

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
JUNE 17, 2008**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 17th 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

Fire Chief Scott Ferguson led the pledge of allegiance.

ROLL CALL

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

CEREMONIAL CALENDAR

06/17/08-1. Presentation of Certificates to the AYSO Girls (Under 12) All-Star Soccer 2007-2008 California State Champions

Mayor Montgomery, on behalf of the Council, presented the American Youth Soccer Organization (AYSO) Girls (Under 12) All-Star Soccer Team with certificates and city pins in recognition of their 2008 California State Championship.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 2 through 16), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Aldinger, seconded by Councilmember Ward and passed by unanimous roll call vote with the exception of Item Nos. 2 and 16 which were considered later in the meeting under "*Items Removed from the Consent Calendar*".

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

GENERAL CONSENT

06/17/08-2. Approve Minutes of the Special Joint City Council/ Manhattan Beach Unified School District Meeting of June 2, 2008

Item No. 2 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/17/08-3. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of June 3, 2008

The Council approved the subject minutes.

06/17/08-4. Adoption of an Ordinance to Establish the Obligations of Cable Operators Providing Service in Manhattan Beach Under a State Franchise Agreement

The Council adopted Ordinance No. 2116.

ORDINANCE NO. 2116

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADDING A NEW CHAPTER 13.03 TO TITLE 13 OF THE MANHATTAN BEACH MUNICIPAL CODE REGARDING CABLE TELEVISION

06/17/08-5. Consideration of the State Budget and Legislative Update

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

06/17/08-6. Consideration of Financial Reports:

- a) Ratification of Demands: June 12, 2008
- b) Investment Portfolio for the Month Ending April 30, 2008
- c) Financial Reports for the Month Ending April 30, 2008

The Council approved with no exception Warrant Register No. 26B in the amount of \$4,201,492.62 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; received and filed the Investment Portfolio for the month ending April 30, 2008; and received and filed the Financial Reports for the month ending April 30, 2008.

06/17/08-7. Consideration of a Three-Year Agreement with Verizon California, Inc. to Provide CentraNet Telephone Service for Approximately \$13,200 Annually

The Council waived formal bidding per Municipal Code Section 2.36.140 (waivers) and approved a three-year agreement with Verizon California, Inc. to provide CentraNet Service at an estimated annual cost of \$13,200.

06/17/08-8. Consideration of Ratification of Motor Fuel Purchase From Southern Counties Oil in the Amount of \$34,964.34

The Council approved the purchase of fuel from Southern Counties Oil in the amount of \$34,964.34.

06/17/08-9. Consideration of Advanced Payment of Employer Pension Costs for Fiscal Year 2008-2009 Which Results in Net Savings of Approximately \$42,700

The Council approved the advanced payment of the City's Fiscal Year 2008-2009 employer pension costs to CalPERS.

06/17/08-10. Authorize Renewal of Contract Agreements with Adminsure for Workers' Compensation and General and Auto Liability Claims Administration Services

The Council approved the renewal of contract agreements with Adminsure (formerly Colen & Lee) to provide liability and workers' compensation third party claims administration services effective July 1, 2008 through July 30, 2009.

06/17/08-11. Consideration of a Three-Year Contract for Document Imaging Conversion Services with Anacomp, Inc., in the Amount of \$185,200

The Council approved authorizing the City Manager to enter into a three-year contract for document imaging conversion services with Anacomp, Inc. (RFP #793-08) in the amount of \$185,200 for the Community Development, Public Works and Human Resource Departments.

06/17/08-12. Award a Contract (\$15,723.06) for Traffic Marking Services to Superior Pavement Markings

The Council approved an award of contract for Traffic Marking Services to Superior Pavement Markings in the net amount of \$15,723.06.

06/17/08-13. Disbursement of Progress Payment No. 2 in the Net Amount of \$167,318.71 to Sully-Miller Contracting Co. for the Section 3 and 4 Concrete Repair Project; Approve Change Order No. 1 (\$39,536.80)

The Council approved the issuance of the subject progress payment and change order.

BOARDS AND COMMISSIONS

Cultural Arts Commission

06/17/08-14. Consideration of Draft Cultural Arts Commission Minutes of May 13, 2008

The Council received and filed the subject draft minutes.

Parks and Recreation Commission

06/17/08-15. Consideration of Draft Parks and Recreation Commission Minutes of April 28, 2008

The Council received and filed the subject draft minutes.

Planning Commission

06/17/08-16. Consideration of Planning Commission Approval of a Use Permit, Coastal Development Permit and Vesting Tentative Parcel Map No. 69392 for Construction of Two Attached Residential Condominium Units Located at 220 11th Street

Item No. 16 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

COMMUNITY ANNOUNCEMENTS

06/17/08-24. Los Angeles County Librarian Don Gould Re Library Events

Los Angeles County Librarian Don Gould thanked the community for their patience while the new \$7 million system was being implemented. He announced that Story Time signups are over until the new session begins on July 14, 2008; that "Pajamarama" will take place tomorrow, Wednesday, June 18, 2008 at 7:00 p.m.; that sign-ups for "Catch the Reading Bug" will begin on Monday, June 23, 2008; and that the first "Paws for Healing" program, for children who like to read to animals, will take place on June 28, 2008.

06/17/08-25. Wayne Powell Re Police Department Community Meeting

Wayne Powell, No Address Provided, announced that the Manhattan Beach Police Department will conduct a community meeting on crime prevention tomorrow evening, June 18, 2008 at the Joslyn Community Center at 7:00 p.m. and encouraged the public to attend.

06/17/08-26. Mayor Montgomery Re Newspaper Article on Undergrounding Districts 8 and 13

Mayor Montgomery acknowledged the article in the Daily Breeze Newspaper regarding a property owner meeting for those in Undergrounding Districts 8 and 13. He said that the District 8 meeting will be held on June 24, 2008 and District 13 on June 26, 2008 with both being held at the Joslyn Community Center from 6:30 – 11:00 p.m. He stated that City officials and officials from Southern California Edison will be in attendance to review the draft for these Districts.

City Manager Geoff Dolan added that the City mailed notices to all property owners in both Districts.

06/17/08-27. Mayor Montgomery Re Benefit Walk

Mayor Montgomery announced that the organization “Walk with Sally” (an organization providing healing and comfort to children living with or losing a parent to cancer) will sponsor a benefit walk at the Raleigh Studios on June 28, 2008 from 7:00 to 11:00 p.m. and that those interested can RSVP on line at www.walkwithsally.org.

PUBLIC HEARINGS

06/17/08-17. Consideration of Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2008-2009

Finance Director Bruce Moe explained that this is the annual renewal of the Downtown Business Improvement District (BID) for Fiscal Year 2008-2009 as required by State Law. He conveyed that the assessment is an 80% surcharge on the business license, to a maximum of \$600; that approval is based on receiving less than a majority protest; and that all legal requirements have been met. He requested that Council adopt the Resolution authorizing the collection of the assessments, ratify the Advisory Board members, authorize the BID Advisory Chair, Ron Coach, to enter into an agreement with the Downtown Business & Professional Association to provide services to the District and authorize the distribution of the assessments collected during the most recent business license cycle which totals approximately \$93,000.

Mayor Montgomery opened the Public Hearing at 6:49 p.m.

Hearing no requests to speak, Mayor Montgomery closed the Public Hearing at 6:50 p.m.

MOTION: Councilmember Aldinger moved to adopt Resolution No. 6149 providing for the collection of assessments for the Downtown Business Improvement District (BID); ratify the 2008-2009 BID Advisory Board Members; approve authorizing the BID Advisory Board Chair to enter into an agreement with the Downtown Business & Professional Association to provide services to the District; and approve disbursement of Fiscal Year 2007-2008 Assessments. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

RESOLUTION NO. 6149

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR THE EXISTING DOWNTOWN MANHATTAN BEACH BUSINESS IMPROVEMENT DISTRICT, PURSUANT TO THE STREETS AND HIGHWAYS CODE SECTION 36500 ET. SEQ. (SB 1424 - PARKING & BUSINESS IMPROVEMENT LAW OF 1989, CHAPTER 2) OF THE STATE OF CALIFORNIA

City Manager Geoff Dolan clarified that businesses in the downtown area assess themselves in order to provide promotional services for the downtown area.

06/17/08-18. Continuation of the Consideration of an Ordinance to Prohibit the Use of Plastic Carry-Out Bags in Manhattan Beach

City Manager Geoff Dolan stated that staff is recommending that this item be continued to the next City Council meeting in order to complete the environmental assessment. He explained that the July 1, 2008 Public Hearing has already been noticed in the newspaper, allowing for the required 20-day review and comment period, and that the assessment as well as other new information on the pros and cons of paper versus plastic will be reviewed at that time. He acknowledged that staff has notified the Chamber of Commerce and other organizations and a large turnout is expected. City Manager Dolan asserted that while staff are not experts in this area, they will do everything possible to collect information in order for Council to make the best decision. He concluded by conveying the process to continue the Public Hearing.

Mayor Montgomery opened the Public Hearing at 6:53 p.m.

Hearing no requests to speak, Mayor Montgomery continued the Public Hearing to the July 1, 2008 City Council meeting.

GENERAL BUSINESS

06/17/08-19. Consideration of Expansion of Transportation Services for Older Adults

City Manager Geoff Dolan reviewed Council's direction to staff regarding the expansion of the City's Dial-A-Ride (DAR) service and introduced Recreation Services Manager Eve Kelso.

Recreation Services Manager Kelso addressed Council with staff's short term recommendations for expanding transportation services for older adults in the community. She reported that staff is proposing to extend the DAR service hours from 9:00 a.m. - 4:00 p.m. to 7:30 a.m. - 6:00 p.m. using a combination of expanded DAR service and cabs. She explained that staff is recommending that DAR not provide rides to the airport because it is not part of its mission; it is more of a luxury; and costs would be difficult to project. Recreation Services Manager Kelso concluded by explaining that staff found the combination of DAR and cabs to be the most cost effective and that by using DAR for the majority of rides, patrons will continue to receive a high level of customer service.

Council held discussion with Recreation Services Manager Kelso determining that the additional cab rides will help lessen some “wait” times; that the survey will be conducted in the fall as part of the long term recommendations; and that the estimates were based on the current budget for DAR.

City Manager Dolan clarified that the recommendation to staff was to enhance DAR with a supplemental taxi service; therefore, riders will be directed to DAR first.

Discussion continued regarding maintaining the integrity of DAR; using it to transport residents to other events such as *Concerts in the Park*; that staff will research how to find the most appropriate taxi company; and that the survey will be mailed to all residents over the age of 50.

Council concurred that Dial-A-Ride is a very valuable service to the community and approved staff’s recommendations.

Hearing no objections, it was so ordered.

06/17/08-20. Presentation of a City Council Work Plan Item Regarding Intelligent Transportation System Projects Along Rosecrans Avenue and Sepulveda Boulevard

Traffic Engineer Erik Zandvliet explained that an Intelligent Transportation System (ITS) is a collective term for traffic signals that communicate with each other through a Traffic Management Center (TMC) and that a TMC can be located nearby or at a regional center. He detailed the hardware and software used and explained that TMC’s have the ability to remotely change the timing of traffic signals to improve traffic flow and reduce air pollution and provide that information to motorists through the Internet, radio, TV, etc. He reported that the City has 2 recent additions to its signal system – the State’s Adaptive Traffic Control System (ATCS) on Pacific Coast Highway (Sepulveda Boulevard) and Los Angeles County’s Caltrans system on Rosecrans Avenue. He reviewed how the Rosecrans Avenue system, which extends from Village Drive to Oceangate, was connected to the live feed and that a few problems were reported and corrected by the County. Through a PowerPoint presentation, Traffic Engineer Zandvliet reviewed the Sepulveda Boulevard system conveying that it was part of Governor Schwarzenegger’s “Go California Projects”. He communicated that Caltrans is increasing detection on side streets; that 2 future projects (dual left turn lanes on Sepulveda Boulevard at Marine Avenue and Sepulveda Boulevard at Manhattan Beach Boulevard) will enhance the system; and that the City of El Segundo will fund the Sepulveda Boulevard at Marine Avenue project and Manhattan Beach will fund the Sepulveda Boulevard at Manhattan Beach Boulevard project.

Council held discussion with Traffic Engineer Zandvliet regarding how a previous timing problem was reported and corrected; the signal length on Sepulveda Boulevard versus Rosecrans Avenue; signal timing on weekends; recent traffic counts and how the City gets them. Also discussed was that staff is waiting for the City of El Segundo to respond on some signal timing issues.

In response to questions from Council, **Martin Amundson and Joy Krejci of the County of Los Angeles Department of Public Works** explained how the County notifies Cities that they will be adding equipment to their traffic signals and explained that they are addressing issues such as aesthetics as they move forward. **Mr. Amundson** pointed out that the County and State coordinate systems where possible, such as the Rosecrans Avenue/405 Freeway off ramp; however, Sepulveda Boulevard has a different system and would be difficult to “match up”. He also added that traffic signal bulbs are being replaced with Light Emitting Diodes (LEDs) as they switch out the bulbs.

The following individual spoke on this item:

- **Bob Lauson, 23rd Street**

In response to **Mr. Lauson's** comments, **Mr. Amundson** explained that after resolving a problem with their clocks, **Ms. Krejci** drove down Rosecrans Avenue and encountered the same problem as **Mr. Lauson**, so the County suggested some timing modifications and gave the information to Traffic Engineer Zandvliet for consideration.

In answer to Council's questions, **Mr. Lauson** explained that once permission is received from both cities (Manhattan Beach and El Segundo), the suggested changes can be downloaded from the TMC and monitored. **Mr. Amundson** and **Ms. Krejci** answered additional questions regarding the Rosecrans Avenue/405 Freeway on ramp area.

Councilmember Aldinger commented that Sepulveda does flow well now; however, Rosecrans still does not.

Councilmember Ward stated that the improvements on Rosecrans have helped tremendously; however coordinating the traffic signals will help even more.

In response to Mayor Pro Tem Cohen's question regarding how the City gauges improvement, Traffic Engineer Zandvliet explained that there has been improvement on Rosecrans Avenue and that it is gauged by the amount of traffic that is able to flow through the intersection. He added that there are 2-3,000 more cars on Rosecrans as compared to last year mostly because of the El Segundo Plaza and that the goal is to absorb this extra traffic through changes such as the street widening and traffic signal coordination.

Councilmember Tell agreed that the traffic situation is getting better but there is still work to do. He asked that some mechanism be put into place to follow up on the timing once it is implemented.

Traffic Engineer Zandvliet stated that he has a better personal communication with the County now and that he will actively monitor the situation on Rosecrans Avenue and report back to Council after the improvements are made.

In conclusion, Mayor Montgomery reiterated that now that the construction is finished on Rosecrans Avenue, the City can actually gauge the improvement. He requested that the County notify the City's Public Works Department when they are going to be adding cameras, antennas, etc. to traffic signals. Mayor Montgomery concluded by stating that he will contact the Mayor of El Segundo to try and speed along their approval to resolve the traffic signal timing on Rosecrans Avenue.

Councilmember Aldinger requested that Mayor Montgomery ask the Mayor of El Segundo to complete the necessary work on the train tracks so that the fourth lane heading north on Sepulveda can be opened.

The Council received and filed this subject report.

06/17/08-21. Discussion of the Fiscal Year 2008-2009 City Council Work Plan

City Manager Geoff Dolan reviewed that it has been several months since the Work Plan meeting took place and that the Council identified their "top 10" items and made some modifications to the narratives, but that no substantive changes were made. He explained the layout of the Work Plan and stated that staff is optimistic that they can address most, if not all, of the forty-plus items.

Council held discussion with City Manager Dolan concurring that they would like to receive an update/review of the Work Plan approximately every quarter and to bring items back to Council if some type of conflict occurs. The Council discussed how the Work Plan will be presented (in hard copy, on the City's web site and referencing the web site in the City's newsletter) and whether or not it is a good idea for the Council to review and add input to the City newsletter.

City Attorney Robert Wadden conveyed that it would not be a problem for one Councilmember to review the newsletter and that an article could be written by the Council anonymously.

Discussion continued regarding the appropriateness of the Council's involvement with the City's newsletter and the process by which the Work Plan discussion is recorded.

City Manager Dolan relayed that he understands the importance of process and that past Councils have viewed the Work Plan as a starting point. He pointed out that the items identified will all go through a process and that, in the past, it hasn't been necessary to spend an inordinate amount of time detailing the Work Plan because it is never a final decision.

Councilmember Ward emphasized that he believes that the current process works and that he would like to stop discussing the Work Plan and get to "tackling" the identified issues.

Councilmember Tell voiced his opinion that editing of the newsletter should be left to staff.

The following individuals spoke on this item:

- **Martha Andreani, No Address Provided**
- **Bill Victor, No Address Provided**

City Manager Dolan thanked the Council for providing direction on the Work Plan and stated that he agreed with **Ms. Andreani's** reference that the Work Plan is a "To Do" list of items that staff will be working on in the next year.

In response to Councilmember Aldinger's question as to why some of the narratives have more or less content than what was discussed at the Work Plan, City Manager Dolan explained that Council agreed that it was acceptable for any Councilmember who wanted to "fine-tune" the Work Plan to do so as long as there was no change to the substantive content.

MOTION: Councilmember Aldinger moved to approve the 2008-2009 Work Plan. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

RECESS AND RECONVENE

At 8:27 p.m. the Council recessed and reconvened at 8:48 p.m. with all Councilmembers present.

06/17/08-22. Consideration of Establishing an Environmental Task Force

City Manager Geoff Dolan reviewed that talk of establishing an environmental citizens group began after the “Green” Report was introduced last November and that after more detailed discussion, Council decided to develop an Environmental Task Force. He explained that the Council Sub-Committee, consisting of Mayor Pro Tem Cohen and Councilmember Tell, were tasked to develop a proposal for both process and policy aspects and that they are recommending that the Task Force study waste diversion, reduction & recycling and sustainable design. He reported on additional recommendations including: that Task Force members serve an 18 month term; that the Task Force be divided into three Sub-Committees (residential waste issues, business waste issues and sustainable design & development); and that each Councilmember appoint one person. City Manager Dolan pointed out that the Council Sub-Committee has drafted an application and recommend advertising in the local paper and on the City’s web site. He added that the Council Sub-Committee recommends that current Board and Commission members not be considered and that the Council and School Board make their appointments prior to acquiring the remaining nine seats.

Councilmember Tell relayed that he and Mayor Pro Tem Cohen attempted to balance specificity of what the Task Force should focus on while not being too restrictive on what issues they research. He explained how he and Mayor Pro Tem Cohen chose the issues and number of members for the three Sub-Committees and that they hope that these members will reach out to the community and get more people involved. Councilmember Tell concluded that the key is to provide some direction and specificity but still allow flexibility so that members continue to be engaged in the process.

Mayor Pro Tem Cohen acknowledged that these are subjects that inspire people and work well with committees and spoke of how it was natural to break the waste diversion, reduction & recycling into two groups - residential and business. She stated that the Task Force will be given a lot of “meat” and that Council will have a lot of opportunity after receiving reports from the Task Force to make informed choices on how to move forward. She remarked that in the interim, perhaps the City can take steps to encourage more “green” designs and recycling efforts can be increased. She emphasized that progress will not be stalled; the Task Force will gather information that would have taken staff a long time on their own to do and the community will be involved. Mayor Pro Tem Cohen commented that the challenge will be the process of using such a distinguished qualification list in order to select members and achieve a cross representation of skills.

Council held discussion with City Manager Dolan regarding issues such as the length members will serve; what their duties will be; how often they will meet as a Task Force; how staff will support the Task force; and what will happen to the Task Force at the end of the 18 months (will it become a full fledged Commission).

Mayor Montgomery conveyed that it is a great template; however, he expressed concern that 18 months may be an arbitrary number and questioned why the Task Force would study the contract City’s waste hauler contract when it is not a current priority and can be extended an additional year at the current price. He stressed that water should be the top priority and that one of the Sub-Committees should research water conservation. Mayor Montgomery suggested that each Councilmember pick two members instead of one to cut down the number of at-large bids.

Council continued discussion with City Manager Dolan on the flexibility of what the Sub-Committees will research, what the Council’s priorities are, and an extended conversation regarding the City’s trash contract and associated issues. Also discussed was which staff

members will support which Sub-Committees and how much structure, in the form of topic parameters, should be provided by Council. Council spoke about adding Water and the development of a Climate Action Plan to the list of possible Sub-Committee topics; allowing the Task Force to choose which topics they would like to study; and how they will report back to the Council on their progress. Additional discussion took place regarding appointees chosen by Council's and the process by which the remaining members would be chosen. Revisions to the draft application were suggested and Council concurred to advertise in the local newspaper and on the City's website and make the Task Force appointments at the September 5, 2008 Council meeting. A final discussion took place regarding the 18-month term and Council agreed to modify the term to "up to 18 months".

City Manager Dolan stated that staff will review the changes with the Council Sub-Committee before advertising for applicants.

06/17/08-23. Consideration of Status Report Regarding the Residential Construction Officer Program

City Manager Geoff Dolan reviewed Council's direction to hire a full-time officer position to help address various construction issues in the City.

Community Development Director Richard Thompson introduced Building Official Carol Jacobson and Residential Construction Officer (RCO) Rick Larson. He explained that the RCO position is funded through a surcharge on building permits; that before a permit is issued, the RCO meets with the builder to review the City's rules and requirements; and then a secondary meeting is scheduled on site with the builder and neighbors to review the project and discuss the requirements. He reviewed that postcards are mailed to neighboring residents specifying the project and that the RCO also visits each neighbor providing a door hanger with the City's building regulations and contact information on the builder. He added that occasionally private property issues arise and RCO Larson is often able to resolve them; however, when there is an impasse, the parties are referred to **Lance Whidman at Dispute Resolutions**, at no cost to the resident(s). Community Development Director Thompson reported that out of approximately 550 active construction permits in the City last year, approximately 25 were "problem" projects; that RCO Larson issued 50 parking related citations and 20 Stop Work Orders; and that utility companies often add to these problems.

Council held discussion with Community Development Director Thompson regarding the length of some construction projects, the impacts of construction vehicles on residents and contractors who repeatedly do not follow the rules.

In response to the question of whether the City can increase fines for repeat offenders, City Attorney Robert Wadden explained that currently the violation of construction rules is a misdemeanor with a maximum fine of \$1,000; however, an additional fine of \$1,000 could be added for violation of the Parking Management Plan.

Council briefly discussed escalating the fines for repeat offenders and RCO Larson explained that the majority of the problems occur on projects in the Strand area where there is no street parking and described some of the problems and what he did to resolve them.

In response to Council's request for staff to return with a list of additional mechanisms to help solve these construction related problems, City Manager Dolan communicated that he will speak with City Attorney Wadden and staff.

Mayor Montgomery stressed that residents need to be notified (possibly by leaving door hangers) beforehand if they are going to be inconvenienced by some type of construction; a large roll-off trash container for example.

The following individual spoke on the item:

- **Phil Reimert, No Address Provided**

The Council briefly discussed that the number of construction projects are not limited by the City for many reasons and received and filed the subject report.

ITEMS REMOVED FROM THE CONSENT CALENDAR

06/17/08-2. Approve Minutes of the Special Joint City Council/ Manhattan Beach Unified School District Meeting of June 2, 2008

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

The following individuals spoke on this item:

- **Robert Bush, No Address Provided**
- **Bill Victor, No Address Provided**

In response to audience comments, Mayor Montgomery emphasized that the City has no control over the School Board; that no current Councilmember was on the Manhattan Beach Unified School District Oversight Committee; and that the Council met recently with the School Board regarding shared expenses.

MOTION: Councilmember Aldinger moved to receive and file the subject report. The motion was seconded by Mayor Pro Tem Cohen and passed by the following unanimous roll call vote.

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

Planning Commission

06/17/08-16. Consideration of Planning Commission Approval of a Use Permit, Coastal Development Permit and Vesting Tentative Parcel Map No. 69392 for Construction of Two Attached Residential Condominium Units Located at 220 11th Street

City Attorney Robert Wadden stated that this item will require a Public Hearing under State law; therefore, the only matter for Council to consider is whether or not to appeal it.

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

The following individuals spoke on this item:

- **Vernon Hurst, 1000 Block of Highland Avenue**
- **Bill Victor, No Address Provided**

Council briefly discussed the matter with Community Development Director Richard Thompson and determined that, besides the fact that the City does not have a view or “slope” ordinance, the project meets the current codes.

MOTION: Councilmember Ward moved to receive and file the subject report. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote.

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

AUDIENCE PARTICIPATION

06/17/08-28. Bill Victor Re Undergrounding

Bill Victor, No Address Provided, relayed that information was missing from a file containing documents on the District 8 Undergrounding that he had requested to view. He also questioned whether the \$80,000 donated to the City for the design of District 8 was returned to the donor.

06/17/08-29. Robert Bush Re Utility Undergrounding

Robert Bush, No Address Provided, relayed his opinions that the Utility Undergrounding process in the City was flawed.

Councilmember Tell emphasized that **Mr. Bush’s** statements are not accurate.

In response to the two previous speakers, Mayor Montgomery reiterated the information on the meeting for District 8 on June 24, 2008 at the Joslyn Center. He explained that officials from the City as well as officials from Southern California Edison will be there with all of the information and a draft plan for District 8.

City Manager Geoff Dolan asserted that **Mr. Victor** that it is not true that the money donated to the City for the design of District 8 was returned.

CITY MANAGER REPORT(S)

06/17/08-30. City Manager Dolan Re Rescheduling of Meetings

City Manager Dolan announced that the Joint City Council/Parks & Recreation Commission Meeting scheduled for next Tuesday, June 24, 2008 as well as the Joint City Council/Planning Commission meeting will be postponed due to scheduling conflicts. Following a brief discussion, the Joint City Council/Parks & Recreation Commission meeting was rescheduled for July 8, 2008 in the Police/Fire Conference Room and the Joint City Council/Planning Commission meeting will be determined at a later date.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

06/17/08-31. Mayor Montgomery Re Change in Council Assignments

Mayor Montgomery conveyed that he would like to make a few changes to the Council assignments. After a brief discussion, the following changes were agreed upon:

GENERAL CIVIC ORGANIZATION

Delegate

Alternate

Manhattan Beach Neighborhood Watch

Montgomery

Tell

Manhattan Beach Hometown Fair Association

Ward

Montgomery

City Attorney Robert Wadden stated that because this is a non-substantive procedural matter, therefore, it may be voted on this evening and would not need to be agendaized for a future meeting.

MOTION: Councilmember Aldinger moved to approve the New Council Assignments as amended. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

06/17/08-32. Mayor Montgomery Re Pharmaceutical Drop Off

Mayor Montgomery reiterated a previous suggestion to install a container where residents can drop off expired or unused medications somewhere at City Hall. Council discussed the issue with City Manager Geoff Dolan who explained that there are several issues that need to be considered and that staff will research the matter and report back to Council.

ADJOURNMENT

At 11:18 p.m., the meeting was duly adjourned, in memory of former City Clerk Winona Underhill and founder of the Manhattan Victim's Assistance Program, Joyce Davis, to the 5:30 p.m. Adjourned Regular Meeting to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, July 1, 2008, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Terri Aliabadi
Recording Secretary

Richard Montgomery
Mayor

ATTEST:

Liza Tamura
City Clerk