

**CITY OF MANHATTAN BEACH  
MINUTES OF THE CITY COUNCIL  
REGULAR MEETING OF  
NOVEMBER 21, 2006**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 21<sup>st</sup> day of November, 2006 at the hour of 6:30 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

**PLEDGE TO FLAG**

Deputy City Manager Sherilyn Lombos led the pledge of allegiance.

**ROLL CALL**

Present: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Absent: None.  
Clerk: Tamura.

**CEREMONIAL CALENDAR**

06/1121.1 *Presentation of Commendation to Deputy City Manager Sherilyn Lombos in Recognition of her Dedicated Service to the City of Manhattan Beach*

City Manager Dolan related his gratitude for Deputy City Manager Sherilyn Lombos' dedicated service to the City of Manhattan Beach.

Mayor Tell, on behalf of the City Council, presented a "There's No Place Like Manhattan Beach" plaque, along with various other mementos, to Deputy City Manager Lombos in recognition of her excellent service to Manhattan Beach.

On behalf of the **Manhattan Beach Chamber of Commerce**, **Helen Duncan** presented a photo and plaque to thank Deputy City Manager Lombos for her service.

On behalf of **Supervisor Don Knabe's office**, **Steve Napolitano** presented a commendation to Deputy City Manager Lombos.

**CONSENT CALENDAR**

The Consent Calendar (Item Nos. 2 through 13), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Fahey, seconded by Mayor Pro Tem Aldinger and passed by unanimous roll call vote with the exception of Item Nos. 3 which will be considered later in the meeting under *Items Removed from the Consent Calendar*.

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes: None.  
Absent: None.  
Abstain: None.

**GENERAL CONSENT**

06/1121.2 Approve Minutes of the City Council Regular Meeting of November 8, 2006

The Council continued the subject minutes to the City Council Meeting of December 5, 2006.

06/1121.3 Approve a Request from the Chamber of Commerce to Cover Parking Meters from Friday, December 1, 2006 through Monday, December 25, 2006, Excluding the Pier and El Porto Parking Lots

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

06/1121.4 Consideration of Financial Reports:

a) Ratification of Demands: November 16, 2006

b) Investment Portfolio for the Month Ending October 31, 2006

c) Financial Reports for the Month Ending October 31, 2006

The Council approved with no exception Warrant Register No. 11B in the amount of \$2,052,809.81 in payment of ratification of demands and claims as prepared by the Director of Finance, together with the original demands and claims as prepared by said Warrant Register; received and filed the Investment Portfolio for the month ending October 31, 2006; received and filed the Financial Reports for the month ending October 31, 2006.

06/1121.5 Consideration of a Resolution Authorizing the Replacement of Existing Letter of Credit and Reimbursement Agreement for the City's Share of the Debt for the South Bay Regional Public Communications Authority Facility

The Council adopted Resolution No. 6073 and appropriated \$25,000 from the General Fund balance.

**RESOLUTION NO. 6073**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING THE EXECUTION OF A REIMBURSEMENT AGREEMENT AND AUTHORIZING CERTAIN OTHER ACTIONS RELATED TO THE DELIVERY OF A SUBSTITUTE LETTER OF CREDIT FOR THE SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY VARIABLE RATE DEMAND REVENUE BONDS, 2001 SERIES C**

06/1121.6 Award of Sewer Line Video Inspection Services to Covenant Pipeline in the Amount of \$26,691.56

The Council approved authorizing the award of RFP #700-07 to Covenant Pipeline to provide sewer line video inspection services in the amount of \$26,691.56.

06/1121.7 Award of Diesel Particulate Trap Emissions Retrofit for Four Public Works Vehicles to Ironman Parts & Services in the Amount of \$35,250.53

The Council approved authorizing the award of RFP #707-07 to Ironman Parts & Services to provide retrofitting of Diesel particulate traps for four Public Works vehicles in the amount of \$35,250.53.

06/1121.8 Consider Authorizing an Amendment to the Memorandum of Agreement for the Santa Monica Bay Beaches Bacteria TMDL Implementation Plan to Jointly Fund a Required Technical Report to the Los Angeles Regional Water Quality Control Board

The Council approved the subject amendment.

06/1121.9 Consideration to Award a Contract to WILTEC to Provide Data Collection Services for the Downtown Parking Management Study (Not-to-Exceed \$49,700)

The Council approved the subject contract and authorized the expenditure to be paid from the City Council Contingency account.

### **BOARDS AND COMMISSIONS**

#### **Cultural Arts Commission**

06/1121.10 Consideration of Draft Minutes, Cultural Arts Commission Meeting of October 24, 2006

The Council received and filed the subject draft minutes.

#### **Planning Commission**

06/1121.11 Consideration of Action Minutes, Planning Commission Meeting of November 15, 2006.

The Council received and filed the subject action minutes.

06/1121.12 Consideration of Planning Commission Approval of a Use Permit and Vesting Tentative Parcel Map No. 67050 for Construction of 4 Residential Condominium Units in a 2-Story Building Over a Semi-Subterranean Parking Garage at 1551 Artesia Boulevard

The Council received and filed the subject report.

06/1121.13 Consideration of Planning Commission Approval of a Coastal Development Permit and Vesting Tentative Parcel Map No. 67075 for Construction of 2 Attached Residential Condominium Units at 116 Rosecrans Avenue

The Council received and filed the decision of the Planning Commission for the subject property.

### **COMMUNITY ANNOUNCEMENTS**

06/1221.19 Patrick McBride Re Upcoming Events

**Patrick McBride, 5<sup>th</sup> Street and Peck Avenue**, announced the Model Train Association's Model Train Exhibit on Tuesday, November 28, 2006, 2:00 p.m., Joslyn Center, and the Christmas bags and tags workshop on Tuesday, December 12, 2006.

06/1221.20 Rebecca Tan Re U.S. Mayors' Protection Agreement

**Rebecca Tan, No Address Provided**, Citizens for Global Solutions and Environmental Network, urged Mayor Tell to sign the U.S. Mayors' Protection Agreement.

Mayor Tell asked **Ms. Tan** to address this issue later in the meeting during "Audience Participation."

06/1221.21 Viet Ngo Re Corruption and Child Abuse

**Viet Ngo, No Address Provided**, extended an invitation to the FBI and District Attorney's office to come to Manhattan Beach to stop corruption and prosecute child abusers.

Mayor Tell advised that remarks such as **Mr. Ngo's** should be addressed later in the meeting under "Audience Participation."

Mayor Pro Tem Aldinger explained that the "Community Announcements" portion of the meeting is reserved for announcements about upcoming events in the City.

06/1121.22 Councilmember Fahey Re Pier Lighting, Holiday Fireworks and Arts Manhattan Exhibit

Councilmember Fahey announced the Annual Pier Lighting Ceremony on Saturday, December 2, 2006, Holiday Fireworks Festival on December 10, 2006 and the Arts Manhattan Exhibit, "Matter of Fact," on Sunday, December 10, 2006, 7:00 p.m.

06/1121.23 Councilmember Ward Re Santa Claus Parade

Councilmember Ward announced the Santa Claus Parade at Manhattan Village Mall on Friday, November 24, 2006.

06/1121.24 Mayor Tell Re Downtown Holiday Open House

Mayor Tell shared information on the success of the Downtown Business Association's Holiday Open House on Wednesday, November 15, 2006, including the window display winners/honorable mentions.

06/1121.25 Councilmember Fahey Re Senior Area Grand Opening

Councilmember Fahey called attention to the grand opening of the Senior area at Joslyn Center on Monday, November 20, 2006.

06/1121.26 Mayor Tell Re Happy Thanksgiving and Facilities Strategic Planning Committee Meeting

Mayor Tell wished everyone a Happy Thanksgiving! He invited interested parties to attend a Facilities Strategic Planning Steering Committee meeting on December 11, 2006, in the new Police and Fire Facility.

**PUBLIC HEARINGS**

None.

## **GENERAL BUSINESS**

### 06/1121.14 Report on Final Survey Results for Proposed Utility Underground Assessment Districts 8, 12, 13 and 14 and Consideration of an Appropriation of \$220,000 for Engineering Services for Districts 13 and 14

With the aid of a PowerPoint presentation, Senior Civil Engineer Stephanie Katsouleas presented the staff report. She explained the boundaries of Districts 8, 12, 13 and 14 and provided detailed background information on utility undergrounding, including: the utility undergrounding survey returns and the staff recommendations to (based on the 60% survey threshold requirements) receive the staff report as a Certificate of Sufficiency to initiate Districts 13 and 14, allocate \$180,000 from the general fund to begin design plans with Southern California Edison, and dissolve Districts 8 and 12. Senior Civil Engineer Katsouleas noted that Southern California Edison reduced the cost for District 13 by approximately \$40,000 and that, because all but one property owner in Districts 1, 3 and 5 have pulled permits to underground their utilities, the Public Works' contract for those districts will not be awarded.

In answer to questions from the Council, Senior Civil Engineer Katsouleas explained that, as part of a previous utility undergrounding plan in District D, a number of homes in the El Porto area already have underground utilities. She verified staff's intent to research how many of the survey non-responders in District 8 are commercial properties.

#### **The following individuals spoke on this item:**

- **Marva Woodard, Alma Avenue, District 13**
- **Robert Bush, No Address Provided**
- **Greg Cherep, No Address Provided, District 12**
- **Greg Zwernemann, No Address Provided, District 8**
- **Anna Collier, No Address Provided, District 13**
- **Martha Andreani, No Address Provided, District 8**
- **Patrick McBride, 5<sup>th</sup> Street and Peck Avenue**
- **Bev Morse, 900 Block of 1<sup>st</sup> Street**
- **Viet Ngo, No Address Provided**
- **Richard Sheehan, No Address Provided, District 13**
- **Jon Chaykowski, No Address Provided**

**MOTION:** Councilmember Fahey moved: to receive and file the staff report on the final survey results for proposed Utility Underground Districts 8, 12, 13 and 14; to receive and file the staff report as a Certificate of Sufficiency to move forward with Districts 13 and 14; and to appropriate \$180,000 from the General Fund to begin engineering design plans with Southern California Edison. The motion was seconded by Councilmember Montgomery and passed by the following unanimous roll call vote:

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes: None.  
Absent: None.  
Abstain: None.

The Council held a lengthy discussion regarding the misinformation disseminated against utility undergrounding with Councilmember Fahey stating that she believes it was an underhanded manner in which the information was distributed in District 12; that the previous support of utility undergrounding in District 12 until the time period for District 12 was extended by the Council at the request of opposing individuals and the misinformation about utility undergrounding was disseminated; and the idea of moving forward with a Proposition 218 vote for District 12, even though the 60% threshold for that district no longer exists. The Council also discussed the high voter turn out; the slight downward trend in favor of utility undergrounding; and the 60% threshold previously established by the Council in order to form a utility underground district.

Senior Civil Engineer Katsouleas confirmed that the survey results for District 12 were 60.5% in favor of utility undergrounding until misinformation was recently distributed.

City Manager Dolan advised that it will be necessary to appropriate \$80,000 for District 12 engineering costs.

**MOTION**: Mayor Pro Tem Aldinger moved to approve moving forward with District 12. The motion was seconded by Councilmember Montgomery and passed by the following roll call vote.

Ayes: Montgomery, Fahey, Aldinger and Mayor Tell.  
Noes: Ward.  
Abstain: None.  
Absent: None.

**MOTION**: Mayor Pro Tem Aldinger moved to appropriate \$80,000 from the General Fund for District engineering design costs. The motion was seconded by Councilmember Montgomery and passed by the following roll call vote:

Ayes: Montgomery, Fahey, Aldinger and Mayor Tell.  
Noes: Ward.  
Abstain: None.  
Absent: None.

With regard to District 8, the Council discussed an offer related by a speaker this evening for some residents to contribute \$80,000 toward future utility undergrounding design costs in an effort to prevent the dissolution of District 8. The Council noted that it has never been indicated that a district would not be dissolved if residents contributed needed funds; that residents in other districts were not given the opportunity to contribute funding before their districts were dissolved; that the City has spent approximately \$40,000 to date on District 8; and whether District 8 should move forward since the 60% threshold was not met, nor was there a clear majority in favor.

City Attorney Wadden advised that it is legal for the City to accept restricted gifts for restricted purposes such as utility undergrounding and that a monetary gift of that nature would reduce the total assessment amount.

**MOTION**: Councilmember Ward moved to dissolve District 8. The motion was seconded by Councilmember Fahey.

Council continued discussion included whether District 8 should be dissolved or move forward, as well as the importance of making a decision and moving on. The Council considered the idea of accepting the \$80,000 donation from residents and moving forward with a Proposition 218 vote on District 8, with the understanding that the \$80,000 would be forfeited if the 60% threshold is not met.

**MOTION**: Councilmember Ward moved to dissolve District 8. The motion was seconded by Councilmember Fahey and passed by the following roll call vote.

Ayes: Fahey, Ward and Mayor Tell.  
Noes: Montgomery and Aldinger.  
Abstain: None.  
Absent: None.

**RECESS AND RECONVENE**

At 8:09 p.m. the Council recessed and reconvened at 8:24 p.m. with all Councilmembers present.

Mayor Tell explained that, during discussion of Agenda Item 14 earlier this evening, he incorrectly related that the survey returns for District 8 were against utility undergrounding (61 households in favor and 60 against) and that he mistakenly applied the 60% threshold to District 8, when only a simple majority is necessary to move forward.

**MOTION**: Councilmember Fahey moved to reconsider Agenda Item 14 (Report on Final Survey Results for Proposed Utility Underground Assessment Districts 8,12, 13 and 14, and Consideration of an Appropriation of \$220,000 for Engineering Services for Districts 13 and 14). The motion was seconded by Councilmember Montgomery and passed by the following unanimous roll call vote:

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes: None.  
Abstain: None.  
Absent: None.

Senior Civil Engineer Katsouleas clarified that the Council's previous determination required a simple majority percentage of those voting, as well as a simple majority of the households for Districts 14 and below, and a 60% threshold of the number of households responding for Districts 15 and above, as long as the weighted vote is over 50%; that the District 8 survey returns included 61 households in favor, 60 households opposed and 17 households non-responsive (which equals a simple majority of 50.4% in support and 49.6% against); that District 8 could move forward to a Proposition 218 vote within one year; and that Districts 7, 9, 10 and 11 were previously dissolved.

**MOTION**: Mayor Pro Tem Aldinger moved to approve District 8 moving forward to a Proposition 218 vote and to accept the residents' contribution of \$80,000 toward District 8 engineering costs. The motion was seconded by Councilmember Montgomery and passed by the following roll call vote:

Ayes: Montgomery, Aldinger and Mayor Tell.  
Noes: Fahey and Ward.  
Abstain: None.  
Absent: None.

06/1121.15 Award a Professional Services Contract (\$105,840.00) to David Volz Design for the Design of Marine Avenue Park, Manhattan Village Tot Lot, Manhattan Heights Park, Polliwog Upper Parkette and Exercise Area Equipment Reconstruction Project

Parks & Recreation Director Richard Gill presented the staff report. He provided a detailed description of the recommended plans for Marine Avenue Park, Manhattan Village Tot Lot, Manhattan Heights Park and Polliwog Upper Parkette and Exercise Area Equipment Reconstruction. He explained the staff recommendation to award a contract in the amount of \$105,840 for design fees for this project to David Volz Design.

The Council discussed the positive aspects of the proposed designs; the process for evaluating the proposals; the project timeline how it would relate to the timing of the Facilities Strategic Plan; the project costs; and the importance of obtaining neighborhood input. The Council agreed that the Friendship Circle should be involved in the design of Friendship Park.

City Manager Dolan explained staff's support for moving ahead on the designs and how the timing of the designs would coincide with the Facilities Strategic Plan.

**The following individuals spoke on this item:**

- **Jon Chaykowski, 200 Block of John Street**
- **Viet Ngo, No Address Provided**
- **Patrick McBride, 5<sup>th</sup> & Peck**

City Attorney Wadden advised that this is a professional services design contract, to which applicable Government code sections apply, and that the City is required to consider both costs and qualifications when awarding this type of contract.

**MOTION:** Mayor Pro Tem Aldinger moved to approve awarding a professional services contract in the amount of \$105,840 to David Volz Design for the design of Marine Avenue Park, Manhattan Village Tot Lot, Manhattan Heights Park, Polliwog Upper Parkette and Exercise Area Equipment Reconstruction. The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote:

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes: None.  
Abstain: None.  
Absent: None.

06/1121.16 Consideration of a Final Report Regarding the Police & Fire Facility Project; Approve Change Order #85 to Swinerton Builders; Approve Final Adjustments to the Architect and Project Management Contracts; Formally Accept the Police & Fire Facility as Complete; Authorize the Filing of the Appropriate Notice of Completion; and Discuss and Provide Direction Regarding Allocation of Project Savings

City Manager Dolan expressed his appreciation for the assistance of the staff members who contributed to the success of the Police and Fire Facility Project.

Deputy City Manager Lombos gave the staff report. With the aid of a PowerPoint presentation, she reviewed the history of the Project; elaborated on the Project costs, which were



approximately \$1,012,784 (2.5%) under budget; and offered ideas regarding CIP projects on which the Project savings could be spent. Deputy City Manager Lombos explained the staff recommendations as follows: formally accept the Project as complete; authorize the filing of the appropriate notice of completion; approve Change Order No. 85 to Swinerton Builders in the amount of \$233,128 (\$50,000 credit for “owner’s allowance,” \$16,872 credit for punch list items and \$300,000 close-out adjustment); approve a final adjustment in the amount of \$70,000 to HOK; approve a final adjustment in the amount of \$30,000 to Vanir; reserve \$450,000 for remaining work (including furniture, fixtures and equipment and various public works’ items); accept approximately \$408,215 in interest earnings; and provide direction to staff regarding the allocation of the Project savings. At the request of Council, Deputy City Manager Lombos provided in-depth information about the Project warranties and the plans for a crosswalk at 13<sup>th</sup> Street.

City Manager Dolan verified that it is not unusual to obtain a temporary occupancy permit; that on-going reports about the status of yet-to-be completed items will be provided to the Council; and that the goal is to complete all City Hall improvements, which are not part of this Project, by early next year.

**The following individuals spoke on this item:**

- **Viet Ngo, No Address Provided**
- **Patrick McBride, 5<sup>th</sup> Street and Peck Avenue**
- **Bev Morse, No Address Provided**

In response to comments made by speakers addressing the Council on this item, City Manager Dolan provided clarification about the City’s receipt of approximately \$408,215 in interest earnings, as well as the staff recommendations to authorize Change Order No. 85 in the amount of \$233,128 to Swinerton Builders and close-out payments to HOK and Vanir.

The Council discussed the provision regarding delays in the contract with Swinerton Builders and the Council’s support of the Seniors. The Council then commended the outstanding project management, including the great cost savings, provided by City Manager Dolan, Deputy City Manager Lombos, and all team members.

**MOTION:** Councilmember Ward moved to receive and file the final presentation regarding the Police & Fire Facility project; formally accept the Project as complete; authorize the filing of the appropriate notice of completion; approve Change Order No. 85 to Swinerton Builders in the amount of \$233,128; approve a final adjustment in the amount of \$70,000 to HOK; approve a final adjustment in the amount of \$30,000 to Vanir; reserve \$450,000 for remaining work (including furniture, fixtures and equipment and various public works’ items); and accept approximately \$408,215 in interest earnings. The motion was seconded by Mayor Pro Tem Aldinger and passed by the following unanimous roll call vote:

Ayes:           Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes:           None.  
Abstain:       None.  
Absent:         None.

06/1121.17 Consider Approving the Installation of Synthetic Grass Around the Metlox Fountain

During a PowerPoint presentation, Senior Management Analyst Lindy Coe-Juell shared information on the difficulty of maintaining the grassy area around the Metlox fountain and the idea of installing artificial grass there.

Noting the close proximity of the Metlox fountain to the area in which artificial grass is proposed, the Council expressed concerns over the possibility of synthetic grass being slippery when wet.

Senior Management Analyst Coe-Juell confirmed that staff will look into whether artificial grass is slippery when wet. She related staff's understanding of how the problems with the sod in the vicinity of the Metlox fountain have occurred.

City Manager Dolan provided clarification concerning the area in which the artificial grass would be installed; the efforts taken to protect the sod after it has been installed; and the type of artificial grass proposed.

**The following individuals spoke on this item:**

- **Lester Silverman, No Address Provided**
- **Viet Ngo, No Address Provided**
- **Bev Morse, 900 Block of 1<sup>st</sup> Street**

City Manager Dolan clarified that Metlox Plaza is public property maintained by the City; that newer field turf is less slippery when wet; and that, should the artificial turf be approved, staff will affirm that it is not slippery when wet.

The Council discussed: the positive aspects of installing synthetic grass as proposed; the poor condition of the existing sod around the Metlox fountain; and the importance of researching if artificial grass will be slippery when wet.

**MOTION:** Mayor Pro Tem Aldinger moved to approve the installation of artificial grass around the fountain in the Metlox Plaza, subject to staff researching whether it will be slippery when wet, and to allocate \$20,000 for this purpose. The motion was seconded by Councilman Montgomery and passed by the following unanimous roll call vote:

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes: None.  
Abstain: None.  
Absent: None.

06/1121.18 Consideration of an Ordinance Increasing Elected Official Compensation and Consideration of a Resolution Reducing Elected Officials' Car Allowance

City Manager Dolan and City Attorney Wadden provided background information on this item. City Attorney Wadden explained the Finance Subcommittee's recommendations that the proposed increase to elected officials' salaries take effect after the March 2009 election; that their car allowances be reduced; that the Councilmembers with staggered terms, or their successors, can receive their increases after their re-elections; and that cost of living increases must be approved annually by ordinance.

**The following individual spoke on this item:**

- **Viet Ngo, No Address Provided**

The Council agreed with the much-overdue idea of increasing elected officials' salaries.

**MOTION:** Councilmember Fahey moved to introduce Ordinance No. 2094, and adopt Resolution No. 6074. The motion died for lack of a second.

Discussion continued with the Council deliberating whether or not elected officials' car allowances should be reduced.

City Attorney Wadden advised that the recommendation to reduce car allowances was to help keep the salary increase modest; that a \$300.00 per month salary is what is clearly allowed under the law at this time; and that the salary increase and the car allowance can be considered separately.

City Attorney Wadden read aloud the title of Ordinance No. 2094.

**MOTION:** Mayor Pro Tem Aldinger moved to approve the increase of elected officials' salaries as proposed, to \$500.00 per month, and to waive further reading and introduce Ordinance No. 2094. The motion was seconded by Councilmember Fahey and passed by the following unanimous roll call vote.

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes: None.  
Abstain: None.  
Absent: None.

Continued concerns over reducing elected officials' car allowances were expressed by the Council, particularly due to the high cost of gasoline and distances traveled. The Council agreed that no motion would result in elected officials' car allowances remaining status quo.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

06/1121.3 Approve a Request from the Chamber of Commerce to Cover Parking Meters from Friday, December 1, 2006 through Monday, December 25, 2006, Excluding the Pier and El Porto Parking Lots

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

**The following individual spoke on this item:**

- **Viet Ngo, No Address Provided**

The Council clarified that bagging the parking meters during the Holidays would be considered as foregoing the revenue they provide to benefit Manhattan Beach residents, and not as making a payment to the Chamber of Commerce.

City Attorney Wadden clarified that it is legal for the City to bag the parking meters.

**MOTION:** Mayor Pro Tem Aldinger moved to approve the request from the Chamber of Commerce to cover all off-street and on-street parking meters, excluding the pier and beach parking lots, from Friday, December 1, 2006, through Monday, December 25, 2006. The motion was seconded by Councilmember Fahey and passed by the following unanimous roll call vote.

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.  
Noes: None.  
Abstain: None.  
Absent: None.

### **AUDIENCE PARTICIPATION**

#### **06/1121.27 Robert Bush Re Utility Undergrounding**

**Robert Bush, No Address Provided**, related his dissatisfaction with the Council's determination this evening to move forward with a Proposition 218 vote on District 8 and he offered ideas on which the cost savings from the new Police and Fire facility could be spent.

#### **06/1121.28 U.S. Mayors' Climate Protection Agreement Re Global Warming**

**The following speakers urged the City Council to support the U.S. Mayors' Climate Protection Agreement and to develop a program to encourage energy conservation:**

- **Rebecca Tan, No Address Provided**
- **Lillian Light, No Address Provided**
- **Jan Kidwell, No Address Provided**
- **Bob Willett, No Address Provided**
- **Al Sattler, No Address Provided**
- **Portia Cohen, 400 Block of 10<sup>th</sup> Street**

Mayor Tell suggested that **Ms. Tan** ask staff to examine the ramifications of the City entering into the Agreement, after which the topic could be placed on a future City Council Meeting agenda.

The Council observed that the City appears to already be doing approximately 90% of what would be required of the City by entering into the Agreement. The Council discussed the idea of addressing global warming and energy conservation, especially for the construction of future buildings and agreed with staff researching the City entering into the Agreement, including related costs.

In response to a comment made by **Ms. Cohen**, City Manager Dolan clarified that the new Police & Fire Facility was built to the principles of LEED (Leadership in Energy and Environmental Design) Standards, but that the City is not LEED Certified.

The Council discussed the importance of helping prevent global warming and recommended that this topic be placed on a future Council meeting agenda early in January 2007.

06/1121/29 Viet Ngo Re Reimbursable Costs

Referring to discussion earlier in the meeting with regard to elected officials' compensation and car allowances (Agenda Item No. 18), **Viet Ngo, No Address Provided**, explained his understanding of reimbursable costs for elected officials.

**CITY MANAGER REPORT(S)**

None.

**OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS**

06/1121.30 Councilmember Montgomery Re Recognition of Finance Director Bruce Moe

Councilmember Montgomery commended Finance Director Bruce Moe, who was chosen as the best speaker at the ICA Summer Seminar.

06/1121.31 Mayor Pro Tem Aldinger Re Facilities Needs Assessment Steering Committee

Mayor Pro Tem Aldinger highlighted the success of the recent Facilities Needs Assessment Steering Committee meeting and he invited interested parties to attend the next meeting on Monday, December 11, 2006.

**ADJOURNMENT**

At 10:45 p.m. the meeting was duly adjourned to the 5:30 p.m. Adjourned Regular Meeting to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, December 5, 2006, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

\_\_\_\_\_  
WENDY WEEKS  
Recording Secretary

\_\_\_\_\_  
NICHOLAS W. TELL, JR.  
Mayor

ATTEST:

\_\_\_\_\_  
LIZA TAMURA  
City Clerk