

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

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 6<sup>th</sup> day of July, 2010, at the hour of 6:34 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](http://www.citymb.info).

**PLEDGE TO FLAG**

Acting Community Development Director Laurie Jester led the pledge of allegiance.

**ROLL CALL**

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

**CEREMONIAL CALENDAR**

07/06/10-1. Presentation of the "Person of the Month" Award to Juan Price for His Distinguished Service to the Community

Mayor Ward, on behalf of the Council, presented a certificate and city pin to Maintenance Supervisor Juan Price for his distinguished service to the community.

07/06/10-2a. Presentation of a Proclamation Declaring the Month of July as "Parks and Recreation Month"

Mayor Ward, on behalf of the Council, presented a proclamation declaring July as "Parks and Recreation Month."

07/06/10-2b. Presentation of the 2010 Manhattan Beach Recreation and Youth Services Award to Robert Scott

Mayor Ward, on behalf of the Council, presented a commendation to Robert Scott as the 2010 winner of the Manhattan Beach Recreation and Youth Services Award.

**CONSENT CALENDAR**

Prior to voting on the Consent Calendar, Councilmember Powell asked that Item No. 16 (*Consideration of Action Minutes, Parking and Public Improvements Commission (PPIC) Meeting of June 24, 2010*) be revised to reflect which Commissioners were appointed to be Chair and Vice Chair.

Councilmember Cohen and Mayor Ward requested additional information on Item No. 4 (*Authorization to Award a Contract in the Amount of \$49,000 to Belaire-West Landscape, Inc. and Appropriate Funds in the Amount of \$66,000 from Available CIP Funds for the Sand Dune Slope Restoration Project*) regarding: the discovery of the endangered plant on the Dune; the purchase of sand; and Council's direction that the park will be refurbished.

Public Works Director Jim Arndt and Parks and Recreation Director Richard Gill responded to Council questions.

The Consent Calendar (Item Nos. 3 through 17), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Cohen, seconded by Councilmember Powell and passed by unanimous roll call vote, with the exception of Item No. 15, 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**

07/06/10-3. Approve Minutes of the City Council Regular Meeting of June 15, 2010

The Council approved the subject minutes.

07/06/10-4. Authorization to Award a Contract in the Amount of \$49,000 to Belaire-West Landscape, Inc. and Appropriate Funds in the Amount of \$66,000 from Available CIP Funds for the Sand Dune Slope Restoration Project

The Council approved an appropriation of funds from Capital Improvement Program (CIP) funds in the amount of \$66,000 and approved an award of contract in the amount of \$49,000 to Belaire-West Landscape, Inc. for the Sand Dune Restoration Project.

07/06/10-5. Consideration of a Resolution Amending the Revised Bail Schedule for Violations of the Manhattan Beach Municipal Code

The Council adopted Resolution No. 6265.

07/06/10-6. Consideration of the City's Support for the Dartmouth College “Big Green Bus

The Council received and filed the subject report.

07/06/10-7. Consideration of Advanced Payment of Employer Pension Costs for Fiscal Year 2010-2011 Which Results in Net Savings of Approximately \$271,412

The Council approved the advanced payment of the City’s Fiscal Year 2010-2011 employer pension costs to CalPERS totaling \$2,274,970.

07/06/10-8. Consideration of the Renewal of Contract Agreements with Adminsure for Workers' Compensation and General and Auto Liability Claims Administration Services in the Amount of \$120,860.64 for Fiscal Year 2010-2011 and \$123,277.80 for Fiscal Year 2011-2012

The Council approved 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, 2010 through June 30, 2012.

07/06/10-9. Consideration of Approval to Authorize the City Manager to Enter into an Amendment to an Existing Contract with Fehr and Peers to Prepare the Traffic Impact Study for the Manhattan Village Shopping Center Expansion

The Council approved authorizing the City Manager to enter into a contract amendment with Fehr and Peers to prepare the Traffic Impact Study for the Manhattan Village Shopping Center Phased Expansion Project.

07/06/10-10. Consideration of Financial Reports:

a) Ratification of Demands: June 24, 2010

b) Financial Reports for the Month Ending May 31, 2010

The Council approved with no exception Warrant Register No. 27B in the amount of \$4,064,155.43 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 May 31, 2010.

07/06/10-11. Approval of a Request from the North Manhattan Beach Businesses to Permit the Placement of a Band on the Northeast Corner of Rosecrans and Highland Avenue Parking Structure for Their "Annual North Manhattan Beach Summer Stroll Event" on Thursday, July 29, 2010 on the Condition of Obtaining an Amplified Sound Permit

The Council approved the request from the north Manhattan Beach businesses to use the parking structure on the northeast corner of Rosecrans and Highland for a band for their Summer Stroll Event on July 29, 2010 on the condition that they obtain an amplified sound permit.

07/06/10-12. Consideration of a Resolution Authorizing the Administration of Cal Recycle's Used Oil Payment Program (OPP).

The Council adopted Resolution No. 6266.

07/06/10-13. Consideration of a Resolution Authorizing the Execution of an Administering Agency-State Master Agreement with Caltrans for the Receipt of State Funding and Execution of a Program Supplement Adding the Safe Routes to School Project Under the Master Agreement

The Council approved an Administering Agency-State Master Agreement with Caltrans for the Receipt of State Funding; approved a Program Supplement with Caltrans for the Safe Routes to School grant project; and adopted Resolution No. 6267 authorizing the City Manager to sign the agreement and program supplements on behalf of the City.

07/06/10-14. Consideration of the Approval of Progress Payment No. 2 in the Net Amount of \$142,241.40 to T.E. Roberts, Inc. for the 2007-10 Water Main Replacement Project

The Council approved the issuance of the subject progress payment.

## **BOARDS AND COMMISSIONS**

### **Parking & Public Improvements Commission**

07/06/10-15. Consideration of the Parking and Public Improvements Commission (PPIC) Recommendation for a Pilot Program for the Implementation of a North Manhattan Beach Valet Parking Program

Item No. 15 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

07/06/10-16. Consideration of Action Minutes, Parking and Public Improvements Commission (PPIC) Meeting of June 24, 2010

The Council received and filed the subject action minutes as amended below.

Councilmember Powell requested that these minutes be amended to reflect which Commissioners were appointed to be Chair and Vice Chair.

The names of Chair Silverman and Vice-Chair Stabile were added to the action minutes.

### **Planning Commission**

07/06/10-17. Consideration of Action Minutes, Planning Commission Meeting of June 23, 2010

The Council received and filed the subject action minutes.

## **COMMUNITY ANNOUNCEMENTS**

07/06/10-22. Don Gould Re Upcoming Library Events

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

07/06/10-23. Fyllis Kramer Re Older Adult Events

**Fyllis Kramer, No Address Provided**, asked that the "Tuesday Night of Opportunities" program be implemented immediately and recommended that **Susan Jones** be considered for the Dining Out Program.

Councilmember Cohen inquired about the "Tuesday Night of Opportunities." Interim City Manager Thompson responded that this matter is currently scheduled to be discussed at an upcoming City Council Meeting agenda.

07/06/10-24. Councilmember Powell Re CERT Meeting

Councilmember Powell reminded the community that on Wednesday, July 7, 2010 at 6:30 p.m. in the Police/Fire Conference room, the Community Emergency Response Team (CERT) will be holding their annual membership meeting and conducting elections. He asked all CERT members to attend.

07/06/10-25. Mayor Pro Tem Montgomery Re Pier-to-Pier Walk-a-Thon

Mayor Pro Tem Montgomery announced that the Sketchers Pier-to-Pier Walk-a-Thon will be held October 24, 2010 and that all the proceeds of the event will go to the Manhattan Beach, El Segundo, Torrance, Redondo Beach and Palos Verdes school districts. [www.pier2pierwalk.com](http://www.pier2pierwalk.com).

07/06/10-26. Mayor Pro Tem Montgomery Re Mira Costa Women's Volleyball

Mayor Pro Tem Montgomery reminded the public that the Mira Costa High School Women's Volleyball team is looking for sponsors to place ads in their flyer. For more information please contact **Robin Ebert** at **Sketchers** at (310) 318-3100 x133.

07/06/10-27. Acting Fire Chief Shuck Re Oil Spill Response

Acting Fire Chief Ken Shuck outlined Chevron's emergency plans for a major oil spill and highlighted nationally recognized disaster teams based in the Redondo Beach, Long Beach and Los Angeles Harbors.

07/06/10-28. Mayor Ward Re Wheelchair Donation

Mayor Ward thanked the Torrance Del Amo Rotary Club for inviting him to address their assembly about Manhattan Beach projects and City accomplishments, and as a result of his efforts, they announced that they will be donating a wheelchair to someone in Africa on behalf of the City of Manhattan Beach.

07/06/10-29. Mayor Ward Re Coffee With the Mayor

Mayor Ward thanked residents, especially the young people, who have attended his "Coffee with the Mayor" gatherings on Tuesdays from 7:00 a.m. until 8:00 a.m. at Manhattan Bread and Bagel (1812 North Sepulveda). He commented that he will be there every Tuesday morning.

**AUDIENCE PARTICIPATION**

07/06/10-30. Michael Steger Re Financial Reform

**Michael Steger, Glendale Resident, Representing the LaRouche Political Action Committee**, asked Council to open a discussion regarding a federal financial reform bill.

**PUBLIC HEARINGS**

07/06/10-18. Public Hearing for the Renewal of the Downtown Business Improvement District (BID) for Fiscal Year 2010-2011 (Continued from the June 15, 2010 City Council Meeting)

Mayor Ward introduced the subject item and Finance Director Bruce Moe provided the staff presentation.

Mayor Ward opened the Public Hearing at 7:18 p.m.

Hearing no request to speak, Mayor Ward closed the Public Hearing at 7:19 p.m.

**MOTION:** Councilmember Powell moved to adopt Resolution No. 6263 authorizing the collection of assessments for the Downtown BID; ratify the nominees for the 2010-2011 BID Advisory Board; approve authorizing the BID Advisory Board Chair to enter into an agreement with the Downtown Business & Professional Association to provide services to the District; and approve authorizing disbursement of all assessments collected for Fiscal Year 2009-2010 (\$100,575 as of June 14, 2010). The motion was seconded by Councilmember Cohen and passed by the following unanimous roll call vote:

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

07/06/10-19. Public Hearing for the Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2010-2011

Mayor Ward introduced the subject item and Controller Henry Mitzner provided the staff presentation.

Finance Director Bruce Moe and Police Captain Randy Leaf responded to Council questions.

Mayor Ward opened the Public Hearing at 7:29 p.m.

- **Bill Victor, No Address Provided**
- **Jon Chaykowski, 200 Block of John Street**

Mayor Ward closed the Public Hearing at 7:35 p.m.

**MOTION:** Mayor Pro Tem Montgomery moved to adopt Resolution No. 6264 providing for the annual levy and collection of Street Lighting and Landscaping District maintenance assessments for the Fiscal Year 2010-2011. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

**GENERAL BUSINESS**

07/06/10-20. Consideration of a Presentation and Proposed Cost Sharing Agreement with Beach Cities Transit (BCT) for Transit Line 109 for Fiscal Year 2010-2011 through 2011-2012 and Appropriation of Funds to Support the Program

Mayor Ward introduced the subject item and Acting Community Development Director Laurie Jester, **City of Redondo Beach Harbor, Business and Transit Director Gwendolyn Parker** and **City of Redondo Beach Transit Operations and Transportation Facilities Manager Joyce Rooney** provided the staff presentation.

**Transtech Strategic Consultant Hal Suetsugu** responded to Council questions.

There were no requests to speak on this item.

**MOTION:** Mayor Pro Tem Montgomery moved to approve capping the dollar amount to the Beach Cities Transit (BCT) for one-year and directed the City Manager to trade \$25,000 in General Fund dollars for Prop A Funds; and to approve second year funding to the BCT pending reports from BCT related to identifying and achieving program cost savings, examining the possibility of adding Manhattan Village as a stop, increasing advertising and outreach efforts, and becoming an actively engaged partner with Manhattan Beach. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

### **RECESS AND RECONVENE**

At 8:52 p.m. the Council recessed and reconvened at 9:03 p.m. with all Councilmembers present.

07/06/10-21. Discussion of Incidents of Soccer Balls Going Over the Fence at Manhattan Village Field into the Manhattan Senior Villas Property and Consideration of the Installation of a 25 Foot Net or the Establishment of a Fund to Pay Future Claims

Mayor Ward introduced the subject item and Parks and Recreation Sports Manager Mark Leyman provided the staff presentation.

There were no requests to speak on this item.

**MOTION:** Councilmember Cohen moved to approve collecting a 10% surcharge (approximately \$7,000 a year) to create a fund from the net profit of the 7 on 7 Adult Soccer League to pay for future claims and then use the remaining funds to pay for the cost, purchase and installation of a new fence at Manhattan Village Field, if needed. The motion was seconded by Mayor Pro Tem Montgomery and passed by the following unanimous roll call vote:

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

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

#### **Parking & Public Improvements Commission**

07/06/10-15. Consideration of the Parking and Public Improvements Commission (PPIC) Recommendation for a Pilot Program for the Implementation of a North Manhattan Beach Valet Parking Program

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

Councilmember Powell recused himself from this item because he lives within 300 feet of the proposed valet parking program.

Traffic Engineer Erik Zandvliet provided a PowerPoint presentation and the applicant, **Mike Quagletti, Owner of Upper Manhattan Restaurant**, responded to Council questions.

**The following individual spoken on this item:**

- **Unidentified Speaker, No Address Provided**
- **Richard Sheyen, 3600 Block of Crest**
- **Harry Diaz, Representing the Coast to Coast Valet Company**
- **Patton Hortnel, 3500 Block of Manhattan Avenue**

Council approved a pilot valet parking program in front of Upper Manhattan Restaurant provided the route **is not** located in a residential neighborhood. The Council supported the use of Veranda's parking lot, a drop off spot in front of Upper Manhattan Restaurant and a pick-up spot across the street on Highland south of 36<sup>th</sup> Street. The applicant, **Mr. Quagletti** is working with the City to utilize (and pay for) the two parking spaces on Highland just south of 36<sup>th</sup> Street as a pick up location. The proposed route would only use commercial streets, Highland and Rosecrans.

Hearing no objection it was so ordered.

At 10:29 p.m. Councilmember Powell returned to the dais.

**CITY MANAGER REPORT(S)**

None.

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

*07/06/10-31. Councilmember Tell Re Finance Subcommittee*

Councilmember Tell summarized the Finance Subcommittee meeting; highlighted two issues regarding the trash hauling contract; and asked Council if they would like to hold a preliminary discussion of this contract at the July 20, 2010 Council Meeting.

Mayor Ward asked that the issue be added to the July 20, 2010, Council Meeting agenda.

Hearing no objection it was so ordered.

**ADJOURNMENT**

At 10:37 p.m. the Regular City Council meeting of July 6, 2010, 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 20, 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