

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING OF
NOVEMBER 20, 2007**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 20th day of November, 2007 the hour of 6:34 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

PLEDGE TO FLAG

Although Police Chief Rod Uyeda was scheduled to lead the pledge of allegiance, Mayor Aldinger asked Christian Maurino, Daniel Ramos and Sebastian Maurino from Boy Scout Troop 773 to lead the pledge of allegiance. The scouts were in the audience attending the City Council meeting as a requirement for one of their badges.

ROLL CALL

Present: Cohen, Ward, Tell, Montgomery and Mayor Aldinger.
Absent: None.
Clerk: Tamura.

CEREMONIAL CALENDAR

None.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 1 through 15), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Mayor Pro Tem Montgomery, seconded by Councilmember Tell and passed by unanimous roll call vote with the exception of Item Nos. 7 and 14 which were considered later in the meeting under "*Items Removed from the Consent Calendar.*"

Ayes: Cohen, Ward, Tell, Montgomery and Mayor Aldinger.
Noes: None.
Absent: None.
Abstain: None.

GENERAL CONSENT

07/1120.1 Approve Minutes of the City Council Regular Meeting of November 6, 2007

The Council continued the subject minutes to the City Council Meeting of December 4, 2007.

07/1120.2 This Space Intentionally Left Blank

07/1120.3 Consideration of Resolution in Support of Tom Bradley Postage Stamp

The Council adopted Resolution No. 6116.

RESOLUTION NO. 6116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, IN SUPPORT OF ISSUING A POSTAL STAMP IN HONOR OF TOM BRADLEY

07/1120.4 Consideration of Financial Report: Ratification of Demands - November 15, 2007

The Council approved with no exception Warrant Register No. 11B in the amount of \$2,398,917.35 in payment of ratification of demands and claims as prepared by the Director of Finance, together with the original demands and claims as prepared by said Warrant Register.

07/1120.5 Consideration of Ratification of Motor Fuel Purchase from Falcon Fuels in the Amount of \$20,461.62

The Council approved the purchase of fuel from Falcon Fuels in the amount of \$20,461.62

07/1120.6 Consideration of Ratification of Water Distribution Pump Expenses From Layne Christensen Company in the Amount of \$42,175

The Council approved to ratify the purchase and installation of a vertical pump shaft located at Well 11A from Layne Christensen Company in the amount of \$42,175.

07/1120.7 Consideration of the Donation of Eight Used Shotguns to the San Diego Community College Police Department

Item No. 7 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

07/1120.8 Approve a Request from the Chamber of Commerce to Cover Parking Meters From Saturday, December 1, 2007 Through Monday, December 24, 2007, Excluding the Pier and El Porto Parking Lots

The Council approved the request from the Chamber of Commerce to cover all off-street parking meters excluding the Pier and El Porto parking lots.

07/1120.9 Disbursement of Final Payment in the Net Amount of \$29,828.57 to Newtech Engineering and Construction, Inc.; Change Order No. 1 in the Amount of \$3,342.85; Formally Accept the Herrin Street Repair Project as Complete; and Authorize Filing of the Appropriate Notice of Completion

The Council approved the issuance of the subject progress final payment and Change Order No. 1; formally accepted the Herrin Street Repair Project as complete; and authorized the filing of the appropriate Notice of Completion.

07/1120.10 Pavement Management Program Data Update and Award of Professional Services Contract (\$24,987.50) to Stantec Consulting, Inc

The Council approved the award of a professional services contract to Stantec Consulting Inc in the amount of \$24,987.50.

BOARDS AND COMMISSIONS

Cultural Arts Commission

07/1120.11 Consideration of Draft Minutes, Cultural Arts Commission Meeting of October 9, 2007

The Council received and filed the subject draft minutes.

Parking & Public Improvements Commission

07/1120.12 Consideration of Action Minutes, Parking & Public Improvements Commission Meeting of October 25, 2007

The Council received and filed the subject action minutes.

Planning Commission

07/1120.13 Consideration of Action Minutes, Planning Commission Meeting of November 14, 2007

The Council received and filed the subject action minutes.

07/1120.14 Uphold the Planning Commission Denial of a Coastal Development Permit for Extended Concrete Pads on the Beach/Bike Path Between 27th Street and 28th Street

Item No. 14 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

07/1120.15 Uphold the Decision of the Planning Commission Approving an Appeal for a Driveway Vehicular Turntable for a Proposed New Duplex Development at 729 Manhattan Beach Boulevard.

The Council received and filed the Planning Commission's approval of the subject appeal for 729 Manhattan Beach Boulevard.

COMMUNITY ANNOUNCEMENTS

07/1120.18 Los Angeles County Librarian Re Library Events

Los Angeles County Librarian Don Gould announced several upcoming events for the Manhattan Beach library, including: the Kid's Book Club, the Generation Text Book Club, Pajamarama, holiday music with Craig Newton, local author and actress Jane West and the showing of *Miracle on 34th Street*. He also encouraged the public to take advantage of the library's high speed Wi-Fi.

07/1120.19 Mayor Pro Tem Montgomery Re Pier Lighting Ceremony

Mayor Pro Tem Montgomery announced that the 18th Annual Pier Lighting event will take place on Saturday, December 1, 2007 from 4:30 p.m. to 6:30 p.m.

07/1120.20 Mayor Aldinger Re Manhattan Village Mall Santa Parade

Mayor Aldinger added that prior to the Pier Lighting there will be a parade at the Manhattan Village Mall whereby the children have an opportunity to march through the parking lot and mall to meet with Santa.

07/1120.21 Councilmember Tell Re Thanksgiving

Councilmember Tell wished everyone a Happy Thanksgiving.

07/1120.22 Councilmember Ward Re New Lighting

Councilmember Ward pointed out the new holiday lighting around the city facilities and the holiday banners along Sepulveda Boulevard.

07/1120.23 Mayor Pro Tem Montgomery & Councilmember Tell Re the Downtown Area

Councilmember Tell announced that the parking meters will be “bagged” during the month of December and therefore, Mayor Pro Tem Montgomery reminded the public to “Buy Manhattan”.

07/1120.24 Mayor Aldinger Re Fireworks

Mayor Aldinger also reminded everyone about the Holiday Fireworks which will take place on December 16, 2007 at the Pier.

GENERAL BUSINESS

07/1120.16 North End Business Improvement District (BID) Improvements Update

Public Works Director Jim Arndt gave a brief introduction and history of the North End Business Improvement District (BID) explaining that it was initially introduced in 1969 to address parking improvement; but, in 2004 the Council agreed to allow the North End BID to use the funds for other items to promote their businesses. Public Works Director Arndt revealed that the North End BID is here this evening to ask for Council’s support and direction for some initial plans for the area.

Dr. Muriel Savikas, Chairman of the North End BID, addressed Council about how they might use the funds accumulated over the years and available to them, approximately \$400,000. She explained that the North End BID is interested in establishing some form of “branding” for the area between 45th and 32nd Streets that establishes them as a community business district. She reported that they have formed an advisory committee comprised of business owners and one resident and have met with the various business owners on several occasions and residents in the area on one occasion. She further reported that their initial proposal is comprised of two phases: Phase 1 - Council’s approval on the name which the committee has agreed upon, “North Manhattan” as well as approve the prototype of the sign which they would like to hang on some or all of the 20 street posts; and Phase 2 – Council’s approval for the design of sidewalks, crosswalks and landscaping which will help spruce up the area. **Dr. Savikas** concluded by stating that their goal would be to work with the County and Public Works Department at the same time that Highland Avenue is resurfaced in hopes of keeping the project as cost efficient as possible.

Marie Garvey, North End BID Advisory Committee shared additional information and spoke of the importance that the north end plays to the City. She pointed out that a number of new businesses in the area are excited about the improvements and have put a lot of money into upgrading their building exteriors. She added that the committee would like to see improvements to the area, both visual and pedestrian, thereby marking the area as a significant business district and encouraging people to walk around. She stated that the North End would like to start by spending approximately \$20,000 for the signage; follow-up with the remaining upgrades using the balance of funds; and once those funds are depleted, they are hopeful that Council will agree to include the North End in the Capital Improvement Plan (CIP) budget for the City. **Ms. Garvey** conveyed that after the signs have been approved, the Advisory Committee will return to Council with a plan for landscape and crosswalks.

City Manager Geoff Dolan explained that Highland Avenue is scheduled for resurfacing and it would work well to implement the new crosswalks at the same time.

Council held further discussions with **Dr. Savikas** and **Ms. Garvey** regarding their proposal as well as the signage issue. In response to Council comments regarding signage, Utilities Manager Juan Price summarized the placement of the signs, the number of signs to be purchased and the installation process. **Dr. Savikas and Ms. Garvey** also stated that they would like to have the signs in place within 90 days.

Finance Director Bruce Moe responded to Council's question on how the funds are appropriated among the business owners - 80% surcharge of the license fee up to \$500 per business is committed to the North End BID.

The following individual spoke on this item:

- **Ron Baker, General Manager & Co-owner of Bora Bora Restaurant**

Council congratulated the North End BID Advisory Committee on a job well done and expressed their support for moving forward on the project. The only request of Council consensus was to provide a map indicating the proposed signage locations.

City Manager Dolan clarified that this matter will be placed on a future agenda and that staff will provide a map indicating the proposed signage locations.

MOTION: Councilmember Ward moved to receive & file the updates on improvements as presented by the North End Business Improvement District and approve moving forward with the improvements. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

Ayes: Cohen, Ward, Tell, Montgomery and Mayor Aldinger.
Noes: None.
Abstain: None.
Absent: None.

07/1120.17 Presentation of City Council's Work Plan Item Regarding Current Environmentally Friendly Practices Used by the City of Manhattan Beach as well as Environmental "Best Practices" and Alternatives to Enhance Public Participation In Order to Create a Sustainable Future for the Community

City Manager Geoff Dolan provided a brief summary of the conception of the "Green Team" complimenting the team leader, Police Chief Rod Uyeda for such a fine job and acknowledged the contributions of each of the team members; Public Works Director Jim Arndt; Community Development Director Richard Thompson; Finance Director Bruce Moe and Assistant to the City Manager Lindy Coe-Juell. He also recognized Julie Dahlgren and Stephanie Katsouleas as key members of the team. He introduced Police Chief Uyeda to present an overview of the report and also emphasized the need for Council to follow up with a Study Session and provide direction on prioritizing the findings of the Green Team. City Manager Dolan also briefly reviewed the rating system that was used to determine priorities on cost and feasibility.

Police Chief Uyeda provided background information beginning with the City's decision to endorse the Climate Protection Agreement also known as the Kyoto Protocol in January 2007. He stated that there are three things the City needs to acknowledge in order to adopt the Kyoto Protocol; that global warming is impacting the climate globally and could dramatically increase the water level in our oceans creating catastrophic events; that citizens should urge the Federal Government to ratify the Kyoto Protocol; and lastly, that the City of Manhattan Beach should strive to reduce global warming pollution to 7% below our 1990 level by the year 2012. He applauded the "Green Team" on the compilation of the Green Report, explained that this report will identify opportunities for resident involvement and that the ultimate success of environmental initiatives in Manhattan Beach will depend on the support of the community. He commented that as Council moves forward and sets priorities for new and enhanced environmental programs the City will continue to look for opportunities to be the best possible stewards of our environment.

Council concurred to hold a work Study Session to take place January 22, 2008, and stated that more information regarding this matter will be posted in the future.

Public Works Director Arndt spoke at length on energy use, solid waste, recycling, water conservation, storm water management, urban forests and beaches.

Community Development Director Thompson spoke on environmental friendly programs that the City currently has regarding sustainable developments both public and private as well as alternative parking and transportation. He also spoke about proven best practices that the City could adopt in the future and relayed information on the importance of preserving the City's tree canopy.

Finance Director Moe launched into Procurement and Technology. He shared the fact that, on an informal basis, the City looks into purchasing used products when possible and also follows environment friendly measures in disposing of items that have come to the end of their serviceable lives. He continued explaining about alternative pricing, procuring of environmental products and the importance of the City continuing to be flexible in product purchases.

Assistant to the City Manager Coe-Juell spoke about community involvement and how vital it is for both the resident and business communities to support the environmental guidelines that will be implemented in the future to ensure the program's success. She stated that the success of environmental changes that the City may choose to adopt will require *change* and that the Green Team would like to see some type of leadership group created. She further reported that the City form a new commission that could recommend, guide and define actions for Council to act upon and the residents could participate in.

Police Chief Uyeda summarized the Green Teams recommendations that they schedule future study sessions to discuss priorities, cost and impact of new policies that might be implemented. He emphasized that the report was extremely comprehensive; that the committee recommends a dedicated full time employee as an environmental administrator; that Council should determine what type of community involvement they foresee; and to remind Council that they have made a commitment via the Kyoto Protocol to lower emissions by 2012. He summed up by stating that he was proud to be a part of the team and looked forward to direction from Council.

City Manager Dolan presented “Green Team” shirts to City Council.

The Mayor complimented the Green Team on an excellent proposal.

RECESS AND RECONVENE

At 9:05 p.m., the Council recessed and reconvened at 9:20 p.m. with all Councilmembers present. Following the break, a lengthy discussion took place between Council, the City Manager and the members of the Green Team addressing a variety of issues such as prioritizing items, community involvement, other cities best practices, cost analysis, long term plans, the possibility of creating a full time position to facilitate environmental concerns and tying the goals set by the committee to decrease emission levels by the year 2012 to the City’s Bicentennial.

The following individuals spoke on this item:

- **Chris Kimble, Manhattan Beach**
- **Gerry O’Connor, No Address Provided**

Councilmember Tell began by again complimenting staff on a great presentation and led the audience in applauding their efforts.

Mayor Pro Tem Montgomery echoed Councilmember Tells comments and stated that we had a lot of work ahead of us.

Mayor Aldinger expressed that he thought this was a great start and would like for Council to calendar a work session for January 22, 2008.

Councilmember Cohen shared that this was a personal issue for her and stated that staff far exceeded her expectations. She expressed that she would like to encourage change first and that legislation will be a part of the future.

City Manager Dolan asked for more specific guidelines from Council as to what they want staff to bring to the Study Session in January. His request was followed by a lengthy discussion among Council regarding the resources needed and how to formulate and implement the plan and what the priority will be for the initial Study Session.

Council provided direction to the City Manager citing the following items as priority; storm water, emissions, and building guidelines.

ITEMS REMOVED FROM THE CONSENT CALENDAR

07/1120.7 *Consideration of the Donation of Eight Used Shotguns to the San Diego Community College Police Department*

Council Member Ward pulled this item from the Consent Calendar for Council discussion.

The following individual spoke on this item:

- **Susanne Bailey, Property Owner, 133 13th Street**

Police Captain Dale Reissig addressed Councilmember Ward's concerns about the disposition of the used shotguns to the San Diego Community College Police once they reached the end of their useful lives. Captain Reissig stated that the shotguns would be transferred into the name of the San Diego Community College Police thus relieving the City of any liability.

There was a brief discussion among Council and Captain Reissig regarding the inclusion of a deadline for destruction of these shotguns by a certain date with the transfer of ownership. City Attorney Wadden declared that they could add this condition to the legal transfer of the shotguns that they be destroyed by the San Diego Community College Police Department by a certain date.

MOTION: Mayor Aldinger moved to approve the amendments to the legal transfer of the shotguns to the San Diego Community College Police Department. The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote:

Ayes: Montgomery, Ward, Cohen, Tell, and Mayor Aldinger.
Noes: None.
Abstain: None.
Absent: None.

07/1120.14 *Uphold the Planning Commission Denial of a Coastal Development Permit for Extended Concrete Pads on the Beach/Bike Path Between 27th Street and 28th Street*

A member of the audience pulled this item from the Consent Calendar for Council discussion.

The following individual spoke on this item:

- **Yuri Gurvich, No Address Provided**

In response to **Mr. Gurvich's** concerns regarding the burden the extended concrete pads between 27th Street and 28th Street may have on bikers, City Manager Dolan explained that the concrete pad was constructed larger than the permit allowed; that the Planning Commission was addressing the issue; and that it was to be reduced in size therefore having no direct impact on the bike path.

Representatives from the County (no names given), who were in the audience, concurred with the summary provided by City Manager Dolan.

MOTION: Councilmember Ward moved to receive & file the decision of the Planning Commission. The motion was seconded by Mayor Pro Tem Montgomery and passed by the following unanimous roll call vote:

Ayes: Cohen, Ward, Tell, Montgomery and Mayor Aldinger.
Noes: None.
Abstain: None.
Absent: None.

AUDIENCE PARTICIPATION

None.

CITY MANAGER REPORT(S)

07/1120.25 City Manager Re Holiday

City Manager Dolan wished everyone a nice Thanksgiving.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

07/1120.26 Mayor Pro Tem Montgomery Re Federal Court Appeal

Mayor Pro Tem Montgomery communicated his concern over the federal court appeal by automakers wanting to repeal California's tailpipe emissions standards.

07/1120.27 Mayor Pro Tem Montgomery Re National League of Cities Conference

Mayor Pro Tem Montgomery provided a summary of the conference that he attended with Mayor Aldinger, Councilmember Cohen and Councilmember Ward, and shared ideas that the Council learned and saw at the conference in New Orleans.

07/1120.28 Councilmember Ward Re Building of New Playground

Councilmember Ward showed his "Concrete Master" button and explained that he was part of a group who worked along with Ka Boom and Playful Cities USA to rebuild a new playground in the eastern portion of New Orleans struck by Hurricane Katrina.

07/1120.29 Mayor Aldinger Re Conference

Mayor Aldinger stated that it was a great conference and that he is always amazed at the diversity throughout our nation and the many things all of these cities are involved in.

07/1120.30 Mayor Pro Tem Montgomery Re Federal Court Appeal

Mayor Pro Tem Montgomery added that he wished to congratulate the National League of Cities for choosing to host the conference in New Orleans.

ADJOURNMENT

At 11:40 p.m., the meeting was adjourned to the 5:30 p.m. Adjourned Regular Meeting to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, December 4, 2007, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Patricia Schilling
Recording Secretary

Jim Aldinger
Mayor

ATTEST:

Liza Tamura
City Clerk