

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
JULY 7, 2009**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 7th day of July, 2009, 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 THE FLAG – Police Chief Rod Uyeda

ROLL CALL

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

CERMONIAL

07/07/09-1. Recognition of the Torrance, California North Stake of The Church of Jesus Christ of Latter-day Saints for Their "Mormon Helping Hands" Day of Community Service

Mayor Cohen, on behalf of the Council, presented a certificate to **President David D. Hales** on behalf of the **Torrance North Stake of the Church of Jesus Christ of Latter-day Saints** in recognition of their 1st Annual "Mormon Helping Hands" Day of Community Service.

07/07/09-2. Parks and Recreation Month & 2009 Recreation and Youth Services Award

The Council presented a proclamation to Recreation Services Manager Idris Al-Oboudi declaring the month of July as Parks and Recreation Month.

The Council also presented the **2009 Manhattan Beach Recreation and Youth Services Award to Rose van Wier Hein**.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 3 through 13), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Mayor Pro Tem Ward, 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

07/07/09-3. Approve Minutes of the City Council Special City Council Meeting (Team Building Workshop) of May 21, 2009

The Council approved the subject minutes.

07/07/09-4. Approve Minutes of the City Council Regular Meeting of June 16, 2009

The Council approved the subject minutes.

07/07/09-5. Consideration of a Resolution Rescinding Resolution No. 5183 and Adopting the Rules of Order for the Conduct of City Council Meetings

The Council adopted Resolution No. 6203.

07/07/09-6. Adoption of an Ordinance Amending the Municipal Code for Sustainable Building Program and Energy Efficiency Standards for Municipal Buildings and Large Non-Residential Construction

The Council adopted Ordinance No. 2124.

07/07/09-7. Consideration of Ratification of Motor Fuel Purchase from Southern Counties Fuels in the Amount of \$20,226.33

The Council approved ratifying the purchase of fuel from Southern Counties Fuels in the amount of \$20,226.33.

07/07/09-8. Consideration of Financial Reports:

- a) Ratification of Demands: June 25, 2009 and July 1, 2009
- b) Investment Portfolio for the Month Ending May 31, 2009
- c) Financial Reports for the Month Ending May 31, 2009

The Council approved with no exception Warrant Register Nos. 27B & 1B in the amount of \$2,758,082.30 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 May 31, 2009; and received and filed the Financial Reports for the month ending May 31, 2009.

07/07/09-9. Award of Five-Year Taxicab Franchises to All Yellow, Bell, South Bay Yellow and United Independent Cab Companies to Provide Taxicab Services (First Year Revenue of \$136,950)

The Council approved accepting the Finance Subcommittee's recommendation to award four franchises to All Yellow Taxi (30 Cabs), Bell Cab (30 Cabs), South Bay Yellow Cab Cooperative (which includes Manhattan Yellow) (65 Cabs) and United Independent Cab (40 Cabs). The Council also approved authorizing the City Manger to execute the agreements with each of the taxicab franchises.

07/07/09-10. Consideration of Advanced Payment of Employer Pension Costs for Fiscal Year 2009-2010 Which Results in Net Savings of Approximately \$275,000

The Council approved the advanced payment of the City's Fiscal Year 2009-2010 employer pension costs to CALPERS.

BOARDS AND COMMISSIONS

Parks and Recreation Commission

07/07/09-11. Consideration of Draft Minutes, Parks and Recreation Commission Meeting of June 22, 2009

The Council received and filed the subject draft minutes.

Planning Commission

07/07/09-12. Consideration of Action Minutes, Planning Commission Meeting of June 24, 2009

The Council received and filed the subject action minutes.

07/07/09-13. Consideration of Planning Commission Approval of a Coastal Development Permit and Minor Exception to Allow an Addition to an Existing Duplex at 121 24th Street

The Council received and filed the decision of the Planning Commission approving the project subject to certain conditions as outlined in Planning Commission Resolution No. PC 09-06.

COMMUNITY ANNOUNCEMENTS

07/07/09-18. Don Gould Re Manhattan Beach Library

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

07/07/09-19. Mary Ann Varni Re: Farmer's Market

Mary Ann Varni invited everyone to attend the Farmer's Market 3rd Anniversary celebration on Tuesday, July 14, 2009, from noon – 5:00 p.m.

07/07/09-20. Jim Arndt Re: Water Ordinance Update

Public Works Director Jim Arndt updated Council on the Water Ordinance that took effect on July 2, 2009. He clarified the days and times watering is allowed throughout the City.

AUDIENCE PARTICIPATION

07/07/09-21. Richard Zeif Re: Audience Participation and MB Poetry Circle

Senior Advisor Richard Zeif expressed his gratitude for moving the audience participation to the beginning of the meeting and thanked Council through a poem. He also stated that there will be a member of the Poetry Circle at each meeting to share a poem during *Audience Participation*.

07/07/09-22. Ed Skeebe Re: El Porto Parking Lot Study

El Porto Resident Ed Skeebe inquired as to the status of the El Porto Parking Lot Study.

07/07/09-23. Bob Perkins Re: Audience Participation and El Porto Parking Lot

Bob Perkins thanked Council for moving the audience participation to the beginning of the meeting and stated that he is directly opposed to changing the parking and traffic flow in the El Porto neighborhood.

07/07/09-24. Patrick McBride Re: Audience Participation and Trolley Study

Patrick McBride thanked Council for moving the audience participation to the beginning of the meeting, expressed his concern that City issues should take precedence over poetry at Council Meetings (due to the time limit), and inquired about the Trolley Study.

PUBLIC HEARINGS

07/07/09-14. Public Hearing for the Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2009-2010

City Manager Geoff Dolan introduced the subject item and City Controller Henry Mitzner of the Finance Department provided the staff presentation.

Mayor Cohen opened the Public Hearing at 7:28 p.m.

Hearing no requests to speak, Mayor Cohen closed the Public Hearing at 7:29 p.m.

MOTION: Mayor Pro Tem Ward moved to adopt Resolution No. 6202. 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.
Absent: None.
Abstain: None.

GENERAL BUSINESS

07/07/09-15. Consideration of a Request by the Downtown Merchants Association to Extend Hours of Operation for Certain Holidays

City Manager Geoff Dolan introduced the subject item and Community Development Director Richard Thompson, along with Senior Planner Laurie Jester, provided the staff presentation.

The following individuals spoke:

- **MaryAnn Varni, Downtown Business & Professionals Association**
- **Mike Simms, Owner of The Kettle and Simmzys**
- **Patrick McBride, 5th Street and Peck Avenue**
- **Jaque May, Manhattan Beach Downtown Resident**
- **Steve Wible, 1200 Block of Ardmore Avenue**
- **Maria Reinhart, 1100 Block of Fisher Avenue**

MOTION: Councilmember Tell moved to approve the request to extend business hours for New Years Eve to weekend hours; requested that the Planning Commission consider the extension of business hours for the Sundays before Memorial Day and Labor Day; declined the request to extend business hours for July 4th and Halloween; consider other holiday hour extension requests with individual Use Permit Amendment submittals; and post the chart with individual business hours of operation on the City's website. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

07/07/09-16. Consideration of Solid Waste Issues Including:

- a) Process for Obtaining a New Solid Waste Hauling Contract
- b) Discussion of Professional Services to Assist With Developing an RFP
- c) Reviewing Proposals and Writing a Waste Hauling Contract

City Manager Geoff Dolan introduced the subject item and Public Works Director Jim Arndt provided the staff presentation.

Waste Management Representative Vicki Wippel provided a presentation as to the services and accomplishments they have provided to the City.

The following individuals spoke:

- **Lisa Kopich**
- **Wil Arvizo, 400 Block of 23rd Street**
- **Julie (Last Name Inaudible), Representing the Manhattan Beach Botanical Garden**
- **Lisa Moore, Waste Management Consultant**
- **Adam Gerrard (Letter read into the record by Lisa Moore)**
- **Kaye Sherbak, VOICE**

MOTION: Councilmember Montgomery moved to approve that the City negotiate a contract with Waste Management; approve authorizing the City Manager to negotiate a contract with HF&H to assist the City in developing the next contract with Waste Management; and directed staff to extend the current contract with Waste Management by an additional six months. The motion was seconded by Mayor Pro Tem Ward and passed by the following unanimous roll call vote:

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

07/07/09-17. Consideration of an Ordinance to Revise Title 5 – Sanitation and Health of the City of Manhattan Beach Municipal Code with the Addition of Chapter 5.38 - Fats, Oils and Grease Management and Discharge Control

City Manager Geoff Dolan introduced the subject item and Public Works Director Jim Arndt, along with Public Works Utilities Manager Raul Saenz, provided the staff presentation.

The following individual spoke:

- **Wil Arvizo, No Address Provided**

City Attorney Robert Wadden read aloud the title for Ordinance No. 2125.

MOTION: Councilmember Montgomery moved to waive further reading and introduce Ordinance No. 2125. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

07/07/09-25. Wayne Powell Re Disaster Emergency Preparedness

Councilmember Powell spoke of his participation at the Disaster Emergency Preparedness Conference and his participation in the Manhattan Beach Fire Department’s Multi-Agency Fire Training Exercise held at the old Albertsons market building on Sepulveda Boulevard.

07/07/09-26. Mitch Ward Re His Appointment to the L.A. County Criminal Justice Commission and the Recent Passing of Hollywood Celebrities

Councilmember Ward spoke of his appointment to the Los Angeles County Criminal Justice Commission and asked that we remember the many people in the Hollywood community that have recently passed.

ADJOURNMENT

At 11:10 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 21, 2009, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

Portia Cohen
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
ADJOURNED REGULAR MEETING
JULY 7, 2009**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 7th day of May, 2009, at the hour of 6:08 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

ROLL CALL

Present: Montgomery, Powell, Ward and Mayor Cohen.
Absent: Tell.
Clerk: Dolan (Acting).

CLOSED SESSION

The Council recessed into Closed Session at 6:08 p.m. and moved to open session at 6:29 p.m.

ADJOURNMENT

The meeting was duly adjourned at 6:29 p.m.

Robert V. Wadden, Jr.
Recording Secretary

Portia Cohen
Mayor

ATTEST:

Liza Tamura
City Clerk