



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 [(d)-(e)] 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) City Council Meeting (Closed Session) and Regular City Council Meeting of April 17, 2012.

RECOMMENDATION: APPROVE

- b) Special City Council Meeting Closed Session of April 23, 2012.

RECOMMENDATION: APPROVE

- c) Board and Commission Interview Meeting April 24, 2012.

RECOMMENDATION: APPROVE

- d) Ad Hoc Open Government Subcommittee Meeting of March 1, 2012.

RECOMMENDATION: RECEIVE AND FILE

- e) Draft Finance Subcommittee Meeting of April 16, 2012

RECOMMENDATION: RECEIVE AND FILE

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
CLOSED SESSION MEETING
APRIL 17, 2012**

The Closed Session Meeting of the City Council of the City of Manhattan Beach, California, was held on the 17th day of April, 2012, at the hour of 5:35 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

CALL TO ORDER

Mayor Tell called the meeting to order.

ROLL CALL

Present: Lesser, Howorth, Powell and Mayor Tell.
Present: City Manager Carmany and City Attorney Diaz.
Absent: Montgomery.
Clerk: Tamura.

PUBLIC COMMENT ON CLOSED SESSION AGENDA

Viet Ngo stated that he believes that the Brown Act prohibits the City Council from holding closed door meetings when discussing public property and that to continue with the matter will subject the Council to prosecution.

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

City Attorney Roxanne Diaz read into the record the following Closed Session items:

1. **CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)**
(Government Code Section 54956.9(a))

DFA PVA II Partner, LLC v. IMG Worldwide Inc., USA Volleyball, Leverage Agency LLC, Jose Cuervo International, Inc., U.S. Tequila Cuervo LA Rojena, SA De CV, City of Manhattan Beach, US Federal District Court, CV 11-06851

2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
(Government Code Section 54956.8)

Property: 1320 Highland Avenue and 1400 Highland Avenue

City Negotiator: City Manager

Negotiating Parties: County of Los Angeles and City of Manhattan Beach

Under Negotiation: Price and Terms of Payment

RECESS INTO CLOSED SESSION

Council recessed into Closed Session at 5:40 p.m.

RECONVENE INTO OPEN SESSION

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

CLOSED SESSION ANNOUNCEMENT

City Attorney Roxanne Diaz announced that the City Council met in Closed Session and that there were no reportable actions.

ADJOURNMENT

At 6:25 p.m. the meeting was recessed to the 6:30 p.m. Regular City Council Meeting on Tuesday, April 17, 2012, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

Nicholas W. Tell, Jr.
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
APRIL 17, 2012**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 17th day of April, 2012, at the hour of 6:30 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City. A full video of this City Council meeting can be accessed online at www.citymb.info.

PLEDGE TO FLAG

Parks and Recreation Director Richard Gill led the pledge of allegiance.

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

City Attorney Roxanne Diaz announced that the City Council met in Closed Session and that there were no reportable actions.

CEREMONIAL CALENDAR

04/17/12-1. Recognition of Brady Currey and Abha Nath for Placing First in the Oracle ThinkQuest International Competition

Mira Costa High School students **Brady Currey** and **Abha Nath** explained their winning entries in the Oracle ThinkQuest International Competition and were presented with certificates and city pins on behalf of the City Council.

CONSENT CALENDAR

Regarding Item No. 2a, prior to voting on the Consent Calendar, Councilmember Powell requested that the motion for Item No. 13, on page 6 of the April 3, 2012 City Council minutes be corrected to state that Council approved holding the subject event as previously proposed not as is.

The Consent Calendar (Item Nos. 2 through 15), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Howorth, seconded by Councilmember Montgomery and passed by unanimous roll call vote, with the exception of Item Nos. 3, 4, 5, 6 and 9 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: Howorth (2a).

GENERAL CONSENT

04/17/12-2. 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)-(e)] 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) Regular City Council Meeting of April 3, 2012
- b) Special Parking and Public Improvements Commission Meeting of March 27, 2012
- c) Draft Cultural Arts Commission Meeting of February 15, 2012
- d) Draft Cultural Arts Commission Meeting of March 27, 2012
- e) Library Commission Meeting of March 12, 2012

The Council approved the City Council Meeting minutes, as amended, and received and filed the minutes from the City Council Subcommittees, City Commissions and Committees.

04/17/12-3. Ordinance No. 2158 Amending the City of Manhattan Beach Municipal Code to Exempt Restaurants from the City's Plastic Bag Ban Prohibition

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

04/17/12-4. Approval to Cancel the August 21, 2012 City Council Meeting

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

04/17/12-5. Approve Lease Amendment to the Amended and Restated Ground Lease Between the City and the Manhattan Country Club to Remove a Provision Regarding the City's Club Membership Privilege

Item No. 5 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

04/17/12-6. Financial Reports:

- a) Ratification of Demands: April 12, 2012
- b) Investment Portfolio for the Month Ending March 31, 2012
- c) Financial Reports for the Month Ending March 31, 2012

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

04/17/12-7. Annual Fee Waiver Requests Associated with Non-Profit Special Events (American Martyrs Parish Fair; American Martyrs 5K Run; Grandview 5K Run; Growing Great Healthy Living Festival; Holiday Fireworks Festival; Manhattan Beach 10K Run; Manhattan Beach Hometown Fair; Manhattan Beach Grand Prix Bike Race; Manhattan Beach Little League Opening Day Parade; Manhattan Beach Wine Auction; Richstone Pier-to Pier Jog/Walk; and Robinson School Fun Run)

The Council approved a 100% fee waiver for the Manhattan Beach 10K Run, the Holiday Fireworks Festival, Little League Opening Day Parade, the Manhattan Beach Education Foundation (Wine Auction) and events associated with the Manhattan Beach Unified School District listed in the report, as was approved in 2011, and recommended charging 25% of all other “legacy” organization fees, including the Growing Great Healthy Living Festival.

04/17/12-8. Cancellation of Existing Water Meter Supply Contract with Measurement Control Systems and Award of New Multi-Year Contract to Equarius Waterworks (Estimated Annual Value of \$138,991)

The City Council canceled the City’s contract with Measurement Control Systems; waived formal bidding per Municipal Code Section 2.36.140 (waivers); and approved an award of a new multi-year water meter supply contract to Equarius Waterworks with an estimated annual value of \$138,991.

04/17/12-9. Refunding Plan for the Metlox Public Improvements (2003) and Water/Wastewater Improvements (1996); Selection of Financing Team (Financial Advisor, Underwriter and Bond & Disclosure Counsel); and Contract with Loop Capital Markets for Financial Advisory Services (Not-to-Exceed \$40,000 for Fees and \$1,500 for Expense)

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

04/17/12-10. Resolution No. 6356 Ordering Plans, Specifications, Cost Estimates and Engineer’s Report for Annual Street Lighting Assessment

The Council adopted Resolution No. 6356, ordering the preparation of plans, specifications, cost estimates and the engineer’s report pursuant to the Landscaping and Lighting Act of 1972 for the annual renewal of the Landscaping and Lighting District for Fiscal Year 2012-2013.

04/17/12-11. Plans and Specifications and Award a Contract to C.T. Georgiou Painting Co. for the Facilities Maintenance Painting 2012 Project for an Amount Not-to-Exceed \$27,800

The Council approved the plans and specifications for the Facilities Maintenance Painting 2012 Project; approved authorizing the City Manager to award a contract in the amount of \$27,800 to C.T. Georgiou Painting Co. for the Facilities Maintenance Painting 2012 Project; and approved authorizing the City Manager to approve additional work in an amount not-to-exceed \$2,780.00 (10%), if required.

04/17/12-12. Professional Services Agreement with VA Consulting, Inc. (\$64,982) for Design Services Related to the Fiscal Year 2012-2013 Rehabilitation of Gravity Sewer Mains Project

The Council approved authorizing the City Manager to award a Professional Services Agreement to VA Consulting, Inc. in an amount not-to-exceed \$64,982 for professional engineering services to design the Fiscal Year 2012-2013 Rehabilitation of Gravity Sewer Mains Project.

04/17/12-13. Professional Services Agreement with Psomas (\$47,601) for Design Services Related to the Fiscal Year 2012-2015 Rehabilitation of Sewer Manholes Project

The Council approved authorizing the City Manager to award a Professional Services Agreement to Psomas in an amount not-to-exceed \$47,601 for professional engineering services to design the FY 2012-2015 Rehabilitation of Sewer Manholes Project.

04/17/12-14. Progress Payment No. 1 to John T. Malloy, Inc. for 2011-2012 Water Main Replacement Project (\$100,206.00)

The Council approved Progress Payment No. 1 in the amount of \$100,206.00 to John T. Malloy, Inc. for the 2011-2012 Water Main Replacement Project.

04/17/12-15. Progress Payment No. 3 in the Net Amount of \$583,952.76 to Harbor Construction Co., Inc. for the Joslyn Center, Begg Pool and Manhattan Heights Community Center Renovation Projects

The Council approved Progress Payment No. 3 in the amount of \$583,952.76 to Harbor Construction Co., Inc. for the Joslyn Center, Begg Pool and Manhattan Heights Community Center Renovation Projects.

COMMUNITY ANNOUNCEMENTS

04/17/12-19. Elizabeth Stuart Re Richstone 25th Annual Pier- to-Pier Walk

Elizabeth Stuart, representing the Richstone Foundation invited The Mayor, Councilmembers and residents to participate in the 25th Annual Pier-to-Pier Walk on Saturday April 28, 2012 beginning at 7:30 a.m. at the Manhattan Beach Pier.

04/17/12-20. Esther Besbris Re Manhattan Beach Residents Association

Esther Besbris, Manhattan Beach Residents Association, announced an informational meeting on "Alcohol on the Beach" will be held on Wednesday, April 18, 2012, from 7:00 - 8:00 p.m. in the Manhattan Beach Library meeting room.

04/17/12-21. Don Gould Re Library Events

Don Gould, Los Angeles County Librarian, reported on upcoming Manhattan Beach Library events in April and May.

04/17/12-22. Ed Caprielian Re Richard McKee

Ed Caprielian used the document reader to share his thoughts about the loss of Richard McKee a champion for transparency in local government.

04/17/12-23. Viet Ngo Re Anti-Public Corruption Advocacy

Viet Ngo discussed his anti-public corruption advocacy efforts.

04/17/12-24. Mayor Pro Tem Powell Re Pastel Art Show & Earth Day

Mayor Pro Tem Powell reported on the Pastel Art Show at the Creative Arts Center on Saturday April 21, 2012 from 6:00 to 9:00 p.m. and the City's Earth Day Celebration at Polliwog Park on Saturday April 28, 2012.

04/7/12-25. Mayor Pro Tem Powell Re Older Adults Dine-N-Discover

Mayor Pro Tem Powell invited older adults (55 and over) to attend a free lunch at the *Dine-N-Discover Program* on April 26, 2012 where the program topic will be Caregiving Resources. He urged those interested to call (310) 802-5430 for reservations.

04/7/12-26. Councilmember Montgomery Re Air Force Simulator Flight

Councilmember Montgomery shared that as Honorary Wing Commander for the Air Force and courtesy of Northrup/Grumman he flew in a simulator and said it made him proud to be an American. He also brought back pins for Councilmembers.

AUDIENCE PARTICIPATION

04/7/12-27. George Butts Re Community Emergency Response Team (CERT)

George Butts, representing the Community Emergency Response Team (CERT), stated that CERT exceeded their expectations regarding volunteer hours for calendar year 2011 and first quarter of 2012; that CERT received donations of a command vehicle and 2 communications sets; and that he is hopeful that CERT will be able to hold 2 more classes later this year.

04/7/12-28. Willy Leventhal Re Bike Safety

Willy Leventhal, Hermosa Beach, related a story of being a first responder at a bike accident and his concerns for the width of the bike paths.

04/7/12-29. Rose Colarusso Re Home Business and Animals

Rose Colarusso, 1500 Block of 8th Street, voiced the need for more regulations regarding a home occupation business which causes excessive deliveries in the neighborhood and also the lack of courtesy shown by people with their animals.

04/7/12-30. Viet Ngo Re Brown Act

Viet Ngo, Anti-Public Corruption Advocacy, stated that he asked the Council to comply with the Brown Act before they convened into Closed Session.

04/7/12-31. Ed Caprielian Re Open Government Subcommittee

Ed Caprielian displayed an article on the document reader and requested that public engagement sessions be held to better inform and involve the community during the budget process.

PUBLIC HEARINGS

04/17/12-16. Coastal Development Permit for a Permanent, Accessible Pedestrian Walkway on the Beach for People with Limited Mobility and Authorization for the City Manager to Negotiate and Execute the Necessary Agreements with the Los Angeles County Department of Beaches and Harbors for the Walkway, and Adopt Resolution No. 6357

Prior to the presentation, City Attorney Roxanne Diaz stated that because Mayor Pro Tem Powell serves as a Commissioner on the Los Angeles County Beach Commission and that because the City contracts with Los Angeles County, he is required to abstain from this item.

At 7:17 p.m. Mayor Pro Tem Powell left the dais.

Mayor Tell introduced the subject item and Recreation Services Manager Eve Kelso provided the staff presentation.

Recreation Services Manager Kelso, **Carol Baker, Los Angeles County Community and Marketing Services** and **Ken Foreman, Los Angeles County Division Chief Facilities and Property Maintenance** responded to City Council questions.

Mayor Tell opened the Public Hearing at 7:32 p.m.

The following individuals spoke on this item:

- **Craig Cadwallader, Surfrider Foundation and resident**
- **Jon Chaykowski**

Mayor Tell closed the Public Hearing at 7:38 p.m.

MOTION: Councilmember Howorth moved to adopt Resolution No. 6357 to approve a Coastal Development Permit for a permanent, accessible pedestrian walkway on the beach for people with limited mobility; and approve authorizing the City Manager to negotiate and execute the necessary agreements with the Los Angeles Department of Beaches and Harbors for the construction and placement of the walkway, subject to review by the City Attorney. The motion was seconded by Councilmember Montgomery and passed by the following roll call vote:

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

Council also directed staff to work with the school district to identify the children with special needs and to implement an outreach program; explore all possible grant funding; and highlight the availability of handicapped beach chairs along the Strand

Mayor Pro Tem Powell returned to the dais at 7:49 p.m.

GENERAL BUSINESS

04/17/12-17. Select Design, Approve Plans and Specifications and Authorize the Purchase of Entryway Monument on Rosecrans Avenue to be Funded with North Manhattan Beach Business Improvement District Funds

Mayor Tell introduced the subject item and Revenue Services Manager Steve Charelian provided the PowerPoint presentation.

Revenue Services Manager Charelian, City Engineer Steve Finton and **North Manhattan Beach Business Improvement District Chairman James McCleary** respond to Council questions.

Councilmember Lesser disclosed that he is the City Council Alternate for the North Manhattan Beach Business Improvement District.

Mayor Pro Tem Powell also stated that he is the City Council Delegate for the North Manhattan Beach Business Improvement District.

The following individuals spoke on this item:

- **Gary McAulley**

MOTION: Councilmember Howorth moved to approve selecting option 2 with removal of the word "North" in yellow; approve the plans and specifications; and approve the purchase and installation of an entryway monument on Rosecrans Avenue to be funded with North Manhattan Beach Business Improvement District Funds. 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.

04/17/12-18. Manhattan Beach Centennial Beach Ball Event on the Beach September 22, 2012 and Introduction of Ordinance No. 2159, An Uncodified Ordinance of the City of Manhattan Beach to Allow the Consumption of Wine and Beer on the Beach at the Centennial Beach Ball on September 22, 2012 and Adoption of Resolution No. 6358, A Resolution of the City Council of the City of Manhattan Beach to Allow the Consumption of Wine and Beer Within a Designated Area in Conjunction with the Centennial Beach Ball on September 22, 2012. In addition, Staff and the Manhattan Beach Centennial Committee Would Like the City Council to Reaffirm its Support for the Remaining Centennial Events: The Centennial Parade and Picnic; the Downtown Open House and Pier Event; the Centennial Beach Ball; and the Centennial Holiday Fireworks

Mayor Tell introduced the subject item and City Attorney Roxanne Diaz provided the staff presentation.

City Manager Dave Carmany, City Attorney Diaz and **Carol Baker, Los Angeles County Community and Marketing Services** responded to Council questions.

The following individuals spoke on this item:

- **Rosalind Gaffney, Tree Section**
- **Esther Besbris, 2nd Street**
- **James Gill, Valley Drive**
- **Gary McAulley**
- **Jacque May, Downtown**
- **Greg Favor**
- **Ed Caprelian**
- **Joe Franklin, Pine Avenue**

Councilmember Lesser requested further clarification on all details the centennial committee proposes.

Mayor Tell requested that the Council work closer with the Centennial Committee to see what plans should be made and asked that Mayor Pro Tem Powell and Councilmember Lesser be on the centennial committee. Mayor Tell also stated there are great ideas being discussed but council needs to make some decisions soon.

Councilmember Howorth expressed her desire to involve the Council more in the process.

Mayor Tell responded that the Council will have to take on more responsibilities themselves.

Mayor Pro Tem Powell expressed concerns regarding spending tax payer funds and wants to seek sponsors to pay for the events.

Mayor Tell replied that the Centennial Committee needs to understand what direction Council wants to move in.

Councilmember Lesser realized that some Centennial Committee members may be disappointed but wants to celebrate our community and move forward with the parade, picnic in the park and the Manhattan Beach downtown festival. He also asked for greater detail as to what is involved with the events, such as updates, story boards, budgets, and a final budget for the Taste of Manhattan Beach. Councilmember Lesser further requested that remaining events be agendaized and discuss them as a council.

Mayor Tell again reiterated that Mayor Pro Tem Powell and Councilmember Lesser take the place of Councilmember Montgomery and himself as part of the Centennial

Due to the fact that the majority of the City Council did not support Ordinance No. 2158 and Resolution No. 6358 regarding the Centennial Beach Ball, which included the serving of beer and wine, no action was taken.

ITEMS REMOVED FROM THE CONSENT CALENDAR

04/17/12-3. Ordinance No. 2158 Amending the City of Manhattan Beach Municipal Code to Exempt Restaurants from the City's Plastic Bag Ban Prohibition

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

- **Craig Cadwallader**

City Attorney Diaz read aloud the title of Ordinance No. 2158.

MOTION: Councilmember Howorth moved to waive full reading and re-introduce Ordinance No. 2158 entitled "An Ordinance of the City of Manhattan Beach Clarifying the City's Prohibition of Plastic Carry-Out Bags as it Relates to Restaurants and Amending Section 5.88.010 of the Manhattan Beach Municipal Code". The motion was seconded by Councilmember Lesser and passed by the following roll call vote:

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

04/17/12-4. Approval to Cancel the August 21, 2012 City Council Meeting

Councilmember Howorth pulled this item to explore the possibility of coordinating the City Council meeting with the Manhattan Beach Unified School District's calendar. She stated that by not coordinating both calendars together it may be biased against parents and may discourage parents from running for City Council. She suggested possibly moving the City Council meeting to another week during certain School District breaks, but understands that it will require staff consideration and that she would be interested in hearing staff's recommendation.

City Manager Dave Carmany responded that staff will be happy to research this matter and return to Council with a suggested master calendar for the year.

MOTION: Councilmember Lesser moved to approve cancelling the August 21, 2012 City Council Meeting. The motion was seconded by Councilmember Montgomery and passed by the following unanimous roll call vote:

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

04/17/12-5. Approve Lease Amendment to the Amended and Restated Ground Lease Between the City and the Manhattan Country Club to Remove a Provision Regarding the City's Club Membership Privilege

City Attorney Roxanne Diaz stated that Mayor Tell will be abstaining from this item because his membership with the Country Club is deemed an investment and Councilmember Montgomery will abstain because, in the past, he had a use privilege at the Country Club. She added that although Councilmember Montgomery relinquished his membership, to remain consistent, he will abstain.

At 10:00 p.m. Mayor Tell and Councilmember Montgomery left the dais.

Mayor Pro Tem Powell introduced the subject item and City Manager Dave Carmany provided the staff presentation.

City Attorney Roxanne Diaz responded to City Council questions

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

- **Ed Caprelian**

MOTION: Councilmember Howorth moved to approve the Lease Amendment to the Amended and Restated Ground Lease for the Tennis Complex (Manhattan Country Club) dated October 20, 2003 between the City and 1334 Partners, L.P., a California limited partnership. The motion was seconded by Councilmember Lesser and passed by the following roll call vote:

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

At 10:08 p.m. Mayor Tell and Councilmember Montgomery returned to the dais.

04/17/12-6. Financial Reports:

- a) Ratification of Demands: April 12, 2012.
- b) Investment Portfolio for the Month Ending March 31, 2012.
- c) Financial Reports for the Month Ending March 31, 2012

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

- **Ed Caprelian**

MOTION: Councilmember Lesser moved to approve with no exception Warrant Register No. 22B in the amount of \$3,230,750.48 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; receive and file the Investment Portfolio for the month ending March 31, 2012; and receive and file the Financial Reports for the month ending March 31, 2012. The motion was seconded by Councilmember Montgomery and passed by the following roll call vote:

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

04/17/12-9. Refunding Plan for the Metlox Public Improvements (2003) and Water/Wastewater Improvements (1996); Selection of Financing Team (Financial Advisor, Underwriter and Bond & Disclosure Counsel); and Contract with Loop Capital Markets for Financial Advisory Services (Not-to-Exceed \$40,000 for Fees and \$1,500 for Expense)

A member of the audience pulled this item from the Consent Calendar for Council discussion; however, was no longer present at the meeting.

There was no public comment on this item.

MOTION: Councilmember Howorth moved to approve the debt refunding plan for the Metlox Public Improvements and Water/Wastewater Improvements; approve the financing team; and approve a contract with Loop Capital Markets for an amount not-to-exceed \$41,500 for financial advisory services. 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.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

None.

ADJOURNMENT

At 10:10 p.m. the meeting was adjourned to the 6:30 p.m. Regular City Council Meeting on Tuesday, May 1, 2012, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

Nicholas W. Tell, Jr.
Mayor

ATTEST:

Liza Tamura
City Clerk

---DRAFT---
CITY OF MANHATTAN BEACH
ACTION MINUTES OF THE
AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING
MARCH 1, 2012
6:30 p.m.

The Ad Hoc Open Government Subcommittee Meeting of the City Council of the City of Manhattan Beach, California, was held the 1st day of March, 2012, at the hour of 6:30 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City. A full video of this Ad Hoc Open Government Subcommittee Meeting can be accessed online at www.citymb.info.

A. Call Meeting to Order

B. Roll Call

Present: Councilmembers Lesser and Howorth
Absent: None
Staff: David N. Carmany, City Manager
Roxanne Diaz, City Attorney
Liza Tamura, City Clerk
Clay Curtin, Management Analyst
Leilani Emnace, Information Systems Manager

C. Audience Participation

Gary Osterhout
Gerry O'Connor

D. General Business

03/01/12-1 *Approval of the Minutes of the December 13, 2011, Ad Hoc Open Government Subcommittee Meeting*

Motion by Councilmember Howorth to receive and file. Approved.

03/01/12-2 *Update Regarding City Council-Approved Short Term Open Government Initiatives*

The following individuals spoke:
Gerry O'Connor
Gary Osterhout

Councilmembers Lesser and Howorth heard an update from staff and held a discussion of the items previously approved by the City Council. Councilmembers Lesser and Howorth directed staff to add the Public Engagement effectiveness area to the next ad hoc subcommittee agenda so that they could consider future initiatives within that category that could be brought to the City Council for consideration at a later date. Councilmembers Lesser and Howorth also directed staff to bring the list of initiatives back to the ad hoc subcommittee at the next meeting in a better format that is easier to follow.

03/01/12-3 *Update Regarding Pending Short Term Open Government Initiatives*

The following individuals spoke:

Gerry O'Connor

Gary Osterhout

Councilmembers Lesser and Howorth heard an update from staff and held a discussion of the items previously discussed by the City Council but which the City Council asked to have brought back with more information.

03/01/12-4 *Review of Medium Term Open Government Initiatives*

The following individuals spoke:

Gerry O'Connor

Councilmembers Lesser and Howorth heard an update from staff and held a discussion of the items previously identified as medium term items and which the City Council asked to have brought back with more information.

03/01/12-5 *Review of Long Term Open Government Initiatives*

The following individuals spoke:

Gerry O'Connor

Councilmembers Lesser and Howorth heard an update from staff and held a discussion of the items previously identified as long term items and which the City Council asked to have brought back with more information. Councilmembers Lesser and Howorth directed staff to bring back items 1, 3, 8, 9, 11, 12, 13, 15, 19, 20, and 28, as well as updates on the various software packages for online discussion boards and the implementation progress for the recently approved Granicus modules.

03/01/12-5 *Consideration of a Revised Vision Statement*

The following individuals spoke:

Gerry O'Connor

Councilmembers Lesser and Howorth heard an update from staff and held a discussion of the revisions suggested at the last meeting of the full City Council where this item was discussed. Councilmembers Lesser and Howorth directed staff to bring back this item and the suggested modifications back to the next Ad Hoc Open Government Subcommittee meeting for further discussion.

E. Adjournment

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
SPECIAL MEETING
BOARDS AND COMMISSIONS INTERVIEWS
APRIL 24, 2012**

The Adjourned Regular Board and Commissions Interviews Meeting of the City Council of the City of Manhattan Beach, California, was held on the 24th day of April, 2012, at the hour of 5:35 p.m., in the Police/Fire Conference Room at 400/420 15th Street, in said City.

ROLL CALL

Present: Lesser, Howorth, Montgomery and Mayor Pro Tem Powell.
Absent: Mayor Tell.
Clerk: Tamura.

AUDIENCE PARTICIPATION

None.

SCHEDULED

04/24/12-1. Boards and Commissions Interviews

The Council conducted interviews with prospective candidates who expressed interest in being appointed to the City's various Boards and Commissions. No actions were taken.

ADJOURNMENT

At 7:43 p.m. the Adjourned Regular Boards and Commissions Interviews Meeting of April 24, 2011, was duly adjourned to the 5:30 p.m. City Council Meeting (Closed Session) to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, May 1, 2012, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

Nicholas W. Tell, Jr.
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE
CITY COUNCIL SPECIAL MEETING
APRIL 23, 2012**

The Special City Council Meeting of the City of Manhattan Beach, California, was held on the 23rd day of April, 2012, at the hour of 1:30 p.m., in the City Council Chambers Conference Room at Manhattan Beach City Hall, at 1400 Highland Avenue, in said City.

CALL TO ORDER

Mayor Tell called the meeting to order.

ROLL CALL

Present: Lesser, Howorth, Montgomery, Powell and Mayor Tell.
Present: City Manager Carmany and City Attorney Diaz
(Councilmember Howorth left at 2:00 p.m.)
Absent: Mayor Tell.
Clerk: City Clerk Tamura.

PUBLIC COMMENT ON CLOSED SESSION AGENDA

None.

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

City Attorney Diaz announced the following items to be discussed in closed session:

CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9(a))

DFA PVA II Partner, LLC v. IMG Worldwide Inc., USA Volleyball, Leverage Agency LLC, Jose Cuervo International, Inc., U.S. Tequila Cuervo LA Rojena, SA De CV, City of Manhattan Beach, US Federal District Court, CV 11-06851

RECESS INTO CLOSED SESSION

The Council recessed into Closed Session at 1:32 p.m.

RECONVENE INTO OPEN SESSION

The Council reconvened into Open Session at 2:05 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Diaz announced that the City Council met in closed session for the item listed on the agenda and there is no reportable action.

ADJOURNMENT

At 2:07 p.m. the meeting was duly adjourned to the 4:30 p.m. Closed Session to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, May 1, 2012, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Liza Tamura
Recording Secretary

Nicholas W. Tell, Jr.
Mayor

ATTEST:

Liza Tamura
City Clerk

Finance Subcommittee: Draft Meeting Action Minutes

Meeting Date: April 16, 2012
Recording Secretary: Helga Foushanes

In Attendance: Tim Lilligren, Treasurer
Wayne Powell, Mayor Pro Tem
Bruce Moe, Finance Director
Henry Mitzner, Controller
Eden Serina, Budget Analyst

Called to Order: 4:35 PM by Tim Lilligren, City Treasurer

Agenda Item #1 – Approval of Minutes from March 27, 2012 Finance Subcommittee Meetings

The Finance Subcommittee unanimously approved the minutes

Agenda Item #2 - Selection of Investment Strategy and Associated Discount Rate to be Used to Invest and Value Other Post Employment Benefits (OPEB)

The Finance Subcommittee unanimously approved CERBT strategy #2, with the discount rate of 7.06%.

Agenda Item #3 – Public Comments

None.

Agenda Item #4 – Adjournment

The meeting was adjourned at 4:55 PM.