The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 2nd day of December, 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

Zachary Chan, a 5th Grade Student at Pennekamp Elementary School, led the pledge of allegiance.

ROLL CALL

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

12/02/08-23. Mayor Montgomery Re: “Code of Fair Campaign Practices”

Before continuing to the Ceremonial Calendar, Mayor Montgomery announced that the City’s General Municipal Election will be held on March 3, 2009 and, after the last few months of poor national campaign tactics, he pointed out that that there is a “Code of Fair Campaign Practices” in place in Manhattan Beach for all campaign candidates.

CEREMONIAL CALENDAR

12/02/08-1. Presentation of Certificates to the Winners of the 2008 Manhattan Beach Library Children’s Bookmark Contest

Children’s Librarian Melissa Messner, from the Manhattan Beach Branch of the Los Angeles County Library, introduced the winners of this year’s 2008 Manhattan Beach Library Children’s Bookmark Contest.

The Council presented certificates and City pins to the winners.

12/02/08-2. Presentation of Certificates to the Winners of the 2008 Fire Department Annual “Home Escape Plan” Contest

Fire Inspector Brian Yount spoke briefly on a new program the Fire Department has developed in conjunction with Manhattan Beach Elementary Schools in recognition of Fire Safety Week and introduced the Winners of the 2008 “Home Escape Plan” Contest.

The Council presented certificates and City pins to the winners.

12/02/08-3. Recognition of Various Youth Sports Organizations for Their Commitment to the City’s “Our Promise to Kids” Program

Richard Gill, Director of Parks and Recreation, gave a brief description of the “Our Promise to Kids” Program which teaches coaches and parents how to promote sportsmanship on the City’s fields and courts.
The Council presented certificates and City pins to the individuals who are promoting the program.

12/02/08-4. Annual City Recognition of Longstanding Local Businesses

The Council presented plaques and commendations to Manhattan Beach businesses that have been providing services to the community for a number of years.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 5 through 16), consisting of items under General Consent and Boards and Commissions, was approved by motion of Councilmember Ward, seconded by Mayor Pro Tem Cohen and passed by unanimous roll call vote with the exception of Item No. 16, which was appealed by the applicant and will be set for a future Public Hearing as stated by City Manager Geoff Dolan and No. 11 which was 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

12/02/08-5. Approve Minutes of the City Council Regular Meeting of November 18, 2008 (Continued From the November 18, 2008 City Council Meeting)

The Council continued the subject minutes to the January 6, 2009 City Council Meeting.

12/02/08-6. Adoption of an Ordinance Amending Chapter 4.108 of the Manhattan Beach Municipal Code (Vehicles for Hire Franchise) Establishing Phased-in Requirements for Clean Air Vehicles Used in the Operation of the City Franchise

The Council adopted Ordinance No. 2119.

ORDINANCE NO. 2119

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADDING A NEW SECTION 4.108.21 TO CHAPTER 4.108 TO TITLE 4 OF THE MANHATTAN BEACH MUNICIPAL CODE

12/02/08-7. Consideration of the Award of a Three-Year Uniform Rental Services Contract to Prudential Overall Supply (Estimated Value $48,000)

The Council approved an award of RFP #726-08 to Prudential Overall Supply for a three-year uniform rental services contract with an estimated value of $48,000.

12/02/08-8. Consideration of Adoption of Annual Investment Policy

The Council approved the 2008-2009 Investment Policy.

The Council approved with no exception Warrant Register No. 12B in the amount of $2,344,971.85 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.

12/02/08-10. Consideration of a Resolution for “Our Promise to Kids” Youth Sports and Fitness Initiative for the City of Manhattan Beach

The Council adopted Resolution No. 6167.

RESOLUTION NO. 6167

“OUR PROMISE TO KIDS” YOUTH SPORTS AND FITNESS INITIATIVE RESOLUTION FOR THE CITY OF MANHATTAN BEACH, CALIFORNIA

12/02/08-11. Consideration of an Amendment to an Existing Contract with PCR to Prepare the Environmental Impact Report for the Manhattan Village Shopping Center Expansion

Item No. 11 was pulled from the “CONSENT CALENDAR”. Please refer to “ITEMS REMOVED FROM THE CONSENT CALENDAR.”

12/02/08-12. Authorize the City Manager to Execute an Exchange Agreement and Assignment of Federal Surface Transportation Program – Local Funds ($467,552) with the Los Angeles County Metropolitan Transportation Authority

The Council approved authorizing the City Manager to execute an exchange agreement and assignment of Federal Surface Transportation Program – Local Funds ($467,552) with the Los Angeles County Metropolitan Transportation Authority.

12/02/08-13. Consideration of Determination that the Public Convenience or Necessity Would be Served by the Issuance of a Liquor License for the Approved Rite Aid Project Located at 1100 Manhattan Beach Boulevard

The Council approved the request by determining that the public convenience or necessity would be served by the issuance of a liquor license for the approved Rite Aid Retail Pharmacy located at 1100 Manhattan Beach Boulevard.

12/02/08-14. Disbursement of Progress Payments:

a) Progress Payment No. 4 in the Net Amount of $275,021.46 to C.S. Legacy Construction, Inc. for the Manhattan Beach Park Improvement Project and Ratification of Purchase of Additional Recycled Rubber Chips from AG Link Inc. in the Amount of $35,000

b) Final Payment in the Net Amount of $20,061.49 to Griffith Company; Change Order No. 3 in the Net Amount of $22,290.54; Formally Accept the 2002–2005 Street Improvement Project as Complete; and Authorize Filing of the Appropriate Notice of Completion

The Council approved the issuance of the subject progress payment and final payment; approved the ratification of purchase of additional recycled rubber chips from AG Link, Inc. in the amount of $35,000; formally accepted the 2002–2005 Street Improvement Project as
Complete; and authorized the filing of the appropriate Notice of Completion.

12/02/08-15. This Space Intentionally Left Blank

BOARDS AND COMMISSIONS

Planning Commission

12/02/08-16. Consideration of Planning Commission Approval for Clarification that 3500 Sepulveda Boulevard is Part of the Manhattan Village Shopping Center Master Use Permit, and a Master Use Permit Amendment to Allow Alcohol Service at a New Restaurant

As previously mentioned, this item was appealed by the applicant and therefore tabled until a Public Hearing is scheduled on a future agenda.

COMMUNITY ANNOUNCEMENTS

12/02/08-24. Los Angeles County Librarian Don Gould Re Library Events

Los Angeles County Librarian Don Gould announced the upcoming Manhattan Beach Library programs and events.

12/02/08-25. Francey Seckinger Re Open House & Toy Drive

Francey Seckinger, No Address Provided, announced the North End Business District Holiday Open House on December 3, 2008 and reminded residents of the Annual Beach Cities Toy Drive and Wrap Party on December 20, 2008 at the Joslyn Center from 11:00 a.m. – 4:00 p.m.

12/02/08-26. Finance Director Bruce Moe Re “Green” Taxicab

Finance Director Bruce Moe announced that the City has its first alternative fuel taxicab, in compliance with the new City Ordinance.

12/02/08-27. Councilmember Tell Re City Activities

Councilmember Tell shared the following reminders: that tonight is the last City Council meeting for 2008; that the Pier Lighting is Saturday, December 6, 2008; that this year there are more lights and they are all “green” LED’s; and that the Holiday Fireworks are scheduled for December 14, 2008.

12/02/08-28. Helen Duncan Re Neighborhood Santa Visits

Helen Duncan, President of the Chamber of Commerce, announced that the Santa “float” will be visiting all neighborhoods and encouraged everyone to look for the map in the Beach Reporter or by visiting the Chamber website at www.manhattanbeachchamber.net.

12/02/08-29. Councilmember Aldinger Re Next Council Meeting

Councilmember Aldinger reminded everyone that Council will be dark for the third Tuesday in December. The next City Council meeting will take place on January 6, 2009.
PUBLIC HEARINGS

12/02/08-17. Consideration of a Resolution Accepting the Citizen’s Option for Public Safety Program Supplemental Law Enforcement Services Funds (SLESF) Grant; Authorize and Appropriate SLESF Grant Funds to Purchase Sixteen Automated Handheld Ticket Writing Devices for the Police Department from Duncan Solutions in the Amount of $99,861.14, and Law Enforcement Equipment with Remaining Grants Funds and Accrued Interest (Approximately $7,000)

Manhattan Beach Police Department (MBPD) Lieutenant Andrew Harrod gave a brief presentation regarding the Citizen’s Option for Public Safety Program Supplemental Law Enforcement Services Funds (SLESF) Grant. He explained that the MBPD would like to purchase new automated hand held ticket writers to replace the 17-year old ones currently used because they are not reliable. He pointed out that the newer models provide officers with immediate information on violators; voice recordings; a recording of each stop; a built in printer, and a number of other features to make the officers’ job more efficient. He relayed that the cost of the devices would be approximately $100,000 and that staff is recommending that the bid be awarded to Duncan Solutions. Police Lieutenant Harrod added that the remaining SLESF funds will be used to purchase Mobile Data Computers for patrol cars as the original computers were purchased in 2002 and some of them are reaching the end of their useful life.

There was discussion between the Council and Lieutenant Harrod regarding the features available to officers on the new automated hand held ticket writers, the cost of each unit and the details of the grant.

In response to Councilmember Aldinger’s concern with the selected vendor, Duncan Solutions, City Manager Geoff Dolan responded that the vendor had met all of the bid requirements.

Councilmember Ward asked for an explanation of how funds had been used in the past.

Police Chief Rod Uyeda explained that past monies had been spent on upgrading technical and other pertinent equipment needed to better service the community.

Mayor Montgomery opened the Public Hearing at 7:33 p.m.

Patrick McBride, 5th Street and Peck Avenue, shared information he had gotten from Google on similar types of equipment that could be purchased for a lot less.

Mayor Montgomery closed the Public Hearing at 7:35 p.m.

Councilmember Ward agreed that the bidding process was fair and would support the Police Department’s recommendation that the equipment be purchased from Duncan Solutions.

Councilmember Aldinger restated his opposition to using Duncan Solutions as a vendor for the equipment.

Mayor Pro Tem Cohen supported the purchase of the equipment recommended by the MBPD. In response to her question regarding if there was a warranty that would offer some protection if the equipment should malfunction, Lieutenant Harrod answered with the affirmative.
In response to Mayor Montgomery’s question regarding the model for the cash key component, Maintenance Superintendent Juan Price explained that Duncan Solutions is designing a model to accommodate the Cities request and that the City hopes to have a prototype in January.

**MOTION:** Mayor Pro Tem Cohen moved to adopt Resolution No. 6166 to accept grant monies from Supplemental Law Enforcement Services Fund (SLESF), appropriate SLESF grant funds and accrued interest for proposed expenditures; award RFP #727-08 to Duncan Solutions for the purchase of Sixteen Automated Handheld Ticket Writing Devices in the amount of $99,861.14; authorize the City Manager to execute the purchase of the remaining equipment within the subject staff report to fully expend the remaining SLESF grant funds and accrued interest (approximately $7,000). The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote.

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

**RESOLUTION NO. 6166**


**GENERAL BUSINESS**

12/02/08-18. Authorize a Contract with Rural Transit Consultants for a Trolley System Assessment

Assistant to the City Manager Lindy Coe-Juell reviewed that a transportation system, such as a trolley, has been an item of interest to the City Council for a number of years. She explained that staff recently met with Greg Meeks of Rural Transit Consultants (who was introduced to them through the work he has contributed to the Ocean Express) and that he has developed transportation “turn key” operations for other beach cities similar in size to Manhattan Beach with a satisfactory track record. Based on references from other cities, staff asked him to submit a formal proposal and on November 5, 2008, staff and the Council Sub-Committee (consisting of Mayor Montgomery and Councilmember Tell) reviewed Mr. Meeks’ proposal. She reported that his proposal includes: a needs assessment determined by meetings with the Council Sub-Committee, Staff and Stakeholders; detailed routes and schedules; a vehicle needs assessment with an emphasis on “green” transit; a detailed maintenance and safety program; and job costing for the City to run the operation over the next five years including an analysis of grant possibilities. Assistant to the City Manager Coe-Juell conveyed that if the Council agrees to move forward with his proposal, it would be possible to have a trolley system in place by late summer of 2009.
Councilmember Tell expanded further on the need for the City to develop a transit system that would transport individuals from the east side of town to the west, reduce traffic congestion in the downtown area, deliver people from hotels to the shopping area, and provide transportation for middle school kids to school. He affirmed that the money requested would be spent on Mr. Meeks’ proposal, addressing each of these issues and more.

A lengthy discussion ensued among Council and Mr. Meeks with Council reiterating the positive impact a trolley would have on the environment as well as the major stakeholders in the City. Mr. Meeks affirmed the services his company offers including the turn-key trolley package and connectivity in smaller cities and emphasized that his company can provide web site promotion, marketing and design throughout the community. The discussion also included previous studies the City had performed in 2005 and 2006 to initiate a trolley in the City. Mr. Meeks assured Council that he will reconcile the results from past studies with the work he would do.

Councilmembers Tell and Ward pointed out that when the City last went to bid for a trolley system, no responses were received for a turn-key operation.

The discussion with Mr. Meeks continued with emphasis on ridership; how many passengers would be needed per day for the trolley to be successful; whether it would be a summer-only service, and whether it would include seniors and school kids during the school year. Council questioned the chances of the trolley becoming a success during these trying economic times and further discussed the annual cost to the City. Mr. Meeks voiced his opinion that the City could easily get 100-150 riders per day year round. He also stated that there are a number of state and federal environmental agencies that have grants available for programs such as these, and his company would assist in grant applications.

In response to Mayor Montgomery’s question about the possibility of tapping into the School Transportation Fund if the trolleys were used to transfer middle school students, Mr. Meeks agreed to look into the use of school funds.

The following individual spoke on this item:

- Patrick McBride, 5th Street and Peck Avenue
- Sean Green, No Address Provided
- Helen Duncan, Executive Director, Manhattan Beach Chamber of Commerce
- Don Gould, Los Angeles County Librarian
- Barrett Patel, Manhattan Beach Lodging Association
- Mike Zislis, President, Manhattan Beach Downtown Business Association
- Kathleen Paralusz, No Address Provided

**MOTION**: Councilmember Ward moved to approve a contract for $27,000 with Rural Transit Consultants for a Trolley System Assessment. The motion was seconded by Councilmember Aldinger.

Mayor Pro Tem Cohen voiced her concern about an unbiased proposal being presented but is confident that the sub-committee will be objective. She also stated that she is not opposed to extending the cost to riders.

Councilmember Tell expressed his faith in Mr. Meeks based on his track record with other beach cities and stated that he would like to see what he proposes before deciding on ridership.
Councilmember Aldinger was pleased with the idea of the City becoming more “green” and added that he would like to have a five year plan, starting on a smaller scale and increasing as the need demands.

Councilmember Ward expressed his opinion that a trolley system would be an asset to the City.

Mayor Montgomery, as a member of the sub-committee, shared how impressed he was with what Mr. Meeks has brought to the committee thus far. He supported the fact that the trolley system is environmentally friendly and will be tailored to the specific needs of the City.

Mayor Montgomery called for a vote.

MOTION: Councilmember Ward moved to approve a contract with Rural Transit Consultants for a Trolley System Assessment in an amount not-to-exceed $27,000 and appropriate the subject amount from the City Council Contingency Fund. 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 8:32 p.m. the Council recessed and reconvened at 8:50 p.m. with all Councilmembers present.

12/02/08-19. Consideration of an Appeal of a Planning Commission Denial of a Sign Exception Regarding the Installation of Two Ground Based Electronic Changeable Copy Signs Totaling 648 Square Feet of Area at the Manhattan Beach Studios Facility at 1600 Rosecrans Avenue

Associate Planner Eric Haaland presented changes on the proposed sign exemption from Raleigh Studios appealing the denial of their original proposal by the Manhattan Beach Planning Commission. He explained that the Planning Commission agreed to consider a scaled-down version of the original sign exemption request which included the following: a reduced sign height from 18.5 feet to 15.5 feet; a 324 square-foot cabinet; still text and images - no video; and content consisting of a business identification, community events and third party advertising.

Council asked a number of questions of Associate Planner Haaland regarding the existing Sign Ordinance; the type of advertising that would be allowed; the Cities ability to limit sign content; the use of similar signage throughout the City as well as other Beach Cities; the specifics of the Raleigh Studios lot; if the new sign would require the removal of any of the palm trees; and the difference between a monument sign and a pole sign.

City Attorney Robert Wadden clarified that there is no regulation that permits the City to censor content on the sign.

Associate Planner Haaland explained the following code specifications needed for a Sign Exemption: changeable copy; total sign area exceeding the allowable 670 square feet; sign face greater than 150 square feet; off-premise advertising (billboard); and that clearly the sign specs that Raleigh Studios is proposing, fall into that category. Associate Planner Haaland went on to explain that Raleigh Studios consider themselves a unique business in the City, which should allow for an exception; emphasized that the lot that the studio occupies is very long and narrow with little
frontage on Rosecrans; added that industry signage has changed; and that the Studio’s request is a reasonable use of their property.

In reference to the questions asked about the removal of palm trees, Associate Planner Haaland confirmed that there may be a need to remove some trees but that the Studio would replace any trees removed.

After further discussion, Associate Planner Haaland concluded by requesting that Council either support the recommendation of the Planning Commission to deny the Raleigh Studio Sign Exemption or provide staff direction to move forward with the exemptions.

Brandon Taylor, representing the applicant, said that the industry is feeling the pinch of the current state of the economy as well as the residual effects of the writer’s strike. He indicated that the Studios believe that the sign is critical for the success of the business as well as their ability to compete with the larger studios. He stated that their tenants want the ability to promote their movies and television shows and added that, because they are not in the core entertainment district, they need to remain competitive with other studios to attract tenants. He indicated that the large LED signs were being used by some of their competitors and that the industry is moving in the digital direction. He stressed that the Studios reduced the size of their signage to accommodate the City’s request and that it is smaller than those of their competitors. He affirmed that the applicant hired consultants to determine the optimum effectiveness of the signs by motorists traveling on Rosecrans and that the consultant’s report stated that they if they were to reduce the sign further it would lose its effectiveness to motorists. Mr. Taylor confirmed that the sign would not be backlit - it would be static and that hopefully it would not require the removal of any tree(s), but if it did, the studio would replace or relocate the tree(s). He also indicated that they intend to maintain the existing landscaping on the corner.

There was a discussion between City Council and the applicant’s representative, Brandon Taylor, addressing Council’s concerns over the sign’s size, luminosity, and consistency with other signage along the Rosecrans corridor. Council asked if there were statistics supporting the need for this type of signage to increase viewership of shows produced at the studio to which Mr. Taylor referred to the conclusions they had received from the consultant hired by the Studios, basically stating that the signage proposal presented was the best they could do to accommodate the needs of their tenants and compete with other studios in the area.

The following individuals spoke on this item:

- Scott Beals, No Address Provided
- Michael Mann, No Address Provided

In response to Mayor Montgomery’s questions regarding the number of employees at the studios, Mr. Taylor stated that there are 2,000 employees on sight daily and approximately 40 tenants.

Mayor Pro Tem Cohen asked if any of the tenants had threatened to pull out of their contracts and if they could advertise their shows elsewhere. In response Mr. Taylor stated it was critical for tenants and the Studio to maintain the ability to compete with other studios which either already have the LED signs or plan to implement them in the near future. He further explained that the tenants would like to utilize the “heavy eye” to traffic on Rosecrans.
Councilmember Ward asked if the studio could use a different type of promotional signage such as large banners draping down the Rosecrans frontage of the building. Mr. Taylor stated that the Studio will take Councilmember Ward's suggestion under consideration but that method of signage is a bit “old school”.

Mayor Montgomery expressed his appreciation of the Studios doing business in the City of Manhattan Beach and all the commerce they bring to the City. He also voiced his concerns with the dilemma of allowing the sign exemptions and the introduction of large digital LED signs.

Councilmember Aldinger affirmed that he would support everything the Studios want except the size of the sign. He reiterated the fact that the City appreciates having the Studios in town.

Mayor Pro Tem Cohen shared the dilemma that Council is faced with in satisfying the residents desire to maintain their low key lifestyle in the City and accommodating the needs of the businesses that contribute to the City’s tax base. She further indicated that she would be willing to go out on a limb and consider the sign exemptions, but is still opposed to the size of the sign proposed tonight.

Councilmember Ward exclaimed that Raleigh Studios has been an excellent partner and neighbor to the City of Manhattan Beach. He questioned whether the City’s Sign Ordinance allows for other viable signage options for businesses within the City. He stated that he is also opposed to the size of the sign, billboard signs and digital signs, but that he would like the studio to be able to advertise the shows shot on their lots. He also commented that he is a proponent of the old fashion banner signage along the front of the building.

Councilmember Tell agreed with the other Councilmembers that the size of the sign proposed is just too large and indicated that an alternative type of sign might be a better choice.

Councilmember Aldinger questioned the time frame for presenting an alternative plan to Council.

Both City Attorney Wadden and City Manager Dolan concurred that there is usually a time frame of two years for an appeal; but, in this instance, it wouldn’t apply if the Studios wish to return and present an alternate proposal.

Mayor Pro Tem Cohen declared that alternatives have been heard by Staff and the Raleigh Studio representatives. She recommended that Council direct Staff to look at the variety of alternatives and allow the client to return in less than two years with a subsequent plan.

Councilmember Tell suggested tabling a motion on the appeal allowing the Studios to return with an alternate plan providing them more flexibility.

Mayor Montgomery called for the vote.

MOTION: Councilmember Tell moved to uphold the recommendations of the Planning Commission with the understanding that the Applicant will have an opportunity to return (prior to the two years) if they propose to decrease the size of the sign or return with an alternate plan. The motion was seconded by Mayor Pro Tem Cohen and passed by the following roll call vote.

Ayes: Ward, Tell, Cohen and Mayor Montgomery.
Noes: Aldinger.
Abstain: None.
Absent: None.
Senior Management Analyst Carmen Zarate reviewed that in 1994 Council approved the installation of “No Parking - Street Sweeping” signs and implemented an enforcement program, however, several residents objected and asked Council to consider an alternative to a restrictive parking program. She explained that Council directed staff to implement a voluntary program called the Ocean Safe Street Sweeping Program in 1996 giving residents the option of opting out of having street signs posted on their block. She spoke of the Councils’ concern over the “unsigned” streets and the direction to educate residents and report back on the effectiveness of the education campaign. She relayed the various methods used to educate residents and, in conjunction with the Manhattan Beach Police Department, a Street Sweeping Task Force was created to address the issue of compliance of residents/visitors on unsigned streets on designated sweep days. Senior Management Analyst Zarate cited that there are 25.9 violations per mile on non-posted streets versus 3.2 violations on posted streets and that the enhanced education and outreach program appears to have produced no noticeable improvement in the number of vehicles removed from the street during street sweeping days on non-posted streets. She continued that as a result of the education program, seven petitions were signed requesting street signs be posted and four streets were successful in soliciting the required 66% approved signatures and signs have been placed. She pointed out many improvements, including eliminating pollutants, that other cites have gained as a result of more thorough sign coverage and a no “opt out” option. In conclusion, Senior Management Analyst Zarate conveyed that staff believes that there would be more efficiency in street sweeping if all streets were posted, although it may meet with opposition from some residents.

There was a discussion among Council regarding the effectiveness of the educational campaign and the tactics that the Public Works Department chose to use.

Council held a lengthy discussion with City Attorney Robert Wadden and Public Works staff regarding the minimal number of signs that could be posted on a street; whether a citation could be issued if the streets did not have signs posted; and staff researching the current number of signs posted and their visibility.

The following individual spoke on this item:

- Patrick McBride, 5th Street and Peck Avenue

**MOTION:** Councilmember Ward moved to direct staff to explore other options for educating the residents and if the desired results are not obtained that the item be turned over to the Environmental Task Force to look at other aspects of education and enforcement.

**MOTION FAILED DUE TO THE LACK OF A SECOND.**

**MOTION:** Councilmember Aldinger moved to direct staff to bring the item back at the second meeting in January for a Public Hearing on mandatory signed streets throughout the City. The motion was seconded by Mayor Pro Tem Cohen.

The item did not go to a vote and discussion continued among the City Council, the City Manager and the City Attorney.
Mayor Pro Tem Cohen withdrew her second to Councilmember Aldinger’s motion as she decided not to support bringing the item back in January but preferred to have more time to educate the residents.

City Manager Dolan stated that rather than send the item to the Environmental Task Force he suggests that staff attempt a more targeted educational campaign that might include advertisements, door tags, direct mail, flyers, etc, with specific with residents street sweeping days included on the piece.

**MOTION:** Mayor Pro Tem Cohen directed staff to look at variations on educating the residents about Street Sweeping and then have the Street Sweeping Task Force follow up with another test and return to Council in four months with their results. The motion was seconded by Councilmember Ward and passed by the following roll call vote.

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

12/02/08-21. Discuss and Provide Direction Regarding the Use of Polystyrene Foam Food Containers in Manhattan Beach

Council continued the subject item to the January 6, 2009 City Council meeting.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

12/02/08-11. Consideration of an Amendment to an Existing Contract with PCR to Prepare the Environmental Impact Report for the Manhattan Village Shopping Center Expansion

Councilmember Aldinger pulled this item from the Consent Calendar for Council discussion.

Community Development Director Richard Thompson explained that this is a complicated item that includes a three-phase redevelopment of the Manhattan Village Mall. He indicated that the issue regarding the revisions has been in consultation for over two years and now the consultant for the Environmental Impact Report (EIR) has requested more money and has scheduled more scoping for the months of January and February in 2009. He added that representatives from the Mall have requested that the City provide them additional time for these studies as they plan to bring back a revised plan in the summer of 2009.

City Manager Geoff Dolan interjected that there is a complex issue with Mr. Neumann and the proposed Tin Roof Restaurant and that he will forward a report to Council.

Community Development Director Thompson stated that the traffic consultant has requested additional fees as well.

**MOTION:** Councilmember Aldinger moved to approve an Amendment to an Existing Contract with PCR to Prepare the Environmental Impact Report for the Manhattan Village Shopping Center Expansion. 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
None.

CITY MANAGER REPORT(S)

12/02/08-30. City Manager Re Special Meeting

City Manager Dolan reminded Council that a Special City Council Meeting regarding emergency preparedness had been scheduled for next Tuesday, December 9, 2008 at 6:30 p.m., in the Police/Fire Conference Room.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

12/02/08-22. Request by Councilmember Aldinger to Discuss a Safety Issue at Pacific Elementary School

Councilmember Aldinger stated that he attended a PTA meeting at Pacific Elementary School and voiced his opinion that there are a number of parents concerned with safety issues at the school. He suggested that some discussion be held to determine what might be done to eliminate parent’s concerns.

Councilmember Tell indicated that he would be happy to bring the safety concerns of the Pacific Elementary School parents up at the next Manhattan Beach Unified School District Ad Hoc Meeting on December 3, 2008 at 4:00 p.m.

12/02/08-31. Mayor Pro Tem Cohen Re Litigation Inquiry

Mayor Pro Tem Cohen inquired as to whether City Attorney Wadden could respond to a question involving pending litigation.

City Attorney Wadden stated that he would rather not comment on pending litigation in Open Session and requested that the matter be agendized to be discussed in Closed Session.

12/02/08-32. Reminder from Mayor Montgomery of Upcoming Community Holiday Events

Mayor Montgomery reminded residents that the Pier Lighting will take place on Saturday, December 6, 2008 and the Holiday Fireworks and Snow Park will take place on Sunday, December 14, 2008 at 3:00 p.m.
ADJOURNMENT

At 11:20 p.m., the meeting was duly adjourned in memory of Bea Thompson (the wife of former City Manager Dave Thompson), to the 6:30 p.m. Special City Council Meeting on Tuesday, December 9, 2008, in the Police/Fire Conference Room, 400/420 15th Street, in said City.

Patricia Schilling  
Recording Secretary

Richard Montgomery  
Mayor

ATTEST:

Liza Tamura  
City Clerk