



# MEMORANDUM

Agenda Item: 5  
Meeting Date: December 11, 2012

**TO:** JUDY SMITH, CITY MANAGER

**FROM:** ALEXA D. DAVIS, ASSISTANT TO THE CITY MANAGER

**SUBJECT:** APPROVE THE REQUEST OF THE PALOS VERDES TENNIS FOUNDATION TO EXERCISE THE SINGLE, **TEN-YEAR OPTION TO EXTEND THE CONCESSION AGREEMENT**

**DATE:** DECEMBER 11, 2012

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## ISSUE

Should City Council approve the request of the Palos Verdes Tennis Foundation to exercise the single, ten-year option to extend the Concession Agreement?

## BACKGROUND AND ANALYSIS

The Palos Verdes Tennis Club (PVTC) is formally requesting that the City approve the option to extend the Term of the Concession Agreement expiring on June 30, 2013.

Section Three of the Concession Agreement between the City and the Palos Verdes Tennis Foundation establishes a ten-year term between July 1, 2003 to June 30, 2013. Section Four of the Agreement allows for the Foundation to have the option to extend the term of the Agreement once for a ten-year period. In order to exercise the option to extend, the City shall investigate the performance of the foundation under the Agreement. If the City determines that the Foundation has kept and performed the promises, covenants, conditions and agreements on its part pursuant to the Agreement, the expiration date may be extended to June 30, 2023.

Staff finds that the PVTC is in full compliance of the existing Concession Agreement, including all its promises, covenants, conditions and agreements.

## RECOMMENDATION

It is recommended that City Council approve the request of the Palos Verdes Tennis Foundation to exercise the single, ten-year option to extend the **Concession Agreement for a new expiration date of June 30, 2023.**

### *Attachments:*

*A-Letter from Palos Verdes Tennis Club*



ATTACHMENT: A

# PALOS VERDES TENNIS CLUB

P.O. Box 1012, Palos Verdes Estates, California 90274 • Telephone (310) 373-6326

RECEIVED

DEC - 3 2012

CITY CLERK  
PALOS VERDES ESTATES

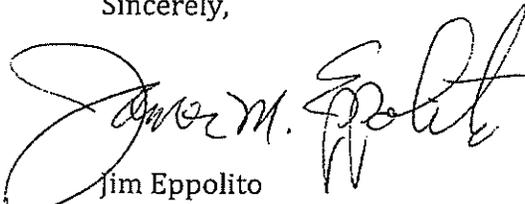
November 30, 2012

Judy Smith  
City Manager  
Palos Verdes Estates, Ca 90274

Dear Judy,

We make reference to the current Concession Agreement dated January 28<sup>th</sup> 2003 between the City of Palos Verdes Estates and the Palos Verdes Tennis Foundation. With reference to Section 3 of the Agreement, the Term of the Agreement expires on June 30<sup>th</sup> 2013. We are requesting the City approve the Option to Extend Agreement as described in Section 4. This option will extend our Agreement for a 10 year period.

Sincerely,

  
Jim Eppolito  
President

December 11, 2012  
7:30 P.M.  
Council Chambers of City Hall  
340 Palos Verdes Dr. West  
Palos Verdes Estates



**ACTION MEMO  
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 shall 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. R12-31  
NEXT ORDINANCE NO. 12-702**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL (7:30 PM)**

**PRESENT:** Mayor Bird, Mayor Pro Tem Goodhart, Council Members Perkins, Humphrey and Rea

**ABSENT:** None

**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. Waive Further Reading

**Recommendation:** After the City Attorney has read the title, waive full reading of ordinances considered on this agenda for introduction on first reading or adoption on second reading.

**Action:** City Council waived full reading of ordinances considered on this agenda for introduction on first reading or adoption on second reading. (5-0)

2. City Council Minutes of November 27, 2012

**Recommendation:** Review and Approve.

**F12-001**

**Action:** Reviewed and approved. (5-0)

3. Monthly Financial Report - November 2012

**Recommendation:** Receive and File.

**F12-004**

**Action:** Received and filed. (5-0)

4. Approve Agreement with Inglewood Citation Management Services (ICMS) for Parking Citation Management Services

**Recommendation:** It is recommended that the City Council approve the agreement with Inglewood Citation Management Services (ICMS) for parking citation

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management services.

F12-098

**Action:** City Council approved the agreement with Inglewood Citation Management Services (ICMS) for parking citation management services. (5-0)

5. Approve the Request of the Palos Verdes Tennis Foundation to Exercise the Single, Ten-Year Option to Extend the Concession Agreement

**Recommendation:** It is recommended that the City Council approve the request of the Palos Verdes Tennis Foundation to exercise the single, ten-year option to extend the Concession Agreement with a resulting expiration date of June 30, 2023.

F12-096

**Action:** City Council approve the request of the Palos Verdes Tennis Foundation to exercise the single, ten-year option to extend the Concession Agreement with a resulting expiration date of June 30, 2023. (4-0, Rea recused)

#### 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.

- Resident Ann Hugh, representing the Malaga Cove Beautification Project, presented Council with a book commemorating the history of Malaga Cove Plaza and restoration project. She thanked Mayor Bird for conducting Saturday Morning with the Mayor on the first Saturday of each month at City Hall.

#### OLD BUSINESS

6. Proposed Speed Feedback Signs for Installation on Via Del Monte and Other Locations in the City

**Recommendation:** It is recommended that the City Council consider the purchase of two (2) Fortel VCalm 12E devices at a cost of approximately \$8,000.

F12-070

**Action:** City Council approved the purchase of two (2) Fortel VCalm 12E devices at a cost of approximately \$8,000. (5-0)

## NEW BUSINESS

7. Review and Approval of the Palos Verdes Golf Club FY 2013 Operating and Capital Budgets

**Recommendation:** It is recommended that the City Council approve the FY 2013 Palos Verdes Golf Club operating budget, which includes a 9.5% increase in resident monthly dues and approve the 2013 capital budget.

F12-099

**Action:** City Council approved the FY 2013 Palos Verdes Golf Club operating budget, which includes a 9.5% increase in resident monthly dues and approve the 2013 capital budget. (4-0, Bird recused)

## STAFF REPORTS

8. City Manager's Report

- City Manager Smith confirmed adjournment to December 18, 2012 at 8am in Council Chambers of City Hall for the purpose of an Adjourned Meeting for Council to consider appointment of qualified nominees and cancellation of the March 2013 General Municipal Election.

## DEMANDS

9. Demands of December 11, 2012

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

F12-005

**Action:** City Council approved payment of Motions #1 and #2. (5-0)

- a. Motion #1 - Payroll Warrant of December 7, 2012
- b. Motion #2 - Warrant Register of December 11, 2012

## MAYOR & CITY COUNCILMEMBERS' REPORTS

- Councilmember Rea reported on his appointment as Chair of the California Joint Powers Authority Claims Committee and the Authority's review of earth movement and ADA claims coverage.
- Councilmember Humphrey reported on her attendance at holiday receptions held by Rolling Hills Estates, Rolling Hills and Rancho Palos Verdes and a photo op with principals and ASB presidents of the area high schools indicating a spirit of cooperation between the schools.
- Councilmember Perkins reported she and MPT Goodhart attended the

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swearing-in of COG committees at the board meeting of December 10<sup>th</sup>. LA Metro Project Manager Stephanie Wiggins will speak at the January 24th COG Board meeting to provide update report on Metro Express Lanes program.

- MPT Goodhart reported on his attendance at the L.A. Division Meeting of League of California Cities and City Selection Committee on December 6<sup>th</sup>, where nominations for a seat on the Coastal Commission were considered.
- Mayor Bird thanked Chief Eberhard for his participation in Street Smarts 101 program held at PV High on Tuesday, December 4<sup>th</sup>, which was chaired by the Mayor. He thanked City Engineer Allan Rigg for his body of work for the City.

**ADJOURNMENT TO WEDNESDAY, JANUARY 9, 2013, IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF A REGULAR MEETING.**

- Mayor Bird adjourned the meeting to December 18, 2012 at 8am in Council Chambers of City Hall for the purpose of an Adjourned Meeting.
- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, December 12, 2012 at 7:30 p.m., and Wednesday, December 19, 2012, at 7:30 p.m.*