

City Council
Regular Meeting
Tuesday, June 17, 2014
6:00 PM
City Council Chambers

5:00 PM Adjourned Regular Meeting - Closed Session



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

Executive Team

Bruce Moe, Acting City Manager
Quinn Barrow, City Attorney

Robert Espinosa, Fire Chief
Cathy Hanson, Human Resources Director
Eve R. Irvine, Police Chief
Mark Leyman, Parks & Recreation Director

Bruce Moe, Finance Director
Tony Olmos, Public Works Director
Liza Tamura, City Clerk
Richard Thompson, Community
Development Director

MISSION STATEMENT:

The City of Manhattan Beach is dedicated to providing exemplary municipal services, preserving our small beach town character and enhancing the quality of life for our residents, businesses and visitors.

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

Your presence and participation contribute to good city government.

By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified two additional times for public comments on the agenda--under "Community Announcements Regarding Upcoming Events," at which time the public may address the City Council regarding any upcoming events for up to one minute in duration for any speaker; and again under "Public Comment on Non-Agenda Items," at which time speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, not including items on the agenda, for up to three minutes for each speaker. Estimated times have been placed under each heading to assist with meeting management. Please note that these times are merely an estimate.

Please note that each speaker may speak for up to 15 minutes at any one Council meeting, with additional time during public hearings.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.citymb.info, the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). Notification 36 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED. THE RECOMMENDED COUNCIL ACTION IS LISTED IMMEDIATELY AFTER THE TITLE OF EACH ITEM IN BOLD CAPITAL LETTERS.**A. PLEDGE TO THE FLAG**

5 MINUTES

Curran Hedges, 3rd Grade, Meadows Elementary School - Mayor for the Day

B. ROLL CALL

1 MINUTE

C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

1 MINUTE

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, June 11, 2014, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

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

5 MINUTES

By motion of the City Council this is the time to notify the public of any changes to the agenda and/or rearrange the order of the agenda.

E. CEREMONIAL CALENDAR

30 MINUTES

1. Recognition of Curran Hedges as Mayor for the Day. [14-0289](#)
PRESENT
2. Presentation of a Certificate of Recognition to Jeff Nicosia for his Services to the Beach Cities Sports (BCS) Youth Flag Football Program. [14-0270](#)
PRESENT
3. Presentation of a Certificate by Southern California Edison and the South Bay Cities Council of Governments to Recognize the City of Manhattan Beach's Achievement of Rising to the Energy Leader Platinum Level, Representing Significant Electricity Savings in Energy and Energy Efficiency Education for the Community. [14-0278](#)
PRESENT
4. Presentation of a Commendation to the Mira Costa High School Music Department for Being Recognized as a GRAMMY Signature School by the GRAMMY Foundation. [14-0133](#)
PRESENT

F. CITY MANAGER REPORT

5 MINUTES

G. CITY ATTORNEY REPORT

5 MINUTES

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

1 MINUTE PER PERSON

This portion of the meeting is to provide an opportunity for citizens to address the City Council regarding upcoming events. The duration for an individual speaking under "Community Announcements Regarding Upcoming Events" is limited to one minute. A second, extended opportunity to speak is provided under "Public Comment on Non-Agenda Items." While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda, except under very limited circumstances. Please complete the "Request to Address the City Council" card by filling out your name, city of residence, and returning it to the City Clerk. Thank you!

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

3 MINUTES PER PERSON - 30 MINUTES MAXIMUM

Speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, not including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda, except under very limited circumstances. Please complete the "Request to Address the City Council" card by filling out your name, city of residence, and returning it to the City Clerk.

K. CONSENT CALENDAR

5 MINUTES

NOTICE TO THE PUBLIC - The items on the "Consent Calendar" are routine and customary business items and will be enacted with one vote. The Mayor will ask the public, the City Councilmembers and the staff if there is anyone who wishes to remove any item from the "Consent Calendar" for public comment, discussion and consideration. The matters removed from the "Consent Calendar" will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." At that time, any member of the audience may comment on any item pulled from the "Consent Calendar." The entire "Consent Calendar," with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion, after the Mayor has invited the public to speak.

5. Contract Amendment #1 with Iteris, Inc. and Appropriate a Not-to-Exceed amount of \$21,000 from the General Fund for Additional Services to Complete the Mobility Plan Update (Community Development Director Thompson). [CON 14-0030](#)

APPROVE AND APPROPRIATE

Attachments: [Professional Services Agreement with Iteris, Inc. \(Approved 111212\)](#)
[Contract Amendment #1 to Professional Services Agreement with Iteris, Inc.](#)

6. Award of Bid to the Armored Group, LLC for the Budgeted Purchase of One Law Enforcement Tactical Vehicle in the Amount of \$184,000 (Acting City Manager Moe). [14-0244](#)

APPROVE; APPROPRIATE

Attachments: [RFP #981-14 Comparison for Law Enforcement Tactical Vehicle](#)

7. Award of Bid to Verde Inc. for the Budgeted Purchase of One Replacement DUI (Driving Under the Influence) Checkpoint Trailer in the Amount of \$27,617.55 (Acting City Manager Moe). [14-0245](#)

APPROVE

Attachments: [RFP #983-14 Comparison for DUI Checkpoint Trailer](#)

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8. Ordinance No. 14-0008 Prohibiting Smoking in Public Places and Regulating Electronic Cigarettes (Public Works Director Olmos). [ORD 14-0008](#)
ADOPT ORDINANCE NO. 14-0008
Attachments: [Ordinance No. 14-0008](#)
[Memorandum on Electronic Cigarettes](#)
[Draft Logos for "Breathe Free MB" Smoke-Free Public Places Campaign](#)
9. Award of Contract to Teri Black & Company for Community Development Director Recruitment Services; Appropriation of \$24,750 from the General Fund Available Fund Balance (Acting City Manager Moe). [CON 14-0029](#)
APPROVE AND APPROPRIATE
Attachments: [Proposal from Teri Black & Company](#)
[Agreement with Teri Black & Company](#)
10. Agreement for Additional Services Not-to-Exceed \$5,000 with Messina and Associates for Team Building, Career Counseling, and Succession Planning Development (Fire Chief Espinosa). [14-0285](#)
APPROVE
11. Revised Salary Ranges for the Part-Time Recreation Leader I and Recreation Leader II Positions Due to a Mandated Increase in the State of California's Minimum Wage (Human Resources Director Hanson). [14-0280](#)
APPROVE

12. Minutes: [14-0273](#)
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-Budget Study Session No. 1 of May 8, 2014
 - b) City Council Adjourned Regular Meeting-Closed Session of May 12, 2014
 - c) City Council Adjourned Regular Meeting-Budget Study Session No. 2 of May 12, 2014
 - d) City Council Adjourned Regular Meeting-Budget Study Session No. 3 of May 21, 2014
 - e) City Council Adjourned Regular Meeting-Closed Session of May 29, 2014
 - f) City Council Adjourned Regular Meeting-Budget Study Session No. 4 of May 29, 2014
 - g) City Council Special City Council Meeting-Closed Session of June 10, 2014
(City Clerk Tamura).
- APPROVE**

Attachments: [City Council Budget Study Session No. 1 Minutes of May 8, 2014.pdf](#)
[City Council Closed Session Minutes of May 12, 2014](#)
[City Council Budget Study Session No. 2 of May 12, 2014.pdf](#)
[City Council Budget Study Session No. 3 of May 21, 2014.pdf](#)
[City Council Closed Session Minutes of May 29, 2014](#)
[City Council Budget Study Session No. 4 of May 29, 2014.pdf](#)
[City Council Special Closed Session Minutes of June 10, 2014](#)

L. PUBLIC HEARINGS

30 MINUTES PER ITEM

13. Fiscal Year 2014-2015 Operating Budget (Acting City Manager Moe). [RES 14-0038](#)
CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NO. 14-0038

Attachments: [Resolution No. 14-0038](#)
[Recommended Changes to the FY 2014-2015 Proposed Budget](#)
[FY 2014-2015 Fund Balance Report](#)

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14. Public Hearing and Adoption of Fiscal Year 2014-2015 Operating Budget: [RES 14-0037](#)
Appropriation (Gann) Limit (Acting City Manager Moe).
**CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 14-0037 AS
PART OF THE OPERATING BUDGET**

Attachments: [Resolution No. 14-0037 \(Appropriation Limit\)](#)
[Gann Limit Calculation](#)

15. Consideration of the Fiscal Year 2015-2019 Capital Improvement Plan [RES 14-0039](#)
(Public Works Director Olmos).
CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 14-0039

Attachments: [Attachment A - Resolution No. 14-0039](#)
[Attachment B - CIP 2015-2019 Adopted](#)
[Attachment C – FY 2013-2014 Updated Flashing Beacons Schematic](#)

M. GENERAL BUSINESS

30 MINUTES PER ITEM

16. Presentation on the Draft Mobility Plan (Community Development [14-0177](#)
Director Thompson).
DISCUSS AND PROVIDE DIRECTION

Attachments: [Draft Mobility Plan](#)
[Draft Mobility Plan Appendices](#)

17. Approve Pedestrian Enhancements at the Intersection of Ardmore [14-0247](#)
Avenue and Flournoy Road as Recommended by the Parking and Public
Improvements Commission (*Continued from June 3, 2014, City Council
Meeting*) (Community Development Director Thompson).
APPROVE

Attachments: [Sketch of Proposed Pedestrian Enhancements](#)
[Staff Report and Final Minutes for the February 27, 2014, PPIC Meeting](#)
[Staff Report and Draft Minutes for the April 24, 2014, PPIC Meeting](#)

18. Status Report on the Mills Act - A Preservation Program for Historic [14-0267](#)
Properties (Community Development Director Thompson).
DISCUSS AND PROVIDE DIRECTION

Attachments: [Attachment A- City Council Staff Reports and Minutes from 081506, 090506, 05](#)
[Attachment B- Culturally Significant Landmark Ordinance No. 2143](#)
[Attachment C- Other Cities Historic Documentation](#)
[Attachment D- Manhattan Beach Cultural Heritage Conservancy Documentator](#)

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19. Approve Contract with Partners in Policy Governance for Assistance in Implementing the Policy Governance Model in an Amount to Exceed \$98,000 (Strategic Planning and Policy Governance Subcommittee) [CON 14-0028](#)
APPROVE; APPROPRIATE \$98,000 FROM COUNCIL CONTINGENCY
Attachments: [Policy Governance RFP](#)
[Policy Governance RFP Staff Report of February 18, 2014](#)
[Partners in Policy Governance Proposal](#)
[Professional Services Agreement with Partners in Policy Governance](#)
20. Home Loan for New City Manager [14-0286](#)
APPROVE; APPROPRIATE
Attachments: [Secured Promissory Note](#)
21. Consideration of a Resolution Approving an Amending to a Legal Services Agreement with Richards, Watson & Gershon for City Attorney Services to Designate Quinn M. Barrow as City Attorney and to Increase the Monthly Rate for General Services to \$24,000 (Acting City Manager Moe). [RES 14-0043](#)
ADOPT RESOLUTION; APPROVE AGREEMENT
Attachments: [Agreement with Richards Watson & Gershon](#)
[Resolution No. 14-0043](#)
[Amendment to Agreement for City Attorney Services](#)

N. ITEMS REMOVED FROM THE CONSENT CALENDAR

5 MINUTES PER ITEM

Prior to the Council's consideration of each item removed from the consent calendar, speakers may comment on any or all of those items for up to three minutes per item.

O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

For speakers who did not speak at the first "Public Comment" period because the 30 minute time limit was reached.

3 MINUTES PER PERSON

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

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22. Take a Position in Opposition to AB 2145 (Bradford) - Electricity: [14-0293](#)
Community Choice Aggregation (Acting City Manager Moe).
OPPOSE

Attachments: [Legislative Text of AB 2145](#)
[List of Communities and Organizations Opposing](#)
[San Diego Energy District Foundation Analysis of AB 2145](#)

Q. RECEIVE AND FILE ITEMS

The following items are informational items that do not require action by the City Council. They can be "Received and Filed" by one motion: "Motion to Receive and File" or by order of the Chair.

The Mayor will provide a maximum of three minutes for speakers to comment on this category.

23. Financial Reports: [14-0262](#)
Schedule of Demands: June 5, 2014 (Acting City Manager Moe).
RECEIVE AND FILE

Attachments: [Schedule of Demands for June 5, 2014](#)

24. Commission Minutes: [14-0272](#)
This item contains 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 minutes of the:
- a) Planning Commission Meeting of May 28, 2014
(Community Development Director Thompson)
 - b) Cultural Arts Commission Meeting of May 13, 2014
(Parks and Recreation Director Leyman)
- RECEIVE AND FILE**

Attachments: [Planning Commission Action Minutes of May 28, 2014](#)
[Cultural Arts Commission Action Minutes of May 13, 2014](#)

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Jul 1, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jul 15, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jul 29, 2014 – Tuesday -- 6:00 PM - Adjourned Regular City Council Meeting (Water Issues)
Aug 5, 2014 – Tuesday -- 6:00 PM - City Council Meeting (CANCELLED)
Aug 12, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Aug 19, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Sep 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Sep 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting (City Council Reorganization)
Sep 30, 2014 – Tuesday -- 6:00 PM - Adjourned Regular City Council Meeting
Oct 7, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Oct 21, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Nov 4, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Nov 18, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Jun 18, 2014 – Wednesday – 6:00 PM – Planning Commission Meeting
Jun 23, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
Jun 26, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Jul 8, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Jul 9, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jul 14, 2014 – Monday – 6:30 PM – Library Commission Meeting
Jul 23, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jul 24, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Jul 28, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Aug 11, 2014 – Monday – 6:30 PM – Library Commission Meeting
Aug 12, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Aug 13, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Aug 25, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Aug 27, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Aug 28, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting

T. CITY HOLIDAYS

CITY OFFICES CLOSED ON THE FOLLOWING DAYS:

Jul. 4, 2014 - Friday - Independence Day
Sep. 1, 2014 – Monday – Labor Day
Oct. 13, 2014 – Monday – Columbus Day
Nov. 11, 2014 – Tuesday – Veterans Day
Nov. 27-28, 2014 – Thursday & Friday – Thanksgiving Holiday
Dec. 25, 2014 – Thursday – Christmas Day
Jan. 1, 2015 – Thursday – New Years Day
Jan. 19, 2015 – Monday – Martin Luther King Day
Feb. 16, 2015 – Monday – President's Day
May. 25, 2015 – Monday – Memorial Day

