



City of Palos Verdes Estates City Council Agenda & Staff Reports

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****CLICK HERE FOR CITY COUNCIL AGENDA**

****CLICK HERE FOR CITY COUNCIL AGENDA & REPORTS**

December 8, 2009
7:30 P.M.
City Hall
Council Chambers

**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. R10-01
NEXT ORDINANCE NO. 10-696**

CALL TO ORDER

CLOSED SESSION

PLEDGE OF ALLEGIANCE

ROLL CALL

**CITY COUNCIL AGENDA
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MAYOR'S REPORT – Matters of Community Interest

CONSENT AGENDA

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 November 24, 2009

Recommendation: Review and File.

2. Adoption of Ordinance 09-694; Amending Section 18.05.040 of the Palos Verdes Estates Municipal Code Relating to the Procedure for Processing Applications for Sports Court Permits

Recommendation: It is recommended that the City Council adopt Ordinance 09-694; an Ordinance of the City Council of the City of Palos Verdes Estates amending Section 18.05.040 of the Palos Verdes Estates Municipal Code relating to the procedure for processing applications for sports court permits.

3. Resolution R09-37, Authorizing the Destruction of Obsolete Records of the City Finance, Building & Safety, Planning & Public Works Departments

Recommendation: It is recommended that the City Council adopt Resolution R09-37, authorizing the destruction of specific obsolete records of the City Finance, Building & Safety, Planning and Public Works Departments.

4. Modification of City Manager's Employment Agreement

Recommendation: It is recommended that City Council approve the modification to the City Manager's current employment agreement by acceptance of the proposed Restated and Revised Employment Agreement.

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.

ORDINANCE

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Actions to introduce or adopt an ordinance shall be deemed to have the title read and further reading waived.

5. Introduction of Ordinance 09-695; Amending and Restating Chapter 18.50 the Palos Verdes Estates Municipal Code Regarding Water Efficient Landscaping

Recommendation: It is recommended that the City Council introduce Ordinance 09-695; an Ordinance of the City Council of the City of Palos Verdes Estates amending and restating Chapter 18.50 the Palos Verdes Estates Municipal Code regarding water efficient landscaping.

OLD BUSINESS

NEW BUSINESS

6. Palos Verdes Golf Club 2010 Annual Operating and Capital Improvement Budgets

Recommendation: It is recommended that City Council approve the Palos Verdes Golf Club 2010 operating and capital improvement budgets; and approve the dues and green fees increases to take effect on January 1, 2010.

7. Setting the Agenda for the Joint City Council/Planning Commission/Homes Association Meeting

Recommendation: It is recommended that the City Council set the agenda for the joint City Council/Planning Commission/Homes Association meeting of January 20, 2010.

8. Appointment of a Council Subcommittee to Assist with Request for Proposals for Legal Services

Recommendation: It is recommended that City Council discuss and appoint two members to serve on a subcommittee to assist with the City's RFP process for legal services.

9. Authorization to Expend AB939 Funds to Subsidize Purchases of Residential Composting Bins

Recommendation: It is recommended that City Council authorize expenditure of \$5,000 of AB939 funds to subsidize purchases of residential composting bins.

STAFF REPORTS

10. City Manager's Report

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DEMANDS

11. a. Authorize Payment of Motion #1 - Payroll Warrant of November 27, 2009
- b. Authorize Payment of Motion #2 - Warrant Register of December 8, 2009

Recommendation: Authorize Payment of Motions #1 and #2.

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO WEDNESDAY, JANUARY 13, 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, December 9, 2009, at 7:30 p.m., and Wednesday, December 18, 2009, at 7:30 p.m.*

Agenda Item #: 2

Meeting Date: 12/08/09

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: ADOPTION OF ORDINANCE 09-694; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA AMENDING SECTION 18.05.040 TO THE PALOS VERDES ESTATES MUNICIPAL CODE RELATING TO THE PROCEDURE FOR PROCESSING APPLICATIONS FOR SPORTS COURT PERMITS

DATE: DECEMBER 8, 2009

The Issue

Should the City Council adopt Ordinance 09-694; an ordinance of the City Council of the City of Palos Verdes Estates, California, amending Section 18.05.040 of the Palos Verdes Estates Municipal Code Relating to the Procedure for Processing Applications for Sports Court Permits?

Background and Analysis

Ordinance 09-694 modifies Section 18.05.040 to require that Sports Court Permit applications be processed in compliance with the procedures outlined in Section 17.04.100. Currently, the municipal code states that the Planning Commission is to make a recommendation on Sports Court Permit applications to the City Council. Then, the City Council is to review the recommendation and make a final determination. Procedurally, however, the Planning Commission reviews Sports Court Permit applications the same way it would review all other land use entitlements. This ordinance will ultimately make the municipal code consistent with the procedures historically utilized by the City to process Sports Court Permit applications.

Attached are copies of the ordinance as well as the procedures currently outlined in Sections 18.05.040 and 17.04.100.

Alternatives Available to the City Council

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1. Adopt Ordinance 09-694; an Ordinance of the City Council of the City of Palos Verdes Estates amending Section 18.05.040 of the Palos Verdes Estates Municipal Code relating to the procedure for processing applications for sports court permits.
2. Decline to act.

Recommendation from Staff

Staff recommends that the City Council adopt Ordinance 09-694; an Ordinance of the City Council of the City of Palos Verdes Estates amending Section 18.05.040 of the Palos Verdes Estates Municipal Code relating to the procedure for processing applications for sports court permits.

Staff report prepared by:
Stacey Kinsella
Planning Department

Agenda Item #: 3

Meeting Date: 12/08/09

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: JUDY SMITH, ASSISTANT CITY MANAGER

SUBJECT: RESOLUTION R09-37; AUTHORIZING THE DESTRUCTION OF OBSOLETE RECORDS OF THE CITY FINANCE, PLANNING, BUILDING & SAFETY, AND PUBLIC WORKS DEPARTMENTS

The Issue

Shall the City Council adopt Resolution R09-37, which authorizes destruction of specific obsolete records of the City Finance, Planning, Building & Safety, and Public Works Departments?

Analysis and Findings

The City has a formal records management program which allows for the orderly transfer, maintenance and/or destruction of City records. The retention period for specific records is outlined in the policy in accordance with state regulations and City policy. With storage space at a premium, it is important for the staff to keep current with the records program.

The City Attorney has reviewed and approved the request for destruction as being in conformance with the City's records management program and retention schedule.

Alternatives Available to the City Council

1. Adopt Resolution R09-37.
2. Decline to adopt the Resolution.

Recommendation

It is recommended that the City Council adopt Resolution R09-37; authorizing the destruction of specific obsolete records of the City Finance, Planning, Building & Safety, and Public Works Departments.

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Agenda Item #: 4
Meeting Date: 12/08/09

TO: CITY COUNCILMEMBERS

FROM: JOSEPH W. PANNONE, CITY ATTORNEY

SUBJECT: MODIFICATION OF CITY MANAGER'S EMPLOYMENT AGREEMENT

DATE: DECEMBER 8, 2009

The Issue

Should the City Council modify the City Manager's Employment Agreement as provided below?

Background and Analysis

On June 12, 2007, the City Council approved an employment agreement with Joseph Hoefgen to serve as City Manager of Palos Verdes Estates. A modification is being proposed to that agreement. This would be the first such modification to that agreement since Mr. Hoefgen's selection as City Manager.

In order for the parties to have only one document applicable to Mr. Hoefgen's employment, the modifications to the employment agreement have been drafted as a restated and revised agreement. The only significant substantive provision in the restated agreement provides the City will cover the cost of fuel for Mr. Hoefgen's use of the City provided automobile. That particular change is shown in Subsection 3.d. of the restated agreement, which is attached.

Although the salary shown in the restated agreement is different than that stated in the current agreement, due to the process for raises outlined in current agreement, the restated agreement reflects the current compensation provided to the City Manager. With the exception of the fuel modification, the terms and conditions of employment remain unchanged from the original agreement. Non-substantive changes have also been made to reflect the current status of Mr. Hoefgen.

Alternatives Available to Council

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The following alternatives are available to the City Council:

1. Approve the Restated and Revised Employment Agreement
2. Approve the Restated and Revised Employment Agreement with Modifications
3. Decline to Act.

Recommendation from Staff

It is recommended the City Council approve the modification to the City Manager's current employment agreement by acceptance of the proposed Restated and Revised Employment Agreement.

Agenda Item #: 5

Meeting Date: 12/08/09

TO: JOSEPH HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING/PUBLIC WORKS DIRECTOR

SUBJECT: INTRODUCTION OF ORDINANCE NO. 09-695, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES AMENDING AND RESTATING CHAPTER 18.50 OF THE PALOS VERDES ESTATES MUNICIPAL CODE REGARDING WATER EFFICIENT LANDSCAPING

DATE: DECEMBER 8, 2009

The Issue

Should the City Council introduce Ordinance No. 09-695 to amend and restate Chapter 18.50 of the Palos Verdes Estates Municipal Code to meet new state law requirements regarding water efficient landscaping?

Background

In 1992, the State of California enacted the Water Conservation in Landscaping Act (AB 325), requiring the adoption of a water efficient landscape ordinance by cities and counties throughout the state. In 1993, the City adopted Ordinance No. 569, which was codified as Chapter 18.50 of the City's Municipal Code.

In 2004, the legislature passed Assembly Bill 2717 establishing a stakeholder-based Landscape Taskforce charged with formulating recommendations to improve irrigation efficiency in new and existing landscaping and to report their findings to the governor and legislature by December 31, 2005. The report, "Water Smart Landscapes for California: AB 2717 Landscape Task Force Findings, Recommendations, & Actions," contained 43 recommendations to achieve greater landscape water use efficiency.

In 2006, Governor Schwarzenegger signed Assembly Bill 1881 amending the Water Conservation in Landscaping Act. Among other things, the bill required the California Department of Water Resources (DWR) to update the original Model Water Efficient Landscape Ordinance. Cities may adopt the DWR model ordinance outright, modify it to meet a city's local needs, or adopt an entirely different ordinance. However, if the ordinance adopted is not

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identical to the model ordinance, the city or county must make findings, based on substantial evidence, that the ordinance adopted will be at least as effective as the model ordinance. The legislation requires cities and counties to adopt an ordinance no later than January 1, 2010, or they will be deemed to have adopted the DWR model ordinance. Although AB 1881 required the DWR to release the model ordinance by January 31, 2009, it was not actually released until late October 2009. All cities and counties must report to the DWR no later than January 31, 2010 whether the jurisdiction is subject to the model ordinance or has adopted a different ordinance.

Analysis

AB 1818 expresses a desire on the part of the Legislature to promote the benefit of consistent local ordinances in neighboring areas. The City of Rolling Hills is in the process of adopting a water efficient landscaping ordinance which staff, in consultation with the City Attorney's office, has concluded meets the requirements of the statute. The draft Rolling Hills ordinance, with modifications pertinent to the City, became the basis for the proposed ordinance before the City Council this evening. In addition, in light of issues the City has encountered with irrigation runoff negatively impacting the condition of paved streets in the City, an additional provision, Section 18.50.090.B., not required by AB 1818 or the model ordinance, regarding prevention of overspray and runoff into streets from all existing landscaping, was added.

The objective of the proposed ordinance is to ensure as much simplicity, efficiency, and flexibility as possible, but yet comply with the state requirements. In order to implement the requirements of the ordinance as efficiently and cost effectively as possible for both the City and applicants, staff will be creating and utilizing a self-certification process. The self-certification includes two steps. First, the landscape designer will sign a "statement of compliance," which will include his or her license number and professional stamp, stating that the landscape design is in conformance with the city ordinance and guidelines. A permit for the discretionary project will not be issued unless the statement is in order and required plans submitted. Second, once construction of the landscape is complete, the installation contractor or designer will be required to submit a signed "certification of conforming installation" within 90-days of issuance of a final inspection for the project, stating that the installation is complete and is in substantial conformance with the original plan. Receipt by the City of a certification of conforming installation will be required for issuance of a permanent certificate of occupancy. Forms and guidelines will be developed for landscape designers and owners to follow.

Because of the many changes between the 1993 requirements and the current requirements it is recommended that Chapter 18.50 of the Municipal Code be amended and restated in its entirety.

Support for Findings

In adopting the proposed ordinance, the City Council must make findings that the proposed ordinance will be “at least as effective” as the model ordinance. Support for those findings, which are included in the proposed ordinance, is as follows:

1. The ordinance is applicable to all new development subject to discretionary review by the city as required by statute involving landscaped area of 2,500 square feet, single family residential projects (by homeowner or homeowner-hired landscape designer) requiring a discretionary permit where the project includes altered or new landscaping consisting of 5,000 square feet or larger, and new or altered landscaping of one acre or more.
2. The ordinance incorporated definitions from the model ordinance which are applicable to the City.
3. Under the ordinance, landscaping shall be designed and irrigated so as not to exceed 70% of the local evapotranspiration rate (ETo) established by the State for the City of Santa Monica and surrounding areas of Los Angeles County.
4. Under the ordinance, landscape areas for commercial developments must use 100% water wise plants without turf, with only minor exceptions.
5. Under the ordinance, landscape areas for residential, mixed use, and public or institutional projects shall be designed with less than 40% turf and non-water wise plant materials.
6. Under the ordinance, automatic irrigation systems are required and shall be designed to avoid overspray and runoff and shall employ a weather-based irrigation controller with a rain shut off sensor and check valves at the end of each line to hold water in the system, preventing unwanted drainage from sprinkler heads.
7. As required by AB 1881, cemeteries and registered historic sites are exempt from the ordinance. Other exceptions to the ordinance standards are allowed only upon a finding that alternative design will promote equivalent or greater water conservation.
8. Under the ordinance, the person who prepares the landscape plan must certify to design and installation compliance with this chapter.
9. Under the ordinance, the maximum annual applied water allowance calculation matches the California Department of Water Resource’s formula in its model ordinance.
10. Under the ordinance, the identification of water wise plants matches that used by the California Department of Water Resource’s in its model ordinance, namely, the “Water Use Classification of Landscape Species” prepared by the University of California Cooperative Extension.

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11. The ordinance provides for irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and to provide recommendations as necessary to reduce landscape water use for existing landscapes over one contiguous acre in size.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Introduce Ordinance No. 09-695.
2. Introduce Ordinance No. 09-695, with modifications.
3. Not introduce Ordinance No. 09-695 and adopt the model ordinance by default.
4. Not introduce Ordinance No. 09-695 and provide other direction to the City Attorney and staff as deemed appropriate.

Recommendation

Staff and the City Attorney recommend the City Council introduce for first reading, by title only with further reading waived, Ordinance No. 09-695.

Agenda Item #: 6
Meeting Date: 12/08/09

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSEPH M. HOEFGEN, CITY MANAGER
SUBJECT: PALOS VERDES GOLF CLUB 2010 ANNUAL BUDGET

The Issue

Shall the City Council approve the 2010 Annual Operating and Capital Improvement budgets, along with the specified fee increases, as proposed by the Palos Verdes Golf Club?

Background and Overview

The Concession Agreement with the Palos Verdes Golf Club (PVGC) stipulates that the Club shall prepare and deliver to the City a comprehensive budget for the next succeeding calendar year, together with a written request for approval by the City. The budget must include the estimated income by source, expenditures by major category of expense, and any and all requests for major capital expenditures or deferred maintenance items to be funded from the Club Improvement Fund. In addition, the Club must secure the concurrence of the City Council for any fee increases. The PVGC proposal was reviewed by the Council Liaison Committee (Mayor Perkins, Mayor Pro Tem Humphrey and City Manager Hoefgen) at a meeting on November 17, 2009.

As was the case last year, the proposed 2010 Budget for the Palos Verdes Golf Club is, to a large degree, status quo in nature. As outlined below, while the 2010 PVGC budget does reflect the effects of the economic downturn, the PVGC Board of Directors has taken (and continues to take) proactive steps to maintain the high level of service that members have come to expect.

As reflected in a recent article in the Los Angeles Times, many golf courses across the nation are struggling to stay financially solvent. While the budget for the PVGC is tighter than it has been in past years, it is important to note that the PV Golf Club has consistently maintained a full complement of 560 members over the past several years. While a number of other golf clubs have experienced significant declines in membership and usage, there still exists a list of individuals (Associate Golf Members) awaiting full membership in the Palos Verdes Golf Club.

Notwithstanding the above however, the largest single factor affecting the 2010 PVGC Budget is a reduction in the number of Associate Golf Club Members from the maximum number of 200 to

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the current level of 145 AGM members. This 25% reduction in the number of AGM members has resulted in reduced revenue for the Golf Club as reflected in the current year budget and continuing into 2010.

With regard to banquet activities, the PVGC continues to be a popular site for special events and is projecting essentially the same number of banquet events for 2010. Food and Beverage sales, however, are shown slightly reduced reflecting less expensive food and drink choices for special events compared to prior years. Bookings of banquets and special events continue to be strong and events are being booked well into 2011.

Actions Taken in Light of Economic Slowdown

While the current economic slowdown has had an effect on operations of the Palos Verdes Golf Club, the PVGC Board and staff have taken proactive measures to proactively manage operations to stay within available resources.

As an example, in the proposed 2010 Budget, PVGC payroll is budgeted flat. While funds have been included to reflect higher health insurance premiums for employees, there are no salary increases in the coming year for PVGC employees.

Additionally, from an organizational standpoint, the 2010 Palos Verdes Golf Club Budget incorporates a new position through reorganization; a General Manager will be appointed to oversee operations. The appointment of a General Manager is intended to help ensure that the PVGC is operating as efficiently and effectively as possible in 2010 and beyond.

From a revenue standpoint, total operating revenues for 2010 are projected to decrease by 4.44 % in comparison to the 2009 approved budget. As reflected in the attached budget, all revenue sources have been forecast conservatively for the coming year based on performance over the past year. Again, considering that a number of golf courses are experiencing such severe reductions in membership and rounds of golf played that they are unable to function, the challenges at the Palos Verdes Golf Club are manageable.

As further evidence of the effects of the economic downturn, revenue from green fees (aka starters) in 2010 will be reduced by 7.0% in comparison to the originally proposed 2009 budget. Additionally, sales at the Pro Shop are projected to be down by approximately 19% as well, which will make 2010 Pro Shop revenue lower than in prior years. However, as an example of the Golf Club's proactive management and close monitoring of expenditures, the net operating margin (profitability) of the Pro Shop will slightly improve in 2010 compared to 2009 levels.

Dues Increase

In order to maintain services, the Golf Club is proposing an increase in membership dues of approximately three percent across the board. As shown below, dues for family members will increase by \$14 monthly along with comparable dues increases for other member categories:

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	<u>2009</u>	<u>2010</u>
▪ Regular Family (Resident)	-- \$447	\$461
▪ Regular Single (Resident)	-- \$349	\$360
▪ Senior Family (Resident)	-- \$223	\$230
▪ Senior Single (Resident)	-- \$174	\$179
▪ Associate Family (Resident)	-- \$142	\$146
▪ Associate Single (Resident)	-- \$ 95	\$ 98

There is no proposed increase in green fees for any membership categories. The attached materials provide more detail concerning the proposed dues increase and a history of prior year dues increases at the Club since 2000.

Capital Improvement Program

The Concession Agreement between the City of Palos Verdes Estates and the Palos Verdes Golf Club established a Club Improvement Fund in order to improve services, the quality of operation, the golf course and facilities located on the premises. Per the Concession Agreement, the Club deposits all member initiation fees, 10% of all member's monthly dues, and 10% of all gross receipts from the golf course into the Club Improvement Fund. Proceeds from the Club Improvement Fund are to be used exclusively for (1) major capital improvements to the premises, (2) major capital equipment purchases, (3) reimbursement to retiring members, (4) long term deferred maintenance items, and (5) extraordinary legal fees/litigation.

The final attachment to this report is a cash flow statement for the Club Improvement Fund reflecting 2009 and 2010 transactions. The 2009 budget outlined nearly \$320,000 in capital expenditures for the golf course with fewer capital expenditures in the club house. The most significant capital project in the 2010 budget is resurfacing of the lower parking lot – a carry forward project from 2009 budgeted at \$95,000 based on bids received for this work. The resurfacing project constitutes 50% of the 2010 Capital Budget.

Additionally, the Capital Budget includes the amount of \$15,000 in 2010 as a placeholder for research and funding for a potential project to access groundwater for potential use in irrigation. The feasibility and scope of such a project will depend on research which will be getting underway shortly.

Summary and Conclusion

At first glance, it appears as though the 2010 PVGC Operating Budget is experiencing a net loss from operations of \$188,888. However, this is somewhat misleading. It is important to remember that depreciation expense write-offs are integrated *throughout* the various operating expense categories, and then added back (as a non-cash expense) at the end to calculate the net contribution to the Operating Fund. In prior year budgets, this Depreciation add-back was

roughly comparable to the deduction for the 10% contribution to the Club Improvement Fund (between \$300,000 - \$400,000 each year). However, beginning in 2007 and continuing into the future, the Depreciation add-back was increased to approximately \$680,000 reflecting the higher value of the renovated facilities. As such, the 2010 budget shows that the Club anticipates making a **net contribution** of \$71,748 to the Operating Fund.

The Golf Club has a long history of realistic budgeting and conservative spending. In meeting with PVGC representatives, it is clear that the PVGC is committed to maintaining a high level of service to their members and will continue to proactively manage their budget to achieve desired results.

Alternatives Available to City Council

1. Approve the 2010 Annual Budget and Dues Increases proposed by the Palos Verdes Golf Club. This would allow the Club to proceed in accordance with the plan approved by the Board of Directors and endorsed by the Council Liaison Committee.
2. Do not approve the 2010 Annual Budget and Dues Increases proposed by the Palos Verdes Golf Club. This would require the Board of Directors to reformulate the budget for the upcoming year to address any concerns expressed by the City Council.
3. Approve the 2010 Annual Budget and Dues Increases proposed by the Palos Verdes Golf Club subject to specified modifications. These would be as elaborated by the City Council.

Conclusions and Recommendations

It is recommended the City Council.....

1. Approve the 2010 Operating Budget and Capital Improvement Budget proposed by the Palos Verdes Golf Club Board of Directors and endorsed by the Council Liaison Committee; and
2. Approve the dues and green fees increases to take effect on January 1, 2010.

Budget Impact

The PVGC is a non-profit entity whose budget exists apart from the City. It pays an annual 10% concession fee to the City, which the Golf Club is projecting to decrease by 3.48% in 2010 – to approximately \$802,552. We will continue to monitor concession payments and as part of the budget process will incorporate a conservative revenue projection for concession payments in the 2010-11 budget.

Agenda Item #: 7
Meeting Date: 12/08/09

TO: JOSEPH M. HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PLANNING AND PUBLIC WORKS DIRECTOR
**SUBJECT: SETTING OF THE AGENDA FOR THE JOINT CITY
COUNCIL/PLANNING COMMISSION/HOMES ASSOCIATION
MEETING**
DATE: DECEMBER 8, 2009

The Issue

What items should be set for the agenda for the joint City Council/Planning Commission/Homes Association meeting?

Background and Analysis

The City Council holds an annual joint meeting with the Planning Commission and representatives of the Homes Association to discuss items which may be of concern to one of the groups. The outcome of meetings in the past has included the clarification of policies and ordinances, the development of new policies and ordinances, and direction to staff to develop new and revised materials for the public.

The Planning Commission held a workshop on December 1, 2009 and developed the following list of topics that they found worthy of discussion at the upcoming joint meeting to be held on January 20, 2010:

- Review of allowable items to be constructed in the public right of way, including parking pads and sidewalks.
- Discussion of the policy regarding erosion of bluffs adjacent to private properties and allowable methods to protect private property.
- Review of the Single Family Residential Development Guidelines, in particular in regards to changes in the Code since the last revision.
- Discussion of how to approach the proposed development of exceptionally large homes on exceptionally large lots in neighborhoods comprised almost exclusively of much smaller homes/lots.

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- Development of a master plan for allowable locations for the deployment of wireless telecommunication sites.

Another topic which the Council may want to include on the agenda is whether there is a role for an ombudsman or mediator to help resolve neighbor to neighbor conflicts within the Planning processes. This was raised as an issue in the City Council's retreat and is included in the current year's work program.

The Council has the ultimate authority to set the agenda for this meeting and can modify/add to the list of agenda items prepared by the Planning Commission as they see fit. Traditionally we have found that an agenda of around five to six items works best to allow an adequate discussion of each item.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Set the agenda for the joint City Council/Planning Commission/Homes Association meeting.
2. Decline to Act.

Recommendation from Staff

Staff recommends that the Council set the agenda for the joint City Council/Planning Commission/Homes Association meeting.

Staff report prepared by:
Allan Rigg
Planning Department

Agenda Item #: 8
Meeting Date: 12/08/09

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSEPH M. HOEFGEN, CITY MANAGER
SUBJECT: APPOINTMENT OF A CITY COUNCIL SUBCOMMITTEE TO ASSIST WITH
THE CITY'S REQUEST FOR PROPOSALS FOR LEGAL SERVICES

The Issue

Shall the City Council appoint a City Council subcommittee to assist with the City's Request for Proposals for legal services?

Background

This report is a follow-up to the City Council's recent direction to initiate a Request for Proposals (RFP) for legal services provided to the City of Palos Verdes Estates. While work is already underway by City staff to draft the RFP, it would be helpful to have a City Council Subcommittee available as a resource throughout the RFP Process. The subcommittee will be temporary and would consist of two City Council members. As an advisory committee, and because it consists of less than a quorum of the City Council, it is not a legislative body subject to the Ralph M. Brown Act.

From start to finish, the RFP process is estimated to take two to three months. The Council Subcommittee would assist with development of the RFP, review proposals received, and serve as the City Council's representatives throughout this process.

Recommendation

It is recommended that the City Council discuss and appoint two members to serve on a subcommittee to assist with the City's RFP process for legal services.

_Agenda Item #: 9
Meeting Date: 12/08/09

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING AND PUBLIC WORKS DIRECTOR

SUBJECT: AUTHORIZATION TO EXPEND AB939 FUNDS TO SUBSIDIZE PURCHASES OF RESIDENTIAL COMPOSTING BINS

DATE: DECEMBER 8, 2009

The Issue

Should the City Council authorize the expenditure of AB939 funds to subsidize purchases of residential composting bins?

Background and Analysis

California law (AB 939) required all cities and counties to reduce the amount of waste they sent to landfills by 50% by the year 2000. Our City met and surpassed that goal, but we continue to examine means to further reduce our waste.

Composting is an excellent way to use yard and food wastes as a valuable resource. Leaves, grass clippings, food wastes, and other organic materials can be combined and processed to produce compost, a dark, crumbly humus useful as a soil amendment, potting mix supplement, or mulch. In addition to these benefits, composting also helps to reduce millions of pounds of waste sent every year to landfills.

Although composting can simply be performed by piling the waste into a pile and letting nature take its course, the use of a composting bin helps expedite the process. Many cities have found that can help increase the amount of composting units used by purchasing the units and offering them to the residents at a reduced price. In fact our City previously offered free bins to our residents during the 1990s. These bins were given to the City free of charge, and we distributed them upon request.

There seem to be two methods by which cities assist their residents in procuring composting bins. The first is similar to what we did in the 1990s – the city buys the bins and either offers them at minimal or no cost to the residents. The second is a rebate program whereby a city rebates all or a portion of the purchase price of a bin to a resident, which is a method that the

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City of Rancho Palos Verdes utilizes. They rebate up to \$70 of the cost of a bin, which covers a portion as the cost of bins which seems to range from \$80 to \$200.

We would propose to implement a program in Palos Verdes Estates whereby we would purchase the bins and offer them at a discounted price to our residents. There would be a limit of one per residence. We would fund the program using our AB939 funds obtained through our residential refuse contract. The \$0.48 we collect from each residential refuse contract per month is designated for programs to help us comply with AB939, and we have a fund balance of \$131,766 and an annual revenue of around \$28,000. We have historically used these funds for the staff time to comply with our AB939 reporting requirements and to augment our slurry seal program by using recycled rubber.

The City of Rancho Palos Verdes estimates they rebate a portion of the costs for 10-30 bins per year. If we assume that we have some pent up demand for bins, it would be reasonable to assume we may have demand for 50 bins the first year, although this could vary based on the final price for the resident. Our research shows that the better bins that are easier to manage are around \$150. If we were to allow for a \$100 contribution of the AB939 funds to the purchase of each bin, the resident's contribution would be \$50. The total expenditure of AB939 funds would then be \$5,000 per year.

Staff would then promote the bins at composting workshops that occur throughout the South Bay and within the City's newsletter and website. The residents would need to come to City Hall to provide their co-pay and pick up the bin. We could of course deliver the bins as-needed to our residents who need assistance.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Authorize the expenditure of \$5,000 of AB939 funds to subsidize purchases of residential composting bins.
2. Authorize the expenditure of a different amount of AB939 funds to subsidize purchases of residential composting bins.
3. Decline to Act.

Recommendation from Staff

Staff recommends that the Council authorize the expenditure of \$5,000 of AB939 funds to subsidize purchases of residential composting bins.

Staff report prepared by:
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Public Works Department

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