

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING OF
OCTOBER 4, 2005**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 4th day of October, 2005, at the hour of 6:31 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

PLEDGE TO FLAG

Finance Director Bruce Moe led the pledge of allegiance.

ROLL CALL

Present: Tell, Aldinger, Montgomery, Ward and Mayor Fahey.
Absent: None.
Clerk: (Aliabadi) Acting.

CEREMONIAL ITEMS

05/1004.1 *Presentation of Proclamation to Soroptimist International – Camino Real Region, Declaring the Month of October as “Breast Cancer Awareness Month” and the Month of November as “End Domestic Violence Month”*

Mayor Fahey, on behalf of the Council, presented a proclamation to **Kelly Fogarty** of the **Camino Real Region of Soroptimist International** declaring the month of October, 2005 as *Breast Cancer Awareness Month* and the month of November, 2005 as *End Domestic Violence Month*.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 2 through 10), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Councilmember Aldinger, seconded by Councilmember Tell and passed by unanimous roll call vote with the exception of Item No. 5, which was considered later in the meeting under *Items Removed from the Consent Calendar* and with Mayor Pro Tem Ward abstaining on Item No. 2.

Ayes: Tell, Aldinger, Montgomery, Ward and Mayor Fahey.
Noes: None.
Absent: None.
Abstain: Ward (Item No. 2).

GENERAL CONSENT

05/1004.2 *Approve Minutes of the City Council Adjourned Regular and Regular Meeting of September 20, 2005*

The Council approved the subject minutes.

05/0920.13-3 Adoption of an Ordinance Approving a Zoning Code Amendment and Local Coastal Program Amendment Pertaining to Parking Lot Lighting Regulations, and Adoption of a Resolution Transmitting Parking Lot Lighting Regulations to the Coastal Commission

The Council adopted Ordinance No. 2078 and Resolution No. 6001.

ORDINANCE NO. 2078

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING AMENDMENTS TO THE CITY ZONING CODE (SECTION 10.64.170) AND LOCAL COASTAL PROGRAM ZONING CODE (SECTION A.64.170) REGARDING PARKING LOT LIGHTING REGULATIONS

RESOLUTION NO. 6001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, SUBMITTING ORDINANCE NO. 2078 TO THE CALIFORNIA COASTAL COMMISSION AMENDING SECTION A.64.170 OF THE CITY OF MANHATTAN BEACH LOCAL COASTAL PROGRAM (LCP) - IMPLEMENTATION PROGRAM, RELATING TO PARKING LOT LIGHTING REGULATIONS

05/1004.4 This Space Intentionally Left Blank

05/1004.5 Consideration of Financial Report: Ratification of Demands - September 22, 2005

Item No. 5 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

05/1004.6 Award of a Three-Year Contract for Mailing Services for the Finance Department to Mail Masters (Estimated Value \$40,000 Per Year)

The Council approved an award of RFP #660-06 to Mail Masters for a three-year mailing services contract (estimated value of \$40,000 per year) including postage.

05/1004.7 Authorization to Purchase a Vacuum/Hydro Truck from Municipal Maintenance Equipment in the Amount of \$286,565.90

The Council waived formal bidding per Municipal Code Section 2.36.140 (waivers) and approved an award of purchase order to Municipal Maintenance Equipment in the amount of \$286,565.90

- 05/1004.8 Disbursement of Progress Payments:
a) Progress Payment No. 6 in the Net Amount of \$32,377.37 to S.P. Pazargad Engineering Construction, Inc. for the Strand Improvement Project
b) Progress Payment No. 1 in the Net Amount of \$122,160.60 to Dominguez General Engineering Contractor for the Highland Avenue at 15th Place Storm Drain Project

The Council approved the issuance of the subject progress payments.

BOARDS AND COMMISSIONS

Planning Commission

- 05/1004.9 Consideration of Action Minutes, Planning Commission Meeting of September 28, 2005

The Council received and filed the subject action minutes.

- 05/1004.10 Consideration of Planning Commission Approval of a Use Permit Amendment to Allow the Conversion of an Atrium to Living Area, for Condominium Unit No. 5, for the Property Located at 1155 11th Street

The Council received and filed the subject report.

COMMUNITY ANNOUNCEMENTS

- 05/1004.16 Hagan Timmons Re Train

Hagan Timmons, 5th Grade Student at Robinson Elementary School, presented a conceptual drawing to the Council announcing that he would like them to consider putting a miniature train in Live Oak Park and explained that it could cost between \$15,000 and \$65,000.

- 05/1004.17 Francey Seckinger Re Second Truck to Pascagoula, Mississippi

Francey Seckinger, No Address Provided, announced that on Saturday, October 8, 2005, from 9:00 a.m. to 5:00 p.m., a second truck of hurricane relief supplies bound for Pascagoula, Mississippi will be loaded outside of the Joslyn Center. She urged residents to look for the ad in this Thursday's Beach Reporter listing the very specific types of supplies needed.

- 05/1004.18 Cindy Davidson Re National Walk to School Day

Cindy Davidson, No Address Provided, accompanied by several Manhattan Beach elementary school children, announced that this week is *International Walk to School Week* and that all five Manhattan Beach Elementary Schools will participate in National Walk to School Day on Thursday, October 6, 2005, to foster good traffic safety skills, promote walking as a regular physical activity and help make the community more pedestrian friendly.

Mayor Fahey, on behalf of the Council, presented the *International Walk to School Week* proclamation to Ms. Davidson and a city pin to each of the children.

05/1004.19 Rachel Judson Re Old Hometown Fair 10k Race

Stating that there were more than 3,600 entrants, **Rachel Judson, Chair of the Manhattan Beach Old Hometown Fair 10k Run Committee**, announced the names of the winning runners and thanked the City Council, the Public Works Department, the Fire and Police Departments and Juan Price for their continued support.

05/1004.20 Viet Ngo Re Task Force

Viet Ngo, No Address Provided, announced the formation of the “Equal Justice for All Task Force” with the goal of working with the United States Department of Justice and the Los Angeles County District Attorney’s Office in order to bring Jonathan Tolkin, LLC and other corrupt Manhattan Beach public officers to justice. He encouraged those interested in honoring the judicial system to call him at (310) 318-2769.

Mayor Fahey warned Mr. Ngo to be very careful because as public officials, the Council has put up with his slander; however, individuals such as Jonathan Tolkin do not.

05/1004.21 Esther Besbris Re Studio Tour

Esther Besbris, No Address Provided, announced that the Manhattan Beach Residents Association will sponsor a tour of Raleigh Studios on Sunday, October 23, 2005, from 2:00 p.m. to 5:00 p.m. She explained that the tours may be limited to groups of 15-20 and that those interested should RSVP at (310) 379-3277 or (310) 372-8520.

PUBLIC HEARINGS

None.

GENERAL BUSINESS

05/0920.16-11 Presentation of the Underground Utility Assessment Districts 05-2, 05-4 and 05-6 and Consideration of Resolutions to Initiate District Formation Proceedings

With the aid of a PowerPoint presentation, Senior Civil Engineer Stephanie Katsouleas provided the staff report on the proposed undergrounding of Utility Assessment Districts 2, 4 and 6. She shared information on the following: the location of the Districts; the history of the project; and the timeline, including that ballots will be mailed to every property owner within these three districts on Friday, October 7, 2005 (not November 7, 2005 as reflected on the “Ballot and Voting Schedule” slide in the Power Point Presentation) with a return deadline of November 21, 2005. She explained that a community meeting will take place on October 20, 2005 to discuss undergrounding issues and anticipated undergrounding costs, noting that the assessments in Districts 2 and 4 will be greater than those in District 6 because they are lower density. She outlined information in the Engineer’s Report, including the itemized assessment costs, assessment formula and boundaries; that at least 50% of the weighted returned ballots must be in favor of the district for formation to proceed; and that the value of each vote returned will be weighted according to the proportional financial obligation of the affected parcel. She reported that there would be a cash collection period from November 22, 2005 to December 2005, most likely extending into the first week of January 2006. She explained that, if the bids are lower than the authorized assessments, the City will immediately sell bonds to cover the unpaid assessment balance; that if open market bids and associated costs are more than the assessments collected, the City Council could opt to cancel the project; that should the vote be in favor of forming the Districts, the City would be reimbursed for assessment engineering fees, utility

design fees and related staff time; and that should the districts be defeated, the City would not recoup associated costs. Senior Civil Engineer Katsouleas concluded by relating staff's recommendation that the Council adopt the following: Resolution No. 5998 (establishing the proposed boundary maps), Resolution No. 5999 (declaring intent to finance improvement through the levy of assessments and the issuance of bonds) and Resolution No. 6000 (approving the Engineer's Report and setting the public hearing date).

Councilmember Tell clarified that only those votes cast will count.

In answer to questions from the Council, Senior Civil Engineer Katsouleas explained that partial assessments would apply to individuals owning property on a boundary, thereby having multiple service providers, and that they would be based on lot sizes, with a standard full lot being 7,500 square feet.

Mayor Fahey requested input on the payment options and asked if an explanation related thereto will be included in the material mailed to each property owner.

Senior Civil Engineer Katsouleas verified that, in addition to the written material to be mailed to property owners, the ballot will show payment options including that property owners over 62 years of age, with an annual household income of \$24,000 or less, could defer the entire amount until the sale of their home and that property owners could pay cash during a cash collection period, or a portion of the assessment in cash with the remainder being distributed over 20 years on their property tax bill.

Councilmember Tell related his understanding that the assessment amounts, computed by the City, and shown in relevant written material, assume that 100 percent of the assessment would be financed over 20 years.

Senior Civil Engineer Katsouleas affirmed Councilmember Tell's understanding, adding that those paying cash would benefit from a 12% reduction in the assessment and that the projected annual assessment installments are estimated to be approximately \$81.00 per \$1,000 of assessment.

Mayor Pro Tem Ward related information about a conversation he had with a senior citizen concerned about the financial aspects of the assessments, as well as how the assessment amounts were calculated. He asked if senior citizens past the age of 62 will be notified that they qualify for a discount.

Senior Civil Engineer Katsouleas advised that the \$24,000 annual income criteria for property owners past the age of 62 was established by the State Controller's office, information about which will be included in the ballot package. She further advised that the assessments do not include reductions for older property owners, and that they are solely based on safety and view corridor enhancement benefits, which are allocated according to property size for Districts 2 and 4 and zoning for District 6.

Councilmember Aldinger pointed out that this process is identical to that of the previous undergrounding project in Manhattan Beach.

City Manager Geoff Dolan mentioned that, in addition to the regular Council meetings on November 1st and 15th, there will be a special City Council meeting for the purpose of hearing this topic on November 21, 2005, during which the ballots will be counted and the results announced.

In response to Mayor Fahey's question as to whether any thought had been given to delaying the

vote so that the cash collection period would not coincide with the Holidays, Senior Civil Engineer Katsouleas related staff's hopes that the project would begin in a timely manner due to rising construction costs.

The following individuals spoke on this item:

- **Cadence Schreiber, 8th Street**
- **Inga Tatikian, 600 Block of Poinsettia**
- **Irl Kramer, No Address Provided**
- **Paul Gross, No Address Provided**
- **Jon Chaykowski, 200 Block of John Street**
- **Esther Besbris, No Address Provided**
- **Ken Haydis, 200 Block of 20th Street**

Addressing comments made by the audience, Senior Civil Engineer Katsouleas verified the following: that Verizon's revised cost estimate is approximately 15% lower than their previous one; that the partial assessments are identified in the Engineer's Report; and that the number of votes to be cast for each parcel is tied to property value.

City Attorney Robert Wadden confirmed that State Law requires that the number of votes to be cast shall be associated with the property value.

In answer to questions from Mayor Fahey regarding property owners whose utilities have already been undergrounded, Senior Civil Engineer Katsouleas clarified that 100% of the subject undergrounding assessments relate to the public right-of-way, and not to the lines from the poles or from homes to the property lines.

City Attorney Wadden advised that Proposition 218 requires a weighted vote.

Commenting that the City has no say in the matter, Mayor Fahey added that Proposition 218 also regulates how the votes are weighted. She noted that, while she was not part of the Council that came up with this plan to let residents (rather than the government) make the decision about their own homes, district by district, she supports it and emphasized that it was never Council's desire to back away from this issue out of concern for personal futures.

Senior Civil Engineer Katsouleas explained that financing details have not yet been worked out because it is unclear, at this time, what the bids will be; that the bonding structure will be determined according to how close the bids are to the assessments; and that the Public Works Department is working with the Finance Department to develop a variety of options from which to choose when the bids come in.

In response to Councilmember Montgomery's request on the voting percentages associated with past undergrounding districts, City Manager Dolan said that, while 50% is needed to pass, two previous districts passed with close to 70% and another previous one passed with a low 60%.

Mayor Fahey suggested that interested parties ask any questions they might have of utility company representatives present this evening during a forthcoming break.

Councilmember Aldinger related that, while he understands concerns over apparent inequities with some assessments, the City must abide by Proposition 218. He voiced his concern that costs are not in line with what they were anticipated to be, but is fully in support of these undergrounding districts.

Mayor Pro Tem Ward pointed out that the current estimated costs appear to be as good as they

are going to get, particularly given the cost of labor and materials; that it is imperative to move forward because costs will escalate in the future; and that the assessments can be spread out over 20 years and taken off the sale of properties.

Relating his agreement with Mayor Pro Tem Ward, Councilmember Tell stated his belief that this is an investment not only in personal property, but in the community. He stated that it is time to let residents decide and that he looks forward to the remainder of the districts having the opportunity to underground their utilities, particularly with rising costs and the fact that residents can push out their payments for 20 years and/or pay on an annual basis.

Councilmember Montgomery related his continued support for utility undergrounding and encouraged residents to vote.

MOTION: Councilmember Aldinger moved to adopt Resolution No. 5998 establishing the proposed boundary maps; adopt Resolution No. 5999 approving the Resolution of Intention; and adopt Resolution No. 6000 approving the Engineer's Reports and setting a Public Hearing for the special City Council meeting of November 21, 2005. The motion was seconded by Councilmember Montgomery and approved by the following unanimous roll call vote:

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

RESOLUTION NO. 5998

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING BOUNDARY MAPS FOR UNDERGROUND UTILITY ASSESSMENT DISTRICT NOS. 05-2, 05-4 AND 05-6

RESOLUTION NO. 5999

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DECLARING ITS INTENTION TO ORDER IMPROVEMENTS FOR PROPOSED UNDERGROUND UTILITY ASSESSMENT DISTRICT NOS. 05-2, 05-4 AND 05-6 PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913, AND IN ACCORDANCE WITH ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND THE CITY MUNICIPAL CODE

RESOLUTION NO. 6000

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, PRELIMINARILY APPROVING A REPORT OF THE ENGINEER IN CONNECTION WITH PROPOSED UNDERGROUND UTILITY ASSESSMENT DISTRICT NOS. 05-2, 05-4 AND 05-6 AND SETTING A TIME AND PLACE FOR HEARING PROTESTS

05/0920.18-12 Consideration of City Council Work Plan Item Regarding Residential Construction

Issues

City Manager Geoff Dolan introduced this item noting the following: that the Council discussed this topic during their annual Work Plan Meeting and directed staff to review various construction issues; that, next to traffic, construction issues result in the greatest number of complaints the City receives; that this is the first presentation on this subject to the Council; and that staff would not necessarily expect final decisions this evening.

Building Official Carol Jacobson explained that during the Council's Work Plan Meeting in June of 2005, staff was directed to review issues relevant to residential construction impacts, including construction hours, notification to neighbors and construction rule enforcement/resolutions. With the aid of a PowerPoint presentation, she provided background information on these three areas and explained the following: that changes to current construction hours (7:30 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. Saturdays, with construction prohibited on Sundays and six holidays) would require the presentation of an Ordinance at a future Council meeting; that detailed information about the addition of a part-time Code Enforcement Officer could be presented at a future Council meeting; and that a postcard notification system and/or the "Good Neighbor Construction Policy" handouts could be implemented quickly. She reported that posting of construction signs showing the job address, description, contractor/owner and a telephone number on all major job sites was implemented approximately one year ago; that neighborhood notification within 100 feet of the project is currently required only in the Coastal Zone; that a ten-day notification is required for projects having shoring; that two parking permits are issued per job site; that radio and generator noise, as well as shoring vibration, have been a problem; and that the South Bay Dispute Resolution Center has provided assistance to property owners having disputes associated with construction projects. Building Official Jacobson concluded by offering several suggestions to mitigate construction impacts in neighborhoods, as reflected in the staff report.

Councilmember Montgomery requested clarification on neighborhood notification requirements, including demolitions, and related his wish to expand the postcard notification to be City-wide.

Councilmember Aldinger stated his understanding that neighborhood notification is currently provided when there is a potential to impact surrounding properties.

Mayor Pro Tem Ward voiced his opinion that, even though it may keep construction debris from spreading to adjacent properties, the house with the white plastic cover over it is aesthetically unappealing.

Building Official Jacobson clarified that notification prior to demolition is required for Coastal Permits; that ten-day notification is required prior to the commencement of projects having shoring; that staff recommends the expansion of the postcard notification to be City-wide; that the white plastic cover is unusual and the green mesh type fencing is typical; that notification of demolitions in the Coastal Zone is provided approximately one month in advance; that notification of demolition is not required for properties east of Sepulveda Boulevard; and that, should the Council agree with the postcard notification, staff would recommend that it be sent prior to the issuance of the demolition permit.

Mayor Pro Tem Fahey stated that the biggest construction related complaint she receives is related to parking and asked if the City attempts to do anything to limit the number of vehicles at a construction site and/or if the workers could be required to park their vehicles away from the area.

Building Official Jacobson affirmed that the City cannot do anything about construction vehicles legally parked near a project.

City Attorney Robert Wadden advised that one aspect of the proposed part-time Code Enforcement Officer would be to serve as a type of City liaison who could potentially help to arrange off-site parking of construction vehicles. He confirmed that the Ordinance could be amended to require specific parking requirements for individuals working on construction projects.

In response to Mayor Pro Tem Ward's question of whether the City could encourage workers to park elsewhere, such as on arterial streets close to the construction projects, City Manager Dolan commented that a Code Enforcement Officer could be the central point person to deal with construction issues and develop a rapport with the contractors to help keep them informed and make them aware of parking alternatives.

Mayor Fahey asked if the City Ordinance could be amended to give the City the right to determine parking requirements near construction sites and requested clarification on the proposed 7% surcharge on building permits to pay for a Code Enforcement Officer.

City Attorney Wadden advised that a parking plan that includes requirements for construction areas could be developed.

Building Official Jacobson provided input on the reasoning behind implementing a 7% surcharge on building permit fees to pay for a Code Enforcement Officer.

Councilmember Aldinger entertained the idea of sending out information about the Code Enforcement Officer, such as his/her name, to property owners in construction areas.

City Manager Dolan related staff's opinion that, for identification purposes, the Code Enforcement Officer should have some type of a unique vehicle, which could be paid for by the City.

Councilmember Tell questioned whether a Code Enforcement Officer would remain for a long period of time as it is proposed to be only a part-time position.

City Manager Dolan advised that an individual with whom the City is familiar might be interested in assisting the City in getting the program up and running and that he could determine down the road if the position should be full-time.

Mayor Fahey questioned whether it would be appropriate to ask for builders to pay a 7% surcharge on building permit fees for a Code Enforcement Officer.

The following individuals spoke on this item:

- **Esther Besbris, No Address Provided**
- **Chuck Milam, 18th Street**
- **Lynn Harris, No Address Provided**
- **Karla Mendelson, 15th Street**
- **Dave Harris, No Address Provided**
- **Viet Ngo, No Address Provided**
- **Jim Murray, 2500 Block of Palm Avenue**
- **Gary Osterhout, 500 Block of 31st Street**

In response to a comment made by an audience member, Mayor Fahey suggested that the underutilization of truck routes be discussed in the future and asked if the City's website could

include a link for information about construction sites in the City. She stated her support for an Ordinance that requires a parking plan and gives a Code Enforcement Officer the right to enforce compliance with the parking plan.

Council briefly discussed the idea of limiting the number of building permits in specific areas to which Mayor Pro Tem Ward and City Manager Dolan both stated that it could be very problematic.

Acknowledging that parking in construction areas is a problem, Councilmember Tell questioned where else drivers could park. He also voiced his opinion that consideration should be given to making the proposed Code Enforcement Officer a full-time position.

City Manager Dolan verified that the Code Enforcement Officer would be certified and authorized to write parking tickets and related that it is staff's opinion that parking permits issued to contractors are not abused.

Mayor Fahey pointed out that the City could contribute to a portion of the Code Enforcement Officer's salary instead of it being completely paid for by a 7% surcharge on building permit fees.

City Manager Dolan advised that, in certain parts of the City (such as the Hill Section), lane/street closures do not create problems; that contractors are currently required to notify the City of lane/street closures in the vicinity of construction projects, but the City does not currently notify residents of same; and that those owning property within ten houses of a project could be notified of lane/street closures.

In regard to the topic of prohibiting construction work on holidays, Community Development Director Richard Thompson related that a lot of homeowners like to work on their construction projects on holidays.

After brief discussion, Council concurred to direct staff to change the current Ordinance to prohibit construction on three additional holidays: Martin Luther King Jr. Day, Veteran's Day and the Friday after Thanksgiving. The Council also concurred to support a full-time Code Enforcement Officer; City-wide notification regarding demolitions; temporary power poles instead of generators, wherever possible; green mesh fencing the height of the project throughout the City; trash receptacles for food; and notification of lane/street closures to individuals owning property within ten houses of a project.

City Manager Dolan advised that staff will provide input to the Council in approximately six months on the success of the new Code Enforcement Officer, as well as other changes agreed to this evening. He clarified that the construction notices provided to property owners will be bright orange in color and the proposed Ordinance change, prohibiting construction on the three additional holidays, will be presented at a future City Council meeting for adoption.

Councilmember Montgomery commended the excellent job done by staff with regard to this item.

RECESS AND RECONVENE

At 8:53 p.m. the Council recessed and reconvened at 9:05 p.m. with all Councilmembers present, with the exception of Councilmember Tell.

05/0920.19-13 Consideration of Adopting the City of Pascagoula, Mississippi

Councilmember Aldinger related his support of adopting the City of Pascagoula, Mississippi as a Hurricane Katrina relief city, similar to a Sister City. He explained his impression of such a commitment as being long-term to help the citizens of Pascagoula get back on their feet.

Councilmember Montgomery pointed out that the United States' Conference of Mayors has recommended that cities adopt other cities suffering from the devastating effects of Hurricane Katrina.

Mayor Fahey explained that her concerns during the Council's previous discussion of this topic were for the need for additional information about Pascagoula and whether the Manhattan Beach community would like to have more of a say in which city/cities to assist. She asked for input on what it means to adopt a city insofar as the City government is concerned (staff time, costs, etc.).

Concurring with Mayor Fahey's comments, Mayor Pro Tem Ward commended the efforts of Councilmembers Montgomery and Aldinger and others who have already assisted the residents of Pascagoula. He related his understanding that Hurricane Katrina victims need money and housing, which has been his personal focus, and that the great majority of those needing assistance live in rural areas. He recommended that the level of need be considered prior to adopting a city and questioned the fiscal commitments associated with doing so. He voiced his discomfort with how the City of Pascagoula was selected and favored "partnering up" with local organizations such as Habitat for Humanity and others in the Hurricane area rather than officially adopting a city.

Councilmember Aldinger urged the Council to officially adopt Pascagoula. He related his understanding that this would not be a large financial commitment for the City of Manhattan Beach.

Mayor Pro Tem Ward contended that a needs assessment should have been performed prior to selecting Pascagoula.

Having traveled to Pascagoula to deliver items to victims of Hurricane Katrina, Councilmember Montgomery assured Mayor Pro Tem Ward that the need is definitely there. He explained his understanding that, in adopting Pascagoula, the idea was to hopefully be one city of many, and not the only area assisted by Manhattan Beach.

Mayor Fahey voiced her opinion that, while there are clearly areas in greater need of assistance, the Pascagoula area is legitimately in need and it has some parallels to Manhattan Beach in terms of the number of people, the families in the community, etc. She said that, even though Pascagoula might not have been the Council's first choice, it appears to be too late to choose another city, particularly since Manhattan Beach residents have already made such a great effort to assist Pascagoula and they now view Manhattan Beach as their partner. It was Mayor Fahey's opinion that, if doing so will maximize the benefits, Manhattan Beach should officially adopt Pascagoula.

Mayor Pro Tem Ward said that, while he could support an increased encouragement of groups and organizations to help the City of Pascagoula, he was not prepared to move forward with anything else at this time.

The following individuals spoke on this item:

- **Viet Ngo, No Address Provided**
- **Patrick McBride, No Address Provided**
- **Evelyn Frey, 200 Block of 3rd Street**
- **Paul Gross, No Address Provided**
- **Gary Osterhout, No Address Provided**
- **Barbi Johnson, No Address Provided**

Mayor Fahey referred to a letter from the United States' Conference of Mayors encouraging cities to create long-term relationships with other cities affected by Hurricane Katrina. She stated that, while Pascagoula might not be the neediest city, adopting it might be helpful in sparking a long-term relationship.

Councilmember Aldinger entertained the idea of adding wording to include adopting the City of Pascagoula "and surrounding rural areas."

Mayor Pro Tem Ward felt that the Council does not have enough information about the surrounding rural areas to add wording to that effect.

Mayor Fahey related her preference to contact the Conference of Mayors for additional information about the specifics of the initiative for Hurricane Katrina and what it says about adopting a city.

Clarifying that he is not advocating walking away from Pascagoula, Mayor Pro Tem Ward indicated that he would support increasing resident encouragement for Pascagoula; however, the only way he would be satisfied is if the word "adoption" was removed. Mayor Pro Tem Ward emphasized the importance of being absolutely clear about the commitment Manhattan Beach would be making in adopting Pascagoula.

MOTION: Councilmember Aldinger moved to approve adopting the City of Pascagoula, Mississippi, in concept, and to return with additional language from the United States Conference of Mayors defining what adoption of a City entails. The motion was seconded by Councilmember Montgomery and approved by the following roll call vote:

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

Councilmember Aldinger stated his intent to contact the Conference of Mayors to obtain additional information about the initiative for Hurricane Katrina and the word "adoption."

Mayor Fahey asked that this information be provided within the next two Council meetings.

City Manager Dolan advised that, up to this time, very little staff resources have been expended on this matter.

05/1004.14 Consideration of a Proposal from Beach Cities Transit to Participate in Funding Operation of a Replacement for the 439 Bus Line for Two Years in Conjunction with the Cities of Hermosa Beach and El Segundo

Management Analyst Rob Osborne provided a brief overview on the proposal from Beach Cities Transit to participate with the Cities of Hermosa Beach and El Segundo in funding a replacement for a portion of the Metropolitan Transit Authority's (MTA) 439 Bus Line. He explained that the MTA has indicated that the portion of the Line between South Redondo Beach and LAX, which passes through Manhattan Beach on Manhattan Avenue and Highland Avenue, will be discontinued in May of 2006 because it is under utilized, however, at this time, the MTA does not plan to terminate any other routes traveling through Manhattan Beach.

With the aid a PowerPoint presentation, **Beach Cities Transit Manager Terisa Price** gave an overview on the history of the Transit system; defined the problem and proposed solution with the 439 Line; and outlined the next steps to be taken. She explained the MTA's plan to realign their regional bus system, including the cancellation of Route 439, and the Beach Cities Transit plan to continue the same route on the same day the MTA discontinues theirs. Relating the Beach Cities Transit projection that Route 439 will have approximately 15 boardings per hour, she estimated that the operation will be self-sustaining in approximately two years. She related information on the schedule and advised the Council that Federal funding of \$1,800,000 has been received to purchase vehicles; that Manhattan Beach would be allocated to pay \$86,639 for two years, but that the allocation would be reduced if fare revenues exceed projections; and that costs were allocated according to the service miles per city.

Management Analyst Osborne explained that the \$86,693 allocation for Manhattan Beach is available through Proposition A Funds; however, it would impact the City's ability to trade those Funds.

The following individual spoke on this item:

- **Gary Osterhout, No address Provided**

City Manager Geoff Dolan verified that the extent of the City's commitment would be for two years; that at the end of two years, the MTA will pick up the funding; and that information on an inter-City trolley will be provided to the Council in the near future.

Beach Cities Transit Manager Price assured the Council that the commitment would only be for two years.

Councilmember Aldinger stated his support of the staff recommendation.

Councilmember Montgomery relayed his agreement with authorizing the City Manager to enter into the agreement as a stop-gap measure for two years.

MOTION: Mayor Pro Tem Ward moved to approve authorizing the City Manager to enter onto an agreement with Beach Cities Transit to fund a replacement bus line for two years. The motion was seconded by Councilmember Montgomery and approved by the following roll call vote:

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

Abstain: None.

City Manager Dolan stressed that this agreement is subject to the other participating cities' approval.

Beach Cities Transit Manager Price commented that a multitude of El Segundo residents have addressed the El Segundo City Council in favor of the agreement.

05/1004.15 Consideration for Funding Additional Projects from the Unfunded List in the Fiscal Year 2005-2006 Capitol Improvement Plan (CIP)

Mayor Fahey recommended that this item be continued until the next City Council meeting, due to Councilmember Tell's absence.

Council concurred to continue the item to the October 18, 2005 City Council Meeting.

ITEMS REMOVED FROM THE CONSENT CALENDAR

05/1004.5 Consideration of Financial Report: Ratification of Demands - September 22, 2005

A member of the audience pulled this item from the Consent Calendar for discussion however was not present when the item was ready to be discussed.

MOTION: Mayor Pro Tem Ward moved to approve with no exception Warrant Register No. 7B in the amount of \$4,859,442.77 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. The motion was seconded by Councilmember Montgomery and passed by the unanimous roll call vote.

Ayes: Aldinger, Montgomery, Ward and Mayor Fahey.

Noes: None.

Absent: Tell.

Abstain: None.

AUDIENCE PARTICIPATION

05/1004.22 Paul Gross Re Thanks

Paul Gross, Strand Resident, commended City staff for the well thought out and well managed storm drain, utility undergrounding and Strand refurbishment projects.

CITY MANAGER REPORT(S)

05/1004.23 City Manager Dolan Re Mayor's Golf Tournament

City Manager Dolan reminded the community that the Manhattan Beach Mayor's Golf Tournament will be held next Monday, October 10, 2005, at the Candlewood Country Club in Whittier and that those interested should visit the City's web site at www.citymb.info for more information.

05/1004.24 City Manager Dolan Re Recruitment for New Police Chief

City Manager Dolan presented the new Police Chief recruitment brochure to Council explaining that applications will be accepted through Tuesday, November 1, 2005; that the City will advertise in the appropriate law enforcement and League of California Cities journals; that a picture of the new Police & Fire Facility is on the cover; and that the brochure was created in house to save money.

OTHER COUNCIL BUSINESS & COMMITTEE REPORTS

05/1004.25 Councilmember Aldinger Re Braille Trail

Councilmember Aldinger conveyed that he was recently made aware of language in the original proposal for the Braille Trail signs indicating that a small plaque could be posted on each of the posts.

There was no Council discussion regarding this matter.

05/1004.26 Councilmember Aldinger Re Hurricane Relief Walk

Councilmember Aldinger explained that he was contacted by a resident working with the Red Cross Los Angeles Youth Club hoping for help to organize a Pier-to-Pier walk on the Strand to raise money for hurricane relief and questioned whether there would be Council support.

In response to Mayor Fahey's question as to how such events are set up, City Manager Dolan stated that, normally, they go through the annual fee waiver process; however, if Council chooses, staff will help them to organize the walk. He also reminded Council of past reluctance to add events "midstream" because it is hard to determine where to "draw the line".

Councilmember Montgomery stated that he would prefer to focus on the current relief project out-of-state and refer the Youth Club to the Richstone Center.

Mayor Pro Tem Ward stated that he could support it if it is an incidental amount; however, stressed the need to be careful about opening the process for immediate needs because of the long term ramifications.

Acknowledging the majority consensus of support, City Manager Dolan asked Councilmember Aldinger to have the resident contact Parks and Recreation Director Richard Gill to coordinate the event.

05/1004.27 Councilmember Montgomery Re The Old Hometown Fair

Councilmember Montgomery thanked the Council and City staff for their help in making last weekend's Old Hometown Fair a great success.

05/1004.28 Councilmember Aldinger Re Successful Neighborhood Meeting

Councilmember Aldinger reported on the successful outcome of a neighborhood walk street meeting in the south area of the City attended by Councilmember Montgomery, Lance Widman of Dispute Resolutions and himself.

ADJOURNMENT

At 10:10 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, October 18, 2005, in said City.

WENDY WEEKS
Recording Secretary

JOYCE FAHEY
Mayor

ATTEST:

LIZA TAMURA
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
ADJOURNED REGULAR MEETING
OCTOBER 4, 2005**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 4th day of October, 2005, at the hour of 5:38 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

ROLL CALL

Present: Tell, Aldinger, Montgomery, Ward and Mayor Fahey.
Absent: None.
Clerk: Wadden (Acting).

CLOSED SESSION

The Council recessed into Closed Session at 5:38 p.m. and moved to open session at 6:29 p.m.

ADJOURNMENT

The meeting was duly adjourned at 6:29 p.m.

ROBERT V. WADDEN, JR.
Recording Secretary

JOYCE FAHEY
Mayor

ATTEST:

LIZA TAMURA
City Clerk