

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
FEBRUARY 17, 2009**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 17th day of February, 2009, 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

Madeleine Menkes led the pledge of allegiance.

ROLL CALL

Present: Ward, Tell, Aldinger and Mayor Montgomery.
Absent: Cohen.
Clerk: Tamura.

CEREMONIAL CALENDAR

02/17/09-1. Presentation of Proclamation Proclaiming the Week of February 23 through March 2, 2009 as Peace Corps Week

The Council presented a proclamation to **Peace Corps Representatives Toni Wilson and Kay Kirkendall** proclaiming February 23 through March 2, 2009 as Peace Corps Week.

02/17/09-2. Presentation of a Grant From the Manhattan Beach Property Owners Association to the Oceanographic Teaching Station

The Manhattan Beach Property Owners Association presented a \$100,000 grant to the Oceanographic Teaching Station (OTS).

Representatives from the OTS thanked the Property Owners Association and explained how the money will be used.

02/17/09-3. Presentation of City Employee Service Awards

The Council and Police Chief Rod Uyeda presented service awards to the following employees: Police Lieutenant John Dye (30 years); Police Officer David Caveney (20 years); and Police Officer Joe Guzman (15 years).

The Council also recognized the following employees, who were unable to attend, for their dedicated service: Wastewater & Electrical Supervisor Justin Gervais (20 years); Fire Captain/Paramedic David Shenbaum (15 years); Firefighter/Paramedic John Dulmage (15 years) and Police Records Tech/Matron Michele Houstman (15 years).

CONSENT CALENDAR

The Consent Calendar (Item Nos. 4 through 11), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Aldinger, seconded by Councilmember Ward and passed by roll call vote with the exception of Item No. 10, which was considered later in the meeting under "*Items Removed from the Consent Calendar.*"

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

GENERAL CONSENT

02/17/09-4. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of January 27, 2009

The Council approved the subject minutes.

02/17/09-5. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of February 3, 2009

The Council continued the subject minutes to the March 4, 2009 City Council Meeting.

02/17/09-6. Adoption of an Ordinance Amending the Title I Appeal Process and Adopting A City Claims Procedure

The Council adopted Ordinance No. 2120.

ORDINANCE NO. 2120

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AMENDING MANHATTAN BEACH MUNICIPAL CODE SECTION 1.12.010 REGARDING ADMINISTRATIVE APPEALS AND ADDING A NEW CHAPTER 2.56 TO TITLE 2 OF THE MANHATTAN BEACH MUNICIPAL CODE REGARDING CLAIMS

02/17/09-7. Consideration of Extending Plan Check and Permit Fees Waiver for Photovoltaic Solar Panel Installation

The Council approved extending the plan check and permit fees waiver for photovoltaic solar panel installation on residential and commercial buildings indefinitely.

02/17/09-8. Consideration of Financial Reports
a) Ratification of Demands: February 5, 2009.
b) Investment Portfolio for the Month ending January 31, 2009.
c) Financial Reports for the Month Ending January 31, 2009

The Council approved with no exception Warrant Register Nos. 17B in the amount of \$1,542,541.66 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 January 31, 2009; and received and filed the Financial Reports for the month ending January 31, 2009.

02/17/09-9. Award of Professional Services Contract to FCS Group in the Net Amount of \$89,720 for the Water and Sewer Rate Analysis

The Council approved the award of a professional services contract to FCS Group in the net amount of \$89,720 for the Water and Sewer Rate Analysis.

BOARDS AND COMMISSIONS

Parks and Recreation Commission

02/17/09-10. Consideration of Draft Minutes, Parks and Recreation Commission Meeting of January 26, 2009

Item No. 10 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

Planning Commission

02/17/09-11. Consideration of Action Minutes, Planning Commission Meeting of February 11, 2009

The Council received and filed the subject action minutes.

COMMUNITY ANNOUNCEMENTS

02/17/09-18. Susan Jones Re Thanks to the City from Senior Villas' Residents

Susan Jones, No Address Provided, presented soccer balls, signed by residents of the Senior Villas, to Mayor Montgomery and Councilmember Tell in appreciation of the corrective action taken to stop soccer balls from going into the Villas.

02/17/09-19. Don Gould Re Library Events

Los Angeles County Librarian Don Gould shared information about upcoming Manhattan Beach Library events.

02/17/09-20. Kathleen Paralusz Re Fundraiser

Kathleen Paralusz, Leadership Manhattan Beach Vice President, announced a Leadership Manhattan Beach fundraiser for this year's "Big Belly Solar" class project, on March 15, 2009, from 5:00 p.m. to 8:00 p.m. at the Upper Manhattan Martini Lounge. She announced that tickets may be purchased by contacting www.lmbfundraiser.com.

02/17/09-21. Assistant to the City Manager Lindy Coe-Juell Re Reusable Bags

Assistant to the City Manager Lindy Coe-Juell announced the City's "Reusable Bag Give Away" on February 28, 2009, beginning at 10:00 a.m., at the following locations: Bristol Farms, Fresh and Easy, Ralph's and Vons. She thanked Planet Pals' volunteers for their help in distributing the bags.

02/17/09-22. Councilmember Ward Re Youth Recognition Award

Councilmember Ward announced that applications for the 2008-2009 Manhattan Beach Youth Recognition Awards are due by 5:00 p.m. on March 30, 2009. He explained that the Awards are open to juniors and seniors of Los Angeles County schools and Mira Costa High School; that the winners will be recognized at the City Council meeting of April 21, 2009; and that for further information, those interested should contact www.citymb.info or Councilmember Ward.

02/17/09-23. Councilmember Aldinger Re Election

Councilmember Aldinger encouraged everyone to vote in the election on March 3, 2009 and reminded the community that the next Council meeting will be on Wednesday, March 4, 2009.

02/17/09-24. Councilmember Tell Re Vote-By-Mail

Councilmember Tell advised that Vote-By-Mail applications for the March 3, 2009 election must be mailed by February 24, 2009.

02/17/09-25. Mayor Montgomery Re Candidates' Forums

Mayor Montgomery announced the following candidates' forums: February 23, 2009 at the Manhattan Beach Marriott at 7:15 p.m.; February 24, 2009 at American Martyrs' Church at 6:00 p.m.; and February 28, 2009 at the Joslyn Community Center at 11:30 a.m.

02/17/09-26. Mayor Montgomery Re Stimulus Bill

Mayor Montgomery noted that individuals interested in learning more about the Stimulus Bill can go to www.stimuluswatch.org or www.recovery.org (for California projects).

02/17/09-27. Mayor Montgomery Re Sewer Science Program

Mayor Montgomery shared information about the Los Angeles County's Sewer Science Program.

02/17/09-28. Mayor Montgomery Re El Camino College

Mayor Montgomery announced that the deadline for El Camino College's need-based scholarship program is February 27, 2009 and that additional information can be obtained by visiting www.elcamino.edu.

02/17/09-29. Councilmember Aldinger Re South Bay Cities Council of Governments

Councilmember Aldinger announced that the South Bay Cities' Council of Governments' will be holding a General Assembly on city finances on February 27, 2009 from 8:30 a.m. to 2:00 p.m. and that those interested in further information should visit www.sobaycities.org.

02/17/09-30. Mayor Montgomery Re Free Lamp Exchange

Mayor Montgomery called attention to the South Bay Environmental Services Center's free lamp exchange on February 21 and 22, 2009 at the South Bay Galleria from 8:30 a.m. to 2:00 p.m.

02/17/09-31. Martha Andreani Re Tree Canopy Tree Pruning

Martha Andreani, No Address Provided, invited interested parties to a tree pruning demonstration on February 28, 2009 at the Mira Costa High School auditorium.

PUBLIC HEARINGS

02/17/09-12. Consideration of Proposed Exchange of Community Development Block Grant (CDBG) Funds Received by the City of Manhattan Beach to the City of Hawaiian Gardens and the Allocation of Funds for the 2009-2010 Fiscal Year.

Assistant Planner Angelica Ochoa presented the staff report on the proposed exchange of Community Development Block Grant (CDBG) funds received by Manhattan Beach to the City of Hawaiian Gardens and the allocation of funds for Fiscal Year 2009-2010. She explained that, if approved, the City will receive \$87,000 in general funds at last year's rate of \$.60 on the dollar and that the City can allocate these funds as directed by the Council. She related staff's recommendation to conduct the Public Hearing; to adopt Resolution No. 6173; to authorize the City Manager to execute the draft Agreement with the City of Hawaiian Gardens; and to consider an allocation of general funds received to the public service organizations itemized in the staff report, which she read aloud at the request of Mayor Montgomery. Assistant Planner Ochoa advised that the City's five-year contract with the Beach Cities Health District doesn't expire until June 30, 2011, therefore, the City is obligated to the District until that time and that the distributions for the other organizations are the same as last year.

Mayor Montgomery opened the Public Hearing at 7:17 p.m.

Sayward Daley, 1736 Family Crisis Center, thanked the Council for past and continued contributions.

Patrick McBride, 5th Street and Peck Avenue, pointed out that a small portion of the CDBG Funds could be used to provide meals to seniors and low-income residents. He asked that residents be given more time to recommend uses for the funds.

Nancy Wise, South Bay Cities' Wellness Community, expressed gratitude for the City's support.

Tina Harris, Executive Director of the South Bay Children's Health Center, related the Center's hope that they will continue to receive funds from the City.

Hillary Hanson, Executive Director of Project Touch, provided input about Project Touch; invited everyone to the 57th Annual Sand & Strand event on March 22, 2009 at 7:15 a.m., at Pier Avenue in Hermosa Beach; and asked if it would be possible for Project Touch to receive additional funds.

Marilyn Rafkin, Beach Cities Health District, voiced the District's appreciation of the support provided by the City of Manhattan Beach and how the District works to provide its services.

Kim Devine, South Bay Adult Care Center, thanked the Council for its support over the years helping to bring no cost services to citizens.

John Merriman related **South Bay Family Health Care's** gratefulness for the funds to be provided in 2009-2010.

Mayor Montgomery closed the public hearing at 7:28 p.m.

Councilmember Aldinger commented that although the City only gets \$.60 on the dollar, he related his appreciation of this annual program. He acknowledged that the City has been unable to find other projects to which some of the Funds could be contributed.

Addressing **Mr. McBride's** request for additional time so residents can recommend additional uses for the CDBG funds, Assistant Planner Ochoa explained that the Council's consideration of this item was advertised in the Beach Reporter on February 5, 2009.

Councilmember Tell pointed out the stringent requirements for spending CDBG funds and commented on the worthwhile nature of the services to which the funds are contributed.

Assistant Planner Ochoa verified the strict guidelines for spending CDBG funds.

MOTION: Councilmember Ward moved to adopt Resolution No. 6173, authorize the City Manager to execute the draft Agreement with the City of Hawaiian Gardens and allocate the funds as recommended by staff. The motion was seconded by Councilmember Aldinger and passed by the following unanimous roll call vote:

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

RESOLUTION NO. 6173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF MANHATTAN BEACH AND THE CITY OF HAWAIIAN GARDENS REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE FISCAL YEAR 2009-2010

GENERAL BUSINESS

02/17/09-13. Select Member for the Board of Building Appeals - Seat No. 2 (Vigon)

Board of Building Appeals (Seat No. 2)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Ward	Matthew Peck	Matthew Peck	
Tell	Matthew Peck	Matthew Peck	
Aldinger	Justin Reese	Justin Reese	
Cohen		ABSENT	
Montgomery	None further	Matthew Peck	

MOTION: Councilmember Ward moved to unanimously appoint Matthew Peck to the Board of Building Appeals, Seat No. 2. The motion was seconded by Councilmember Aldinger and passed by the following unanimous roll call vote:

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

02/17/09-14. Consideration of Resolutions Adopting the Updated Emergency Operations Plan (EOP)

City Manager Geoff Dolan advised that this item is a follow-up to a discussion at a recent Council study session.

Fire Battalion Chief Frank Chiella presented an overview on the updated Emergency Operations Plan (EOP).

Carolyn Harshman, Emergency Planning Consultants, provided input on the development of the EOP according to the National Incident Management System (NIMS) plan; the budget process for emergency preparedness; the need for a City Disaster Coordinator; the importance of further community involvement in disaster preparedness; and the probability of and vulnerability during potential hazards.

Fire Battalion Chief Chiella addressed various questions posed by the Council during previous meetings about the EOP. He highlighted plans to improve the disaster preparedness portion of the City's website and include disaster preparedness information in the City newspaper.

The Council discussed the grant funds available to purchase interoperability radios and the idea of including funding for radios in the City's proposal for the Federal Stimulus Bill so the City can communicate with schools during disasters. The Council thanked Battalion Chief Chiella for his dedication to this project.

Fire Chief Scott Ferguson offered input on the challenge of getting the Council and City government interested in emergency preparedness.

The following individuals spoke on this item:

- **George Butts, Community Emergency Response Team (CERT)**
- **Charlie Bean, CERT Member**
- **Paul Currey, CERT Board of Directors**
- **Bob Lechter, CERT Member**

Councilmember Ward related his appreciation of the efforts of Fire Battalion Chief Cheilla, the CERT members and the other volunteers who helped develop the EOP.

Having participated in the CERT program, Mayor Montgomery related his appreciation of CERT and the EOP.

MOTION: Councilmember Ward moved to adopt Resolution Nos. 6175 which adopts the updated Emergency Operations Plan (EOP) and authorizes the City Manager to amend and update the EOP as needed in the future; and adopt Resolution No. 6174 which adopts the National Incident Management System (NIMS) as the basis for all incident management in the City of Manhattan Beach. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

RECESS AND RECONVENE

At 8:45 p.m., there was a recess until 9:05 p.m., when the meeting reconvened in regular agenda order with all Councilmembers present.

02/17/09-15. Consideration of Planning Commission Recommendation to Approve Zoning Code Amendments to the Tree Preservation Regulations, a City Council 2008-2009 Work Plan Item, to Provide More Flexibility and to Require a Tree Trimmers Permit

Planning Manager Laurie Jester provided background information on the Planning Commission's recommendations for Zoning Code amendments to the Tree Preservation Regulations to provide more flexibility and require a Tree Trimmer Permit. She noted her receipt of an email from the Tree Canopy Committee (distributed to the Council) stating the Committee's support of the proposed revisions.

The Council discussed: concerns that wording in Section A, paragraph 3, of the proposed Ordinance seems to indicate that buildings take priority over trees; the importance of the educational component of tree trimming and the idea of requiring residents and tree trimmers to verify that they have read the City's tree trimming booklet; the importance of making the tree trimming process as easy as possible for residents and tree trimmers; and how the City Arborist will be utilized in this process.

Planning Manager Jester clarified that the cost of a Tree Trimming Permit would include the City Arborist's review; that the Tree Trimming Permit would be required annually (not per job); that tree trimming brochures are distributed when trimmers apply for business licenses and posted on the City's website; and that the cost of the Tree Trimming Permit would include the City Arborist's review of the tree to be removed.

The following individuals spoke on this item:

- **Marsha Hopwood, No Address Provided**
- **Jack Feinberg, 700 Block of 33rd Street**
- **Peter Landecker, Nelson Avenue**
- **Perry Colligan, 600 Block of 26th Street**
- **Patrick McBride, 5th Street & Peck Avenue**
- **Ed Mitchell, 30th Street**
- **Ron Howell, 800 Block of Pacific Avenue**

The Council discussed that the tree removal fee has been reduced to \$100.00; that the proposed Ordinance would add flexibility in allowing the property owner to work with the Community Development Director, whose decision would be appealable to the Council; and that the proposed Ordinance would not impose pruning standards on homeowners, but would require tree trimmers to be qualified.

Community Development Director Richard Thompson explained that, should the City Arborist determine a tree is healthy, staff would not approve a request to remove the tree.

City Attorney Robert Wadden advised that the proposed Ordinance is well within the City's purview.

Planning Manager Jester explained that, because protected trees are only in setbacks and buildings cannot be constructed in setbacks, trees would never limit allowable buildable floor area.

Community Development Director Thompson advised that the proposed Ordinance is uniquely written to address various situations, such as an old tree infringing on a property owner's ability to construct a house, and that view blockage would not justify removing a tree.

Relating his general support of the proposed Ordinance, Councilmember Aldinger voiced his hope that the Council will continue to work on revisions to the Tree Trimming Regulations as part of the Council Work Plan. He recommended that Section A, paragraph 3 be moved back to Section G(1)(dd) and noted that, in an effort to help mitigate some issues, the Community Development Director would have much more leeway.

Councilmember Tell voiced his concern that the wording in Section G(1)(dd) is confusing. He agreed that the proposed Ordinance would provide more discretion to/guidance from the Community Development Director and pointed out that the Director's decisions would be appealable to the Council.

Councilmember Ward related his understanding that the previous Ordinance did not contain enough "teeth" and was cumbersome and unmanageable. He felt that caution should be used in incorporating standards set by organizations other than the City; that healthy trees must be preserved and balanced with the enjoyment of property; and that Section G should be more specific to include respect for trees. Councilmember Ward noted that the City is willing to work with residents should trees need to be removed and it was his opinion that reasonable replacement trees should be required.

Mayor Montgomery explained that the old requirements were too restrictive and that this Council is trying to bring them back to the center with common sense and flexibility; that checks and balances are important and an effort is being made to capture every situation, but it is not possible to do so; that the goal was to make the process easier; and that the proposed Ordinance will be reviewed in one year. He contended that Section G(1)(dd) should be streamlined.

MOTION: Councilmember Aldinger moved to waive further reading and introduce Ordinance No. 2121 as amended, excepting that Section A, paragraph 3, shall be moved back to Section G(1)(c)(dd) and deleting the proposed language in said Section. The motion was seconded by Councilmember Ward.

Prior to the vote, Mayor Montgomery entertained the idea of modifying Section A, paragraph 2, to read, "These regulations strive to preserve and enhance the existing healthy location of appropriate tree canopies on..."

Council clarified with Mayor Montgomery that the proposed language currently exists.

Mayor Montgomery called for the vote.

City Attorney Wadden read aloud the title of Ordinance No. 2121.

MOTION: Councilmember Aldinger moved to waive further reading and introduce Ordinance No. 2121 as amended, excepting that Section A, paragraph 3, shall be moved back to Section G(1)(c)(dd) and deleting the proposed language in said Section. The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote:

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

02/17/09-16. Status Report on the Metlox Music Series, Local Artists' Activities and Artist Outreach

The Council continued this item to the City Council meeting of March 4, 2009.

At 10:45 p.m. (the cut off for introduction of new agenda items) and due to Resolution No. 6132 stating that "the City Council shall adjourn each regular meeting thereof by 10:30 p.m., unless four-fifths (4/5) of the Council Members present vote to waive or extend the required adjournment time" the following motion was made.

MOTION: Councilmember Ward moved to extend the Council meeting in order to hear Item No. 17 (*Status Update on the Sepulveda Boulevard Bridge Widening Project*). The motion was seconded by Councilmember Tell and passed by unanimous roll call vote.

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

02/17/09-17. Status Update on the Sepulveda Boulevard Bridge Widening Project

City Manager Geoff Dolan advised that the Sepulveda Boulevard Bridge Widening Project has been with the City for many years.

The Council discussed: whether the Project would help the flow of traffic on Sepulveda Boulevard; the anticipated timeframe when the Project would begin; the difficulty of getting the Project designed; and the use of Proposition C Funds for the Project.

Principal Civil Engineer Mike Guererro advised the Council of possible funding options for the Project.

The following individuals addressed the Council with regard to this item:

- **Patrick McBride, 5th Street and Peck Avenue**

City Manager Geoff Dolan related staff's understanding that Proposition C Funds are to be used for roads/infrastructure and Proposition A funds are to be used for transportation, but staff will check to make sure this is the case and report back to the Council.

Councilmember Aldinger explained that the Project would not be paid for out of the City's General Fund; it would be paid for by Proposition C and other funding opportunities.

Councilmember Ward voiced his viewpoint that the Project would be worthwhile in that it is important to move drivers through the Sepulveda Boulevard corridor in an efficient manner and that it would be a good use of Federal funds, should they be obtained.

Councilmember Tell stated that the Project and alternative uses for Proposition C Funds should be further examined in the future.

City Manager Dolan indicated that staff will look into alternative uses for Proposition C funds and report back to the Council.

Mayor Montgomery voiced his opinion that, should an answer as to various funding sources not be obtained in a reasonable amount of time, the City should pull out of the Project.

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

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

Parks and Recreation Commission

02/17/09-10. Consideration of Draft Minutes, Parks and Recreation Commission Meeting of January 26, 2009

Councilmember Tell explained that he pulled this item to clarify that the City Council/School District Ad Hoc Committee members have not given up on developing a passive recreation area at the Ladera School field and that ways to surmount this challenging project are being explored.

The Council discussed the accessibility challenges presented by the Americans with Disabilities Act (ADA) requirements.

City Manager Geoff Dolan advised that many people agree that this is underutilized space and that, based on input from the Building and Fire Departments, it would be necessary to construct a fair amount of infrastructure in order to develop a passive recreation area, but staff will further examine and report back to the Council.

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

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

AUDIENCE PARTICIPATION

None.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

02/17/09-32. Mayor Montgomery Re Deferred Utility Payments

Noting a conversation he and Councilmember Tell had with a couple who both lost their jobs, Mayor Montgomery asked if the City could set-up a delayed utility payment program for individuals who have fallen on hard economic times. He requested that this idea be discussed at a future Council meeting and that a link for job referrals be placed on the City's website.

The Council discussed various ideas to assist residents such as enlisting the help of the Chamber of Commerce and assembling a task force to work with various interest and civic groups to help residents find jobs and keep businesses open during these tough economic times. The Council, absent Mayor Pro Tem Cohen, agreed to place “Utility Deferrals” and “Economic Crisis” on a future City Council meeting agenda.

City Manager Geoff Dolan suggested that the City could host an “Economic Summit” with various groups such as the Chamber of Commerce, the Business Improvement District, business owners from the North End and Manhattan Village mall, etc.

Hearing no objections, the Council concurred.

02/17/09-33. Councilmember Aldinger Re Plastic Bag Lawsuit

Councilmember Aldinger inquired as to the status of the lawsuit over the City banning plastic bags and referred to a recent newspaper article about a delay in the ban on plastic bags in Santa Monica.

City Attorney Robert Wadden advised that this case is scheduled to be heard on February 20, 2009.

02/17/09-34. Councilmember Aldinger Re Proposition 11

Councilmember Aldinger announced that the League of California Cities is scheduled to provide information about Proposition 11 (redistricting) at their regular meeting on March 5, 2009.

02/17/09-35. Councilmember Aldinger Re Ethics Training

Councilmember Aldinger advised that the League of California Cities is scheduled to provide information about Assembly Bill 1234 (ethics training) the evening of March 5, 2009.

02/17/09-36. Mayor Montgomery Re Election

Mayor Montgomery urged everyone to vote on March 3, 2009.

ADJOURNMENT

At 11:21 p.m., the meeting was duly adjourned to the 5:30 p.m. Adjourned Regular Meeting to be followed by the 6:30 p.m. Regular City Council Meeting on Wednesday, March 4, 2009, 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

City Council Meeting Minutes of February 17, 2009