

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
APRIL 15, 2008**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 15th day of April, 2008, at the hour of 6:36 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

PLEDGE TO FLAG

Police Chief Rod Uyeda led the pledge of allegiance.

ROLL CALL

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

CEREMONIAL CALENDAR

THE FOLLOWING ITEM WAS TAKEN OUT OF ORDER

04/15/08-2. Recognition of Past and Present Sponsors of the Manhattan Beach Youth Recognition Awards

Mayor Aldinger presented a certificate of appreciation to each of the sponsors who have contributed to the Manhattan Beach Youth Recognition Award over the past three years.

04/15/08-1. Presentation of Manhattan Beach Youth Recognition Award

Matthew Lebow, a senior at Mira Costa High School and Dayci Espinosa of John C. Fremont High School were awarded the 2007-2008 Manhattan Beach Youth Recognition Award.

Mayor Aldinger along with Councilmember Ward presented each of the recipients with a certificate and a check for \$3,850.

04/15/08-3. Recognition of the Facility Strategic Plan Committee Members for Their Contributions

Mayor Aldinger presented a certificate of appreciation to each of the members of the **Facilities Strategic Plan Committee** along with a plaque to the project consultants, **Steve Johnson and Jim Favaro of MDA Johnson Favaro.**

04/15/08-4. Presentation of a Proclamation Declaring April 13 – 19, 2008 as National Library Week

Mayor Aldinger read the proclamation declaring the week of April 13 – 19, 2008 as National Library Week and presented **Los Angeles County Librarian, Don Gould,** with the proclamation.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 5 through 19), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Ward, seconded by Mayor Pro Tem Montgomery and passed by unanimous roll call vote with the exception of Item No. 17 which was continued to the May 6, 2008 City Council Meeting.

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

GENERAL CONSENT

04/15/08-5. Approve Minutes of the City Council Regular Meeting of March 18, 2008 (Continued From the April 1, 2008 City Council Meeting)

The Council approved the subject minutes.

04/15/08-6. Approve Minutes of the City Council Special Work Plan Meeting of March 21, 2008

The Council approved the subject minutes.

04/15/08-7. Approve Minutes of the City Council Regular Meeting of April 1, 2008

The Council approved the subject minutes.

04/15/08-8. Consideration of the State Budget and Legislative Update

The Council received and filed the April 2008 Budget and Legislative Update from Tony Rice, the City's legislative advocate.

04/15/08-9. Consideration of Financial Report: Ratification of Demands - April 3, 2008

The Council approved with no exception Warrant Register No. 21B in the amount of \$2,418,942.55 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.

04/15/08-10. Consideration of Ratification of Motor Fuel Purchase from Southern Counties Oil Company in the Amount of \$24,990.64

The Council approved the purchase of motor fuel from Southern Counties Oil Company in the amount of \$24,990.64.

04/15/08-11. Consideration of a Resolution Setting a City Council Policy to Return Forfeited Employee Retirement Health Savings Account Contributions to an Employee's Beneficiaries

The Council adopted Resolution No. 6131.

RESOLUTION NO. 6131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ESTABLISHING A POLICY TO DISBURSE FORFEITED EMPLOYEE RETIREMENT HEALTH SAVINGS (RHS) FUNDS TO BENEFICIARIES

04/15/08-12. Donation of Two Surplus Vehicles to the Community Emergency Response Team (CERT)

The Council approved the donation of two surplus vehicles to the Community Emergency Response Team (CERT).

04/15/08-13. Award a Contract in the Net Amount of \$70,000 for the 13th Street and Morningside Drive Crosswalk Installation Project to Shaw & Sons; and Authorize Supplemental Appropriation of \$70,000 from Gas Tax Reserves

The Council approved an award of contract in the net amount of \$70,000 for the 13th Street and Morningside Drive Crosswalk Installation Project to Shaw & Sons and appropriated \$70,000 from Gas Tax Reserves.

04/15/08-14. Rejection of Bids for the City Yard Bulk Material Storage Area Cover Project and Authorize Re-Advertisement for Bids

The Council approved rejecting all bids received on April 2, 2008 for the City Yard Bulk Material Storage Area Cover Project and approved authorizing staff to re-advertise the project with a modified project scope.

04/15/08-15. Award of Contract (\$71,675) for the Peck Reservoir Rehabilitation Project to A. J. Fistes Corporation

The Council approved an award of contract in the net amount of \$71,675 for the Peck Reservoir Rehabilitation Project to A.J. Fistes Corporation and approved awarding DGA's existing contract for an additional \$10,000 to provide specialized inspection services during construction.

04/15/08-16. Award a Contract (\$429,463.20) Section 3 and 4 Concrete Repair Project (Those Areas Bounded by Marine on the North, Artesia on the South, Sepulveda on the West and Aviation on the East) to Sully-Miller Contracting Company

The Council approved an award of contract for the Section 3 and 4 Concrete Repair Project (those areas bounded by Marine on the north, Artesia on the south, Sepulveda on the west and Aviation on the east) to Sully-Miller Contracting Company in the net amount of \$429,463.20.

04/15/08-17. Disbursement of Final Payment in the Net Amount of \$471,602.81 to Griffith Company; Change Order No. 2 in the Net Amount of \$163,480.12; Formally Accept the Pervious Pavement Parking Lots Project as Complete; and Authorize Filing of the Appropriate Notice of Completion

The Council continued this item to the May 6, 2008 City Council Meeting.

BOARDS AND COMMISSIONS

Parks and Recreation Commission

04/15/08-18. Consideration of Draft Parks and Recreation Commission Minutes – March 24, 2008

The Council received and filed the subject draft minutes.

Planning Commission

04/15/08-19. Consideration of Action Planning Commission Minutes – April 9, 2008

The Council received and filed the subject action minutes.

COMMUNITY ANNOUNCEMENTS

04/15/08-27. Elizabeth Stuart Regarding Pier-to-Pier Walkathon

Elizabeth Stuart, No Address Provided, announced the 21st Annual Richstone Family Center Pier-to-Pier Walkathon which will be held at the Manhattan Beach Pier on Saturday, April 26th at 8:00 a.m. She requested that Council and residents get involved and walk to support the Richstone Center for the prevention and treatment of child abuse.

04/15/08-28. Martha Andreani Re MBRA Speaking Engagement

Martha Andreani, No Address Provided, invited residents to attend the April 23rd meeting of the Manhattan Beach Residents Association (MBRA). She announced that the meeting will take place at the Manhattan Beach Library Community Room at 6:30 p.m.; that City Manager Geoff Dolan will be speaking; and that topics include City issues, schools and upcoming bond measures.

04/15/08-29. Nicole Perrault Re Leadership Manhattan Beach Project

Nicole Perrault, No Address Provided, a member of the 2008 Leadership Manhattan Beach (LMB) class announced that they will have a booth at the Earth Day celebration, this Saturday, April 19th, promoting conservation along with the information on the “Envelope of Life”.

04/15/08-30. Rich Berry Re Baskin Robbins

Rich Barry, Manager of Baskin Robbins in Manhattan Beach, announced that his store will be participating in “\$ 0.31 a scoop night” on April 30th, in support of the National Fallen Firefighters Foundation.

04/15/08-31. Don Gould Re Library Activities

Don Gould, Los Angeles County Librarian, shared upcoming programs and events that the library will be hosting, and encouraged the public to contact the library for additional information.

04/15/08-32. Mayor Aldinger Re Earth Day

Mayor Aldinger announced that the City of Manhattan Beach, along with V.O.I.C.E., will host the 16th Annual Earth Day celebration, on Saturday, April 19th, at Polliwog Park, from 11:00 a.m. – 4:00 p.m.

PUBLIC HEARINGS

04/15/08-20. Consideration of a Resolution Adopting the Fiscal Year 2008-2009 Fees for City Provided Services

Revenue Services Manager Steve Charelian, gave a presentation to Council regarding the adoption of Resolution No. 6129 – City User Fees. His presentation identified areas where tax dollars currently subsidize City services, and which services, provided by the City, may be increased to cover the overhead costs. Revenue Services Manager Charelian also explained that some service fees have not been raised for a number of years, therefore the cost increase for these services may appear to be quite large.

Revenue Services Manager Steve Charelian stated that in 2006 Council voted that the City provide a survey of fees and overhead on a tri-annual basis.

The City hired a consultant, **Eric Johnson, of Revenue Cost Specialists**, to perform the survey this year, (he also conducted the 2004-2005 survey for the City). **Mr. Johnson** explained that a number of items are taken into consideration when factoring the fees for service, i.e. staff salary and benefits, operating costs, and overhead costs. He indicated that these costs are matched up with the time that's being spent on each service per department, from the initiation of a service through completion. He further added that this same formula was used for each City service presented tonight. Based on what the costs are, along with the fully allocated costs, Revenue Cost Specialists recommends that the City set fees to recover those costs.

Revenue Services Manager Charelian concluded that actual revenue is based upon the number of services requested, but cautioned that this number is difficult to predict; that the Finance Sub-committee met and agreed upon the recommended User Fees as presented tonight; and that Staff recommends that the new fees become effective, June 1, 2008.

There was a lengthy discussion among Council, Revenue Services Manager Charelian and **Mr. Johnson** about how the costs in Manhattan Beach compare with other cities in the South Bay; how discretionary costs are determined; if any thought was given to phasing in the increased fees; and how the increases might impact developers.

Mr. Johnson repeated that these figures are based on actual costs; that there have been no increases since 2002; and that when the fees don't meet the actual cost, the City depends on tax revenue to offset the difference.

City Manager Geoff Dolan explained that everything the consultant presented this evening is based on actual costs. He stated that it would be illegal for the City to charge more than the actual cost.

In response to Mayor Aldinger's question regarding why community development fees weren't raised in the past, **Mr. Johnson** explained that the first time the survey was performed in 2004, building revenue was higher and it was used to offset the planning fees.

City Manager Dolan reiterated that upon the completion of the survey in 2004, Council had made a conscious decision not to raise these fees.

There was additional discussion by Council, Director of Community Development Richard Thompson, Finance Director Bruce Moe, City Manger Dolan and **Mr. Johnson** regarding the

disparity with the increase in fees and the numbers of applicants requesting specific services. It was determined that the survey process in 2002 was not a formal one and did not reflect actual cost. In reality, if an increase in service fees had been adopted in 2002 there would have been an increase in fees, therefore demonstrating a lesser difference between current fees and those being proposed tonight.

Mayor Aldinger opened the Public Hearing at 7:41 p.m.

Martha Andreani, No Address Provided, encouraged Council to continue their thoughtful deliberation on this matter and questioned what we pay taxes for.

Sandra Seville-Jones, No Address Provided, shared an experience she had in her neighborhood regarding an appeal, and stated that if they had to pay the cost proposed tonight they would have been discouraged from filing the appeal.

City Manager Dolan expressed that the higher fee may discourage appeals but then again the residents could lobby Council to make the appeal, and that involves no fee.

Mayor Aldinger closed the Public Hearing at 7:45 p.m.

Councilmember Tell moved to adopt Resolution No. 6129 with the exception of 1743, 1744, and 1745 (appeals to Planning Commission and City Council) which he feels should all remain at the 2002 rate.

Councilmember Ward asked that 1781 – 1784 (parking, traffic and stop sign requests and appeal to PPIC, respectively) remain at the current rate of \$465.

Discussion ensued regarding clarification of parking requests between City Manager Dolan, Council and **Mr. Johnson**. This discussion continued with Council asking for clarification of a number of other costs; banners, pet licenses, address change, bingo permit, block parties, etc.

MOTION: Councilmember Tell moved to adopt Resolution No. 6129 as amended, with the exception of Service Item #'s 1743, 1744, 1745, 1781 and 1782 which will remain at no charge and Service Item #'s 1783 & 1784 which will remain at \$465. All of the fees for animal control services are to remain the same, along with block parties, and bingo; and staff will bring back to City Council an annual increase of user fees based on the consumer price index, to effect only those fee's which are \$100 or greater. The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote.

Ayes: Cohen, Ward, Tell, Montgomery and Mayor Aldinger.
Noes: Mayor Pro Tem Montgomery voted to Adopt Resolution No. 6129 with the exception of Service Item # 1783 which he would like to remain at no charge.
Abstain: None.
Absent: None.

RESOLUTION NO. 6129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ESTABLISHING A SCHEDULE OF FEES TO BE CHARGED BY VARIOUS DEPARTMENTS OF THE CITY FOR PERMITS AND SERVICES, SUPERSEDING ALL PRIOR APPLICABLE INCONSISTENT RESOLUTIONS OR ORDERS IN CONCERT THEREWITH

RECESS AND RECONVENE

At 8:05 p.m. the Council recessed and reconvened at 8:22 p.m. with all Councilmembers present.

GENERAL BUSINESS

04/15/08-21. Presentation by the Manhattan Beach Unified School District on District Finance and Their 2008-2009 Budget

City Manager Geoff Dolan provided background information about the relationship between Council and the Manhattan Beach Unified School District (MBUSD). He emphasized the fact that enhancing communication and partnering with the schools was a priority Council had addressed at the 2007-2008 Work Plan Meeting. He stated that many collaborative efforts have begun between Council and MBUSD to assist with the many challenges the schools are currently facing.

Councilmember Tell spoke about the school Task Force that he and Councilmember Cohen have been involved with in an effort to see what the schools need, and how the City can best assist.

Mayor Aldinger introduced **Amy Howorth, President of the MBUSD School Board** who gave a brief overview about the dedicated staff and administrative board. She elaborated on the fact that the state doesn't provide the funding for the type of education that the City would like their children to have; that Manhattan Beach Unified School District is ranked 5th in the State of California; and how whimsical the source of funding is because it depends on fluctuating sources of revenue. She acknowledged other sources of revenue that assists the schools: Manhattan Beach Education Foundation, Manhattan Beach Athletic Foundation, PTA's, Athletic Boosters and community partnerships that bring in over \$4 million dollars annually. **Ms. Howorth** asserted that the MBUSD has been very pro-active in making cuts wherever possible, eliminating staff, resources, etc. and have been fiscally conservative. She further indicated this year however, that the MBUSD is facing huge state budget cuts, which is going to impact the revenue allocated to them; that the MBUSD has done everything they can to be transparent in their actions and taking measures to protect themselves financially; and that the next alternative would be to decrease staff further and increase class size, which would prove to be a detriment to the students.

Ms. Howorth introduced **Dr. Steve Romines, Assistant Superintendent of Administrative Services for the Manhattan Beach Unified School District**, who provided a PowerPoint presentation of the budget for the 2008-2009 school year. **Dr. Romines** explained that property tax, sales tax and business taxes fund the budget for the State of California. He elaborated that this year those figures are down approximately \$16 billion which directly impacts the budget for the schools in the state and the expected cut for the 2008-2009 year is approximately \$7 - \$8 billion. He addressed budget specifics for the upcoming MBUSD 2008-2009 year, including sources of revenue, decreases from unrestricted funds, structured debt, salary and benefits. **Dr. Romines** further explained that the MBUSD shortfall for the 2008-2009 Fiscal Year is \$1,685,000 and that the MBUSD has worked out a "recovery plan" for the 2008 - 2009 budget to offset this shortage.

Dr. Beverly Rohrer, Superintendent of the Manhattan Beach Unified School District, was introduced to further explain the staff cuts the school plans to make to meet their budget. She spoke of how the Board went through line item by line item, to see where they could make cuts and not negatively impact the education provided to the children of Manhattan Beach; that they determined which things they can't do without and how these items might be funded; and lastly how the MBUSD can become independent in the near future. **Dr. Rohrer** declared that the

overall top priorities for the schools is to maintain; safety, support and curriculum. In terms of safety she clarified that the MBUSD would like to have another landscaper on staff, would like to see the Raptor System initiated at all the schools, (not just the Middle School) to scrutinize visitors that enter the schools, and create a part-time position to assist the Middle School administration. When speaking of support she stated that they would like to hire an additional nurse, a Systems Technician and provide for the mandated program of physical education. She emphasized that one of the main reasons that many parents chose to move into Manhattan Beach was because of the schools and the curriculum, and that, due to the budget crisis, ten classes were cut from the high school and elementary schools, the Reading Specialist was cut, and many of the books are outdated and in need of being replaced/updated. She voiced her concerns that programs in math and science have been put on hold due to the budget shortfalls and how this directly impacts the students and the MBUSD's future.

MBUSD Board President Howorth concluded the presentation by stating that the MBUSD is determined to become self reliant; that the board has been directed to proceed toward obtaining a General Obligation Bond for the November ballot, and that this would allow the district to pay off the \$16 million debt and increase their General Fund by \$1.3 million a year.

The City Council and the School Board Representatives engaged in a discussion clarifying future financial plans for the MBUSD. In response to Council comments, **Board President Howorth** stated that if they could balance the budget, their first priority would be to increase the number of staff. She emphasized that the MBUSD is requesting that Council approve to appropriate \$520,000, to help restore some of the essential student programs that have been eliminated due to budget cuts.

A lengthy discussion ensued among Council and **Board President Howorth**, along with **School Board Member Ida Van de Porte** regarding future consequences of budget cuts; sources of future funds; how the Board arrived at their request for the \$520,000; and what steps may or may not be taken if the bond measure doesn't pass in November.

Both members of the School Board asserted that the district is committed to finding a way to maintain their high standards of education; will continue to find sources of increased revenue in the event that a financial crisis continues; that they would like to continue partnering with the City; and discussed the advantages to the schools of a General Obligation Bond verses a Parcel Tax.

The following individuals spoke on this item:

- **Dave Wachtfogel, No Address Provided**
- **Heidi Snively, 500 Block of 33rd Street**
- **Edie Babbe, 400 Block of 35th Street**
- **Robert Bush, No Address Provided**
- **Sene Gray, 700 Block of 31st Street**
- **Karol Wahlberg, No Address Provided**
- **Les Silverman, 600 Block of 29th Street**
- **Faith Lyons, 500 Block of 33rd Street**

Mayor Pro Tem Montgomery thanked the schools for educating the community and Council on the MBUSD's financial needs and expressed support for funding of the schools with hopes to continue supporting the schools on an annual basis.

Mayor Aldinger stated that he would like to see the City support the schools more, but doesn't know how that would be done and would like some input from the sub committee. He further stated that he would like to see the City cover all the cuts that the district has had to make to re-establish services to the schools and suggested that the City provide landscaping assistance.

Councilmember Ward expressed his support with the MBUSD and stated that the proposed funding is a cautious first step in assisting the schools. He also commented that he appreciates the time and effort the board has devoted to prioritizing district needs; that he would also like to see the City Council support more science and technology classes and decrease class size; and that he supports continued partnership with the schools.

Councilmember Tell responded to the Mayor Aldinger's question regarding the sub-committee summarizing the committee's actions prior to the meeting tonight. He explained that the committee focused on satisfying the schools fiscal responsibility, and balancing the budget, and they addressed the items the school would like most to see restored: safety, curriculum and support. He voiced his support to provide funding for the schools and stated that he would be happy to work to find additional funding for the schools.

Councilmember Cohen shared her feelings that the City and schools should work together, create synergy and allow for more efficiency in collaborative efforts. She cited examples of joint projects such as the Begg Pool, Polliwog Park and green initiatives. She stated that she would like to see quarterly meetings with the City Council and MBUSD that address more than financial issues but mutual stake holdings as well. Councilmember Cohen spoke of the MBUSD and City being one community, though they are two separate institutions, and expressed support to approve the funding being requested tonight with the inclusion of structure and collaboration on a regular basis.

Councilmember Ward wanted to clarify that he does not want to control funds appropriated to the schools but did want to insure transparency.

MOTION: Councilmember Ward moved to appropriate \$520,000 for the restoration of services, including review and direction by the School Board of the remaining \$600,000 budget shortfall, and scheduling of a joint meeting between City Council and the School Board.

Mayor Pro Tem Montgomery asked to amend the motion to include researching additional sources of revenue.

MOTION: Councilmember Ward moved to amend the motion to appropriate \$520,000 for the restoration of services, including review and direction by the School Board of the remaining \$600,000 budget shortfall, the scheduling of a joint meeting between City Council and the School Board, and to include researching of additional revenue streams. The motion was seconded by Mayor Pro Tem Montgomery and passed by the following unanimous roll call vote:

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

04/15/08-22. Consideration of the Establishment and Funding of a Trust Fund with the California Public Employees Retirement System (CalPERS) for Funding of the City's Retiree Medical Plans and the State-Mandated Medical Stipends for Retired Member-Subscribers in CalPERS Medical

Finance Director Bruce Moe presented Council with background information and possible plans for funding the medical stipends for retiring staff. Currently the City has three agencies that it funds for retirement: Police, Fire and Miscellaneous. A new State law, effective January 1, 2008, requires the City to disclose what the retiree medical benefits are for staff and to provide a minimum benefit to retirees as long as the employee stays within the CalPERS system. He shared that an Actuary Study was performed regarding the liabilities related to these benefits; that it was reviewed by the Finance Sub-committee and recommended that the City cash fund these liabilities; and explained where the City's liabilities currently stand. He also reported that the City is requesting \$6.4 million to cover the current liability of \$5,709,000 (as of July 1, 2007), accrued interest on the former amount of \$442,450 and the annual payment of \$269,000.

Finance Director Moe reiterated that the City will realize a \$270,000 payment each year for this liability beginning this fiscal year, regardless of any decision they may make tonight. He presented several options along with hard costs incurred for Council's consideration: cash fund the liability using a combination of reserves and general fund dollars available to the City, at no additional cost; partially cash fund the liability, using the \$2 million already set aside for retirement benefits as a partial payment and then amortizing the balance with CalPERS; financing the entire amount with an additional cost of \$1.2 million, and obtaining a pension bond to pay the difference at an additional cost of \$200,000. Finance Director Moe emphasized that cash funding would have the least impact on the General Fund. He recommended that Council approve the CalPERS Trust Agreement, approve cash funding the plan as the most prudent option, and appropriate funds and allow the City to deposit them with CalPERS.

There was a discussion that ensued among Mayor Aldinger, Councilmember Tell, Finance Director Moe and City Manager Dolan, clarifying the fact that these are actuarial funds; that labor negotiations could also impact the amounts; and that this is going to be an ongoing liability. They also discussed the benefits of cash funding the amount as opposed to borrowing.

Councilmember Cohen stated that it's a conservative motion, but if the City has the money she would support cash funding. She further stated that should the City decide to undertake a Capital Improvement Project, funds could then be borrowed at a lesser interest rate.

Mayor Aldinger stated that he remained undecided as to what he wanted to do, borrow or cash fund the liability and that he would like to have funds available for CIP's should the City decide to go forward with a project.

Mayor Pro Tem Montgomery supported the recommendation of staff to cash fund the liability.

In response to Councilmember Cohen's request to clarify how he would fund a CIP project should one be decided upon by Council, Finance Director Moe stated firmly that he would borrow the dollars at a cheaper rate to fund the project.

The following individual spoke on this item:

- **Martha Andreani, Downtown Manhattan Beach**

MOTION: Councilmember Ward moved to approve the selection of the CalPERS California Employers Retiree Benefit Trust program, and authorize the execution of the associated agreement and election form; approve the CalPERS “Delegation of Authority to Request Disbursements” naming the Finance Director as the authorized City representative; approve a funding plan which cash funds all accrued liability for the retiree benefits; appropriate \$2,520,000 from the Pension Trust Fund, \$2,262,371 from the Employee Leave Reserve, and \$1,638,079 from the General Fund; and approve authorizing the deposit of those funds (\$6,420,450) with CalPERS. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

04/15/08-23. Discussion of the Fiscal Year 2008-2009 City Council Work Plan

Council discussed whether to proceed with the City Manager introducing the item tonight and then continuing discussion till next week, or moving the item in it’s entirety to the May 6th City Council meeting.

MOTION: Councilmember Tell moved to table Item No. 23 to the May 6th City Council meeting.

The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote:

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

04/15/08-24. Consideration of a Resolution to Establish an Adjournment Time for City Council Meetings

Assistant to the City Manager Lindy Coe-Juell stated that there have recently been many lengthy Council meetings, and that these late night meetings make it difficult on both the public and Council. She explained that the City Clerk was tasked to survey a list of cities, provided by the League of California Cities, asking how they addressed the duration of a Council meeting. There were 70 cities that responded to the survey and from the information gathered staff has prepared a resolution that addresses the length of time a Council meeting may last. Staff is requesting that Council review the resolution, determine the time they want to adjourn regular Council meeting, and decide how they want to address items on the agenda that haven’t been completed. Council would have the option of extending the length of a meeting by a 4/5 vote; otherwise the remaining items will be continued to the following meeting, while still allowing time for Audience Participation and the City Manger Report.

There was discussion among Council to determine an appropriate ending time; how to best prioritize items for each agenda; effectively schedule these items; and whether or not this would require more Study Session Meetings in order to address all items.

Councilmember Cohen expressed concern about how to shorten the meetings yet thoroughly discuss all 54 issues on the Work Plan plus any additional items that need consideration.

City Manager Dolan stated that it would be a challenge.

Mayor Pro Tem Montgomery suggested that Council be more concise with comments and deliberations, and use more Study Session Meetings which would allow for more effective government.

City Manager Dolan mentioned that there are meetings scheduled each Tuesday evening in May and there is an opportunity to spend an off Tuesday in June or July to discuss the upcoming solid waste contract.

The following individual spoke on this item:

- **Martha Andreani, Downtown Manhattan Beach**
- **Dave Wachtfogel, No Address Provided**
- **Faith Lyons, No Address Provided**
- **Jacque May, No Address Provided**

Mayor Pro Tem Montgomery recommended that meetings end at 11:00 and other items be continued to the next meeting ensuring a more effective government.

A lengthy discussion took place among Council regarding the ending time and how to handle items that have not been addressed at the current meeting. The discussion also addressed the possibility of a soft stop at 10:30 p.m. allowing for Audience Participation and City Manager Reports which should result in the meeting ending at 11:00 p.m.

City Manager Dolan clarified that at 10:30 p.m. Council will complete the item that they are on, and then continue to Audience Participation and City Manager Report. He further indicated that Council could always have the option of extending the meeting by a 4/5 vote.

City Manager Dolan suggested that the resolution could be passed tonight with the revision of some of the language. Assistant to the City Manger Coe-Juell stated the change in language and read it to Council.

MOTION: Councilmember Tell moved to adopt Resolution No. 6132 as amended, with the revised language as stated by Assistant to the City Manager Coe-Juell. The motion was seconded by Mayor Pro Tem Montgomery and passed by the following unanimous roll call vote:

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

RESOLUTION NO. 6132

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MANHATTAN BEACH, CALIFORNIA,
ESTABLISHING AN ADJOURNMENT TIME FOR CITY
COUNCIL MEETINGS**

ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

AUDIENCE PARTICIPATION

04/15/08-33. Ellen Chao Re RV Parking

Evelyn Chao, 1700 Block of Walnut Avenue, voiced her concern over the parking of RV's around Pacific Elementary School. She stated that this is a security and safety issue and that she would like Council to consider taking some action to limit or forbid RV parking around the school.

04/15/08-34. Evelyn Frye Re "Walkway to the Sea"

Evelyn Frye, 300 Block of 3rd Street, encouraged Council to approve installation of "A Walkway to the Sea", a semi-permanent walkway that could be rolled out on the sand to allow access to the beach by seniors, handicap and parents with strollers.

04/15/08-35. Patrick McBride Re Senior Transportation

Patrick McBride, 5th Street and Peck Avenue, talked of the transportation issues that were discussed at the March 18th Council meeting. He shared with Council a copy of a national survey that was done in 1990 on senior transportation and also expressed his support of a voucher system for Manhattan Beach.

CITY MANAGER REPORT(S)

04/15/08-36. City Manager Dolan Re Recognition of Green Team at Earth Day

City Manager Geoff Dolan reminded Council that they, along with the City's Green Team, will be acknowledged at Earth Day, 1:00 pm for their Environmental Initiatives.

04/15/08-37. City Manager Dolan Re City Council Meetings in May

City Manager Dolan reminded Council that there are meetings scheduled every Tuesday throughout the month of May.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

04/15/08-25. Request by Mayor Pro Tem Montgomery to Consider Adopting a Resolution in Support of the LAX Green Line Extension

Mayor Pro Tem Montgomery summarized this item and asked Council to support Senate Bill 1722, authored by Senator Oropeza to extend the Green Line to LAX as part of the current renovation of the airport.

MOTION: Councilmember Cohen moved to adopt Resolution No. 6133 as read into the record by Mayor Pro Tem Montgomery. The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote:

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

RESOLUTION NO. 61332

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, SUPPORTING SB1722 (OROPEZA) THAT ESTABLISHES A CONSTRUCTION AUTHORITY TO EXTEND THE METRO GREEN LINE LIGHT RAIL SYSTEM INCLUDING AN INITIAL SEGMENT TO LOS ANGELES INTERNATIONAL AIRPORT

04/15/08-26. Request by Councilmember Cohen to Discuss Limiting Construction in Residential Neighborhoods

Councilmember Cohen expressed her concern over recent e-mails received from residents in the tree section over simultaneous construction projects. She requested that staff bring forward the current rules/codes regarding residential construction for Council consideration.

There was a brief discussion amongst Council regarding current residential construction rules and how well they are being implemented. They suggested that an update from the Residential Construction Officer would give them an opportunity to assess the program. The program has been in effect for two years now and they would like to ascertain that the RCO has the tools needed to implement construction policies.

City Manager Dolan stated that he would get this item on the agenda in the next couple months.

04/15/08-38. Councilmember Cohen Re RV Parking

Councilmember Cohen commented on the RV situation around the schools brought to Council's attention tonight. She wanted to clarify the e-mails she had sent making certain that the residents understand that this is a concern of Council. She recently learned that some action had taken place regarding the parking of RV's near Pacific School.

Police Chief Rod Uyeda summarized the situation stating that there are a couple residents who own RV's who don't wish to park their vehicle in a paid facility or in their driveways and that they chose to park their vehicle on a public street. He indicated that it's illegal for any car to park on the street for more than 72 hours and explained that they are enforcing the code. He went on to say that the chances of this being a security issue as far as child molestation, etc are rare, since they know who owns the vehicles, but there is a safety concern as a vehicle that size does obstruct the view of drivers on the street. He further stated that the problem is only occurring at Pacific Elementary School; stipulated that if the City were to prohibit parking at Pacific Elementary School it would create the same problem elsewhere; and that at the Work Plan meeting, it was decided that police would enforce the law, and they have.

A discussion took place among Council as to how they might prevent RV's from parking around the school, and address parents concerns over safety and security issues they present to the children.

The discussion led to the legality of parking RV's on residential property and City Attorney Robert Wadden stated that storing of an inoperable vehicle in a driveway is prohibited.

Council suggested that signage be posted placing more stringent limits on parking RV's.

Council concluded that they would like staff to address this issue and add it to the Work Plan.

City Manager Dolan suggested that the item be discussed at the next Council meeting along with the 2008-2009 Work Plan to determine where this item would fit in the list of priorities.

ADJOURNMENT

At 11:50 p.m., the meeting was duly adjourned to the 6:00 p.m. Adjourned Regular Board and Commissions Interviews Meeting on Tuesday, April 22, 2008, in the in the Police/Fire Conference Room, 400/420 15th Street, in said City.

Patricia Schilling
Recording Secretary

Jim Aldinger
Mayor

ATTEST:

Liza Tamura
City Clerk