

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

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 15th day of July, 2008, at the hour of 6:34 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

PLEDGE TO FLAG

Community Development Director Richard Thompson led the pledge of allegiance.

ROLL CALL

Present: Ward, Tell, Aldinger, Cohen and Mayor Montgomery.
(Cohen arrived at 6:37 p.m.)
Absent: None.
Clerk: Tamura.

CEREMONIAL CALENDAR

None.

CONSENT CALENDAR

Councilmember Aldinger requested that Item 12 be tabled at this time so that neighborhood meetings can be held and the matter agendized with the Parking and Public Improvements Commission before returning to City Council.

Mayor Montgomery asked that the notification area be expanded.

Community Development Director Richard Thompson verified that the notification area will be expanded as directed by the Council.

The Consent Calendar (Item Nos. 1 through 14), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Aldinger, seconded by Councilmember Tell and passed by unanimous roll call vote, with the exception of Item No. 12 (*Consideration of Prohibition of Left Turns at all Times at Aviation Boulevard and 12th Street and at Aviation Boulevard and 19th Street*) which, after expanding the notification area to include all of Liberty Village and conducting neighborhood meetings, will be agendized for consideration at a Parking and Public Improvements Commission meeting and later brought back for City Council consideration.

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

Discussion regarding Item No. 12 continued with numerous unidentified individuals speaking out from the audience (their comments inaudible).

City Manager Geoff Dolan affirmed that a neighborhood meeting can be held to address this matter in approximately three weeks and that it will be re-noticed.

Mayor Montgomery clarified that notification will be mailed, published in the newspaper and sent out by e-notification. He encouraged residents to e-mail, write, or call the City Council if they have comments.

GENERAL CONSENT

07/15/08-1. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of July 1, 2008

The Council approved the subject minutes.

07/15/08-2. This Space Intentionally Left Blank

07/15/08-3. Adoption of an Ordinance to Prohibit the Use of Plastic Carry-Out Bags in Manhattan Beach

The Council adopted Ordinance No. 2115.

ORDINANCE NO. 2115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADDING A NEW SECTION 5.88.010 TO A NEW "ENVIRONMENTAL REGULATIONS" CHAPTER 5.88 TO TITLE 5 OF THE MANHATTAN BEACH MUNICIPAL CODE PROHIBITING THE USE OF PLASTIC CARRY-OUT BAGS

07/15/08-4. Consideration of the State Budget and Legislative Update

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

07/15/08-5. Consideration of a Resolution for Acceptance of a Grant from the California Department of Alcoholic Beverage Control (ABC) for Increased Education and Enforcement Activities Regarding Alcoholic Beverage Control Laws in the Amount of \$85,000 and Appropriate Said Amount from the Unreserved General Fund Balance, Which Will be Reimbursed by the Grant

The Council approved accepting a reimbursable grant from the State Department of Alcoholic Beverage Control; adopted Resolution No. 6151; and appropriated \$85,000 from the unreserved General Fund balance which will be reimbursed by the Grant.

RESOLUTION NO. 6151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DECLARING ITS INTENT TO ACCEPT A STATE GRANT UNDER THE GRANT ASSISTANCE TO LOCAL LAW ENFORCEMENT AGENCIES PROJECT ADMINISTERED BY THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FOR FISCAL YEARS 2008/2009 AND AUTHORIZE THE EXPENDITURE OF THESE GRANT FUNDS FOR ALCOHOLIC BEVERAGE CONTROL TRAINING, EDUCATION AND ENFORCEMENT

07/15/08-6. Consideration of the Award of a Three-Year Unarmed Security Services Contract to Contemporary Services Corporation (Estimated Total Annual Value of \$63,566)

The Council approved an award of a Request for Proposal to Contemporary Services Corporation for a three-year contract to provide unarmed security services at City events with an estimated value of \$63,566.

07/15/08-7. Consideration of Financial Reports: Ratification of Demands - July 1, 2008 & July 10, 2008

The Council approved with no exception Warrant Register No. 28B, 1B & 2B in the amount of \$2,307,323.97 in payment of ratification of demands and claims as prepared by the Director of Finance, together with the original demands and claims as prepared by said Warrant Register.

07/15/08-8. Disbursement of Progress Payments:

- a) Final Payment in the Net Amount of \$4,500.00 to Utility Services Company, Inc.; Formally Accept the Elevated Water Tank Maintenance Project as Complete; Authorize Filing of the Appropriate Notice of Completion and Approve a Supplemental Appropriation (\$10,000) from Water Fund Reserves for Additional Construction Inspection Services Provided by CSI Services
- b) Progress Payment No. 1 in the Net Amount of \$205,135.20 to Robert G. Castongia, Inc. for 2006-2007 Water Main Project

The Council approved the issuance of the subject progress payment and final payment; formally accepted the Elevated Water Tank Maintenance project as complete; authorized the filing of the appropriate Notices of Completion; and approved a supplemental appropriation of \$10,000 from the Water Fund Reserves.

BOARDS AND COMMISSIONS

Cultural Arts Commission

07/15/08-9. Consideration of Draft Minutes, Cultural Arts Commission Meeting of June 17, 2008

The Council received and filed the subject draft minutes.

Parks and Recreation Commission

07/15/08-10. Consideration of Draft Minutes, Parks and Recreation Commission Meeting of June 23, 2008

The Council received and filed the subject draft minutes.

Parking & Public Improvements Commission

07/15/08-11. Consideration of Action Minutes, Parking & Public Improvements Commission Meeting of June 26, 2008

The Council received and filed the subject action minutes.

07/15/08-12. Consideration of Prohibition of Left Turns at all Times at Aviation Boulevard and 12th Street and at Aviation Boulevard and 19th Street

The Council continued this matter in order for staff to expand the notification area to include all of Liberty Village, conduct neighborhood meetings, agendaized for a Parking and Public Improvements Commission meeting and then return to City Council for consideration.

Planning Commission

07/15/08-13. Consideration of Action Minutes, Planning Commission Meeting of July 9, 2008

The Council received and filed the subject action minutes.

07/15/08-14. Consideration of Planning Commission Approval of a Use Permit Amendment to Allow the Extension of Hours of Operation for Berritree Frozen Yogurt, Located at 350 North Sepulveda Boulevard

The Council received and filed the Planning Commission's approval of a Use Permit Amendment for 350 North Sepulveda Boulevard.

COMMUNITY ANNOUNCEMENTS

07/15/08-22. Los Angeles County Librarian Don Gould Re Library Events

Los Angeles County Librarian Don Gould announced the following upcoming events at Manhattan Beach Library: Summer Story Time from July 15 - August 13, 2008; Family Pajama Rama Story Time on Wednesday, July 16, 2008 at 7:00 p.m.; and Paws for Reading on July 26, 2008.

07/15/08-23. Councilmember Ward Re Independent Cities Association Conference

Councilmember Ward announced that Waste Management made a long-term commitment to the Manhattan Beach Youth Recognition Program at the recent Independent Cities Association (ICA) Conference. He asked staff to ensure that schools are notified about the Program.

07/15/08-24. Councilmember Aldinger Re “Green” Presentation

Councilmember Aldinger highlighted staff’s excellent presentation on the City’s “Green Program” at the Independent Cities Association (ICA) Conference.

PUBLIC HEARINGS

07/15/08-15. Consideration of a Fifteen Percent Rate Increase for the City’s Water and Waste Water Utilities Effective September 1, 2008

Finance Director Bruce Moe introduced the City’s newly hired Assistant Finance Director, Sharon Koike, who presented the staff report. She explained that the proposed fifteen percent rate increase, which would be effective September 1, 2008, would be a pass-through increase resulting from an increase implemented by the Metropolitan Water District. Assistant Finance Director Koike verified that this Public Hearing was appropriately noticed and that, as of this date, three written protests (letters) against the proposed rate increase were received and provided to the Council.

During Council discussion, Assistant Finance Director Koike advised that the last water rate adjustment in Manhattan Beach was approximately ten years ago; that the City’s water rates are currently “flat”; that the City plans to perform a rate study by the end of Fiscal Year 2008-2009 which will include the examination of tiered rates; and that any future water mandates with which the Metropolitan Water District must abide by will be passed on to the City.

City Manager Geoff Dolan related staff’s understanding that there will be significant water rate increases in the next one to one and one-half years, particularly in the area of waste water, and that the real impact of rate adjustments will be realized after the rate study is completed.

Public Works Director Jim Arndt provided input regarding anticipated rate increases to be implemented within the next year by the West Basin Municipal Water District. He noted (for future consideration) that the impact of rate increases will be necessary as a result of anticipated reductions in water consumption due to a water shortage.

Mayor Montgomery opened the Public Hearing at 6:56 p.m.

City Manager Dolan affirmed that all monies paid into the water fund must be dedicated to water-related expenses.

Dale (Last Name Inaudible), 1900 Block of Harkness, informed Council that he went through a similar situation with the Department of Water and Power (DWP); he stated that there are a lot of variables that are unknown; that many individuals have a hard time understanding the tier rate structure; and requested that Council take the time to educate the public.

Mayor Montgomery mentioned the importance of educating residents about tiered rates.

Hearing no requests to speak from the public, Mayor Montgomery closed the Public Hearing at 6:59 p.m.

MOTION: Councilmember Ward moved to approve a fifteen percent increase for water and waste water service rates effective September 1, 2008 and adopt Resolution No. 6152. The motion was seconded by Councilmember Tell.

Prior to the vote, Councilmember Aldinger clarified that the City will look at tiered rates in the future.

Councilmember Ward noted that the rate increases approved this evening are a pass through of rate increases from the Metropolitan Water District; that water conservation is the key; and that because the City will be faced with State water rationing mandates in the future, it will be important to study ways to conserve water even more closely.

Mayor Montgomery called for the vote.

MOTION: Councilmember Ward moved to approve a fifteen percent (15%) increase for water and waste water service rates effective September 1, 2008 and adopt Resolution No. 6152. 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. 6152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING INCREASES IN WATER AND WASTEWATER SERVICE CHARGES EFFECTIVE SEPTEMBER 1, 2008

GENERAL BUSINESS

07/15/08-16. Presentation from the Manhattan Beach Fire Department and George Butts Providing an Update on the CERT (Community Emergency Response Team) Program

Fire Chief Scott Ferguson provided a brief history of the Community Emergency Response Team (CERT) Program and announced that, unbeknownst to him, the Manhattan Beach Firefighters were present at the meeting to show support, which is a testament to the CERT Program.

Fire Battalion Chief Frank Chiella shared information on the combined efforts of the CERT team and community members to partner with the City's professional emergency responders.

George Butts, President of the CERT Board of Directors, gave a PowerPoint presentation that included: CERT's vision, mission, sponsorship program and community outreach program. He recognized CERT Board Members present at the meeting and thanked the Chamber of Commerce and other community groups (such as Neighborhood Watch) for their support. **Mr. Butts** indicated those interested in additional information on CERT can send an e-mail to www.mbcerta.org or telephone (310) 802-5233.

In answer to questions from the Council, **George Butts** indicated that the next CERT training class will begin on September 2, 2008; that CERT's "wish list" includes a 10' X 20' shipping container with storage area; that their goal is to place a piece of emergency equipment for disasters in four different areas of the City; and announced that Platinum Sponsors, who donate \$3,000, will have their names placed on CERT's trailer.

The Council concurred that the visual map showing the locations of the emergency equipment in four different areas of the City could be added to the City's website and commended the efforts of those participating in the CERT Program.

There were no public comments.

Hearing no objections, Mayor Montgomery received and filed the subject presentation.

07/15/08-17. Six Month Progress Report for Bruce's Beach On-Leash Area for Dogs

Parks and Recreation Services Manager Idris Al-Oboudi relayed information on the six-month progress report for the on-leash area for dogs at Bruce's Beach and staff's recommendation to make the area permanent. He shared the positive responses received from residents living near Bruce's Beach and the notification for the Council's consideration of this item.

The Council discussed the overall positive aspects of the on-leash area for dogs at Bruce's Beach, as well as staff's diligence in overseeing the area.

The following individuals spoke on this item:

- **Marty Friedman, No Address Provided**
- **Mr. Walker, No Address Provided**
- **D. J. McHale, No Address Provided**
- **Sue Harragan, No Address Provided**

Parking and Animal Control Supervisor Verdesiah Nasralla came forward to offer input on the Parking and Animal Control Department's efforts to educate residents about proper procedures for using the on-leash area for dogs at Bruce's Beach.

Park Services Enforcement Officer Brent Malatesta commented on the increased use of Bruce's Beach since it was opened up to dogs.

Noting his previous lack of confidence that Bruce's Beach could be enjoyed by both dog lovers and others, Councilmember Ward voiced his pleasure with the success of the six-month trial period. He cautioned, however, that expanding this type of use to other City parks should be taken slowly.

Councilmember Aldinger observed that Bruce's Beach appears to be used more now than it was prior to the implementation of the on-leash area for dogs. He related his hope that the idea of providing an on-leash area for dogs at other City parks will be considered in the future.

Mayor Pro Tem Cohen expressed that she was pleased with the outcome and related her support for making the on-leash area for dogs at Bruce's Beach permanent.

Like Councilmember Aldinger, Councilmember Tell related his hope that the idea of providing on-leash areas for dogs at other City parks will be considered in the future, and, he agreed with Councilmember Ward that this should be done slowly.

Mayor Montgomery commended staff's efforts toward making the on-leash area for dogs at Bruce's Beach successful and agreed with the staff recommendation to make it permanent.

MOTION: Councilmember Ward moved to approve making the on-leash area for dogs at Bruce's Beach permanent. The motion was seconded by Councilmember Aldinger 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 7:42 p.m. the Council recessed and reconvened at 8:59 p.m. with all Councilmembers present.

07/15/08-18. Use of County Library District Property Taxes Designated for Library Services in Manhattan Beach

City Manager Geoff Dolan advised that while the Facilities Strategic Plan has been put on hold, some options for the use of the County Library District property tax funds designated for library services in Manhattan Beach will be presented for the Council's consideration this evening.

Recreation Services Manager Mark Leyman presented the following staff recommendations of three options for the use of County funds designated for library services in Manhattan Beach: provide increased services; make moderate capital improvements to the existing library; or construct a new library. Answering questions from the Council, Recreation Services Manager Leyman discussed the anticipated size, cost and length of time involved in constructing a new library.

City Manager Dolan provided detailed information about renovating the existing library versus constructing a new one, including square footage, costs and construction time. He explained that, even though improvements to the existing library would not be the best possible solution/project, they would be adequate and would serve the community's needs for a number of years. He also related staff's understanding that the Los Angeles County Library supports a renovation.

Councilmember Tell pointed out that the library consultant used during discussion of the Facilities Strategic Plan could be used to determine what type of renovation would be feasible with the funds at hand.

City Manager Dolan advised Council that the architectural firm used for the library portion of the Facilities Strategic Plan has verified that it would be possible to achieve a desirable remodel with a total square footage of 18,000 (as opposed to 28,000 square feet determined as optimal). He added that they are interested in providing a conceptual design, formal cost estimate of a renovation and explanation of the services that could be provided at a maximum cost of \$30,000, which could be added to their previous contract.

Los Angeles County Librarian Margaret Donnellan Todd recommended a firm with innovative ideas, such as the architectural firm used during the Facilities Strategic Plan, which is currently designing a very innovative library in West Hollywood. She emphasized that serious consideration should be given to renovating the library.

The Council extensively discussed the idea of renovating the library and obtaining a conceptual design from the architectural firm used for the Facilities Strategic Plan which, a majority of the Council agreed, would probably cost less due to that firm's familiarity with the City and the needs/desires of the community.

Councilmember Aldinger pondered the idea of using an architectural firm that specializes in libraries and the need to hold a Public Hearing if funds other than Los Angeles County funds were to be used.

The following individuals spoke on this item:

- **David Wachtfogel, No Address Provided**
- **Martha Andreani, Manhattan Beach Resident's Association President**

City Manager Dolan related staff's understanding that this is a County facility and the County is comfortable working with the architect used for the Facilities Strategic Plan on the conceptual design; but, after that, the project should go out to bid.

Councilmember Aldinger stressed the importance of fully examining renovating compared to constructing a new library, including whether the size of a renovation would meet the needs of the community. He suggested that, while renovating the library is studied, the cost of constructing a new library (that would meet the community's needs) be analyzed and that the idea of the City contributing to a new library be discussed.

Councilmember Tell agreed that studying options other than building a new library and looking into whether a renovation would meet the community's needs would be a good idea.

Mayor Pro Tem Cohen concurred that the City should move forward in analyzing whether the library should be renovated or a new one should be built. She noted the need to determine the parameters for a conceptual design.

Councilmember Ward supported moving forward with a study that should include a comparison of what could be accomplished with a renovation versus a new library. He noted the importance of meeting the community's needs; not settling for something inadequate; and explained his preference that information about what could be obtained for more money not be provided in the study, since the ideal library was already laid out in the Facilities Strategic Plan.

Calling attention to State financial cut backs, Mayor Montgomery commented that, while it might not be ultimate, a renovated library could be adequate for a long time, and that a study should be done.

City Manager Dolan advised that the scope of the project should include reasonable alternatives that could be achieved on the site, the cost of which would be limited by the use of only library revenues, which is how staff arrived at a cost of approximately \$7,000,000 to \$9,000,000. He recommended that the Council authorize him to enter into a contract not to exceed \$30,000 with the architectural firm used for the Facilities Strategic Plan, with the

parameters that only library funds will be used and one community meeting will be held. He also recommended that the Council authorize him to enter into a contract not to exceed \$5,000 with Library Consultant Linda Demmers to study various alternatives, with the understanding that this information will be provided to the Council in approximately six months.

MOTION: Councilmember Tell moved to approve authorizing City Manager Dolan to enter into a contract with MDA Johnson Favaro not-to-exceed \$30,000, with the understanding that only library funds will be used and one community meeting will be held; and approve a not-to-exceed \$5,000 contract with Linda Demmers to study various alternatives, with the understanding that this information will be provided to the Council in approximately six months. The motion was seconded by Councilmember Ward.

Discussion prior to the vote included Councilmember Aldinger emphasizing the importance of analyzing what can be accomplished with an 18,000 square-foot library compared to a 28,000 square-foot library, with hopes that a middle ground can be achieved and that options can be kept open. He also related his understanding that bond money from the State is available for this type of use.

Los Angeles County Librarian Todd provided input on the pending bond measure pertaining to libraries, which she does not believe will pass.

Mayor Montgomery called for the vote.

MOTION: Councilmember Tell moved to approve authorizing City Manager Dolan to enter into a contract with MDA Johnson Favaro not-to-exceed \$30,000 with the understanding that only library funds will be used and one community meeting will be held; and approve a not-to-exceed \$5,000 contract with Linda Demmers to study various alternatives, with the understanding that this information will be provided to the Council in approximately six months. The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote.

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

07/15/08-19. Consideration of a Request to Serve Wine and Champagne for the Manhattan Beach Residents Association (M.B.R.A.) 20th Anniversary Celebration at the Manhattan Beach Botanical Garden on September 28, 2008

Parks and Recreation Director Richard Gill related staff's recommendation that the Council discuss and provide direction on the request to serve wine and champagne during the Manhattan Beach Residents Association's 20th anniversary celebration at the Botanical Garden on September 28, 2008. He noted that previous requests from the Botanical Garden to serve alcohol were denied by staff, but were not appealed to the Council. He explained that Police Chief Uyeda was concerned about setting a precedent to allow alcohol at events in the Botanical Garden, but did not have a strong objection to the requested use.

The following individual spoke on this item:

- **Martha Andreani, President, Manhattan Beach Residents Association**

The Council discussed that the requested use is different than a wedding and received confirmation from **Ms. Andreani** regarding the following: that only individuals on the invitation list will be provided with two tickets for wine and/or champagne consumption; that there are control measures to prohibit outsiders walking through the Botanical Garden from consuming the alcohol available at the event; and that the approval to allow alcohol at this outdoor venue is strictly for those invited to attend the event.

MOTION: Councilmember Aldinger moved to approve Manhattan Beach Residents Association's request to serve wine and champagne during their 20th anniversary celebration at the Manhattan Beach Botanical Garden on September 28, 2008. 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.

07/15/08-20. Consideration of a Speed Hump Policy in School Areas as Identified in the City Council Work Plan 2008-2009

City Manager Geoff Dolan advised that speed humps were considered many years ago by previous Councils, but were ultimately not included in the Neighborhood Traffic Management Program Toolbox. This year, however, the Council asked staff to examine placing speed humps in areas near schools. He related Manhattan Beach Fire Department's opinion that speed humps would be successful in these areas.

Traffic Engineer Erik Zandvliet presented the staff report, which included a PowerPoint presentation on the pros and cons of speed humps, the limited number of candidate streets on which speed humps could be placed, the Police and Fire Departments' concerns relative to speed humps, the alternatives to speed humps and the emergency routes near schools established by the Fire Department. He clarified that, should speed humps near schools be approved, they would be one item in the Traffic Management Program Toolbox and an effort would always be made to use less invasive measures before speed humps.

Fire Chief Scott Ferguson explained that, even though speed humps significantly increase response times they would reduce traffic speeds near schools thereby decreasing the number of calls. He remarked that the Fire Department could support them with the stipulation that they would be involved in the review process and that the type of speed humps used would be those over which Fire Department vehicles can drive over.

Traffic Engineer Zandvliet assured the Council that speed humps could be analyzed on a case-by-case basis. He explained that, even if there is no evidence of current problems, speed humps could be used in the future. He confirmed that they have been effective in reducing traffic speeds and the severity of accidents in other cities.

There were no public comments.

The Council discussed that the City should be careful not to introduce speed humps into areas where there have been very few accidents involving speeding traffic/children; that speed humps could be reviewed on a case-by-case basis; that, while they reduce response time, speed humps also reduce the need to respond; that data from other communities has shown speed humps reduce accidents; that they would have very limited application; that speed humps can be designed in such a way as to address impact on emergency response times; and that it is

important to place speed humps in the Neighborhood Traffic Management Program toolbox to give residents an opportunity to request them. A majority of the Council supported adding speed humps to the Neighborhood Traffic Management Program Toolbox.

Councilmember Ward related his objection to speed humps in that they might jeopardize emergency response times, injure patients being transported in emergency vehicles and increase noise. He noted that speed humps should not be placed on major thoroughfares and there are many major collector streets in the vicinity of City schools.

MOTION: Councilmember Aldinger moved to add speed humps to the Neighborhood Traffic Management Program Toolbox.

Councilmember Tell offered an amendment to the motion to require a majority of the cars to be speeding by 25% or more as a threshold for review.

Mayor Montgomery added that both speed humps and speed cushions should be allowed.

Mayor Montgomery called for the vote.

MOTION: Councilmember Aldinger moved to approve the addition of speed humps/speed cushions to the Neighborhood Traffic Management Program Toolbox and to require a majority of the cars to be speeding by 25% or more as a threshold for review. The motion was seconded by Councilmember Tell and passed by the following roll call vote.

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

07/15/08-21. Consideration of Voting Delegate and Alternate Delegate(s) for the League of California Cities' Annual Conference

City Manager Dolan related the staff recommendation for the Council to discuss and provide direction regarding designating a voting delegate and alternate delegate, or alternate delegates, to the League of California Cities' annual conference. He noted that the alternate(s) would only vote if the Mayor was not present at the conference.

The Council agreed to Mayor Montgomery as the voting delegate, with Mayor Pro Tem Cohen as the first alternate delegate and Councilmember Ward as the second alternate.

MOTION: Councilmember Aldinger moved to appoint Mayor Montgomery to serve as the voting delegate to the League of California Cities' annual conference, with Mayor Pro Tem Cohen as the first alternate delegate and Councilmember Ward as the second alternate. The motion was seconded by Councilmember Tell and passed by unanimous roll call vote.

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

AUDIENCE PARTICIPATION

None.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

07/15/08-25. Councilmember Aldinger Re Concern Re Culligan's Tree Permit

Councilmember Aldinger voiced his concern that **Gerry O'Connor** was paid to lobby in favor of the Culligan's tree permit request (discussed at previous Council meetings) and when providing his comments to Council, he did not disclose this information. Councilmember Aldinger stated that while **Mr. O'Connor** had no legal obligation to disclose that he was a paid lobbyist, he believes that there was an ethical obligation. He suggested the idea of adopting a disclosure ordinance and requested that this matter be placed on a future City Council agenda for consideration.

The Council concurred with the proposed suggestion by Councilmember Aldinger.

City Manager Dolan stated that a staff report on this topic will be presented at a future City Council meeting.

City Attorney Robert Wadden clarified that, while the nearby beach cities do not have such an ordinance, the City of Santa Monica might.

07/15/08-26. Mayor Montgomery Re Independent Cities Association Conference

Mayor Montgomery highlighted the excellent report on the City's green efforts provided by Assistant to the City Manager Coe-Juell, City Manager Dolan and Police Chief Uyeda at the recent Independent Cities Association (ICA) conference.

07/15/08-27. Councilmember Cohen Re Environmentalist Manager

In response to a question from Councilmember Cohen, City Manager Dolan advised that the City has extended an employment offer to a candidate for green staff, which is in background check and will work with the Green Task Force and City departments, the community and the Council, and that, as recently directed by the Council, revised Green Task Force applications will be placed on the City's website, with a deadline of August.

07/15/08-28. Councilmember Aldinger Re the Joint City Council/Parks and Recreation Commission Meeting

Information regarding discussion at the recent joint meeting of the City Council and the Parks and Recreation Commission was provided by Councilmember Aldinger.

ADJOURNMENT

At 9:45 p.m., the meeting was duly adjourned, in memory of Donald Murphy and Jimmy Hantzarides to the 5:30 p.m. Adjourned Regular Meeting to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, August 5, 2008, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Wendy Weeks
Recording Secretary

Richard Montgomery
Mayor

ATTEST:

Liza Tamura
City Clerk