

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Final

Tuesday, March 4, 2014

6:00 PM

Regular Meeting

City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session

### City Council

*Mayor Amy Howorth*  
*Mayor Pro Tem Wayne Powell*  
*Councilmember Mark Burton*  
*Councilmember Tony D'Errico*  
*Councilmember David J. Lesser*

**A. PLEDGE TO THE FLAG**

*Faith Marvin, Senior at Mira Costa High School led the Pledge of Allegiance.*

**B. ROLL CALL**

**Present:** 5 - Mayor Howorth, Mayor Pro Tem Powell, Councilmember Burton, Councilmember D'Errico and Councilmember Lesser

**C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING**

*City Clerk Liza Tamura confirmed that the meeting was properly posted.*

**D. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES**

**A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to approve the agenda and waive full reading or ordinances. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

**E. CEREMONIAL CALENDAR**

- 1. Presentation of a Proclamation to the American Red Cross Declaring March 2014, as Red Cross Month. **14-0096**  
**PRESENT**

*On behalf of City Council, Mayor Howorth presented a Proclamation to George Butts, representing the American Red Cross, declaring March 2014, as Red Cross Month.*

**F. CITY MANAGER REPORT**

*Interim City Manager Jalili provided an update on the recent storm, notification by the Health Department regarding a case of typhus, an update on the City Manager's recruitment process, an update on the 900 Club and a status report on the restriping of Pacific/Valley and Ardmore intersection.*

**G. CITY ATTORNEY REPORT**

*None*

## H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

*Mayor Pro Tem Powell announced American Association of Retired Persons will be providing income tax assistance for seniors ages 60 and older every Wednesday from February 5, 2014, through April 9, 2014, at the Joslyn Community Center from 9:00 a.m. to 1:00 p.m.*

*Councilmember Burton reminded residents that Matt Williams, who lost his daughter, Lilly, is asking for support for the "Relay for Life" under which he has a team called, "Red Shoes for Lilly", and urged residents to donate towards cancer research. He also announced that the Manhattan Beach Rotary Club partners with various organizations including Stop Hunger Now. The event will be held on March 29, 2014, from 8:00 a.m. to 10:00 a.m. at Pacific Elementary School and they are looking for 100 volunteers to assemble items for children in need.*

*Mayor Howorth announced the SAGE Expo (Sustainable And Green Environments) on March 11, 2014, at the Tin Roof Bistro, at breakfast time.*

*Councilmember Lesser provided an update of a recent meeting with Southern California Edison and addressed the purpose of the meeting noting that they are laying out the groundwork for infrastructure upgrades and are expecting to present a major overview of the project in the future. He added that the scale of the upgrade is substantial and that the number of planned outages will be considerable.*

*Mayor Howorth announced that Susan Warshaw, Executive Director of the Manhattan Beach Educational Foundation, will be honored on her retirement at the School Board meeting on Wednesday, March 5, 2014, at 6:00 p.m.*

## I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

*Police Chief Eve Irvine, acting as a Member of Leadership Manhattan Beach, announced an upcoming fundraiser for the Tot Lot upgrade at Live Oak Park. She reported that groundbreaking will be on Saturday, March 8, 2014, from 10:00 a.m. to noon, where there will be fun activities for the family. She encouraged the public to attend and bring their extra change.*

*Don Gould, County Librarian, provided updates on Library events and programs. He provided status of the recruiting process for a new Children's Librarian.*

*Viet Ngo announced bicycle lanes and sharrows installed in the City and encouraged the public to visit the City website for information regarding related rules and laws.*

## J. PUBLIC COMMENT ON NON-AGENDA ITEMS

*Robert Bush read a letter into the record and distributed copies to City Councilmembers regarding fiscal responsibility, accountability, transparency, oversight and honesty. He commented on residents who do not get involved, on time limitations for public comment and on various issues that City Council and the City have failed to act on.*

*Rusty Roten, South Bay Workforce Investment Board, distributed folders with information to City Councilmembers and provided a summary of the organization's current activities and program accomplishments.*

*Viet Ngo commented on Mayor Howorth's campaign for State Senate and alleged misappropriation of public funds and violations of the Brown Act. He asked that Mayor Howorth resign her position during her campaign and not use City resources such as the City Attorney, adding that she should hire her own attorney.*

## K. CONSENT CALENDAR

2. Adopt Resolution No. 14-0007 Authorizing the Installation of Stop Signs on 21st Street / 22nd Street and Magnolia Avenue as Recommended by the Parking and Public Improvements Commission (Community Development Director Thompson). **RES 14-0007**

### ADOPT RESOLUTION

**A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to approve the Consent Calendar (Item No. 2) except for Item No. 3 which was pulled for separate discussion and consideration. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

3. Revision to the Municipal Code Removal Provisions Regarding the City Manager (City Attorney Barrow). **ORD 14-0002**

### ADOPT

*Viet Ngo pulled Consent Calendar Item No. 3 for separate discussion and consideration.*

## L. PUBLIC HEARINGS

*None*

## M. GENERAL BUSINESS

4. Presentation of the Proposed Fiscal Year 2014-2015 to Fiscal Year 2018-2019 Five Year Capital Improvement Plan (*Continued from the February 25, 2014, Adjourned Regular City Council Meeting*) (Public Works Director Olmos). **14-0075**

#### RECEIVE REPORT

*Public Works Director Tony Olmos presented an update of the proposed Fiscal Year 2014-2015 to Fiscal Year 2018-2019 Five Year Capital Improvement Plan. He addressed objectives, the Capitol Improvement Plan schedule, recap from the City Council meeting of December 10, 2013, discussion format, Fiscal Year 2014-2015 summary, five-year summary, wastewater projects, wastewater projects five-year outlook, water projects Fiscal Year 2014-2015 summary, water projects five year summary, storm water projects, storm water projects five year outlook, streets and transportation capacity enhancements, streets and transportation capacity enhancements five-year outlook, streets and transportation pedestrian and safety improvements, streets and transportation pedestrian and safety improvements five-year outlook, concrete repairs, concrete repairs five-year outlook, asphalt repairs, asphalt repairs five-year outlook, facility improvements (CIP Fund) and facility improvements (CIP Fund) five-year outlook.*

*Public Works Director Olmos highlighted various projects and addressed current conditions of the downtown sidewalk, replacement and material options and recommendations.*

*Discussion followed regarding using blue stamped asphalt for intersections temporarily, having a community meeting for resident feedback regarding treatments, reducing the scope of the project to crosswalks, slurry sealing and striping and use the cost savings to implement a more expanded project in the future.*

*City Council agreed with using the blue stamped asphalt at the intersection and repairing/maintaining existing poles as a "quick fix" until a more substantial plan can be developed with appropriate funding.*

*Mayor Howorth commented on new "glow-in-the-dark" asphalt being developed in Europe which absorbs solar rays and suggested it could be one of the materials used in a future project.*

*Public Works Director Olmos continued with the presentation addressing management services office remodels, facilities (Special Review Fund) and Parking Fund. He reiterated steps going forward and recommendations.*

*Ensuing discussion pertained to allocations for parking meters that were carried over when the meters were replaced and having the fourth meeting (study session) on this matter and the Operating Budget at the same time.*

*Councilmember Burton requested a copy of the Pacific Coast Highway/Sepulveda Traffic Study. He recapped the December 10, 2013, City Council meeting and expressed concerns regarding incorporating facilities assessments into the CIP. He added there are certain facilities that should not be programmed if they will be changed in the future.*

*Public Works Director Olmos listed projects that will be completed this year and those that will be addressed in subsequent years under facility improvements.*

*Interim City Manager Jalili noted that allocation of funds will depend on maintenance*

needs. He added that in the next few months staff should have better ideas as to other alternatives.

Councilmember Burton commented on wastewater, the possibility of partnering with Metropolitan Water Replenishment District to gain water independence, additional water wells based on water rights, considering possible impacts of the desalination project in El Segundo and concerns related to storm water.

Interim City Manager Jalili noted that the workshop scheduled for April will include discussions regarding water.

Councilmember Burton commented on streets and transportation and the possibility of slurry sealing as a stop-gap measure.

Public Works Director Olmos reported that the streets are in good shape and would not recommend slurry sealing unless needed. He added that there is a point where adding slurry sealing will not work and the street will need to be repaired.

Discussion followed regarding Fire Station No. 2 and allocation of funds for design features and the possibility of doing a site assessment to evaluate locations before money is spent on a specific design. Ensuing discussion pertained to Begg Pool, evaluating parking structures, scope of work on the Peck ground reservoir and increasing capacity.

In response to Councilmember Burton's inquiry, Public Works Director Olmos provided details of the City-wide sign program.

Interim City Manager Jalili commented on carrying the same theme as the signs in the downtown area.

Councilmember Burton commented on funding deficits for street rehabilitation projects and noted the need for continuous assessments. He noted regarding the Begg Pool and the Fire Station, there is an opportunity to partner with other beach cities.

Public Works Director Olmos indicated that the assessment will include projects necessary for the next ten years.

In response to Councilmember Lesser's inquiries, Public Works Director Olmos addressed the storm drain projects and total obligations, deficiencies identified in the last storm drain videoing, catch basins for debris management and total obligations. A detailed update will be provided to City Council at an upcoming meeting. Additionally, Public Works Director Olmos reported how the City is addressing the deficit under street rehabilitation noting that it is not a matter of urgency at this time and that there is no cause for alarm as long as there are funds dedicated to the project. He presented the recommended plans related to Fire Station No. 2 and commented on the consultant's involvement. This will be the initial work necessary to obtain actual costs.

Discussion followed regarding making sure there are sufficient funds for structural support of specific parking structures and the possibility of replacing some as well as setting aside funds to maintain them, the importance of community meetings to gather public input and specific information to be solicited from the public.

Interim City Manager Jalili reported that the downtown study will be considering parking demand and the approach to be taken in terms of the downtown area will

*depend on that analysis.*

*Community Development Director Richard Thompson reported that a survey was done, as part of the Metlox project, to identify parking demands and also as part of the Library project.*

*In response to Councilmember D'Errico's inquiry, Community Development Director Thompson explained the way the parking studies were done including evaluating the parking demand and how best to manage existing parking versus what is needed as well as how much is charged as well as time limits. If City Council desires, it can be evaluated in terms of number of spaces needed per square foot of commercial use. He added that part of any specific plan must have a parking component to it.*

*Public Works Director Olmos explained how fund balances are identified and noted staff tries to maximize cost benefits and prioritizes line items. He addressed the development of a five-year plan and assessing needs versus wants. He noted working in conjunction with Finance in order to identify possible funding sources for the five-year plan. First year figures act as a planning tool for subsequent years.*

*Councilmember D'Errico explained how he would develop a five-year plan considering major categories and sub-categories as well as funding needs for each and based on previous years' allocations for each. He commented on the categories listed in the report, on the need to simplify the process for increased understanding and on identifying tradeoffs and doing a tradeoff analysis.*

*Interim City Manager Jalili reported that what has been generated is a function of the City trying to live within its means. He noted that looking to the future in terms of visioning and strategic planning, consideration will not be given to costs, but rather, needs.*

*Councilmember Burton stressed the urgency of installing an intersection of 38th Street and Highland.*

*Mayor Howorth commented on exploring the best locations for an intersection in the area.*

*Councilmember Burton commented positively on the work ethic of Public Works staff.*

*Mayor Pro Tem Powell commented on the history of the corner of 38th and Highland, parking structures and the possibility of a beach cities pool.*

*Mayor Howorth referenced capacity enhancements for the south side Rosecrans Avenue widening, grants for which the City will need to apply for extensions and other agencies involved in terms of right-of-way entities. Public Works Director Olmos noted that it is a high-priority project and that staff will act as facilitator between Chevron and SCE to reach an understanding.*

*Interim City Manager Jalili reported issues with Chevron which they need to address.*

*Mayor Howorth encouraged that staff communicate with related businesses and provide a status update. She commented on the Skate Park, parking enhancements, a pool and a Scout House and asked regarding the process for communicating ideas to City staff.*

*Public Works Director Olmos provided information for contacting the City with project ideas and addressed the internal evaluation process.*

*Councilmember Lesser commented on the Rosecrans project noting that it will increase traffic flow and on the possibility of a pool. He stated he would like the City to be proactive in soliciting funds for a pool.*

*Mayor Howorth opened the floor for public comments.*

*Viet Ngo commented on lack of documentation for the public to reference and comment and referenced shortfalls in Fiscal Year 2013-2014. He addressed the need for funding and setting priorities for CIPs and stated that they should be funded separately and not comingled with other types of funds.*

*Seeing no additional requests to speak, Mayor Howorth closed public comments.*

*Councilmember Burton suggested directing staff regarding downtown streetscapes, crosswalks, slurry seal and markings, consideration of the CIP adoption and operating budget at the same time, breakout of facilities and parking assessments, and provide clarity in terms of what Capital Improvement consists of.*

*Mayor Howorth commented on the need for direction regarding the specific dilapidated crosswalk.*

**A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to direct the Community Development Department and the City Manager to set forth money in the CIP to repair the crosswalk of note with stamped blue asphalt, slurry seal the street and do the markings per his recommendation. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

*Mayor Pro Tem Powell asked that the CIP be presented by funding source the next time it is presented.*

**A motion was made by Councilmember Burton, seconded by Mayor Pro Tem Powell, to receive the Proposed Fiscal Year 2014-2015 to Fiscal Year 2018-2019 Five-Year Capital Improvement Plan. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

*At 8:17 PM the City Council recessed and reconvened at 8:32 PM with all Councilmembers present.*



5. New Architectural Bench Design Proposals for the Strand Alcove Bench Program Pre-Approved Bench Catalog (Parks and Recreation Director Leyman). **14-0053**  
**APPROVE**

*Parks and Recreation Director Mark Leyman introduced Interim Cultural Arts Manager Gina Allen and noted the attendance of the artists presenting proposals. He deferred to Interim Cultural Arts Manager Allen for a report.*

*Interim Cultural Arts Manager Gina Allen presented details of the report addressing existing conditions and benches, new architectural design proposals and related artists.*

*John Sparano, Sparano and Mooney Architecture, presented details of their proposed design, "The Loop". He addressed the design, materials, dimensions, placement in the alcove, durability, safety and maintenance, color and water pooling. Additionally, he presented the fabrication process, fabricator and bench cost.*

*Stacy Dukes, Stacy Dukes Design, presented details for their proposed design, "Wave II". He addressed the material as well as costs and timeline and the social interaction that occurs on benches.*

*Gaston Nogues, Ball and Nogues Studio, presented details for their proposed design, "Puddle". He addressed social interaction, the shape, dimensions, elevations, the fabrication process, comfort and safety, water pooling, material, finish, timeline, cost and proposed manufacturer.*

*Discussion followed regarding the desire to make the City "walk-able" and Mayor Howorth noted that benches make it so.*

*Councilmember Lesser commended the artists for their proposals and commented on their enhancement of vistas. He reported pooling of water on the existing Stacy Dukes bench and asked regarding measures to prevent water from building up on the top of the bench.*

*Mr. Dukes addressed the process and efforts at avoiding pooling.*

*Interim City Manager Jalili suggested that Public Works review the designs.*

*Cultural Arts Manager Allen stated that past designs have not been reviewed by Public Works and Mayor Pro Tem Powell commented on a subcommittee when he was on the Cultural Arts Commission that reviewed maintenance of art pieces.*

*Concerns were expressed regarding damage caused by skate boarders, water pooling, cost of the "Wave II", durability of "Puddle", encouraging good behavior by residents related to the benches and placement of donor recognition plaques.*

*Councilmember D'Errico suggested directing staff to vet this item through the appropriate departments regarding durability, maintenance, safety, vandalism and liability and return with a report to City Council.*

*Councilmember Burton agreed and commented on the bench policy and wording and asked that the matters return to City Council at the same time that the report is presented.*

*Mayor Howorth opened the floor for public comments.*

*Seeing no requests to speak, Mayor Howorth closed public comments.*

**A motion was made by Councilmember Burton, seconded by Councilmember D'Errico, to continue this matter to a date uncertain to allow City Manager staff to review the item and return to City Council with a Strand Alcove Bench program and plaque wording. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

6. Implementation of additional Construction Rules as approved by the Board of Building Appeals (Community Development Director Thompson). **14-0072**

### RECEIVE REPORT

*Community Development Director Richard Thompson introduced Building Official Sal Kaddorah and deferred to him for a presentation. He added that the required action at this time is to receive and file the report.*

*Building Official Kaddorah presented the staff report addressing background, challenges, July 2013 major projects under construction versus July 2014 major projects under construction, new construction rules added, procedures in problem areas and conclusions.*

*Mayor Pro Tem Powell commented on the process for updating the construction webpage in a timely fashion, hotspots, phasing, preventing vehicles from dropping off materials at the same time, parking and the possibility to have a staff on-call to address parking issues, regulations regarding construction parking permits and after-hours complaints.*

*Building Official Kaddorah commented on the possibility of reducing or eliminating the parking permit as it is misunderstood and misused and challenges with phasing construction.*

*Mayor Pro Tem Powell suggested including a statement in the parking passes that they require the recipient to obey all parking regulations.*

*In regards to having someone on-call to handle after-hours issues, Building Official Kaddorah stated that may require hiring another staff member and funding. He suggested after-hours issues may be addressed by the Police Department or Parking Control.*

*Mayor Pro Tem Powell commented on issues that were not addressed by the Board of Building Appeals including the possibility of increasing fines for multiple offenses. Additionally, he commented on surety bonds and stated he would like to see what other cities do in terms of best practices.*

*Building Official Kaddorah stated that it would require an amendment to the Municipal Code and that it would be more beneficial to issue "stop works" for multiple offenses.*

*Regarding surety bonds, City Attorney Quinn Barrow noted that the issue was reviewed last August noting that surety bonds involve public property but staff will conduct further research, as directed.*

*In response to Councilmember Lesser's inquiries, Building Official Kaddorah stated that staff responds to complaints but also acts proactively to avoid problems. He provided information for lodging complaints during regular and after hours and addressed steps going forward in implementing and enforcing construction rules. He added that the rules will be posted on the City's website.*

*Brief discussion followed regarding the format of the document and whether or not to include bullet points.*

*In response to Councilmember D'Errico's inquiries, Building Official Kaddorah addressed tracking the number of complaints, violations and fines to keep track of*

repeat offenders. Councilmember D'Errico requested a report showing that information and referenced security deposits adding that he would like to see an expanded definition of "as needed" as well as a cost/benefit analysis of having an on-call mechanism for handling complaints.

Building Official Kaddorah presented case examples related to security deposits.

Building Official Kaddorah responded to Councilmember Burton's question regarding the matter being initially presented to the Board of Building Appeals rather than the Planning Commission. Councilmember Burton stated support for directing staff to provide a status report within six months to identify repeat offenders.

Mayor Pro Tem Powell commented on challenges navigating the City website to obtain the desired information and suggested adding a link on the home page for residential construction problems for ease of access.

Interim City Manager Jalili noted that in comparing the City's enforcement system with other cities, Manhattan Beach has the finest.

Mayor Howorth agreed to the need to make it easier for residents to access information on the City's website. She confirmed that construction signs have contact information including who to contact after hours. Additionally, she noted the need to clarify the definition of "adjacent driveways".

Building Official Kaddorah reported that parking regulations already address the issue.

Mayor Howorth opened the floor for public comments.

Lynn Harris presented testimony regarding construction vehicles completely blocking a street adding that she sent a picture to Councilmember Lesser and commented on the dangerous situation. She recommended using a guide person or sign to direct traffic in such instances as well as when deliveries are being made. She addressed challenges with keeping track of complaints adding that she usually will call the Police non-emergency number. In addition, she spoke in support of eliminating parking permits.

Gerry O'Connor stated that it has been at least twenty-five years since the Board of Building Appeals has met and noted the importance of having the right process as well as enforcement.

Bill Victor suggested that it would be beneficial to remind construction workers of the need to comply with City smoking ordinances and cleaning up after they are done working.

Mayor Howorth closed public comments.

In response to Mayor Howorth's questions regarding the Board of Building Appeals process, City Attorney Barrow reported that they are subject to the Brown Act and addressed their duties and responsibilities.

Interim City Manager Jalili noted that they meet very seldom but there will be upcoming opportunities to review the structure and Brown Act issues with the Board of Building Appeals.

Responding to Councilmember Lesser's questions, Building Official Kaddorah

*addressed current availability of parking permits for contractors. Councilmember Lesser asked for further research regarding the matter. Additionally, Building Official Kaddorah addressed that statutory function of the Board of Building Appeals.*

*Councilmember D'Errico noted it is a governance issue and Interim City Manager Jalili reported this is why staff has proposed that once a year, City Council meets with all Boards and Commissions.*

*Discussion followed regarding ensuring the proper structure for the Board of Building Appeals.*

**A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to receive the report and direct the City Manager and staff to return with a report within six (6) months with information regarding enforcement of the construction rules, stop work orders, security deposits, as list of the most frequent violators, the possible elimination of parking permits for construction and have the rules reviewed by the Planning Commission.**

**The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

*At 10:25 PM the City Council recessed and reconvened at 10:33 PM with all Councilmembers present.*

7. Proposed April 29th Adjourned Meeting Topics: Open Government Initiative Review; Sunshine Ordinance; Work Program & Key Activities; Council/Commission Relationships; and, Planning Commission Action Notifications (Interim City Manager Jalili). **14-0094**

**CONFIRM TOPICS AND PROVIDE DIRECTION**

*Senior Management Analyst David Biggs presented details of the staff report and recommended holding a special meeting proposed for April 29, 2014, to allow City Council to dedicate time to address several pending topics and including a six-month review of open government and meeting management issues. He added that it has been proposed as a day-time meeting to allow sufficient time for thorough discussion of each topic.*

*Mayor Pro Tem Powell expressed concerns with holding the meeting during the day since most people are working and would not be able to attend.*

*Mayor Howorth commented on the need to follow up on open government and suggested it could be discussed as a separate agenda item at a regular meeting. She explained her rationale for suggesting a day-time meeting.*

*Discussion followed regarding the goal of the meeting and the need for meeting management initiative review.*

*Interim City Manager Jalili reported Dr. Don Brand will be invited to address City Council at this meeting as he is an expert on meeting management. He added that the meeting will be held in a "workshop" format.*

*Topics for discussion during the proposed meeting will include a review of meeting management initiatives that have been implemented and open government initiatives.*

*Councilmember Lesser stated he would like for reports to include the matrix to compare items that have been achieved, those that have not, an updated California Public Records Act log, review of staffing for certain core functions such as minutes and the distribution of packets.*

*Councilmember Burton commented on discussing meeting management prior to hiring the new City Manager.*

*City Attorney Barrow reported that in addition to Councilmember Lesser's request other topics will include public notification of Planning Commission items. After a brief discussion Councilmember Burton suggested adding that item to the City Council meeting agenda of April 1, 2014, and City Attorney Barrow agreed.*

*Discussion followed regarding discussing City Council priorities prior to hiring a new City Manager. Interim City Manager Jalili stated that ample time must be allowed for that discussion as it is not a small item.*

*Mayor Howorth noted the need for a temporary work plan, immediately.*

*Discussion followed regarding the ways of bifurcating the topics for discussion, changing work plan to "work program" and reviewing the original strategic plan to determine issues that have already been addressed.*

*Mayor Howorth opened the floor for public comments.*

*Gerry O'Connor objected to holding a meeting during the day adding that they discourage public input. He noted that the six-month review of initiatives is already late and opined that the meeting management rules that were implemented are the cause of the "empty" Chamber and suggested moving that matter to the April 1, 2014, agenda adding that he would like to see it sooner rather than later. Additionally, he commented on the need to create a "true" strategic plan and felt that City Council should not stop reviewing it, even though a new method is being developed.*

*Bill Victor stated he would support holding a daytime meeting if it were on a Saturday so that the public could attend. He stated he spent a lot of time marking up the sunshine ordinance without receiving a response from City Council. He noted the importance of not only soliciting ideas from City Council, but also from the people and indicated he would like to participate in the process.*

*Mayor Howorth closed public comments.*

*Discussion followed regarding the agenda for the proposed meeting including the six-month review of meeting management initiatives. City Council concurred.*

*Mayor Howorth suggested scheduling the matter for the meeting of April 1, 2014.*

*Councilmember Burton commented on the importance of hearing from Dr. Brand and felt that April 1, 2014, may be too soon.*

*City Manager Jalili indicated he can discuss the matter with Dr. Brand to determine if he can attend the meeting of April 1, 2014.*

*Brief discussion followed regarding the format of Dr. Brand's presentation and the need to have an open mind and listen to facts versus opinions.*

**A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to schedule discussions on the six-month review of meeting management initiatives and open government for the City Council meeting of April 1, 2014, making it the first item under General Business. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

**A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to direct staff to return with a status report on the strategic plan on April 1, 2014, and schedule discussions, updates and changes regarding priorities on April 29, 2014, and provide a report from the sub-committee regarding the process. Councilmember Burton offered a friendly amendment to the motion which was accepted by Mayor Pro Tem Powell and Councilmember Lesser that it be subject to the availability of Dr. Don Brand. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

*City Attorney Barrow reported that Council/Commission relationships; and, Planning Commission action notifications will be placed on the meeting agenda for April 1, 2014.*

*Discussion followed regarding scheduling the sunshine ordinance on a future agenda, date to be determined.*

**N. ITEMS REMOVED FROM THE CONSENT CALENDAR****3. Revision to the Municipal Code Removal Provisions Regarding the City Manager (City Attorney Barrow).****WAIVE FURTHER READING AND ADOPT**

*Mayor Howorth reported that the person who pulled the matter is not present at this time.*

*Mayor Howorth opened the floor for public comments.*

*Seeing no requests to speak, Mayor Howorth closed public comments.*

*Councilmember Burton commented on prior discussions regarding this matter and asked for a report from the City Attorney regarding provisions regarding subordinates of the City Manager, changes in terms of new City Managers and having management employees under contract, in light of those provisions.*

*City Attorney Barrow read title to the Ordinance.*

**A motion was made by Councilmember Burton, seconded by Councilmember D'Errico, to adopt Ordinance 14-002 (Revision to the Municipal Code Removal Provisions Regarding the City Manager). The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser



**O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*Gerry O'Connor addressed problems in the City Clerk's office and expressed concerns that City Council meeting minutes have not been provided for the last two months and the fact that meeting videos are not user friendly. He stated that City Council is failing to publicly communicate its actions and that although the City Council has provided the City Clerk with the necessary tools; the work is not getting done. He asked that City Council not ignore the issue and to take action, immediately. Additionally, he addressed the Granicus voting method noting it is consistently not working and that it needs to work and be reliable. He asked that City Council address the matters.*

*Mayor Howorth reported that the Granicus matter is a hardware/wiring issue that is being addressed by staff.*

*Bill Victor commented on the need to know what City Council is doing with Granicus. He suggested that the City get rid of Granicus and obtain a system that works. He commented on the importance of having the video for the meeting of April 29, 2014, available and improved IS support.*

*Mayor Howorth acknowledged that systems should always function but noted that problems occur. This is one of the reasons why the City needs to have a strategic plan and Mayor Howorth noted that staff is very responsive and that while some may consider that work is not getting done, it is, all while facing many challenges.*

*Mayor Pro Tem Powell addressed the state of technology in the City and commented on the need for a system that works. He suggested getting the hardware fixed by the next meeting or entertaining the idea of alternative solutions.*

*Councilmember D'Errico expressed frustrations with Granicus and minutes not being available. He stated he would like to know why the problems are occurring.*

*Councilmember Burton reported that residents believe there has been less transparency since the implementation of Granicus and agreed with needing to fix the problem. In terms of the minutes, the City has an outside contractor transcribing them and suggested contacting them regarding the matter.*

*Councilmember Lesser commented on the challenges faced by the City Clerk's office and noted the need to understand what is going on with Granicus and determine the issue regarding the minutes.*

*Mayor Howorth acknowledged problems with video streaming and suggested that issues be addressed promptly rather than having the public report them to the City.*

*Interim City Manager Jalili reported retaining a consultant, noting that the first step is to admit there is a problem. Staff is involved in developing solutions and is taking steps to address them. He addressed problems with the voting system.*

*Councilmember Burton felt that the problem with the minutes is due to the contractor and would like to look in to the matter.*

*Councilmember D'Errico noted that no one is pointing fingers at the City Clerk's office and acknowledged problems with Granicus. In terms of the minutes, he requested a report from the Interim City Manager as to why they have not been posted in a timely manner.*

*City Attorney Barrow noted that the minutes will be on the agenda for the April 1, 2014, meeting and reported that besides the City Clerk's office, there has been review by the City Attorney's office, that there have been meetings every week and that the contractor does a good job but they need to be reviewed. The issue is a combination of different factors but this will be reviewed on April 1, 2014.*

*Mayor Pro Tem Powell commented on the need to fix the Granicus technology as well as the broadcast, adding that there are problems with clarity and synchronization. He believed that broadcast issues will be resolved with the new system.*

*Councilmember Lesser asked for a status report on improvements expected with changes in the Chamber and to direct the City Attorney to review the City's contract with Granicus to determine possible solutions to the problems being faced.*

*City Clerk Tamura apologized for the problems being experienced with Granicus and stated that staff will follow up to develop solutions. Additionally, she indicated she does not want the minute contractor to be tainted with a negative reputation and noted issues with back-to-back meetings and their length. She noted the need for her staff to review the minutes to ensure that names and motions are correct.*

*Mayor Howorth commented on various issues that could be contributing to the problems and noted the need to look at the matter holistically.*

*City Attorney Barrow reported the discussions regarding the minutes will be scheduled for the City Council meeting of April 1, 2014, including consideration of summary minutes.*

## P. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS, FUTURE DISCUSSION ITEMS

*Councilmember Lesser reported that he and the Mayor met with a group of residents who are interested in having Manhattan Beach serve as the host City during the 2015 Special Olympics and requested that the matter be placed on a future agenda. Councilmember Burton expressed his support.*

*Additionally, councilmember Lesser reported that he and Councilmember Burton attended the 15th Annual General Assembly of the South Bay Cities Council of Governments and addressed this year's theme and sessions. He presented a brochure to the City Clerk.*

*Councilmember Burton commented on the possibility of having the City Clerk report directly to City Council and review of Councilmember term limits.*

*Mayor Howorth indicated she is not opposed but noted pending issues needing to be addressed and expressed concerns with adding to City Council's plate.*

*Councilmember Burton commented on the importance of both items.*

*Mayor Pro Tem Powell stated his support for permanent term limits.*

*City Attorney Barrow noted that the City Clerk used to be elected and that voters decided to make it an appointed position. Based on his research, it will not require another election. Regarding term limits, the matter would need to be placed before voters and noted the deadline for placing it on the ballot for November.*

*Councilmember Burton noted that he would agree to have the matter on the ballot for March, 2015. He added these are fundamental reforms that need to be discussed sooner than later.*

*Mayor Pro Tem Powell noted there is already an election planned for November and asked regarding the incremental costs of adding an item.*

*City Attorney Barrow reported that it is approximately \$30,000 and City Clerk Tamura added that it depends on how many cities are on the ballot.*

*Discussion continued and City Attorney Barrow stated that he would find out the cost of adding an item to the ballot.*

## Q. RECEIVE AND FILE ITEMS

8. Financial Reports: **14-0076**  
a) Schedule of Demands: February 13, 2014  
b) Investment Portfolio for the Month Ending December 31, 2013  
(Finance Director Moe).  
**RECEIVE AND FILE**

**9. Commission Minutes: 14-0099**

This item contains minutes of 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 receive and file the minutes of the:

a) Library Commission Meeting of January 13, 2014  
(Parks and Recreation Director Leyman)

**RECEIVE AND FILE**

b) Planning Commission Meeting of February 12, 2014  
(Community Development Director Thompson)

**RECEIVE AND FILE**

**A motion was made by Mayor Pro Tem Powell, seconded by Councilmember D'Errico, to receive and file Items No. 8 and 9, above. The motion carried by the following vote:**

**Aye:** 5 - Howorth, Powell, Burton, D'Errico and Lesser

**R. ADJOURNMENT**

*At 11:57 PM, the March 4, 2014, City Council Regular Meeting was adjourned to the 10:00 AM, City Council Adjourned Regular Meeting (Closed Session) of March 10, 2014 in the City Council Chambers.*