

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Final

Tuesday, April 7, 2015

6:00 PM

Regular Meeting

City Council Chambers

5:00 PM Adjourned Regular Meeting - Closed Session

City Council

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

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A. PLEDGE TO THE FLAG

Public Works Utilities Manager Raul Saenz led the Pledge of Allegiance.

B. NATIONAL ANTHEM

Joe Cipolla sang the National Anthem.

C. ROLL CALL

Present: 4 - Mayor Powell, Mayor Pro Tem Burton, Councilmember D'Errico and Councilmember Lesser

Absent: 1 - Councilmember Howorth

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

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

E. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to continue Item No. 4 to the April 21, 2015, City Council Meeting, to approve the agenda and waive the full reading of ordinances. The motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

F. CEREMONIAL CALENDAR

1. Presentation of a Proclamation Declaring April 7, 2015 as National Service Recognition Day. [15-0146](#)
PRESENT

Mayor Powell, on behalf of the City Council, presented a proclamation declaring April 7, 2015, as National Mayor's Service Recognition Day.

2. Presentation of a Proclamation Declaring April 2015 as Donate Life [15-0131](#)

Month.

PRESENT

Mayor Powell, on behalf of the City Council, presented a proclamation to One Legacy represented by Lois Hubbs declaring April 2015, as Donate Life Month.

3. Presentation of an I ♥ MB Award to Don Spencer for his Community Service in the City of Manhattan Beach.

[15-0145](#)

PRESENT

Mayor Powell, on behalf of the City Council presented the "I ♥ MB Award" to Don Spencer for his Community Service in the City of Manhattan Beach.

G. CITY MANAGER REPORT

Mayor Powell introduced Acting City Manager Nadine Nader.

Police Chief Eve Irvine provided an update on the assault that took place on the beach.

Public Works Director Tony Olmos provided an update on the governor's order for stricter water usage.

Acting City Manager Nader further added that an informational memo had been issued last week on the Rite Aid property, that Staff is continuing to work with Rite Aid and there will be a status update on the May 5, 2015, City Council Agenda.

H. CITY ATTORNEY REPORT

None.

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Mayor Powell announced the "Dine and Discover" lunch on Thursday, April 16, 2015, at 11:30 AM and that the Senior Advisory Committee will provide the presentation.

Mayor Powell also announced the "Seniors Teaching Seniors" classes on April 9, 2015, and April 23, 2015. The subject is "Technology Literacy", the classes are free, and the beginner class is from 10:00-11:00 AM and the advanced class is from 11:00-12 PM (Noon).

J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

None

K. PUBLIC COMMENT ON NON-AGENDA ITEMS

The following individuals gave Public Comment on Non-Agenda Items:

*Lynne Gross
Robert Bush
Bill Victor
Viet Ngo
Rick Pastor*

L. CONSENT CALENDAR

Mayor Powell announced that there was a minor revision to Item No. 9a Closed Session Minutes, which was distributed to the City Council and the public, and that Item No. 4 was continued to the April 21, 2015, City Council meeting by a previous motion.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to approve, as amended (Item No. 9a), the Consent Calendar Item Nos. 5-9. The motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

4. Leadership Manhattan Beach's Pier Telescope Replacement Project Alternative Location of New Device (Continued From the 4-7-15 City Council Meeting) (Fire Chief Espinosa). [15-0138](#)

APPROVE

Attachments: [Alternative Pier Locations](#)
[Four Panels April 6 Layout Proof](#)

This item was continued to the April 21, 2015, City Council Meeting.

5. Approve Consultant Agreement with Selbert Perkins Design for the Development and Implementation of a Comprehensive Community Identification and Wayfinding Signage Program and Authorize the City Manager to Enter into an Agreement in the Amount of \$44,000 (Public Works Director Olmos). [CON 15-0014](#)

APPROVE, APPROPRIATE \$12,800 FROM THE CAPITAL IMPROVEMENT FUND

Attachments: [Professional Services Agreement](#)

This item was approved on the Consent Calendar.

6. Approval of a Joint Use Agreement (JUA) with Southern California Edison (SCE) for the Undergrounding of Overhead Facilities on Rosecrans Avenue (Public Works Director Olmos). [CON 15-0013](#)

APPROVE

Attachments: [SCE Joint Use Agreement](#)
[Location Map](#)
[Attachment 2 Rosecrans Corridor Transportation Improvement Project Sumr](#)
[SCE 9/27/2002 Agreement](#)
[SCE 6/30/2006 Agreement](#)
[SCE 5/18/2010 Agreement](#)

This item was approved on the Consent Calendar.

7. Introduction of Ordinance No. 15-0004 which will Revise *Title 5 - Sanitation and Health, Chapter 5.84 - Storm Water and Urban Runoff Pollution Control* of the City of Manhattan Beach Municipal Code (Public Works Director Olmos).

[ORD 15-0004](#)

INTRODUCE

Attachments: [Ordinance No 15-0004](#)

This item was approved on the Consent Calendar.

8. Resolution Ordering Plans, Specifications, Cost Estimates and Engineer's Report for Annual Street Lighting and Landscaping Assessments (Finance Director Moe).

[RES 15-0012](#)

ADOPT

Attachments: [Resolution 15-0012](#)
[Lighting and Landscape Assessment Districts Map](#)

This item was approved on the Consent Calendar.

9. Minutes:
This item contains action minutes of City Council meetings which are presented for approval. Staff recommends that the City Council, by motion, take action to approve the action minutes of the:
a) City Council Adjourned Regular Meeting-Closed Session of March 17, 2015
b) City Council Regular Meeting of March 17, 2015
(City Clerk Tamura).

[15-0013](#)

APPROVE

Attachments: [City Council Adjourned Regular Meeting-Closed Session of March 17, 2015](#)
[City Council Regular Meeting of March 17, 2015](#)

This item was approved, as amended, on the Consent Calendar.

M. PUBLIC HEARINGS

None.

N. GENERAL BUSINESS

10. 2015 Sculpture Garden Finalists (Parks and Recreation Director Leyman).

[15-0127](#)

APPROVE

Attachments: [City of Manhattan Beach Sculpture Garden Finalists 2015](#)
[2015-2016 Sculpture Garden](#)

Mayor Powell introduced Parks and Recreation Director Mark Leyman who then presented Cultural Arts Manager Martin Betz who gave a PowerPoint Presentation on

the Sculpture Garden Finalists.

Cultural Arts Manager Betz responded to City Council questions.

Mayor Powell opened the floor to public comment.

Viet Ngo requested Mayor Powell recuse himself from voting on this item due to a conflict of interest.

City Attorney Quinn Barrow confirmed that there is no conflict.

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to approve the 2015 Sculpture Garden Finalists Nos. 1-6 and approve Nos. 7-8 as the alternates. The motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

11. Consideration of Resolution No. 15-0013 Approving and Adopting the Green Streets Policy As Required by Law (Public Works Director Olmos).

[RES 15-0013](#)

ADOPT

Attachments: [Exhibit A - Resolution No. 15-0013](#)

Mayor Powell introduced Public Works Director Tony Olmos who presented a PowerPoint presentation on the Green Streets Policy.

Public Works Director Olmos and Public Works Utilities Manager Raul Saenz responded to City Council questions.

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to adopt Resolution No. 15-0013 the Green Streets Policy. The motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

12. Approve Consultant Agreement with Nonzero\Architecture for Architectural and Engineering Design Services for the Rehabilitation of the Manhattan Beach Pier, Pier Roundhouse and Pier Comfort Station in the Amount of \$155,400 and Authorize City Manager to Execute Consultant Agreement (Public Works Director Olmos).

[CON 15-0015](#)

APPROVE

Attachments: [Faithful+ Gould FSA Report Pier Complex](#)
[Professional Services Agreement](#)

Mayor Powell introduced Public Works Director Tony Olmos who presented a PowerPoint Presentation on the Consultant Agreement and the Rehabilitation of the Manhattan Beach Pier.

Public Works Director Olmos responded to City Council questions.

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, 1) to approve the Consultant Agreement with Nonzero\Architecture for Architectural and Engineering Design Services for the Rehabilitation of the Manhattan Beach Pier, Pier Roundhouse and Pier Comfort Station in the Amount of \$155,400, 2) Authorize the City Manager to execute the Consultant Agreement, 3) Approve a Design Contingency in the amount of \$31,800, 4) Direct the City Manager and Staff after the Consultant has completed its work to report back to the City Council with total costs for all work on the rehabilitation of the Manhattan Beach Pier, Pier Roundhouse and Pier Comfort Station. The motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

Mayor Pro Tem Burton and Councilmember Lesser concurred that they would direct Staff to reach out to the Roundhouse Aquarium and see what items are unfunded and the costs.

O. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

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

13. Request by Mayor Pro Tem Burton to Discuss the South Bay Cities Council of Government's (SBCCOG's) Notice of Intention to Consider a Dues Increase of 7% (currently \$12,989/proposed \$13,880) for Fiscal Year 2015-2016.

[15-0158](#)

SEEKING INPUT

Mayor Powell noted that Mayor Pro Tem Burton requested that this item be agendized. Mayor Pro Tem Burton stated that this is a governance issue to allow Councilmember Lesser the authority to approve the 7% dues increase as the delegate to the South Bay Cities Council of Governments's (SBCCOG).

Councilmember Lesser reported that he would like to have input from all of the City Council on the increase, rather than approving it as the delegate alone.

Mayor Pro Tem Burton noted that there hasn't been a dues increase in the many years and clarified that the proposed increase is for one year.

Public Works Director Tony Olmos explained some of the City's use of the SBCCOG, such as the Environmental Leader Program and Measure R Funds.

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to approve the South Bay Cities Council of Government's (SBCCOG's) Notice of Intention to Consider a Dues Increase for Fiscal Year 2015-2016. The motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

Mayor Powell stated that he had received an e-mail from the South Bay Workforce Investment Board that an amendment to their agreement with the City is required and he is requesting that this item to be agendaized for the April 21, 2015 City Council Meeting to conform with a new state law that goes into effect on May 1, 2015.

Mayor Powell also announced that he would like to begin an annual "Mayor's Lifetime Community Service Award" and agendaize this item for the May 5, 2015, City Council Meeting.

Mayor Pro Tem Burton noted he would like to have a discussion at a future City Council Meeting about assisting the Manhattan Beach Roundhouse Aquarium with City Council Contingency Funds to jump-start their fundraising to ensure their ability to follow the City's timeline of completion by May, 2016, for rehabilitation.

R. RECEIVE AND FILE ITEMS**14. Commission Minutes:** [15-0150](#)

This item contains action minutes of City Council subcommittees and 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 action minutes of the:

- a) Parks and Recreation Commission Meeting of February 23, 2015
(Parks and Recreation Director Leyman)
- b) Finance Subcommittee Meeting of March 19, 2015
(Finance Director Moe)
- c) Planning Commission Meeting of March 25, 2015
(Community Development Director Lundstedt)

RECEIVE AND FILE

Attachments: [Parks and Recreation Commission Action Minutes of February 23, 2015](#)
[Finance Subcommittee Action Minutes of March 19, 2015](#)
[Planning Commission Action Minutes of March 25, 2015](#)

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Lesser, seconded by Councilmember D'errico, that this item be received and filed. the motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

15. Financial Reports: [15-0085](#)

- a) Schedule of Demands: March 12, 2015
- b) Investment Portfolio for the Month Ending February 28, 2015
- c) Financial Reports for the Month Ending February 28, 2015
(Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedules of Demands for March 12, 2015](#)
[Investment Portfolio for the Month Ending February 28, 2015](#)
[Financial Reports for the Month Ending February 28, 2015](#)

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Powell, seconded by Councilmember Lesser, that this item be received and filed. the motion carried by the following vote:

Aye: 4 - Powell, Burton, D'Errico and Lesser

Absent: 1 - Howorth

S. ADJOURNMENT

At 8:08 PM the Regular City Council meeting was adjourned in Memory of Michael Cohen to the Adjourned Regular City Council Meeting (City Council Budget Discussion) at 12:00 PM (Noon) on April 14, 2015, in the Police/Fire Conference Room in said City.

Tatyana Roujenova-Peltekova
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk