

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING OF
DECEMBER 21, 2004**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 21st day of December, 2004, 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

Sherilyn Lombos, Deputy City Manager led the pledge of allegiance.

ROLL CALL

Present: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Absent: None.
Clerk: Lombos (Acting).

CEREMONIAL ITEMS

04/1221.1 Presentation of Girl's U10 Soccer, AYSO Region 34, 2004 Thanksgiving Tournament Champions

Mayor Wilson, on behalf of the Council, presented certificates of recognition and city pins to Coach Bill Fahey and the Girl's U10 Soccer, AYSO Region 34, 2004 Thanksgiving Tournament Champions consisting of Lolly Brown, Kendall Collard, Alexis Fahey, Camille Juton, Brittany Porter, Kylie Taylor, Brooke Winterhalder and Lauren Winterhalder.

Nicole Rosen was unable to attend.

04/1221.2 Presentation of the 2004 Manhattan Beach Youth Recognition Award

Councilmember Ward, on behalf of the Council, presented plaques and city pins to Geraldine Aquilar and Sabrina Oukil and congratulated them as the 2004 Manhattan Beach Youth Recognition Award winners; listed their many accomplishments; and read aloud the plaques. He explained that the award itself is non-financial in nature; however each winner will also receive a check for \$2,000 due to the donations of the following sponsors: Doug Falkenberg of Waste Management; Dr. David Markman of Rolling Hills Estates and Councilmember Ward of PC Help Professionals.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 3 through 14), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Mayor Pro Tem Fahey, seconded by Councilmember Ward and passed by unanimous roll call vote with the exception of Item Nos. 6 and 9, which were 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

04/1221.3 Approve Minutes of the City Council Adjourned Regular and Regular Meeting of December 7, 2004

The Council approved the subject minutes.

04/1221.4 Award a Contract (\$1,768,999.52) for the El Porto Retaining Wall Project to S.P. Pazargad Engineering Construction, Inc., and Approve Supplemental Appropriation (\$293,000)

The Council approved an award of contract in the net amount of \$1,768,999.52 to S.P. Pazargad Engineering Construction, Inc. for the El Porto Retaining Wall Project; approved authorizing the Director of Public Works to approve additional work in an amount not-to-exceed \$40,000, if required; and approved a supplemental appropriation of \$293,000 from the County Parking Lot C Fund balance.

04/1221.5 Consideration of Financial Reports:
a) Ratification of Demands: December 16, 2004
b) Investment Portfolio for the Month Ending November 30, 2004
c) Financial Reports for the Month Ending November 30, 2004

The Council approved with no exception Warrant Register No. 13B in the amount of \$1,822,816.94 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 November 30, 2004; and received and filed the Financial Reports for the month ending November 30, 2004.

04/1221.6 Consideration of a Recommendation to Designate Lane Assignments on Pacific Avenue Between Ardmore Avenue and Valley Drive

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

04/1221.7 Consideration of a Status Report on the Nine Precise/Specific Plans That Were Adopted Prior to 1991

The Council received and filed the subject report.

04/1221.8 Approve Bell Avenue Street Right-of-Way Relinquishment (Summary Vacation) and Accept Street Right-of-Way Dedication

The Council adopted Resolution No. 5957 summarily vacating certain unneeded public right-of-way adjacent to 556 36th Street; and adopted Resolution No. 5958 accepting a real property dedication at 556 36th Street.

RESOLUTION NO. 5957

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, SUMMARILY VACATING CERTAIN UNNEEDED PUBLIC RIGHT OF WAY ADJACENT TO 556 36TH STREET

RESOLUTION NO. 5958

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MANHATTAN BEACH, CALIFORNIA, ACCEPTING A
REAL PROPERTY DEDICATION AT 556 36th STREET**

04/1221.9 *Approve Amendment to City Manager’s Employment Agreement Extending the
Five-Year Deferred Compensation Program for an Additional Five Years*

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

BOARDS AND COMMISSIONS

Library Commission

04/1221.10 *Consideration of Draft Minutes, Library Commission Meeting December 13, 2004*

The Council received and filed the subject draft minutes.

Parking & Public Improvements Commission

04/1221.11 *Consideration of Action Minutes, Parking and Public Improvements Commission
Meeting of November 30, 2004*

The Council received and filed the subject action minutes.

04/1221.12 *Uphold the Parking and Public Improvements Commission Recommendation to
Approve a Request to Relocate an Existing Utility Pole at 427/429 19th Street*

The Council approved the Parking and Public Improvements Commission recommendation to approve the request to relocate the existing utility pole at 427/429 19th Street.

04/1221.13 *Uphold the Parking and Public Improvements Commission Recommendation to
Approve a Request to Relocate an Existing Utility Pole at 2700 the Strand*

The Council approved the Parking and Public Improvements Commission recommendation to approve the request to relocate the existing utility pole at 2700 The Strand.

Planning Commission

04/1221.14 *Consideration of Action Minutes, Planning Commission Meeting of December 8,
2004*

The Council received and filed the subject action minutes.

COMMUNITY ANNOUNCEMENTS

04/1221.23 *Viet Ngo Re Alleged Racketeering*

Viet Ngo, No Address Provided, urged the public to be present during Item No. 9 on tonight’s agenda because the joint activity that took place between City Manager Geoff Dolan and the City Council constitutes racketeering. He also referenced Title 18, Section 666 of the United States Code and stated that it relates to robbery.

PUBLIC HEARINGS

04/1116.14-15 Consideration of Planning Commission Recommendation to Approve Zoning Code Amendments and Local Coastal Program (LCP) Amendments Regarding Minor Exceptions to Encourage Home Remodels and Small Additions

Acknowledging that there is no staff presentation for this item because staff was directed to return with Ordinances approving the Code amendments from the last City Council meeting, City Manager Geoff Dolan suggested that the Mayor open the Public Hearing.

Mayor Wilson opened the Public Hearing at 6:42 p.m.

Betsy Chambers, 1400 Block of Oak Avenue, questioned whether the square footage was changed from 1,800 square feet to 2,000 square feet; whether the 50% rule was a one time occurrence; and whether a porch or deck would count toward the total square footage.

Community Development Director Richard Thompson explained that the total square footage was changed to 2,000 square feet; that remodels could continue to be made on a home as long as it doesn't exceed the 2,000 square foot maximum; and that porches and decks are not included in the total square footage.

Council held a brief discussion with Community Development Director Thompson regarding the 50% rule determining that all details would be clarified for the second reading and adoption of the Ordinances at the January 4, 2005 City Council meeting.

Mayor Wilson closed the Public Hearing at 6:45 p.m.

MOTION: Mayor Pro Tem Fahey moved to waive further reading; introduce Ordinance No. 2068 (Zoning Code Amendments); and introduce Ordinance No. 2069 (Local Coastal Program Amendments). 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.

GENERAL BUSINESS

04/1221.16 Consideration of an Appeal of an Administrative Decision to Permit Swinerton Builders to Delist Ernest Reason General Engineering Contractor as a Subcontractor from the Police & Fire Facility Project

City Manager Geoff Dolan announced that the appeal for this item has been withdrawn; therefore no action is required.

04/1221.17 Consideration of Recommendations from the Library Commission Regarding the Use of Additional Library Funds

Emphasizing that this issue is not about leaving the County library system, Recreation Services Manager Mark Leyman explained that, for several years, the City has contributed excess property tax revenue to the County for library services and now will be getting back the excess which is approximately \$600,000 per year. He explained that the Library Commission solicited public input for recommendations on how to use the excess funds through a survey which was distributed at the library, on the city's web site and in the Parks and Recreation brochure. He reported that the summary of the surveys and public testimony revealed the following priorities for how to spend the money: expanded hours; more computers, CDs, DVDs and videotapes; expanded children's programs/furniture; area for *Friends of the Library* book storage; new books; and automatic front doors. He explained that the Library Commission evaluated the community input and ultimately decided to recommend a hybrid approach (\$100,000 for the first year to go toward improved library services and \$500,000 toward purchase of the building). Recreation Services Manager Leyman concluded by explaining that the Library Commission also recommended that the option of extended hours be evaluated and that **Library Consultant Linda Demmers** be retained to review the prioritization of the \$100,000.

In response to Councilmember Napolitano's question regarding how the money would be spent in future years, City Manager Geoff Dolan clarified that it would depend on several factors including the negotiated purchase price of the building.

Stating that she concurs with the Library Commission's recommendations, **Los Angeles County Public Librarian Margaret Donnellan Todd** acknowledged that **Los Angeles Supervisor Don Knabe** has also expressed his support. She spoke of the importance of properly structuring the agreement between the County and City in order to obtain what is best for the City and Library. She explained the difficulties in expanding library hours and pointed out that she didn't want to offer something that could not be delivered.

In response to Councilmember Ward's question of when digitizing of current titles would take place, **Los Angeles County Public Librarian Donnellan Todd** responded that when the Library is ready to embark on that, they will probably start with those books that are not readily available. She stated that the goal, regarding digitization, would be to start by making those books available on the Library's web site. She added that the Los Angeles County Library would start slowly by watching to see what the larger libraries do, however, emphasized that paper is still a good way to preserve writings because technology changes so quickly and often.

The following individuals spoke on this item:

- **Dave Wachtfogel, No Address Provided**
- **Dina Cramer, 100 Block of North Dianthus**
- **Viet Ngo, No Address Provided**

Stating that, while he appreciates the Library Commission's recommendations, Councilmember Napolitano agreed with the speakers that, unless a specific need is identified, the best thing to do with the money would be to purchase the building.

Councilmember Ward concurred with Councilmember Napolitano.

Also agreeing with Councilmember Napolitano, Mayor Pro Tem Fahey remarked that she hoped that past Library Commissioners were listening because they discussed purchasing the building 6-9 years ago. She also thanked the County Library for the services of **Leticia Tan, Manhattan Beach's Librarian.**

In response to Councilmember Aldinger's question regarding whether there is a list of specific recommendations for the \$100,000 in library services, Parks and Recreation Director Richard Gill explained that the Library Commission would like to present the list to Council at a later date.

City Manager Dolan suggested that staff proceed with the proposed acquisition by moving forward to obtain an appraisal and negotiate the minimal operating improvements that the library staff believes are necessary.

MOTION: Councilmember Ward moved to authorize the City Manager to proceed with negotiations with the Los Angeles County Public Library to purchase the building and to direct the Library Commission to prioritize the list of minimal operating improvements to the Manhattan Beach Library. The motion was seconded by Mayor Pro Tem Fahey and approved by the following unanimous roll call vote:

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

THE FOLLOWING ITEM WAS TAKEN OUT OF ORDER.

04/1221.24 Tom Martin Re Check for El Porto Wall Project

Recognizing the County's continued partnership with the City of Manhattan Beach, **Deputy Tom Martin, representing Los Angeles County Supervisor Don Knabe's Office,** presented a check for \$835,000 to be used toward the El Porto Retaining Wall Project.

City Manager Geoff Dolan explained that this check will pay for almost half of the project, which Council just approved on this evening's Consent Calendar.

The Council thanked **Deputy Martin** and **County Supervisor Don Knabe** for the generous donation.

04/1221.18 Consideration of an Ordinance Dissolving the Existing North End Business Improvement District (BID) and Creating a New Broader Scoped North End BID; Approval of the BID's 2004-2005 Work Plan and Ratification of the BID Advisory Board

Finance Director Bruce Moe reviewed the background of the North End Business Improvement District (BID) and how in January of 2004 the Council approved dissolving the existing North End BID to create a new broader scoped BID. He pointed out that the North End BID was formed in 1969 to acquire additional parking and to address construction issues; however, because parking in the North End is limited, the businesses would like to use the BID funds of \$388,000 for other purposes such as physical improvements, signage, marketing and promotion. He explained that the new law governing the BID requires that an annual report be submitted to the City Council for approval. He reported that the planned activities and methodologies include a budget of \$75,000 for identity formation & development and signage &

banners and that these items will come back before the Council prior to any action being taken. He further explained that the law requires that a BID Advisory Board be appointed by the City Council and identified the individuals (as listed in the staff report) who have volunteered to serve on the Board. Finance Director Moe concluded by clarifying that adoption of the associated Ordinance will not approve the \$75,000 of activities at this time.

Remarking that it has been a long time coming, **Muriel Savikas, North End BID Board Volunteer**, referred to the new BID as an opportunity to enhance the North End. She explained that with the help of the city's Public Works Department, they can make it a gateway to the City and urged the Council to consider the proposed requests.

There was no audience participation on this item.

Reiterating **Ms. Savikas'** comments that this has been in the works for so many years, Mayor Pro Tem Fahey stated that this is a great way to end the year and that she fully supports the proposal.

Councilmember Aldinger stated that he is in favor of changing the scope, but remarked that \$75,000 is a lot of money to spend on what is being proposed.

Councilmember Ward asserted that all gateways should indicate that one is entering Manhattan Beach and concurred that he is also in favor of the proposals.

Concurring with his fellow Councilmembers, Councilmember Napolitano stated that it is the North End BID's money and they should spend it as they choose.

MOTION: Mayor Pro Tem Fahey moved to waive further reading; introduce Ordinance No. 2071; approve the BID's 2004-2005 Work Plan; and ratify the proposed BID Advisory Board. 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.

04/1116.15-19 Consideration of an Ordinance Permitting Leashed Dogs in Certain Parks and Establishment of Dog Permitted Areas in Parks

City Manager Geoff Dolan explained that the following item involves codification of the direction that Council gave at the last City Council meeting, only, and that nothing has changed from what was proposed.

The following individual spoke on this item:

- **Gerry O'Connor, 500 Block of Harkness Street**

In response to **Mr. O'Connor's** inquiry about whether Polliwog Park was included in the discussion of City parks, Mayor Wilson confirmed that it was addressed.

Councilmember Ward added that because Polliwog Park does not have residential areas on either side, there is no need to have to walk a dog through it.

MOTION: Councilmember Aldinger moved to waive further reading and introduce Ordinance No. 2072 permitting leashed dogs in certain parks and the establishment of dog permitted areas in parks. The motion was seconded by Mayor Pro Tem Fahey and approved by the following unanimous roll call vote:

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

04/1221.20 Consideration of a Parking and Public Improvements Commission Recommendation to Deny a Request for Installation of Stop Signs on Ardmore Avenue at 18th Street and Approve a Reduction of the Speed Limit on Ardmore Avenue Between Manhattan Beach Boulevard and Pacific Avenue from 35 to 30 Miles Per Hour

Traffic Engineer Erik Zandvliet addressed Council explaining that the issue of a stop sign on Ardmore Avenue and 18th Street came about after an ongoing review by the Parking and Public Improvements Commission (PPIC). He reported that several PPIC recommended improvements have already been made, including: trimming back the vegetation at the intersection; enhancing crosswalks and signage; and adding additional red curbing; however, the PPIC recommended a reduction in the speed limit rather than a stop sign. Comparing this intersection to others in the area, he pointed out that many of them have the same visibility problems. He reported that north of this intersection, on Ardmore Avenue, the speed limit is already set at 30 miles per hour; that south of the intersection, it is 35 miles per hour; and that it is 25 miles per hour on Valley Drive through Live Oak Park. Traffic Engineer Zandvliet concluded by stating that the PPIC recommends denying the stop sign and reducing the speed on Ardmore Avenue, between Manhattan Beach Boulevard and Pacific Avenue, from 35 to 30 miles per hour.

The following individuals spoke on this item:

- **Dave Wachtfogel, No Address Provided**
- **Paul Wicker, 600 Block of 18th Street**

In response to public comments, Traffic Engineer Zandvliet clarified that the City abides by the traffic rules of the State of California; that the reduction in speed will not create a speed trap; that on 18th Street, there is enough visibility to enter the street safely; that a survey is conducted every 5-7 years; and that conditions such as driveways and adjacent high pedestrian traffic justify the speed being reduced to 30 miles per hour.

In response to Mayor Wilson's comment in which she agreed with **Mr. Wicker** that the visibility of this intersection is not good, Councilmember Napolitano voiced his opinion that this intersection is not unique and that he doesn't want to go back to addressing these issues on a case-by-case basis.

In response to Mayor Pro Tem Fahey's concern regarding liability issues, Traffic Engineer Zandvliet clarified that the Caltrans figures refer to new intersections; that they are only guidelines; and that the City can protect itself through other means such as warning signage, an enhanced crosswalk and additional red curbing.

Council held additional discussion with Traffic Engineer Zandvliet regarding the trimming of the pine trees at the intersection, the lack of historical information regarding accidents, signage and lowering the speed limit to 25 miles per hour which resulted in the following motion.

MOTION: Councilmember Ward moved to approve the PPIC's recommendation to deny the

request for the installation of stop signs on Ardmore Avenue at 18th Street and reduce the speed limit on Ardmore Avenue between Manhattan Beach Boulevard and Pacific Avenue from 35 miles per hour to 30 miles per hour; waive further reading; and introduce Ordinance No. 2070. The motion was seconded by Mayor Pro Tem Fahey.

Mayor Pro Tem Fahey commented that there are a number of similar intersections in the City where drivers have to inch out and “hope for the best”. She remarked that she is reluctant to go back to putting stop signs on every corner and stressed that there is no justification for this stop sign because there is no history of accidents.

Mayor Wilson concurred with Mayor Pro Tem Fahey.

Councilmember Aldinger spoke of the many people who come down 18th Street to cross over to Live Oak Park and stated that even though there is a stop sign on 19th Street and Ardmore, it wouldn't “bother” him to have one on 18th Street also.

Council concurred with City Manager Geoff Dolan's suggestion that the free standing pedestrian traffic sign be used, temporarily, in the intersection.

Mayor Wilson called for the vote.

MOTION: Councilmember Ward moved to approve the PPIC's recommendation to deny the request for a stop sign on Ardmore Avenue at 18th Street and reduce the speed limit on Ardmore Avenue between Manhattan Beach Boulevard and Pacific Avenue from 35 miles per hour to 30 miles per hour; waive further reading; and introduce Ordinance No. 2070. The motion was seconded by Mayor Pro Tem Fahey and approved by the following unanimous roll call vote:

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

04/1221.21 Consideration of the Police & Fire Facility / Metlox / Public Improvements Project Status Report, Disbursement of Progress Payment #9 in the Net Amount of \$1,245,127 to Swinerton Builders and Authorize the City Manager to Expend Funds Within the FF&E Line Item

Deputy City Manager Sherilyn Lombos addressed Council with an update on the status of the Police & Fire Facility / Metlox / Public Improvements Project explaining that 33% of the construction work on the Police & Fire Facility has been completed and that steel will be delivered and raised in the next few weeks. She reported that 13 change orders have been approved for a total of 14% of the contingency; and that the process for purchasing furniture, fixtures and equipment (FF&E) is starting up. In regard to the FF&E, she pointed out that staff is requesting that the City Manager be authorized to disburse funds within that line item similarly to how he was authorized to do so when the relocation took place. She also explained that the contractor indicates that they are 27 days behind schedule; however, it is their responsibility to make up those days. In regard to the Metlox Project, Deputy City Manager Lombos reported that it is on schedule; that all of the steel is up; and that it is on target for a summer 2005 opening. She concluded by emphasizing that education efforts continue on both projects via the monthly newsletter, City hotline (310) 802-5299; City web site (www.cityymb.info), and the Construction Issues Committee which meets on the fourth Tuesday of every month.

In response to Councilmember Aldinger's question regarding other options for FF&E, City Council Meeting Minutes of December 21, 2004

Manager Geoff Dolan clarified that anything over \$20,000 requires the Council's approval and that it is standard building procedure that the City Manager be able to authorize purchases under \$20,000.

There was no public comment on this item.

MOTION: Mayor Pro Tem Fahey moved to accept the presentation of the status report on the Police & Fire Facility / Metlox / Public Improvements projects; approve the issuance of the subject progress payment; and authorize the City Manager to expend funds within the Furniture, Fixtures and Equipment (FF&E) line item as recommended by the Construction Sub-Committee. 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.

04/1221.22 Consideration of Providing Additional Monetary Support to the Regional Alliance for the Effort to Retain the Los Angeles Air Force Base

Following City Manager Geoff Dolan's comment that there is no staff presentation on this item, Councilmember Aldinger acknowledged that he has been following this issue closely and that the decision on the fate of the Air Force Base should take place within the next few months. He explained that the Regional Alliance has lobbyists in Washington D.C. and Sacramento; that they are almost out of money; and that additional funding is needed to continue the retention effort.

Council briefly discussed that there will be a State hearing regarding the Air Force Base early next year.

Mayor Wilson also emphasized that retention of the Air Force Base involves the general economics of Manhattan Beach.

The following individual spoke on this item:

- **Gerry O'Connor, No Address Provided**

In response to **Mr. O'Connor's** question, Councilmember Aldinger reported that the Cities of Redondo Beach and El Segundo have also contributed money.

MOTION: Councilmember Aldinger moved to approve providing an additional \$20,000 to the Los Angeles Air Force Base Regional Alliance for their efforts to retain the Base. The motion was seconded by Mayor Pro Tem Fahey and passed by the following unanimous roll call vote:

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

04/1221.6 Consideration of a Recommendation to Designate Lane Assignments on Pacific Avenue Between Ardmore Avenue and Valley Drive

Councilmember Napolitano reported that he pulled this item because the recommendation appears to be based on personal information and because there is no evidence to back up the need for the change. He agreed that it is a unique intersection but believes that drivers make room for each other and that he doesn't see the need for the change.

Mayor Wilson stated that she was glad that Councilmember Napolitano pulled this item because she agrees that it doesn't make sense.

The following individuals spoke on this item:

- **Tom Howat, 2400 Block of Pacific Avenue**
- **Vince Cascia, 2400 Block of Pacific Avenue**
- **Terrill Cascia, 2400 Block of Pacific Avenue**
- **Unidentified Speaker, No Address Provided**

Council held discussion with City Manager Geoff Dolan regarding the suggested changes and concurred to refer this matter to the Parking and Public Improvements Commission.

04/1221.9 Approve Amendment to City Manager's Employment Agreement Extending the Five-Year Deferred Compensation Program for an Additional Five Years

Pointing out that the individual who pulled this item off the Consent Calendar was no longer present at the meeting, the following motion was made:

MOTION: Mayor Pro Tem Fahey moved to approve an amendment to the City Manager's Employment Agreement extending the five-year Deferred Compensation Program for an additional five years. The motion was seconded by Councilmember Ward.

Councilmember Aldinger commented that he believes that this agreement should coincide with the City Manager's regular annual review.

Councilmember Napolitano responded that he doesn't see this as a "big deal" and that it has been Council's fault, in the past, that the City Manager's review has been late.

Mayor Wilson commented that this compensation is an incentive for the City Manager to stay.

Mayor Wilson called for the vote.

MOTION: Mayor Pro Tem Fahey moved to approve an amendment to the City Manager's Employment Agreement extending the five-year Deferred Compensation Program for an additional five years. The motion was seconded by Councilmember Ward and passed by the following roll call vote:

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

AUDIENCE PARTICIPATION

04/1221.25 Dave Wachtfogel Re Audience Member's Negative Comments

Dave Wachtfogel, No Address Provided, voiced his opinion that members of the community that speak at City Council meetings, week after week, and accuse others of wrong doing are “reprehensible” and should be willing to say the same things outside of the “umbrella of immunity” of the Council Chambers. He also commended Council on the honorable job they do.

04/1221.26 Steve Bopp Re Redondo Beach Union High School Sponsorship

Following a brief history of the Redondo Beach Union High School, **Steve Bopp, No Address Provided**, addressed Council urging the City and community to help sponsor the Redondo Beach Union High School Centennial Celebration which will take place in June of 2005.

04/1221.27 Carol Wahlberg Re Plaza El Segundo Project

Explaining that she had attended the City of El Segundo's Planning Commission meeting regarding the Plaza El Segundo Project, **Carol Wahlberg, No Address Provided**, reported that they voted to proceed with the project and that it is scheduled to go to the El Segundo City Council on January 18, 2005. She inquired as to how the City is proceeding in regard to the project and questioned the developer's comments that they have met with several Manhattan Beach City Councilmembers and residents.

Mayor Wilson replied that City Manager Dolan will give an update on the El Segundo Project as soon as *Audience Participation* comments are over.

04/1221.28 Tom Howat Re Petition in Favor of Stop Sign at 23rd Street and Pacific Avenue

Tom Howat, No Address Provided, presented a petition, which he mentioned earlier in the evening, urging the Council to install a stop sign at 23rd Street and Pacific Avenue.

CITY MANAGER REPORT(S)

04/1221.29 City Manager Dolan Re Plaza El Segundo Project

City Manager Geoff Dolan explained that, in regard to the Plaza El Segundo Project, the City has retained **Attorney Steven Kaufmann** as counsel to protect the interests of Manhattan Beach residents and that he has already raised additional issues of concern such as economic impacts and air quality. He reported that the City has authorized **Mr. Kaufmann** to retain specialists in these fields to represent Manhattan Beach and provide testimony at the January 18, 2005 El Segundo City Council meeting and assured the community that staff is paying attention and aggressively looking out for the city's best interests. He explained that staff is also meeting with the developer to see what they are willing to do in terms of additional mitigation, particularly with traffic, and if they will go “above and beyond” what is called for in the Environmental Impact Report (EIR). City Manager Dolan concluded by emphasizing that the staff is working to protect the City on two levels - legal and practical.

04/1221.30 City Manager Dolan Re Son

City Manager Geoff Dolan introduced his son, Ryan, who was in the audience, and announced that he is a third year law student in Virginia and is home from school for the holidays.

OTHER COUNCIL BUSINESS & COMMITTEE REPORTS

04/1221.31 Mayor Pro Tem Fahey Re Holidays

City Council Meeting Minutes of December 21, 2004

Mayor Pro Tem Fahey wished everyone a Happy Holiday.

04/1221.32 Mayor Wilson Re City Hall Closures

Mayor Wilson reminded the community that City Hall will be closed on Friday, December 24, 2004 for Christmas Eve and Friday, December 31, 2004 for New Years Eve.

ADJOURNMENT

At 8:24 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, January 4, 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
DECEMBER 21, 2004**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 21st day of December, 2004, at the hour of 6:02 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

ROLL CALL

Present: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Absent: None.
Clerk: Dolan (Acting).

CLOSED SESSION

The Council recessed into Closed Session at 6:02 p.m. and moved to open session at 6:25 p.m.

ADJOURNMENT

The meeting was duly adjourned at 6:25 p.m.

GEOFF DOLAN
Recording Secretary

LINDA WILSON
Mayor

ATTEST:

LIZA TAMURA
City Clerk