



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)-(c)] 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 June 5, 2012.

RECOMMENDATION: APPROVE

- b) Action Minutes, Planning Commission Meeting of June 13, 2012.

RECOMMENDATION: RECEIVE AND FILE

- c) Centennial Draft Meeting Notes of May 21, 2012.

RECOMMENDATION: RECEIVE AND FILE

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
CLOSED SESSION MEETING
JUNE 5, 2012**

The Closed Session Meeting of the City Council of the City of Manhattan Beach, California, was held on the 5th day of June, 2012, at the hour of 4:05 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

CALL TO ORDER

Mayor Powell called the meeting to order.

ROLL CALL

Present: Howorth, Montgomery, Tell, Lesser and Mayor Powell.
(Howorth arrived at 4:45 p.m.)
Present: City Manager Carmany.
Absent: None.
Clerk: Aliabadi (Acting).

PUBLIC COMMENT ON CLOSED SESSION AGENDA

None.

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))

*Mark Vasquez vs. City of Manhattan Beach
Workers Compensation Appeals Board No. ADJ7361158*
2. **PUBLIC EMPLOYEE APPOINTMENT**
(Government Code Section 54957)

Title: City Attorney

RECESS INTO CLOSED SESSION

Council recessed into Closed Session at 4:06 p.m.

RECONVENE INTO OPEN SESSION

Council reconvened into Open Session at 6:15 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 6:15 p.m. the meeting was adjourned to the 6:30 p.m. Regular City Council Meeting on Tuesday, June 19, 2012, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Terri Aliabadi
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
JUNE 5, 2012**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 5th day of June, 2012, 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

Jan Dennis led the pledge of allegiance.

Mayor Powell, on behalf of the Council, also presented **Jan Dennis** with the **I♥MB** award for her years of service to the community.

NATIONAL ANTHEM

The Manhattan Beach Middle School String Ensemble played the National Anthem.

Mayor Powell, on behalf of the Council, presented the ensemble: **Shubhayu Bhattacharyay, Christina Chong, Denise Haslop, Zain Khalifeh, Alex Luo, Dylan Mibu, Yen Nguyen, Alessandro Varieschi, Tooba Wasi and Adam Zaun** with certificates and city pins.

ROLL CALL

Present: Howorth, Montgomery, Tell, Lesser and Mayor Powell.
(Councilmember Montgomery absent 6:54 p.m. – 7:45 p.m.)
Absent: None.
Clerk: Aliabadi (Acting).

CLOSED SESSION ANNOUNCEMENT

City Attorney Roxanne Diaz announced that the City Council met in Closed Session and that there was no reportable action on Item No. 1; however, regarding Item No. 2, she announced that the City Council appointed Quinn Barrow as the new Manhattan Beach City Attorney.

At 6:54 p.m. Councilmember Montgomery left the dais.

CEREMONIAL CALENDAR

06/05/12-1. Presentation of Commendation to Kyle Salzman for Attaining the Rank of Eagle Scout

Mayor Powell, on behalf of the City Council, presented a commendation to Kyle Salzman for attaining the rank of Eagle Scout.

06/05/12-2. Presentation of Certificate to the Friendship Circle for Their Contributions to the City of Manhattan Beach

Mayor Powell, on behalf of the City Council, presented certificates and city pins to members of the Friendship Circle for their contribution in helping to make Manhattan Beach an exceptional and unique community.

06/05/12-3. Presentation to the City of Manhattan Beach From the Wyland Foundation and Toyota for Being Named One of the 12 Winning Cities of the 2012 National Mayor's Challenge for Water Conservation

Noting that he partnered with Toyota, the United States Environmental Protection Agency (EPA), and K-CAL CBS of Southern California, **Steve Creech of the Wyland Foundation**, presented a certificate of appreciation to the City of Manhattan Beach and its residents for being named one of the 12 winning cities of the 2012 National Mayor's Challenge for Water Conservation.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 4 through 20), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Howorth, seconded by Councilmember Tell and passed by unanimous roll call vote with the exception of Item Nos. 4 and 8 which were considered later in the meeting under *Items Removed From the Consent Calendar*.

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

GENERAL CONSENT

Prior to the vote on the Consent Calendar, the following responded to questions from Mayor Pro Tem Lesser: City Manager Carmany responded to questions regarding Item No. 7; Public Works Director Jim Arndt responded to questions regarding Item Nos. 14 and 15.

06/05/12-4. Minutes:

This item contains minutes of City Council meetings which are presented for approval [(a)-(e)] and minutes from City Council subcommittees and from other City commissions and committees [(f)-(g)] 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 May 15, 2012
- b) Adjourned Regular Budget Study Session #1 Meeting of May 16, 2012
- c) Adjourned Regular Budget Study Session #2 Meeting of May 22, 2012
- d) City Council (Closed Session) Meeting of May 24, 2012 and Adjourned Regular Budget Study Session #3 Meeting of May 24, 2012
- e) Special Closed Session Meeting of May 29, 2012
- f) Cultural Arts Commission Meeting Minutes March 27, 2012
- g) Environmental Task Force Meeting of April 19, 2012

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

06/05/12-5. Declare Vacancy of the Los Angeles County West Vector Control Board of Trustee Seat (Cooper) Due to Resignation

The City Council declared vacant the Los Angeles County West Vector Control Board of Trustee Seat.

06/05/12-6. Amendment of City Council Assignments to Replace Councilmember Howorth with Councilmember Tell on the North Manhattan Beach Business Improvement District

The City Council approved ratifying the amended Council Assignments list.

06/05/12-7. Mayor's Youth Council Program and Appointment of Councilmember Howorth as MYC Liaison

The City Council approved incorporating the Mayor's Youth Council as one of the City's programs and appointed Councilmember Howorth as liaison to the program.

06/05/12-8. Resolution Appointing a Representative, Councilmember Amy Howorth, to the Independent Cities Risk Management Authority (ICRMA) and Reconfirming Alternate Representative, Christine Tomikawa (Risk Manager), and Substitute Alternate, Cathy Hanson (Human Resources Director)

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

06/05/12-9. Designation of Voting Delegate Mayor Powell and Voting Alternates Mayor Pro Tem Lesser and Councilmember Howorth for the League of California Cities' Annual Conference

The City Council approved the designation of voting delegate Mayor Powell and voting alternate delegates Mayor Pro Tem Lesser and Councilmember Howorth for the League of California Cities' Annual Conference.

06/05/12-10. Financial Reports:

a) Ratification of Demands: May 24, 2012

b) Financial Reports for the Month Ending April 30, 2012

The Council approved with no exception Warrant Register No. 25B in the amount of \$2,060,066.18 in payment of ratification of demands and claims as prepared by the Director of Finance, together with the original demands and claims as prepared by said Warrant Register; and received and filed the Financial Reports for the month ending April 30, 2012.

06/05/12-11. Ratification of Motor Fuel Purchase from Merrimac Energy Group in the Amount of \$30,392.46

The City Council waived formal bidding per Municipal Code Section 2.36.140 (waivers) and approved ratifying the purchase of fuel from Merrimac Energy Group in the amount of \$30,392.46.

06/05/12-12. Purchase of One Replacement Fire Engine from KME Fire Apparatus in the Amount of \$562,564.74 and Donate Surplus Fire Engine to the El Camino Fire Academy Training Program

The City Council approved an award of Bid #866-12 to KME Fire Apparatus in the amount of \$562,564.74 for the budgeted replacement of one fire engine and approved the donation of a surplus fire engine to the El Camino College Fire Academy Training Program.

06/05/12-13. Award of Three-Year Contract for Auto Parts to Eddings Brothers, Inc. (Estimated Value of \$39,000 Per Year)

The City Council approved an award of RFP #849-12 to the lowest responsible bidder, Eddings Brothers, Inc. for a three-year auto parts contract (with two one-year extension options) with an estimated annual value of \$39,000 and approved authorizing the City Manager to exercise two one-year options at the conclusion of the contract period if deemed in the City's best interest.

06/05/12-14. Plans and Specifications and Award of Construction Contract for the Section 7 (Longfellow Avenue to 45th Street, Valley Drive/Blanche Road to The Strand) Concrete Repair Project to Martinez Concrete, Inc., (\$634,228.48) and Award a Professional Services Contract for Construction Inspection Services to RBF Consulting (\$44,355)

The City Council approved the Plans and Specifications for the Section 7 Concrete Repair Project; approved authorizing the City Manager to execute a contract in the amount of \$634,228.48 to Martinez Concrete, Inc. for the Section #7 Concrete Repair Project; approved authorizing the City Manager to approve additional work in an amount not-to-exceed \$63,422.85 (10%); approved authorizing the City Manager to execute a Professional Services Contract in the amount of \$44,355 to RBF Consulting for Construction Inspection Services; and approved authorizing the City Manager to approve additional work in an amount not-to-exceed \$4,435.50 (10%).

06/05/12-15. Award a Professional Engineering Services Contract to HDR, Inc. (\$1,474,449) for Design, Environmental and Right-of-Way Acquisition Services Related to the Widening of the Sepulveda Boulevard Bridge Between Rosecrans Avenue and 33rd Street

The City Council approved a contract in the amount of \$1,474,449 to HDR, Inc. for design, environmental and right-of-way acquisition services related to the Widening of the Sepulveda Boulevard Bridge Between Rosecrans Avenue and 33rd Street and authorize the City Manager to execute said contract; and approved authorizing the City Manager to approve additional consulting services related to the project in an amount not to exceed \$73,722 (5% of HDR, Inc. contract amount).

06/05/12-16. Professional Services Agreement with VA Consulting, Inc. (\$62,971) for Design Services Related to the Ardmore Avenue (Boundary Place to Manhattan Beach Boulevard), Valley Drive (2nd Street to Longfellow Avenue) and 11th Place (Ardmore Avenue to Highview Avenue) Street Resurfacing Project

The City Council approved authorizing the City Manager to award a Professional Services Agreement to VA Consulting, Inc. in an amount not to exceed \$62,971 for professional engineering services to design the Ardmore Avenue (Boundary Place to Manhattan Beach Boulevard), Valley Drive (2nd Street to Longfellow Avenue) and 11th Place (Ardmore Avenue to Highview Avenue) Street Resurfacing Project.

06/05/12-17. Approval of Plans and Specifications for the 2012 Slurry Seal Project (Sand Section) and Authorize the City Manager to Solicit Construction Bids

The City Council approved the plans and specifications for the 2012 Slurry Seal Project and authorized the City Manager to solicit construction bids.

06/05/12-18. Grant Funded Purchase of Energy Efficient Walk Street Replacement Lights from Walters Wholesale Electric in the Amount of \$39,737.25 and Appropriation of \$137,212.34 from Unreserved General Fund Monies for Completion of the Walk Street Project and Additional Energy Efficient Grant Funded Lighting Replacement Projects

The City Council approved an award of bid #844-12 to Walters Wholesale Electric, the lowest responsible bidder, in the amount of \$39,737.25 for energy efficient replacement lights for the Walk Streets; and appropriated \$137,212.34 from the unreserved General Fund balance for this project as well as other planned energy efficient lighting projects which will be fully reimbursed at a later date by funding from the Department of Energy.

06/05/12-19. Final Payment in the Net Amount of \$30,080 to C.T. Georgiou Painting Co., Inc. and Accept the Facilities Maintenance Painting 2012 Project as Complete

The City Council approved the issuance of a Final Payment in the net amount of \$30,080.00 to C. T. Georgiou Painting Co.; formally accepted the Facilities Maintenance Painting 2012 Project as complete and approved authorizing filing of the appropriate Notice of Completion and the release of retention in the amount of \$1,504.00.

BOARDS AND COMMISSIONS

Planning Commission

02/21/12-20. Planning Commission Approval of Variance for an Addition and Remodel to an Existing Two-Story Single Family Residence to Allow a Three-Story Structure While Staying Below the Maximum Height Limit and Maintaining the Existing Legal Non-Conforming Setbacks at 931 Highview Avenue

The City Council received and filed the Planning approval Resolution PC 12-04 granting a Variance for the addition/remodel of the home located at 931 Highview Avenue.

COMMUNITY ANNOUNCEMENTS

06/05/12-27. Elizabeth Stuart Re Thanks from Richstone Pier-to-Pier Walkathon

Elizabeth Stuart, Representing the Richstone Foundation, thanked all of the City Departments and residents for their support of the 25th Annual Richstone Pier-to-Pier Walkathon (which exceeded their goal by 129%) and distributed plaques and thank-you letters.

06/05/12-28. Zoe Taylor Re Chamber of Commerce

Zoe Taylor, Interim CEO of the Manhattan Beach Chamber of Commerce, announced a State of the Chamber reception on Friday, June 8, 2012 celebrating yesterday and connecting with tomorrow. She acknowledged that everyone is welcome to come and find out more about the Manhattan Beach Chamber of Commerce and encouraged those wanting more information to visit www.manhattanchamber.com or to call 310-545-5313.

06/05/12-29. Don Gould Re Library Events

Don Gould, Los Angeles County Librarian, highlighted upcoming Manhattan Beach Library events and encouraged everyone to vote if they had not yet been to the polls.

06/05/12-30. Police Chief Irvine Re Lock It or Lose It Campaign

Manhattan Beach Police Chief Eve Irvine explained the launch of a new campaign by the Manhattan Beach Police Department called *Lock It or Lose It*, a program to remind the community that most crimes are preventable if residents take the necessary steps, such as keeping their cars locked and valuables out of sight even in their own driveways. Police Chief Irvine also gave a brief description of the Neighborhood Watch Program and said that the number to call for more information is 310-802-5183.

06/05/12-31. Stephone Paige Re Waste Management News

Stephone Paige, Waste Management Representative, shared a brief update that the *Clean Cart Challenge* recently ended; that the Shoe Drive *Soles for Souls* collected 1,524 pairs of shoes; and that Grandview Elementary School was the winner of the collection drive. **Mr. Paige** concluded by announcing the “Waste Management Food Waste Pilot Program” scheduled to begin on July 1, 2012, and shared that if you would like to see if your home is in the pilot area, you can check the website at www.manhattanbeach.wm.com.

06/05/12-32. Susan Hillyer Re Farmers Market

Susan Hillyer, Representing the Farmers Market, commented that the Farmers Market, where you can *Lunch, Munch and buy Bunches of Produce*, is open for its summer hours on Tuesdays from 11:00 a.m. to 5:00 p.m. now through Labor Day.

06/05/12-33. Viet Ngo Re Anti Public Corruption Advocacy

Viet Ngo requested that the alleged actions by a former Manhattan Beach City Manager be investigated by the Federal Bureau of Investigation and District Attorney and that various members of the Council resign due to alleged violations of State and Federal law.

06/05/12-34. Councilmember Howorth Re Girl Scouts

Councilmember Howorth stated that, with the Mayor’s approval, the Girl Scouts would like to come to Council and present a “co-patch” representing 100 years of Girl Scouts and the 100 years of Manhattan Beach.

06/05/12-35. Councilmember Howorth Re Happenings at Mira Costa High School

Councilmember Howorth communicated that there are thirteen valedictorians this year at Mira Costa High School and today was also the Scholar Quiz.

06/05/12-36. Mayor Powell Re Seniors Teaching Seniors

Mayor Powell shared that another session of *Seniors Teaching Seniors*, where Mira Costa Senior computer students teach older adults computer skills, will take place on Thursday, June 7, 2012 from 3:00 p.m. – 5:00 p.m.

06/05/12-37. Mayor Powell Re Girl Scouts Gold Award

Mayor Powell reported that there will be Girl Scouts Gold Awards presented at a future meeting.

AUDIENCE PARTICIPATION

06/05/12-38. Michelle Murphy Re Library

Michelle Murphy, President Manhattan Beach Residents Association, brought up issues regarding the closure of the Library for two years and only having the use of a Book Mobile for twenty hours a week.

06/05/12-39. Fyllis Kramer Re Dial-a-Ride Driver

Fyllis Kramer, expressed concern regarding a Dial-A-Ride driver who does not receive medical benefits and requested information on the status of a petition to this effect submitted by the seniors approximately seven months ago.

06/05/12-40. Zoe Taylor Re Chamber of Commerce

Zoe Taylor, Interim CEO of the Manhattan Beach Chamber of Commerce, revealed that she will soon be leaving; stressed the assets of the new CEO; and thanked the community for the opportunity to work here.

06/05/12-41. Frank Wattles Re Trees in Sand Section

Frank Wattles asked the City Council to clarify the City's Ordinances and protect the trees in the Sand Section.

06/05/12-42. Esther Besbris Re City Recovery Costs

Esther Besbris, Manhattan Beach Residents Association, requested that the Council agendaize the *City Recovery Cost* portion of the Waste Management bill to allow residents to better understand the purpose of this fee.

06/05/12-43. Viet Ngo Re Anti-Public Corruption Advocacy

Viet Ngo discussed his anti-public corruption advocacy efforts regarding former City Manager Dolan and Johnson Favaro.

06/05/12-44. William Victor Re Best Library Staff

William Victor commended the Manhattan Beach Library Staff; voiced his concerns over the closure of the library; and agreed with **Esther Besbris** regarding the Waste Management bill.

06/05/12-45. Phil Reimert Re Library

Phil Reimert pointed out that the new library sounds like it will be state of the art, but there is a lot of hype for a two-year project.

06/05/12-46. Chris Miller Re Centennial Parade

Chris Miller presented the Councilmembers with the commemorative poster of the Centennial Parade and thanked everyone for their support.

06/05/12-47. Mary Boyd Re Trees in Sand Section

Mary Boyd requested that Council consider “grandfathering” certain trees in the Sand Section.

06/05/12-48. Sabine Birkenfeld Re Trees in Sand Section

Sabine Birkenfeld reiterated the request for keeping the mature trees and greenery in the Sand Section.

06/05/12-49. Mayor Powell Re New Library

Mayor Powell answered some previous concerns about the new library and suggested that residents visit the City’s website www.citymb.info for all of the information pertaining to the library.

At 7:45 p.m. Councilmember Montgomery returned to the dais.

06/05/12-50. City Attorney Roxanne Diaz Re Viet Ngo Public Records Request

City Attorney Roxanne Diaz responded to Mr. Ngo’s statement regarding a Public Records Request stressing that the City has not received such a request, and, if such a request was made, the City would adhere to the Public Records Act and provide the documentation.

RECESS AND RECONVENE

At 7:46 p.m. the Council recessed and reconvened at 7:54 p.m. with all Councilmembers present.

PUBLIC HEARINGS

06/05/12-21. Public Hearing and Adoption of Fiscal Year 2012-2013 Operating Budget and Establishing an Appropriations Limit

Mayor Powell introduced the subject item and Finance Director Bruce Moe provided the PowerPoint presentation.

City Manager Dave Carmany and Finance Director Bruce Moe answered City Council’s questions.

Mayor Powell opened the Public Hearing at 8:34 p.m.

The following individuals spoke on this item:

- **Craig Cadwallader, Resident and SurfRider Foundation**
- **Fyllis Kramer**
- **Jennifer Goldstein, Outgoing Chair of the Manhattan Beach Chamber of Commerce**
- **John McLellan, Manhattan Beach Chamber of Commerce Treasurer**
- **DeAnn Flores Chase, Manhattan Beach Chamber of Commerce Chair Elect**
- **Tony Derico, Bella Beach, Bella Beach Kids and Downtown Business and Professionals Association**
- **Darrell Sperber, Manhattan Beach Chamber of Commerce member and Manhattan Beach Toyota**
- **Chris Miller**
- **Joe Ahn, Manhattan Beach Chamber of Commerce Vice Chair**
- **Gerry O’Conner**
- **Mary Ann Varni, Executive Director Downtown Business and Professional Association**

Mayor Powell closed the Public Hearing at 9:10 p.m.

After a brief discussion, Council concurred to add the following items to the 2012-2013 budget: the California Map Project (\$5,000); a placeholder for Economic Development/Chamber of Commerce (\$75,000) and a placeholder for Field Upgrades/Maintenance (\$120,000).

MOTION: Councilmember Howorth moved to adopt Resolution No. 6362 establishing the appropriations limit for Fiscal Year (FY) 2012-2013; and adopt Resolution No. 6363 approving the Fiscal Year 2012-2013 Operating Budget, as amended. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

At 9:55 p.m., Council discussed continuing Item No. 25 (*Financial Status of Manhattan Beach Centennial Foundation, Discussion and Direction for Final Centennial Events and Approval of \$34,802.08 in City Incurred Expenses for Centennial Items to Date*) to a future City Council meeting.

MOTION: Councilmember Montgomery moved to continue Item No. 25 to a future City Council meeting. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

RECESS AND RECONVENE

At 9:56 p.m. the Council recessed and reconvened at 10:07 p.m. with all Councilmembers present.

06/05/12-22. Resolution Accepting the Citizen's Option for Public Safety Program Supplemental Law Enforcement Services Account (SLESA) Grant; Authorize and Appropriate SLESA Grant Funds to Purchase Communications Equipment from South Bay Regional Public Communications Authority in an Amount Not-to-Exceed \$147,000, and Law Enforcement Software and Equipment with Remaining Grants Funds and Accrued Interest (Approximately \$59,000)

Mayor Powell introduced the subject item and Police Chief Eve Irvine provided the staff presentation and answered City Council's questions.

Mayor Powell opened the Public Hearing at 10:12 p.m.

Hearing no requests to speak, Mayor Powell closed the Public Hearing at 10:13 p.m.

MOTION: Councilmember Montgomery moved to adopt Resolution No. 6365 to accept grant monies from SLESA; appropriate \$206,000 in SLESA grant funds and accrued interest for proposed expenditures; waive formal bidding per Municipal Code Section 2.36.140 (waivers) and award an order to South Bay Regional Communications Authority for mobile communications equipment in an amount not-to-exceed \$147,000; and approve authorizing the City Manager to execute the purchase of the remaining equipment within this staff report to fully expend the remaining SLESA grant funds and accrue interest (\$59,000). The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

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

GENERAL BUSINESS

06/05/12-23. Resolution Amending the City Council Rules of Order Regarding the Time Limits for Public Participation During City Council Meetings and Amending Resolution No. 6203

Mayor Powell introduced the subject item and City Attorney Roxanne Diaz provided the staff presentation and answered City Council's questions.

The following individuals spoke on this item:

- Esther Besbris
- Craig Cadwallader
- Gerry O'Conner

MOTION: Mayor Powell moved to adopt Resolution No. 6364, as amended by removing Number 5 (which limited Audience Participation) and Number 6 from Section 2c (Public Participation). The motion was seconded by Mayor Pro Tem Lesser.

Council continued discussion the length of Ceremonial items.

MOTION: Mayor Powell moved to adopt Resolution No. 6364 removing Section 5 (which limited Audience Participation) and 6 from Section 2c. The motion was seconded by Mayor Pro Tem Lesser and passed by the following roll call vote:

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

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.

Council concurred to continue Item Nos. 24 and 26, along with Item No. 25 which was continued earlier in the meeting, to the June 19, 2012 City Council meeting.

06/05/12-24. Update of Strategic Plan Goals and Objectives

This Item was continued to the June 19, 2012 City Council meeting.

06/05/12-25. Financial Status of Manhattan Beach Centennial Foundation, Discussion and Direction for Final Centennial Events and Approval of \$34,802.08 in City Incurred Expenses for Centennial Items to Date

This Item was continued to the June 19, 2012 City Council meeting.

06/05/12-26. Skechers USA Inc. Water and Sewer Bill Reimbursement of \$242,866.48 for Overpayment of Water and Sewer Charges and Delegate to the City Manager Authority to Execute Settlement Agreement

This Item was continued to the June 19, 2012 City Council meeting.

ITEMS REMOVED FROM THE CONSENT CALENDAR

06/05/12-4. Minutes:

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- e) Special Closed Session Meeting of May 29, 2012
- f) Cultural Arts Commission Meeting Minutes March 27, 2012
- g) Environmental Task Force Meeting of April 19, 2012

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

- **Gerry O'Conner**

MOTION: Councilmember Tell moved to approve the City Council Meeting minutes and receive and file the minutes from the City Council Subcommittees, City Commissions and Committees. The motion was seconded by Councilmember Howorth and approved passed by the following unanimous roll call vote:

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

06/05/12-8. Resolution Appointing a Representative, Councilmember Amy Howorth, to the Independent Cities Risk Management Authority (ICRMA) and Reconfirming Alternate Representative, Christine Tomikawa (Risk Manager), and Substitute Alternate, Cathy Hanson (Human Resources Director)

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

- **Esther Besbris**

Following a brief discussion regarding why a Councilmember is the Alternate on this Assignment rather than the Delegate, Council concurred to continue this item to the next City Council meeting.

CITY MANAGER REPORT(S)

06/05/12-51. City Manager Re Cooperative Agreement with School District

City Manager Carmany reported that the City Attorney completed a rewrite of the agreement between the City and the School District and that the plan is being reviewed at staff level and moving forward.

06/05/12-52. City Manager Re Begg Pool and Building Projects

City Manager Carmany indicated that the building projects are going well and Begg Pool is almost complete; however the floor was too slippery so it will be redone.

06/05/12-53. City Manager Re Special Olympic Torch Run

City Manager Carmany displayed a picture of several Manhattan Beach personnel with the Special Olympics Torch and spoke of how the Torch Run was a bright spot for the City.

06/05/12-54. City Manager Re Power Outages

City Manager Carmany reported that the City is still experiencing power outages and that the City needs to meet with Edison again because of poor service.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

06/05/12-55. City Attorney Roxanne Diaz with Update on Handbooks

City Attorney Diaz shared that the City Attorney's Office has updated the Ralph M. Brown Act Handbook, Public Records Act and Conflict of Interest Handbooks and that they are available by contacting the City Attorney's Office.

06/05/12-56. Mayor Pro Tem Lesser Re Granicus and Library

Mayor Pro Tem Lesser verified with City Manager Carmany that Granicus has been delayed but is on course for September. He further added that he wanted to be proactive regarding concerns for the interim library.

06/05/12-57. Councilmember Howorth Re Library

Councilmember Howorth agreed with Mayor Pro Tem Lesser and suggested that community meetings be held at the library to better inform residents of the status of the library.

06/05/12-58. Mayor Pro Tem Lesser Re Public Art in the Library

Mayor Pro Tem Lesser stated that he and Mayor Powell will update the public on the Request for Proposals (RFP) for the public art in the near future.

06/05/12-59. Councilmember Montgomery Re Conferences

Councilmember Montgomery pointed out that 118 Elected Officials attended the National League of Cities Conference; thanked staff for their hard work and stated that it was a good chance to spotlight Manhattan Beach. Councilmember Montgomery also stated that he attended the Contract Cities Conference.

06/05/12-60. Mayor Powell on Attending the National League of Cities Conference

Mayor Powell concurred with Councilmember Montgomery that the National League of Cities Conference was a great learning experience and that all of the materials from the conference will be available in the City Clerk's Office.

06/05/12-61. Councilmember Montgomery Re Waiving of City Fees

Councilmember Montgomery reported that all City fees for Manhattan Beach to attend the National League of Cities Conference were waived by the League.

06/05/12-62. Mayor Pro Tem Lesser Compliments Councilmember Montgomery

Mayor Pro Tem Lesser complimented Councilmember Montgomery for bringing the National League of Cities to Manhattan Beach stating that it was a very substantive experience.

06/05/12-63. Councilmember Tell Re Budget

Stating that this would be the last time he would participate in the budget process, Councilmember Tell complimented Finance Director Bruce Moe and his team for the phenomenal job that they do and added that this is the tenth year that the City has had a AAA rating.

ADJOURNMENT

At 11:22 p.m. the meeting was adjourned to the 4:30 p.m. City Council Meeting (Closed Session) on Monday, June 11, 2012, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Terri Aliabadi
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk

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

June 13, 2012

Council Chambers – 1400 Highland Avenue

6:30 P.M.

Final Decisions Made Tonight Will be Scheduled for City Council Review on July 3, 2012

(Unless otherwise stated at the meeting)

1. CALL MEETING TO ORDER **6:35 P.M.**
2. PLEDGE TO FLAG
3. ROLL CALL **ORTMANN, CONAWAY, PARALUSZ,
VICE CHAIR GROSS, CHAIRPERSON
ANDREANI**
4. CEREMONIAL
06/13/12-1. Commendation to Sandra Seville-Jones for Her Dedicated Service on the Planning Commission.
RECOGNIZED OUTGOING COMMISSIONER SANDRA SEVILLE-JONES
5. APPROVAL OF MINUTES
06/13/12-2. Regular meeting – May 9, 2012 **APPROVED WITH REVISIONS
(4:0:1-ORTMANN ABSTAINED)**
6. AUDIENCE PARTICIPATION **NONE**
The public may address the Commission regarding any item of City business not on the agenda.
7. PUBLIC HEARING
06/13/12-3. Variance From Building Height Standards for an Existing Three-Family Residence on the Property Located at 2505 Crest Drive.
CONDUCTED PUBLIC HEARING AND PROVIDED DIRECTION TO STAFF TO DRAFT RESOLUTION TO DENY VARIANCE, AND BRING FOR ADOPTION ON JUNE 27, 2012 (5:0)
8. DIRECTOR'S ITEMS
 - a. Draft Environmental Impact Report (DEIR) – Manhattan Village Shopping Center (MVSC) Planning Commission Meeting on 6/27/12; Public Review Period from 6/7/12 to 7/23/12.
9. PLANNING COMMISSION ITEMS
 - a. Review Penalty Fees for Building Violations, and Report Back to Planning Commission – Add to Future Agenda
 - b. Brown Act and Conflicts of Interest Act and Gifts (Form 700) Training – City Attorney Presented and Discussed
 - c. Information Presented to the City Council on May 15, 2012 Regarding Liquor License Requirements in the City – Received and Filed
10. TENTATIVE AGENDA June 27, 2012
 - a. MVSC DEIR
 - b. Variance Resolution – 2505 Crest Drive
11. ADJOURNMENT TO June 27, 2012 **MEETING ADJOURNED AT 10:00 P.M.**

June 27, 2012 July 11, 2012 July 25, 2012 August 8, 2012 August 22, 2012

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.

Manhattan Beach Centennial Committee

May 21, 2012 – 5:00 p.m.
Manhattan Beach City Hall
Police/Fire Conference Room

Minutes

Attendees: Councilmembers Nicholas Tell and Amy Howorth; Committee Members Joe Franklin, Jan Dennis, Larry Lemoine, Grace Leung, Zack Gill, and Jeanna Harkenrider; Director of Parks and Recreation Richard Gill, City Clerk Liza Tamura, Recreation Services Manager Idris Al-Oboudi, and Recording Secretary Mary Kirchwehm

Audience Participation

In following up with his past presentation to the Committee regarding benchmarking the Pier, George Rapucci requested the possibility of using the Centennial logo for the markers. The Committee approved the usage of the logo.

Action Item: The Centennial Committee approved the usage of the logo for the markers.

James Gill reported his latest update on the sale of Centennial coins. He reported that he is currently close to break even. Mr. Gill reported that his initial cost was \$8,700 and collected \$8,500.

Meeting Topics

Review Meeting Notes: The Committee reviewed and adopted the April 23, 2012 Centennial Meeting notes as written.

Committee Reports:

Centennial Parade Follow Up Report:

Councilmember Nick Tell thanked Jan Dennis, Idris Al-Oboudi and Richard Gill for their hard work and the success on the Parade and Picnic.

Jan Dennis thanked the Parade Committee for their help and she thanked Larry Lemoine for his help with getting Michaela Pereira from KTLA to announce the parade.

Jan wanted to dispel any rumor that the award to the City's float was predetermined. She assured the Committee that the City float was truly the best themed float as voted by an all volunteer non-city committee.

Larry Lemoine inquired if a Resolution from the City can be presented to Michaela Pereira.

Action Item: Liza Tamura will prepare a Resolution from the City to be presented to Michaela Pereira.

Historic Picnic Follow Up Report:

Recreation Services Manager Idris Al-Oboudi reported that there were approximately 7,000 in attendance at the picnic and everyone appeared to have a wonderful time. He received a lot of positive feedback.

Budget Report:

Jeanna Harkenrider reported that the balance as of May 8, 2012 is \$104,737.07. However, she informed the Committee that there are still some outstanding checks that have not been cashed. She further reported that after the payment of more invoices, the balance as of May 14, 2012 is \$38,894.83. Councilmember Amy Howorth inquired if this amount covered the Taste event, and Jeanna reported that it did. Jeanna reported that there is an additional \$4,892 that the Committee will be receiving from Dealer.com which will bring the balance to \$43,786.83. However, she did mention that there are still some outstanding invoices that will bring the balance to \$12,761.61. Amy Howorth inquired if this amount includes the expenses from the parade and picnic. Jeanna reported that this does include expenses from the parade but not the picnic. Richard Gill reported that the total expenses for the picnic will be approximately \$11,000.

Nick Tell inquired if there was a report on any additional income. Jeanna reported that she does not have a report on additional income.

Liza Tamura reported that after the picnic she has been receiving a lot of requests for merchandise and requested the merchandise to be moved back to her office.

Jeanna Harkenrider inquired if anyone can purchase or make a donation to have their name on a street banner.

Nick Tell reported that the Committee needs to figure out what they are raising money for and how much they would need to raise. He suggested asking City Council help to underwrite a future event and after Council decides what can be funded, the Committee will be able to determine how much needs to be raised.

Direction from City Council for Final Centennial Event in September with a Cost Estimate

Recreation Services Manager Idris Al-Oboudi reported a possible event to be held on September 8, 2012 in the downtown area. This event would include an antique car show located in the south upper parking lot as well as a display of historical photos and other art. There would also be a non-profit area that would have a theme of "Then and Now." In addition, there would also be an area for a carnival that would include 20-30 old fashioned games, a carousel and Ferris wheel to be held in the lower parking lots. There would be a band that would perform on the Strand and the opportunity for people to picnic on the beach while listening to the band.

Jerry with Fun Services reviewed his proposal. He stated that there would not be tickets and there would not be a charge for admission.

Nick Tell inquired about the possibility of using a wristband and charging a certain dollar amount for unlimited use.

Amy Howorth expressed her concerns with the amount of time people would spend waiting in lines. Nick Tell proposed that it be determined how many people would be able to ride on the different rides per hour.

Amy Howorth suggested that this proposed event also be discussed with the Downtown Business and Professional Association.

Jerry reported that everything could be set up the morning of the event and that the taking down of booths and games could be done in two hours. The larger rides, however, would take longer.

Jan Dennis expressed her concern that the event may be too kiddie. Joe Franklin suggested making the games geared towards the older kids.

After much discussion, the Committee agreed that the carnival portion be held from 12:00 p.m. to 5:00 p.m. and the picnic with the bands be held from 5:00 p.m. to 8:00 p.m. The Committee also agreed to one or two Ferris wheels, a carousel, old fashioned games, a historic car show, a local band during the day and a featured band or two in the evening with a picnic on the beach. The Committee also agreed on paid concessions to help offset costs.

Other Business:

None.

Wrap-Up and Calendar Review:

- Monday, June 11, 2012, 5:00 p.m., Centennial Committee Meeting in the Police/Fire Conference Room
- Monday, June 25, 2012, 5:00 p.m., Centennial Committee Meeting in the Police/Fire Conference Room

Adjournment: The meeting was adjourned to the next Centennial meeting on June 11, 2012 at 5:00 p.m. in the Police/Fire Conference Room.

Centennial Checking Account

Activity since 5/8/12

Balance as of 5/8/12	104,737.07
Invoices Paid and Not Yet Withdrawn from Account as of 5/8/12	
Check #1013	Annie Walker - Hometown Fair Reimbursement -100.00
Check #1014	Oliver Schulster - Reimbursement -355.36
Check#1045	Helen Marish - Art Activity at Carnival -450.00
Check#1046	Staples -90.00
Check#1054	Daily Breeze -1,581.00
Total after outstanding checks cashed	102,160.71
Invoices paid 5/8/12	
Classic Party Rentals	\$1,000 was charged for interest of unpaid bill, hoping to -73,738.79 have this returned
Daily Breeze ad for Taste	-1,400.00
Andy Gump for Taste	-435.00
Hermosa Celebrations - Balloons for Parade	-242.77
AAA Flags and Banners for Parade	-1,026.56
City of Manhattan Beach reimbursement	-2,678.28
Growing Wild (2 invoices: \$151.59+\$355)	-506.59
Wells Fargo Online Dep Detail & Images	-3.00
Bankcard Fee	-25.00
Total after payment of above invoices	22,104.72
Deposits	
Northrop Grumman Donation	2,500.00 Done 5/11/12
Kinecta Payment for Banner	1,000.00 Done 5/16/12
Transfer of Funds from Centennial Trust	Taste Ticket Sales (\$5,820) and Anheuser Busch Donation (\$15,000) (Less credit card fees incurred) 20,494.30 Done 5/16/12
Total after payment of above invoices	46,099.02
Invoices paid 5/14/12	
Jan Dennis (Reimbursement)	-664.48
Ryder Truck for Taste (2 invoices: \$498.78+\$48.21)	-546.99
Feed the Kitty - Band for Taste	-400.00
Kitchen Demo Stage (LAPD, LLC)	-5,245.00
Devin Alexander, Inc.	-347.72
Total after payment of above invoices	38,894.83
Deposits Pending	

Ran credit card through City; awaiting check to be issued (\$5,000) (Less credit card fees incurred, 2.16%)

Please Note: Waiting for this check to be issued to the Centennial from the City

Dealer.com Donation (Made via Credit Card) 4,892.00
 Balance after all pending deposits are made 43,786.83

Invoices Outstanding

Cal Ice (2 invoices: \$50+\$100)	-150.00	\$250	Need to talk with Annie on these invoices, Total may be
Lighten Up Inc. (3 invoices: \$14,990+\$500+\$1950)	-17,440.00		Awaiting payment upon deposit of funds from Trust
Copy Shop - Parade Banner	-125.06		
Manhattan Repro - Posters for Parade	-367.03		
Paradise Awards	-165.08		
Chris Miller - Design/Layout Parade Poster	-250.00		
Ending Balance*	25,289.66		

Invoice Outstanding	CSC Security	-12,528.05	Question on whether this will be paid for by the City of
Ending Balance*		12,761.61	MB as is currently being done with the parade

*Ending Balance depends upon decision made on CSC invoice

Still needs to be withdrawn from account