

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
MAY 3, 2011**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 3rd day of May, 2011, at the hour of 6:30 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.cityymb.info.

PLEDGE TO FLAG

Tommy Kelleher, a 5th grader from Grand View Elementary School, led the pledge of allegiance.

ROLL CALL

Present: Powell, Lesser, Howorth, Tell and Mayor Montgomery.
(Montgomery 6:30 p.m. – 7:12 p.m.)
Absent: None.
Clerk: Tamura.

THE FOLLOWING ITEM WAS TAKEN OUT OF ORDER.

05/03/11-17. Select Members for the City’s Boards and Commissions

<i>Board of Building Appeals</i>	<i>4 Seats (4 Members-At-Large)</i>
<i>Cultural Arts Commission</i>	<i>2 Seats (1 Artist & 1 Business Community)</i>
<i>Library Commission</i>	<i>1 Seat (1 Member-At-Large)</i>
<i>Parks & Recreation</i>	<i>3 Seats (1 Member-At-Large, 1 MBUSD Nominee & 1 Mira Costa High School Student)</i>
<i>Parking & Public Improvements</i>	<i>2 Seats (1 Member-At-Large & 1 Business Community)</i>
<i>Planning Commission</i>	<i>3 Seats (3 Members-At –Large)</i>

Planning Commission (Seat No. 3)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Montgomery	Christopher Conaway	Christopher Conaway	Christopher Conaway
Tell	Ed Lear	Ed Lear, Christopher Conaway	Christopher Conaway
Powell	Ben Burkhalter	Ben Burkhalter, Paul Gross	Christopher Conaway
Lesser	Paul Gross	Paul Gross Christopher Conaway	Christopher Conaway
Howorth	None further	Ed Lear, Christopher Conaway	Christopher Conaway

MOTION: Mayor Pro Tem Tell moved to unanimously appoint Christopher Conaway to the Planning Commission, Seat No. 3. The motion was seconded by Mayor Montgomery.

Hearing no objection it was so ordered.

Planning Commission (Seat No. 4)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Lesser	Kathleen Paralusz		
Howorth	Kathleen Paralusz		
Montgomery	None further		
Tell	None further		
Powell	Kathleen Paralusz		

Prior to the Motion, Mayor Montgomery stated for the record that he was going to abstain from voting on the appointment on this subject seat.

MOTION: Mayor Pro Tem Tell moved to unanimously re-appoint Kathleen Paralusz to the Planning Commission, Seat No. 4. The motion was seconded by Councilmember Powell.

Hearing no objection it was so ordered.

Planning Commission (Seat No. 5)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Powell	Ed Lear	Ed Lear Paul Gross	Ed Lear
Lesser	Paul Gross	Paul Gross	Paul Gross
Howorth	Paul Gross	Paul Gross Ed Lear	Paul Gross
Montgomery	None further	Paul Gross Ed Lear	Paul Gross
Tell	None further	Paul Gross Ed Lear	Ed Lear

MOTION: Mayor Montgomery moved to appoint Paul Gross to the Planning Commission, Seat No. 5.

Hearing no objection it was so ordered.

Parking and Public Improvements Commission (Seat No. 1)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Montgomery	George Apostol	George Apostol	
Tell	Gary Stabile	Gary Stabile George Apostol	
Powell	None further	George Apostol Gary Stabile	Gary Stabile
Lesser	None further	Gary Stabile George Apostol	Gary Stabile
Howorth	None further	George Apostol Gary Stabile	Gary Stabile

MOTION: Mayor Pro Tem Tell moved to unanimously re-appoint Gary Stabile to the Parking and Public Improvements Commission, Seat No. 1. The motion was seconded by Mayor Montgomery.

Hearing no objection it was so ordered.

Parking and Public Improvements Commission (Seat No. 2)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Lesser	Cyrous Adami	Cyrous Adami George Apostol	Cyrous Adami
Howorth	Cyrous Adami	Cyrous Adami George Apostol	Cyrous Adami
Montgomery	George Apostol	George Apostol	George Apostol
Tell	None further	George Apostol Cyrous Adami	Cyrous Adami
Powell	Cyrous Adami	Cyrous Adami George Apostol	Cyrous Adami

MOTION: Mayor Montgomery moved to unanimously re-appoint Cyrous Adami to the Parking and Public Improvements Commission, Seat No. 2.

Hearing no objection it was so ordered.

Parks and Recreation Commission (Seat No. 3)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Tell	Thomas Cajka	Thomas Cajka Maggie Movius	Thomas Cajka
Powell	Maggie Movius	Maggie Movius Thomas Cajka	
Lesser	Thomas Cajka	Thomas Cajka Maggie Movius	Thomas Cajka
Howorth	Thomas Cajka	Thomas Cajka Russ Allen	Thomas Cajka
Montgomery	Russ Allen	Russ Allen Maggie Movius	Russ Allen

MOTION: Mayor Pro Tem Tell moved to unanimously re-appoint Thomas Cajka to the Parks and Recreation Commission, Seat No. 3.

Hearing no objection it was so ordered.

Parks and Recreation Commission (Seat No. 2)

MOTION: Councilmember Howorth moved to ratify Manhattan Beach Unified School Districts Nominee Nancy Hersman to the Parks and Recreation Commission, Seat No. 2. The motion was seconded by Councilmember Powell.

Hearing no objection it was so ordered.

Library Commission (Seat No. 4)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Howorth	Cheryl Cleamons	Cheryl Cleamons Maggie Movius	Cheryl Cleamons
Montgomery	None further	Cheryl Cleamons Maggie Movius	Cheryl Cleamons
Tell	None further	Cheryl Cleamons Maggie Movius	Cheryl Cleamons
Powell	None further	Cheryl Cleamons Maggie Movius	Cheryl Cleamons
Lesser	Maggie Movius	Cheryl Cleamons Maggie Movius	Maggie Movius

MOTION: Mayor Montgomery moved to unanimously appoint Cheryl Cleamons to the Library Commission, Seat No. 4.

Hearing no objection it was so ordered.

Cultural Arts Commission (Seat No. 1)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Powell	Peter DeMaria	Peter DeMaria Lisa Mundt	Peter DeMaria
Lesser	Peter DeMaria	Peter DeMaria	Peter DeMaria
Howorth	Peter DeMaria	Peter DeMaria	Peter DeMaria
Montgomery	Lisa Mundt	Lisa Mundt Peter DeMaria	Lisa Mundt
Tell	Peter DeMaria	Peter DeMaria	Peter DeMaria

MOTION: Mayor Montgomery moved to unanimously re-appoint Peter DeMaria to the Cultural Arts Commission, Seat No. 1.

Hearing no objection it was so ordered.

Cultural Arts Commission (Seat No. 3)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Montgomery	Lisa Mundt	Lisa Mundt Susan Sweeney	Susan Sweeney
Tell	None further	Lisa Mundt Susan Sweeney	
Powell	Susan Sweeney	Susan Sweeney Lisa Mundt	Susan Sweeney
Lesser	Susan Sweeney	Susan Sweeney Lisa Mundt	Susan Sweeney
Howorth	Susan Sweeney	Susan Sweeney Lisa Mundt	Susan Sweeney

MOTION: Mayor Montgomery moved to unanimously re-appoint Susan Sweeney to the Cultural Arts Commission, Seat No. 3.

Hearing no objection it was so ordered.

Board of Building Appeals (Seat No. 1)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Lesser	Stewart Fournier	Louie Tomaro Stewart Fournier	
Howorth	Stewart Fournier	Stewart Fournier Mike Kling	
Montgomery	Robert McMullen	Robert McMullen Louie Tomaro	Mike Kling
Tell	Louie Tomaro	Louie Tomaro Stewart Fournier	Mike Kling
Powell	Mike Kling	Stewart Fournier Mike Kling	Mike Kling

Prior to the 2nd Round Vote, City Clerk Tamura clarified for Council that Louie Tomaro is an incumbent for Seat No. 3 on the Board of Building Appeals.

MOTION: Mayor Montgomery moved to unanimously appoint Mike Kling to the Board of Building Appeals, Seat No. 1.

Hearing no objection it was so ordered.

Board of Building Appeals (Seat No. 2)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Tell	George Apostol	Stewart Fournier George Apostol	George Apostol
Powell	Stewart Fournier	Stewart Fournier	Stewart Fournier
Lesser	Stewart Fournier	Stewart Fournier George Apostol	Stewart Fournier
Howorth	Stewart Fournier	Stewart Fournier	Stewart Fournier
Montgomery	None further	George Apostol Stewart Fournier	George Apostol

MOTION: Mayor Montgomery moved to unanimously appoint Stewart Fournier to the Board of Building Appeals, Seat No. 2.

Hearing no objection it was so ordered

Board of Building Appeals (Seat No. 3)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Howorth	Louie Tomaro		
Montgomery	None Further		
Tell	None Further		
Powell	None Further		
Lesser	None Further		

MOTION: Mayor Montgomery moved to unanimously re-appoint Louie Tomaro to the Board of Building Appeals, Seat No. 3.

Hearing no objection it was so ordered.

Board of Building Appeals (Seat No. 5)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Powell	George Apostol		
Lesser	George Apostol		
Howorth	George Apostol		
Montgomery	None Further		
Tell	None Further		

MOTION: Mayor Pro Tem Tell moved to unanimously appoint George Apostol to the Board of Building Appeals, Seat No. 5.

Hearing no objection it was so ordered.

MOTION: Mayor Montgomery moved to declare vacant Seat No. 3 on the Parking and Public Improvements Commission and directed the City Clerk’s office to post the notice of vacancy and schedule the appointment to fill the vacancy at the May 17, 2011 City Council Meeting.

Hearing no objection it was so ordered.

At 7:12 p.m. Mayor Montgomery and Interim City Attorney Dolley left the dais and Mayor Pro Tem Tell resumed order of the meeting.

CEREMONIAL CALENDAR

05/03/11-1. Presentation of Proclamations Declaring May 15-21, 2011 as National Police Officers Memorial Week and May 14, 2011 as National Fire Services Day

Mayor Pro Tem Tell, on behalf of the Council, presented Police Chief Rod Uyeda with a proclamation declaring May 15-21, 2011 as National Peace Officers’ Memorial Week and presented Interim Fire Chief Ken Shuck with a proclamation declaring May 14, 2011 as National Fire Service Recognition Day.

CONSENT CALENDAR

Prior to voting on the Consent Calendar, Councilmember Powell requested that the second motion on Page 12 of Agenda Item No. 2 (*Approve Minutes of the Regular City Council Meeting of April 5, 2011*) be amended to read: Councilmember Powell “moved to approve” with no exception instead of, Councilmember Powell “approved” with no exception

The Consent Calendar (Item Nos. 2 through 14), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Howorth, seconded by Councilmember Powell and passed with the following roll call vote, with the exception of Item Nos. 3, 6, 8 and 12 which were considered later in the meeting under “*Items Removed from the Consent Calendar.*”

Ayes: Powell, Lesser, Howorth and Mayor Pro Tem Tell.
 Noes: None.
 Absent: Mayor Montgomery.
 Abstain: None.

GENERAL CONSENT

05/03/11-2. Approve Minutes of the Regular City Council Meeting of April 5, 2011 (Continued From The April 19, 2011 City Council Meeting)

The Council approved the subject minutes, as amended (above).

05/03/11-3. Approve Minutes of the Adjourned Regular and Regular City Council Meeting of April 19, 2011

Item No. 3 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

05/03/11-4. Approve Minutes of the Adjourned Regular City Council Meeting of April 26, 2011 (Boards & Commissions Interviews)

The Council approved the subject minutes.

05/03/11-5. This Space Intentionally Left Blank

05/03/11-6. Consideration of Award of Contract to Creative Management Solutions to Provide Consultation Services to the City for City Wide Classification and Compensation Study (Not-to-Exceed \$50,000)

Item No. 6 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

05/03/11-7. Consideration of Ratification of Motor Fuel Purchase from Merrimac Energy Group in the Amount of \$30,978.71

The Council approved ratifying the subject purchase.

05/03/11-8. Consideration of Financial Reports
a) Ratification of Demands: for April 28, 2011
b) Financial Reports for the Month Ending March 31, 2011

Item No. 8 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

05/03/11-9. Consideration of Final Payment in the Net Amount of \$212,112.00 to T.E. Roberts Inc.; Formally Accept the 2010-2011 Water Main Replacement/Installation Project as Complete; and Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$93,000.40

The Council approved the issuance of the subject final payment in the net amount of \$212,112.00 to T.E Roberts Inc. for the 2010-2011 Water Main Replacement/Installation Project; formally accepted the 2010-2011 Water Main Replacement/Installation Project as Complete; and authorized filing of the appropriate Notice of Completion and Release of Retention in the amount of \$93,000.40.

05/03/11-10. Consideration to Approve the Plans and Specifications for the Safe Routes to School Reflective Signs and Crosswalk Replacement Project and Authorize the City Manager to Award a Contract to J&S Striping Co., Inc. (\$91,595)

The Council approved the plans and specifications for the Safe Routes to School Reflective Signs and Crosswalk Replacement Project; approved authorizing the City Manager to award a contract to J&S Striping Co., Inc. in the amount of \$91,595.00; and approved authorizing the City Manager to approve additional work in an amount not-to-exceed \$9,160 (10%), if required.

BOARDS AND COMMISSIONS

Cultural Arts Commission

05/03/11-11. Consideration of Draft Minutes, Cultural Arts Commission Meeting of March 12, 2011

The Council received and filed the subject draft minutes.

Parks and Recreation Commission

05/03/11-12. Consideration of Draft Minutes, Parks and Recreation Commission Meeting of April 11, 2011

Item No. 12 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

Planning Commission

05/03/11-13. Consideration of Action Minutes, Planning Commission Meeting of April 27, 2011

The Council received and filed the subject action minutes.

COMMITTEES

Centennial Committee

05/03/11-14. Consideration of Draft Minutes, Centennial Committee Meeting of March 28, 2011 Meeting

The Council received and filed the subject draft minutes.

COMMUNITY ANNOUNCEMENTS

05/03/11-18. Don Gould Re Upcoming Library Events

Los Angeles County Librarian Don Gould shared information about upcoming events at the Manhattan Beach Library and encouraged the community to visit the Library's Facebook page.

05/03/11-19. Jill Brunkhardt Re Chevron Event at The Roundhouse Aquarium

Chevron Representative Jill Brunkhardt announced that on May 4, 2011 Chevron will hold an event at the Roundhouse Aquarium from 5:00 p.m. until 6:30 p.m.; that a brief program will begin at 5:45 p.m.; and that all are welcome.

05/03/11-20. Lucas Bavaro Re Leadership Manhattan Beach Bike Racks

Lucas Bavaro, No Address Provided, announced that Leadership Manhattan Beach (LMB) has completed the installation of 45 bike racks around town. He invited the Council and public to a ribbon cutting on May 13, 2011 at 3:00 p.m. on the Pier and thanked LMB sponsors including the City Council and the Public Works Department and encouraged those interested to visit ww.lmbbikeracks.com.

05/03/11-21. Viet Ngo Re Passing of Richard McKee

Viet Ngo, No Address Provided, expressed his condolences to the family and friends of Richard McKee, Californian's Aware advocate. He announced that the memorial service will be held at the Doubletree Hotel in Claremont on Saturday, May 7, 2011 from 3:00 p.m. until 7:00 p.m.

05/03/11-22. Bill Victor Re Proposition 218

Bill Victor, Property Owner, announced that contrary to what many believe, there is still time to express opinions and oppose the waste administrative fee and waste fee increase.

05/03/11-23. Ed Caprielian Re Public Service Week and Country Club Memberships

Ed Caprielian, No Address Provided, announced that it is Public Service Week; commented that the City of Manhattan Beach and School District have the best customer service; and suggested that the City Council allow three employees to utilize the City's Country Club memberships.

05/03/11-24. Councilmember Powell Re Country Club Membership

Councilmember Powell clarified that he does not have a membership to the Manhattan Beach Country Club.

05/03/11-25. Councilmember Powell Re LMB Bike Racks

Councilmember Powell thanked Leadership Manhattan Beach (LMB) for the new bike racks and stated that he plans on utilizing them.

05/03/11-26. Councilmember Powell Re Growing Great/Healthy Living Festival

Councilmember Powell announced that the Growing Great/Healthy Living Festival will take place May 15, 2011 in the Metlox plaza from 10:00 a.m. until 4:00 p.m.

05/03/11-27. Councilmember Lesser Re Neighborhood Watch Event

Councilmember Lesser announced that the Neighborhood Watch "Map Your Neighborhood" event will take place on Tuesday, May 10, 2011 and to please RSVP at (310) 802-5183.

05/03/11-28. Councilmember Howorth Re Torrance Memorial Lecture Series

Councilmember Howorth invited the public to the Torrance Memorial Lecture Series at the Shade Hotel on May 10, 2011 at 7:00 p.m. She announced that the topic will be "Caring for Your Loved Ones: Issues of Aging" and suggested that you make a reservation by calling (310) 517-4703.

05/03/11-29. Robert Bush Re Welcome, Trash Contract, and Newspapers

Robert Bush, No Address Provided, welcomed Councilmembers Lesser and Howorth; complimented the City Council on the trash hauling contract; and thanked the Beach Reporter, Easy Reader and Manhattan Beach Sun for reporting accurately.

AUDIENCE PARTICIPATION

05/03/11-30. Robert Bush Re Scandals

Robert Bush, No Address Provided, read a statement about the loss of the City Manager and City Attorney and the Public Utilities Commission \$30 million fine to Southern California Edison for lying, stealing money, and retaliating against workers at the San Onofre Nuclear Plant.

05/03/11-31. Willy Leventhal Re Previous Statement and Mobi Mats

Willy Leventhal, Hermosa Beach Resident, apologized for a statement he made last year indicating that the City spent more money on Geoff Dolan's severance. He also announced that he has completed a Mobi Mat feasibility study and is upset with Los Angeles County and Parks and Recreation Director Richard Gill's involvement in the subject matter.

05/03/11-32. Yury Gurvich Re Gadflies

Yury Gurvich, No Address Provided, read a statement about letters to the editor in the newspaper and accused City Council members of not responding to issues that gadflies bring up: AVP events, undergrounding forcing seniors out of the City, and other issues.

05/03/11-33. Viet Ngo Re Expenditures and Police Chief Uyeda

Viet Ngo, No Address Provided, suggested that the City Council follow the lead of the new City of Bell City Councilmembers and approve all expenditures before checks are cut; disclose Police Chief Uyeda's retirement package before it is finalized; and ask Police Chief Uyeda to refer Geoff Dolan, Jonathan Tolkin and Mike Zislis to the FBI and District Attorney.

05/03/11-34. Ed Caprielian Re Manhattan Beach Country Club Memberships and City Attorney Citizen Advisory Board

Ed Caprielian, No Address Provided, continued his remarks regarding the Manhattan Beach Country Club Membership and thanked Councilmember Powell for stating that he does not have a membership. He also proposed that a citizen advisory task force be utilized in the search for a new City Attorney.

Due to the fact that Item No. 17 was considered prior to the Ceremonial Calendar, Mayor Pro Tem Tell apologized that the Boards and Commission appointments were taken out of order to allow for the Mayor's participation. He further explained that the Mayor left the City Council meeting early in order to attend the California Supreme Court hearing on the Plastic Bag Ban in San Francisco.

PUBLIC HEARINGS

05/03/11-15. Public Hearing for Refuse Rates and Consideration of Adoption of Resolution for Refuse Rate Changes Effective on Utility Bills Generated from June 1, 2011 through June 30, 2016

Mayor Pro Tem Tell introduced the subject item.

Management Analyst Anna Luke provided the staff presentation.

Public Works Director Jim Arndt, Finance Director Bruce Moe and Management Analyst Luke responded to Council questions.

Mayor Pro Tem Tell opened the Public Hearing at 8:11 p.m.

The following individuals spoke on this item:

- **Bill Victor, Property Owner**
- **Yury Gurvich, Manhattan Beach**
- **Phil Reimert, Manhattan Beach**
- **Gerry O'Connor, No Address Provided**
- **David Wachtfogel, No Address Provided**
- **Jacque May, No Address Provided**
- **Esther Besbris, 2nd Street**
- **Ed Caprielian, No Address Provided**
- **Robert Bush, No Address Provided**

Mayor Pro Tem Tell closed the Public Hearing at 8:30 p.m.

MOTION: Councilmember Powell moved to adopt Resolution No. 6305 supporting the new rates, inclusive of the City cost recovery fee, with the specific provision that within six-months (minus the 48 days already consumed) there be an efficiency study of all the costs on schedule B and once that is completed, if it shows a reduction in rates, that it will be applied going forward in a manner recommended by the Finance Director. The motion was seconded by Councilmember Lesser and passed by the following roll call vote:

Ayes: Powell, Lesser, Howorth and Mayor Pro Tem Tell.
Noes: None.
Absent: Mayor Montgomery.
Abstain: None.

RECESS AND RECONVENE

At 8:55 p.m. the Council recessed and reconvened at 9:05 p.m. with Mayor Pro Tem Tell and Councilmembers Powell, Lesser and Howorth present.

GENERAL BUSINESS

05/03/11-16. Discussion Regarding Status of Sand Dune Park Operations and Fencing Options for the Dune

Mayor Pro Tem Tell introduced the subject item.

Parks and Recreation Director Richard Gill provided the staff presentation.

The following individuals spoke on this item:

- **Jacob Rome, 400 Block of 28th Street**
- **David Wachtfogel, No Address Provided**
- **Bill Victor, No Address Provided**
- **Gerry O'Connor, No Address Provided**

Council concurred, that prior to discussing any changes to the operations at Sand Dune Park, this subject matter be continued and agendized on a future City Council agenda after the summer data has been collected and analyzed.

Hearing no objection, it was so ordered.

ITEMS REMOVED FROM THE CONSENT CALENDAR

05/03/11-3. Approve Minutes of the Adjourned Regular and Regular City Council Meeting of April 19, 2011

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

The following individuals spoke on this item:

- **Phil Reimert, No Address Provided**
- **Viet Ngo, No Address Provided**

MOTION: Councilmember Lesser moved to approve the subject minutes as amended by correcting the spelling of **Mr. Reimert's** name and revising his comment regarding fix-it tickets from the last Council meeting. The motion was seconded by Councilmember Howorth and passed by the following roll call vote:

Ayes: Powell, Lesser, Howorth and Mayor Pro Tem Tell.
Noes: None.
Absent: Mayor Montgomery.
Abstain: None.

05/03/11-6. Consideration of Award of Contract to Creative Management Solutions to Provide Consultation Services to the City for City Wide Classification and Compensation Study (Not-to-Exceed \$50,000)

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

The following individuals spoke on this item:

- **Ed Caprielian, No Address Provided**
- **Viet Ngo, No Address Provided**
- **Marty Friedman, No Address Provided**
- **Gerry O'Connor, No Address Provided**

City Manager Dave Carmany and Finance Director Bruce Moe responded to Council questions.

Council concurred to continue this item to a future City Council meeting and directed staff to place this item on the agenda under "General Business".

Hearing no objection, it was so ordered.

05/03/11-8. Consideration of Financial Reports

a) Ratification of Demands: for April 28, 2011

b) Financial Reports for the Month Ending March 31, 2011

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

The following individual spoke on this item:

- **Viet Ngo, No Address Provided**

MOTION: Councilmember Powell moved to approve with no exception Warrant Register No. 23B in the amount of \$2,312,978.60 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 March 31, 2011. The motion was seconded by Councilmember Howorth and passed by the following roll call vote:

Ayes: Powell, Lesser, Howorth and Mayor Pro Tem Tell.

Noes: None.

Absent: Mayor Montgomery.

Abstain: None.

Parks and Recreation Commission

05/03/11-12. Consideration of Draft Minutes, Parks and Recreation Commission Meeting of April 11, 2011

Councilmember Powell explained that he pulled this item because of concerns over the Parks and Recreation Commission's plan to reserve seats at the Movies at the Beach (6 of which will be held in Polliwog Park) events to sponsors and food court patrons because it may set a bad precedent. He pointed out that while Council made an exception and approved reserving a limited number of seats at upcoming Concerts in the Park events to provide seed money for the Centennial, it is a one-time occurrence. He stated that he would rather not have the movie events than disrespect the community

There were no requests to speak in this item.

Council briefly discussed the matter and after clarifying that the attached contract regarding this subject matter will not be approved tonight, Council directed staff to continue this item to a future City Council meeting.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

05/03/11-35. Councilmember Powell Re Strategic Plan

Councilmember Powell handed out and spoke of the 2011-2013 Strategic Plan that the Los Angeles Beach Commission just published commenting that it is a great document.

05/03/11-36. Councilmember Lesser Re Northrop Grumman Seminar

Councilmember Lesser reported that he, Councilmember Howorth and City Manager Carmany attended a very informative seminar at Northrop Grumman regarding the impacts of climate warming on beach cities in Southern California.

05/03/11-37. Councilmember Howorth Re Agenda

Councilmember Howorth requested to consider restructuring of the City Council agenda at a future Council meeting to perhaps make it more efficient. She also spoke of the possibility of using an electronic on-line agenda process.

Councilmember Powell added that he would like to revisit the 15-minute time limit on Audience Participation.

Council concurred to agendize the items above at a future City Council meeting.

ADJOURNMENT

At 10:22 p.m. the Regular City Council meeting of May 3, 2011, was duly adjourned to a continuation of the 5:00 p.m. Special Closed Session Meeting.

At 11:15 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, May 17, 2011, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

Richard Montgomery
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
ADJOURNED REGULAR MEETING
MAY 3, 2011**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 3rd day of May, 2011, at the hour of 5:05 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

CALL TO ORDER

Mayor Richard Montgomery called the meeting to order.

ROLL CALL

Present: Lesser, Howorth, Powell, Tell and Mayor Montgomery
Howorth (arrived at 5:10 p.m.)
Present: City Manager Carmany
Finance Director Bruce Moe
Absent: Interim City Attorney Leland Dolley
Clerk: Tamura

PUBLIC COMMENT ON CLOSED SESSION AGENDA

None.

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

Mayor Montgomery announced the following items to be discussed in closed session:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)

Title: City Manager

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 5:06 p.m.

At 6:10 p.m. City Manager Carmany was excused so that Council could discuss his evaluation.

RECESS INTO OPEN SESSION

The Council reconvened into Open Session at 6:25 p.m.

RECESS INTO CLOSED SESSION

The Council recessed into Closed Session at 10:22 p.m.

RECESS INTO OPEN SESSION

The Council reconvened into Open Session at 11:15 p.m.

ADJOURNMENT

At 11:15 p.m. the meeting was duly adjourned to the 6:30 p.m. Regular City Council Meeting on Tuesday, May 17, 2011, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

ATTEST:

Richard Montgomery
Mayor

Liza Tamura
City Clerk