



**CITY OF MANHATTAN BEACH  
MINUTES OF THE CITY COUNCIL  
ADJOURNED REGULAR MEETING  
FEBRUARY 1, 2011**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 1<sup>st</sup> day of February, 2011, at the hour of 5:37 p.m., in the City Council Chambers Conference Room of City Hall, at 1400 Highland Avenue, in said City.

**ROLL CALL**

Present: Powell, Cohen, Ward, Tell and Mayor Montgomery.  
Absent: None.  
Clerk: Wadden (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 (one case).

**CONFERENCE WITH LABOR NEGOTIATOR**  
(Government Code Section 54957.6)

Agency Negotiator: David N. Carmany, City Manager

Employee Groups: Manhattan Beach Firefighters' Association;  
Manhattan Beach Police Officers' Association;  
Management Confidential; and  
Teamsters

**RECESS INTO CLOSED SESSION**

The Council recessed into Closed Session at 5:37 p.m.

**RECESS INTO OPEN SESSION**

The Council reconvened into Open Session at 6:27 p.m.

**ADJOURNMENT**

The meeting was duly adjourned at 6:27 p.m.

Robert Wadden, Jr.  
Recording Secretary

Richard Montgomery  
Mayor

ATTEST:

Liza Tamura  
City Clerk

**CITY OF MANHATTAN BEACH  
MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 1, 2011**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 1<sup>st</sup> day of February, 2011, at the hour of 6:35 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**

Ryan Patel, an 8<sup>th</sup> Grader from Manhattan Beach Middle School, led the pledge of allegiance.

**ROLL CALL**

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

**CEREMONIAL CALENDAR**

02/01/11-1. Presentation of Certificates to the Winners of the 2010 Fire Department Annual "Home Escape Plan" Contest

Interim Fire Chief Ken Shuck introduced Fire Engineer/Paramedic Brian Yount who summarized the program the Fire Department has developed in conjunction with Manhattan Beach Elementary Schools in recognition of "Fire Safety Week" and introduced the Winners of the 2010 "Home Escape Plan" Contest.

The Council presented certificates and City pins to the following winners: **Emma May** (Pacific); **Natalie Tell** (Robinson); **Rebecca Macias** (Meadows); **Emily Farberman** (Pennekamp); **Abby Taylor** (Grandview); and **Jack Brearton** (American Martyrs).

02/01/11-2. Presentation of a Proclamation to the American Heart Association Declaring February 4, 2011 as "National Wear Red Day"

With no representatives present at the City Council meeting, Mayor Montgomery announced that the American Heart Association presentation will be continued to a future meeting.

**CONSENT CALENDAR**

The Consent Calendar (Item Nos. 3 through 15), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Powell, seconded by Councilmember Cohen and passed by a unanimous roll call vote with the exception of Item No. 10 which was considered later in the meeting under "*Items Removed from the Consent Calendar.*"

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

**GENERAL CONSENT**

02/01/11-3. Approve Minutes of the City Council Adjourned Regular and Regular Meeting of January 18, 2011

The Council approved the subject minutes.

02/01/11-4. This Space Intentionally Left Blank

02/01/11-5. Consideration of Fiscal Year 2009-2010 Financial Audit Results

The Council received and filed the subject report.

02/01/11-6. Consideration of Financial Reports:

a) Ratification of Demands for January 20, 2011

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

c) Investment Portfolio for the Month Ending December 31, 2010

The Council approved with no exception Warrant Register No. 16B in the amount of \$2,645,690.81 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 December 31, 2010; and received and filed the Financial Reports for the month ending December 31, 2010.

02/01/11-7. Consideration of the Award of a Three-Year Network Server Hardware and Engineering Services Contract to Nth Generation Computing, Inc. (Estimated Annual Value of \$60,000)

The Council approved an award of RFP #815-11 to Nth Generation Computing, Inc. for a three-year contract to provide network servers and engineering services, with an estimated annual value of \$60,000.

02/01/11-8. Consideration of Ratification of Motor Fuel Purchase from Merrimac Energy Group in the Amount of \$24,488.51

The Council approved ratifying the purchase of fuel from Merrimac Energy Group in the amount of \$24,488.51.

02/01/11-9. Consideration of the Purchase of One Budgeted Replacement Core Network Switch From Vox Network Solutions in the Amount of \$50,480.31

The Council approved an award of Bid #823-11 to Vox Network Solutions for a budgeted replacement Cisco Core Switch in the amount of \$50,480.31

02/01/11-10. Solid Waste Staff Report of the January 24, 2011 Finance Subcommittee Meeting

Item No. 10 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

02/01/11-11. Consideration to Approve Progress Payment No. 3 in the Net Amount of \$69,921.00 to T.E. Roberts Inc. for the 2010-2011 Water Main Replacement/Installation Project

The Council approved the issuance of the subject progress payment.

02/01/11-12. Consideration of Final Payment in the Net Amount of \$64,762.65 to American Asphalt South, Inc; Formally Accept the 2010 Slurry Seal Project as Complete; and Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$7,195.85

The Council approved the issuance of the subject final payment; formally accepted the 2010 Slurry Seal Project as Complete; and authorized the filing of the appropriate Notice of Completion and Release of Retention in the amount of \$7,195.85.

### **BOARDS AND COMMISSIONS**

#### **Parks and Recreation Commission**

02/01/11-13. Consideration of Draft Minutes, Parks and Recreation Commission Meeting of January 5, 2011

The Council received and filed the subject draft minutes.

#### **Planning Commission**

02/01/11-14. Consideration of Action Minutes, Planning Commission Meeting of January 26, 2011

The Council received and filed the subject action minutes.

#### **Centennial Committee**

01/18/11-15. Consideration of Minutes, Centennial Committee Meeting of December 20, 2010

The Council received and filed the subject minutes.

### **COMMUNITY ANNOUNCEMENTS**

02/01/11-20. Phil Reihmert Re Candidates Forum

**Phil Reihmert, No Address Provided**, invited the public to the Manhattan Beach Residents Association Candidates Forum to be held in City Council Chambers on Thursday, February 10, 2011 from 7:00 p.m. until 8:30 p.m.

02/01/11-21. Monica Marshall Re Catholic Schools Week

**Monica Marshall, No Address Provided**, announced that it is Catholic Schools Week and that the 5<sup>th</sup> graders at American Martyrs School wanted to present the City Council with a gift basket to show their appreciation.



02/01/11-22. Don Gould Re Upcoming Library Events

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

02/01/11-23. Kaye Gagan Sherbak Re Earth Day

**Kaye Gagan Sherbak, a VOICE Representative**, announced that VOICE is co-sponsoring Earth Day on Saturday, April 16, 2011.

02/01/11-24. Viet Ngo Re Candidates Forums

**Viet Ngo, No Address Provided**, wished everyone a Happy New Year; urged residents to attend candidate forums and vote by mail; and gave the following website to contact for more information: [www.vietngoformb.com](http://www.vietngoformb.com)

02/01/11-25. Tony Salvachio Re Leadership Manhattan Beach Recruitment

**Tony Salvachio, No Address Provided**, invited residents interested in joining the Leadership Manhattan Beach Class of 2012 to informational sessions on February 16<sup>th</sup> and February 22<sup>nd</sup>, 2011 to be held in City Council Chambers. He encouraged those wanting more information to visit [www.leadershipmb.org](http://www.leadershipmb.org).

02/01/11-26. Robert Bush Re Tribute to Martin Luther King Jr. and Ronald Reagan

**Robert Bush, No Address Provided**, shared that two of the greatest men were Martin Luther King Jr. and Ronald Reagan and suggested everyone pay tribute to them both. **Mr. Bush** also shared that he was stationed in Germany during World War II.

02/01/11-27. Councilmember Powell Re Creative Arts Center 10<sup>th</sup> Anniversary Reception

Councilmember Powell announced that the Creative Arts Center will have a special reception on February 12, 2011 from 5:00 p.m. until 8:00 p.m. in recognition of their 10<sup>th</sup> anniversary.

02/01/11-28. Councilmember Cohen Re TedEx/Vitality Event

Councilmember Cohen suggested that interested parties attend the next TedEx event at El Camino College on February 10, 2011. She said that the focus of the next event will be Vitality Cities and for more information, please e-mail Councilmember Cohen: [pcohen@citymb.info](mailto:pcohen@citymb.info).

02/01/11-29. Councilmember Cohen Re The Mira Costa High School Mayor's Youth Council

Councilmember Cohen invited everyone to the kick-off event of the Mira Costa High School Mayor's Youth Council program which will be presented at the February 15, 2011 City Council meeting.

02/01/11-30. Councilmember Ward Re Special Election

Councilmember Ward reminded everyone to vote during the February 15, 2011 Special Election.

02/01/11-31. Mayor Montgomery Re March 8 General Municipal Election

Mayor Montgomery encouraged voters to participate in the March 8, 2011 General Municipal Election and get to know each candidate.

## AUDIENCE PARTICIPATION

### 02/01/11-32. Michelle Murphy Re Taping of Manhattan Beach Resident's Association Candidates Forum and Use of Police/Fire Conference Room

**Michelle Murphy, 4400 Block of the Strand**, asked that City Council televise the Manhattan Beach Resident's Association (MBRA) Candidates Forum in City Council Chambers and allow the MBRA to use the Police/Fire facility for future meetings.

City Council discussed this matter with City Manager David Carmany and Finance Director Bruce Moe. City Council summarized that while the City has a policy of televising only City related events, an exception can be made for this event.

### 02/01/11-33. Ed Caprielian Re Geoff Dolan Separation and Anonymous Letter

**Ed Caprielian, No Address Provided**, asked questions regarding Geoff Dolan's separation from the City; asked to see the anonymous letter; and expressed concern regarding his belief of a lack of transparency.

### 02/01/11-34. Robert Bush Re Mayor Montgomery, Gadflies, U.S. Conference of Mayors, Health Care and Voting

**Robert Bush, No Address Provided**, spoke about Mayor Montgomery's comments regarding gadflies, the U.S. Conference of Mayors Conference, President Obama's Health Care Plan, and urged residents to vote.

### 02/01/11-35. Kathy Clark Re Yoga on the Pier

**Kathy Clark, No Address Provided**, asked that the City Council consider holding a yoga class on the Pier as part of the Centennial celebration activities in 2012.

### 02/01/11-36. Nancy Donahoe Re Support of Waste Management

**Nancy Donahoe, No Address Provided**, declared her support of Waste Management and urged City Council to award the solid waste contract to Waste Management.

### 02/01/11-37. Nicole Sieber Re Support of Waste Management

**Nicole Sieber, No Address Provided**, declared her support of Waste Management and urged City Council to award the solid waste contract to Waste Management.

### 02/01/11-38. Lisa Coppage Re Support of Waste Management

**Lisa Coppage, No Address Provided**, declared her support of Waste Management and urged City Council to award the solid waste contract to Waste Management.

### 02/01/11-39. Viet Ngo Re Resignation of Mayor Montgomery and City Attorney Wadden

**Viet Ngo, No Address Provided**, requested Mayor Montgomery resign from City Council and City Attorney Robert Wadden resign his post as City Attorney.

## PUBLIC HEARINGS

### 02/01/11-16. Consideration of a Resolution Adjusting the 2011-2012 Business License Tax by the Consumer Price Index

Revenue Services Manager Steve Charelian introduced the subject item and provided the staff presentation.