

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, August 12, 2014

6:00 PM

Regular Meeting

5:00 PM Adjourned Regular Meeting - Closed Session

City Council Chambers

City Council

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

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. 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

Kyle Hashiro, First Class Scout and Garrett Tamura, Boy Scout, 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 as amended, waive full reading of ordinances and pull Item No. 7 to be continued for a future public hearing (Consideration of an Application for an Amendment for an to the Approved Coastal Development Permit and Minor Exception to Construct a Roof Deck on the Third Floor of an Existing Single Family Residence with a Non-Conforming Front Setback at 121 20th Street). The motion carried by the following vote:

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

E. CEREMONIAL CALENDAR

None.

F. CITY MANAGER REPORT

City Manager Mark Danaj reported that Fire Chief Espinosa arranged a tour of the Caltech Seismological Laboratory for him and all of the department heads. City Manager Danaj gave a status report on the shark bite incident, including an update regarding the Police Department investigation and including the submittal of evidence to the Los Angeles District Attorney who has assigned a Deputy District Attorney to review. He further added that Fire Chief Espinosa attended a California Fire Chief's Officer Meeting and Human Resources Director Cathy Hanson attended a conference in Florida. In conclusion, he conveyed that the City Council retreat will be

held August 14, 2014, and August 15, 2014, at the Shade Hotel.

G. CITY ATTORNEY REPORT

None.

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Mayor Pro Tem Powell announced the Dine and Discover for seniors will be held on Thursday, August 28, 2014, and there will be a presentation by the Roundhouse Aquarium, with John Roberts, Professor at Dominguez Hills discussing sharks.

I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

None.

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

Steve Packwood requested an update on the Manhattan Village project.

Mayor Howorth asked for the Manhattan Village Mall update at the next City Council meeting.

K. CONSENT CALENDAR

Mayor Howorth reiterated that Item No. 7 had been pulled and continued to a future meeting.

Dick Zeif pulled Item No. 4.

Councilmember Burton pulled Item Nos. 1,3,5 and 6.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to approve the Consent Calendar Item Nos. 1-10, with the exceptions of Item Nos. 1,3,4,5,6, and 7. The motion carried by the following vote:

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

1. Contract Amendment #1 with Iteris, Inc. and Appropriation of \$21,000 from the General Fund for Additional Services to Complete the Mobility Plan Update (*Continued from the June 17, 2014, City Council Meeting*) (Community Development Director Thompson) **CON 14-0030**

APPROVE AND APPROPRIATE

This item was removed from the Consent Calendar and heard later under Item N. Items removed from the Consent Calendar.

2. Agreement with the Manhattan Beach Chamber of Commerce for the Provision of Economic and Business Development Programing Services for Fiscal Year 2014-2015 in the amount of \$100,000 (Community Development Director Thompson) **CON 14-0039**

APPROVE

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

3. Written Report Regarding the Interim Ordinance Prohibiting the Conversion of Any Commercial Use to a Different Commercial Use Classification in the Downtown Area of the City (City Attorney Barrow). **14-0359**

APPROVE THE ISSUANCE OF 10-DAY REPORT

This item was removed from the Consent Calendar and heard later under Item N. Items removed from the Consent Calendar.

4. Establish Salary Range and Benefits for the Newly Created Traffic Engineer Classification (Human Resources Director Hanson). **14-0378**

APPROVE

This item was removed from the Consent Calendar and heard later under Item N. Items removed from the Consent Calendar.

5. Approve Consultant Agreement with JMD to Prepare a Project Study Report for Intersection Improvements along Sepulveda Boulevard Corridor and Provide Technical Assistance for 2015 Metro Call for Projects in the Amount of \$49,950 (Public Works Director Olmos). **14-0349**

APPROVE

This item was removed from the Consent Calendar and heard later under Item N. Items removed from the Consent Calendar.

6. Approve Funding Agreement between the South Bay Cities Council of Governments (SBCCOG) and City of Manhattan Beach for Reimbursement of Costs for Preparation of a Project Study Report (PSR) for Intersection Improvement Projects along Sepulveda Corridor in the Amount of \$50,000 (Public Works Director Olmos). **14-0350**

APPROVE

This item was removed from the Consent Calendar and heard later under Item N. Items removed from the Consent Calendar.

7. Planning Commission Approval of an Application for an Amendment to the Approved Coastal Development Permit and Minor Exception to Construct a Roof Deck on an Existing Single Family Residence with a Non-Conforming Front Setback at 121-20th Street (Plache) (Community Development Director Thompson). **14-0363**

RECEIVE REPORT

This item was removed from the Consent Calendar and continued to a future City Council Meeting for a Public Hearing.

8. Annual Investment Policy (Finance Director Moe). **14-0290**

APPROVE

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

9. Side Letter Agreement with the Manhattan Beach Police Officers **14-0331**

Association (POA) Implementing the 3/12.5 + 10 Work Schedule for Patrol (Human Resources Director Hanson).

APPROVE

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

10. Minutes: 14-0338

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 minutes of the:

- a) City Council Adjourned Regular Meeting-Manhattan Village Mall of April 29, 2014
- b) City Council Regular Meeting of May 20, 2014
- c) City Council Adjourned Regular Meeting-Closed Session of July 1, 2014
- d) City Council Regular Meeting of July 1, 2014 (City Clerk Tamura).

APPROVE

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

L. PUBLIC HEARINGS

None.

M. GENERAL BUSINESS

11. Ordinance Amending the City's Fishing and Pier Regulations (City Manager Danaj) ORD 14-0013

**ADOPT URGENCY ORDINANCE NO. ORD U 14-0013 AND
INTRODUCE ORDINANCE NO. ORD 14-0014**

City Attorney Quinn Barrow presented a PowerPoint Presentation and Planning Manager Laurie Jester discussed the outreach efforts of the City.

City Attorney Barrow then responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Numerous people spoke in favor of fishing from the pier.

Others offered suggestions regarding safety measures.

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

Discussion continued and City Attorney Barrow clarified the proposed ordinances and responded to City Council questions.

City Attorney Barrow read the title of Ordinance No. U14-0013.

A motion was made by Mayor Pro Tem Powell, seconded by Mayor Howorth, that revised Ordinance No. U14-0013 be adopted as amended to work with the Coastal Commission on signage on the easterly portion of the pier, to delete

Item H, and add a sentence to Section 5 to clarify many provisions are a restatement or recodification of existing provisions or non-substantive changes. The motion carried by the following vote:

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

City Attorney Barrow read allowed the title of amended Ordinance No. 14-0014.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember D'Errico, to Introduce Ordinance No. 14-0014 as amended. 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 approve the expenditure not to exceed \$10,000 (from the City Council Contingency Fund) to work with Heal the Bay and their Angler Outreach Ambassador Program, to provide education and outreach. A friendly amendment was added by Councilmember Burton to work in conjunction with the Roundhouse Aquarium Museum. 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 Burton, to direct Staff to research what is involved in doing a petition with the California Department of Fish and Wildlife for obtaining a Marine Protection Area. 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 D'Errico, to lift the fishing ban on the pier effective two weeks from today. The motion carried by the following vote:

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

At 8:22 PM City Council recessed and reconvened at 8:40 PM with all Councilmembers present.

- 12.** Approve the Removal of Parking on the East Side of Sepulveda Boulevard between Tennyson Street and Longfellow Drive as Recommended by the Parking and Public Improvements Commission **14-0313**
(Continued from the July 15, 2014, City Council Meeting) (Community Development Director Thompson).

APPROVE

Mayor Howorth introduced City Traffic Engineer Erik Zandvleit who gave a PowerPoint Presentation and responded to City Council questions.

Mayor Howorth opened the floor to public comment.

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

Councilmember Burton commented that there were only two accidents in two years, that parked cars could be traffic calming measures, that he didn't want to lose parking

spots and he wanted a more complete analysis to make the case for removing the parking.

Councilmember D'Errico conveyed that he was concerned that we're making Sepulveda Boulevard into an alternative for the 405, asked what is the vision for this commercial corridor and stated that he also didn't like taking parking spots away and not being able to get them back.

City Council discussion continued and City Traffic Engineer Erik Zandvleit responded to additional questions.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell, to uphold the PPIC (Parking and Public Improvements Commission) recommendation to remove parking on the East side of Sepulveda Boulevard between Tennyson Street and Longfellow Drive. The motion carried by the following vote:

Aye: 3 - Howorth, Powell and Lesser

Nay: 2 - Burton and D'Errico

13. Downtown Study and Downtown Specific Plan Discussion, and Authorize Staff to Issue a Request for Proposals for the Preparation of a Downtown Specific Plan (Community Development Director Thompson).

14-0362

DISCUSS DOWNTOWN STUDY OPTIONS AND APPROVE RFP

Community Development Director Richard Thompson introduced David Snow from the City Attorney Staff who gave a PowerPoint Presentation and then both responded to City Council questions.

Mayor Howorth opened the floor to public comment.

David Kissinger, Southbay Association of Realtors, encouraged City Council to keep an open, clean slate and take advantage of this opportunity to come up with the best solutions and to consider including a robust economic study.

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

City Council discussion continued and Community Development Director Thompson and City Manager Danaj responded to questions.

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico, to approve the RFP (Request for Proposals) for a Downtown Specific Plan and in addition to showing what the total amount of the proposal is, that it gives each of the deliverables, each of the phases, and prices each one out separately. A friendly amendment was added by Mayor Pro Tem Powell to highlight what additional elements distinguish the downtown plan from the specific plan. The motion carried by the following vote:

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

At 10:44 PM City Council recessed and reconvened at 10:55 PM with all Councilmembers present.

N. ITEMS REMOVED FROM THE CONSENT CALENDAR

1. Contract Amendment #1 with Iteris, Inc. and Appropriation of \$21,000 from the General Fund for Additional Services to Complete the Mobility Plan Update (*Continued from the June 17, 2014, City Council Meeting*) (Community Development Director Thompson). **CON 14-0030**

APPROVE AND APPROPRIATE

Councilmember Burton pulled this item from the agenda and questioned what portion of the \$20,000 services have already been performed, and what will be performed in the future.

Community Development Director Richard Thompson responded to City Council questions.

Mayor Howorth opened the floor to public comment.

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

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to approve the contract amendment with Iteris, Inc. and appropriate \$21,000 from the General Fund for additional services to complete the Mobility Plan Update.. The motion carried by the following vote:

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

3. Written Report Regarding the Interim Ordinance Prohibiting the Conversion of Any Commercial Use to a Different Commercial Use Classification in the Downtown Area of the City (City Attorney Barrow). **14-0359**

APPROVE THE ISSUANCE OF 10-DAY REPORT

Councilmember Burton pulled this item to add the amendments for the report including the reference to the Specific Plan.

City Attorney Quinn Barrow read the new language for page 93. Revision to include: On May 20, 2014, City Council approved a Request for Proposals (RFP) for a Downtown Development Plan. On August 12, 2014, City Council approved a Request for Proposals (RFP) seeking proposals from Consultants for the development of a Specific Plan for the downtown business area and has scheduled considerations of proposals for the October 7, 2014, City Council Meeting.

Mayor Howorth opened the floor to public comment.

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

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to issue the 10-Day Report as amended. The motion carried by the following vote:

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

4. Establish Salary Range and Benefits for the Newly Created Traffic Engineer Classification (Human Resources Director Hanson). **14-0378**

APPROVE

The resident that pulled the item was no longer in attendance.

Mayor Howorth opened the floor to public comment.

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

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to approve the Salary Range and Benefits for the newly created Traffic Engineer Classification. The motion carried by the following vote:

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

5. Approve Consultant Agreement with JMD to Prepare a Project Study Report for Intersection Improvements along Sepulveda Boulevard Corridor and Provide Technical Assistance for 2015 Metro Call for Projects in the Amount of \$49,950 (Public Works Director Olmos). **14-0349**
APPROVE

Councilmember Burton pulled Item Nos. 5 and 6, and requested both items be considered together.

City Council agreed to consider Item Nos. 5 and 6 together.

Public Works Director Tony Olmos responded to City Council questions.

Mayor Howorth opened the floor to public comment.

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

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to approve the Consultant agreement with JMD to prepare a Project Study Report for intersection improvements along Sepulveda Boulevard Corridor and Provide Technical assistance for 2015 Metro Call for projects and award a Consultant contract to JMD . The motion carried by the following vote:

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

6. Approve Funding Agreement between the South Bay Cities Council of Governments (SBCCOG) and City of Manhattan Beach for Reimbursement of Costs for Preparation of a Project Study Report (PSR) for Intersection Improvement Projects along Sepulveda Corridor in the Amount of \$50,000 (Public Works Director Olmos). **14-0350**
APPROVE

This Item was approved in conjunction with Item No. 5 above.

O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

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

Councilmember Lesser stated that a motion was approved at a prior meeting to use funds for the Older Adult Committee to use the local public access channel and would

like City Council to agendize this item.

Discussion continued among City Council and October 21, 2014, was the date set to identify the issues involved, with Staff providing a frame work and November 4, 2014, to begin discussion of a Social Media Policy.

Q. RECEIVE AND FILE ITEMS

Mayor Howorth opened the floor to public comment for Item Nos. 14 and 15.

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

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, that Item Nos. 14 and 15 be Received and Filed. The motion carried by the following vote:

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

- 14.** Financial Reports: **14-0311**
a) Schedule of Demands: July 17, 2014
b) Investment Portfolio for the Month Ending June 30, 2014
c) Preliminary Financial Reports for the Month Ending June 30, 2014
(Finance Director Moe).

RECEIVE AND FILE

This item was Received and Filed.

- 15.** Commission Minutes: **14-0366**
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) Cultural Arts Commission Meeting of June 10, 2014
(Parks and Recreation Director Leyman)
b) Parks and Recreation Meeting of June 23, 2014
(Parks and Recreation Director Leyman)
c) Planning Commission Meeting of July 9, 2014
(Community Development Director Thompson).

RECEIVE AND FILE

This item was Received and Filed.

R. ADJOURNMENT

At 11:25 PM, Mayor Howorth adjourned the meeting in memory of Clint Clausen, Owner of Four Daughters Restaurant, to the 9:30 AM Adjourned Regular City Council Meeting (City Council Retreat) on August 14, 2014, to be held at the Shade Hotel, 1221 N. Valley, in said City.

City Attorney Quinn Barrow clarified that initially the meeting was scheduled for 9:00 AM and a Revised Agenda and E-Notification were posted earlier today.

Matthew Cuevas
Recording Secretary

Amy Thomas Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk