

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

October 11, 2011

A regular meeting of the City Council of the City of Palos Verdes Estates was called to order this day at 6:30 p.m. in the Council Chambers of City Hall by Mayor Rea.

Council Members Goodhart, Humphrey, Perkins and Mayor Pro Tem Bird were also present.

ALSO PRESENT: City Manager Smith, City Attorney Hogin, Assistant to City Manager Davis, and Associate Planner Kinsella

STUDY SESSION (6:30 p.m. – 7:30 p.m.)

- **REPORT ON PALOS VERDES ESTATES MUNICIPAL AND COMMUNITY GREENHOUSE GAS EMISSIONS INVENTORIES**

Assistant to City Manager Alexa Davis and Associate Planner Stacey Kinsella updated Council on the Municipal Inventory (emissions), presented key highlights and findings of the Community Inventory, and reported on the progress of staff's climate action planning.

Mayor Rea called a brief recess at 7:25 p.m. and reconvened the meeting at 7:35 p.m., which was followed by the Pledge of Allegiance.

ROLL CALL: Council Members Goodhart, Perkins, Humphrey, Mayor Pro Tem Bird, and Mayor Rea

ALSO PRESENT: Police Chief Dreiling, Public Works Director Rigg, City Treasurer Sherwood, Assistant to City Manager Davis, Executive Asst./Deputy City Clerk Kroneberger, Attorney Scott Tiedemann

CEREMONIAL MATTERS

- **Swearing-In of Police Officer James O'Connor (Chief Dreiling)**

Chief Dreiling swore in Police Officer James O'Connor. Officer O'Connor holds a bachelor's degree, was employed previously in the music and film industry, tested motorcycles, and later pursued his interest in public service. He finished first in his class at the Los Angeles County Sheriff's Academy. Upon Chief Dreiling administering the oath of service, Officer O'Connor's wife, Diana, and baby daughter, Shannon, pinned on his badge.

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MAYOR'S REPORT – Matters of Community Interest

Mayor Rea reported on the progress of the Council subcommittee, comprised of the Mayor and Mayor Pro Tem Bird, on the Organizational Analysis project. First, an administrative staff reorganization was completed as recommended by City Manager Smith, resulting in 1.5 fewer positions in the City government and saving ~\$167,000 annually. He stated that the project includes retention of an outside consultant to re-examine the ownership and use of the City-owned Bluff Cove homes, including their marketability and valuation. An in-house survey of planning, permit and building fees of neighboring cities will be conducted, followed by a peer review process to assure transparency. Possible review of the planning services contract will be considered to reflect the City's ongoing reexamination of all its relationships to see where we can do better for our citizens.

Mayor Rea announced PVE-CARES Annual Senior Awareness/Health Fair will take place on Friday, October 21, from 10am to 1pm at the Neighborhood Church. Free flu shots for seniors, medical screenings, collection of expired and unused medications, and a secure paper-shredding service are offered.

Mayor Rea reported the City will be hosting a series of events featuring the 6 disaster preparedness districts, providing residents the opportunity to purchase emergency water and supplies in partnership with Sparkletts Water Company. The first event will be Saturday, November 5, from 10am to noon at the Malaga Cove School parking lot. He acknowledged MPT Bird for suggesting this type of event.

Mayor Rea announced that Planning Director Rigg, staff, and a PVHA representative will hold an informational forum on Thursday, November 17th at 7pm in the Council Chambers of City Hall. A brief presentation will be followed by a Q&A; open to all residents, contractors, and architects.

Mayor Rea spoke of the recent passing of Joan Cox, a contract engineer who served our City in various capacities for 21 years. She was integral in the success of the special parcel tax for fire and paramedic services and the sewer user fee, both of which were critical to the City's financial stability.

City Attorney Hogin stated that Alexa Davis has been assigned the administrative task on staff level to work with her on the Bluff Cove homes analysis to assure no conflict of interest occurs. Mayor Rea added this is an ethical screen between this project and members of the staff who are currently licensed to reside in those homes.

CONSENT AGENDA

It was moved by Councilmember Goodhart, seconded by Mayor Pro Tem (MPT) Bird, and unanimously approved that the following Consent Agenda items be approved:

- CITY COUNCIL MINUTES OF SEPTEMBER 27, 2011

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- TREASURER'S MONTHLY REPORT – SEPTEMBER 2011
- ADOPTION OF ORDINANCE 11-699; AMENDING CHAPTER 2.36 OF TITLE 2 OF THE PALOS VERDES ESTATES MUNICIPAL CODE

COMMUNICATIONS FROM THE PUBLIC – No one came forward to speak.

OLD BUSINESS

- RESOLUTION R11-33, APPROVING THE PERSONNEL RULES FOR THE CITY OF PALOS VERDES ESTATES

City Manager Smith said a major project focus this year is to look at all policies and procedures to make sure we are operating under best practices and under current legal requirements. The proposed comprehensive personnel rules are an important part of the work program.

Asst. to City Manager Davis reported Civil Service Rules and Regulations were first established and approved by City Council in 1951 and have since remained unmodified. When adopted, they were only applicable to Police and Streets & Parks personnel hired before 1990, and do not reference regulations and laws now in effect, both on the state and federal levels. Shortcomings identified include the existing relationship with the L.A. County Civil Service Commission, who will only review disciplinary and termination appeals. The role of the City Council relative to day-to-day personnel management has also changed. Staff worked with the City's labor law attorney to develop a comprehensive set of personnel rules applicable to all employees and identified issues. The City's current practices and procedures; established administrative directives; department policy handbooks; labor agreements; current state and federal regulations; and clear delineation of rules and responsibilities of key staff members, department heads, supervisors, the City Manager and Council are included within the new rules.

The rules were revised to reflect Council review and comments culminating in presentation and meet-and-confer processes to both employee bargaining units (PVPOA and PSE), which concluded in August 2011. The City Manager and Police Chief were apprised of any modifications and the final proposed rules were presented to the PVPOA on August 29 and the PSE on September 1, 2011. Upon Council approval, the rules, applicable to all regular full and part-time employees, which must be adopted by resolution, will be distributed to all employees and will become part of the new employee orientation packet.

Councilmember Humphrey said she appreciated the opportunity to review the rules at great length; the end result is a good product.

Councilmember Goodhart said the rules were vetted thoroughly; he complimented all who participated in the process.

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MPT Bird said it was well the time it took to review the rules thoroughly, and thanked everyone involved in this collaborative effort. Council member Perkins concurred; it was an excellent process.

Mayor Rea said he was pleased they worked their way through this herculean task and was pleased with the result.

On motion of Councilmember Humphrey, seconded by Councilmember Goodhart, City Council adopted Resolution R11-33 approving the Personnel Rules for the City as they apply to all regular full and regular part-time employees by unanimous oral vote.

NEW BUSINESS

- **LETTER TO LOS ANGELES COUNTY BOARD OF SUPERVISORS REGARDING CONCERNS WITH THE PROPOSED COUNTY WATER QUALITY PARCEL FEE**

Public Works Director Rigg reported that the Los Angeles County Flood Control District has proposed a County-wide parcel related fee to enhance water quality and reduce pollution in stormwater and urban runoff. This new fee, which is subject to voter approval via the Proposition 218 process, is intended to create a stable and annual revenue source for the County and municipalities in the District to fund multi-benefit water quality projects and programs. Staff as well as other Cities believe this has structural flaws and may have unintended consequences on our City. A fee would be collected, distributed (10% to the County, 40% to municipalities, and 50% on a watershed basis) to implement water quality programs. The City is within 2 different watersheds – Santa Monica Bay and Dominguez Channel. The County estimates that the average fee per parcel in Los Angeles County is \$54; \$66 for Palos Verdes Estates parcels.

Director Rigg agreed consideration should be given to the additional funds required to comply with the growing body of regulations, but there are technical concerns with the County's draft ordinance. He identified four main concerns with the ordinance--Watershed Area Groups are too large and they would not be able to implement programs effectively; the needs are too disparate, and we don't want to fund other cities projects. District staff explained that the fee amount was based on voter polls to determine how much of a fee might be approved, and not based on needs. He said we fear that if the fee were to truly match the stormwater quality mandates, the fee would be tremendously higher. The methodology for calculating the fee is based on the impervious area per parcel within the County and there is no protest or adjustment procedure to allow cities to address this by providing local data.

Director Rigg concluded that a letter expressing the City's concerns with the County Flood Control District's proposed water quality parcel fee to Los Angeles County Supervisor Don Knabe is suggested.

Councilmember Goodhart confirmed with Director Rigg that the peninsula, as a whole, could not be considered a watershed in and of itself.

Councilmember Perkins said an earlier version of this fee type had been tracked a couple years ago that had less local return; subsequent negotiations increased the local return which helped push it through the legislature.

MPT Bird asked how projects were previously paid for which were designed to enhance water quality and reduce pollution and stormwater urban runoff. Director Rigg responded they were paid for through the general fund. MPT Bird asked what prohibits this to be continued. Director Rigg said the County doesn't have the money, noting that the County has partly paid for these projects, but to a large extent all the stormwater costs have been paid for by the local cities. The County says this will provide the ability to use general fund monies for other purposes. MPT Bird confirmed that this would be another tax on our residents.

City Manager Smith said some cities have enacted fees and parcel taxes to specifically address water quality issues; this fee would be over and above what some cities already have in place.

Director Rigg said we don't have stormwater quality issues in this area; all of our beaches have been in compliance with TMDL for bacteria in Santa Monica Bay. We don't have big projects we want to fund with this fee, which is also an issue. Our biggest expense next year would be ~\$10,000 for catchbasin inserts.

Councilmember Humphrey said we are being included with other groups; our residents would be paying for projects that have no direct impact.

Mayor Rea confirmed with City Manager Smith that funds generated from this fee will likely go into a special account because it is for a restricted purpose.

On motion of Councilmember Humphrey, seconded by Councilmember Perkins, staff was directed to send a letter to the Los Angeles County Board of Supervisors expressing concerns with the proposed language within the proposed water quality parcel fee by unanimous oral vote.

STAFF REPORTS

City Manager Smith confirmed rescheduling the next phase of the Municipal Code Review (Titles 13-19) to November 8th at 5:00 pm in Council Chambers with Council's concurrence.

DEMANDS

It was moved by Councilmember Goodhart and seconded by MPT Bird that the demands, as approved by a majority of the City Council, totaling \$213,399.83 be allowed and it was unanimously approved.

It was moved by Councilmember Goodhart and seconded by MPT Bird that the demands, as approved by a majority of the City Council, No. 520333H to 520336H, 520337 to 520409 totaling \$370,877.97 be allowed and it was unanimously approved.

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MAYOR & CITY COUNCILMEMBERS' REPORTS

Councilmember Goodhart reported on his attendance and League actions at the League of California Cities Conference September 23-25 in San Francisco; pension reform, CEQA/Greenhouse gas emissions, and volunteerism were some key topics discussed. Six resolutions were passed, including one on government transparency, and voter public awareness.

Mayor Pro Tem Bird announced tours of the San Jose Creek Water Reclamation Plant and Puente Hills Landfill will occur on Saturday, October 22, beginning at the L.A. County Sanitation District administrative offices in Whittier; for details visit www.lacsd.org/cals.

Councilmember Humphrey reported that she, Councilmember Goodhart, and City Manager Smith attended the League of California Cities Division meeting and presentation Thursday, October 6th in Monterey Park. Featured speaker Deborah Davenport, Director of Community Health Services, County Dept. of Public Health, discussed partnerships with L.A. cities.

ADJOURNMENT

There being no further business before Council, Mayor Rea adjourned this evening's meeting at 8:20 p.m. to Tuesday, October 25, 2011 at 7:30 p.m. in the City Council Chambers of City Hall for the purpose of Regular Meeting.

RESPECTFULLY SUBMITTED:

**VICKIE KRONEBERGER,
EXECUTIVE ASSISTANT/DEPUTY CITY CLERK**

APPROVED:

WILLIAM JOHN REA, MAYOR

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