANT CITY MANAGER  
SUBJECT: ORDINANCE 09-693 - CORRECTION

The Issue

Shall the City Council introduce Ordinance 09-693 – Correction, to correct a typographical error in the original adopted ordinance referencing the Palos Verdes Estates Municipal Code (PVEMC) Chapter – “Taxicabs”?

Analysis and Findings

In September 2009, the City Council considered a staff report and Ordinance to repeal certain obsolete chapters of the PVEMC, including the chapter titled “Taxicabs”. In that staff report and ordinance, references throughout to “Taxicabs” were shown as Chapter 5.16, rather than the correct Chapter – 5.12.

As soon as staff became aware of the error, we consulted with the City Attorney, who prepared the attached correcting ordinance. The ordinance is self-explanatory and documents the history and intent of the repeal. The reference to “Taxicabs” as Chapter 5.16 is considered a scrivener’s error. The correcting ordinance references the intended Chapter 5.12 as being repealed. All other references within the original Ordinance 09-693 remain intact. The correcting ordinance will be filed with the original ordinance to document this action.

Recommendation

It is recommended that the City Council introduce Ordinance 09-693 – Correction, which provides the correct reference to the Palos Verdes Estates Municipal Code Chapter 5.12 – “Taxicabs” as being repealed.

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**

**SUBJECT: PW 572-10; AWARD OF CONSTRUCTION CONTRACT FOR THE COMPLETION OF THE FY 10/11 OVERLAY PROJECT IN THE AMOUNT OF \$638,930 TO HARDY AND HARPER, INC. AND ADOPTION OF RESOLUTION R10-12, ADJUSTING THE FY 10/11 BUDGET**

**DATE: JULY 13, 2010**

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**Introduction**

Should the City Council award a construction contract for the completion of the FY 10/11 Overlay Project in the amount of \$638,930 to Hardy & Harper, Inc., and adopt Resolution R10-12, adjusting the FY 10/11 Budget?

**Background and Analysis**

As part of the annual Capital Improvement Program, various streets receive an overlay treatment. The work consists of removing and replacing deteriorated asphalt, edge grinding, and overlaying the surface with new asphalt. The purpose of the work is to prevent any further deterioration of the roadway and restore the road to its original condition.

In April of 1996, the City Council approved a Pavement Management System report that inventoried the conditions of all the City streets. The PMS was updated in 2003 and streets were ranked and prioritized based on their conditions and need for repair. Using the rankings designated for each street as well as recent field observations, staff identified the following streets for this year's overlay project:

<b>Street Name</b>	<b>From</b>	<b>To</b>
Avon Rd	Chelsea Rd	Paseo Del Mar
Avenida Mirola	Paseo Del Mar	PVDW
<b>Street Name</b>	<b>From</b>	<b>To</b>
Chelsea Rd	Yarmouth Rd	Via Anacapa
Chiswick Road	Paseo Del Mar	Dalton Rd

Cloyden Rd	Paseo Del Mar	PVDW
Cloyden Sq	Cloyden Rd	Addison Rd
PVDW (Upper Barrel)	PVDW	end of new asphalt at 1124 PVDW
Rocky Point Pl	Rocky Point Rd	End
Thorley Rd	Epping Rd	Yarmouth Rd
Via Bandini	Paseo Del Mar	Via Anacapa
Via Bandini	End (W)	Via Pacheco
Via Bandini	Via Pacheco	End (E)
Via Estrada	Via Anacapa	Via Pacheco
Via Pacheco	Dalton Rd	Paseo Lunado (N)
Via Pena	Paseo Lunado	Chelsea Rd
Via Zumaya	Via Pacheco	PVDW

In an effort to receive a number of competitive construction bids, staff advertised with Bid America, F. W. Dodge, and Reed Construction Data. Construction bids were received on June 30, at 10:30 a.m. The base bid results are shown below, and a bid table comparing the base bids and seven alternate bids for the three lowest bidders is attached to this staff report.

	<b>Base Bid</b>	<b>Alternate A1</b>	<b>Alternate A2</b>	<b>Total with Alternates</b>
Hardy & Harper, Inc.	\$555,000.00	\$41,090.00	\$42,840.00	\$638,930.00
Imperial Paving Co.	\$593,843.45	\$35,220.00	\$31,273.20	\$660,336.65
Sully-Miller Contracting	\$577,857.86	\$70,440.00	\$64,260.00	\$712,557.86
Palp, Inc. DBA Excel Paving Co.	\$598,575.51	\$35,220.00	\$32,130.00	\$665,925.51
ICE Engineering	\$598,893.42	\$52,830.00	\$59,976.00	\$711,699.42
All American Asphalt	\$701,625.31	\$64,570.00	\$47,124.00	\$813,319.31

The Alternate bids are for the following work:

- A1: asphalt repair requested by staff for various locations, shown on the attached list.
- A2: tree root removals requested by staff for various locations, shown on the attached list.

Hardy & Harper, Inc. submitted the qualifying low bid for the project. They have completed many projects of similar size and scope, and City staff has also worked with them before, on the FY 04/05, FY 06/07, and FY 07/08, and FY 09/10 Overlay Projects. Staff believes they are well equipped to satisfactorily complete the City's project.

Staff recommends that the Alternate bids A1 and A2 be awarded with the base bid on this project, for a total construction cost of \$638,930. Staff bases this recommendation on our perception of the

relative need for each of the Alternates, as well as the price for each. Although the qualifying low bidder was selected only with regards to the base bid, Hardy & Harper's combined cost for the base and alternate bids is still the lowest of the six bids received.

The following schedule is anticipated:

- July 13                      Contract awarded.
- August 16                 Contract, insurance certificates signed by contractor & City.
- August 30                 Work expected to begin.
- October 25                Work expected to be complete.

### **Alternatives Available to Council**

The following alternatives are available to Council:

1. Award a construction contract for the completion of the FY 10/11 Overlay Project in the amount of \$638,930 to Hardy & Harper, Inc., and adopt Resolution R10-12, adjusting the FY 10/11 Budget.
2. Award a construction contract in the amount of \$555,000 to Hardy & Harper, Inc. for the completion of the FY 10/11 Overlay Project with no alternative work, and adopt a Resolution to adjust the FY 10/11 Budget.
3. Award a construction contract to Hardy & Harper, Inc. for the completion of the FY 10/11 Overlay Project and only one of the alternative options, to be chosen by Council, and adopt a Resolution to adjust the FY 10/11 Budget.
4. Decline to Act.

### **Conclusions and Recommendations**

Staff recommends that the City Council award a construction contract for the completion of the FY 10/11 Overlay Project in the amount of \$638,930 to Hardy & Harper, Inc., and adopt Resolution R10-12, adjusting the FY 10/11 Budget.



**Fiscal Impact**

The FY 10/11 budget contains \$500,000 for the overlay of City streets. Staff estimates the following costs for the Overlay Project:

Construction Subtotal	\$638,930
Contingency cost (10% of construction cost)	\$63,893
Inspection and Administration	\$64,000
<hr/> Total	<hr/> \$766,823

As a result, an additional \$266,825 is needed to cover the total project budget. Slurry Seal Project bids have come in under the project budget, so excess funding in the amount of \$158,875 can be transferred to the Overlay Project budget. An additional \$107,950 is available from the Unobligated Capital Fund Balance. Resolution R10-12, which provides for the transfers, is attached.

Staff report prepared by:  
Floriza Rivera  
Public Works Department

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**

**SUBJECT: PW 573-10; AWARD OF CONSTRUCTION CONTRACT FOR THE COMPLETION OF THE FY 10/11 SLURRY SEAL PROJECT IN THE AMOUNT OF \$281,022.31 TO AMERICAN ASPHALT SOUTH, INC.**

**DATE: JULY 13, 2010**

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**Introduction**

Should the City Council award a construction contract for the completion of the FY 10/11 Slurry Seal Project in the amount of \$281,022.31 to American Asphalt South, Inc.?

**Background and Analysis**

As part of the annual Capital Improvement Program, various streets receive a Type II slurry seal treatment. Slurry seal is a liquid asphalt emulsion designed as a sealant to extend the useful life of a street. The seal will last approximately 5 to 7 years.

In April of 1996, the City Council approved a Pavement Management System (PMS) report that inventoried the conditions of all the City streets. Streets were ranked and prioritized based on their conditions and need for repair. The PMS was updated in 2003.

Using these rankings as well as recent field observations, staff chose the following streets to be slurry sealed for FY 10/11:

<b>Street Name</b>	<b>From</b>	<b>To</b>
Addison Rd	Chelsea Rd	Cloyden Rd
1100 PVDW turn out	PVDW	Paseo Del Mar
Alley 8 Parallel to PDM/Chelsea	Chiswick Rd	Avon Rd
Alley 10 Parallel to Addison/PVDW	Cloyden Rd	Alley 11

<b>Street Name</b>	<b>From</b>	<b>To</b>
Alley 11 Parallel to Cloyden/Margate Sq	Addison Rd	PVDW
Alley 12 Parallel to PVDW	Cloyden Rd	South End
Alley Parallel to PDM/Chelsea	Avon Rd	North End
Alley Parallel to PDM/Chelsea	Cloyden Rd	Chiswick Rd
Alley Parallel to Apsley/Margate Sq	Addison Rd	East End
Alley Parallel to Pacheco/PVDW	Dalton Rd	South End
Alley Parallel to Pacheco/PVDW	Yarmouth Rd	Chain
Alley Parallel to Pacheco/PVDW	Anacapa	Yarmouth Rd
Alley Parallel to Pacheco/PVDW	Bandini	Anacapa
Alley Parallel to Pacheco/PVDW	Bandini	South End
Alley Parallel to Chelsea/Anacapa	Avenida Mirola	North End
Chelsea Rd	Paseo Del Mar	Cloyden Rd
Chelsea Rd	Epping Rd	Yarmouth Rd
Dalton Crossing	Margate Rd	Addison Rd
Dalton Rd	Margate Rd	PVDW
Epping Rd	Paseo Del Mar	Via Pacheco
Margate Rd	Chelsea Rd	Dalton Rd
Margate Rd	Addison Rd	Dalton Rd
Margate Sq	Addison Rd	End
Margate/Addison intersection	Margate	Addison Rd
Margate Crossing	Margate Rd	Addison Rd
Oakley Rd	Paseo Del Mar	Chelsea Rd
Paseo Del Mar	PVDW	Via Pena
Rocky Point Rd	Paseo Del Mar	Rocky Point Rd (S)
Rocky Point Rd	Rocky Point Rd (S)	Rocky Point PL
Rocky Point Rd	Rocky Point Pl	Yarmouth Rd
Rocky Point Rd (NS)	Yarmouth Rd	Rocky Point Rd (N)
Rocky Point Rd (NS)	Rocky Point Rd (S)	Yarmouth Rd
Thorley Pl (circle also)	Yarmouth Rd	Via Anacapa

<b>Street Name</b>	<b>From</b>	<b>To</b>
Via Anacapa	Yarmouth Rd	Paseo Lunado (N)
Yarmouth Rd	PVDW	Rocky Point Rd
711 Yarmouth Road parking area		
724 Yarmouth Road parking area		
2201 Via Anacapa parking area (immediately east and adjacent to this address)		
2201 Via Anacapa parking area (east of this address and across the street at park)		
2205 and 2215 Via Anacapa parking area		
2325 Via Anacapa parking area		

Staff advertised the FY 10/11 Slurry Seal Project with Bid America, F. W. Dodge, and Reed Construction Data. Construction bids were received on June 28, at 11:00 a.m. The results are shown below:

	<b>Base Bid</b>
American Asphalt South, Inc.	\$281,022.31
Pavement Coatings Co.	\$314,064.39
Roy Allan Slurry Seal, Inc.	\$335,478.92
Valley Slurry Seal	\$345,028.27

American Asphalt South, Inc. submitted the qualifying low bid for the project. City staff has worked with this company before, on the last five annual slurry seal projects. Staff believes they are equipped to satisfactorily complete this year's project.

The following schedule is anticipated:

- July 13                      Contract awarded.
- August 16                 Contract, insurance certificates signed by contractor & City.
- September 13            Work expected to begin.
- October 30                Work expected to be complete.

### **Alternatives Available to Council**

The following alternatives are available to Council:

1. Award a construction contract for the completion of the FY 10/11 Slurry Seal Project in the amount of \$281,022.31 to American Asphalt South, Inc.
2. Decline to Act.

## Conclusions and Recommendations

Staff recommends that the City Council award a construction contract for the completion of the FY 10/11 Slurry Seal Project in the amount of \$281,022.31 to American Asphalt South, Inc.

## Fiscal Impact

The FY 10/11 budget contains \$500,000 for the slurry sealing of City streets, \$158,875 of which will be transferred to the FY 10/11 Overlay Project, leaving \$341,125 remaining in the slurry seal budget. Staff estimates the following costs for the Slurry Seal Project:

Construction Subtotal	\$281,022.31
Contingency cost (10% of construction cost)	\$28,102.23
Inspection and Administration	\$32,000.00
<hr/>	
Total	\$341,124.54

There are sufficient funds to cover the total construction cost of \$281,022.31 shown above.

Staff report prepared by:  
Floriza Rivera  
Public Works Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

SUBJECT: SPECIAL EVENT APPLICATION FOR THE MALAGA COVE LIBRARY TO HOLD A SING-A-LONG EVENT AT FARNHAM MARTIN PARK ON SATURDAY, AUGUST 28, 2010.

DATE: JULY 13, 2010

**ISSUE**

Shall the City Council approve a Special Event Application for the Palos Verdes Library District to hold Sing-A-Long Event featuring the movie *Mary Poppins* at Farnham Martin Park on Saturday, August 28, 2010 from 6 p.m. to 11 p.m. including set-up and tear-down?

**BACKGROUND AND ANALYSIS**

The PV Library District would like to hold its second annual sing-a-long event at Malaga Cove Library on the grounds of Farnham Martin Park. This family event would include playing the movie *Mary Poppins* on a screen at the park. Attendees would be encouraged to sing along with the songs with seating on the grass (no chairs) similar to the Malaga Cove Concert Series. The event would start with a small program of songs and a costume contest with the 139-minute movie beginning at 8 p.m. The library plans to remain open during the event to provide restrooms and staffing.

Last year, the Library had a similar event featuring the *Sound of Music*. The attached letter from the Malaga Cove Library Branch Manager describes the positive feedback received from patrons of last year's sing-a-long event. Although the event ran longer than proposed, there were no complaints reported to the City.

Library representatives have prepared a comprehensive Special Event Application. The Application has been reviewed and preliminarily approved by all municipal departments. As is consistent with last year, it is recommended that all fees be waived since the Library District is a public agency. The City has received a Certificate of Insurance and Indemnity Agreement and notice will be provided to residents within the area affected.

**ALTERNATIVES AVAILABLE TO COUNCIL**

1. The Council may choose to approve the request of Palos Verdes Library District's Malaga Cove Branch to hold a *Mary Poppins* Sing-A-Long event at Farnham Martin Park on Saturday, August 28, 2010.
2. The Council may modify or impose further requirements on the Palos Verdes Library District.
3. The Council may decline to approve the Special Event Application as presented.

#### RECOMMENDATION

It is recommended that the City Council approve the request of Palos Verdes Library District's Malaga Cove Branch to hold a Sing-A-Long event at Farnham Martin Park on Saturday, August 28, 2010.

Attachment

**TO:** MAYOR AND CITY COUNCILMEMBERS  
**FROM:** JOSEPH HOEFGEN, CITY MANAGER  
**SUBJECT:** REVIEW AND APPROVAL OF THE PALOS VERDES STABLE FY 2010-11 OPERATING BUDGET

**The Issue**

Should the City Council approve the Palos Verdes Stable FY 2010-11 Operating Budget?

**Background and Analysis**

HGS Management Company, LLC has operated as the Concessionaire of the Palos Verdes Stable since March 1, 2009. The purpose of this report is to share with the City Council a status report on the FY 2009-10 Budget and to present the proposed FY 2010-11 Stable Operating Budget for review and approval.

Attachment A to this report includes FY 2009-10 Budget information and the Proposed Stable Budget for FY 2010-11. Overall, HGS Management is ending 2009-10 with a net profit of \$70,352 – adjusted downward from the original projected profit of \$92,185 for FY 2009-10. There are a number of factors which together have contributed to the positive budget performance over the past year including: (1) The renting of many previously vacant stalls at the stables, (2) a significant increase in revenue from training activity at the Stable in comparison to prior years, (3) additional revenues derived from charging for supplemental services including premium hay, turnout services, and the like, and (4) controlling expenditures and achieving operational efficiencies which will continue into future years.

For FY 2010-11, HGS is not proposing to increase either the boarding fees or the service fees charged at the Stable. Attachment B includes a copy of Resolution 2009-03 which set the maximum fees the concessionaire may charge. Again, there are no proposed changes in this fee structure for FY 2010-11.

For the coming fiscal year, given the very high level of stable occupancy, boarding revenue will be at an all time high of \$420,000. This amount is \$32,288 greater than the projected year end board revenue for FY 2009-10. Additionally, revenues derived from trainer activity at the stable will result in \$60,000 in FY 2010-11 which is a slight increase over FY 2009-10.

In terms of expenditures, the Proposed FY 2010-11 Budget reflects the experience gained from HGS' first full year of operation. There are certain expenditures that are significantly less costly



than originally projected when HGS began operating the Stable. The most notable areas where savings have been experienced include the cost of hay and shavings.

Additionally, repair and maintenances costs at the stables are budgeted at \$24,000 which is comparable to what was spent in FY 2009-10 by HGS. In FY 2009-10, HGS completed some much needed improvements including painting, fence repairs, and new footing in the arenas. For FY 2010-11, HGS will further enhance the Stable with improvements to the hay barn, additional repair/replacement of fencing, and other necessary work. Lastly, the cost for removal of manure was higher than originally assumed at the onset of the concession agreement. The proposed budget allocates \$26,400 for manure removal which is nearly double the \$14,000 originally projected for this work.

The Stable will generate a profit of \$83,190 in FY 2010-11 after satisfying all obligations under the concession agreement including payment of the 5% concession fee to the City. The concession payment totals \$25,312 for FY 2010-11.

The boarding statistics for the Stable are included as Attachment C to this report. All stalls at the Stable are occupied with a total of 72 horses on site. Attachment D to this report is a seven year budget history of the Stable operation covering the time prior to arrival of HGS Management LLC as the Stable Operator. A review of this budget history helps demonstrate how HGS has been able to enhance the revenue generating capacity of the Stable while simultaneously controlling operating expenditures.

On June 28, 2010, the Stable Liaison Committee (Mayor Pro Tempore Rea and Councilmember Perkins) met with City Manager Hoefgen and Stable Operators David McLewee and Erin Isom-McLewee. Following a review of the budget materials and discussion of past year's Stable operations, the Council Liaisons recommend Council approved of the Proposed 2010-11 Palos Verdes Stable Budget.

Looking ahead to the next six month period, the McLewee's will develop a list of capital improvement projects at the Palos Verdes Stable with review City Staff and the Council Liaisons. In addition, the City and HGS will jointly fund a financial audit of the Palos Verdes Stable operations.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Approve the Palos Verdes Stable FY 2010-11 Operating Budget.
2. Approve the Palos Verdes Stable FY 2010-11 Operating Budget with Modifications.
3. Decline to act.

### **Recommendation from Staff**

**CITY COUNCIL AGENDA  
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It is recommended that the City Council review and approve the Palos Verdes Stable FY 2010-11 Operating Budget.

**Attachments**

**TO: MAYOR AND CITY COUNCILMEMBERS**

**FROM: JOSEPH HOEFGEN, CITY MANAGER**

**SUBJECT: STATUS REPORT ON EFFORTS TO DEVELOP A DOG PARK ON A PORTION OF THE FORMER PALOS VERDES LANDFILL PROPERTY**

**The Issue**

Should the City Council send a letter to Los Angeles County 4<sup>th</sup> District Supervisor Knabe's office in support of the development of a dog park on a portion of the former Palos Verdes Landfill Property?

**Background and Analysis**

The former Palos Verdes Landfill site consists of 175 acres of land owned by Los Angeles County located in the in the city limits of Rolling Hills Estates. As City Councilmembers are aware, there has been considerable interest on the part of dog enthusiasts who have advocated for the placement of a "dog park" on a portion of the former landfill property.

On June 22, 2010, the City of Rolling Hills Estates sent to 4<sup>th</sup> District Supervisor Knabe the attached letter stating that a small portion of the site would be able to support the needs of dog owners from around the South Bay, and expressing the Rolling Hills Estates' City Council's support for the development of a dog park on the former Palos Verdes Landfill. A copy of the June 22<sup>nd</sup> letter is included as Attachment A to this report.

The lead proponents of the proposed dog park at the former landfill site have been Mr. Bruce and Mrs. Maureen Megowan of Palos Verdes Estates. Attachment B to this report is a copy of an eight page dog park proposal which Mr. and Mrs. Megowan recently presented to the RHE Parks and Activities Commission and to the Rolling Hills Estates City Council.

Given that the City of Rolling Hills Estates is now advocating for the use of a small portion of the former landfill site as a dog park, it is appropriate for the City of Palos Verdes Estates to express its position on this subject to the County of Los Angeles. Attachment C to this report is a draft letter for City Council consideration in this regard.

**Alternatives Available to Council**

**CITY COUNCIL AGENDA  
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The following alternatives are available to the City Council:

1. Send a letter to Los Angeles County 4<sup>th</sup> District Supervisor Knabe's office in support of the development of a dog park on a portion of the former Palos Verdes Landfill Property.
2. Send a modified letter.
3. Decline to send a letter.

**Recommendation from Staff**

It is recommended that the City Council send a letter to Los Angeles County 4<sup>th</sup> District Supervisor Knabe's office in support of the development of a dog park on a portion of the former Palos Verdes Landfill Property.

**Attachments**

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**  
**FROM: JUDY SMITH, ASSISTANT CITY MANAGER**  
**SUBJECT: PALOS VERDES ESTATES MUNICIPAL CODE  
REVIEW AND RECODIFICATION**

The Issue

Shall the City Council review, provide input and approve the proposed parameters for the review and recodification of the Palos Verdes Estates Municipal Code (PVEMC).

Background

The last codification of the Palos Verdes Estates Municipal Code (1988) took place more than 20 years ago. Although there have been numerous approved changes to the Code in the intervening years, reflected as supplements, both the Council and staff wish to undertake a review and recodification of the PVEMC.

This project has been included in prior years' work programs, but was not completed in a comprehensive manner due to workload and staffing issues. Four obsolete sections of the code were eliminated in the fall of 2009 and the City Clerk's Office retained our code publishing vendor to conduct an overview of the code as a first step in the process. The review, completed in December 2009, will provide information useful to the City Attorney and staff.

Analysis and Findings

It is anticipated this will be a very time consuming and labor intensive project. In order to proceed in an orderly and timely fashion, staff recommends as a first step that the Council review, provide input and approve the proposed parameters for the code review.

It is the intent of the recodification project to accomplish the following:

- Update the Code, including statutory references, to reflect current state and federal law;
- Eliminate vague, ambiguous and overly broad language;
- Correct/update code provisions which are inconsistent with current practice; and
- Correct internal inconsistencies within the Code.

It is not the intent of the project to review and revise the policies under which the City currently operates. For example, under Title 6 – Animals – consideration of cat licensing or mandatory spay/neuter requirements would not be introduced in the context of other required revisions to these chapters. Similarly, as an example, Section 1.20.010 regarding General Municipal Election will be

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modified to delete reference to the prior April even-year election, but discussion of election consolidation or alternate to the March odd-year election date would not be part of the this review.

Policy issues will be addressed to the extent they arise in the context of bringing the code into compliance with state or federal law. The Council recently revised Chapter 9.05 “Picketing Private Residences” and considered several policy issues (e.g. distance from property, duration of picketing). The City Attorney will be well versed to advise the Council in these situations. Policy may also be addressed in the context of providing direction to staff if internal inconsistencies in the code involve inconsistent policy, though staff is not immediately aware of any items that fall into this category.

Based upon Council’s approval of the project parameters as outlined above, staff will then be able to more firmly develop a timetable, process and estimate of associated City Attorney time and cost for the project. Staff will bring a follow-up report to the Council at the next meeting.

### Recommendation

It is recommended that the City Council review, provide input and approve the proposed parameters for the review and recodification of the Palos Verdes Estates Municipal Code.

**TO: MAYOR AND CITY COUNCILMEMBERS**  
**FROM: JOSEPH HOEFGEN, CITY MANAGER**  
**SUBJECT: PRESENTATION OF FY 2010-11 WORK PROGRAM**

**Issue**

Presentation of the FY 2010-11 Work Program for the City of Palos Verdes Estates

**Background and Analysis**

Last year, following adoption of the FY 2009-10 Budget, the City Council reviewed the annual Work Program for the City of Palos Verdes Estates. The purpose of the Work Program is to identify work milestones and projected target dates as part of an overall strategy to manage the workload of each of the Departments. The Work Program subsequently was reviewed and updated on January 13, 2010.

This report presents the FY 2010-11 Work Program for major work activities occurring over the next 12 months. As previously indicated, while the Work Program captures many of the departments' work activities, it is not a complete list of all our duties and responsibilities. The Work Program is intended to highlight some of the more notable work projects and/or items that are new for the coming year, or in some instances, carried forward from the prior year.

In terms of the FY 2010-11 Work Program, I would like to highlight a few projects and activities as described below:

In the **City Manager's Office**, major work activities will include the establishment of an emissions reduction goal as related to our municipal operations to be followed by development of a Local Climate Action Plan to achieve the targeted reduction. Similar work will occur as related to greenhouse gas emissions and energy usage on a citywide basis. In the area of human resources, we will complete a number of tasks including (1) Completion of harassment and discrimination prevention training through the California Joint Powers Insurance Authority (CJPIA); (2) Preparation of an RFP for health insurance broker services; (3) Update of the City's Personnel Regulations as initiated in FY 2009-10; and (4) Completion of labor discussions with PVE's employee groups. Lastly, we will also work with the CJPIA and Departments to undertake a comprehensive review and update of our employee safety programs in the coming year.

The Work Program for the **City Clerk/Finance Department** includes the completion of the City's new web page which will go live August 1, 2010. The Work Program anticipates the expiration of the Cox Television Franchise in October 2010 and the transition of cable regulations to a State Franchise pursuant to State law. Council will note that milestones are included in the City Clerk's Work Program in preparation of the City Council election of March 8, 2011. The comprehensive review of the PVE Municipal Code is a carry-over item from prior year Work Programs and will be completed in FY 2010-11 with the involvement of the City Attorney's office and operating departments. Lastly, the Finance Department will issue an RFP for audit services and once again undertake a review of the City's existing pension obligations and evaluate the feasibility of an additional lump sum contribution to PERS to reduce PVE's existing pension liabilities.

In the **Planning and Public Works Department**, the most significant projects will be the replacement of the Via Barri and the Rocky Point Road underground sewage pump stations. These pump stations are nearing the end of their useful life and failure of either station would cause significant hardship to our residents, as well as severe financial consequences for the City. Additionally, the City has a significant street overlay and slurry seal program budgeted for FY 2010-11 and the Work Program identifies projected milestones for these activities. The Road Impact Fee is a carry-forward item from FY 2009-10 and will be brought to Council in September for review and possible implementation. Other significant Planning/Public Works projects in 2010-11 include the seismic study of City Hall, an update to the City's multi-year Pavement Management System Plan, and monitoring of groundwater levels in the Malaga Cove plaza area.

The **Police Department** Work Program includes milestones for study/replacement of the existing radio system to eliminate coverage gaps in the community. Additionally, work is continuing on the implementation of the Disaster District Plan with deployment of fully-equipped disaster supply containers at all six locations, recruitment of additional DDP community volunteers, and development of a "Continuity of Operations Plan" focusing on the City's operations in the weeks and months after a major disaster. Lastly, the Police Department will continue to address the needs of seniors via the PVE CARES Program with a number of events and outreach over the next year. Council will note that the PVE Health Fair this year will include the option for seniors to dispose of unneeded prescription medications.

The Work Program is organized by Department and includes a summary table of the City's Capital Improvement projects as well with project milestones for design, bidding and construction for each project.

As unforeseen events occur throughout the year, circumstances may affect the priority of projects and/or new unanticipated projects may be added as necessary. We will bring the Work Program to the City Council in January 2011 with updates and changes as become necessary.

### **Recommendation from Staff**

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As this report is informational in nature, there is no formal action required of the City Council.

**Attachment**