

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Final

Tuesday, November 6, 2012

6:00 PM

Regular Meeting

City Council Chambers
1400 Highland Avenue
Manhattan Beach, CA 90266

City Council

Mayor Wayne Powell
Mayor Pro Tem David J. Lesser
Councilmember Amy Howorth
Councilmember Richard P. Montgomery
Councilmember Nicholas W. Tell, Jr.

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda items can be taken out of order during the meeting.

Agenda items were considered in the order presented here.

A. PLEDGE TO THE FLAG

Mayor Powell, on behalf of the City Council, presented a certificate to Isabella Walker from Pacific Elementary School for leading the Pledge of Allegiance.

B. ROLL CALL

Present: 5 - Mayor Powell, Mayor Pro Tem Lesser, Councilmember Howorth, Councilmember Montgomery and Councilmember Tell

Councilmember Montgomery arrived at 8:40 p.m.

C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

City Clerk Tamura confirmed the meeting was properly posted.

D. CLOSED SESSION ANNOUNCEMENT

City Attorney Barrow stated that the City Council provided direction to the labor negotiator regarding Item No. 1. For Item No. 2, the City Council provided direction to the City Attorney regarding existing litigation. On Item No. 3, the City Council provided direction to staff regarding anticipated litigation. Finally, no action was taken on Item No. 4. related to anticipated litigation.

There were no other reportable actions taken.

E. APPROVAL OF AGENDA

No changes were made to the agenda.

F. CEREMONIAL CALENDAR

- 1 Recognition of Wilmer Drake and Pat Cunningham as Distinguished Older Adult Recipients of the Mayor's I Heart MB Award. [12-0266](#)

PRESENT

Mayor Powell, on behalf of the City Council, presented certificates to Wilmer Drake and Pat Cunningham as Distinguished Older Adult Recipients of the Mayor's I Heart MB Award.

- 2 Recognition of Soroptimist International of the Americas - Camino Real Region as a Distinguished Organization Recipient of the Mayor's I Heart MB Award. [12-0298](#)

PRESENT

Mayor Powell, on behalf of the City Council, presented certificates to Soroptimist International as a Distinguished Organization Recipient of the Mayor's I Heart MB Award.

- 3 Recognition of the County of Los Angeles Public Library's Centennial [12-0205](#)

PRESENT

Mayor Powell, on behalf of the City Council, presented a commendation to Manhattan Beach Librarian Don Gould in recognition of the Los Angeles County Library's centennial.

- 4 Recognition of Friends of the Manhattan Beach Library as a Distinguished Organization Recipient of the Mayor's I Heart MB Award. [12-0299](#)

PRESENT

The Friends of the Library were not able to attend tonight's meeting.

G. COMMUNITY ANNOUNCEMENTS (One Minute Per Person)

Manhattan Beach Librarian Don Gould announced upcoming library events.

Public Works Director Jim Arndt invited the public to the Public Works Open House scheduled for Saturday, November 17, 2012, from 10 a.m. - 1 p.m. at 3621 Bell Avenue.

Viet Ngo spoke about anti-public corruption advocacy, including the alleged misuse of public funds.

Mayor Pro Tem Lesser mentioned a "Map Your Neighborhood" training being offered on November 19, 2012, sponsored by Neighborhood Watch, to help residents prepare to care for themselves and their neighborhoods in the event of a disaster.

Don Gould reminded the public that there is still time to vote and suggested that residents go to www.lavote.net to find out if they are registered.

Councilmember Howorth announced the musical at Mira Costa High School "You're A Good Man Charlie Brown" this weekend.

Mayor Powell announced that the month of November was "National Family Caregivers Month."

Mayor Powell reported that Thursday is the next Mayor's Town Hall meeting "Meet the City of Manhattan Beach" at the Joslyn Center.

Mayor Powell mentioned the Pumpkin Races and showed his "Mayor's Entry" that won second place.

H. AUDIENCE PARTICIPATION (Three Minutes Per Person)

Amanda Hunter of California Art Map Company, along with artist Therese Trebaol, presented a Centennial Map of Manhattan Beach.

Chris Miller revealed that a copy of the map will be in each Beach Reporter in a December issue.

Melen McBride, member of the Manhattan Beach Senior Citizen Resource Committee, thanked the City Council for the Family Caregivers Proclamation and requested that consideration be given to include citywide training for caregivers in the 2013 City Work Plan.

Chris Miller announced that she has extra copies of the Centennial parade posters.

Frank Wattles reminded the City Council that he is looking forward to an ordinance protecting trees and views in the sand section neighborhood.

Viet Ngo spoke of alleged conspiracy and hate crimes against him because of his national origin and also voiced his opinions on the handling of issues regarding a former City Manager.

Mayor Powell responded that the City Council does not condone hate crimes, and reminded Mr. Ngo not to make false accusations against private citizens.

Jim O'Callaghan, Manhattan Beach Chamber of Commerce President, noted that the City of Manhattan Beach was recently named one of the "Twelve Prettiest Painted Places in America" in a contest sponsored by HGTV, the Dow Institute and the Paint Quality Institute, held once every 10 years.

I. CONSENT CALENDAR

Councilmember Tell pulled Item Nos. 14 and 15.

Mayor Pro Tem Lesser asked why the term of the contract for Item No. 13 (Award of a Five-Year Printing Services Contract to Smart Source) was 5 years. Finance Director Moe responded that it is a routine need and an efficiency action on the City's part and that there is a cancellation clause, should the vendor not meet our requirements at any point during the term of the contract.

Mayor Powell noted a typo on the City Council minutes of October 16, 2012.

Approval of the Consent Calendar

A motion was made by Councilmember Howorth, seconded by Councilmember Tell, to approve the Consent Calendar (Item Nos. 5-17), with the exception of Item Nos. 14 and 15, which were considered later in the meeting under "Items Removed from the Consent Calendar."

The motion carried by the following vote:

Aye: 4 - Powell, Lesser, Howorth and Tell

Absent: 1 - Montgomery

- 5** Resolution Authorizing Execution of a Program Supplement [RES 12-6415](#)
Agreement Adding the Cycle 3 Safe Routes to School Program to the
Existing Master Funding Agreement with State of California
Department of Transportation and Appropriation of Reimbursable
Grant Funds in the Amount of \$65,000.

ADOPT RESOLUTION NO. 12-6415, APPROPRIATE FUNDS

The recommendation for this item was approved on the Consent Calendar.

- 6** Award of Contract to Iteris, Inc. for the Preparation of the General Plan [12-0254](#)
Mobility Element Update in the Amount of \$124,080
APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 7** Award of Bid to Lightning Fence Co. in the Amount of \$96,329 for [12-0229](#)
Sand Dune and Marine Avenue Park Fencing Improvements (\$24,884
for Sand Dune Park Fencing and \$71,445 for Marine Avenue Park
Fencing).
APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 8 Progress Payment No. 8 in the Net Amount of \$29,830.58 to Harbor Construction Co., Inc. for the Joslyn Center, Begg Pool Locker Room and Manhattan Heights Community Center Renovation Projects. [12-0322](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 9 Purchase of Two Replacement Police Motorcycles from Huntington Beach Honda in the Amount of \$47,902.68. [12-0282](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 10 Award of Bid for a Replacement Police Cargo Van and Public Works Pickup Truck from Theodore Robins Ford in the Amount of \$80,112.99. [12-0137](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 11 Progress Payment No. 4 to Ramona, Inc. for the 2011-2012 Sewer Main Rehabilitation Project, Phase 1 (\$139,500.00). [12-0303](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 12 Award a Professional Engineering Services Agreement to Anderson Penna Partners, Inc. in the Amount of \$130,645 for Storm Sewer Line Video Inspections. [12-0304](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 13 Award of a Five-Year Citywide Printing Services Contract to Smart Source (Estimated Total Annual Value of \$50,000). [12-0115](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 16 Financial Reports: [12-0277](#)
a) Ratification of Demands: October 23, 2012

RATIFY

b) Payroll Registers: October 11, 2012 and October 25, 2012

RATIFY

c) Investment Portfolio for the Month Ending September 30, 2012

RECEIVE AND FILE

d) Financial Reports for the Month Ending September 30, 2012

RECEIVE AND FILE

The recommendation for this item was approved on the Consent Calendar.

17 Minutes: [12-0297](#)

This item contains minutes of City Council meetings which are presented for approval and minutes from City Council subcommittees and from other City commissions and committees which are presented to be received and filed by the City Council. Staff recommends that the City Council, by motion, take action to approve the minutes of the:

a) City Council Closed Session Meeting of October 16, 2012.

APPROVE

b) City Council Regular Meeting of October 16, 2012.

APPROVE

c) Action Minutes, Planning Commission Meeting of October 24, 2012.

RECEIVE AND FILE

The recommendation for this item was approved on the Consent Calendar.

J. PUBLIC HEARINGS**K. GENERAL BUSINESS****18** Award of a Five-Year Contract for Building Plan Check, Building Inspection, and Fire Plan Check Services to Melad and Associates, Inc. (Estimated Annual Value of \$268,000). [12-0323](#)**APPROVE**

*The following individual spoke on this item:
Viet Ngo*

City Attorney Barrow explained that under California law, cities issuing Requests for Proposals (RFP) or Requests for Quotations/Qualifications (RFQ) are not legally required to select the lowest bidder. Also, as noted in the staff report, the City did receive 8 responses.

A motion was made by Councilmember Tell, seconded by Mayor Pro Tem Lesser, to approve the award of a five-year contract for building plan check, building inspection, and fire plan check services to Melad and Associates, Inc. (Estimated Annual Value of \$268,000).

The motion carried by the following vote:

Aye: 4 - Powell, Lesser, Howorth and Tell

Absent: 1 - Montgomery

- 19 Request from the American Youth Soccer Organization to Fundraise for the Installation of Synthetic Turf at the Marine Avenue Park Soccer Field.

[12-0315](#)

The following individuals spoke on this item:

Ross Kay, Regional AYSO Commissioner

Michael Hinz

Paul Estrella

Johnnie Morgan

A motion was made by Councilmember Tell, seconded by Councilmember Howorth, to approve a revised Memorandum of Understanding allowing the American Youth Soccer Organization to continue fundraising for the installation of synthetic turf for Marine Avenue Park soccer field.

The motion carried by the following vote:

Aye: 4 - Powell, Lesser, Howorth and Tell

Absent: 1 - Montgomery

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 14 Two-Week Waiver of City Parking Meter Fees to Encourage Holiday Shopping and Dining
APPROVE

[12-0295](#)

Councilmember Tell pulled this item and asked the City Council to consider expanding the meter bagging to 4 weeks.

The City Council held a brief discussion including the length of an extension; what it would cost the city in lost revenue; and how it would help local businesses.

There were no requests from the public to speak on this item.

A motion was made by Councilmember Tell, seconded by Councilmember Montgomery, that this item be amended to a four-week waiver of fees at all City parking meters, excluding the shared State Pier and El Porto (L.A. County) beach parking lots.

The motion carried by the following vote:

Aye: 4 - Tell, Montgomery, Powell and Howorth

Nay: 1 - Lesser

- 15 Monthly Status Update of Strategic Plan Goals and Objectives.
RECEIVE AND FILE

[12-0284](#)

Councilmember Tell pulled this item and asked that the City Council review the Strategic Goals and Objectives.

The City Council directed staff to make various changes to the report; to add a column of projected Council meeting dates; and to bring the item back on the Consent Calendar at the next City Council meeting.

M. CITY MANAGER REPORT(S)

City Manager Carmany announced the upcoming Holiday Open House, Wednesday November 14, 2012. He noted that the first day to pull papers for the March 5, 2013, General Municipal Election is Tuesday, November 12, 2012. Also, the website survey ends on November 30, 2012.

City Manager Carmany also reported the City had received a letter about upcoming changes regarding the exchange of Community Development Block Grants for General Revenues and further discussions with the City Council will be needed.

City Manager Carmany further added that many questions had arisen about Disaster Relief for Hurricane Sandy and in his personal experience he felt the Red Cross and cash donations were the best. Councilmember Montgomery commented that in 2009 they sent an 18 wheeler to Pascagoula, MS, but also agreed in this situation money is best. Mayor Powell also commented that cash to the Red Cross was a good idea and it was echoed by Councilmember Howorth.

N. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS**20**

Report by Mayor Pro Tem Lesser regarding South Bay Council of Governments (SBCOG) Public Utilities Commission testimony pertaining to Southern California Edison's Unplanned Power Outages.

[12-0307](#)**PROVIDE DIRECTION**

Mayor Pro Tem Lesser reported that he, as City liaison to the South Bay City Council of Governments (SBCCOG) Committee, testified at a recent California Public Utility Commission (PUC) meeting about the unplanned regional power outages that have affected many South Bay cities. He reported that the common concern among the seven other SBCCOG cities is that Southern California Edison (SCE) needs to increase monitoring of its equipment; invest more in capital improvements; not defer upgrades and improve communication with cities when the power does go out. He stated that although the City has a good relationship with SCE, an upcoming rate decision that includes less funding for infrastructure may necessitate the need for the City to work closer with the PUC.

Councilmember Montgomery commented that SCE will not care unless the PUC puts "the bite" on them and that they are just buying time and should be fined.

Mayor Powell stated that there is strength in numbers; that other regional Council of Governments also testified; and that there have been a number of complaints from residents.

- 21 Request by Councilmember Tell to Agendize a Discussion regarding possible City Support for Freedom to Marry

[12-0325](#)

PROVIDE DIRECTION

The City Council held a brief discussion regarding what would and would not be within the City's jurisdiction in regard to supporting the Freedom to Marry Initiative.

There were no requests from the public to speak on this item.

A motion was made by Councilmember Howorth, seconded by Councilmember Tell, to agendize a discussion on possible City support for the Freedom to Marry Initiative.

The motion carried by the following vote:

Aye: 5 - Powell, Lesser, Howorth, Montgomery and Tell

O. ADJOURNMENT

At 9:40 p.m. the Regular City Council Meeting of November 6, 2012, was duly adjourned, to the 5:00 p.m., November 20, 2012, City Council Meeting (Closed Session) in the City Council Chambers.