

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING OF
NOVEMBER 1, 2005**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 1st day of November, 2005, at the hour of 6:32 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

PLEDGE TO FLAG

Montana Hunter, a 5th Grade Student from Meadows Elementary School, led the pledge of allegiance.

THE FOLLOWING ITEM WAS TAKEN OUT OF ORDER

CEREMONIAL CALENDAR

05/1101.1 Presentation of Commendation to Parks & Recreation's Assistant Pool Manager Nicolette Humphrey for Her "Extraordinary Citizenship" in Organizing the "Laps for Life" Hurricane Katrina Fundraiser

Mayor Fahey, on behalf of the City Council, presented Nicolette Humphrey with a commendation for Extraordinary Citizenship for organizing "Laps for Life" to raise money for Hurricane Katrina Victims.

05/1101.2 Presentation of Commendation to Dennis Keen for His "Extraordinary Citizenship" in Participating in the Kazakhstan Youth for Understanding USA Program

Mayor Fahey, on behalf of the City Council, presented Dennis Keen with a commendation for Extraordinary Citizenship for his participation in the Kazakhstan Youth for Understanding USA Program.

05/1101.3 Presentation of Commendation to American Martyrs Catholic Church in Recognition of their 75th Anniversary

Mayor Fahey, on behalf of the City Council, presented a commendation to President Chris Amantea, Vice President Deb Gunny and Secretary Walt Dougher, on behalf of American Martyrs Catholic Church, in recognition of their 75th Anniversary.

ROLL CALL

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

CONSENT CALENDAR

The Consent Calendar (Item Nos. 4 through 12), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Aldinger, seconded by Mayor Pro Tem Ward and passed by unanimous roll call vote.

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

GENERAL CONSENT

05/1101.4 Approve Minutes of the City Council Adjourned Regular and Regular Meeting of October 18, 2005

The Council approved the subject minutes.

05/1101.5 Consideration of the State Budget and Legislative Update from Shaw / Yoder, Inc., the City's Legislative Advocate

The Council received and filed the November Budget and Legislative Update from Shaw / Yoder, Inc.

05/1101.6 Consideration of Financial Reports:

a) Ratification of Demands: October 20, 2005

b) Financial Reports for the Month Ending September 30, 2005

The Council approved with no exception Warrant Register No. 9B in the amount of \$3,590,652.90 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 September 30, 2005.

05/1101.7 Award of Three Year Taxicab Franchises to All Yellow, Bell, South Bay Yellow and United Independent Cab Companies to Provide Taxicab Services (Annual Revenue of \$136,950).

The Council approved the Finance Subcommittee's recommendation to award four franchises to All Yellow Taxi (30 Cabs), Bell Cab (30 Cabs), South Bay Yellow Cab Cooperative (which includes Manhattan Yellow) (65 Cabs) and United Independent Cab (40 Cabs). The Council also approved authorizing the City Manager to execute the agreements with each of the taxicab franchises.

05/1101.8 Authorize the Purchase of Four Replacement Police Patrol Vehicles in the Amount of \$101,530.19 and One Dial-A-Ride Bus in the Amount of \$61,583.88

The Council approved an award of RFB #669-06 to Villa Ford in the amount of \$101,530.19 for the budgeted replacement of four patrol cars; approved an award of RFP #657-06 to A-Z Bus Sales for the purchase of a Dial-A-Ride vehicle in the amount of \$61,583.88, using prior year approved Proposition A Local Transportation Funds; and appropriated a carry forward amount of \$70,000 for the Dial-A-Ride vehicle from the Proposition A Local Transportation Fund.

05/1101.9 Disbursement of Progress Payment No. 7 in the Net Amount of \$41,469.75 to S.P. Pazargad Engineering Construction, Inc. for the Strand Improvement Project

The Council approved the issuance of the subject progress payment.

BOARDS AND COMMISSIONS

Cultural Arts Commission

05/1101.10 Consideration of Draft Minutes, Cultural Arts Commission Meeting of October 11, 2005

The Council received and filed the subject draft minutes.

Planning Commission

05/1101.11 Consideration of Action Minutes, Planning Commission Meeting of October 26, 2005

The Council received and filed the subject action minutes.

05/1101.12 Consideration of Planning Commission Approval of a Conditional Use Permit and Vesting Tentative Tract Map No. 061783, for Construction of 11 Residential Condominium Units for the Property Located at 1617-1623 Artesia Boulevard

The Council received and filed the decision of the Planning Commission.

COMMUNITY ANNOUNCEMENTS

05/1101.16 Susan Adams Re Hurricane Katrina Donations at Old Hometown Fair

Susan Adams, President of the Manhattan Beach Old Hometown Fair Board, thanked the community for their support in collecting donations for Hurricane Katrina relief during the Old Hometown Fair and presented a check for \$2,337.70 to Mayor Fahey for distribution to the American Red Cross.

05/1101.17 Fire Chief Dennis Groat Re 50th Anniversary of the Beach Cities Health District

Reporting on the 50th Anniversary of the Beach Cities Health District, Fire Chief Dennis Groat presented Council with an award from the Health District honoring the City of Manhattan Beach and members of the Fire Department for paramedic services provided to residents of the South Bay in partnership with the Beach Cities Health District.

05/1101.18 Police Chief Ernest Klevesahl Re Neighborhood Watch Meeting

Police Chief Ernest Klevesahl invited community members to participate in the Fall Neighborhood Watch Meeting on Thursday, November 3, 2005, at 7:00 p.m. at the Joslyn Center, where presentations will be made by the Police and Fire Departments regarding emergency preparedness.

05/1101.19 Parks and Recreation Director Richard Gill Re Veterans Day Ceremony

Parks and Recreation Director Richard Gill invited everyone to the Veteran's Day ceremony at Veterans Park at 11 a.m. on November 11, 2005, to honor the community's veterans.

05/1101.20 Information Systems Manager Leilani Emnace Re Training

Information Systems Manager Leilani Emnace announced that the additional City Clerk's staff, present this evening, is due to training on the Granicus system. She further indicated that the training will allow City Council meetings to be archived on the City's web site in the near future.

05/1101.21 Mayor Fahey Re Art Exhibit

Mayor Fahey announced that a new art exhibit will be opening at the Creative Arts Center on Monday, November 14, 2005, at 7:00 p.m. and invited the public to attend.

PUBLIC HEARING

None.

GENERAL BUSINESS

05/1101.13 Consideration of Northeast Area Neighborhood Traffic Management Program Initial Recommendations

Traffic Engineer Eric Zandvliet addressed Council with a PowerPoint presentation reviewing the initial recommendations related to the Northeast Area Neighborhood Traffic Management Program, an area bounded by Sepulveda Boulevard, Manhattan Beach Boulevard, Aviation Boulevard and Marine Avenue. He pointed out that several steps have already been completed and staff is ready to move forward to "develop, install and evaluate" stage and test the project. He reviewed the initial findings and concerns, emphasizing that the main cause for major street congestion on Meadows and Redondo Avenues is cut-through traffic. He pointed out that, while the through restrictions encourage the use of major streets and reduce congestion from cut-through traffic, they do inhibit direct access into and out of Manhattan Village; that there are a lot of violations of through-traffic restrictions; that weekend traffic counts are similar but lower; that all-way stop signs are justified on long streets; and that the south-bound left-turn signal out of the Manhattan Village Shopping Center is so congested that people divert to other streets to avoid the congestion. He reviewed the Comprehensive Neighborhood Traffic Management Plan for the Northeast Area, as listed in the staff report, and recommended that the Council direct staff to implement them for a six-month trial period.

In response to Mayor Fahey's inquiries regarding who is negatively impacted if vehicles go directly across Marine Avenue into the AdventurePlex and fields, Traffic Engineer Zandvliet explained that the residents imposed this restriction on themselves long before the AdventurePlex was built to prohibit through-traffic by Northrop Grumman employees, and noted that there would be no issue if that were the only destination.

Emphasizing that the situation has changed since the AdventurePlex and fields were built, Mayor Fahey requested that the restriction be readdressed to possibly limit the hours of the restriction and to determine the best situation for both residents and users of the AdventurePlex.

In response to Mayor Fahey's concern regarding north and southbound traffic on Meadows Avenue at Manhattan Beach Boulevard (drivers going around cars waiting to turn left and often clash with vehicles turning left in the other direction), Traffic Engineer Zandvliet explained that this is a very narrow street and there may not be enough room to stripe three lanes. He suggested studying the feasibility of splitting the signal northbound and southbound to have a left-turn arrow at the same time as the through traffic is going through.

In response to Councilmember Tell's inquiry regarding cut-through traffic on Meadows Avenue

and the potential of reducing it by 10% with through turn restrictions, Traffic Engineer Zandvliet stated that no restrictions were recommended because staff believes that residents are not willing to restrict themselves in order to eliminate cut-through traffic. He noted that staff has recommended more passive measures, such as coordinating traffic signals and modifying traffic signal timing to discourage through traffic on Meadows. He added that a lot of the traffic on Meadows is “school traffic”; that too close to Meadows would impact other streets, since the school traffic must still make its way to the school; that while there were some requests for stop signs, staff did not find any intersections that would justify more stop signs; and that the survey responses were not specific regarding what the residents on Meadows really wanted to do.

In response to Mayor Pro Tem Ward’s inquiry regarding the overall traffic volume from 1980 to the present, what the percentage increase has been and whether the tools are keeping up with the increase in volume, Traffic Engineer Zandvliet stated that the increase is about 1% per year, due to more trips being made, in general, both locally and regionally. He added that there has been an increase in this area of approximately 10% over the past 20+ years, which is no worse than other areas in the City.

In response to Councilmember Montgomery’s inquiry regarding the impact of westbound traffic on 19th, 21st and 23rd Streets due to restrictions, Traffic Engineer Zandvliet said samplings were taken on each street but nothing out of the ordinary was found.

In response to Councilmember Montgomery’s suggestion regarding installation of a dual-right-turn lane out of the Manhattan Village Shopping Center onto Marine that would allow more traffic to get out of the complex and go westbound on Marine to Sepulveda, Mayor Pro Tem Ward pointed out that some improvements will be made to this intersection as a result of the agreement with the City of El Segundo and suggested that this would be a good opportunity to make these changes.

Traffic Engineer Zandvliet agreed and noted that this could be incorporated as a larger project with the adjacent signal at Cedar.

In response to Councilmember Aldinger’s inquiry whether anything in the survey results were unique, different or unexpected, Traffic Engineer Zandvliet said that out of the 400 surveys that were returned, there was a lot of support for the proposed measures, with the exception of maintaining or removing the through restrictions at Marine, Meadows and Peck Avenues. He explained that the Manhattan Village residents want them removed and that the northeast area residents want them maintained.

In response to Mayor Fahey’s comment that traffic from Manhattan Village wishing to use Meadows is able to do so by simply taking a different exit and her inquiry as to whether traffic would be impacted by removing the restriction, Traffic Engineer Zandvliet indicated that the expectation is that it would not change the numbers drastically. He also agreed with Mayor Fahey that this is not being recommended because the focus of the study was how to improve neighborhood traffic.

In response to Mayor Fahey’s request for legal clarification regarding the possibility of a conflict of interest because she lives on Meadows Avenue and goes into Manhattan Village several times a day because her parents live there, City Attorney Robert Wadden clarified that this does not constitute a conflict.

The following individuals spoke on this item:

- **Freda Baker, 1800 Block of Herrin Avenue**
- **Penni Collins, 1300 Block of Marine Avenue**
- **Albert Roth, 1400 Block of 23rd Street**
- **Maroun Aboutanos, 19th Street**
- **Jim Schaeffer, 1300 Block of 23rd Street**
- **Sherman Fenster, Manhattan Village**
- **Barbara Bott, 1800 Block of Meadows Avenue**
- **Ali (no last name given), 1800 Block of Meadows**
- **Ron Butchart, 1100 Block of 18th Street**
- **Glen Melnick, 2200 Block of Meadows Avenue**
- **Kristan Ritchie, 1100 Block of 18th Street**
- **Patrick McBride, No Address Provided**
- **Mike (last name inaudible), 2200 Block of Meadows Avenue**
- **Janice Eisma, 1500 Block of Marine Avenue**
- **Steve Kallenbach, 1100 Block of North Meadows Avenue**

In response to questions from Council regarding the various traffic improvement measures and audience comments, Traffic Engineer Zandvliet reported that: staff will look into the handicapped parking space at 23rd Street and Meadows Avenue and determine if it is still necessary; that staff would not oppose residents requesting restricted parking and explained the application process; that he is not aware of specific requirements for businesses to encourage employees to park on-site and explained that the ideal would be to make it inconvenient for employees to park on the street, but, because it is a public street, anyone can use it; that, without prior permission from the property owner, using the old Lucky's Grocery Store parking lot for off-street parking would be considered trespassing; that further study of the measures around Meadows School would involve the principal, and possibly the PTA; that the recommendation to address traffic conditions on 18th Street is to install a stop sign at Cedar Avenue to keep speeds down; that no stop signs are being recommended on Meadows Avenue because of the safety concern that, if you put a four-way stop sign on a very high-volume street which intersects a very low-volume street, people stop stopping; that the residents did not want red curbs at 18th Street and Herrin Avenue because parking is already limited in this area; and that staff made a recommendation to narrow the street in front of the reservoir, but the residents were not in favor of this action.

MOTION: Mayor Pro Tem Ward moved to approve implementing Recommendations 1 through 20 (as listed in the staff report) of the Neighborhood Traffic Management Plan for a six-month trial period. The motion was seconded by Councilmember Tell and passed and passed by a unanimous roll call vote.

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

Council concurred to add the following recommendations to the 20 recommendations listed in the staff report for a six-month trial period:

- study the direct access into AdventurePlex from Redondo Avenue;
- consider installation of a left-turn arrow on Meadows Avenue at Manhattan Beach Boulevard, both southbound and northbound;
- work with residents on the cut-through problem on Meadows Avenue to reduce traffic;
- encourage business employees to park on-site, as well as look into Conditional Use Permits of these businesses

- consider more enforcement of the 25 mile-per-hour speed limit on Meadows Avenue;
- consider installation of two right-hand turn lanes at the Marine Avenue exit of Manhattan Village, westbound from Marine to Sepulveda;
- limit parking on the west side of Cedar Avenue, from Marine Avenue to 18th Street;
- ask the property owner of the old Lucky's Grocery Store on Sepulveda Boulevard for temporary parking permission;
- consider encouraging residents to use their garages and driveways for parking;
- study what amount of traffic is going through to Meadows Avenue from 23rd, 21st and 19th Streets

Hearing no objections, it was so ordered.

Councilmember Aldinger added that issues regarding Meadows Avenue and the middle school will be brought back when the Council reviews school traffic measures.

Mayor Fahey thanked the residents for participating in the process.

05/1101.14 Consideration of a Request from the Lions Club to Permit Recognition of Sponsors for the Braille Trail on Each of the Braille Panels

Parks and Recreation Director Richard Gill briefly reviewed the history of the Braille Trail Project reporting that concerns were raised about the recognition for donations at the bottom of each panel when the Lions Club submitted the 12 Braille panels to staff for installation. He pointed out that the conceptual drawings of the panels did not identify any recognition and that recognition was discussed briefly at the Parks and Recreation Commission meeting, but it was not clear in the narrative that recognitions would be located at the bottom of each panel. He stated that staff was under the impression that recognition would either be on one of the twelve panels, or small individual bronze-like plaques that could be placed at the bottom of each panel.

In response to Councilmember Tell's inquiry regarding how much interaction took place with the Lions Club following approval by Council, City Manager Dolan stated that there was no further interaction following Council approval until the plaques were presented to staff for installation.

Mayor Fahey explained that staff and the Council are concerned that to allow the plaques to remain as presented would set a precedent for future sponsorships and it is also not consistent with recommendations from the City's new consultant, Blu Moon Marketing, regarding signage and recognition.

Parks and Recreation Director Gill agreed adding that it is desirable to leave the donated items unaltered and non-commercialized, allowing recognition to take place in a separate area.

Marge Crutchfield, Chairperson for the Lions Club Braille Trail Project, reviewed the history of how the project was approved and introduced **Lions Club Member Dan Durros**, who spoke on behalf of the Lions Club.

Mr. Durros asked Council to approve the installation of the Braille Trail plaques as is, stating that the proposal included the word "plaques", which was intended as one plaque on each pole with the donor's name at the bottom of the plaque. He stated that it is not the recognition they are concerned about; that the plaques have already been fabricated in accordance with what they thought was approved by Council; that to change the plaques by cutting them would make them out of proportion; and asked Council for support of the proposed installation.

The following individuals spoke on this item:

- **Gary Osterhout, 500 Block of 31st Street**
- **Patrick McBride, No Address Provided**
- **Bob Bohner, 1600 Block of 2nd Street**

In response to Mayor Pro Tem Ward's inquiry regarding whether there was a prototype presented prior to fabrication, City Manager Dolan explained that while there was no prototype, the wording was approved by Council and the Lions Club said fundraisers might be held for the plaques, but that there was never any discussion at the Council level as to what that meant.

Councilmember Montgomery recommended requiring a mock-up for all future projects and commented that the culpability belongs to both parties - the City for not requiring a mock-up and the Lions Club for not providing the wording prior to fabrication. Explaining that he understands both sides of the situation, he stated that the City should either approve the panels as is or find a way to make the lettering smaller, at no cost to the Lions Club.

Agreeing with Councilmember Montgomery, Councilmember Aldinger commented that it was unfortunate that a mockup was not presented prior to fabrication and that if Council would have seen it from the beginning; it would probably have been denied.

Mayor Pro Tem Ward stated that it is unfortunate that a prototype was not provided prior to fabrication; agreed that it would be more tasteful to have a small brass type plaque with the same information in small print; remarked that the panel messages are beautiful and vividly provoking, but should be aesthetically pleasing for those who see the plaques also; and stated that while there is culpability on both parts, he believes the best solution would be to cut off the bottom portion and replace it with some other recognition.

Councilmember Tell agreed that it would not have been allowed in the initial approval and noted that while it isn't offensive to him, others may be offended by it. He suggested leaving the panels as is and see if there are complaints, at which time there could be modifications made.

Mayor Fahey commented that while she's not bothered by the plaques as presented, the issue is whether or not it sets a precedent and, if not, then there's no need to change it. She said the City made a mistake and while it is possible to require that the bottom be cut off, it is not necessary if a precedent is not being set. She said she believes this discussion makes it clear to any future sponsors that it won't happen again; noted that this is a unique project; and she does not think anyone in the community would walk by and be upset that the sponsor's name is included on the plaque.

MOTION: Councilmember Aldinger moved to approve the recommendation from the Parks and Recreation Commission to install a Braille Trail in Polliwog Park using the Braille panels, as fabricated and as presented in the staff report. The motion was seconded by Councilmember Montgomery and passed by unanimous roll call vote.

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

05/1101.15 Consideration of Cost Estimates for a Weekend and Summer Shuttle Service per the City Council Work Plan

Management Analyst Rob Osborne addressed Council with a PowerPoint presentation regarding the feasibility of creating a trolley system in the City, as part of the Council's 2005-2007 Work Plan. He reviewed the estimated cost for the system, including start-up costs of \$160,000 for the purchase of two new buses, and \$100,000 - \$200,000 per year for operation. He explained that Proposition A Funds are available for start-up costs and approximately \$55,000 of Proposition A Funds per year could go toward operations, however, because the City normally sells Proposition A Funds for 65 cents on the dollar, it would mean some loss of General Fund monies.

City Manager Geoff Dolan explained that the two-year commitment for the replacement of the 439 bus line totals \$86,000 and, once paid, will free up future funds for this system.

Management Analyst Osborne reported that, if Council concurs, staff intends to hold community meetings to determine community interest, followed by the issuance of a Request for Proposals (RFP).

In response to Councilmember Montgomery's comment that the City's Dial-a-Ride bus could be setup to include 8th Street and 2nd Street, Management Analyst Osborne agreed, noting that this is a conceptual plan that attempts to get relatively close to most areas in the City.

City Manager Dolan remarked that using the Dial-a-Ride service would not necessarily be the City's first choice, noting that it could be less costly to contract the service out.

Management Analyst Osborne explained that a fare structure was not figured into the cost of implementing the shuttle service.

The following individuals spoke on this item:

- **John Chaykowski, 200 Block of John Street**
- **Patrick McBride, No Address Provided**
- **Karol Walberg, No Address Provided**
- **Gary Osterhout, 500 Block of 31st Street**

Council discussed various aspects of what it will take to implement a successful trolley system in time for summer, including but not limited to: whether it is more appropriate to contract out rather than provide an in-house service; the need to conduct extensive community outreach in order to get a buy-in from the community and the timing for same; the timing required in order to develop an RFP in time for implementation during the summer; and the desirability of providing this service free-of-charge.

City Manager Dolan recommended, and Council concurred, that staff generate publicity through the various avenues currently used and that an RFP be prepared in the next 6-8 weeks, with appropriate advertising in order to ensure public input. He pointed out that if it is Council's desire to be ready by the first of June, it will be necessary to select the contractor several months in advance in order to have the vehicles personalized and, since an RFP has to be out for four weeks, it should be issued by the first of the year.

AUDIENCE PARTICIPATION

05/1101.22 Steve Blough Re Utility Undergrounding

Steve Blough, No Address Provided, spoke regarding the undergrounding of utility wires and the fact that there are people who simply cannot afford to pay the \$40,000 -50,000 cost. He expressed concern that the Engineer's Report does not separate and quantify the difference between general and specific benefits, as required by the California Constitution, and there has been no attention by the City to make sure that the report properly qualifies what benefits should be paid for by the City versus what benefits should be paid for by the residents who live in this particular district. He referred to a consultant's report from 2000, on file with the City, regarding whether or not there should be additional attribution for property with views and noted that this report was ignored in the Engineer's Report as well. He requested that each Councilmember read the Engineer's Report and try to understand how the Engineer came up with no general benefit to the City overall, given the amount of undergrounding going on at Ardmore Avenue and 2nd Street.

05/1101.23 Patrick McBride Re Various Items

Patrick McBride, No Address Provided, commented that the camera work at Council meetings does not cover the City Manager very well and noted the importance of covering his input; that the 3-minute time limit does not allow for sufficient comment for some items and recommended that Manhattan Beach follow the lead of the City of Redondo Beach for long presentations and allow unlimited speaking time; that the Police & Fire Facility, when scaled up, comes to about \$400 billion or the cost of two Iraq wars; encouraged the City to get tough with regard to the contractor's delays; and asked the Council to adopt a policy to spend the money wisely, especially with regard to purchasing surplus school property.

05/1101.24 Jon Chaykowski Re Utility Undergrounding

Jon Chaykowski, 200 Block of John Street, distributed two letters to Council in opposition to the utility undergrounding assessment stating that the basis and selling points for the initial undergrounding petition was the safety of wires falling on the yard and beautiful ocean views. He referred to the poles along Ardmore, which he believes are a risk to public property, not private property, and disagreed with the assessment that the safety issue is for private property. He referred to a 1997 memorandum to the City Council from the Director of Public Works which talked about disproportionate benefits, indicating that properties on a hill may benefit more and that finding an equitable way to measure benefits will be a challenge in these areas. He said the assessment is terribly flawed and asked the City Council to do right by the residents and stop the process.

05/1101.25 Lorie Chaykowski Re Utility Undergrounding

Lorie Chaykowski, No Address Provided, expressed opposition to the undergrounding and said she represents the widow, single mother, and retired couple on a fixed income, who will all be faced with a financial burden if the undergrounding is implemented. She remarked that the cost has gone from a reasonable \$5,000 to \$10,000 to an unaffordable rate of \$30,000 to \$60,000 and while this amount is not a problem for many people, it is not fair for those who cannot afford it. She emphasized that putting the lines underground is about beautification, not safety; that people with aging parents know it costs a lot of money to care for them and that the senior citizens may need the equity from their home for future care; that people are only thinking about themselves, not their neighbors; and that this will cause a financial burden on the community. She asked everyone who will be voting to think hard about their neighbors and friends who cannot afford it and asked Council how "we" got this far for something that is so wrong.

In response to **Ms. Chaykowski's** question, Mayor Fahey answered that the neighbors started
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the petition and voted overwhelmingly in favor of forming the District and starting the process. She clarified, however, that seniors who, because of a pension, receive more than \$24,000 per year cannot defer their assessment as some previously thought.

Councilmember Tell explained the option of a reverse mortgage, which does not cost anything and allows deferral until the house is sold. He stated that with the amount of appreciation of houses in Manhattan Beach, \$40,000 -50,000 is “doable” and pointed out that he is working with his own neighbors to make sure these issues don’t impact their everyday lives.

In response to Mayor Fahey’s inquiry regarding legal questions raised in writing this evening, City Attorney Robert Wadden stated that he has seen the Engineer’s Report and believes it is legally defensible. He said typically these Districts don’t have general benefits and, if they did, the City would have to come up with some money. He added that in an Underground District, the primary value is aesthetic rather than safety and, if challenged in court, he believes the City would prevail.

Councilmember Aldinger said it would be very difficult to assign a view preservation value to the entire City, noting that people who drive on Ardmore are not all residents of the City.

CITY MANAGER REPORT(S)

05/1101.26 City Manager Geoff Dolan Re Downtown Trick or Treating

City Manager Dolan reported that City staff will meet with the Downtown Business and Professional Association regarding their Trick-or-Treating Program regarding the possibility of closing the street next year for safety reasons.

05/1101.27 City Manager Geoff Dolan Re Police & Fire Facility

Following up on concerns expressed at the last City Council meeting regarding the Police & Fire Facility Project, City Manager Dolan stated that he has spoken to Swinerton (the contractor) regarding the City’s concerns and that the result has been an increase in onsite activity. He reported that the meeting with Swinerton resulted in an agreement on the following items: the need for a “hot list” of items identified by both Swinerton and staff determining where they are in the process; a revised schedule provided by Swinerton to the City Manager that can measure success; and a commitment by both parties to become problem solvers. City Manager Dolan reported that staff is moving forward to develop the “hot list” and that during the weekly meeting it was reported that several of the items on the “hot list” had already been resolved through mutual cooperation. He said the new schedule should be ready in two weeks; that several items are reaching resolution, including an alternate window system that meets the Title 24 requirements, and with a 4-week lead time rather than 18-weeks; that the roof issue is being resolved; that the storm damage was reviewed and the damaged drywall and insulation have been replaced; and that Swinerton is waiting for sign-off by environmental engineers regarding potential mold problems. He reported that, unfortunately, the fountains are more expensive than originally proposed and the fountain on 13th Street may have to be re-thought due to the fact that there appears to be insufficient room for the tank. He further expressed an expectation that substantial completion will be achieved some time early next year so that occupancy can take place, with the exterior completion to follow. He said a subcommittee meeting will be held soon to discuss the fountain situation in further detail but, in general, he feels better than he did two weeks ago, noting that staff has certainly gotten the contractor’s attention.

Mayor Fahey said she is glad to see progress and emphasized that the serious stance must continue in order to ensure the project will be completed.

Councilmember Tell concurred and reported he toured the site yesterday and noted that while there is new energy on-site, it is important to keep up the pressure to complete the project.

City Manager Dolan concluded by stating that he has asked the Vice President of Swinerton to return every 10 days to tour the site; that their superintendent is aware of the need to be more available out in the field either personally or through a representative; and that they have been receptive to that.

OTHER COUNCIL BUSINESS & COMMITTEE REPORTS

05/1101.28 Councilmember Aldinger Re Follow Up to Adelphia's Camera Work

In response to Councilmember Aldinger's request for additional input regarding **Mr. McBride's** concern with Adelphia's camera work, City Manager Dolan said he believes that it is not an issue of clarity but that the camera remains fixed on a position for long periods of time and is not "airing" the person who is speaking.

05/1101.29 Councilmember Aldinger Re Next Tuesday's Election

Councilmember Aldinger reminded everyone to vote on Tuesday, November 8th.

05/1101.30 Mayor Fahey Re Bicycle Safety

Mayor Fahey expressed concern regarding bicycle safety, noting that most youth and adult bicyclists do not stop at stop signs. Stressing that children may not be aware of the laws and although it may take enforcement of bicycle safety rules by issuing tickets, she suggested working with the School District on an aggressive bicycle safety program, perhaps through the School Subcommittee, following the election.

City Manager Geoff Dolan added that bicycle safety is part of the City Council's Work Plan and noted that the City had applied for, but was not awarded, a bicycle grant.

MAYOR FAHEY ALLOWED THE FOLLOWING SPEAKER TO COMMENT OUT OF ORDER

05/1101.31 Frank Matranga Re Utility Undergrounding

Frank Matranga, 100 Block of North Ardmore Avenue, stated that he took exception to the comment made by Councilmember Tell regarding getting a reverse mortgage for those residents who could not afford to pay the Utility Undergrounding Assessment noting that a \$100,000 reverse mortgage could add up to \$30,000-\$40,000 in interest, depending on how long you live, just to satisfy those who want undergrounding. He commented that he lives at the bottom of the hill and receives no benefit from undergrounding and that the original estimated cost of about \$4,000 was reasonable, but the current cost of \$40,000-60,000 is over the top, and doesn't include the additional price to wire from the curb to the house. He said he is very upset about this, noting that perhaps the people who have recently moved into town can afford it but retired residents who do not have the money can not afford it.

Councilmember Tell clarified that he made the comment regarding the reverse mortgage as a resident working with his neighbors in District 4 and that it had nothing to do with him being a member of Council.

ADJOURNMENT

At 10:15 p.m. the meeting was duly adjourned to the 5:30 p.m. Adjourned Regular Meeting, to be followed by the 6:30 p.m. Regular City Council Meeting, on Tuesday, November 15, 2005, in said City.

MERNA MARSHALL
Recording Secretary

JOYCE FAHEY
Mayor

ATTEST:

LIZA TAMURA
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
ADJOURNED REGULAR MEETING
NOVEMBER 1, 2005**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, scheduled for the 1st day of November, 2005, at the hour of 6:00 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City, was cancelled.