

**Approve Minutes:**

This item contains minutes of City Council meetings which are presented for approval [(a)-(b)] and minutes from City Council subcommittees and from other City commissions and committees [(c)-(h)] which are presented to be received and filed by the Council. Staff recommends that the City Council by motion take action to approve the minutes of the:

- a) Amended Regular City Council Meeting Minutes of June 7, 2011.
- b) City Council Meeting (Closed Session) and Regular City Council Meeting of July 19, 2011.
- c) Draft Parks & Recreation Commission Minutes of June 27, 2011.
- d) Draft Library Commission Minutes of July 11, 2011.
- e) Draft Cultural Arts Minutes of July 12, 2011.
- f) Planning Commission Meeting of July 27, 2011.
- g) Ad Hoc City Attorney Selection Subcommittee July 15, 2011.
- h) Environmental Task Force Minutes of July 21, 2011.



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Tell and Members of the City Council

THROUGH: David N. Carmany, City Manager

FROM: Liza Tamura, City Clerk *LT*
Terri Aliabadi, Senior Deputy City Clerk *TA*

DATE: August 2, 2011

SUBJECT: Amended Minutes of the June 7, 2011 City Council Meeting

RECOMMENDATION:

Staff recommends that the Council approve the minutes of the June 7, 2011 City Council Meeting as amended.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

It was brought to the attention of the City Clerk's Office that the motion on Item No. 14 (page 12) of the minutes of the June 7, 2011 City Council Meeting was incorrect. Upon reviewing the video of this meeting, staff determined that the motion was inaccurate.

DISCUSSION:

A red-line version of the minutes of June 7, 2011 has been provided indicating what the correction is (please see Item No. 14 on page 12).

CONCLUSION (Optional):

Staff requests that Council approve the amended minutes of June 7, 2011.

Attachments: A. red line of the June 7, 2011 minutes

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
JUNE 7, 2011**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 7th day of June, 2011, at the hour of 6:32 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

Shannon Ryan led the pledge of allegiance.

ROLL CALL

Present: Powell, Lesser, Howorth, Tell and Mayor Montgomery.
Absent: None.
Clerk: Tamura.

CEREMONIAL CALENDAR

None.

CLOSED SESSION ANNOUNCEMENT

Special Counsel Christi Hogin announced that tonight's Regular Meeting convened at 5:30 p.m. at which time public comment on the Closed Session agenda was taken. Council then recessed into a Closed Session, pursuant to Government Code Section 54957.6, with City Manager Carmany serving as negotiator for the four labor groups and no reportable action was taken.

CONSENT CALENDAR

Prior to voting on the Consent Calendar, City Manager Carmany requested that Item No. 13 (*Consideration of Entering Into an Agreement with CommCinema to Provide Six Movies in Polliwog Park and One Movie on the Beach at Minimal Cost to the City*) be continued to a date uncertain.

Councilmember Powell requested the following change to Item No. 6 (*Approve Minutes of the City Council Adjourned Regular Budget Study Session #2 Meeting of May 25, 2011*) page number 2, bullet point number 6 (Councilmember Powell requested for next year percentages of Public Employee Retirement System (PERS) to total salaries, and other percentages of costs that are directly proportional to other **total** costs).

In response to Councilmember Lesser, City Manager Carmany and Human Resources Director Hanson responded to questions on Item No. 9 (*Consideration of Award of Contract to Creative Management Solutions to Provide Consultation Services to the City for City Wide Classification, Compensation and Benefits Study (Not-to-Exceed \$50,000)*) regarding the project timeline. However, subject to the motion and vote, a member of the audience requested that this item be pulled for further discussion.

In response to Councilmember Lesser's question on Item No. 11, (*Consideration of Ratification of Motor Fuel Purchase from Merrimac Energy Group in the Amount of \$29,385.06*) regarding how the City looks upon local businesses when it comes to awarding bids and proposals, Finance Director Moe explained that any potential sales tax revenue from local businesses is taken into consideration.

The Consent Calendar (Item Nos. 1 through 22), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Powell, seconded by Councilmember Howorth and passed by unanimous roll call vote, with the exception of Item Nos. 2, 3, 4, 8, 9, 14, 18, 19, 20, 21 and 22 which were considered later in the meeting under "*Items Removed from the Consent Calendar.*"

Ayes: Powell, Lesser, Howorth, Tell and Mayor Montgomery.
Noes: None.
Absent: None.
Abstain: Powell (Item No. 7).
Howorth (Item No. 4).

GENERAL CONSENT

06/07/11-1. Approve Minutes of the Adjourned Regular (City Attorney) Study Session Meeting of May 2, 2011

The Council approved the subject minutes.

06/07/11-2. Approve Minutes of the Adjourned Regular and Regular City Council Meeting of May 3, 2011

Item No. 2 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/07/11-3. Approve Minutes of the Special Closed Session Meeting of May 11, 2011

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

06/07/11-4. Approve Minutes of the Adjourned Regular and Regular City Council Meeting of May 17, 2011

Item No. 4 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/07/11-5. Approve Minutes of the City Council Adjourned Regular Budget Study Session #1 Meeting of May 24, 2011

The Council approved the subject minutes.

06/07/11-6. Approve Minutes of the City Council Adjourned Regular Budget Study Session #2 Meeting of May 25, 2011

The Council approved the subject minutes, as amended. See discussion on page 1.

06/07/11-7. Adoption of an Ordinance to Amend the Zoning Code to Remove a Required Public Hearing for Properties to be Designated as Culturally Significant Landmarks

The Council adopted Ordinance No. 2143.

06/07/11-8. Consideration of the Re-Appointment of Doug Herbst to the South Bay Workforce Investment Board

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

06/07/11-9. Consideration of Award of Contract to Creative Management Solutions to Provide Consultation Services to the City for City Wide Classification, Compensation and Benefits Study (Not-to-Exceed \$50,000)

Item No. 9 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/07/11-10. Consideration of Financial Report: Ratification of Demands - May 26, 2011

The Council approved with no exception Warrant Register No. 25B in the amount of \$2,274,207.98 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.

06/07/11-11. Consideration of Ratification of Motor Fuel Purchase from Merrimac Energy Group in the Amount of \$29,385.06

The Council approved ratifying the subject purchase.

06/07/11-12. Consideration of Resolutions Approving the Assessment Engineer's Report for the Annual Levy of Street Lighting Assessment for Fiscal Year 2011-2012, Declaration of City Council's Intention to Provide for the Annual Levy and Collection of Assessments for Street Maintenance, and Setting of the Public Hearing for July 5, 2011

The Council adopted Resolution No. 6309 approving the Assessment Engineer's report for the annual levy of Street Lighting Assessments for the Fiscal Year 2011-2012; adopted Resolution No. 6310 declaring City Council's intention to provide for the annual levy and collection of assessments for the Street Lighting and Landscaping Maintenance Fund; and set the Public Hearing for July 5, 2011.

06/07/11-13. Consideration of Entering Into an Agreement with CommCinema to Provide Six Movies in Polliwog Park and One Movie on the Beach at Minimal Cost to the City

Item No. 13 was pulled from the "CONSENT CALENDAR" and continued to a future City Council meeting.

06/07/11-14. Consideration to Authorize the City Manager to Award a Construction Contract to All American Asphalt for the Pacific Avenue Resurfacing Project (\$654,654.00) and Award a Professional Engineering Services Contract to Willdan Engineering (\$48,080.00) for Construction Engineering and Inspection Services

Item No. 14 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/07/11-15. Consideration to Approve Progress Payment No. 2 in the Net Amount of \$198,423.29 to Geronimo Concrete, Inc. for the Section 6 Concrete Repair Project

The Council approved the issuance of Progress Payment No. 2 in the net amount of \$198,423.29 (less 10% retention) to Geronimo Concrete, Inc. for the Section 6 Concrete Repair Project.

BOARDS AND COMMISSIONS

Cultural Arts Commission

06/07/11-16. Consideration of Draft Minutes, Cultural Arts Commission Special Meeting of May 18, 2011

The Council received and filed the subject draft minutes.

Planning Commission

06/07/11-17. Consideration of Action Minutes, Planning Commission Meeting of May 25, 2011

The Council received and filed the subject action minutes.

COMMITTEES

Centennial Committee

06/07/11-18. Consideration of Minutes, Centennial Committee Meeting of April 25, 2011

Item No. 18 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/07/11-19. Consideration of Draft Minutes, Centennial Committee Meeting of May 31, 2011

Item No. 19 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/07/11-20. Consideration of Meeting Summary, Centennial Sub-Committee Meeting of June 1, 2011

Item No. 20 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

Ad Hoc City Attorney Selection Subcommittee

06/07/11-21. Consideration of Draft Minutes, Ad Hoc City Attorney Selection Subcommittee Meeting of May 24, 2011

Item No. 21 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

06/07/11-22. Consideration of Draft Minutes, Ad Hoc City Attorney Selection Subcommittee Community Meeting of May 31, 2011

Item No. 22 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

COMMUNITY ANNOUNCEMENTS

06/07/11-28. Mayor Montgomery Re \$150,000 Grant from Supervisor Don Knabe

Mayor Montgomery shared that Los Angeles County Supervisor Don Knabe presented the City with a grant of \$150,000 to use for Parks. He said that Staff will identify the project and move it forward quickly.

City Manager Carmany responded to questions and announced that staff will try to coordinate a Special Parks and Recreation Commission meeting to allow public input regarding the grant funds before the City Council meeting on June 21, 2011.

06/07/11-29. Mayor Montgomery Re Lee Dolley's Resignation/Introduction of Christi Hogin

Mayor Montgomery thanked former City Attorney Lee Dolley for helping the City during a transition period and announced that Mr. Dolley resigned to pursue retirement once again. Mayor Montgomery also introduced Special Counsel Christi Hogin who will provide attorney services during the interim.

06/07/11-30. Viet Ngo Re Police Officers

Viet Ngo, No Address Provided, expressed his sincere condolences to the family of Andrew Garton and Manhattan Beach Police Officer Mark Vasquez and wished El Segundo Police Sergeant Rex Fowler a quick recovery. Mr. Ngo asked the City Council to donate money to the families of Officer Garton and Officer Vasquez and urged residents to contact the Police Department for more information regarding helping those families.

Mayor Montgomery announced that parties interested in donating money to the families of the fallen Police Officers should contact the Hawthorne Police Department and stated that information is also on the City's website at www.cityymb.info.

06/07/11-31. Don Gould Re Upcoming Library Events

Los Angeles County Librarian Don Gould announced upcoming Manhattan Beach Library events.

06/07/11-32. Patricia Schilling Re Richstone Pier-to-Pier Walk-a-thon

On behalf of the Richstone Family Center, Patricia Schilling, No Address Provided, thanked City Council for the continued support and presented a thank you plaque.

06/07/11-33. Ed Caprielian Re Public Records Act Training

Ed Caprielian, No Address Provided, reminded City Council that there was a Public Records Act training in Council Chambers a few weeks ago; expressed his disappointment that there were no City Councilmembers in attendance; and suggested the presentation was sub-par with little time for interaction.

06/07/11-34. Mayor Montgomery Re Upcoming Brown Act Training

Mayor Montgomery announced that Special Counsel Christi Hogin is setting up a Brown Act training in the near future and invited the public to attend.

06/07/11-35. Councilmember Powell Re Creative Arts Center Reception

Councilmember Powell announced that the Creative Arts Center is hosting an art reception on Friday, June 10, 2011 and that the exhibit curator is BONDO from the Easy Reader.

06/07/11-36. Councilmember Powell Re Mira Costa Auditorium Ribbon Cutting

Councilmember Powell announced that the remodel of the Mira Costa High School auditorium is complete; that there will be a ribbon cutting and performance by the Mira Costa bands on Friday, June 10, 2011; and that the project was funded, in total, by the Manhattan Beach Resident's Association.

06/07/11-37. Councilmember Powell Re Older Adults Dine 'N Discover

Councilmember Powell announced that the Older Adults Dine 'N Discover luncheon will take place on Thursday, June 16, 2011 at 11:30 a.m. and the topic is "safety" and how to keep yourself from becoming a victim.

06/07/11-38. Mayor Montgomery Re Fire Chief Swearing-In Ceremony

Mayor Montgomery invited the public to the swearing-in ceremony for new Fire Chief Espinosa on Friday, June 10, 2011 at 4:00 p.m. in the Civic Center Plaza.

06/07/11-39. Mayor Montgomery Re Carley Dryden's Birthday

Mayor Montgomery wished Carley Dryden a Happy Birthday.

06/07/11-40. Councilmember Howorth Re Police Department and Mira Costa Prom

Councilmember Howorth announced the Mira Costa Prom was last weekend and thanked the Manhattan Beach Police Department for the extra presence and check points throughout town.

06/07/11-41. Councilmember Howorth Re Wine Auction

Councilmember Howorth announced that the Wine Auction is this weekend and asked for increased Police presence as well.

06/07/11-42. Councilmember Howorth Re Middle School Scholar Quiz

Councilmember Howorth congratulated the winners of the Middle School Scholar Quiz, a team of 8th grade boys.

06/07/11-43. Councilmember Powell Re Mira Costa "Every 15 Minutes" Event

Councilmember Powell announced that last Friday, Mira Costa High School held an "Every 15 Minutes" event which simulates the effects for drinking and driving and that students, parents, the Police Department and Fire Department participated.

Councilmember Howorth added there are powerful videos and there was an assembly after the simulation/presentation.

Mayor Montgomery pointed out that the videos can be viewed on the City's website: www.citymh.info.

AUDIENCE PARTICIPATION

06/07/11-44. Dale Lincoln Re Fire Department Merger

Dale Lincoln, No Address Provided, suggested that City Council merge the Fire Department with the Fire Departments of El Segundo, Hermosa Beach, and Redondo Beach. He asked City Council to conduct a study and do what is best for the community.

06/07/11-45. Ed Wolfman Re Burglar Fee Permit Late Charge

Ed Wolfman, No Address Provided, explained he paid his \$30 burglar fee permit late and was charged a \$190 late fee. He explained that he attended a hearing; believes that the late fee is excessive; and asked City Council to look into this and take action.

06/07/11-46. George Barks Re Beach Cities Sharing Services

George Barks, No Address Provided, conducted a forum in Hermosa Beach to discuss the sharing of services with other South Bay cities. He asked Mayor Montgomery to form a subcommittee, with the City Manager included, to look at the viability of sharing services with neighbors and passed out a DVD of the of the summit to the City Councilmembers and City Manager.

06/07/11-47. Ed Caprielian Re Former City Manager Dolan

Ed Caprielian, No Address Provided, alleged that former City Manager Geoff Dolan received extra money and explained that the City Clerk informed him that no documents were going to be given to him. **Mr. Caprielian** stated he would take whatever legal steps were necessary to get the information and suggested that Manhattan Beach should not share services with other cities.

06/07/11-48. Viet Ngo Re City Attorney

Viet Ngo, No Address Provided, referred all city officials to their municipal election in 1996 and suggested the municipal code should be changed if City Council decides to hire a contract City Attorney. **Mr. Ngo** also asked Special Counsel Hogin to resign or he would refer the issue to the District Attorney and FBI.

Councilmember Powell stated that the deferred compensation for former City Manager Dolan was negotiated before the current City Council was seated and that the current City Council was to comply with the contract.

PUBLIC HEARINGS

06/07/11-23. Consideration of an Appeal of the Planning Commission Approval with Conditions of a Use Permit for an Existing Restaurant with a New Outdoor Patio and a New Beer and Wine License at 1605 North Sepulveda Boulevard (Hotdoggers)

Assistant Planner Angelica Ochoa provided the PowerPoint presentation.

Community Development Director Richard Thompson and Assistant Planner Ochoa answered Council's questions.

Mayor Montgomery opened the Public Hearing at 9:19 p.m.

The following individuals spoke on this item:

- **Sandy Saemann, Applicant**
- **Louis Skelton, Architect**
- **Brue Davy, Davy & Associates (Acoustic Consultant)**
- **Larry Drasin, Beverly Hills**
- **Helen Duncan, President & CEO of Manhattan Beach Chamber of Commerce**
- **Laura Lang, Manhattan Beach Resident**
- **Brad Heard, Marriott Hotel**
- **Leilani Kowal, Manhattan Beach Resident**
- **Victoria Cohen, 1700 Block of Oak Avenue**
- **Debbie Sheldon, 1500 Block of Oak Avenue**
- **Dawn Balvere, Manhattan Beach Resident**
- **Brian Balvere, Manhattan Beach Resident**
- **Kip Jerger, 100 Block of Rosecrans**
- **Steve Reiner on behalf of CEO & Chairman of the Board of Skechers, Robert Greenberg**
- **Lynn Macaraeg, Manhattan Beach Resident**
- **Jason Hoglin, Chef of Hotdoggers**
- **Jaycee (Last Name Inaudible), Jr.**
- **Rex Lundy, Manhattan Beach Resident**
- **Glenn Henry, Manhattan Beach Resident**
- **John Caliendo, Realtor**
- **Susan Saemann, Co-applicant**
- **Tracy Landis, Manhattan Beach Resident**
- **Karl Every, Manhattan Beach Resident**
- **Mavis Jagatich, 1700 Block of Oak Avenue**
- **Troy Saemann, Applicant's son**
- **Chris Lauricella, 1700 Block of Oak Avenue**
- **Shannon Ryan, 1400 Block of Elm Avenue**
- **Esther Besbris, 2nd Street**
- **Jeanette Wyatt, 2100 Block of Oak Avenue**
- **Karol Wahlberg, Manhattan Beach Resident**
- **Ed Caprielian, Manhattan Beach Resident**
- **Steve Alexander, Oak Avenue**
- **Donna Schultz, 8th Street**

Mayor Montgomery closed the Public Hearing at 10:20 p.m.

After a lengthy discussion, the following motion was made.

MOTION: Mayor Pro Tem Tell moved to uphold the Planning Commission's decision and approve the use permit subject to the following conditions: that the hours of operation will be 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 12:00 a.m. Friday and Saturday; that the patio and walkway will be required to be enclosed; that these conditions are made without prejudice; that a sign and chain will be required indicating that the exit will be closed between 10:00 p.m. and 6:00 a.m.; and directed staff to return to Council with a Public Hearing if these conditions can not be satisfied. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

RECESS AND RECONVENE

At 11:18 p.m. the Council recessed and reconvened at 11:27 p.m. with all Councilmembers present.

06/07/11-24. Consideration of a Coastal Development Permit for the 2011 Manhattan Beach Open (MBO) Volleyball Tournament and Authorization for the City Manager to Execute an Agreement with USA Volleyball and the International Merchandising Group (IMG) to Co-Sponsor the 2011 Manhattan Beach Open to be Held August 26-28, 2011

Mayor Montgomery introduced the subject item and Sports Manager Mark Leyman provided the staff presentation.

Mayor Montgomery opened the Public Hearing at 11:30 p.m.

The following individuals spoke on this item:

- **Craig Cadwallader, Manhattan Beach Resident & Former Chair of the Manhattan Beach Chapter of the Surfrider Foundation**
- **Ed Caprielian, Manhattan Beach Resident**

Mayor Montgomery closed the Public Hearing at 11:36 p.m.

Dave Williams, USA Volleyball Director of Tour Operations responded to Council's questions.

Prior to the vote on Item No. 24, the following motion was made:

Because the time was after 10:30 p.m. (the cut off for introduction of new agenda items) and due to Resolution No. 6132 stating that "the City Council shall adjourn each regular meeting thereof by 10:30 p.m., unless four-fifths (4/5) of the Council Members present vote to waive or extend the required adjournment time" the following motion was made.

MOTION: At 11:39 p.m. Mayor Pro Tem Tell moved to continue the meeting past the 10:30 p.m. cut off to hear Item Nos. 24, 25, 26, 27, and the *Items Removed from the Consent Calendar*. The motion was seconded by Councilmember Powell and passed by the following roll call vote.

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

MOTION: Councilmember Howorth moved to adopt Resolution No. 6314, approving a Coastal Development Permit and Temporary Use Permit for the 2011 Manhattan Beach Open Volleyball Tournament and approve authorizing the City Manager to execute an agreement with USA Volleyball and the International Merchandising Group to co-sponsor the 2011 Manhattan Beach Open to be held August 26-28, 2011. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

06/07/11-25. Public Hearing and Adoption of Fiscal Year 2011-2012 Operating Budget and Fiscal Years 2012-2016 Capital Improvement Plan and Authorization for the City Manager to Negotiate and Execute the Purchase of \$100,000 of Proposition "A" Funds for an Amount Not-to-Exceed \$70,000 in Budgeted General Funds

Finance Director Bruce Moe provided the PowerPoint presentation.

City Manager Dave Carmany, Finance Director Moe, Parks and Recreation Director Richard Gill and Community Development Director Richard Thompson responded to Council questions.

Mayor Montgomery opened the Public Hearing at 12:05 p.m.

The following individuals spoke on this item:

- **Ed Caprielian, Manhattan Beach Resident**
- **Mary Ann Varni, Executive Director, Downtown Business & Professional Association**
- **Craig Cadwallader, Manhattan Beach Resident & Former Chair of the Manhattan Beach Chapter of the Surfrider Foundation**

Mayor Montgomery closed the Public Hearing at 12:13 a.m.

Per Councilmember Powell's concern, Community Development Thompson acknowledged that the hours of operation of City businesses will be posted to the City web site within a month.

MOTION: Councilmember Powell moved to adopt Resolution No. 6311 establishing the appropriations limit for the 2011-2012 Fiscal Year (FY); adopt Resolution No. 6312 approving the FY 2011-2012 Operating Budget; and approve authorizing the City Manager to negotiate and execute the purchase of \$100,000 of Proposition "A" funds from another public agency for an amount not-to-exceed \$70,000 in General Fund moneys once the budget is adopted and effective. The motion was seconded by Councilmember Howorth and passed by the following unanimous roll call vote:

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

GENERAL BUSINESS

06/07/11-26. Select Member for Seat No. 2 of the Board of Building Appeals (1 Seat - Member-At-Large)

Board of Building Appeals (Seat No. 2)

	<u>Nomination</u>	<u>1st Round Vote</u>	<u>2nd Round Vote</u>
Lesser	Phil Reimert	Phil Reimert	Phil Reimert
Howorth	None further	Phil Reimert	Phil Reimert
Montgomery	Robert McMullen	Robert McMullen	Robert McMullen
Tell	None further	Robert McMullen Phil Reimert	Phil Reimert
Powell	None further	Phil Reimert Robert McMullen	Phil Reimert

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

Hearing no objection it was so ordered.

06/07/11-27. Consideration to Approve the Request for Proposal (RFP) for City Attorney Services and Discussion of the City Attorney Selection Process

Councilmember Lesser provided the presentation.

There was no public comment on this item.

Management Analyst Clay Curtin responded to Council's questions.

MOTION: Councilmember Powell moved to approve the Request for Proposal for City Attorney Services, as developed by the Ad Hoc City Attorney Selection Subcommittee. The motion was seconded by Mayor Pro Tem Tell and passed by the following unanimous roll call vote:

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

THIS FOLLOWING ITEM WAS TAKEN OUT OF ORDER

06/07/11-14. Consideration to Authorize the City Manager to Award a Construction Contract to All American Asphalt for the Pacific Avenue Resurfacing Project (\$654,654.00) and Award a Professional Engineering Services Contract to Willdan Engineering (\$48,080.00) for Construction Engineering and Inspection Services

Mayor Pro Tem Tell requested that this item be considered with the Capital Improvement Plan.

Public Works Director Jim Arndt responded to Council questions.

There was no public comment on this item.

MOTION: Councilmember Howorth moved to continue approve this item to a future City Council meeting. The motion was seconded by Mayor Pro Tem Tell and passed by the following unanimous roll call vote:

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

06/07/11-20. Consideration of Meeting Summary, Centennial Sub-Committee Meeting of June 1, 2011

Mayor Pro Tem Tell explained that he pulled this item in order to address questions and review the calendar of signature events regarding the upcoming Centennial. He pointed out that two event amendments have been made since the calendar was printed: 1) the event on September 24th is now called the Centennial Ball, not Gala, and that the word "formal" has been removed; 2) that the event at the Mall was added in order to plan on an indoor event in the event of inclement weather.

The following individuals spoke on this item:

- Annie Walker, Manhattan Beach Resident
- Ed Caprielian, Manhattan Beach Resident
- Kathy Clark, Manhattan Beach Resident

Council held a brief discussion regarding serving alcohol on the beach during the Ball and Councilmember Lesser expressed his concerns on the subject matter.

MOTION: Councilmember Howorth moved to receive and file the subject draft minutes, as amended; approved to move forward with the proposed schedule of events; and directed staff to ask Los Angeles County for approval to serve alcohol on the sand for the Ball. The motion was seconded by Mayor Pro Tem Tell and passed by the following roll call vote:

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

MOTION: Councilmember Howorth moved to continue all of the minutes that were pulled (Item Nos. 2, 3, 16, 18, 19, 21 and 22) to the next City Council meeting on June 21, 2011. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

06/07/11-8. Consideration of the Re-Appointment of Doug Herbst to the South Bay Workforce Investment Board

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

The following individuals spoke on this item:

- Viet Ngo, No Address Provided

MOTION: Mayor Pro Tem Tell moved to approve re-appointing Doug Herbst to serve as a Manhattan Beach representative to the South Bay Workforce Investment Board (SBWIB) for the term of office of July 1, 2011 through June 30, 2015. The motion was seconded by Councilmember Powell and passed by the following unanimous roll call vote:

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

06/07/11-9. Consideration of Award of Contract to Creative Management Solutions to Provide Consultation Services to the City for City Wide Classification, Compensation and Benefits 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

City Manager Carmany responded to Mr. Caprielian's questions.

MOTION: Mayor Pro Tem Tell moved to approve authorizing the City Manager to execute the attached contract with Creative Management Solutions to provide consultation services to the City for a comprehensive classification, compensation and benefits study, and appropriate \$50,000 from Unreserved General Funds to cover these costs. The motion was seconded by Councilmember Lesser and passed by the following unanimous roll call vote:

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

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

None.

ADJOURNMENT

At 1:25 a.m. the meeting was duly adjourned to the 5:30 p.m. Adjourned Regular Joint City Council/Library Commission Meeting on Monday, June 13, 2011, in the Police/Fire Conference Room, 400/420 15th Street, in said City.

Liza Tamura
Recording Secretary

Richard Montgomery
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
CLOSED SESSION MEETING
JULY 19, 2011**

The Closed Session Meeting of the City Council of the City of Manhattan Beach, California, was held on the 19th day of July, 2011, at the hour of 5:03 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: Powell, Lesser, Howorth, Tell and Mayor Montgomery.
Present: City Manager Carmany and Special Counsel Christi Hogin.
Absent: None.
Clerk: Aliabadi (Acting).

PUBLIC COMMENT ON CLOSED SESSION AGENDA

There was no public comment.

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

Special Counsel Christi Hogin announced the following items to be discussed in closed session:

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 5:04 p.m.

RECESS INTO OPEN SESSION

The Council reconvened into Open Session at 5:29 p.m.

An announcement in open session was made after the "Ceremonial Calendar" at the beginning of the Tuesday, July 19, 2011 Regular City Council meeting.

Special Counsel Christi Hogin announced, in Open Session, that tonight's Meeting convened at 5:03 p.m. at which time public comment on the Closed Session agenda was invited. Council then recessed into a Closed Session, pursuant to Government Code Section 54957, Government Code Section 54597.6 and Government Code Section 54956.95.

ADJOURNMENT

At 5:29 p.m. the meeting was duly adjourned to the 5:30 p.m. Special City Council Meeting (Brown Act Training) on Tuesday, July 19, 2011, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Terri Aliabadi
Recording Secretary

ATTEST:

Richard Montgomery
Mayor

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
JULY 19, 2011**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 19th day of July, 2011, at the hour of 6:41 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

Andy Cohen led the pledge of allegiance.

ROLL CALL

Present: Powell, Lesser, Howorth, Tell and Mayor Montgomery.
Absent: None.
Clerk: Tamura.

CLOSED SESSION ANNOUNCEMENT

Special Counsel Christi Hogin announced that tonight's Meeting convened at 5:03 p.m. at which time public comment on the Closed Session agenda was invited. There being no persons wishing to address the Council, the Mayor recessed the meeting into a Closed Session, pursuant to Government Code Section 54957, Government Code Section 54597.6 and Government Code Section 54956.95 to discuss the items posted on the Closed Session Agenda.

CEREMONIAL CALENDAR

07/19/11-1. Presentation of a Baby Passport to Steve Napolitano and Francine Nelson

Mayor Montgomery announced that Steve Napolitano and Francine Nelson were unable to attend tonight's meeting and that their presentation of a Baby Passport will be rescheduled to a future City Council meeting.

REORGANIZATION

07/19/11-2. City Council Reorganization:

a) Recognition of Outgoing Mayor Richard Montgomery

The Council recognized outgoing Mayor Montgomery and presented him with various mementos in appreciation of his service to Manhattan Beach.

Helen Duncan, President and CEO of the Chamber of Commerce, presented Mayor Montgomery with a plaque and thanked him for his contribution to the community.

Former Mayors Mitch Ward and Portia Cohen presented Mayor Montgomery with various mementos in recognition of his term as Mayor.

b) Selection of Mayor and Mayor Pro Tem

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

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

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

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

RECESS AND RECONVENE

At 7:20 p.m. the Council recessed and reconvened at 7:43 p.m. with all Councilmembers present.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 3 through 13), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Howorth, seconded by Mayor Pro Tem Powell and passed by unanimous roll call vote, with the exception of Item Nos. 3, 4, 8, 10 and 13 which were considered later in the meeting under “*Items Removed from the Consent Calendar*”.

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

GENERAL CONSENT

07/19/11-3. Approve Minutes:

This item contains minutes of City Council meetings which are presented for approval [(a)] and minutes from City Council subcommittees and from other City commissions and committees [(b) - (d)] which are presented to be received and filed by the Council. Staff recommends that the City Council by motion take action to approve the minutes of the:

- a) Adjourned Regular and Regular City Council Meeting of July 5, 2011*
- b) Centennial Committee Meeting of June 27, 2011*
- c) Ad Hoc City Attorney Selection Subcommittee Meeting of June 28, 2011*
- d) Ad Hoc City Attorney Selection Subcommittee Meeting of July 7, 2011*

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

07/19/11-4. Ratification of New Council Assignments

Item No. 4 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

07/19/11-5. Consideration of Financial Reports: Ratification of Demands - July 1, 2011 and July 7, 2011

The Council approved with no exception Warrant Register Nos. 1B, 2B and 28B in the amount of \$4,269,967.46 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.

07/19/11-6. Consideration of Ratification of Motor Fuel Purchase from Falcon Fuels in the Amount of \$30,607.91

The Council approved ratifying the subject purchase.

07/19/11-7. Consideration of Amendment to Existing Legal Services Contract with Jenkins & Hogin, LLP Increasing the Total Maximum Value of the Contract from \$20,000 to \$60,000

The Council approved Amendment No. 1 to the existing legal services contract with Jenkins & Hogin, LLP which increases the authorized expenditure maximum from \$20,000 to \$60,000.

07/19/11-8. Consideration to Adopt a Resolution Authorizing the City of Manhattan Beach to Participate in the Institute for Local Government's Beacon Award

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

07/19/11-9. Consideration to Adopt a Resolution Authorizing the City of Manhattan Beach to Participate in Los Angeles County's "Take the Pledge to Clean LA" Program

The City Council adopted Resolution No. 6325 in order to endorse the City's participation in Pledge to Clean LA Program.

07/19/11-10. Consideration to Authorize the City Manager to Award a Contract to Garcia Juarez Construction, Inc. for the 2010-2011 Sewer Main Rehabilitation (Miscellaneous Spot Repairs) Project (\$147,050.00)

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

07/19/11-11. Consideration of Final Payment in the Net Amount of \$51,524.74 to J&S Striping, Inc.; Approve Change Order No. 1 in the Amount of \$8,500; Formally Accept the 2011 Centerline Striping and Miscellaneous Pavement Markings Project as Complete; and Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$5,152.47

The Council approved the issuance of a final payment in the net amount of \$51,524.74 to J&S Striping, Inc.; formally accept the 2011 Centerline Striping and Miscellaneous Pavement Markings Project as Complete and; authorized filing of the appropriate Notice of Completion and the release of retention in the amount of \$5,152.47

07/19/11-12. Consideration to Authorize the City Manager to Award a Professional Services Contract to Kathleen McGowan, P.E., for Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit and Total Maximum Daily Load (TMDL) Consulting

The Council approved a professional service contract to Kathleen McGowan, P.E., in the amount of \$54,123 to assist the City in meeting the requirements of the NPDES Permit for Municipal Storm Water and Urban Runoff Discharges (Municipal Stormwater Permit) and undertaking implementation activities to comply with the Santa Monica Bay Beaches Bacteria Wet Weather and Dry Weather TMDLs.

BOARDS AND COMMISSIONS

Planning Commission

07/19/11-13. Consideration of the Planning Commission Decision to Approve a Use Permit Amendment to Allow a Revision From Off-Site Beer and Wine Only Sales to Full Alcohol at an Existing Target Store Located at 1200 North Sepulveda Boulevard

Item No. 13 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

COMMUNITY ANNOUNCEMENTS

07/19/11-16. David White Re Boy Scouts Event

David White, Finance Chair for Boy Scouts of America, announced that Councilmember Montgomery will be awarded the "2011 Boy Scouts of America Good Scout Award" at an event on Thursday, July 21, 2011 at Raleigh Studios. He encouraged those interested to pick up a brochure in the lobby for instructions on how to register.

07/19/11-17. Angela Silverman Re Foundation of Local Arts (FOLA)

Angela Silverman, Representing the Foundation of Local Art (FOLA), announced that next Thursday the North End Business Improvement District will host a summer stroll and FOLA will provide artists in the shops and on the street. She encouraged everyone to come and support the arts.

07/19/11-18. Ed Caprielian Re Brown Act Training

Ed Caprielian, No Address Provided, explained that he attended the Brown Act Training, prior to the Council meeting, and although that it was a good overview, it was not the depth that the McKee case required.

07/19/11-19. Scott Cobble Re Presentation To City

Scott Gobble, Regional Manger of Public Affairs for Southern California Edison, presented a plaque to the City of Manhattan Beach as a valued leader in the Energy Leader Program. He explained that as the City continues to save electricity and bring about more energy efficiency projects, it will continue to receive more rebates from Southern California Edison.

07/19/11-20. *Andy Cohen Re Community Service*

Andy Cohen, No Address Provided, spoke on behalf of the spouses of City Councilmembers. about the tremendous amount of community service that is required for City Councilmembers.

07/19/11-21. *Mayor Pro Tem Powell Re Work Plan Meeting*

Mayor Pro Tem Powell announced that on Friday, July 22, 2011, at 8:30 a.m., in the City Council Chambers, a Work Plan Meeting will be held to prioritize the list of current Work Plan items.

07/19/11-22. *Councilmember Montgomery Re Los Angeles County Sanitation District*

Councilmember Montgomery congratulated Northrup Grumman on being among the top 60 industrial waste providers that have met Los Angeles County Sanitation District's waste water charge requirements for the past 5 years.

07/19/11-23. *Councilmember Lesser Re Volunteers*

Councilmember Lesser acknowledged **Jeanne Jackson** and the **Manhattan Beach Green Belt Restoration Project** volunteers for working with the City to supplement dead and dying plants on the green belt. He encouraged anyone wishing to volunteer or donate plants to contact Jeanne at jeannejacksongrp@hotmail.com.

AUDIENCE PARTICIPATION

07/19/11-24. *Ed Caprielian Re Brown Act Training*

Ed Caprielian, No Address Provided, voiced his opinion that the Brown Act Training, held prior to the Council meeting, was insufficient; that citizens weren't notified in advance; and that the supposed desire to foster greater openness and transparency is not happening.

PUBLIC HEARINGS

07/19/11-14. *Consideration of Adoption of an Urgency Ordinance Establishing a Moratorium on Tattoo Studios in Order to Study and Complete New Zoning Code Amendments*

Mayor Tell introduced the subject item and Community Development Director Richard Thompson provided the staff presentation.

Mayor Tell opened the Public Hearing at 7:59 p.m.

There was no public comment on this item.

Mayor Montgomery closed the Public Hearing at 8:00 p.m.

Special Counsel Christi Hogin read aloud the title of Urgency Ordinance No. 2148U.

MOTION: Councilmember Montgomery moved to adopt Urgency Ordinance No. 2148U establishing a Moratorium on approval of tattoo studios. The motion was seconded by Councilmember Howorth and passed by the following unanimous roll call vote:

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

GENERAL BUSINESS

07/19/11-15. Update From the Ad Hoc City Attorney Selection Subcommittee and Consideration of the Recommended City Attorney Finalists

Mayor Tell introduced the subject item and Councilmember Lesser summarized the selection process and announced that the subcommittee is recommending the firms of **Aleshire & Wynder, LLP.; Colantuono & Levin, PC.; Jenkins & Hogin, LLP.** (Christi Hogin is the City's current Legal Counsel); and **Richards Watson Gershon.** Councilmember Lesser further stated that although these four firms have been selected by the Ad Hoc City Attorney Selection Subcommittee, any Councilmember may add additional firms. He also added that interviews will take place next week and the Council is scheduled to publicly discuss and select the City Attorney at the August 2, 2011 Council meeting which will also include a discussion on cost control data and mechanisms.

Councilmember Howorth commented on the number of public subcommittee meetings; thanked staff for the tremendous amount of time they put in; and acknowledged the cost to the City.

The following individuals spoke on this item:

- **Kimberly Hall Barlow, Jones & Mayer**
- **Ed Caprielian, No Address Provided**

Council did not wish to consider any additional firms.

Mayor Tell moved to approve the list of City Attorney finalists as developed by the Ad Hoc City Attorney Selection Subcommittee to be interviewed by the City Council.

Hearing no objection, it was so ordered.

ITEMS REMOVED FROM THE CONSENT CALENDAR

07/19/11-3. Approve Minutes:

This item contains minutes of City Council meetings which are presented for approval [(a)] and minutes from City Council subcommittees and from other City commissions and committees [(b) - (d)] which are presented to be received and filed by the Council. Staff recommends that the City Council by motion take action to approve the minutes of the:

- a) Adjourned Regular and Regular City Council Meeting of July 5, 2011*
- b) Centennial Committee Meeting of June 27, 2011*
- c) Ad Hoc City Attorney Selection Subcommittee Meeting of June 28, 2011*
- d) Ad Hoc City Attorney Selection Subcommittee Meeting of July 7, 2011*

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

The following individual spoke on this item:

- **Ed Caprielian, No Address Provided**

Mayor Pro Tem Powell requested that the minutes of July 5, 2011, page 9, Item 11 be revised to reflect that he pulled this item off of the Consent Calendar in order to have a public discussion on the matter not over the contract being split in two.

MOTION: Councilmember Montgomery moved to approve the subject City Council Meeting minutes, as amended, and receive and filed the minutes from the City Council Subcommittees, City Commissions and Committees. The motion was seconded by Mayor Pro Tem Powell and passed by the following unanimous roll call vote:

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

07/19/11-4. Ratification of New Council Assignments

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

The following individual spoke on this item:

- **Ed Caprielian, No Address Provided**

Mayor Tell made the following revisions to the new Council assignments:

	<u>Delegate</u>	<u>Alternate</u>
<u>LOCAL GOVERNMENT</u>		
South Bay Cities Council of Government (SBCCOG)*	Howorth	Montgomery Lesser
South Bay Regional Public Communications Authority (RCC)*	Powell	Lesser Montgomery

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

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

07/19/11-8. Consideration to Adopt a Resolution Authorizing the City of Manhattan Beach to Participate in the Institute for Local Government's Beacon Award

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

The following individual spoke on this item:

- Ed Caprielian, No Address Provided

MOTION: Councilmember Montgomery moved to adopt Resolution No. 6324 in order to participate in the Beacon Award recognition program. The motion was seconded by Councilmember Howorth and passed by the following unanimous roll call vote:

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

07/19/11-10. Consideration to Authorize the City Manager to Award a Contract to Garcia Juarez Construction, Inc. for the 2010-2011 Sewer Main Rehabilitation (Miscellaneous Spot Repairs) Project (\$147,050.00)

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

The following individual spoke on this item:

- Ed Caprielian, No Address Provided

In response to **Mr. Caprielian's** question as to whether this item was bid upon, Public Works Director Jim Arndt confirmed that 8 companies bid on this project and the award represents the low bid.

MOTION: Councilmember Montgomery moved to approve authorizing the City Manager to award a contract in the amount of \$147,050.00 to Garcia Juarez Construction, Inc. for the 2010-2011 Sewer Main Rehabilitation (miscellaneous spot repairs) Project and approve authorizing the City Manager to approve additional work in an amount not-to-exceed \$15,000.00. The motion was seconded by Mayor Pro Tem Powell and passed by the following unanimous roll call vote:

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

07/19/11-13. Consideration of the Planning Commission Decision to Approve a Use Permit Amendment to Allow a Revision From Off-Site Beer and Wine Only Sales to Full Alcohol at an Existing Target Store Located at 1200 North Sepulveda Boulevard

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

The following individual spoke on this item:

- **Ed Caprielian, No Address Provided**

In response to Council comments, Police Chief Eve Irvine reported that the actual numbers in the Los Angeles County of Health report (provided by **Mr. Caprielian**) is extremely inaccurate.

Council directed staff to contact the Los Angeles County of Health and inform them of their inaccurate report.

The Council received and filed the decision of the Planning Commission to approve a Use Permit Amendment and determine that the public convenience or necessity would be served by the issuance of a liquor license.

CITY MANAGER REPORT(S)

07/19/11-25. City Manager Carmany Re Library Tour

City Manager Dave Carmany reported that progress is being made on the library issue and a tour of the West Hollywood Library, which was designed by Johnson Favaro, was noticed and is scheduled for this Thursday at 2:00 p.m. at the West Hollywood Library, and all are welcome.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

07/19/11-26. Mayor Pro Tem Powell Re Conference

Mayor Pro Tem Powell reported that he, Councilmember and Independent Cities Association (ICA) President Montgomery and Councilmember Lesser attended an ICA Conference covering Ethics, the Brown Act, the California Political Reform Act and the California Public Records Act. He added that he wrote a summary of the Conference and provided a handout, which he gave to City Clerk Tamura.

07/19/11-27. Mayor Pro Tem Powell Re Committee Meeting

Mayor Pro Tem Powell explained that he and Councilmember Lesser attended a very informative South Bay Cities Council of Governments South Bay Legislative District meeting last week and that he will give the materials from that meeting to City Clerk Tamura as well.

07/19/11-28. Councilmember Lesser Re Conference

Councilmember Lesser spoke about the informative training and distinguished speakers at the ICA Conference.

07/19/11-29. Councilmember Montgomery Re Conference

Councilmember Montgomery acknowledged that, as the ICA President, he asked City Manager Carmany to speak at the Conference and further detailed various sessions on stress, Open Carry gun laws and marijuana dispensaries. Councilmember Montgomery also provided handouts to City Clerk Tamura.

07/19/11-30. Councilmember Howorth Re Handouts

Councilmember Howorth thanked her fellow Councilmembers for providing summaries of the conference.

07/19/11-31. Mayor Pro Tem Powell Re Social Networking

Mayor Pro Tem Powell added that the session on social networking was also very informative.

ADJOURNMENT

At 8:40 p.m. the Regular City Council meeting of July 19, 2011, was duly adjourned to the 2:00 p.m. Special City Council Meeting (West Hollywood Library Tour) on Thursday, July 21, 2011, at 619 North San Vicente Boulevard, West Hollywood, CA 90069.

Liza Tamura
Recording Secretary

Nicholas W. Tell, Jr.
Mayor

ATTEST:

Liza Tamura
City Clerk

DRAFT

**CITY OF MANHATTAN BEACH
MINUTES OF THE PARKS & RECREATION COMMISSION**

June 27, 2011
6:30 P.M.

CONTENTS

	Page
11/0627-1 – Movies in the Park	1
11/0627-2 – July is Parks & Recreation Month	2
11/0627-3 – Senior Advisory Committee Report from Steve Nicholson	2

ROLL CALL

Present: Commissioners Cajka, Murray, Nicholson, Manna and Hersman

Absent: Commissioner Rothans and Taylor.

Others Present: Recreation Services Manager Idris Al-Oboudi, Recreation Supervisor Brianne Sternad, and Recording Secretary Mary Kirchwehm

AGENDA CHANGES

None.

APPROVAL OF MINUTES

The minutes of the April 11, 2011 Parks and Recreation Commission Meeting were approved as written. Commissioner Hersman abstained because she was not a Commissioner for the April 11, 2011 meeting.

CEREMONIAL

AUDIENCE PARTICIPATION

None.

GENERAL BUSINESS

11/0627-1 – Movies in the Park

Commissioner Nicholson reported that this was pulled from the June 21, 2011 Council Meeting agenda, and after speaking with some of the councilmembers, he determined that the item was pulled due to the reserved seating issue and term of the agreement. Although Scott Tallal said he would waive the reserved seating, he requested a minimum two-year contract. Chairman Nicholson stated that, in his opinion from the feedback he received, such a contract would not be acceptable. Scott Tallal withdrew his offer. CommCinema will still produce one or two movies

depending on funding. Commissioner Nicholson also reported that CommCinema left the door open to discuss this again next April. Mr. Al-Oboudi reported that, with the approval of Mr. Gill, he would like to speak with Mary Ann Varni of the Downtown Manhattan Beach Business & Professional Association about the possibility of sponsorship. Mr. Al-Oboudi reported that Ms. Varni expressed interest in the possibility of a Back to School movie event.

11/0627-2 – July is Parks & Recreation Month

Commissioner Murray announced that July is recognized, nationally, as Parks and Recreation month where communities share how their loves have been made better through parks. Mr. Al-Oboudi reported that a proclamation has been made and will be signed and presented at the July 5, 2011 City Council meeting.

MOTION: Commissioner Murray moved to support the Parks and Recreation Proclamation. The motion was seconded by Commissioner Nicholson.

Ayes: Cajka, Manna and Hersman.
Noes: None.
Abstain: None.
Absent: Rothans.

11/0627-3 – Senior Advisory Committee Report from Steve Nicholson

Commissioner Nicholson wanted to make the Commissioners aware that the Senior Advisory Committee and Mira Costa High School students are planning on working on a joint oral history project where older adults will be interviewed and give an oral history on life in Manhattan Beach in the 1930s, 1940s, 1950s and 1960s.

COMMISSION ITEMS

Commissioner Cajka inquired if there are ads in the Beach Reporter announcing upcoming Concerts in the Park each week. Mr. Al-Oboudi reported that there are usually anchor ads announcing the whole series, but there is not an ad each week.

Commissioner Cajka inquired about the sound system for the high school at the first concert because it was difficult to hear the band. Mr. Al-Oboudi reported that he will discuss this with Ms. Juanita Purner and David Ibarra.

Commissioner Murray announced that on Thursday, July 21, 2011 Mayor Richard Montgomery is going to be honored with the 2011 Good Scout Award by the Boy Scouts of America. This is not an annual award. The last time it was given was 8 years ago. This event will be at Raleigh Studios and tickets are available to purchase online. All proceeds for this event will benefit the Boy Scouts in inner cities for their trips.

Commissioner Murray inquired about the status of the grant that the City received from the Los Angeles County Parks and Recreation Grant for \$150,000.

OTHER

None.

ADJOURNMENT

At 7:30 p.m. the meeting was adjourned to the next Parks and Recreation Commission meeting on Monday, July 25, 2011.

DRAFT

**CITY OF MANHATTAN BEACH
MINUTES OF THE LIBRARY COMMISSION**

July 11, 2011
6:30 p.m.
Manhattan Beach City Hall

CONTENTS

	Page
11/0711-1 – Selection of Library Commission Officers	2
11/0711-2 – Review of Library Expansion Project Costs	2
11/07/11-3 – Discussion of Project Financing Costs	4

ROLL CALL

Present: Commissioner Cooperman, Commissioner Hook,
Commissioner Adams, Commissioner Rhees, and
Commissioner Clemons.

Absent: None.

Others Present: Councilmember David Lesser, City Manager David Carmany,
Director of Public Works Jim Arndt, Recreation Services Manager
Mark Leyman, Chief Deputy Los Angeles County Libraries Fred
Hungerford, Assistant Director of Administrative Services Yolanda
De Ramus, Assistant Deputy Director of Project Management David
Howard, Los Angeles County Library Regional Administrator Steven
Klein, Manhattan Beach Library Manager Don Gould, and Recording
Secretary Mary Kirchwehm

APPROVAL OF MINUTES

The Commissioners reported that the first sentence of the June 13, 2011 minutes should be amended to read as follows:

“The Library had not received any further information since being told that the library renovation project was put on hold.”

The minutes of the June 13, 2011 Joint City Council and Library Commission Meeting were approved as amended.

CEREMONIAL

None

AUDIENCE PARTICIPATION

None

GENERAL BUSINESS

11/0711-1 – Selection of Library Commission Officers

MOTION: Commissioner Cooperman moved to nominate Commissioner Hook as Chair of the Library Commission. The motion was seconded by Commissioner Clemons. Commissioner Adams moved to nominate Commissioner Cooperman as Vice Chair. The motion was seconded by Commissioner Hook.

Ayes: Clemons, Rhees, Adams, Hook, Cooperman,
Noes: None.
Abstain: None.
Absent: None.

11/0711-2 – Review of Library Expansion Project Costs

Councilmember Lesser reported that there have been some productive developments since the last meeting and there are currently significant discussions regarding the scope of the project. He conveyed that once the Subcommittee achieves a preliminary understanding, they would like to discuss how to utilize the Commission in the most effectual manner.

Public Works Director Jim Arndt presented the financing operations in order to provide a better understanding of the project. Although the project began as a \$15 million dollar project, it is now estimated to be a \$22.5 million dollar project. Public Works Director Arndt explained that part of the ability to fund this project will be the interest rate on the money to be borrowed. The County provided four financing scenarios with various interest rates ranging from 4.25% to 5%. Using the handout titled *Manhattan Beach Library Debt Service and Operating Surplus Summary*, Public Works Director Arndt explained a financing scenario working with the interest rate of 4.25%.

Public Works Director Arndt explained that the project cost is \$22.5 million dollars and that the City currently has over \$5 million dollars saved and will continue to add to that amount with the surplus funds (the City will be generating a surplus of over \$1.5 million dollars a year), until the City will actually have to borrow the money in approximately four to five years. At that time, the City expects to have accrued \$12 million dollars, and therefore, the remainder \$10 million dollars is what the City will need to borrow.

The next step would move to the design phase of the contract at which point it would be turned over to the County to manage. The City and Commissioners will be involved.

Mr. David Howard reported that the County has been working closely with the City for some time, and the next time they meet they will have more detail and a written document. He explained that the County and City are in a joint partnership, and it is the County's intent to achieve the best product for the City's library. Mr. Howard reported the intent is that City Council will award the design contract to Johnson Favaro. Once that is done, that contract would be assigned to the County and then will go to the Board of Supervisors to accept. The County would then manage the contract. The design process would then proceed. This would involve a lot of input and discussion to ensure the design is responsive and staying within cost constraints. Simultaneously, the entitlement process would begin. This process would involve the Planning Department and possibly the Coastal Department, Fire Department, etc. The design and entitlement

process can last approximately 12 months or longer depending on the input that is received. It is the County's plan to deliver this project using the *Design Build Construction Contracting Method*. This method will help to contain cost, reduce risk of litigation and select the best contractors based on qualification not just cost. This method attracts higher quality contractors. The County has had great success with projects completing ahead of schedule and under budget

Mr. Howard reported that construction will last approximately 12-16 months and that they will begin moving out of the library and demolition during the latter part of 2012. This will result in the library being closed for approximately 12+ months. He estimates that the new library will be finished in earlier part of 2014.

Several Commissioners expressed concern over fees that appear excessive or duplicative. Mr. Howard explained that these figures are conservative and that some of the items are required by law. In addition, he reported that by the County's collective experience some of these services add value to the project and can save money in the long run. He also explained that the County is committed to finding savings where applicable and is interested in providing the best service and product to the City.

Mr. Howard reported that he has overseen or been involved in several library projects such as the libraries at Topanga Canyon, Acton, La Crescenta, and East Los Angeles. He also stated that upon completion, the La Crescenta and Acton libraries were slightly below budget and East Los Angeles was very close to budget. Mr. Howard reported that should this project complete under budget, the money will remain with this library for future use. The money does not go back to the County.

Commissioner Cooperman inquired when it would be known if an Environmental Impact Report (EIR) would be necessary. Mr. Howard reported that the County's Legal Department will be meeting with the City's Planning Department in the next few weeks to make an assessment. If no significant risks are identified, they will then follow with a Negative Declaration.

Commissioner Rhees inquired if a 10% overage was built into the budget. Mr. Howard reported that the budget is conservative and that contingency was built in throughout the budget.

Commissioner Adams inquired who would be responsible if the project exceeds the budget. Mr. Hungerford reported that they have been informed by their finance team of what is available. If necessary, there are ways to scale back on the project, change finishes, adjust furniture or equipment to stay within budget.

Mr. Hungerford discussed the temporary services that will be available during construction. He explained that it is the goal of the County to keep temporary services at a minimal level. The cost savings would be applied to construction costs. They are looking at providing a stationary book mobile or operating out of a room within a City facility either 20 or 40 hours a week. This would include a library assistant and part time staff. Everything customers want would be brought in and there would be a convenient place to pick up and return items. The Children's Story Time would continue; however a site still needs to be identified. By doing this, another \$1 million a year can go towards

the project and the County is counting on this projection to go towards the project. Mr. Hungerford reported that they have used this model a number of times when they have had to close libraries, and it has worked successfully. He also suggested utilizing nearby libraries such as Hermosa and Lawndale. The online request system and daily deliver service for items on hold will continue to be delivered here.

Commissioner Rhees inquired if this project is moving forward. City Manager Dave Carmany reported that it will be an item on the Agenda for the first City Council meeting in August. Commissioner Hook inquired what the item would be for that meeting. City Manager Carmany reported that the timing of the project, the financing scenarios and the budget will be the item.

City Manager Carmany reported that County counsel and the City Attorney have been discussing a Memorandum of Understanding (MOU) for the next phase and IF it can be finished in time for City Council to consider in August, it will be presented to them. Also, the contract with Johnson Favaro would require a vote.

11/0711-3 – Discussion of Project Financing Costs

This item was discussed with the previous item.

COMMISSION ITEMS

Monthly meetings will continue unless notified otherwise.

STAFF ITEMS

None

Next library commission meeting is scheduled for August 6, 2011 at 6:30 p.m.

ADJOURNMENT

The meeting was adjourned at 7:42 p.m.

DRAFT

CULTURAL ARTS COMMISSION

Minutes

July 12, 2011

Manhattan Beach City Hall

1400 Highland Avenue

Manhattan Beach, Ca 90266

I. CALL TO ORDER

The meeting was called to order at 6:12 p.m.

II. ROLL CALL

Present: Peter De Maria, Chair
Russ Samuels, Vice Chair
Susannah Rosenthal
Susan Sweeney
Juanita Purner, Cultural Arts Manager

Absent: Nancy Humbarger

III. APPROVAL OF MINUTES

Commissioner Samuels stated that the June 14, 2011 minutes should be amended to read in the motion by Chair De Maria "and informed when Public Art Trust Funds are "considered" (instead of earmarked) for a project."

The minutes of the June 14, 2011 Cultural Arts Commission Meeting was approved as amended.

IV. AUDIENCE PARTICIPATION

None

V. GENERAL BUSINESS

01/0614.30 Sculpture Garden Program

Ad Hoc Committee Report - Alison Wright gave her report regarding artists she contacted for the Sculpture Garden's 2011 fall installation. The three artists were: Janet Echelman; Michael A. Davis; and Alex Weinstein.

- Janet Echelman is an international artist who creates monumental fluid sculptures made from lace and netting materials. Alison spoke to Echelman's assistant and she will call Ms. Echelman to discuss the program. Wright is hopeful this artist would be interested in the Centennial celebration. Commissioner Rosenthal commented that this effort is exploratory and appreciated Alison's effort. Perhaps a piece by Echelman could be installed adjacent to the new Library.

- Alex Weinstein work is of interest to the Commission and they are supportive of his participation. Commissioner Samuels commented the picture of Weinstein's work did not do it justice; those Commissioners who have visited the artist's studio came away with a very positive opinion of the water sculpture.
- The third artist Alison discussed was Michael A. Davis. His public art is included in the Los Angeles MTA Program and featured by Santa Monica and Ventura. In the early 1990's Mr. Davis created a public art piece entitled, *Man Hat Tan*, which was installed at Sepulveda and Manhattan Beach Blvd. The art piece used a *rebus* device where images are used to represent words or part of a word. Rebus has an art historical link to art from the medieval ages; Mr. Davis' contemporary version recalled that style.
- Staff will forward the Sculpture Garden's pole base diagram to Alison. She also asked if Arts Manhattan was involved with any of the Commission's art programs.

IV. REPORTS AND OTHER BUSINESS

Slater Art Proposal

- Bowling Pin/Slater Art work – Alison questioned if the Bowling Pin could be staged at the following locations which would give her the opportunity to photograph the pin at Sand Dune, Live Oak Baseball field, Beach Reporter Office, or floating in Polliwog Park Pond? Alison will call Mr. Gill to discuss the possibility or "Slater on the Move" transient art project. Alison will coordinate the staging and if approved provide a copy of the photos for the City website. Chair De Maria made a motion to endorse this transient art project and it was approved.

Strand Alcove Bench Prototype Program

- De Maria referred to the Strand Alcove Bench Prototype Program and the proposed fundraising that could pay for the manufacture of the four prototypes. De Maria will draft the fundraising letter for City Council's review prior to scheduling any meetings the local business community.

Chair De Maria raised the issue of banners as a decorative element that could beautify the city and would also serve as a program promotional tool for exhibitions and concerts. Another Commissioner commented that banners could offer local businesses the opportunity for advertising which in turn could generate funds for art programming. The Commission did not make any recommendations regarding the banners at this time.

ADJOURNMENT

The meeting was adjourned at 7:58 p.m. The next Cultural Arts Commission's Special Meeting is scheduled at 12:30 p.m. on Wednesday, July 27, 2011.

**CITY OF MANHATTAN BEACH
PLANNING COMMISSION ACTION MINUTES**

July 27, 2011 **Council Chambers – 1400 Highland Avenue** **6:30 P.M.**
Final Decisions Made Tonight Will be Scheduled for City Council Review on September 6, 2011
(Unless otherwise stated at the meeting)

1. CALL MEETING TO ORDER **6:30 P.M.**
2. PLEDGE TO FLAG
3. ROLL CALL **CHAIRMAN PARALUSZ,
VICE-CHAIR ANDREANI, GROSS,
SEVILLE-JONES, CONAWAY**
4. APPROVAL OF MINUTES **APPROVED (5:0)**

07/27/11-1. Regular meeting – June 22, 2011
5. AUDIENCE PARTICIPATION **(3-Minute Limitation)**
The public may address the Commission regarding any item of City business not on the agenda.
6. BUSINESS ITEMS

07/27/11-2. Request for a One-Year Time Extension of a Master Use Permit and Associated Applications for 1000-1008 Sepulveda Boulevard (1008 Investment Group, LLC).
CONDUCTED THE PUBLIC HEARING AND APPROVED THE REQUEST (5:0)
7. PUBLIC HEARING

07/27/11-3. Consideration of a New Use Permit to Change the Existing Beer and Wine Sales for Off-Site Consumption (Type 20) License to a Full Alcohol Sales for Off-Site Consumption (Type 21) License at Speedi Mart, Located at 975 N. Aviation Boulevard (Blue Jet Corporation).
CONDUCTED THE PUBLIC HEARING AND APPROVED RESOLUTION AS AMENDED (5:0)
8. DIRECTOR'S ITEMS
a. Joint PC/PPIC South Bay Bike Master Plan Meeting – 8/25/11
9. PLANNING COMMISSION ITEMS
10. TENTATIVE AGENDA August 10, 2011
a. Use Permit – Beach Babies Childcare at 1765 Artesia Blvd.
11. ADJOURNMENT TO August 10, 2011 **ADJOURNED AT 8:25 P.M**

August 10, 2011 August 24, 2011 September 14, 2011 September 28, 2011 October 12, 2011

Meetings are broadcast live through Manhattan Beach Local Community Cable Channels (Time Warner Channel 8 and Verizon Channel 35), and Live Webcast via the City's website. Most meetings are rebroadcast at 12:00 PM and 8:30 PM on the Friday and Sunday following the Wednesday meeting on the Community Cable Channels and Live Webcast. If a City Council meeting falls in the same week as a Planning Commission meeting, the Commission meeting will be replayed the next week on Thursday at Noon. Meetings are archived at www.cityymb.info.

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
AD HOC CITY ATTORNEY SELECTION SUBCOMMITTEE MEETING
July 15, 2011**

The Ad Hoc City Attorney Selection Subcommittee Meeting of the City Council of the City of Manhattan Beach, California, was held on the 15th day of July, 2011, at the hour of 8:43 a.m., in the Manhattan Beach City Manager's Conference Room, at 1400 Highland Avenue, in said City.

PLEDGE TO THE FLAG

Councilmember Amy Howorth led the pledge of allegiance.

ROLL CALL

Present: Councilmembers Howorth and Lesser
Absent: None
Staff: David Carmany, City Manager
Clay Curtin, Management Analyst
Patricia Schilling, Executive Assistant to the City Manager

AUDIENCE PARTICIPATION

Ed Caprielian, No Address Provided, stated that he would like the City Attorney Ad Hoc Committee to consider a number of specifics when interviewing candidates for the position of City Attorney. They include the assessment of legal expertise needed by the City; committee to identify primary expertise we need as an organization, time and money needed to meet this criteria. He suggested that the City look for a firm that would meet the majority of the City's needs. Mr. Caprielian also developed a list of questions he felt would be appropriate to ask each of the final candidates when interviewed by City Council.

Viet Ngo, No Address Provided, stated that he believes that Ordinance No. 1955 prohibits the Council from hiring a contract City Attorney. He stated that he was involved in the selection process for a new City Attorney because he wanted to protect the City's money. Mr. Ngo requested that the City Manager rely on the expertise of the Human Resource Director Cathy Hanson regarding the hiring of a firm versus an individual as commented that the City Prosecutor should also be a City employee. He also requested that the City Manager not use the services of Christi Hogin of Jenkins and Hogin citing a conflict of interest and obstruction of justice. He mentioned that there was no RFP from Gwen Eng which allowed for hiring Christi Hogin as City Attorney.

Mr. Ngo requested a list of salary range for the City Attorney, from each of the 12 RFP's submitted he would like to see an acceptable hourly rate they would charge for each area of expertise they practice in. In addition to these requests he would like a list from the City

Prosecutor outlining a cost per case. Mr. Ngo asked that information on an acceptable hourly rate/salary of the selected candidate be made available to the public. He also asked if the potential candidates had prosecution experience.

Councilmember Lesser assured Mr. Ngo that they heard his point of view but respectfully disagree, and are relying on the expertise of the City Human Resource Director and other legal counsel.

Councilmembers Lesser and Howorth thanked Mr. Caprielian for the work he had done on creating the list of questions and requested a copy of them.

Councilmember Lesser also stated that the Ad Hoc Committee met with the City department heads on July 14th to get their input on how much they utilize the City Attorney and what specific services they required.

Councilmember Lesser also shared that the reason for redacting the cost data from the RFP's submitted was done in an effort to better negotiate with the final candidates.

Management Analyst Curtin mentioned that the California Supreme Court had ruled in the past few years on a case that affirmed a local agency's right to protect its bargaining power by maintaining confidentiality of the RFP responses prior to selection, but that it also stipulated that the public has the right to see all proposals and final contracts before the final award of contract.

Councilmember Lesser reiterated that there is nothing to hide and the City Council is simply trying to utilize the best possible means of negotiating a contract with the potential candidate for City Attorney.

Viet Ngo, No Address Provided, stated that the compensation package for the City Attorney could not be discussed in Closed Session as it would be a violation of the Brown Act.

There was some discussion between the Ad hoc committee and public about how to interview candidates and what type of questions to be asked.

Viet Ngo, No Address Provided, said that he wanted a copy of all of the RFP's submitted and that he be allowed to take one home since the copies were made with the use of City funds.

Councilmember Lesser stated that there are three copies available to the public for review, including one at the library.

Mr. Ngo stated that the library staff has been insulting to him and asked that he not be subjected to going over there to review the RFP's.

City Manager Carmany offered to give one of the booklets including all of the RFP's to Mr. Ngo to take with him on the condition that he return it once he completed his review.

GENERAL BUSINESS

07/15/11-1. Subcommittee Review of Response Received to the Request for Proposal for City Attorney Services.

Councilmembers Howorth and Lesser led a discussion about the specific needs the department heads brought up at the meeting they held with them on July 14th. Councilmembers Lesser commented that staff was concerned about the location of the contracted firm and they felt it was important that the firm be geographically close and accessible to staff. Other staff requests, questions and concerns included:

- Timely access to the selected firm
- Firm needs to be aware of our City Municipal Codes as they are more complex than many other cities.
- Need access to a specific attorney within the firm as a point of contact
- Need to know amount of time they will have availability to the firm/attorney
- Need to factor in the cost of a retainer related to the number of hours available
- Need to look at the firm and see how many other cities they represent
- Would like to meet with the lead attorney the City will be working with and the delegate
- Would like to know how well they collaborate with other firms
- Would like to confirm that the lead attorney for the City is available on the evenings of the City Council meetings
- What their billing practices are;
 - Can they bill each department individually
 - What is the smallest increment of time they can bill the City for
- Would like a firm that is pro-active in managing costs
- Would like to give a description of what type of work done per department
- If City Council selects a firm how will they recognize and address that this is a huge organizational change for our City not only for staff but council and residents.

Viet Ngo, No Address Provided, interjected that costs should go through the City Manager for approval then approved by City Council before processing payment.

Councilmember Lesser responded that they were looking at ways to track costs that would be efficient for staff.

Councilmembers Lesser and Howorth along with the other participants present discussed the list of questions that Mr. Caprielian had prepared. The group went over each question individually.

Mr. Caprielian, No Address Provided, commented that he would like for City Council to think about the list of questions he had provided perhaps divide them up among the councilmembers and stated that he was interested in maximizing benefits of staff attorney and their areas of expertise.

ADJOURNMENT

At 10:08 a.m. the meeting was duly adjourned.

Patricia Schilling
Recording Secretary

David Lesser
Councilmember

ATTEST:

Liza Tamura
City Clerk

ENVIRONMENTAL TASK FORCE MINUTES

July 21, 2011 5:30 P.M.

Police and Fire Community Facility

420 15th Street Manhattan Beach, CA 90266

1. CALL MEETING TO ORDER

In attendance: Environmental Task Force co-chairs Councilmembers Amy Howorth and David Lesser; ETF Members Andy Cobb, Audrey Judson, Greg Monfette, and Daniel Salzman; and City Staff Public Works Director Jim Arndt, Maintenance Superintendent Juan Price, Utilities Manager Raul Saenz, and Environmental Programs Manager Sona Kalapura.

2. BUSINESS ITEMS

Environmental Programs Manager Kalapura started the meeting with several announcements including the upcoming deadline for South Bay Business SEED Award Nominations (due July 22nd). She also mentioned brainstorming ideas for an upcoming annual outreach event for the 350 organization, titled this year as Moving Planet.”

Kalapura then began introductions of the ETF and public in attendance before continuing on with the ETF timeline and project deadline below.

ETF Timeline:

September 6th – Present recommendations/progress to City Council

September 15th: ETF Meeting – Kickoff outreach programs; advertise at Hometown Fair and 350 “Moving Planet” event

October 20th: ETF Meeting – Run programs (Neighborhood Conservation Contest, Green Business Challenge, Mulch Pilot Program, Sustainable Landscape Checkup)

November 17 & December 15: ETF Meetings – monitor initial program results, develop final recommendations for City Council

December 20th – Provide final status report and recommendations to City Council

3. ENVIRONMENTAL TASK FORCE ITEMS

Energy Efficiency and Renewable Energy (Energy Work Group members: Andy Cobb, Stacia Costa, Audrey Judson, Kim Matsoukas, and Daniel Salzman)

Presentation:

- a. **Community-wide greenhouse gas emissions target:** Daniel Salzman started off the group’s presentation by stating the City’s initial commitment to reducing its carbon footprint (7% below 1990 levels), progress made with the greenhouse gas inventory and partnership with the South Bay Environmental Services Center to complete the community-wide inventory. He reviewed the community-wide inventory results and stated that based on the City’s CO2 reduction commitment, a community-wide carbon emissions reduction target would be 302,547 metric tons CO2 equivalent by 2020.
- b. Programs recommended for ETF approval to help meet emissions reduction goal:
 - i. **Neighborhood conservation contest:** Daniel gave an update on this program proposal, stating the goal, outcome, and process to begin soliciting residents to participate based on outreach through the schools. The ETF will recruit 100 families in Manhattan Beach, representing all sectors of the community, to monitor their energy and water bills for 3

- months. The ETF will provide resources and tips, in partnership with local utilities, to assist the participants in lowering their energy and water consumption. The ETF will identify prizes of community value to congratulate the winners of the contest who are able to lower their consumption the most (e.g. dinner with the Fire Department).
- ii. **Green business challenge:** Daniel gave an update on this program, but the program proposal will come back to the ETF in September for final approval before being recommended to City Council on September 20th. The goal of the program is to invite Manhattan Beach businesses to inventory and then improve upon their environmental activities at the workplace. The ETF is designing a program to rank businesses that participate in the challenge and award those that qualify a “green” seal of approval.
 - iii. **Proposal for a solar education display in Metlox Plaza:** Andy Cobb made the presentation on the solar project proposal, describing the details of the project, costs, and potential funding. The installation consists of a 4.7KW bi-facial solar system in the common area of Metlox Plaza, above the escalator to the parking garage. The project will cost an estimated \$30,000 and the funding has been verbally committed to by private owners in the Metlox development. The goals of the project are two-fold: (1) to show that solar can be aesthetically designed into existing architecture, and (2) to show the community how easy solar power can be generated in Manhattan Beach. The solar project will produce enough power to offset the electricity use of the escalators, Metlox fountain, and the City’s weekly Farmers’ Market – likely making the MB Farmers’ Market the first carbon-neutral market in California. Educational tips and information on solar generation will be easily visible to the community on LCD TV screens throughout the Plaza, as well as available for viewing online. The next step is to take this project to City Council for approval on September 6th, and if approved then release the solar project out to bid for the purchase and installation of the project.
 - iv. **Solar Feasibility Audit:** Recommendations regarding the municipal solar feasibility audit will be presented in September but Andy let the group know that he is working with staff to identify several sites in the City’s previous energy audit that will make good financial sense to install solar. The City will then be able to take the financial analysis and obtain funding or power-purchase agreements with solar companies to install solar on municipal facilities.
- c. Recommendations will be evaluated based on: cost, value to the goal, and sustainability of the program: Public Works Director Jim Arndt reiterated that each program will be evaluated using this criteria and program recommendations will come to City Council with this information so the Council may approve the programs.

Discussion:

The discussion and questions focused mainly on the solar proposal. Questions and comments included clearly defining the goals of the project for City Council approval, explaining how the power generated would offset other operation at Melox, and whether or not a program could be created to allow individuals to purchase renewable energy credits to offset personal travel, etc. to reduce their carbon footprint. The idea of purchasing credits based on the solar display is something that Andy said could allow the City to generate funds for future projects. Councilmember Howorth also pointed out that the energy savings from the project would likely cover any minimal maintenance/labor costs. The Councilmembers agreed that good progress on the projects have been made, and that the recommendations have value and will be exiting to the community.

Water Conservation and Sustainable Landscaping (Water Conservation work group members: Paul Beswick, Julie Gonella, Ann Lin, Greg Monfette, and Gretchen Renshaw)

Presentation:

- a. **Community-wide water conservation target:** Greg Monfette reviewed the water conservation target, falling in line with the State's goal of reducing water consumption 20% by 2020. For Manhattan Beach this is approximately 5,280 acre feet. The City will calculate residential water consumption in gallons/day through Urban Watershed Management plan process, and the ETF will use this data in outreach to the public.
- b. Programs recommended for ETF approval to help meet water conservation goal:
 - i. **Pilot mulch program:** Greg reviewed the pilot program, including the potential locations. The goal of the program is to provide free, organic mulch to the community to aid in weed reduction, moisture retention, and reduction of water use and runoff. The ETF will vet tree trimmers who can participate in the program by delivering mulch to the designated area. The location that has staff support is at the Public Works Yard on Bell Ave. Two parking stalls would be utilized to house a small pilot mulch mile. The location is ideal because it is easily accessible to the public, and it is close enough for Public Works staff to monitor and maintain as needed. The next step is to work with staff to finalize a delivery contract with a mulch provider and prepare the recommendation for City Council approval on September 6th.
 - ii. **Sustainable landscape checkup program:** Greg reviewed the concepts of sustainable landscape and described the program proposal and goal, which is to make free landscape audits available to the community so they can understand what change they can make to their properties to be more water efficient. He also described what other cities were doing in this area, such as Santa Monica's landscaper certification program, which would be a sufficient way to vet landscapers that want to participate in the program. He also talked about the free landscape classes offered by the City of Long Beach as an example of something Manhattan Beach could offer. He discussed other criteria to vet potential landscapers (e.g. business licenses, certifications, etc.), and said the ETF has already defined a strong list of landscapers willing to participate in the program. The next step is to seek Council approval for the project on September 6th.
 - iii. **Municipal sustainable landscape goal:** A recommendation will be developed for the ETF and City Council in September, but Greg addressed some ideas surrounding replacement of high-water use municipal turf areas with drought tolerant plantings. An example was given of the grass area in front of the Joslyn Center and Post Office.
School-wide water conservation slogan contest: A recommendation will be developed for the ETF and City Council in September.
- c. Recommendations will be evaluated based on: cost, value to the goal, and sustainability of the program

Discussion:

The discussion centered on the landscape checkup with questions about advertising the program (how does Santa Monica promote their program?), listing of specific landscapers on city billing notices, charging landscapers a fee to receive training, making sure the landscaping materials and goals are available in Spanish, and preparing a water use/conservation messages for residents to

think long-term beyond 2020. Questions on the mulch pilot focused on the location, its impact to the Public Works department if any, and visibility to the residents. Jim Arndt, stated that since the potential site at the Public Works Yard is set back from the street, it is not highly visible; and that the intended parking spots are located in a low-traffic area, which will not impact Public Works operations. Lastly, there was discussion surrounding the replacement of turf areas with low-water use plants. Juan Price said the City can develop a listing of property areas that would be good candidates for this project, and that staff was supportive of this change. Audrey Judson suggested involving the students in completing drought-tolerant plantings on campus. And Greg stated that group plantings are a good way to build camaraderie and a sense of community. Councilmember Lesser asked if funding could be obtained, similar to the project at the City Hall entrance. Sona Kalapura replied that the City was being awarded another grant to do more drought-tolerant landscape, and that as funds become available staff would apply for future grants.

4. AUDIENCE PARTICIPATION

Leo Shaw, Patch.com; Jeremy Hyde, SBESC; Laura Oczachowski; Gary McCullough, resident/Manhattan Beach Boy Scouts; Craig Cadwallader, resident/Surfrider; Gerry O'Connor, resident; Bob Scott, resident/ETFI; Carolyn Miller, resident/Transition South Bay; Mike Garcia, Enviroscape; Kiran Magiawala; Jeanne Jackson, resident/Greenbelt Restoration Project; Jim Fasola, former Planning Commissioner attended the ETF meeting.

ADJOURNMENT

The August ETF meeting will be canceled. The next ETF meeting will be held on Thursday, September 15th at 5:30 PM in the Manhattan Beach Police Fire Community Room: 420 15th St., Manhattan Beach, CA 90266.

Regular meetings of the ETF are held on the 3rd Thursday of each month. Meeting information will also be posted on the Going Green webpage at www.citymb.info.