

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING OF
JANUARY 18, 2005**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 18th day of January, 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

Public Works Director Neil Miller led the pledge of allegiance.

ROLL CALL

Present: Ward, Napolitano, Aldinger and Mayor Pro Tem Fahey.
Absent: Mayor Wilson.
Clerk: Tamura.

CEREMONIAL ITEMS

05/0118.1 Presentation of Certificates Recognizing the Mira Costa Girls Volleyball Team Champions - CIF State Division I

Mayor Pro Tem Fahey, on behalf of the Council, presented certificates of recognition and city pins to Head Coach DaeLea Aldrich, Captain Michelle Kandell and Captain Taylor Carico of the Mira Costa Girls Volleyball Team in recognition of their CIF State Division I Championship.

Alexa Altamura, Lauren Bledsoe, Jennifer Domer, Lindsay Gardner, Jessica Hardy, Semra Hunter, Alix Klineman, Brittani Kordic, Stephanie McGurk, Jennifer Rupp, Rachel Salcer, Rachel Short, Stephanie Stromath and Assistant Coach Lisa Arce were unable to attend.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 2 through 8), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Ward, seconded by Councilmember Aldinger and passed by the following roll call vote with the exception of Item No. 6, which was considered later in the meeting under *Items Removed from the Consent Calendar*.

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

GENERAL CONSENT

05/0118.2 Approve Minutes of the City Council Adjourned Regular and Regular Meeting of January 4, 2005

The Council approved the subject minutes.

05/0118.3 Declare Vacancy: Library Commission, Seat No. 4 (Wagner)

The Council declared vacant Library Commission Seat No. 4.

05/0118.4 Consideration of Financial Reports:

a) Ratification of Demands: January 13, 2005

b) Investment Portfolio for the Month Ending December 31, 2004

c) Financial Reports for the Month Ending December 31, 2004

The Council approved with no exception Warrant Register No. 15B in the amount of \$2,553,067.34 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 December 31, 2004; and received and filed the Financial Reports for the month ending December 31, 2004.

05/0118.5 Report on El Segundo Power Project

The Council received and filed the subject report.

05/0118.6 Award a Contract (\$3,543,913.75) for the Strand Walkway and Lighting Improvements Project to S.P. Pazargad Engineering Construction, Inc.

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

05/0118.7 Disbursement of Final Payment in the Net Amount of \$40,723.47 to Security Paving; Formally Accept the Rosecrans Avenue Improvement Project as Complete; and Authorize Filing of the Appropriate Notice of Completion

The Council approved the issuance of the subject final payment; formally accepted the Rosecrans Avenue Improvement Project as complete; and authorized filing of the appropriate Notice of Completion.

BOARDS AND COMMISSIONS

Planning Commission

05/0118.8 Consideration of Action Minutes, Planning Commission Meeting of January 12, 2005

The Council received and filed the subject action minutes.

COMMUNITY ANNOUNCEMENTS

05/0118.15 Assemblyman Mike Gordon Re New Office

State Assemblyman Mike Gordon addressed Council and the audience explaining that he is before them in his new capacity as State Assemblyman. He emphasized that he is proud to represent Manhattan Beach and will continue to work closely with cities in the South Bay as he did with projects such as the LAX expansion, the 310 area code split and the Los Angeles Air Force Base. He introduced **Linda Wallen** explaining that she will represent him in Manhattan Beach, and encouraged the community to call and let him know how he can help. **Ms. Wallen** explained that they are in the process of moving from Torrance to El Segundo and that their current phone number is (310) 782-1553.

05/0118.16 Jackie May Re Candidate's Forum

Jackie May, Manhattan Beach Resident's Association (MBRA) Member, announced that the MBRA and Adelphia Cable will sponsor a City Council Candidate's Forum live on Channel 8 on Thursday, February 17, 2005 from 7:00 p.m. to 8:30 p.m. and a City Treasurer Candidate's Forum, taped earlier that day, immediately following from 8:30 p.m. to 9:00 p.m. She encouraged the community to send questions for the candidates to the MBRA at Post Office Box 1149, Manhattan Beach, CA, 90266 or e-mail to candidatesforum@aol.com before February 14, 2005.

05/0118.17 Viet Ngo Re Alleged Incident

Viet Ngo, No Address Provided, cited a license plate number of a vehicle allegedly belonging to City Attorney Robert Wadden and accused him of failing to stop at an intersection on Highland Avenue and 5th Street earlier this afternoon.

05/0118.18 Gene Souva Re Candidate's Forum

Gene Souva, 900 Block of 9th Street, announced that American Martyrs Church and the Manhattan Beach Chamber of Commerce will hold a Candidate's Forum in O'Donnell Hall at American Martyrs Church on Thursday, February 10, 2005 from 7:00 p.m. to 9:30 p.m. He emphasized the importance of getting to know the candidates and "voting smart".

PUBLIC HEARINGS

None.

GENERAL BUSINESS

05/0118.9 Presentation of the Comprehensive Annual Financial Report (CAFR) for June 30, 2004

Assistant Finance Director Russell Morreale addressed Council with a summary of the Comprehensive Annual Financial Report (CAFR) which he explained was well received by the City's Finance Subcommittee. He introduced **Auditor Rich Kikuchi of Lance, Soll and Lunghard**, the City's new audit company, and pointed out that it is the City's informal policy to rotate audit firms in order to bring a "fresh look" to the process. He reported that Manhattan Beach has once again been given an "Unqualified Opinion" rating (the best opinion a city can receive) and that **Mr. Kikuchi** recommended that the City increase its capitalization level for non-infrastructure fixed assets from \$1,000 to \$5,000. He explained that the report was issued in the Government Accounting Standards Board (GASB34) format for the second year; that the City has a General Fund surplus of \$3.6 million which has been earmarked for the Strand; that the City has healthy reserve balances; and that the enterprise balances are all profitable. He explained that, currently, the City's two major expenditures are Metlox and the Police & Fire Facility and that two new funds have been established for Police & Fire Facility construction and Utility Undergrounding. Assistant Finance Director Morreale concluded by asserting that the CAFR shows that Manhattan Beach is in good fiscal condition.

Auditor Rich Kikuchi briefly reviewed his firm's qualifications and thanked members of the City's Finance Department for their efforts. He explained that his firm conducted an in-depth audit of the City which resulted in an internal control letter recommending that staff perform a regular inventory of the City's fixed assets in order to lessen the burden on annual counts and increase the capitalization policy to \$5,000 in order to complete the physical inventory more efficiently. He pointed out the pages in the CAFR where specific information could be found and thanked Council for the invitation to attend the meeting and answer questions.

Council held a brief discussion with **Mr. Kikuchi** regarding how the dollar amount of the capitalization policy was established.

There was no public comment on this item.

Councilmember Aldinger emphasized that the CAFR is a great reflection on the City's conservative fiscal policy and financial condition and that even with the State takeaways, there is money for the Strand and Police & Fire Facility.

Councilmember Ward agreed with Councilmember Aldinger, however, expressed concern regarding rising operating costs.

Councilmember Napolitano also concurred.

Mayor Pro Tem Fahey commented that the City is in great shape and complimented staff's worst case scenario approach of never overestimating revenues.

MOTION: Councilmember Ward moved to accept the presentation; receive and file the Comprehensive Annual Financial Report (CAFR) for June 30, 2004; and approve increasing the City's capitalization level for fixed assets (non infrastructure) from \$1,000 to \$5,000 as recommended by the City's auditors. The motion was seconded by Councilmember Aldinger and passed by the following roll call vote:

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

05/0118.10 Consideration of Field, Facility and Administrative Fee Changes for the Parks and Recreation Department

Parks and Recreation Director Richard Gill addressed Council explaining that after a cost of services study, and at Council's direction, the Parks and Recreation Department reviewed its User Fees and will present several recommended modifications to these fees. He explained that the Finance Sub-Committee and Staff are recommending that administrative fees for class registration and facility & park reservation services be raised from \$12 to \$20, over a 3-year period. He reported that athletic fields are free and open for use at anytime other than when reserved, closed due to weather or for maintenance; that the City currently subsidizes over \$500,000 a year to maintain them; and that the American Youth Soccer Organization (AYSO) and Manhattan Little League organizations are the main users of the fields. He reported that athletic fields are free to recreation-sponsored organizations (Category I) such as AYSO, Manhattan Little League and Mira Costa Pony; however, as directed by the Council last year, each group now pays a \$10 per player fee to be used toward field maintenance, which brings in approximately \$40,000 a year. He explained that resident non-profit groups (Category II) currently pay \$.030 per person, per hour; non-resident non-profit groups (Category III) pay \$.060 per person, per hour; and that the new proposed fees per person, per hour, are \$1.25 for residents and \$2.50 for non-residents. He further explained that, for tennis, staff is proposing a \$1.00 per hour increase in each category: resident; resident prime-time; and non-resident anytime. In conclusion, Parks and Recreation Director Gill conveyed that the proposed increase in fees will result in additional annual revenue of approximately \$97,000 and that the Finance Sub-Committee and staff recommend that the Council approve the proposed fee changes which will take effect immediately.

City Manager Geoff Dolan commented that, in light of the previous presentation (Agenda Item 9), this is a good example of a department reviewing and adjusting its costs in order to keep the City in good financial condition.

Council held a brief discussion with Parks and Recreation Director Gill regarding subsidizing of organizations and how often these User Fees are increased.

The following individuals spoke on this item:

- **Lisa Chamberlain, Manhattan Beach Resident**
- **Mike Pitts, 800 Block of 3rd Street**
- **John Sloway, South Bay Peninsula Soccer League**
- **Eric Greenlief, South Bay Soccer Club**
- **Debbie M. Wilson, No Address Provided**
- **Gary Osterhout, No Address Provided**
- **Joe Valashinas, No Address Provided**

Council held discussion with Parks and Recreation Director Gill and City Manager Dolan regarding the incremental increase of administration fees (because they are already adjusted on a quarterly basis); the proposal to increase facility and field reservations by a designated dollar amount (because they have not been increased since 1996); and the risk of losing individual children due to the dramatic price increases.

Using a gas price analogy, Councilmember Napolitano commented that there are “regular” and “premium” choices among sports organizations; that an additional \$25 does not seem like much of an impact when someone is already paying \$1,000; that cost recovery is something that the City has always done; that staff should compare the different organizations and look at their costs on a per person basis; and that all costs need to be reviewed on a regular basis.

Mayor Pro Tem Fahey emphasized that the “beauty” of Manhattan Beach is that children are able to participate in as many programs as they can with time as their only limitation and that while recovering some of these costs is a good thing, it is not worth what the children have to pay.

Councilmember Aldinger pointed out that fees have been revised in several other departments in order to charge what is costs to provide services; that he believes that other groups would be interested in the subsidy that the City provides to organizations such as AYSO and Manhattan Little League; and that he doesn’t believe that very many children would not participate if the price increases from \$1,000 to \$1,025 a year.

Stressing that the main issue seems to be the jump in the price, Councilmember Napolitano suggested that Council direct staff to bring this issue back before Council after reviewing it to consider more incremental increases and to indicate when it will go into effect so that it can be budgeted for.

Discussion took place regarding implementing facility fees over a three year period, however Councilmember Napolitano emphasized that he was not in favor of that without looking at fees for other organizations first.

City Manager Dolan pointed out that AYSO fees were just increased six months ago.

Councilmember Ward stated that he believes that the solution may be as simple as distributing the increases over a three year period because modest increases would not have such a broad impact.

Councilmember Napolitano stated his support of having staff review all of the groups that use these fields and bring back options to implement the increases over a specified number of years. He also indicated that he would like for staff to review how much the City is subsidizing AYSO on a per child basis.

City Manager Dolan stressed that these field maintenance fees have not been reviewed since 1996; that staff would support Council's decision, this evening, to increase these fees incrementally over a period of several years; that it would be awkward to approach AYSO again for another increase after just six months; and that the proposed fees are a reasonable attempt to recover a portion of what the City is subsidizing.

Councilmember Napolitano reiterated that he would like staff to bring this item back before Council with a cost breakdown spread out over three, four and five years.

Councilmember Aldinger voiced his opinion that he would support implementing the fees, as is, over a three year period.

Councilmember Ward stated that he would like to have the item brought back before Council with the costs spread over a three year period.

In response to City Manager Dolan's request for clarification as to whether Council wanted to phase in all fees or just Category II fees, Council concurred that just the Category II fees should be phased in.

MOTION: Councilmember Aldinger moved to approve all of the proposed specific fee changes except those in Category II (resident non-profit groups) and directed staff to bring the Category II fees back to a future City Council meeting with a "phase-in" alternative. The motion was seconded by Councilmember Ward and passed by the following roll call vote:

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

RECESS AND RECONVENE

At 8:00 p.m. the Council recessed and reconvened at 8:07 p.m. with Councilmember Ward, Councilmember Napolitano, Councilmember Aldinger and Mayor Pro Tem Fahey present.

05/0118.11 Presentation of Storm Water System Overview and Update on Storm Water Capital Improvement Program

City Engineer Dana Greenwood addressed Council with a PowerPoint presentation of the City's storm water system which illustrated how many of the City-owned drains feed into County drains and explained that many of these drains are 40-50 years old. He reviewed the City's Storm Drain Master Plan and County Deficiency Study which verified that the main County line was found to be deficient (50-70% under capacity) and would cost an estimated \$20 - \$22 million dollars to fix. He explained that the City reviewed the findings in 1998 and decided to focus on repairing the City deficiencies, independent of the County, and that all but one of those projects have been completed. He displayed pictures of the flooding at the Marine Avenue/Walnut Avenue intersection and Polliwog Park; detailed how the flood control measures are supposed to work, however, explained that because of the County's undersized storm drain system, street ponding and flooding of the playground will continue to occur. He reviewed

suggestions from residents and explained that the estimated cost of implementing them would be approximately \$800,000, yet, there would still be flooding north and south of the park. In conclusion, City Engineer Greenwood reiterated that the County's main storm drain line remains an unfunded project; that the City will continue to pursue solutions independent of the County; and that construction of the City's remaining storm drain project on 15th Street and Highland Avenue and the Metlox/Civic Center drains are proposed to begin this summer.

Council held a brief discussion with City Engineer Greenwood regarding the cost of larger pumps, a parallel storm drain and emergency funding.

The following individuals spoke on this item:

- **Stephanie Monash, 1800 Block of Herrin Avenue**
- **Stephen Spiegel, No Address Provided**
- **Unidentified Speaker, Herrin Avenue**
- **Gerry O'Connor, 500 Block of Harkness Street**
- **Ed Necharvsky, Herrin Avenue**
- **Freda Baker, Herrin Avenue**

In response to audience comments, Public Works Director Miller acknowledged that sandbags are available at the City Yard and both Fire Stations and, in some instances; staff will deliver the sandbags to residents.

In response a question by Mayor Pro Tem Fahey regarding the Marine/Walnut intersection, City Engineer Greenwood pointed out that things such as hydrology standards, information on storm patterns, increased development, and reduction in landscaping have changed dramatically in the last 50 years. He added that the drain in that area is 52 years old, so, when an intense storm happens, it results in a big problem.

Council held additional discussion with City Engineer Greenwood about how to know whether the pumps are working properly and the possibility of putting a retention basin underneath Marine Avenue.

Mayor Pro Tem Fahey inquired about future plans for flood control to which City Manager Geoff Dolan explained that staff will be looking at several issues such as water stored on private property, revising the development process to require grasscrete driveways, and building deeper retention basins and tanks.

In response to City Manager Dolan's comment that there is property for sale at the intersection of Marine and Walnut, Councilmember Aldinger inquired as to whether a house could be built on top of a retention basin in order to lessen the cost, however, questioned spending such a large amount of money for something that only happens every 50 years.

Councilmember Napolitano stressed that because of environmental changes, the gauge is no longer 50 years and that the bottom line is funding. He stated that the City needs to look into more options because it cannot undertake a \$22 million drain expansion.

City Manager Dolan suggested that perhaps a hydrology study could be included in the next budget process in order to define the storm drain problems.

Mayor Pro Tem Fahey added that the study could help the City to get FEMA or other Grant Funds.

City Engineer Greenwood reiterated that he will work with the County on modifications to the pump station and other alternatives, and in response to Councilmember Aldinger's question regarding redirecting water to other parts of the City, explained that the City tries to avoid diversion.

Mayor Pro Tem Fahey concluded by commenting that now everyone can begin to understand the problem and that this issue will be brought back to the Council once more is known.

Due to the number of audience members present for Item Number 14, Mayor Pro Tem Fahey inquired if Council had any objection to taking this item out of order. Hearing no objections, it was so ordered.

THE FOLLOWING ITEM WAS TAKEN OUT OF ORDER.

05/0118.14 *Status Report and Consideration of Settlement Agreement Regarding the Plaza El Segundo Project in the City of El Segundo*

Explaining that this item was placed on the agenda in case an agreement was reached, City Manager Geoff Dolan reported that the status of the Plaza El Segundo Project is still in negotiations. He reported that the Council still has significant concerns about various aspects of the project and would like to pursue other mitigation methods.

The following individuals spoke on this item:

- **Bill Lanting, Belamar Hotel Manager and Manhattan Beach Resident**
- **Juliet Muir, Consultant for Belamar Hotel**
- **Ann Hill, Belamar Hotel Employee and Manhattan Beach Resident**
- **Ann Walrath, Manhattan Beach**
- **Carol Wahlberg, Manhattan Beach**
- **Wendy Phillips, No Address Provided**
- **Gerry O'Connor, 500 Block of Harkness Street**
- **Kim Benjamin, Manhattan Beach**
- **Martha Andreani, Downtown Manhattan Beach**
- **Viet Ngo, No Address Provided (See Page 12 - *AUDIENCE PARTICIPATION*)**

In response to comments regarding the negotiation process, City Manager Dolan cited the legal reasons why recent negotiations have not been held in public; assured the community that the staff and Council are dedicated to protecting the resident's best interests; and that once an agreement has been reached, it will be presented to the public.

Apologizing for those people who were expecting some type of agreement tonight, Councilmember Aldinger emphasized that the issue is not just with the developer; it is also with the City of El Segundo and that it should be on their February 1, 2005 or February 15, 2005 agenda. He added that if El Segundo puts it on their February 1, 2005 agenda, Manhattan Beach may hold a special meeting and that residents will be notified.

COUNCIL RETURNED TO THE REGULAR ORDER OF THE AGENDA

Public Works Director Neil Miller addressed Council explaining that in July of 2004, staff received a letter from the Downtown Manhattan Beach Business and Professional Association (DMBBPA) requesting that, because of the new Metlox project, the City consider making some aesthetic improvements to the downtown area. He explained that Council already approved the change in lighting and it has been well received; that staff met with **Carol Rowe, Executive Director of the DMBBPA** and prioritized their request into three categories (minor improvements, improvements which have no funding source and higher cost items also with no funding source); and that staff recommends that the funding come from the Gas Tax Fund (\$50,000), City Council Contingency (\$50,000) and the Maintenance Fund (\$20,000).

Council held a brief discussion with Maintenance Superintendent Juan Price regarding what Gas Tax Funds can be used for, how this proposal came about and why the cost of the landscaping is so high.

Carol Rowe, Executive Director of the DMBBPA addressed Council to further explain some of the proposed suggestions; emphasized that downtown businesses do pay an annual maintenance fee; that the DMBBPA is looking for colorful, but understated, improvements; that it has been approximately 15 years since the downtown has seen any streetscape improvements; and that it is time to “spruce it up”.

The following individuals spoke on this item:

- **Gary Osterhout, No Address Provided**
- **Esther Besbris, 2nd Street**
- **Martha Andreani, Downtown Manhattan Beach**
- **Jackie May, Downtown Manhattan Beach**

Councilmember Ward voiced his support of the proposed improvements and safety measures stating that residents should be proud of their city center. In reference to public comments that this money should be spent on the storm drain system, he replied that \$20,000,000 is what is needed and to spend \$120,000 on storm drains will not solve the problem.

Councilmember Aldinger commented that he would also like to have a beautiful downtown, but would not support pole banners and would rather take only \$20,000 from the Council Contingency and reduce the money for landscaping to \$30,000.

Councilmember Napolitano commented that while the downtown streetscape was well intentioned, it is constantly being readdressed and money is being spent on the same things over and over again. He expressed his hope that the DMBBPA will take time, in the future, to plan for the “long term” instead of “patching over” what is already there. He stated that he would support doing the slurry seal, re-striping and crosswalk enhancements, however, would not support pole banners and would like to see the landscaping and painting of traffic signal poles come back to Council with more information including plant types and paint colors.

MOTION: Councilmember Aldinger moved to approve funding for the Downtown Streetscape slurry seal, re-striping of all traffic markings and crosswalk enhancements. The motion was seconded by Councilmember Napolitano and passed by the following roll call vote:

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

Council continued discussion regarding the landscaping and sign replacements to which City Manager Geoff Dolan stated that it was staff's hope that these changes could be made in time to coincide with the Metlox opening in mid summer.

Council concurred to direct staff to return with additional information regarding the landscaping and sign replacement issues to a Council meeting in the near future.

Council held additional discussion regarding the coating and color of the traffic signal poles which resulted in the following motion.

MOTION: Councilmember Aldinger moved to approve painting the traffic signal poles in the downtown area the same color as they currently are. The motion was seconded by Councilmember Ward and passed by the following roll call vote:

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

05/0118.13 Consideration of the Police & Fire Facility / Metlox / Public Improvements Project Status Report and Disbursement of Progress Payment #10 in the Net Amount of \$746,027.00 to Swinerton Builders

Deputy City Manager Sherilyn Lombos introduced the staff report providing Council with an update on the Police & Fire Facility / Metlox / Public Improvements Project explaining that it will consist of three components: budget; schedule; and communication. She reviewed that \$10,000,000, or 35 %, of the budget has been paid out so far and that \$317,000, or 1% of the budget has been paid out in change orders. She explained that Swinerton has experienced challenges with subcontractors; that the recent rain delay has added to the number of days that they are behind schedule (55 days), however, it is their responsibility to make them up. She reported that despite these set backs, there has been a lot of progress on the site including: a large portion of the elevated deck has been poured; another pour is scheduled for late January/early February; steel is scheduled to be delivered next week; and that staff and the construction management company are holding the contractors "feet to the fire". Regarding the Metlox Project, she conveyed that steel and wood are being unloaded from a crane located on Manhattan Beach Boulevard in order to minimize traffic impacts. Deputy City Manager Lombos concluded by reminding the community that they can sign up for the Police & Fire Facility / Metlox / Public Improvements Project Newsletter on the city's web site at www.citymb.info or by calling (310) 802-5053 and that public meetings on the project are held every fourth Tuesday of every month at City Hall.

The following individuals spoke on this item:

- **Viet Ngo, No Address Provided**
- **Martha Andreani, Downtown Manhattan Beach**
- **Gerry O'Connor, 500 Block of Harkness Street**

MOTION: Councilmember Ward moved to accept the presentation of the status report on the Police & Fire Facility / Metlox / Public Improvements projects and approve the issuance of the subject progress payment. The motion was seconded by Councilmember Aldinger and passed by the following roll call vote:

Ayes: Ward, Napolitano, Aldinger and Mayor Pro Tem Fahey.

Noes: None.
Absent: Mayor Wilson.
Abstain: None.

ITEMS REMOVED FROM THE CONSENT CALENDAR

05/0118.6 Award a Contract (\$3,543,913.75) for the Strand Walkway and Lighting Improvements Project to S.P. Pazargad Engineering Construction, Inc.

Councilmember Aldinger stated that he pulled this item off of the Consent Calendar because it does not include a schedule.

Public Works Director Neil Miller explained that the specifics won't be worked out until staff meets with the contractor to finalize the contract.

In response to Council questions, Senior Civil Engineer Michael Guerrero added that the project is scheduled to take approximately 20 months to complete; that the contractor is required to construct a pedestrian detour; that at any one time there may be 15-20 blocks under construction; and that handrails are still required at some Los Angeles County owned locations along the Strand.

The following individuals spoke on this item:

- **Viet Ngo, No Address Provided**
- **Gerry O'Connor, 500 Block of Harkness Street**

MOTION: Councilmember Ward moved to approve the award of contract in the net amount of \$3,543,913.75 to S.P. Pazargad Engineering Construction, Inc. for the Strand Walkway and Lighting Improvements Project.

Councilmember Napolitano voiced his concern that the project still includes handrails and emphasized that if they can be excluded, they should be. He stated, however, that he is still in favor of awarding the contract.

Council held discussion with City Manager Geoff Dolan and Senior Civil Engineer Guerrero regarding the contingency and handrail requirements determining that typically Capital projects do not have a contingency and that staff will work with the County regarding the handrails.

Mayor Pro Tem Fahey called for the vote.

Councilmember Ward amended his motion as follows.

MOTION: Councilmember Ward moved to approve the award of contract in the net amount of \$3,543,913.75 to S.P. Pazargad Engineering Construction, Inc. for the Strand Walkway and Lighting Improvements Project and approve authorizing the Director of Public Works to approve additional work in an amount not-to-exceed \$200,000 if required. The motion was seconded by Mayor Pro Tem Fahey and passed by the following roll call vote:

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

AUDIENCE PARTICIPATION

Due to the fact that Item Number 14 (*Status Report and Consideration of Settlement Agreement Regarding the Plaza El Segundo Project in the City of El Segundo*) was taken out of order, Mayor Pro Tem Fahey allowed the following speaker to comment on Item Number 14 under *Audience Participation*.

- **Viet Ngo, No Address Provided**

05/0118.19 Carol Wahlberg Re Political Signs on City Right-of-Way

Carol Wahlberg, No Address Provided, questioned whether Candidates are allowed to put their campaign signs in planters in the City’s right-of-ways.

City Manager Geoff Dolan explained that they are not allowed and that the City’s Public Works Department has been instructed to remove all political signs in the City’s right-of-way.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS & COMMITTEE REPORTS

None.

ADJOURNMENT

At 10:37 p.m. the meeting was duly adjourned, in memory of Irene Loud, to the 5:30 p.m. Adjourned Regular Meeting, to be followed by the 6:30 p.m. Regular City Council Meeting, on Tuesday, February 1, 2005, in said City.

TERRI ALIABADI
Recording Secretary

LINDA WILSON
Mayor

ATTEST:

LIZA TAMURA
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
ADJOURNED REGULAR MEETING
JANUARY 18, 2005**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 18th day of January, 2005, at the hour of 5:42 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

ROLL CALL

Present: Ward, Napolitano, Aldinger and Mayor Pro Tem Fahey.
Absent Mayor Wilson.
Clerk: Tamura.

CLOSED SESSION

The Council recessed into Closed Session at 5:42 p.m. and moved to open session at 6:30 p.m.

During the conference to discuss the City Manager and the City Attorney's Public Employee Performance Evaluation, the City Manager and City Attorney were not present for some portions of the discussion.

ADJOURNMENT

The meeting was duly adjourned at 6:30 p.m.

MITCH WARD
Recording Secretary

JOYCE FAHEY
Mayor Pro Tem

ATTEST:

LIZA TAMURA
City Clerk