

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
APRIL 6, 2010**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 6th day of April, 2010 at the hour of 6:37 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

Jane Fishman, a 5th Grader from Grand View Elementary School, led the pledge of allegiance.

NATIONAL ANTHEM

The Mira Costa Vocal Ensemble sang the National Anthem.

THE FOLLOWING ITEM WAS TAKEN OUT OF ORDER

CEREMONIAL CALENDAR

04/06/10-1. Presentation of the "Person of the Month" Award to D.J. Stanfill for Being Chosen to Participate in the Grammy Foundation's Vocal Jazz Ensemble

Mayor Ward introduced **D.J. Stanfill**, who performed a solo, and presented him with a commendation naming him the "Person of the Month" for his distinguished service to the community.

ROLL CALL

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

04/06/10-2. Presentation of a Commendation to the Manhattan Beach Neighborhood Watch on the Occasion of Their 30th Anniversary

Mayor Ward, on behalf of the Council, presented various members of the Manhattan Beach Neighborhood Watch with commendations recognizing its 30th Anniversary.

04/06/10-16 Mayor Ward Re Proclamation

Mayor Ward proclaimed the week of April 11- 17, 2010 as Safety Seat Checkup Week.

04/06/10-17 Mayor Ward Re Proclamation

Mayor Ward also proclaimed the week of April 11-17 as National Library Week.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 3 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 with the exception of Item No. 7 which was considered later in the meeting under "*Items Removed from the Consent Calendar*".

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

GENERAL CONSENT

04/06/10-3. Approve Minutes of the City Council Adjourned Regular Level III Energy Audit Study Session Meeting of March 2, 2010

The Council approved the subject minutes.

04/06/10-4. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of March 16, 2010

The Council approved the subject minutes.

04/06/10-5. Adoption of an Ordinance to Amend Citywide Speed Limits Pursuant to the 2009 Engineering and Traffic Survey as Required by the State

The Council adopted Ordinance No. 2133.

04/06/10-6. Consideration of Award of a Contract to Ralph Andersen & Associates for City Manager Recruitment Services (Estimated Total Value of \$21,500)

The Council approved authorizing the Interim City Manager to award Request for Proposal # 796-10 to Ralph Anderson & Associates for a contract to provide City Manager recruitment services (estimated total services \$21,500).

04/06/10-7. Consideration of Financial Reports:
a) Ratification of Demands: March 18, 2010 and April 1, 2010
b) Financial Reports for the Month Ending February 28, 2010

Item No. 7 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

04/06/10-8. Consideration of Approval to Authorize the City Manager to Enter into a New Contract with Matrix Environmental to Prepare the Environmental Impact Report for the Manhattan Village Shopping Center Expansion

The Council approved authorizing the Interim City Manager to enter into a contract with Matrix Environmental to prepare the Environmental Impact Report (EIR) for the Manhattan Village Shopping Center Expansion Project.

BOARDS AND COMMISSIONS

Cultural Arts Commission

04/06/10-9. Consideration of Draft Minutes, Cultural Arts Commission Meeting of March 9, 2010

The Council received and filed the subject draft minutes.

Library Commission

04/06/10-10. Consideration of Draft Minutes, Library Commission Meeting of March 8, 2010

The Council received and filed the subject draft minutes.

COMMUNITY ANNOUNCEMENTS

04/06/10-18. Gary Stabile Re Community Emergency Response Team (CERT)

Gary Stabile, No Address Provided, announced and invited the public to the CERT Guest Speaker Program on April 7, 2010 at 7:00 p.m. in the Joslyn Community Center. He explained that **Deborah Hawk** will share her volunteer experiences in Haiti following the earthquake.

04/06/10-19. Susan Jones Re Thank You

Susan Jones, No Address Provided, thanked the City Manager and Council for their continued support of the Seniors.

04/06/10-20. Robert Grossman Re Steppin' Out Competition

Robert Grossman, No Address Provided, challenged the Manhattan Beach City Council to beat Hermosa Beach in the 2010 Steppin' Out Competition. He relayed that the goal is 70,000 steps in one week; that all residents are eligible to participate; and that those interested should visit www.bchd.org to register online.

04/06/10-21. Bill Victor Re Property Owners of Manhattan Beach

Bill Victor, No Address Provided, asked residents to visit www.propertyownersofmb.org or call (310) 318-5000 for updated information on current city issues.

04/06/10-22. Helen Duncan Re Women in Business Conference

Helen Duncan, President/CEO of the Manhattan Beach Chamber of Commerce, invited everyone to the annual Women in Business Conference at Raleigh Studios on April 16, 2010 and noted that the President and CEO of Fredrick's of Hollywood would be the keynote speaker.

04/06/10-23. Ariana Kennedy Re Boards and Commissions Vacancies

Administrative Clerk Ariana Kennedy announced the 10 vacancies on the City's Boards and Commissions and asked interested residents to apply before noon on April 22, 2010. She explained that applications are available on the City's website at www.citymb.info and that more information may be obtained by calling the City Clerk's office at (310) 802-5056.

04/06/10-24. Mayor Pro Tem Montgomery Re Daily Breeze Article

Mayor Pro Tem Montgomery urged the public to read an Opinion-Editorial on page A9 of the April 6, 2010 edition of the Daily Breeze: "State's Big Pension Increases Bite Back."

04/06/10-25. Councilmember Powell Re CERT

Councilmember Powell announced that he hopes to see more residents in the next CERT class which teaches disaster preparedness and how to take care of family and neighbors during emergencies.

04/06/10-26. Councilmember Powell Re Community Police Academy for Older Adults

Councilmember Powell urged older adults to sign up for the next Community Police Academy which provides an opportunity for a ride along, a SWAT presentation, introduction to police dogs and CSI.

AUDIENCE PARTICIPATION

04/06/10-27. Bob Perkins Re Undergrounding

Bob Perkins, 4400 Block of The Strand, apologized for giving Council inaccurate information and believes it is morally wrong the way the City is going about undergrounding subsidies.

04/06/10-28. Patrick McBride Re Senior Transportation

Patrick McBride, 5th Street and Peck Avenue, would like a transportation group to examine the results of the transportation survey.

PUBLIC HEARINGS

None.

GENERAL BUSINESS

04/06/10-11. Presentation of the West Basin Water Reliability 2020 Program

Interim City Manager Richard Thompson introduced the subject item and Public Works Director Jim Arndt introduced **West Basin Municipal Water District 3 Director Carol Kwan, Chief Public Information Officer Alexis Tate and Manager of Government Affairs E.J. Caldwell** who provided the presentation.

There were no requests to speak on this item.

MOTION: Mayor Pro Tem Montgomery moved to receive and file the subject presentation and adopt Resolution No. 6248. The motion was seconded by Councilmember Powell 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 7:45 p.m. the Council recessed and reconvened at 7:58 p.m. with all Councilmembers present.

04/06/10-12. Consideration of a Seven-Year Waste Management Solid Waste Contract and Franchise Agreement of an Estimated Value of \$25,000,000 or Initiate a Request for Proposal Process

Interim City Manager Richard Thompson introduced the subject item and Public Works Director Jim Arndt and **Laith Ezzet, Senior Vice President of HF&H Consultants, LLC** provided a PowerPoint presentation.

The following individuals spoke on this item:

- **Lisa Coppedge, Grades of Green**
- **Kim Lewand Martin, Grades of Green**
- **Kaye Sherbak, No Address Provided**
- **Patrick Tanaka, VOICE**
- **Esther Besbris, No Address Provided**
- **Patrick McBride, 5th Street & Peck Avenue**
- **Ken Spiker, No Address Provided**
- **Bill Victor, No Address Provided**
- **Paul Gross, No Address Provided**
- **Will Arvizo, No Address Provided**
- **Sam Penna, Republic Service**
- **Vickie Whipple, Waste Management**
- **Susan Moulton, Waste Management**
- **Shaya Kirkpatrick, No Address Provided**

MOTION: Councilmember Cohen moved to approve seeking a Request for Proposal (RFP) for waste hauling services to begin after April 30, 2011 when the current Waste Management contract expires; and approve authorizing the Interim City Manager to approve a Professional Services Agreement with HF&H Consultants, LLC in the amount of \$105,000 to complete the RFP process. The motion was seconded by Councilmember Powell and passed by the following roll call vote.

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

04/06/10-13. Discussion of Issues Associated with the International Surf Festival's Charlie Saikley Six-Man Beach Volleyball Tournament (Saturday Only) and It's Impact on the Surrounding Neighborhood, Along with Alternatives to Policing the Event Which May Include Contracting Outside Police Services

Mayor Ward introduced the subject item and Police Chief Rod Uyeda and Police Captain Derrick Abell provided a PowerPoint presentation.

The following individuals spoke this item:

- **Paul Gross, The Strand**
- **(name inaudible), Hermosa Beach**
- **Kim Riley, No Address Provided**
- **Cathy Wong, No Address Provided**
- **Danny Smith, 100 Block of 38th Street**
- **Jackie Francis, No Address Provided**
- **Will Arvizo, No Address Provided**
- **Patrick Mejia, No Address Provided**
- **Kevin Cleary, No Address Provided**
- **John Montinero, Hermosa Beach**

- **Jay Saikley, No Address Provided**
- **Renee Cleary, No Address Provided**

Following a lengthy discussion, Council directed staff to return at a future date with options regarding operational changes as well as a possible date change.

ITEMS REMOVED FROM THE CONSENT CALENDAR

04/06/10-7. Consideration of Financial Reports:

a) Ratification of Demands: March 18, 2010 and April 1, 2010

b) Financial Reports for the Month Ending February 28, 2010

A member of the audience pulled this item from the Consent Calendar for Council discussion.

Mayor Ward announced that although audience member **Bill Victor** pulled this item, he is no longer interested in discussing the matter.

There were no requests to speak on this item.

MOTION: Mayor Pro Tem Montgomery moved to approve with no exception Warrant Register Nos. 20B & 21B in the amount of \$4,316,537.47 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 and received and filed the Financial Reports for the month ending February 28, 2010. The motion was seconded by Councilmember Cohen and passed by the following roll call vote.

Ayes: Tell, Powell, Cohen, Montgomery and Mayor Ward.

Noes: None.

Absent: None.

Abstain: None.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

04/06/10-14. Request by Mayor Pro Tem Montgomery to Consider Staff to Investigate the Installation of a Rental Bike Station in the Lower Pier Parking Lot

Mayor Pro Tem Montgomery requested that Council consider the proposal from **Baiku** regarding the possibility of installing rental bike stations near the bottom of the pier parking lot.

The following individuals spoke this item:

- **Todd Loewenstein, Co-Founder of Baiku, LLC**
- **Stephen Svajian, Co-Founder of Baiku, LLC**
- **Bill Victor, No Address Provided**

Council directed staff to evaluate the subject matter and report back to Council.

Hearing no objections it was so ordered.

04/06/10-15. Request by Mayor Ward to Discuss Equipment and Other Issues Regarding the Broadcast on Manhattan Beach Government Channels (Time Warner 8 and Verizon 35)

Mayor Ward introduced the subject item and Assistant to the City Manager provided a brief summary of the City's current system.

MOTION: Councilmember Tell moved to direct staff to return at a later date with information to facilitate a discussion regarding several issues related to the local government channel broadcast including technical capability and content. The motion was seconded by Mayor Pro Tem Montgomery.

Hearing no objection, it was so ordered.

04/06/10-29. Mayor Pro Tem Montgomery Re FEMA Training

Mayor Pro Tem Montgomery announced that he had recently attended an Emergency Management Training Program offered by FEMA and Homeland Security.

ADJOURNMENT

At 12:30 a.m. the Regular City Council meeting of April 6, 2010, was duly adjourned to the 6:30 p.m. Special City Council Meeting on Tuesday, April 13, 2010, at the Joslyn Community Center Auditorium, 1601 Valley Drive 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
APRIL 6, 2010**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 6th day of April, 2010, at the hour of 6:06 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.
Absent: Cohen.
Clerk: Thompson (Acting).

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 (two cases).

CONFERENCE WITH LABOR NEGOTIATOR

(Government Code Section 54957.6)

Agency Negotiator: Richard Thompson, Interim City Manager
Employee Groups: Manhattan Beach Firefighters' Association
Manhattan Beach Police Officers' Association
Management Confidential
Teamsters

RECESS INTO CLOSED SESSION

The Council recessed into Closed Session at 6:06 p.m.

RECESS INTO OPEN SESSION

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

ADJOURNMENT

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

Robert V. Wadden, Jr.
Recording Secretary

Mitch Ward
Mayor

ATTEST:

Liza Tamura
City Clerk