

**CITY OF MANHATTAN BEACH  
MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
JUNE 3, 2008**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 3<sup>rd</sup> day of June, 2008, at the hour of 6:35 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

**PLEDGE TO FLAG**

Skylar Caputo, a 5<sup>th</sup> Grade Student at Grand View Elementary School, led the pledge of allegiance.

**ROLL CALL**

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

**CEREMONIAL CALENDAR**

06/03/08-1. Presentation of Certificates to the Graduates of the 7<sup>th</sup> Community Police Academy of the Manhattan Beach Police Department

The Council, Police Chief Rod Uyeda, Police Sergeant Tim Hageman, and Police Officer John Loy presented certificates and city pins to the graduates of the Manhattan Beach Police Department's Community Police Academy Class # 8 – Spring, 2008.

Police Chief Uyeda also recognized Police Sergeant Tim Hageman and Police Officer John Loy for their efforts in administering the program.

06/03/08-2. Presentation of a Grant Check to the Manhattan Beach Unified School District from Waste Management for Recycling Programs

**Vickie Whipple, of Waste Management, presented** a check for \$5,000 to the Manhattan Beach City Schools to assist in each school's recycling efforts.

**CONSENT CALENDAR**

The Consent Calendar (Item Nos. 3 through 16), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Ward, seconded by Councilmember Aldinger and passed by unanimous roll call vote with the exception of Item No. 15 which was pulled from the Consent Calendar by Councilmember Aldinger and set for a future Public Hearing.

City Manager Geoff Dolan explained that there had been a billing error in Item No. 12 a) and that after a subsequent review of the invoice, staff verified the discrepancy and the billing was adjusted accordingly as follows: (Final Payment in the Net Amount of \$231,039.78 to Sully-Miller Contracting Co.; Formally Accept the 2005-07 Street Reconstruction Project as Complete; and Authorize Filing of the Appropriate Notice of Completion).

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

**GENERAL CONSENT**

06/03/08-3. Approve Minutes of the City Council Regular Meeting of May 20, 2008

The Council approved the subject minutes.

06/03/08-4. Approve Minutes of the City Council Adjourned Regular Budget Study Session Meeting of May 27, 2008

The Council approved the subject minutes.

06/03/08-5. Consideration of Financial Reports: Ratification of Demands - May 29, 2008

The Council approved with no exception Warrant Register No. 25B in the amount of \$8,852,854.17 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.

06/03/08-6. Consideration of a Resolution Amending Personnel Rules Providing Salary and Benefit Adjustments for the Fiscal Year 2008-2009 Including a 4% Increase to the Management/Confidential Salary Ranges, Adjusted Insurance Benefits and Miscellaneous Classification Changes

The Council adopted Resolution No. 6148.

**RESOLUTION NO. 6148**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AMENDING RESOLUTION 6097 OF SAID COUNCIL (PERSONNEL RULES) BY AMENDING RULE XII, (EXPENSE ALLOWANCES AND OTHER FRINGE BENEFITS), ADJUSTING THE SALARY RANGES OF MANAGEMENT/CONFIDENTIAL EMPLOYEES, ADJUSTING THE SALARY RANGE OF ELECTRICIAN, AMENDING RULE IV (CLASSIFICATION) TRANSITIONING A CLASSIFIED POSITION TO AN AT-WILL MANAGEMENT POSITION, AND CREATING TWO POSITIONS**

06/03/08-7. Consideration of Ratification of Motor Fuel Purchase from Merrimac Energy Group in the Amount of \$31,095.94

The Council approved the purchase of motor fuel from Merrimac Energy Group in the amount of \$31,095.94.

06/03/08-8. Consideration of Four-Year Lease Agreement with Xerox Corporation for Nine Multifunction (Scan, Fax, Copy) Machines for Various Locations (Approximate Annual Cost \$45,362)

The Council waived formal bidding per Municipal Code Section 2.36.150 (cooperative purchasing) and approved an award of a four-year lease contract to Xerox Corporation valued at \$45,362 annually.

06/03/08-9. Consideration of Resolutions Approving the Assessment Engineer's Report for the Annual Levy of Street Lighting Assessment for Fiscal Year 2008-2009, and Declaration of the City Council's Intention to Provide for the Annual Levy and Collection of Assessments for Street Maintenance and Setting of the Public Hearing for July 1, 2008

The Council adopted Resolution No. 6140 and 6141.

**RESOLUTION NO. 6140**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2008-2009 IN THE MAINTENANCE DISTRICT WITHIN SAID CITY**

**RESOLUTION NO. 6141**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN STREET LIGHTING MAINTENANCE IN AN EXISTING MAINTENANCE DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON**

06/03/08-10. Consideration of an Amendment to a Services Agreement with UCLA for Paramedic Training

The Council approved an amendment to Article 6 of a Services Agreement between the City of Manhattan Beach and UCLA to provide continuing education and quality improvement services to the City's EMT's and EMT-Paramedics.

06/03/08-11. Consideration of a Request from the Manhattan Beach Little League for the Limited Use of a Public Address System at the Marine Sports Park Complex for Little League Tournaments on June 26 through July 20, 2008

The Council approved the Little League's request for limited use of a public address (PA) system at the Marine Sports Park for the League's All-Star Tournaments.

06/03/08-12. Disbursement of Progress Payments:

- a) Final Payment in the Net Amount of \$231,039.78 to Sully-Miller Contracting Co.; Formally Accept the 2005-07 Street Reconstruction Project as Complete; and Authorize Filing of the Appropriate Notice of Completion
- b) Final Payment in the Net Amount of \$25,200.00 to Sea Laboratory; Formally Accept the Planting of Native Landscaping on the Strand Improvement Project as Complete; and Authorize Filing of the Appropriate Notice of Completion.
- c) Final Payment in the Net Amount of \$62,764.20 to Shaw & Sons; Formally Accept the 13<sup>th</sup> Street and Morningside Drive Crosswalk Installation Project as Complete; and Authorize Filing of the Appropriate Notice of Completion.
- d) Progress Payment No. 1 in the Net Amount of \$109,058.65 to Sully-Miller Contracting Co. for the Section 3 and 4 Concrete Repair Project.

The Council approved the issuance of the subject progress payment and final payments and formally accepted the 2005-07 Street Reconstruction, the Planting of Native Landscaping on the Strand, and the 13<sup>th</sup> Street and Morningside Drive Crosswalk Installation Projects as Complete; and authorized the filing of the appropriate Notices of Completion.

**BOARDS AND COMMISSIONS**

**Parking & Public Improvements Commission**

06/03/08-13. Consideration of Action Minutes, Parking and Public Improvements Commission Meeting of May 22, 2008

The Council received and filed the subject action minutes.

**Planning Commission**

06/03/08-14. Consideration of Action Minutes, Planning Commission Meeting of May 28, 2008

The Council received and filed the subject action minutes.

06/03/08-15. Consideration of Planning Commission Approval of a Use Permit for a Retail Drug Store, Walgreens, With a Drive-Through Pharmacy at 2400 Sepulveda Boulevard

Item No. 15 was pulled from the "CONSENT CALENDAR" as a Public Hearing at a future City Council meeting.

06/03/08-16. Consideration of Planning Commission Approval of a Master Use Permit Amendment to Allow On-Site Sales and Consumption of Beer and Wine, and Make the Findings of Public Convenience and Necessity for the Alcohol License at Le Pain Quotidien on the Metlox Plaza at 451 Manhattan Beach Boulevard

The Council received and filed the Planning Commission's approval of the Master Use Permit Amendment for on-site beer and wine sales and consumption at an existing bakery, Le Pain Quotidien, with no change in the hours of operation and made the findings of public convenience and necessity for the alcohol license.

## **COMMUNITY ANNOUNCEMENTS**

06/03/08-22. Sherry Kramer Re Richstone Family Center Pier to Pier Walk-a-Thon

**Sherry Kramer, No Address Provided**, presented Council and City Manager Geoff Dolan with a plaque in appreciation to the City for their support of the 21<sup>st</sup> Annual Richstone Family Center Pier to Pier Walk-a-Thon. She also presented t-shirts and ball caps to the City Council.

06/03/08-23. Lisa Re Planet Pals

**Lisa, No Last Name Given, No Address Provided**, expressed her support of the ban on plastic bags. She shared her concern about the impact these plastic bags have on the environment, particularly our beaches and oceans.

06/03/08-24. Los Angeles County Librarian Don Gould Re Library Events in June

**Los Angeles County Librarian Don Gould** announced that the library will be upgrading their computer network system and due to this special project the library will be open on June 6, 2008 from 1:00 – 6:00 p.m. He also stated that book requests being made now will not be filled until June 11, 2008 due to upgrades. He said the summer reading program is scheduled to begin July 1, 2008 and that there are many other summer events and programs planned. He urged residents to come into the library for information or go to their website for event information.

06/03/08-25. Wayne Powell Re CERT

**Wayne Powell, No Address Provided**, announced that as a member of the Board of Directors of the Community Emergency Response Team (CERT), he wanted to invite all CERT members to the first General Membership meeting, June 12, 2008 from 7:00 – 9:00 p.m. at the Joslyn Community Center.

06/03/08-26. Gerry O'Connor Re the Recall of Bill Eisen

**Gerry O'Connor, No Address Provided**, encouraged residents to sign petitions to support the recall of School Board Member, Bill Eisen explaining that the deadline for filing is June 15, 2008.

06/03/08-27. Councilmember Aldinger Re Voting

Councilmember Aldinger reminded residents that there was still time to get out and vote.

06/03/08-28. Mayor Montgomery Re Manhattan Beach in the News

Mayor Montgomery shared an article with Council and residents of Manhattan Beach in the Alitalia Magazine, May 2008 edition. He pointed out the great picture of the pier and the articles description of what a great place Manhattan Beach was to visit.

06/03/08-29. Mayor Montgomery Re Mayor's Coffee

Mayor Montgomery announced that his next Mayor's Coffee, will be June 16, 2008 at Saxby's on Aviation Boulevard from 5:00 – 7:00 p.m. He said the Mayor's Coffee will be held at various coffee houses in the City, the first and third Monday of each month.

## **PUBLIC HEARINGS**

### 06/03/08-17. Public Hearing and Adoption of Fiscal Year 2008-2009 Operating Budget and 2008-2013 Capital Improvement Plan, Including Fee Increases for all City-Owned On-Street and Parking Lot Parking Meters, and Associated Coastal Development Permits; Parks & Recreation Playground Program Fees; and Credit Card Convenience Fees

Finance Director Bruce Moe reviewed the Council's direction regarding changes to the Fiscal Year (FY) 2008-2009 Operating Budget including a net change of \$59,700 to the General Fund and net increase in expenditures of \$57,927. He addressed the new fees in the budget: an increase of \$0.25 per hour for parking meters at all City owned parking lots and on-street parking; a \$50 per semester fee for after school Parks and Recreation Playground Programs, and \$59 per week for summer programs; and a 2.3% transaction fee for credit card usage. He explained that the City is below average in parking fees; that the Playground Program fees cover the cost of the program; and that credit card usage fees have steadily grown, costing the City over \$100,000 per year. Finance Director Moe explained that the staff report includes clarification and information that Council had requested on several budget items and summarized staff's recommendations for Council to: conduct the Public Hearing; adopt a resolution establishing appropriations limits for the FY 2008-2009; approve the 2008-2009 Operating Budget; approve the 2008-2013 Capital Improvement Plan (CIP); approve the Coastal Development Permit for a rate increase of parking meters; approve increased fees for parking meters; approve Parks & Recreation Playground Program fees; and approve a credit card convenience fee.

Finance Director Moe's presentation was followed by a discussion among City Council, City Manager Geoff Dolan and City Engineer Dana Greenwood regarding the Slurry Seal Project being an unfunded Capital Improvement Plan (CIP) item.

City Manager Dolan explained that there is funding allocated for the current Slurry Seal schedule and that he wanted to call Council's attention to this item for consideration next year.

A discussion ensued among Council and City Manager Dolan regarding the unfunded project list and the purchase of water rights. City Manager Dolan also clarified the unfunded items on the list and different budget categories - short term and long term projects.

Mayor Montgomery opened the Public Hearing at 7:34 p.m.

**Dave Wachtfogel, No Address Provided**, voiced his concern about increasing any fees related to children. He stated that the cost of raising children today has dramatically increased and he would not like to see the City burden families with additional fees for child-related services.

Mayor Montgomery closed the Public Hearing at 7:36 p.m.

Councilmember Aldinger expressed his disappointment that the budget had increased 6% and that there was not enough money being allocated for senior programming. He also said that it was a good idea to plan ahead and look to revenue sources to fund projects that the City wants to pursue.

Councilmember Tell noted that the increase in the budget is largely related to labor costs and the Memorandum of Understandings (MOU) that the City agreed upon. He stated that he would like to see an increase in the budget for senior services and suggested that they solicit input from the senior committees to determine their needs and then allocate the funds accordingly.

Parks & Recreation Director Richard Gill clarified the senior organizations in the City for Council and discussion continued regarding senior programming.

City Manager Dolan and Parks & Recreation Director Gill emphasized the fact that a survey will be sent in the fall to all seniors to ask what their preferences are in programming and projects.

Councilmember Ward was supportive of the fiscal conservancy of the FY 2008-2009 budget and relayed that he would like to determine the senior needs, prioritize them and then allocate funds as needed. He also expressed his desire to see playground programs remain available to as many children as possible. He acknowledged some areas that would need future City support such as the schools and sewer infrastructure, and approved the budget as is.

Mayor Pro Tem Cohen stated that she is in favor of the fees for playground programs based on three things; that they are user fees; that they are “break even” fees; and that given the per capita income of the City, they are the cheapest available. She indicated that she is in favor of the increase in parking rates and expressed that she is happy with the discussion regarding seniors and the overall general budget.

In response to Councilmember Tell’s request for clarification regarding the increase in fees for playground programs, City Manager Dolan explained that they are “break even” fees but are not fully burdened.

**MOTION:** Councilmember Ward moved to adopt Resolution No. 6142 (establishing the appropriations limit for the 2008-2009 Fiscal Year), Resolution No. 6143 (approving the FY 2008-2009 Operating Budget), Resolution No. 6144 (approving the 2008-2013 Capital Improvement Budget); Resolution No. 6145 (approving a Coastal Development Permit for a rate increase for parking meters located within the appeal-able area of the Coastal Zone); Resolution No. 6146 (approving a Coastal Development Permit for a rate increase for parking meters located within non appeal-able area of the Coastal Zone); and Resolution No. 6147 (approving increased fees for parking meters, Parks & Recreation Playground Program fees, and credit card convenience fees). The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

**RESOLUTION NO. 6142**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2008-2009**

**RESOLUTION NO. 6143**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2008-2009**

**RESOLUTION NO. 6144**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR YEARS 2008-2013**

**RESOLUTION NO. 6145**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW MODIFICATIONS TO PUBLIC PARKING METER RATES WITHIN THE APPEALABLE PORTION OF THE CITY'S COASTAL ZONE - CA 08-21 (City of Manhattan Beach)**

**RESOLUTION NO. 6146**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW MODIFICATIONS TO PUBLIC PARKING METER RATES WITHIN THE NON-APPEALABLE PORTION OF THE CITY'S COASTAL ZONE - CA 08-20 (City of Manhattan Beach)**

**RESOLUTION NO. 6147**

**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 8:10 p.m. the Council recessed and reconvened at 8:30 p.m. with all Councilmembers present.

06/03/08-18. Consideration of an Ordinance to Prohibit the Use of Plastic Carry-Out Bags in Manhattan Beach

Assistant to the City Manager Lindy Coe-Juell explained that she was prepared to make a presentation to Council on the Ordinance to prohibit the use of plastic carry-out bags in Manhattan Beach. She stated however, that at approximately 4:00 p.m. this afternoon, the City received a letter from a law firm representing the *Save the Plastic Bag Coalition* stating that they would sue the City if they moved forward based on the premise that it would be in violation of the California Environmental Quality Act (CEQA) requirements. She commented that residents and businesses in the City, along with Council (as one of the 2008-2009 Work Plan items), are in support of banning plastic bags, however, if the City chooses to move forward on the adoption of this Ordinance tonight there is the possibility that they could lose in the event that legal action is initiated.



City Attorney Robert Wadden explained that if Council chose to act on this ordinance tonight it could open the door for a law suit by the *Save the Plastic Bag Coalition*. He stated that the City of Oakland based their argument on the Common Sense Exemption and lost a similar case to the *Save the Plastic Bag Coalition*. He further commented that by relying solely on the Common Sense Exemption, Oakland neglected to provide substantial evidence to contradict the argument against the ordinance raised by the *Save the Plastic Bag Coalition*. City Attorney Wadden suggested that the City return with additional studies showing substantial support of environmental regulations and a minimal increase in use of paper bags to contradict any evidence that the *Save the Plastic Bag Coalition* might produce claiming that the passing of the ordinance would negatively impact the environment.

A discussion followed between City Attorney Wadden and Council regarding the possibility of *Save the Plastic Bag Coalition* contesting the ordinance. They also discussed the possible impact of having Assistant to the City Manager Coe-Juell continue her presentation and follow through with the Public Hearing. City Attorney Wadden determined that they could proceed with the presentation and Public Hearing with no liability so long as they did not act on the Ordinance tonight.

Assistant to the City Manager Coe-Juell continued with her presentation providing Council with numerous examples of other cities and countries that had banned plastic bags, particular steps each took, and the impact on the residents, businesses and the environment.

The discussion was opened up to the Council regarding the possibility of charging a fee for use of plastic bags; how the City would enforce a ban on plastic bags; the time frame needed to establish the new ordinance; the use of paper bags with a larger percentage of recycled material; how they could enlist the City along with the various businesses to support the ban and educate the community; along with future plans Los Angeles County has on the ban of plastic bags.

Mayor Montgomery opened the Public Hearing at 8:58 p.m.

**Patrick McBride, No Address Provided**, expressed his support of banning plastic bags in the City and asked if this included the small, clear plastic bags used for produce.

**Samantha Martinez, Grocers Association**, noted that the Association is a nation-wide, non-profit organization representing over 500 grocery stores and that the Association is opposed to the ban of plastic bags. She gave examples that supported their belief that the ban would have a negative impact on the environment and stated that the Association supports educating the consumer.

**Suzanne Kreshner, No Address Provided**, applauded the City on their green efforts and quoted the Planet Pals motto, "We Can Do It".

**Vickie Whipple, Waste Management**, shared that Waste Management was a true environmental partner and would lead training and community out reach.

**Walter Carlos, Subway Sandwich Owner**, expressed his support of the ban on plastic bags. He stated that Subway currently uses compostable plastic bags made of cornstarch and recycled paper in their product line. He also mentioned that they will soon be offering consumers reusable bags for purchase.

**Wayne Powell, No Address Provided**, commended the Green Team stating that he supports the ban on plastic bags. He agreed with Councilmember Tell and his comprehensive approach to tax paper bags, encourage the use of reusable bags and ban plastic bags.

Mayor Montgomery closed the Public Hearing at 9:19 p.m.

City Manager Geoff Dolan recommended that the item be continued to the next Council meeting and stated that meanwhile, staff would research the issue and find support studies to include in the staff report.

In response to Mayor Pro Tem Cohen's question regarding a fee for paper bags, City Manager Dolan suggested that the City wait until Santa Monica completes their study and then go from there. He added that if they are successful, the item could be brought back to the Council for consideration.

Councilmember Aldinger asserted his support of the ban on plastic bags including the three-prong approach and education of the consumer.

Councilmember Ward expressed his concerns about a fee charged for the use of paper bags as mentioned earlier in the discussion and the possible impact it might have on the community, especially the small business owner.

He supported the City Attorney's recommendation that staff provided studies to substantiate their reasons for banning plastic bags as conveyed in the staff report, before risking a possible lawsuit.

Mayor Pro Tem Cohen acknowledged that she doesn't want costs to be a burden on businesses; she wants more information on what the ramifications of banning plastic bags might be.

In response to Mayor Montgomery's question regarding the Council's direction, City Manager Dolan stated that as this was a Public Hearing, a motion would be necessary to continue the item to the next meeting.

**MOTION:** Councilmember Aldinger moved to continue this item (*Consideration of an Ordinance to Prohibit the Use of Plastic Carry-Out Bags in Manhattan Beach*) until the next City Council meeting on Tuesday, June 17, 2008. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

06/03/08-19. Consideration of an Ordinance to Establish the Obligations of Cable Operators Providing Service in Manhattan Beach Under a State Franchise Agreement

Assistant to the City Manager Lindy Coe-Juell presented information to Council regarding the cable industry, State franchise and the implications these changes will have on the City. She noted the following change in terms between the City and cable companies under the State franchise laws, effective January 1, 2009;

- Cable companies will retain the right to provide service in their area and the right to use/build in public right-of-way in exchange for a franchise fee.
- The 5% franchise fee is the same as our current contract with Time Warner and Verizon.
- Cable companies must comply with federal standards of customer service however the City will be responsible for enforcing the standards.
- The City will establish penalties for any material breach of state and federal customer service standards as outlined in Ordinance No. 2116.

- Under the new law, the City can no longer accept services in exchange for fees from cable companies.
- Under our local franchise agreement, the City did not receive PEG fees from Time Warner and the fee schedule with Verizon was not as favorable as the new one.

She also reported that staff has been trained to take over the functions currently performed by Time Warner and that they are looking into a number of possibilities to develop a larger variety of programming on the Cities PEG channel.

Mayor Montgomery opened the Public Hearing at 9:38 p.m.

**Patrick McBride, No Address Provided**, asked and received clarification regarding the responsibilities of the City versus the Cable companies in reference to the public access channels.

**Gerry O'Connor, No Address Provided**, declared that he sees this as an opportunity for the City to be imaginative and create public broadcasting that would be engaging to the community.

Mayor Montgomery closed the Public Hearing at 9:44 p.m.

City Attorney Robert Wadden read aloud the title of Ordinance No. 2116.

**MOTION:** Councilmember Aldinger moved to waive further reading and introduce Ordinance No. 2116. The motion was seconded by Mayor Pro Tem Cohen and passed by the following unanimous roll call vote:

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

**GENERAL BUSINESS**

06/03/08-20. Discussion of the Fiscal Year 2008-2009 City Council Work Plan

City Manager Dolan gave a brief overview of the Work Plan and explained that it is simply a guide the Council establishes to list the items that they would like accomplished in the next year. He stated that there were so many items this year that fell under Community Development, that he felt it was more efficient to first prioritize and then divide the items into two categories; planning issues and traffic issues. City Manager Dolan commented that he and staff clarified who was responsible for each item and in some cases determined deadlines. He said that the fifty four items were broken down into four categories: Green Initiatives, Community Safety, Financial Stability, and Community Partnership.

A lengthy discussion was held among Council regarding the format of the Work Plan and its presentation to the community, whether on the website or in hard copy. Councilmember Tell clarified that the Work Plan is a parallel process, with departments working on items specific to them simultaneously. Council concurred they would like the community to have a comprehensive idea of what they plan to accomplish in the coming year and determined that they would like to open the Work Plan with a list of their top ten priorities.

**The following individuals spoke on this item:**

- **Ed Skeeby, No Address Provided**
- **Gerry O'Connor, No Address Provided**

Council concurred on the following ten items as the top priorities for the 2008-2009 Work Plan.

Storm Water Retention and Large Scale Infiltration Projects  
Create a Climate Action Plan  
Banning of Plastic Bags  
Banning Styrofoam  
Economic Development  
Enhanced School Partnership  
Finding Ways to Accomplish the Implementation of Some Items Addressed by the FSP  
Green Community Involvement  
(In order as they appear on the Work Plan)

**MOTION:** Councilmember Ward moved to approve the first nine items agreed upon by Council. The motion was seconded by Councilmember Tell.

Councilmember Aldinger offered a substitute motion.

**MOTION:** Councilmember Aldinger moved to approve the addition of Green Building Standards, Tree Ordinance and Water Waste-Over Sprinkling, and to combine the Banning of Styrofoam with the Banning of Plastic, and combine Storm Water Infiltration with Large Scale Infiltration Projects to the above nine items to create the top ten priority list. The motion was seconded by Mayor Pro Tem Cohen and passed by the following roll call vote:

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

Council agreed to bring any “word smithing” back to staff and City Manager Dolan asserted that he would bring the revised Work Plan back to the June 17<sup>th</sup> meeting for Council approval.

06/03/08-21. Consideration of Expansion of Transportation Services for Older Adults

This item was continued to the City Council meeting of June 17, 2008.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

None.

**AUDIENCE PARTICIPATION**

None.

**CITY MANAGER REPORT(S)**

06/03/08-30. City Manager Dolan Re Boards & Commissions Orientation

City Manager Dolan reminded everyone that the first Boards and Commissions Orientation will take place on Tuesday, June 10, 2008 at 6:00 p.m. in the Police/Fire Conference Room. He said that both current and new commissioners have been invited to attend.

06/03/08-31. City Manager Dolan Re Joint Meeting with the Parks and Recreation Commission

City Manager Dolan reminded Council that a Joint City Council/Parks and Recreation Commission meeting would be held in the Police/Fire Conference Room on Tuesday, June 24, 2008 at 6:30 p.m.

**OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS**

06/03/08-32. Mayor Montgomery Re Lindy Coe-Juell's Presentation

Mayor Montgomery congratulated Assistant to the City Manger Lindy Coe-Juell on her presentation of the Green Report at the California Contract Cities Association (CCCA) Conference last week in Indian Wells, California. He also stated that Manhattan Beach was a leader in the green movement among cities in California.

06/03/08-33. Mayor Pro Tem Cohen Re Metlox Art and Music Series

Mayor Pro Tem Cohen complimented Parks and Recreation Director Richard Gill along with Cultural Arts Manager Juanita Purner and staff on the Metlox Sunday afternoon Arts and Music Series.

06/03/08-34. Mayor Pro Tem Cohen Re Tree Workshop

Mayor Pro Tem Cohen extended her appreciation to staff and the Tree Canopy Committee and the Consultant from Palo Alto for an informative workshop last Friday.

06/03/08-35. Mayor Pro Tem Cohen Re Green Committee

In response to Mayor Montgomery's request, Mayor Pro Tem Cohen stated that an update on the Green Committee will be provided at the next meeting.

06/03/08-36. Councilmember Aldinger Re School Board

Councilmember Aldinger voiced his enthusiasm regarding last night's meeting with the School Board. He stated that he would like to see a status report presented to Council along with agendizing a report from the sub-committee.

**ADJOURNMENT**

At 11:17 p.m., the meeting was duly 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, June 17, 2008, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

\_\_\_\_\_  
Patricia Schilling  
Recording Secretary

\_\_\_\_\_  
Richard Montgomery  
Mayor

ATTEST:

\_\_\_\_\_  
Liza Tamura  
City Clerk

**CITY OF MANHATTAN BEACH  
MINUTES OF THE CITY COUNCIL  
ADJOURNED REGULAR MEETING  
JUNE 3, 2008**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 3<sup>rd</sup> day of June, 2008, at the hour of 6:00 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

**ROLL CALL**

Present: Ward, Tell, Aldinger, Cohen and Mayor Montgomery.  
Absent: None.  
Clerk: Dolan (Acting).

**CLOSED SESSION**

The Council recessed into Closed Session at 6:00 p.m. and moved to open session at 6:25 p.m.

**ADJOURNMENT**

The meeting was duly adjourned at 6:25 p.m.

Portia Cohen  
Recording Secretary

Richard Montgomery  
Mayor

ATTEST:

Liza Tamura  
City Clerk