

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
DECEMBER 15, 2009**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 15th day of December, 2009, at the hour of 6:48 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City. A full video of this City Council meeting can be accessed online at www.citymb.info.

PLEDGE TO FLAG

Kirk Kelley-Khan led the pledge of allegiance and “Narek” sang the National Anthem.

ROLL CALL

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

REORGANIZATION

12/15/09-1.1 City Council Reorganization:

a) Recognition of Outgoing Mayor Portia Cohen

The Council recognized outgoing Mayor Cohen and presented her with various mementos in appreciation of her service to Manhattan Beach.

Irving Pacheco, of Assemblymember Ted Lieu’s office, also presented a commendation to Mayor Cohen.

b) Selection of Mayor and Mayor Pro Tem

MOTION: Councilmember Montgomery moved to appoint Mayor Pro Tem Ward to serve as Mayor. 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.

MOTION: Councilmember Powell moved to appoint Councilmember Montgomery as Mayor Pro Tem. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

RECESS AND RECONVENE

At 7:28 p.m. the Council recessed and reconvened at 7:50 p.m. with all Councilmembers present.

CEREMONIAL CALENDAR

12/15/09-2. Presentation of a Proclamation Declaring December 17, 2009 as "A Day Without A Bag"

Mayor Ward presented a proclamation to **Educational Program Director Catie Boartz** of **Heal the Bay** declaring December 17, 2009 as "A Day Without A Bag".

CONSENT CALENDAR

Prior to the adoption of the Consent Calendar, Interim City Manager Richard Thompson confirmed, for Mayor Pro Tem Montgomery, that Manhattan Beach does not need to have a specific bicycle plan to be a part of the Regional South Bay Plan.

The Consent Calendar (Item Nos. 3 through 10), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Mayor Pro Tem Montgomery, seconded by Councilmember Tell and passed by unanimous roll call vote.

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

GENERAL CONSENT

12/15/09-3. Approve Minutes of the City Council Special Adjourned Regular City Council Meeting of November 20, 2009

The Council approved the subject minutes.

12/15/09-4. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of December 1, 2009

The Council approved the subject minutes.

12/15/09-5. Approve Minutes of the City Council Special Adjourned Regular City Council Meeting of December 7, 2009

The Council approved the subject minutes.

12/15/09-6. Authorize the Mayor to Sign a Letter in Support of the South Bay Bicycle Coalition's Application for Grant Monies to Fund a Regional Bicycle Master Plan

The Council approved authorizing the Mayor to sign a support letter for the South Bay Bicycle Coalition's (SBBC) application for a grant to fund a regional bicycle master plan.

12/15/09-7. Consideration of a Resolution to Allocate Public Art Trust Funds in the Amount of \$100,000

The Council adopted Resolution No. 6237.

12/15/09-8. Consideration of a Renewal of a Fire Department Equipment/Apparatus Loan Agreement with the Cities of El Segundo, Hermosa Beach, Redondo Beach and Manhattan Beach

The Council approved the renewal of a fire apparatus and equipment loan agreement between Cities of El Segundo, Hermosa Beach, Redondo Beach and Manhattan Beach.

12/15/09-9. Consideration of Financial Reports:

- a) Ratification of Demands: December 10, 2009
- b) Investment Portfolio for the Month Ending October 31, 2009
- c) Financial Reports for the Month Ending October 31, 2009

The Council approved with no exception Warrant Register Nos. 13B in the amount of \$2,598,075.10 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 October 31, 2009; and received and filed the Financial Reports for the month ending October 31, 2009.

12/15/09-10. Award of Contract in the Amount of \$181,540 for Well #15 Reconditioning Project to General Pump Company, Inc.

The Council approved the award of a contract in the net amount of \$181,450 to General Pump Company, Inc. for the Well #15 Reconditioning Project and approved authorizing the Director of Public Works to approve additional work in an amount not-to-exceed \$18,000, if required.

COMMUNITY ANNOUNCEMENTS

12/15/09-13. Michelle Murphy Re MBRA Budget Informational Session

Manhattan Beach Residents Association (MBRA) Representative, Michelle Murphy, announced that the MBRA and the League of Women Voters are sponsoring an informational meeting about city budgets on January 26, 2010, at the Manhattan Beach Library, and that all are welcome.

12/15/09-14. Don Gould Re Upcoming Library Events

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

12/15/09-15. Councilmember Powell Re Congratulations to Mayor Ward

Councilmember Powell congratulated Mayor Ward and presented him with a book about leadership that the Hermosa Beach Mayor presented to Councilmember Powell when he was elected in March.

12/15/09-16. Councilmember Powell Re Thank You and Happy Holidays

Councilmember Powell thanked city staff, his colleagues on Council, the audience and residents for their input and for helping Council to make great decisions. He wished everyone a happy holiday season, New Year, and new decade.

AUDIENCE PARTICIPATION

12/15/09-17. Arpad Pallai Re Council's Fiscal Responsibility

Arpad Pallai, 200 Block of 8th Street, expressed his frustration with Council's lack of fiscal responsibility. He cited examples including removing the ice plant on the Strand between 13th and 16th Streets; the new Strand benches; giving \$1.3 million to the school district; having twice as many city employees as 15 years ago and spending money on public art. He asked that Council think about how to save money for the tax payers of Manhattan Beach.

12/15/09-18. Willy Leventhal Re LiveStrong Bracelets and Biographies

Willy Leventhal, No Address Provided, presented Council with Lance Armstrong “LiveStrong” bracelets and spoke about two biographies he is currently reading.

12/15/09-19. Michelle Murphy Re Shade Hotel’s Extended Hours

Manhattan Beach Residents Association Representative, Michelle Murphy, voiced her frustrations with the Shade Hotel’s request for later hours.

Interim City Manager Thompson explained that all of the information has been presented to the Planning Commission and will be discussed at their next meeting on January 13, 2010.

12/15/09-20. Patrick McBride Re Comments and Praise

Patrick McBride, 5th Street and Peck Avenue, commented on **Mr. Dumond’s** eloquent presentation on water and how he praised Councilmember Cohen for the way in which she lead City Council meetings as Mayor, to which **Mr. McBride** agreed.

12/15/09-21. Steve Morse Re Undergrounding

Steve Morse, No Address Provided, thanked Councilmember Cohen for her excellent leadership as Mayor, in regards to Undergrounding Districts, and commented that he was sure Mayor Ward would continue in the same direction.

PUBLIC HEARINGS

None.

GENERAL BUSINESS

12/15/09-11. Consideration of Recommendations Regarding the Selection of a Revised Pavement Logo to be Placed as Part of the Highland Avenue Overlay Project

Interim City Manager Richard Thompson introduced the subject item and City Engineer Steve Finton and **North Manhattan Beach Business Improvement District (NMB-BID) Chairperson Melissa Enriquez-Roy** provided a PowerPoint presentation.

The following individuals spoke on this item:

- **Jacque May, 200 Block of 10th Street**
- **Patrick Tenant (artist), No Address Provided**

Council directed staff to return with a revised design with the iconic Pier photo minimizing the size of the sun and accentuating the surf board.

Hearing no objection, it was so ordered.

Interim City Manager Thompson acknowledged that staff will return with the revisions in February.

12/15/09-12. Ratification of New Council Assignments

Mayor Mitch Ward introduced the subject item.

Council held discussion regarding the new Council Assignments and the following change was made to the Tree Ordinance Committee: Councilmember Tell will remain as the “Alternate” instead of Mayor Ward’s initial choice of Councilmember Powell.

The following individual spoke on this item:

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

MOTION: Councilmember Powell moved to ratify the Council Assignment list as amended. The motion was seconded by Mayor Pro Tem Montgomery and passed by the following unanimous roll call vote:

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

Prior to the next agenda item, Mayor Ward recognized several additional elected officials in the audience.

ADJOURN THE CITY COUNCIL MEETING
TO A MEETING OF THE
MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATION

MOTION: At 8:47 p.m. Mayor Ward moved to adjourn the City Council meeting of December 15, 2009, to the meeting of the Manhattan Beach Capital Improvements Corporation.

Hearing no objection, it was so ordered.

12/15/09-A. Annual Meeting of the Board of Directors of the Manhattan Beach Capital Improvements Corporation

Interim City Manager Richard Thompson introduced the subject item and Finance Director Bruce Moe provided the staff presentation.

There were no requests to speak on this item.

MOTION: Councilmember Powell moved to elect Mayor Ward as President and Mayor Pro Tem Montgomery as Vice President of the Manhattan Beach Capital Improvements Corporation. The motion was seconded by Councilmember Cohen and passed by the following unanimous roll call vote:

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

At 8:49 p.m. Mayor Ward adjourned the Manhattan Beach Capital Improvements Corporation meeting to the Regular Meeting of the December 15, 2009 City Council Meeting.

Hearing no objections, it was so ordered.

ADJOURN THE MANHATTAN BEACH
CAPITAL IMPROVEMENTS CORPORATION MEETING
AND RECONVENE TO THE CITY COUNCIL MEETING

ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

12/15/09-22. Mayor Pro Tem Montgomery Re Fireworks Event

Mayor Pro Tem Montgomery thanked **Pete Moffet** and all the other sponsors of the holiday fireworks event. He shared that the Mayor Pro Tem of Beverly Hills wants to move to Manhattan Beach after seeing the extraordinary display.

ADJOURNMENT

At 8:50 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, January 19, 2010, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

Mitch Ward
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH MINUTES
OF THE CITY COUNCIL
ADJOURNED REGULAR MEETING
DECEMBER 15, 2009**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 15th day of December, 2009, at the hour of 5:54 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

ROLL CALL

Present: Tell, Powell, Montgomery and Mayor Ward.
Cohen (arrived at 5:58 p.m.)
Present: City Attorney Wadden.
Absent: None.
Clerk: Wadden (Acting).

ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS

ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (one case).

RECESS INTO CLOSED SESSION

The Council recessed into Closed Session at 5:54 p.m.

RECESS INTO OPEN SESSION

The Council reconvened into Open Session at 6:29 p.m.

ADJOURNMENT

At 6:29 p.m. the meeting was duly adjourned.

Robert V. Wadden, Jr.
Recording Secretary

Portia Cohen
Mayor

ATTEST:

Liza Tamura
City Clerk