

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Final

Tuesday, May 5, 2015

6:00 PM

Regular Meeting

City Council Chambers

City Council

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

PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO: www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes

A. PLEDGE TO THE FLAG

Alex Rohm, 5th Grade Student at Grand View Elementary School, led the Pledge of Allegiance.

B. NATIONAL ANTHEM

Mayor Powell, on behalf of the City Council, recognized the following members of the Manhattan Beach Middle School Choir who sang the National Anthem: Avery Berman, Ella Dabney, Ally Doyle, Tyler Fermanian, Lily Kohler, Kate Kresser, Madelyn Lathbury, Evelyn Le, Trevor Mahony, Kelly Woicik and Nora Yang.

C. ROLL CALL

Present: 4 - Mayor Powell, Mayor Pro Tem Burton, Councilmember Lesser and Councilmember Howorth

Absent: 1 - Councilmember D'Errico

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

City Manager Mark Danaj recommended removing Item No. 11 regarding Homeland Security Grant Funds from the agenda.

Hearing no objections, it was so ordered that the agenda be approved.

F. CEREMONIAL CALENDAR

1. Presentation of a Commendation Recognizing Los Angeles County Library Manager Don Gould and the "Friends of the Library" for their Outstanding Community Service.

[15-0191](#)

PRESENT

Mayor Powell, on behalf of the City Council, presented a certificate of Recognition to Don Gould and the "Friends of the Library" for their outstanding community service.

2. Presentation of a Proclamation Declaring May 10-16, 2015 as National Peace Officers Memorial Week. [15-0192](#)
PRESENT

Mayor Powell, on behalf of the City Council presented a proclamation to Police Chief Eve Irvine declaring May 10-16, 2015, as National Peace Officers Memorial Week. Police Chief Irvine announced the Police Memorial on May 12, 2015, and also announced the upcoming blood drive for former Police Officer Mark Vasquez.

3. Presentation of a Proclamation Declaring May 5, 2015 as National Fire Services Day. [15-0193](#)
PRESENT

Mayor Powell, on behalf of the City Council, presented a Proclamation to Fire Chief Robert Espinosa declaring May 5, 2015, as National Fire Services Day. Fire Chief Espinosa also announced that this Saturday, May 9, 2015 from 9:00 AM to 12:00 PM there will be a modified Open House to learn about fire services and CPR.

4. Presentation of a Proclamation Declaring May 3-9 as National Public Works Week. [15-0194](#)
PRESENT

Mayor Powell, on behalf of the City Council, presented a proclamation declaring National Public Works Week, May 17-23, 2015, to Public Works Director Tony Olmos.

5. Presentation of a Proclamation Declaring May 2015 as Older Americans Month. [15-0195](#)
PRESENT

Mayor Powell, on behalf of the City Council, presented a proclamation declaring the Month of May, 2015, as Older Americans Month to Senior Advisor Jan Buike.

Mayor Powell announced that the next "Dine and Discover" luncheon will be held on May 28, 2015, with guest speaker Public Works Director Tony Olmos.

G. CITY MANAGER REPORT

None.

H. CITY ATTORNEY REPORT

None.

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Mayor Pro Tem Burton thanked the Manhattan Beach Fire Department for their quick response and excellent work in the downtown fire last week. He also reported on a Webinar on local government, emphasizing building trust. Mayor Pro Tem Burton further commented on the opening of the library and thanked everyone for their kindness in the passing of his mother-in-law.

Councilmember Howorth, Councilmember Lesser and Mayor Powell commented on the passing of Susan Jones, a former Manhattan Beach resident who was a

long-time community volunteer.

Mayor Powell introduced the new Manhattan Beach Librarian Yolande Wilburn. He reiterated the great job of the Manhattan Beach Fire Department and also invited the residents to the Mayors Town Hall Meeting "Ocean and Beach Safety" at the Manhattan Beach Fire Department Apparatus Bay on May 14, 2015, at 6:30 PM.

J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

The following individual gave public comment on upcoming Community Announcements:

Yolande Wilburn

K. PUBLIC COMMENT ON NON-AGENDA ITEMS

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

*Melene McBride
Faith Lyons
Viet Ngo
Bill Victor
Ed Caprielian*

L. CONSENT CALENDAR

*City Manager Mark Danaj pulled Item No. 11.
Viet Ngo and Ed Caprielian pulled Item No. 7.
Mayor Pro Tem Burton pulled Item No. 13.*

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to approve the Consent Calendar Item Nos. 6-14 with the exception of Item Nos 7, 13 (to be heard under Item No. O Items removed from the Consent Calendar) and 11 (removed from the agenda). The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

6. Award of Bid to Calpipe Security Bollards for Pier Bollards in the Amount of \$80,577.14 (Public Works Director Olmos). [15-0184](#)

APPROVE

Attachments: [RFP #1029-15 Comparison for Bollard Array](#)
[Location Map of Bollard Array](#)
[Representative Sample Bollard Photo](#)

This item was approved on the Consent Calendar.

7. Settlement Agreement with Willdan Associates (Public Works Director Olmos). [15-0209](#)

APPROVE

Attachments: [Settlement Agreement](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

8. Approve Cooperative Agreement with the City of Hawthorne for the Aviation-Marine Dual Left Turn Lanes Project and Accept Street Right-of-Way Dedication and Sidewalk Easement Dedications at 2301 N. Aviation Boulevard for the Aviation-Marine Dual Left Turn Lanes Project (Public Works Director Olmos). [CON 15-0011](#)

APPROVE

Attachments: [Cooperative Agreement with City of Hawthorne](#)
[Chevron Grant Deed](#)
[Irrevocable Offer to Dedicate Road Easement](#)
[Grant of Sidewalk Easement](#)
[Resolution No. 14-0031](#)

This item was approved on the Consent Calendar.

9. Resolution Approving Assessment Engineer's Report for Annual Levy of Street Lighting Assessments for Fiscal Year 2015-2016 (Finance Director Moe). [RES 15-0016](#)

ADOPT RESOLUTION 15-0016; APPROVE ENGINEER'S REPORT

Attachments: [Resolution No. 15-0016](#)
[Engineer's Report 2015-2016](#)
[Lighting and Landscape Assessment Districts Map](#)

This item was approved on the Consent Calendar.

10. Resolution Declaring City Council's Intention to Provide for Annual Levy and Collection of Assessments for Street Lighting Maintenance and Setting of Public Hearing for June 16, 2015 (Finance Director Moe). [RES 15-0017](#)

ADOPT RESOLUTION NO. 15-0017; SET JUNE 16, 2015 FOR PUBLIC HEARING

Attachments: [Resolution No. 15-0017](#)
[Engineer's Report 2015-2016](#)
[Lighting and Landscape Assessment Districts Map](#)

This item was approved on the Consent Calendar.

11. Resolution Accepting 2013 State Homeland Security Grant Funds in the Amount of \$196,900; Purchase of Three Automated License Plate Readers from 3M in an Amount Not-to-Exceed \$54,900; Purchase of Portable Radios from RELM Wireless in an Amount Not-to-Exceed \$142,000; Appropriate \$196,900 from the General Fund (Finance [RES 15-0019](#)

Director Moe)

**ADOPT RESOLUTION NO. 15-0019; WAIVE FORMAL BIDDING;
APPROPRIATE; APPROVE**

This Item was removed from the agenda by City Manager Mark Danaj who reported that the City had just received notification today from the Granting Agency that there are no longer funds available for this program.

12. Resolution to Set a Public Hearing for July 7, 2015 to Consider Increasing Solid Waste Fees (Public Works Director Olmos). [RES 15-0021](#)
ADOPT; SET JULY 7, 2015 FOR PUBLIC HEARING

Attachments: [Waste Management Food Waste Diversion Program Proposal](#)
[Resolution No. 15-0021](#)

This item was approved on the Consent Calendar.

13. Ordinance No. 15-0005 Amending and Restating Municipal Code Provisions Governing Bike Path Hazards (Police Chief Irvine). [ORD 15-0005](#)
WAIVE FURTHER READING; INTRODUCE ORDINANCE NO. 15-0005

Attachments: [Ordinance No. 15-0005](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

14. Minutes: [15-0015](#)

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-Study Session of April 14, 2015
- b) City Council Adjourned Regular Meeting-Closed Session of April 21, 2015
- c) City Council Regular Meeting of April 21, 2015
(City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting-Study Session Minutes of April 14, 2015](#)
[City Council Adjourned Regular Meeting-Closed Session Minutes of April 21, 2015](#)
[City Council Regular Meeting Minutes of April 21, 2015](#)

This item was approved on the Consent Calendar.

M. PUBLIC HEARINGS

None.

N. GENERAL BUSINESS

15. Appointments to City Boards and Commissions and Declaring Commission Seats Vacant as Appropriate (City Clerk Tamura). [15-0215](#)
PLEASE NOTE THAT THIS ITEM WAS CONTINUED TO THE MAY 19, 2015 CITY COUNCIL MEETING

Attachments: [2015 Boards and Commissions Roster](#)
[Advertisements from The Beach Reporter, published February 5, 2015, Marc Website Home Page Slide](#)

16. Introduction of Fiscal Year 2015-2016 Proposed Operating Budget (Finance Director Moe). [15-0189](#)
RECEIVE REPORT

Attachments: [Proposed Fiscal Year 2015-2016 Operating Budget](#)
[Letter Inviting Residents to Budget Meetings](#)
[Parks and Recreation Profit & Loss Estimates](#)
[Ten Year General Fund Comparison with FTE](#)

Mayor Powell introduced City Manager Mark Danaj who summarized the item and then introduced Finance Director Bruce Moe who gave the PowerPoint Presentation.

Finance Director Moe and Public Works Director Tony Olmos responded to City Council questions.

Mayor Powell opened the floor to public comment.

The following individuals spoke:

*Viet Ngo
Ed Caprielian
Unknown Speaker
Phil Reimert*

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 Howorth, that this item be received and filed. The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

At 8:22 PM City Council recessed and reconvened at 8:37 PM with all Councilmembers present except Councilmember D'Erico.

17. Status Report on the Projects of the Enhanced Watershed Management Program (Public Works Director Olmos). [15-0182](#)
RECEIVE REPORT

Attachments: [Figure 1 - Beach Cities Jurisdiction Areas \(Watersheds\)](#)
[Table 1 - Total BMP Costs](#)
[Table 2 - Project Cost Breakdown](#)
[Table 3 - Proportional BMP Cost Distribution](#)
[Figure 2 - Infiltration Trench](#)
[Figure 3 - Infiltration Gallery](#)
[Table 4 - Project Implementation Timeline](#)

Mayor Powell introduced this item and Public Works Director Tony Olmos presented the PowerPoint presentation.

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 Councilmember Howorth, seconded by Mayor Pro Tem Burton, that this item be received and filed. The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

18. Receive Status Report on Rite-Aid Property, Located at 1100 Manhattan Beach Boulevard at Sepulveda Boulevard; Review and Discuss the Options; Provide Direction to Staff to Seek an Inspection Warrant Should Rite Aid Not Grant Interior Access to the Building for a Site Inspection (Community Development Director Lundstedt). [15-0205](#)

RECEIVE REPORT; DISCUSS AND PROVIDE DIRECTION

Mayor Powell introduced Community Development Director Miarisa Lundstedt who gave the PowerPoint Presentation.

Community Development Director Lundstedt 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.

Mayor Powell presented several photos of the location showing graffiti and potential safety hazards.

City Attorney Quinn Barrow clarified that per the jurisdiction of the Community Development Director has the authority to send the letter.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to prepare and send a nuisance abatement letter to the Rite-Aid Corporation pursuant to Manhattan Municipal Code 9.68.030. The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

- 19.** Award of Contracts to Packet Fusion for the Purchase of a New Telecommunications Platform (Telephone System) in the Amount of \$314,255.58 and a Four Year Maintenance Agreement in the Amount of \$68,122.64; Authorize the City Manager to Approve Additional Work, if Necessary, in an Amount not to Exceed \$62,851 (20% of contract amount); and Award of Contract to Communication Strategies for Technology Consulting Services in the Amount of \$32,930 (Finance Director Moe).

[CON 15-0016](#)

APPROVE

Attachments: [Telecom Needs Analysis Form](#)
[CMB VoIP RFP 9 Vendors-Comparison C](#)
[MB VoIP RFP 4 Vendors Scoring Sheet](#)
[Agreement Exhibit A PF Itemized Equipment List](#)
[Agreement Exhibit B Schedule of Payment](#)
[Schedule A Pricing Worksheet - Final](#)
[Packet Fusion CMB RFP RESPONSE FINAL](#)
[EXHIBIT A Packet Fusion Scope of Services for CMB](#)
[PF Maintenance Agreement - Vendor Signed](#)
[City of MB - PFI Purchase Contract Signed](#)
[Com-Strat Contract Amendment](#)

Mayor Powell introduced Information Systems Manager Leilani Emnace who gave the PowerPoint Presentation.

Information Systems Manager Emnace, Communication Strategies Consultant Dennis Bell, and Packet Fusion Consultant Kasey Nelson 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 Howorth, to award contracts to Packet Fusion for the Purchase of a New Telecommunications Platform (Telephone System) in the Amount of \$314,255.58 and a Four Year Maintenance Agreement in the Amount of \$68,122.64; to authorize the City Manager to approve additional work, if necessary, in an amount not to exceed \$62,851 (20% of contract amount); and award of a contract to Communication Strategies for Technology Consulting Services in the Amount of \$32,930. The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

O. ITEMS REMOVED FROM THE CONSENT CALENDAR

7. Settlement Agreement with Willdan Associates (Public Works Director Olmos).

[15-0209](#)

APPROVE

Attachments: [Settlement Agreement](#)

This item was pulled by Ed Caprielian.

Mayor Powell opened the floor to public comment.

The following individual spoke:

Ed Caprielian thanked the City Council for placing this item on the agenda to provide an opportunity for the public to comment.

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 Howorth, to approve the Settlement Agreement with Wildan Associates. The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

13. Ordinance No. 15-0005 Amending and Restating Municipal Code Provisions Governing Bike Path Hazards (Police Chief Irvine).

[ORD 15-0005](#)

WAIVE FURTHER READING; INTRODUCE ORDINANCE NO. 15-0005

Attachments: [Ordinance No. 15-0005](#)

This item was pulled by Mayor Pro Tem Burton.

Mayor Pro Tem Burton explained that he would like "hazards" to be more defined.

City Attorney Quinn Barrow clarified that this ordinance was just to include "flashing lights" as an amendment to the original provisions of the bike path hazards.

Mayor Pro Tem Burton further asked whether there should be hours of operation for the flashing lights.

Mayor Powell opened the floor to public comment.

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

City Attorney Barrow read the title to Ordinance No. 15-0005 into the record.

Mayor Pro Tem Burton stated that he could not vote for this motion because he would like for it to be more specific.

A motion was made by Councilmember Lesser, seconded by Councilmember Howorth, to introduce Ordinance No. 15-00005 amending Manhattan Beach Municipal Code (MBMC) Section 14.28.140 regarding "Bike Path Hazards" and ask Staff to return in six months with an update to see if there are any issues of

concern to revisit this ordinance. The motion carried by the following vote:

Aye: 3 - Powell, Lesser and Howorth

Nay: 1 - Burton

Absent: 1 - D'Errico

P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

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

20. Request by Mayor Powell to Initiate Annual Mayor's Lifetime Community Service Award.

[15-0216](#)

APPROVE

Mayor Powell related that at the National Mayor's Meeting there was a discussion about life-time achievement awards. Mayor Powell would like to implement an "Annual Life-Time Community Service Award".

Mayor Powell opened the floor to public comment.

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

Discussion continued among City Councilmembers and it was decided that no action would be taken. Each Mayor would continue to use their own discretion as to the types of awards they would bestow.

Mayor Powell then displayed a letter from the City of El Segundo stating that they are considering renaming Sepulveda Boulevard to the Pacific Coast Highway and they are seeking additional support from the City of Manhattan Beach. The City Council asked to agendaize this item and direct Staff to reach out to El Segundo and see about coordinating this process.

Mayor Pro Tem Burton requested that on the next agenda the City consider opposing the renaming of Artesia Boulevard to Redondo Beach Boulevard on the segment between Sepulveda Boulevard and Aviation and other City Councilmembers agreed.

Lastly Mayor Pro Tem Burton stated that he had pulled the item on the teen art lab from the last agenda to suggest a public/private partnership with someone such as Otis Art Institute.

R. RECEIVE AND FILE ITEMS

21. Commission Minutes:

[15-0186](#)

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) Library Commission Meeting of March 9, 2015
- b) Cultural Arts Commission Meeting of March 10, 2015
(Parks and Recreation Director Leyman)

RECEIVE AND FILE

Attachments: [Library Commission Action Minutes of March 9, 2015](#)
 [Cultural Arts Commission Action Minutes of March 10, 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 Howorth, seconded by Mayor Pro Tem Burton, that this item be received and filed. The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

22. Financial Reports: [15-0153](#)

- a) Schedule of Demands: April 9, 2015
- b) Investment Portfolio for the Month Ending March 31, 2015
- c) Financial Reports for the Month Ending March 31, 2015
(Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedule of Demands for April 9, 2015](#)
 [Investment Portfolio for the Month Ending March 31, 2015](#)
 [Financial Reports for the Month Ending March 31, 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 Mayor Pro Tem Burton, that this item be received and filed. The motion carried by the following vote:

Aye: 4 - Powell, Burton, Lesser and Howorth

Absent: 1 - D'Errico

S. ADJOURNMENT

At 10:41 PM the Regular City Council Meeting was adjourned in Memory of Susan Jones to the Adjourned Regular Meeting (Budget Study Session #1) at 6:00 PM on May 7, 2015, in the Police/Fire Conference Room in said City.

Tatyana Roujenova-Peltekova
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk