

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

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 1st day of March, 2005, 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

Ellen Bruno, an 8th grade student from Manhattan Beach Middle School, led the pledge of allegiance.

ROLL CALL

Present: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Absent: None.
Clerk: Tamura.

CEREMONIAL ITEMS

05/0301.1 Recognition of City of Manhattan Beach Employees:
a) City Employee of the Year
b) Police Department's Police Officer of the Year
c) Fire Department's Firefighter of the Year

Public Works Director Neil Miller announced the selection of Water Plant Operator William Evenson as City Employee of the Year, recognizing him for his quick response during a computer system failure, avoiding possible water contamination city-wide.

The Council and Police Chief Ernest Klevesahl presented Officer Hank Crosset with the 2004 "Officer of the Year" Award.

The Council and Fire Chief Dennis Groat presented Firefighter Frank Chiella with the 2004 "Firefighter of the Year" Award.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 2 through 11), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Ward, seconded by Councilmember Aldinger and passed by unanimous roll call vote with the exception of Item No. 9, which was considered later in the meeting under *Items Removed from the Consent Calendar*.

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Noes: None.
Absent: None.
Abstain: None.

GENERAL CONSENT

05/0301.2 Approve Minutes of the City Council Adjourned Regular and Regular Meeting of February 15, 2005

The Council continued the subject minutes to the March 15, 2005 City Council Meeting.

05/0215.19-3 Adoption of an Ordinance Allowing the Sampling of Products on the Beach with Prior City Council Approval.

The Council adopted Ordinance No. 2073 amending Section 12.08.260 of Chapter 12.08 of Title 12 of the Manhattan Beach Municipal Code, allowing the sampling of products on the beach with prior City Council approval.

ORDINANCE NO. 2073

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AMENDING SECTION 12.08.260 OF CHAPTER 12.08 OF TITLE 12 OF THE MANHATTAN BEACH MUNICIPAL CODE REGARDING PERMITTING SAMPLING ON THE BEACH

05/0301.4 Consideration of Financial Report: Ratification of Demands - February 24, 2005

The Council approved with no exception Warrant Register No. 18B in the amount of \$1,662,138.11 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.

05/0301.5 Donation of a Used K-9 Bite Suit to the San Miguel Colorado County Sheriff's Office

The Council approved the donation of the City's used bite suit to the San Miguel Colorado County Sheriff's Office.

05/0215.15-6 Adoption of a Resolution Regarding an Appeal of the Planning Commission Decision Approving a Use Permit and Coastal Development Permit to Allow On-Site Wine Tasting and Food Sampling at an Existing Retail Wine Store, for Bacchus, Located at 1000 Manhattan Avenue

The Council adopted Resolution No. 5966 modifying the Planning Commission decision approving the use permit and coastal development permit to allow wine tasting.

RESOLUTION NO. 5966

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT ALLOWING AN ADDITION OF WINE SAMPLING TO AN EXISTING RETAIL WINE STORE LOCATED AT 1000 MANHATTAN AVENUE (Bacchus)

05/0301.7 Award an Engineering Design Services Contract to S. A. Associates for the Resurfacing of Streets Around the Civic Center in an Amount Not-to-Exceed \$30,000

The Council approved an award of a professional services contract for resurfacing of the streets around the Civic Center R to S.A. Associates in an amount not-to-exceed \$30,000.

05/0301.8 Consideration of Compensation Adjustments for City Manager and City Attorney

The City Council approved amending the City Manager and City Attorney's employment agreements to provide compensation adjustments for 2005.

05/0301.9 Status Report on the City Council's 2004-2005 Work Plan Item Regarding Review of the Downtown Parking Requirements

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

BOARDS AND COMMISSIONS

Cultural Arts Commission

05/0301.10 Consideration of a Recommendation from the Cultural Arts Commission to Place the Chad Keller Memorial Bench in Parque Culiacan

The Council approved the recommendation from the Cultural Arts Commission to place the Chad Keller Memorial Bench in Parque Culiacan.

Planning Commission

05/0301.11 Consideration of Action Minutes, Planning Commission Meeting of February 23, 2005

The Council received and filed the subject action minutes.

COMMUNITY ANNOUNCEMENTS

05/0301.18 Neil Miller Re Strand Reconstruction Groundbreaking Ceremony

Public Works Director Neil Miller announced the official groundbreaking ceremony for the Strand reconstruction project on Thursday, March 3, at 4 p.m. just south of the Pier.

05/0301.19 Viet Ngo Re Compensation for City Manager and City Attorney

Viet Ngo, no address provided, announced the actions taken by the City Council regarding City Manager Dolan's compensation is in violation of the RICO Act and cited several cases that he believed apply to this matter.

05/0301.20 Don McPherson Re Loss of Experience on Council

Don McPherson thanked and congratulated Mayor Wilson and Councilmember Napolitano on their combined service to the city totaling 21 years.

05/0301.21 Mayor Pro Tem Fahey Re Little League Opening Day

City Council Meeting Minutes of March 1, 2005

Mayor Pro Tem Fahey announced the beginning of the Little League season scheduled for Saturday, March 5, 2005, beginning with a parade at 9:00 a.m. starting at 15th Street and Valley Drive.

05/0301.22 Councilmember Aldinger Re Election Day Tuesday, March 8, 2005

Councilmember Aldinger reminded voters that Election Day is Tuesday, March 8, and encouraged everyone to vote.

PUBLIC HEARINGS

None.

GENERAL BUSINESS

05/0301.12 Presentation of the Leadership 2005 Class Project – “Bridging the Generations”

City Manager Geoff Dolan introduced Assistant Finance Director Russell Morealle, a member of the Leadership 2005 Class, who gave a PowerPoint presentation on the Class Project “Bridging the Generations”. He explained the goal of Leadership Manhattan Beach and noted that, to date, 323 leaders have gone through the program during the past fourteen years. He explained that “Bridging the Generations” involves production of a documentary, which has been coordinated with many organizations.

Class member Debra Strift explained that the class decided to tap into the seniors, gathering their memories to make them feel a part of the community and putting together a valuable resource for the newer members of the community. She thanked the many stars of the project and expressed the hope to have the project ready for premier by June 12. She added that their hope is to make a living memory that can be stored forever and edited to be of interest to the community as well as fit into the parameters of the state-mandated school curriculum.

Assistant Finance Director Russell Morealle introduced the other members of the class and acknowledged the facilitation done by **Kathleen Terry** and **Paul Allman**.

There was no public comment on this item.

Mayor Pro Tem Fahey thanked the Leadership Class for this meaningful, timely project.

In response to Councilmember Ward’s inquiry regarding plans for showings of the program, **Class member Francie Schekenger** explained the idea to broadcast on the specialized hotel channels, distribute to the libraries, to the historical society and the school district, as well as at the premier party on June 12. She added that there will be coverage in all of the local newspapers, on Aldelphia cable, as well as showing the DVD to the community at other viewings.

Assistant Finance Director Russell Morealle pointed out that the class has made a conscious decision that the project will not be sold for profit, and that donations will be put forth for cost recovery only.

Councilmember Aldinger pointed out that the people in the current class are all involved in the community and thanked the Board for doing a great job this year.

Mayor Wilson, on behalf of the Council, received and filed the presentation.

05/0301.13 Consideration of a Recommendation from the Parks and Recreation Commission

to Install a Braille Trail in Polliwog Park

City Manager Geoff Dolan introduced Parks and Recreation Director Richard Gill, who explained the request from the Manhattan Beach Lions Club to install twelve 36-inch high pedestals between the pond and Premier Field in the northern section of Polliwog Park to be used for the blind and partially sighted that will describe the history of the park in Braille. He noted that city staff, the Parks and Recreation Commission and representatives of the Lions Club discussed the proposal at the Commission meeting on January 28, at which time Lions Club representatives explained that the “Braille Trail” will be used by teachers and others who work with the blind or partially sighted and may include organized outings with the various agencies and hospitals that work with the blind and partially sighted. He explained that staff contacted the school district—specifically the physical education department at Manhattan Beach Middle School—who had no concerns regarding the placement of the pedestals. He concluded by stating that the Parks and Recreation Commission unanimously recommended approval of the project to the City Council, as proposed.

In response to Councilmember Ward’s request for a detailed description of the pedestals, Parks and Recreation Director Richard Gill explained that the pedestals will be made out of galvanized steel.

Mr. Dan Durros, President of Manhattan Beach Lions Club, reviewed the history of the Lions Club’s work with the blind since 1926. He introduced Marge Crutchfield who reviewed the proposal and explained the plan for maintaining it by Lions Club members who will inspect it on a weekly basis. She noted that the material was written to reach children and will include Braille and English, for the blind people who never learned to read Braille. She emphasized that sighted children in the area can profit from seeing what it’s like to be blind, to help them respect differences and understand diversity. She thanked City staff for their helpful assistance and concluded by expressing hope that the project will start once approval is granted and when the park is ready.

Councilmember Ward commended the Lions Club for the narrative, noting that the language is playful and visually stimulating, and while he cannot imagine what it is like to be blind he believes it will be thought provoking.

Mayor Wilson thanked the Lions Club for leading the charge on this project and noted the ongoing project for collecting eyeglasses for third-world countries.

In response to Mayor Pro Tem Fahey’s inquiry regarding the method of advertising to be used, **Mr. Durros** stated that the Club will depend heavily on the school district and other Lions Clubs in the area to get the word out about the trail.

MOTION: Mayor Pro Tem Fahey moved to approve the recommendation from the Parks and Recreation Commission to install a Braille Trail in Polliwog Park. The motion was seconded by Councilmember Ward and passed by the following unanimous roll call vote:

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Noes: None.
Absent: None.
Abstain: None.

05/0301.14 Consideration of an Agreement with Shaw / Yoder, Inc. for Legislative Advocacy and Lobbying Services

City Manager Geoff Dolan explained that, for several years, the City retained a firm to perform lobbying services which included assisting with getting library legislation passed, arranging meetings with legislators in Sacramento, and assisting with various grant applications; however, approximately a year ago, it was decided that the services of the firm did not meet the needs of the City and, thus, the contract was canceled. Since that time, staff has become familiar with Shaw / Yoder, the firm that provides service to the Independent Cities Association.

Councilmember Napolitano explained that because of previous business with the firm of Shaw / Yoder, he would be abstaining from voting on this item.

City Manager Geoff Dolan introduced Tony Rice, Legislative Advocate for Shaw / Yoder and the City's primary contact with the firm, who briefly introduced himself and explained his credentials.

In response to Mayor Wilson's inquiry regarding the firm's plans to provide updates to the Council, City Manager explained that the specific deliverables include a written monthly report on legislative updates, in-person presentations three to four times per year to the City Council at their request, representing the City in Sacramento and coordinating meetings in Sacramento. Mr. Rice added that members of the firm would visit the City, at their own expense, to get to know the City Council and various departments to determine the exact needs of the City, as well as help look for grant opportunities and identify other legislative needs.

There was no public comment on this item.

Mayor Pro Tem Fahey expressed support of having a face and presence in Sacramento, as well as someone to make introductions for the City and this is a good idea.

Mayor Wilson commented that it is all that more important to have a face in Sacramento now that the cities have banded together to not let the State keep taking our revenue sources.

MOTION: Mayor Pro Tem Fahey moved to authorize the City Manager to enter into an agreement with Shaw / Yoder, Inc. to provide legislative advocacy and lobbying services at a cost of \$1,000 per month. The motion was seconded by Councilmember Ward and approved by the following roll call vote:

Ayes: Ward, Aldinger, Fahey and Mayor Wilson.
Noes: None.
Absent: None.
Abstain: Napolitano.

05/0301.15 Presentation of the City's New Streaming Video Webcasting Service

City Manager Geoff Dolan introduced Information Services Manager Leilani Emnace and explained that the broadcast has a 20 second delay; that meetings can now be accessed from anywhere through the Internet; and pointed out that the reorganization of the Council at the next meeting will be broadcast online.

Information Services Manager Leilani Emnace reported that, as part of the City Council's 2004-2005 Work Plan, staff was directed to implement streaming video of Council meetings. She noted that, beginning tonight, all City Council meetings will be broadcast over the Internet for viewing, allowing viewers who either do not subscribe to cable in Manhattan Beach, or who live outside the area, to watch Council meetings. She pointed out that during off hours the cable feed

from Channel 8 will be broadcast. She explained the process one would go through to access the video streaming and, although unable to access it live (due to technical difficulties with the computer), users with either DSL or cable access should be able to access without problem. She explained that the meetings will be archived in the future, but currently they are only broadcast live and replayed at the regular time through continuous live feed of channel 8.

There was no public comment on this item.

The Council received and filed this presentation.

05/0301.16 Presentation of the Proposed Landscape Design for the Downtown Streetscape District and Approve Appropriation of \$40,000

City Manager Geoff Dolan introduced Public Works Director Neil Miller, who explained that the City met with the Downtown Business Association and put together a list of items to spruce up the downtown. Following Council approval of a partial list of improvements, the Council asked for more detail on the proposed landscaping improvements.

Public Works Director Neil Miller introduced Maintenance Superintendent Juan Price, who gave a PowerPoint presentation and explained the proposed landscape improvements for the “gateway area” coming down Manhattan Beach Boulevard to downtown. He reviewed the areas where improvements are proposed for enhancement in landscape and described the proposed baskets and planting material for both the baskets and in the planters at ground level. He further explained that the intention is to place four hanging planters at each intersection.

In response to Mayor Pro Tem Fahey’s concern regarding the possibility of the hanging plants dripping water on pedestrians as they drain following rain, Maintenance Superintendent Price explained that the planters should drain out in approximately 10-15 minutes very early in the morning, and he does not expect it to be a problem.

In response to Councilmember Ward’s inquiry regarding design, Maintenance Superintendent Juan Price explained that, depending on the corner, they may have to be offset due to the existing mastheads and the planters will be made to accommodate the existing structure.

In response to Councilmember Aldinger’s suggestion that the planters hang a maximum of 8-10 feet, Maintenance Superintendent Price stated that it would be possible if they were not hung on the street side, but rather only over the sidewalk.

In response to Mayor Pro Tem Fahey’s inquiry regarding the cost breakdown, Maintenance Superintendent Price explained that the preliminary estimates from the landscape contractor include removing existing vegetation, preparing the soil, labor time and materials to fabricate the baskets in house, and hanging baskets.

Mayor Pro Tem Fahey suggested they make one hanging basket and see if it is going to work.

The following individuals spoke on this item:

- **Carol Rowe, Downtown Business Association.**
- **Gary Osterhaut, 500 block of 31st Street**

Mayor Wilson expressed support of the hanging baskets, noting that 14 feet may be too high.

Councilmember Napolitano stated that the approach is appropriate and this is an immediate need

that will coincide with the timing of the reopening of Metlox. He suggested an example be fabricated first for viewing by Council, showing the various heights to see what it will take before going directly to hanging baskets.

Councilmember Ward stated that he is not in favor of having anything hanging over the street and suggested each pole have two over the sidewalks.

Mayor Pro Tem Fahey stated that it was her intention to do something to the downtown after Metlox was approved. She added that while there are many things that need to be accomplished, including capital improvement projects, it is not appropriate to hold off.

In response to Councilmember Aldinger's inquiry whether this is part of a larger plan, Public Works Director Miller explained that there are other items such as signage, tile maintenance or replacement with stamped concrete, and directories, and all are on the list and will be on the unfunded list for consideration.

MOTION: Mayor Pro Tem Fahey moved to approve an appropriation from the Council Contingency Fund of a maximum of \$40,000, and that a mockup be provided for Council approval prior to completion. The motion was seconded by Councilmember Ward and approved by the following unanimous roll call vote:

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Noes: None.
Absent: None.
Abstain: None.

05/0301.17 Presentation of the Parks and Recreation Annual Report for Fiscal Year 2003-2004

City Manager Geoff Dolan introduced Director of Parks and Recreation Richard Gill, who presented the Parks and Recreation Annual Report in video format which highlighted the year's activities and programs.

Mayor Wilson thanked and congratulated Parks and Recreation Director Richard Gill, as well as the entire Department, for a job well done.

The Council received and filed this presentation.

ITEMS REMOVED FROM THE CONSENT CALENDAR

05/0301.9 Status Report on the City Council's 2004-2005 Work Plan Item Regarding Review of the Downtown Parking Requirements

In response to Councilmember Aldinger's inquiry why staff is recommending that the review of the Downtown Parking Requirements be delayed until December of 2006, City Manager Geoff Dolan explained that it was the feeling of the staff that the new facilities and parking lots should be open and operating in order to evaluate how they integrate.

Councilmember Napolitano agreed that the study should be delayed but emphasized that, when the study is conducted, he recommends Council use existing resources to do the work and not hire a consultant, noting that these things are not new and do not require a consultant.

Mayor Wilson agreed that it is appropriate to wait until the new facility is open and more information is available to make a needs assessment.

MOTION: Mayor Pro Tem Fahey moved to receive and file the report. The motion was seconded by Councilmember Ward and approved by the following unanimous roll call vote:

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Noes: None.
Absent: None.
Abstain: None.

AUDIENCE PARTICIPATION

05/0301.23 Charlene DeLong Re Location of Property and Other Matters

Charlene DeLong, resident of Torrance, stated that she has had difficulty locating a piece of property in Manhattan Beach which she owns and said she would also like help finding a job that would utilize her skills as a paralegal in Manhattan Beach.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS & COMMITTEE REPORTS

05/0301.24 Councilmember Ward Re Sketchers' Development

Councilmember Ward asked why there is no need for a public hearing on the Sketchers building on Sepulveda, due to the fact that the final design is different than was discussed in public meetings.

Community Development Richard Thompson explained that the Sketcher's office building was approved by the City on Sepulveda at Longfellow at a certain amount of square footage and parking spaces and, since that time, the Sketcher family has made minor changes to the building. The only change is the actual design of the outside of the building, over which the City does not have any provisions in the codes and ordinances regarding architectural review. He added that what is being proposed is similar to what was approved in terms of mass and volume; in terms of design, the building that was approved before could be characterized as modern, circular front contemporary and has been changed to a more traditional type of office building.

In response to Councilmember Ward's inquiry regarding parking, Community Development Director Richard Thompson explained that the project includes four levels of underground parking, which was part of the original project; the loading area is the same; ingress and egress is the same; and that they have basically cut out some expenses to make it a more efficient use of the space.

Mayor Pro Tem Fahey suggested that in the future, staff consider making a short presentation to Council for projects that have received significant public scrutiny and there is going to be a change.

ADJOURNMENT

At 8:25 p.m. the meeting was duly adjourned, in memory of Dr. Felix Starr, to the 5:30 p.m. Adjourned Regular Meeting, to be followed by the 6:30 p.m. Regular City Council Meeting, on

Tuesday, March 15, 2005, in said City.

MERNA MARSHALL
Recording Secretary

LINDA WILSON
Mayor

ATTEST:

LIZA TAMURA
City Clerk