

**CITY OF MANHATTAN BEACH  
MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
JUNE 16, 2009**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 16<sup>th</sup> day of June, 2008, at the hour of 6:32 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

**PLEDGE TO FLAG**

Human Resources Director Cathy Hanson led the pledge of allegiance.

**ROLL CALL**

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

**CEREMONIAL CALENDAR**

06/16/09-1. Presentation of Commendations to John Gunderman, Ryan Hadley and Andrew Vandenberg on attaining the Rank of Eagle Scout

The Council presented certificates of commendation to **John Gunderman, Ryan Hadley and Andrew Vandenberg** in recognition of attaining the rank of Eagle Scout.

**CONSENT CALENDAR**

The Consent Calendar (Item Nos. 2 through 17), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Powell, seconded by Councilmember Tell and passed by unanimous roll call vote.

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

**GENERAL CONSENT**

06/16/09-2. Approve Minutes of the City Council Adjourned Regular Budget Study Session Meeting - #1 of May 26, 2009

The Council approved the subject minutes.

06/16/09-3. Approve Minutes of the City Council Adjourned Regular Budget Study Session Meeting - #2 of May 27, 2009

The Council approved the subject minutes.

06/16/09-4. Approve Minutes of the City Council Adjourned Regular Budget Study Session Meeting - #3 of June 1, 2009

The Council approved the subject minutes.

06/16/09-5. Approve Minutes of the City Council Regular Meeting of June 2, 2009

The Council approved the subject minutes.

06/16/09-6. Adoption of an Ordinance Amending Manhattan Beach Municipal Code Chapter 4.36 Regarding Regulation of Massage Services

The Council adopted Ordinance No. 2123.

**ORDINANCE NO. 2123**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AMENDING MANHATTAN BEACH MUNICIPAL CODE SECTIONS 4.36.010, 4.36.020, 4.36.030, 4.36.040, 4.36.050, 4.36.060, 4.36.070, 4.36.080 AND 4.36.170 REGARDING MASSAGE PRACTITIONERS**

06/16/09-7. Consideration of Award of Contract to Accuvant, Inc. for an Intrusion Prevention Solution for the City's Network (\$24,190.63)

The Council waived formal bidding per Municipal Code Section 2.36.10 (waivers) and approved an award of a purchase order to Accuvant, Inc. in the amount of \$24,190.63 for an intrusion prevention solution for the City's network.

06/16/09-8. Consideration of Financial Report: Ratification of Demands-June 11, 2009

The Council approved with no exception Warrant Register Nos. 26B in the amount of \$3,830,690.40 in payment of ratification of demands and claims as prepared by the Director of Finance, together with the original demands and claims as prepared by said Warrant Register.

06/16/09-9. Consideration of the Budgeted Purchase of Paratransit Software for the Parks & Recreation Department From RouteMatch in the Amount of \$34,963 Using Proposition A Local Transportation Funds

The Council approved the award of RFP #779-09 to RouteMatch for the purchase of paratransit software in the amount of \$34,963 using Proposition A Local Transportation Funds.

06/16/09-10. Consideration of a Resolution Appointing Representatives to the Independent Cities Risk Management Authority (ICRMA)

The Council adopted Resolution No. 6200.

**RESOLUTION NO. 6200**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPOINTING A REPRESENTATIVE AND CONFIRMING THE ALTERNATE AND SUBSTITUTE ALTERNATE REPRESENTATIVES TO THE GOVERNING BOARD OF THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA)**

06/16/09-11. Consideration of the Renewal of Contract Agreements with Adminsure for Workers' Compensation and General and Auto Liability Claims Administration Services

The Council approved authorizing the renewal of contract agreements with Adminsure (formerly Colen & Lee) to provide liability and worker's compensation third party claims administration services effective July 1, 2009 through June 30, 2010.

06/16/09-12. Consideration of a Request from the Manhattan Beach Little League for the Limited Use of a Public Address System at the Marine Sports Park Complex for Little League Tournaments on June 27 through July 11, 2009

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

06/16/09-13. Award Professional Services Contract to Kathleen McGowan, P.E., for Municipal Stormwater NPDES Permit and TMDL Consulting

The Council approved a professional services contract to Kathleen McGowan, P.E., in the amount of \$60,404 to assist the City in meeting the requirements of the NPDES Permit for Municipal Storm Water and Urban Runoff Discharges (Municipal Stormwater Permit) and undertaking implementation activities to comply with the Santa Monica Bay Beaches Bacteria Wet Weather and Dry Weather TMDLS.

06/16/09-14. Consideration of a Contract to Perform a Level III Energy Audit - City Buildings, Equipment and Facilities to PE Consulting in the Amount of \$64,950

The Council approved the award of RFP #764-09 to PE Consulting to perform a Level III Energy Audit of City Buildings, Equipment and Facilities in the amount of \$64,950.

**BOARDS AND COMMISSIONS**

**Cultural Arts Commission**

06/16/09-15. Consideration of Draft Minutes, Cultural Arts Commission Meeting of May 12, 2009

The Council received and filed the subject draft minutes.

**Planning Commission**

06/16/09-16. Consideration of Action Minutes, Planning Commission Meeting of June 10, 2009

The Council received and filed the subject action minutes.

06/16/09-17. Consideration of Planning Commission Approval of a Use Permit to Construct a New 24-Hour Gas Station, Food Mart with Beer and Wine Sales, and Self-Serve Car Wash and Adoption of a Negative Declaration of Environmental Impacts at 2301 North Aviation Boulevard (Sheikhpour/Chevron)

The Council received and filed the subject report.

**COMMUNITY ANNOUNCEMENTS**

*06/16/09-23. Teresa Acosta Re State Budget*

**Teresa Acosta, League of California Cities’ Representative for the South Bay**, spoke of three major areas from which the State is considering taking municipalities’ money to balance the State budget – property taxes; Highway User Tax Fund (gas taxes); and redevelopment. She explained that, at this time, borrowing from property taxes (Proposition 1A) has been taken “off the table”. However, she encouraged the public to continue to contact their legislative representatives and demand that they do their job and balance the budget.

City Manager Geoff Dolan informed Council that Resolution No. 6201 (distributed at the meeting), would direct the City Attorney to work with the League of California Cities to take the legal steps necessary to challenge the State’s taking of cities Highway User Tax monies. He pointed out the special circumstances surrounding this issue.

The Council briefly discussed that the State’s borrowing of cities’ money (Proposition 1A) is currently not being considered; that the State can take cities’ gas tax monies without paying them back; and that the time line for a resolution on these issues is June 30, 2009.

City Attorney Robert Wadden advised that, as explained by City Manager Dolan, Resolution No. 6201 directs the City Attorney to cooperate with the League of California Cities on this issue. He noted the Council’s ability to direct staff at any meeting without taking special action.

**MOTION**: Councilmember Montgomery moved to endorse the League of California Cities’ challenge of the State taking cities’ money and adopt Resolution No. 6201. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

**RESOLUTION NO. 6201**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AUTHORIZING THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY’S STREET MAINTNENACE FUND**

*06/16/09-24. Don Gould Re Manhattan Beach Library*

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

**PUBLIC HEARINGS**

06/16/09-18. Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2009-2010

- a) Consideration of a Resolution Providing for the Collection of Assessments for the Downtown BID
- b) Ratification of the 2009-2010 Bid Advisory Board Members
- c) Authorization for the Bid Advisory Chair to Enter Into an Agreement with the Downtown Business and Professional Association to Provide Services to the District
- d) Authorization to Disburse Fiscal Year 2008-2009 Assessments

Finance Director Bruce Moe explained that this is the annual renewal of the Downtown Business Improvement District (BID) for Fiscal Year 2009-2010 as required by State Law. He conveyed that that approval is based on receiving less than a majority protest; that the assessment is an 80% surcharge on the business license, to a maximum of \$600; and that all legal requirements have been met. He requested that Council adopt the Resolution authorizing the collection of the assessments, ratify the Advisory Board members, authorize the BID Advisory Chair, Ron Coach, to enter into an agreement with the Downtown Business & Professional Association to provide services to the District and authorize the distribution of the assessments collected during the most recent business license cycle which totals approximately \$97,000.

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

Hearing no requests to speak, Mayor Cohen closed the Public Hearing at 6:57 p.m.

**MOTION:** Mayor Pro Tem Ward moved to adopt Resolution No. 6196 providing for the collection of assessments for the Downtown BID; approve the ratification of the 2009-2010 BID Advisory Board members; approve authorizing the BID Board Chair to enter into an agreement with the Downtown Business and Professional Association to provide services to the District; and approve authorizing the disbursement of Fiscal Year 2008-2009 Assessments. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote.

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

**RESOLUTION NO. 6196**

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

06/16/09-19. Consideration of an Ordinance as Recommended by the Environmental Task Force Amending the Municipal Code for Sustainable Building Program and Energy Efficiency Standards for Municipal Buildings and Large Non-Residential Construction

City Manager Geoff Dolan introduced this item and provided background information on the Council's previous considerations pertaining to this topic.

**Environmental Task Force Green Building Subcommittee Member Chris Conway** presented an overview of the Council's previous discussion of the Environmental Task Force Subcommittee's green building recommendations. Per the Council's request at a previous meeting, **Mr. Conway** shared information on the latest cost studies; the return on investment for current green projects in Manhattan Beach; the primary factors of commitment, sustainability, social responsibility and market place advantages over return on investment; and the various Leadership in Energy and Environmental Design (LEED) scenarios studied. He explained the Subcommittee's conclusions that the higher up-front investments made, the greater the cost savings; that the operations and maintenance costs are as important as the costs of construction; and that return on investment is only one factor of many in decisions that guide a community via exemplary design. **Mr. Conway** also discussed the Subcommittee's plans for the future.

The Council discussed whether there are different costs associated with renovations and new construction involving green buildings; whether the City employs a LEED professional; the 50% rule used to trigger LEED certification; and the importance of financial incentives to encourage green buildings.

Building Official Carol Jacobson advised that the City's Principal Building Inspector is a Green Building Professional and the City's current budget includes additional training in this regard. She further explained that LEED certification is triggered when a renovation project exceeds 50% of the valuation of the entire existing building.

Mayor Cohen opened the Public Hearing at 7:39 p.m.

**Gino Polizzotto, Continental Development Corporation**, owning several properties in Manhattan Beach, related his concerns over the unique challenges presented by green building practices, as stated in his letter dated June 16, 2009, and distributed to the Council during the meeting. He emphasized the importance of a clear determination regarding applicability.

Community Development Director Richard Thompson verified that regional aspects were taken into account in the proposed language for Section 9.36.030 (applicability) distributed to the Council during the meeting. He provided clarification regarding the 50% requirement, noting that it is standard practice and has been carried out for many years.

Mayor Cohen closed the Public Hearing at 7:52 p.m.

Councilmember Montgomery stated his dislike of the 50% standard and recommended that proposed Section 9.36.030 (applicability) Nos. 2 and 4, be modified to read, "...the building replacement valuation of 50%..." He thanked the Environmental Task Force's Green Building Subcommittee for their efforts and noted that, should the proposed ordinance be adopted, Manhattan Beach would be the first South Bay city to adopt LEED standards.

Councilmember Tell recommended that proposed Section 9.36.050 (Compliance Official's Responsibilities) be modified to read, "...Compliance official will use the appropriate LEED scoring system..." He complimented the expertise of staff and the Environmental Task Force.

**Environmental Task Force Member Ben Berkhalter**, offered input on including the LEED system by reference.

Mayor Pro Tem Ward commended the Environmental Task Force's efforts in this area. He commented on the substantial return on investment for sustainable buildings and the competitive edge they provide for market branding.

Having served on the Planning Commission when LEED compliance began and was voluntary, Councilmember Powell also commended the Environmental Task Force's efforts.

Noting her gratification in working with staff and the Environmental Task Force and her appreciation of their efforts, especially in researching return on investment, Mayor Cohen highlighted the importance of being cognizant of how costs would affect developers and tenants.

Community Development Director Thompson indicated that he could support the modifications discussed by the Council.

**MOTION:** Mayor Pro Tem Ward moved to waive formal reading and introduce Ordinance No. 2124, with the following modifications as well as proposed modifications provided by Councilmember Tell:

Section 9.36.030 Applicability

2. "...exceeds the building replacement valuation of 50%..."
4. "...exceeds the total building replacement valuation of 50%..."

Section 9.36.050 Compliance Official's Responsibilities

- A. "...Compliance official will use the appropriate LEED scoring system..."

The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote.

Prior to the roll call vote, City Attorney Wadden read aloud the title of Ordinance No. 2124.

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

06/16/09-20. Public Hearing and Adoption of Fiscal Year 2009-2010 Operating Budget and 2009-2014 Capital Improvement Plan

City Manager Geoff Dolan conveyed that over 20 hours have been spent reviewing the proposed budget and Capital Improvement Plan and that Finance Director Bruce Moe will review the highlights and answer questions.

Mayor Cohen emphasized the length at which the Council and staff have thoroughly reviewed the 2009-2010 Operating Budget. She commended staff and community for wading through the budget line by line and getting the budget to this point.

Finance Director Moe addressed Council with a PowerPoint presentation explaining what actions need to be taken; what were the major changes from the Proposed Budget; the General Fund revised totals; a revenue comparison between the Fiscal Year (FY) 2008-2009 and FY 2009-2010; expenditures by category; and salary information.

In response to Councilmember Montgomery's question regarding what percentage of the \$7.7 million of CIP projects the City is locked in to spending and whether any matching monies would be lost if not spent, City Manager Dolan explained that these projects will come before the Council to be approved and that, in general, there is no matching money.

In response to a question from Councilmember Powell, Public Works Director Jim Arndt explained what is involved in Phase 1 of the Strand Stairs Project.

Mayor Cohen opened the Public Hearing at 8:37 p.m.

**Paul Gross, No Address Provided**, commended the Council on their hard work and transparency to the community in working on the 2009-2010 budget. He commented that the Council should also consider how to address further support of the Manhattan Beach Unified School District.

**Kathleen Paralusz, Manhattan Beach Boulevard**, also commended the Council on the transparency process of this budget; for making the necessary tough decisions; and for allowing a dialog between the Council, staff and the public.

**George Barks, No Address Provided**, spoke of the need to cut employee costs; reduce duplication and improve efficiencies; revise the current PERS beneficiary assignments; and work with the unions to require employees to pay more of their share for benefits based on the ability of the city to pay.

Mayor Cohen closed the Public Hearing at 8:44 p.m.

Councilmember Powell commended staff and the public for their commitment to this process. He recommended that next year staff should present a zero based budget; that structural deficits in enterprise funds be mitigated; and everyone should take a hard look at salaries to control labor costs. In response to a question regarding whether the City should continue to support the schools, Councilmember Powell stated that it would depend on their financial condition. He also suggested that the school district come up with some type of permanent revenue stream.

Mayor Pro Tem Ward also commended all those involved in the budget process. He spoke of the state's unfunded mandates and the successful process that Manhattan Beach has gone through. He compared a healthy budget to going out to a finer restaurant when things are good and not when times are tight. He expressed his hope that some of the programs that were cut



will be brought back when the economy improves.

Also commending staff and those involved, Councilmember Montgomery remarked that the important things are that the budget is balanced; there are still reserves; no reserves were used; there were no layoffs; and no resident services were cut. He stated that he hopes that the school district will sell its "BB" Bonds to raise their cash flow and that he would not support taking away the current in-kind services that the City gives them. Councilmember Montgomery further stated that before he would support giving additional monetary help to the school district, they would need to justify what they want to do with the money and why they couldn't sell the bonds.

Councilmember Tell commented on the importance of making extraordinary efforts during these extraordinary economic times and thanked staff, Council and the public for their efforts toward the budget. He stated that the key is to not use reserves to balance the Budget and cut expenses to preserve reserves. He also spoke of the importance of the investment in the School District this year, in that schools are a very important part of the community.

Mayor Cohen related her viewpoint that the City must stop subsidizing the Enterprise Fund to the extent it is, which might mean finding new revenue sources. She acknowledged that she looks forward to exploring mutually beneficial ways of negotiating with employees; that the City might have to factor in the ability of the State to take away money; that programs will be reinstated as the economy improves; and that this is a good opportunity for the private sector to contribute. She restated her commitment to Manhattan Beach schools, noting that there are mutually beneficial ways to collaborate.

**MOTION:** Councilmember Powell moved to adopt Resolution Nos. 6197, 6198 and 6199. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote.

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

**RESOLUTION NO. 6197**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2009-2010**

**RESOLUTION NO. 6198**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2009-2010**

**RESOLUTION NO. 6199**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR YEARS 2009-2014**

## **GENERAL BUSINESS**

### *06/16/09-21. Consideration of the Parking and Public Improvements Commission Recommendations to Adopt Parking Policies for Sepulveda Boulevard*

Traffic Engineer Erik Zandvliet outlined the Sepulveda Boulevard corridor parking evaluation which included an examination of the balance between regional needs, the preservation of businesses along Sepulveda, parking and the protection of adjacent residential neighborhoods. He offered information on the existing conditions along Sepulveda Boulevard; the areas with the highest parking demand; and the Parking and Public Improvements Commission's recommendations to consider various measures to improve parking conditions on Sepulveda Boulevard. He explained that those include adopting a policy in support of parking restrictions near major intersections along Sepulveda Boulevard.

The Council discussed that some of the traffic problems on Sepulveda Boulevard are due to driver habits; that traffic on south bound Sepulveda Boulevard appears to be worse than northbound; and that the problems should be further analyzed, intersection by intersection, before considering additional restrictions. The Council expressed concern with cut-through traffic on residential streets, particularly Oak Avenue, and that restricting parking on Sepulveda Boulevard may encourage drivers to park behind businesses.

Traffic Engineer Zandvliet stressed that the parking of large vehicles along Sepulveda Boulevard for advertising purposes has a big impact; suggested that parking restrictions at the intersection of Marine Avenue and Manhattan Beach Boulevard should be further examined.

City Attorney Robert Wadden advised that parking on Sepulveda Boulevard can be restricted, but, oversized vehicles cannot be discriminated against.

City Manager Geoff Dolan explained that follow-up studies should be performed prior to the Council's further consideration of this matter and that it would be helpful if the Council would direct staff to look at particular intersections. He verified that the visibility problems at Marine Avenue/south bound Sepulveda Boulevard and Manhattan Beach Boulevard/south bound Sepulveda Boulevard will be forwarded to the Parking and Public Improvements Commission for further evaluation. He also stated that staff will work with Traffic Engineer Zandvliet to fit the study into his schedule within the current budget and that striping on Sepulveda Boulevard close to Manhattan Beach Boulevard would be evaluated.

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

- **Bill (Last Name Not Given), 1100 Block of Oak**
- **Esther Besbris, 2<sup>nd</sup> Street**
- **Karol Wahlberg, No Address Provided**
- **Jacque May, Downtown Manhattan Beach**
- **Lisa Komick, No Address Provided**
- **Kathleen Paralusz, No Address Provided**

With regard to addressing parking through the annual review of Conditional Use Permits (CUPs), City Attorney Wadden provided information about the difficulty of amending CUPs.

Traffic Engineer Zandvliet explained that the City could aggressively pursue the idea of requiring employees to park in business lots.

City Manager Dolan affirmed that a broader look at Oak Avenue could be taken. He related staff's intent to provide the Council with time frames associated with the Sepulveda Boulevard Corridor Study, costs, etc.

06/16/09-22. Consideration of Moving the Three Minute Audience Participation Portion of the Agenda to the Beginning of the Meeting

City Manager Geoff Dolan advised that Councilmember Powell brought up this topic at a previous City Council meeting and that the Council agreed to consider this matter tonight. He suggested that, should the Council agree to move up the three minute "Audience Participation" portion of the agenda, time limits and how to merge it with the "Community Announcement" portion of the agenda should be discussed.

Councilmember Powell summarized his recommendation that, for an open and inclusive government, the three minute "Audience Participation" portion of the agenda should be heard immediately after "Community Announcements", with a 30 minute time limit for public comments.

Councilmember Tell related his support to try this, with more of a hard limit on time, such as 15 minutes. He entertained the idea of restricting public input from the same speakers at consecutive meetings and a per speaker three-minute time limit.

Councilmember Montgomery expressed his opinion that open government is not restricted by the current agenda procedure and voiced his lack of support for moving the "Audience Participation" portion of the agenda. He noted that there were no true benefits when it was tried previously and that it could be moved at the Mayor's prerogative on a case-by-case basis.

Mayor Cohen suggested a total time limit of 20 minutes. She agreed that government should be efficient, but waiting until the end of a late meeting to speak under "Audience Participation" dissuades speakers. She related her concern that the public would not know when "Audience Participation" would take place if it is at the Mayor's discretion.

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

- **Willy Leventhal, No Address Provided**
- **Martha Andreani, Downtown Manhattan Beach**
- **Patrick McBride, 5<sup>th</sup> Street & Peck Avenue**
- **Esther Besbris, 2<sup>nd</sup> Street**
- **Jacque May, Downtown Manhattan Beach**

**MOTION:** Mayor Cohen moved to approve moving the "Audience Participation" portion of the agenda to take place after "Community Announcements", with a 15-minute time limit and three minutes per speaker. The motion was seconded by Councilmember Powell.

Councilmember Tell offered an amended motion.

**MOTION:** Councilmember Tell moved to approve moving the "Audience Participation" portion of the agenda to take place after "Community Announcements", with a 15-minute time limit and three minutes per speaker and that priority be given to speakers who did not speak at the previous City Council meeting. The motion was seconded by Mayor Cohen and passed by the following roll call vote.

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

City Manager Dolan advised that the proposed resolution will be amended and brought back on the Consent Calendar at a future meeting.

### **ITEMS REMOVED FROM THE CONSENT CALENDAR**

None.

### **AUDIENCE PARTICIPATION**

*06/16/09-25. Willy Leventhal Re the Naming of Dorsey Field*

**Willy Leventhal, No Address Provided**, believes the naming of Dorsey Field should honor Manhattan Beach residents who have succumbed to alcohol related deaths. He proposed that the Council designate staff to create a committee to look at naming the Dorsey Field.

*06/16/09-26. Patrick McBride Re Bus Line 109*

**Patrick McBride, No Address Provided**, noticed that the City of Manhattan Beach's contribution to the South Bay Transit for bus line 109 is significantly lower in the new budget. He believes that line 109 is beneficial to Manhattan Beach businesses and would like the Council to re-examine cutting funding.

City Manager Geoff Dolan stated that the 109 line was dropped by MTA three years ago and that Redondo Beach then picked up the line and negotiated two years of monetary contributions by the City of Manhattan Beach. The two years came to an end and Manhattan Beach renegotiated and is now contributing less to subsidize the bus line.

*06/16/09-27. Paul Gross Re Business Improvement District for Sepulveda Boulevard*

**Paul Gross, No Address Provided**, observed that business organizations make a big difference in the City and encourage a smooth working relationship between business and government. He stated that Sepulveda Boulevard is lacking a Business Improvement District (BID) and he would like the Council to encourage businesses to organize.

Mayor Cohen reported that she has spoken to several small business owners who are interested in organizing and that the Council will continue to encourage the discussion of a Sepulveda BID.

*06/16/09-28. Jacque May Re Posting Signs and Merchant Parking*

**Jacque May, No Address Provided**, suggested that signs be posted near downtown bars to ask patrons to be considerate of neighbors while walking to their cars. She also questioned whether merchants are given free parking.

Mayor Cohen and City Manager Dolan explained that merchants pay for parking permits and that they should be parking at the top of Parking Lot 3 or in the Lower Level of Metlox.

### **CITY MANAGER REPORT(S)**

None.

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

*06/16/09-29. Mayor Pro Tem Ward Re Interest in Organizing Sepulveda BID*

Mayor Pro Tem Ward offered his expertise to anyone interested in organizing a BID along Sepulveda. He cited his involvement with the North Manhattan Beach BID and gave his email address: [mward@citymb.info](mailto:mward@citymb.info).

*06/16/09-30. Councilmember Montgomery Re Interest in Organizing West Side Sepulveda BID*

Councilmember Montgomery offered to represent the Westside of Sepulveda if a BID is created. He also provided his email address: [rmontgomery@citymb.info](mailto:rmontgomery@citymb.info).

*06/16/09-31. Councilmember Tell Re Riptides*

Councilmember Tell congratulated the Manhattan Beach Little League team, the Riptides, on their Coast Championship and commented that the closing ceremonies were wonderful.

Mayor Cohen described her presentation of “Most Inspirational Player” to Michael Locke as heartwarming.

**ADJOURNMENT**

At 11:03 p.m., the meeting was duly adjourned to the 5:30 p.m. Adjourned Regular Meeting to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, July 7, 2009, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

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Wendy Weeks  
Recording Secretary

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Portia Cohen  
Mayor

ATTEST:

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Liza Tamura  
City Clerk