

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
JULY 21, 2009**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 21st 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 FLAG

Finance Director Bruce Moe led the pledge of allegiance.

ROLL CALL

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

CEREMONIAL CALENDAR

07/21/09-1. Recognition of Sister City Representatives Visiting Manhattan Beach

Mayor Cohen, on behalf of the Council, presented a commendation to the **Santa Rosalia Representatives** in recognition of their participation in Mira Costa's Baja Club and the Sister City exchange program.

The City of Santa Rosalia Representatives thanked Mayor Cohen and the City Council by presenting them with an engraved silver plate, a Baja Club t-shirt and a copy of their City Newsletter.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 2 through 10), 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

07/21/09-2. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of July 7, 2009

The Council approved the subject minutes.

07/21/09-3. Adoption 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

The Council adopted Ordinance No. 2125.

07/21/09-4. Consideration of Approval of an Amendment to the South Bay Cities Council of Governments Joint Powers Authority Agreement to Incorporate the County of Los Angeles as a Voting Member

The Council approved adding the County of Los Angeles as a Voting Member to the South Bay Cities Council of Governments Joint Powers Authority Agreement.

07/21/09-5. Consideration of Financial Report: Ratification of Demands-July 9, 2009

The Council approved with no exception Warrant Register Nos. 28B and 2B in the amount of \$3,005,909.67 in payment of ratification of demands and claims as prepared by the Director of Finance, together with the original demands and claims as prepared by said Warrant Register.

07/21/09-6. Consideration of the Parks and Recreation Commission Recommendation to Approve Additional On-Leash Dog Access Along Specific Pathways in Polliwog Park

The Council approved the Parks and Recreation Commission Recommendation for the additional on-leash dog access along the southern edge of Polliwog Park (near Manhattan Beach Boulevard) and the pathway around Premier Field. Council also approved that the pathways around the amphitheater, picnic areas, fitness area, and both of the playground equipment areas shall remain prohibited.

07/21/09-7. Disbursement of Final Payment in the Net Amount of \$354,726.00 to All American Asphalt; Formally Accept the Manhattan Beach Boulevard Improvement Project as Complete; and Authorize Filing of the Appropriate Notice of Completion

The Council approved the issuance of the subject final payment; formally accepted the Manhattan Beach Boulevard Improvement Project as Complete; and authorized the filing of the appropriate Notice of Completion.

BOARDS AND COMMISSIONS

Cultural Arts Commission

07/21/09-8. Consideration of Draft Minutes, Cultural Arts Commission Meeting of June 9, 2009

The Council received and filed the subject draft minutes.

Parking & Public Improvements Commission

07/21/09-9. Consideration of Action Minutes, Parking and Public Improvements Commission Meeting of June 25, 2009

The Council received and filed the subject action minutes.

Planning Commission

07/21/09-10. Approval of a Planning Commission Decision to Deny an Appeal of an Administrative Decision to Approve a Minor Exception for 612-11th Street

The Council received and filed the Planning Commission's denial of the subject appeal for 612 11th Street.

COMMUNITY ANNOUNCEMENTS

07/21/09-14. Don Gould Re Manhattan Beach Library

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

07/21/09-15. Jan Rhees Re Rotarians at Work "Paint and Plant" Event

Rotarians Jan Rhees, Richard Ham, and Wayne Austin, Jr. shared information and invited Council to the "Paint and Plant" Event for the Older Adults on Sunday, July 26, 2009 from 8:00 a.m. to 5:00 p.m. She stated that the Rotarians, along with family members and friends, will paint the auditorium in the Joslyn Center and will also plant drought tolerant plants. She further stated that this is Phase One in a Two Phase series of improvements.

07/21/09-16. Fyllis Kramer Re Farmer's Market

Farmer's Market volunteer Fyllis Kramer announced the summer hours for the Farmer's Market (12:00 p.m. -5:00 p.m.) and invited everyone to participate in a blood drive at the Farmers Market.

07/21/09-17. Bernadette George Re North Manhattan Summer Stroll

Bernadette George invited everyone to participate in the North Manhattan Summer Stroll along Highland Avenue on July 29, 2009 from 5:00 p.m. to 10:00 p.m. She explained that it will be similar to the Holiday Open House.

07/21/09-18. Mayor Pro Tem Mitch Ward Re NAACP Theater Award Nomination

Mayor Pro Tem Ward announced that *Reunion in Bartersville*, a play he performed in was nominated for the NAACP theater award and thanked all of the Manhattan Beach residents who supported him by going to see the play.

07/21/09-19. Mayor Pro Tem Mitch Ward Re: August 4, 2009 Absence

Mayor Pro Tem Ward asked Council to excuse his absence at the August 4, 2009 City Council Meeting as he will be performing *Reunion in Bartersville* at the Black Theater Festival in North Carolina.

07/21/09-20. Councilmember Wayne Powell Re Surf Festival and 6-Man Volleyball Tournament

Councilmember Powell reminded everyone that the International Surf Festival is July 31 – August 2 of this year and that the 6-Man Volleyball Tournament is rapidly approaching.

07/21/09-21. Councilmember Richard Montgomery Re AVP

Councilmember Montgomery announced that the Manhattan Beach AVP Open was a fantastic event.

AUDIENCE PARTICIPATION

07/21/09-22. Frank Matranga Re Undergrounding

Frank Matranga, 2nd Street and Ardmore Avenue, questioned the progress of the Undergrounding project in Undergrounding District 2. He stated that there are still visible power lines and polls throughout the Undergrounding District.

City Manager Geoff Dolan responded that it is a frustrating situation and that both he and Mayor Cohen have written letters to Verizon who has promised to complete the project by September, 2009.

PUBLIC HEARINGS

None.

GENERAL BUSINESS

07/21/09-11. Approval of Proposed Improvement Plan Related to Improvements in the Public Right-of-Way in the North Manhattan Beach Business Improvement District (\$270,000)

City Manager Geoff Dolan introduced the subject item and City Engineer Steve Finton provided the staff presentation. **North Manhattan Beach Business Improvement District (NMB-BID) Chairperson Melissa Enriquez – Roy (Owner of Sur La Mer)**, provided a PowerPoint presentation on behalf of the NMB-BID.

The following individuals spoke on this item:

- **Abbott Lawrence, Panchos Restaurant**
- **Todd Mannix, Krise's of MB Hair Salon**
- **Bruce Greenberg, 34th Street**
- **Mike Quagletti, 34th Street**
- **Bernadette George, Elegance Boutique Spa**
- **Valerie Croup, 3700 The Strand**
- **Brett Blazicek, Katsu! Restaurant**
- **Sean Struxness, Massage Spot**
- **Harry Salvatore, Resident**
- **Ann Barklow, Certified Arborist**

MOTION: Mayor Pro Tem Ward moved to approve the recommended NMB-BID Improvement Plan consisting of 40 additional trees, patterned crosswalks at 4 locations and curb extensions at 6 locations in the Highland Avenue public right-of way. The motion was seconded by Mayor Cohen and passed by the following roll call vote.

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

In regards to the Highland Avenue Overlay Project and the eligibility criteria of Proposition C and Federal Highway Funding, Councilmember Tell requested that the decision to include patterned crosswalks be deferred pending determination if excess Highland Avenue project funding would be needed for other gas tax funded projects.

City Manager Dolan stated that during the bidding process, patterned crosswalks could be included as an alternate bid item that could be added to the contract if Council chose to do so at that time.

RECESS AND RECONVENE

At 9:35 p.m. the Council recessed and reconvened at 9:55 p.m. with all Councilmembers present.

07/21/09-12. Consideration of an Ordinance to Extend the Hours of Operation for Businesses Certain Holidays

City Manager Geoff Dolan introduced the subject item and Senior Planner Laurie Jester provided the staff presentation.

The following individual spoke:

- **Esther Besbris, 2nd Street**

City Attorney Robert Wadden read aloud the title for Ordinance No. 2126.

MOTION: Councilmember Tell moved to waive further reading and introduce Ordinance No. 2126. The motion was seconded by Mayor Pro Tem Ward and passed by the following roll call vote.

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

MOTION: Councilmember Tell moved to direct the Planning Commission to consider allowing businesses to stay open until 1:00 a.m. on New Years Eve; to review holiday hours for the Sundays before Memorial Day and Labor Day; to review additional holidays through individual Use Permits; and to direct staff to provide citywide noticing for any proposed changes to business hours. The motion was seconded by Mayor Cohen and passed by the following unanimous roll call vote.

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

07/21/09-13. Initial Discussion of the City Council Work Plan Item for Creating a Standardized Format for City Letters and Emails

City Manager Geoff Dolan introduced the subject item and Assistant to the City Manager Lindy Coe-Juell provided the staff presentation.

There was no public comment on this item.

Council provided direction to staff and asked that their recommendations below be placed on a future agenda for City Council consideration:

Recommendations for City Letterhead Template:

- Be consistent on citywide templates and remove “http://” list www.citymb.info only;
- Be consistent on citywide and City Council templates and place the City’s website and address information at the bottom of the page;
- Allow flexibility from the citywide standard for the Police and Fire Department templates including the photos of the badge at the top of the stationary, and add that the city’s website and street address be placed at the bottom of the page.

Recommendations for Email Template:

- Include the photo of the pier as identified in Attachment 2B;
- Include “City of Manhattan Beach” in each person’s title;
- Recommends that the “branding” of the template include two columns: on the left hand side the staff member’s name, title and contact information; and on the right hand side the photo of the pier along with the city street address and website address;
- Return with two templates to consider; one with the photo of the city pier, along with the mission statement, and one without the mission statement.

ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

CITY MANAGER REPORT(S)

07/21/09-23. City Manager Dolan Re Study Session

City Manager Geoff Dolan reminded Council of next week’s Wastewater and Water Infrastructure Study Session on July 28, 2009, at 6:30 p.m., in the Police/Fire Conference Room.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

07/21/09-24. Councilmember Powell Re ICA Conference

Councilmember Powell reported that he had attended an Independent Cities Association (ICA) conference with Councilmember Montgomery, who was elected First Vice-President of the ICA.

ADJOURNMENT

At 10:34 p.m., the meeting was duly adjourned to the 6:30 p.m. Adjourned Regular “Utility Rates and Infrastructure Study” Study Session Meeting on Tuesday, July 28, 2009, in the Police/Fire Conference Room, 400/420 15th Street, 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 21, 2009**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 21st day of July, 2009, at the hour of 5:48 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

ROLL CALL

Present: Montgomery, Tell, Powell, Ward and Mayor Cohen.
Absent: None.
Clerk: Dolan (Acting).

CLOSED SESSION

The Council recessed into Closed Session at 5:48 p.m. and moved to open session at 6:05 p.m.

ADJOURNMENT

The meeting was duly adjourned at 6:05 p.m.

Robert V. Wadden, Jr.
Recording Secretary

Portia Cohen
Mayor

ATTEST:

Liza Tamura
City Clerk