

City Council

Regular Meeting

Tuesday, April 16, 2013

6:00 PM

Council Chambers



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

Executive Team

David N. Carmany, City Manager

Jim Arndt, Public Works Director
Robert Espinosa, Fire Chief
Cathy Hanson, Human Resources Director
Bruce Moe, Finance Director
Richard Thompson, Community Development Director

Quinn Barrow, City Attorney
Richard Gill, Parks & Recreation Director
Eve R. Irvine, Police Chief
Liza Tamura, City Clerk

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 a time for citizen comments at two places on the agenda - once following the "Consent Calendar" under "Community Announcements," at which time citizens may address the City Council concerning any brief item of community interest not on the agenda and not-to-exceed one minute in duration for any speaker; and again directly following "Community Announcements," under "Audience Participation," at which time citizens may address the City Council on any matter of City business not on the agenda with each speaker limited to three minutes.

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, at the County Library located at 1320 Highland Avenue, 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 to make an inquiry concerning the nature of the item described on the agenda.

All Public Hearing and General Business agenda items which have not been introduced by 10:30 p.m. will be continued to the next Regular City Council meeting, or to such other time set by the City Council prior to adjournment, unless the City Council votes to suspend this rule.

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 - American Martyrs (to be confirmed)****B. ROLL CALL****C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING**

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Friday, April 12, 2013, on the City's Website and on the bulletin boards of the City Hall and the Library.

Date: 4/12/2013 Signature: /s/ Liza Tamura

D. CLOSED SESSION ANNOUNCEMENT**E. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES**

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.

F. CEREMONIAL CALENDAR

1. Presentation from Grades of Green [13-0175](#)
RECEIVE AND FILE
2. Proclamation Declaring April 2013 as National Poetry Month [13-0186](#)
PRESENT

G. COMMUNITY ANNOUNCEMENTS (One Minute Per Person)

This portion of the meeting is to provide an opportunity for citizens to address the City Council regarding community announcements. The duration for an individual speaking under "Community Announcements" is limited to one minute. A second, extended opportunity to speak is provided under "Audience Participation." While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda. 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!

H. AUDIENCE PARTICIPATION (Three Minutes Per Person)

Speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, 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. 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!

I. CONSENT CALENDAR

NOTICE TO THE PUBLIC - The "Consent Calendar" adopting the printed Recommended City Council Action will be enacted with one vote. The Mayor will ask the City Councilmembers, the public, and the staff if there is anyone who wishes to remove any item from the "Consent Calendar" for 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.

3. Employee Service Awards [13-0178](#)
RECEIVE AND FILE
4. Ratification of Motor Fuel Purchase from Southern Counties Oil Co. in [13-0176](#)
the Amount of \$29,251.59.
APPROVE

Attachments: [Attachment 1 - Fuel Bid Comparison](#)
5. Award of Bid for the Purchase of Two Budgeted Replacement Global [13-0166](#)
Electric Motorcars for the Police Department from Hollister Powersports
(\$26,397.45).
APPROVE

Attachments: [Attachment 1 - Comparison Compact Electric Vehicle](#)

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6. Contract with Omni-Means, Ltd. In the Amount Not-To-Exceed \$47, 213 for the Preparation of a Feasibility Study for Roundabouts on Valley Drive/Ardmore Avenue at the Intersections of 15th Street, Manhattan Beach Boulevard and Pacific Avenue. [13-0068](#)
- APPROVE**
- Attachments:** [Attachment 1 - City Council Staff Report of September 18, 2012](#)
[Attachment 2 - Professional Services Agreement with Omni-Means, Ltd.](#)
7. Progress Payment No. 1 in the Net Amount of \$91,329 to Lightning Fence Co. for the Sand Dune Park and Marine Avenue Park Fence Project. [13-0171](#)
- APPROVE**
- Attachments:** [Attachment 1 - Budget, Expenditures and Progress Payment Details](#)
8. Final Payment in the Net Amount of \$8,276.55 to Ramona, Inc. for the 2011-2012 Sewer Main Rehabilitation Project, Phase 1; Change Orders No. 1 through 3 in the Net Amount of -\$803.83; Formally Accept the 2011-2012 Sewer Main Rehabilitation Project, Phase 1 as Complete; Authorize Filing of the Appropriate Notice of Completion; and, Release of Retention in the Amount of \$93,724.62 [13-0177](#)
- APPROVE**
- Attachments:** [Attachment 1 - Table 1 and 2 and 3 04-16-2013](#)
[Attachment 2 - Map of FY 2010-2011 Sewer Main Rehabilitation Project \(Misc. 5](#)
[Attachment 3 - Map of FY 2011-2012 Sewer Main Rehabilitation Project \(Phase](#)
9. Contract with Construction Management Consultants Faithful+Gould in an amount not-to-exceed \$95,440 to complete a Facility Condition Assessment study. [13-0181](#)
- APPROVE**
- Attachments:** [Attachment 1 - Proposal to Provide Facility Assessment Services.pdf](#)
[Attachment 2 - Professional Services Agreement with Faithful+Gould.pdf](#)
10. Professional Engineering Services Agreement with Cannon Corporation in the Amount of \$112,633 for Water Main Design Services for the FY 2013-2014 Pipe Replacement and Fire Hydrant Installation Project in the Area South of Manhattan Beach Boulevard and East of Sepulveda Boulevard (Section 2). [13-0140](#)
- APPROVE**
- Attachments:** [Attachment 1 - FY2013-14 Water Main Replacement and Fire Hydrant Installatic](#)
[Attachment 2 - Professional Services Agreement with Cannon Corporation](#)

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11. Professional Services Agreement with Willdan Engineering in an Amount Not-to-Exceed \$136,500 for Interim City Engineer Services. [13-0182](#)
APPROVE
Attachments: [Attachment 1 - Professional Services Agreement with Willdan for Interim City Er](#)
[Attachment 2 - Proposal from Willdan for Interim City Engineer Services.](#)
12. Third Amendment to Agreement between the City of El Segundo and the City of Manhattan Beach for Median Landscape Maintenance of Rosecrans Avenue Between Highland Avenue and Aviation Boulevard. [13-0169](#)
APPROVE
Attachments: [Attachment 1 - Third Amendment to Agreement with the City of El Segundo for I](#)
[Attachment 2 - Original Agreement and Amendments 1 and 2 with the City of El](#)
13. Financial Reports: [13-0184](#)
a) Schedule of Demands: March 26, 2013.
b) Payroll Register: March 28, 2013.
APPROVE
Attachments: [Attachment 1 - Schedule of Demands for March 26, 2013](#)
[Attachment 2 - Payroll Register for March 28, 2013](#)
14. Minutes [13-0172](#)
This item contains minutes of City Council meetings which are presented for approval and minutes from 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 approve the minutes of the:
a) City Council Regular Meeting of March 19, 2013.
APPROVE
b) City Council Closed Session Meeting of April 2, 2013.
APPROVE
c) City Council Regular Meeting of April 2, 2013.
APPROVE
d) Planning Commission Meeting of April 10, 2013.
RECEIVE AND FILE
e) Parking and Public Improvements Commission Meeting of March 28, 2013.
RECEIVE AND FILE
Attachments: [Attachment 1 - City Council Meeting of March 19, 2013](#)
[Attachment 2 - Closed Session Meeting of April 2 2013](#)
[Attachment 3 - City Council Regular Meeting of April 2, 2013](#)
[Attachment 4 - Planning Commission Meeting of April 10, 2013](#)
[Attachment 5 - Parking & Public Improvements Commission Meeting of March 2](#)

J. PUBLIC HEARINGS

15. Use Permit, Coastal Development Permit, and Lot Line Adjustment, for a New County of Los Angeles Public Library at 1320 Highland Avenue
CONDUCT PUBLIC HEARING AND APPROVE RESOLUTION NO. 13-0027 [RES 13-0027](#)

Attachments: [Attachment 1 - Resolution No. 13-0027](#)
[Attachment 2 - Resolution No. PC 13-02](#)
[Attachment 3 - Planning Commission Staff Report-March 27, 2013](#)
[Attachment 4 - Draft Planning Commission Minutes-March 27, 2013](#)
[Attachment 5 - Library Plans-June 15, 2012](#)
[Attachment 6 - City Quitclaim, County Quitclaim and Grant of Easement](#)
[Attachment 7 - Los Angeles County Board of Supervisors Report-March 12, 201](#)
[Attachment 8 - Civic Center/Metlox Certified EIR- 2001](#)
[Attachment 9 - Certified EIR Addendum 2013](#)

16. Ordinance No. 13-0003 Amending Speed Limits Pursuant to the 2013 Engineering and Traffic Survey
INTRODUCE ORDINANCE NO. 13-0003 [ORD 13-0003](#)

Attachments: [Attachment 1 - Ordinance No. 13-0003](#)
[Attachment 2 - Table 1 Street Segments and Proposed Speed Limits](#)
[Attachment 3 - 2013 Engineering and Traffic Survey Report](#)
[Attachment 4 - Street Segment Map](#)

K. GENERAL BUSINESS

17. Information Systems Master Plan
APPROVE [13-0151](#)

Attachments: [Attachment 1 - Information Systems Master Plan - April 2013](#)
[Attachment 2 - Information Systems Assessment - March 2013](#)

18. Report on 960-hour Policy Governing Part-time Employees and Benefits
RECEIVE AND FILE [13-0174](#)

Attachments: [Attachment 1 - Wells Fargo Health Care Reform 2013 Presentation](#)

19. Report from the Ad Hoc Open Government Subcommittee Seeking City Council Direction on Remaining Open Government Initiatives; Authorization for the City Manager to Adopt the Public Records Act Protocol; and Direction on Future Open Governmental Initiatives. [13-0180](#)
DISCUSS, AUTHORIZE ADOPTION, AND PROVIDE DIRECTION

Attachments: [Attachment 1 - Open Government Initiatives Matrix](#)
[Attachment 2 - March 12, 2013, Ad Hoc Open Government Subcommittee Agen](#)
[Attachment 3 - Public Records Act Protocol](#)
[Attachment 4 - Public Records Act Log](#)

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

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.

M. CITY MANAGER REPORT(S)

N. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

20. Request from Councilmember Burton to Authorize the Mayor to Draft a Letter to the Governor Regarding Education Funding [13-0199](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [Attachment 1 - Draft Letter to Governor Brown re: Education Funding](#)

O. ADJOURNMENT

P. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Apr. 22, 2013 – Monday – 6:00 PM – Joint City Council/MBUSD Board of Trustees Meeting
Apr. 23, 2013 – Tuesday – 5:00 PM – City Council Interviews of Boards/Commissions Candidates
Apr. 24, 2013 – Wednesday – 6:00 PM – City Council Closed Session Meeting
Apr. 30, 2013 – Tuesday – 6:00 PM – Joint City Council/Planning Commission Meeting
May. 7, 2013 – Tuesday – 6:00 PM – City Council Meeting
May. 9, 2013 – Thursday – 6:00 PM – City Council Budget Study Session #1 (Tentative)
May. 14, 2013 – Tuesday – 6:00 PM – City Council Budget Study Session #2 (Tentative)
May. 16, 2013 – Thursday – 6:00 PM – City Council Budget Study Session #3 (Tentative)
May. 21, 2013 – Tuesday – 6:00 PM – City Council Meeting
Jun. 4, 2013 – Tuesday – 6:00 PM – City Council Meeting
Jun. 18, 2013 – Tuesday – 6:00 PM – City Council Meeting
Jul. 2, 2013 – Tuesday – 6:00 PM – City Council Meeting
Jul. 9, 2013 – Tuesday – 6:00 PM – Strategic Plan Community Town Hall Meeting
Jul. 10, 2013 – Wednesday – 8:30 AM – City Council Strategic Plan Meeting
Jul. 16, 2013 – Tuesday – 6:00 PM – City Council Meeting
Aug. 6, 2013 – Tuesday – 6:00 PM – City Council Meeting
Aug. 20, 2013 – Tuesday – 6:00 PM – City Council Meeting
Sep. 3, 2013 – Tuesday – 6:00 PM – City Council Meeting
Sep. 17, 2013 – Tuesday – 6:00 PM – City Council Meeting
Oct. 1, 2013 – Tuesday – 6:00 PM – City Council Meeting
Oct. 15, 2013 – Tuesday – 6:00 PM – City Council Meeting
Nov. 5, 2013 – Tuesday – 6:00 PM – City Council Meeting
Nov. 19, 2013 – Tuesday – 6:00 PM – City Council Meeting
Dec. 3, 2013 – Tuesday – 6:00 PM – City Council Meeting
Dec. 17, 2013 – Tuesday – 6:00 PM – City Council Meeting
Aug. 20, 2013 – Tuesday – 6:00 PM – City Council Meeting
Sep. 3, 2013 – Tuesday – 6:00 PM – City Council Meeting
Sep. 17, 2013 – Tuesday – 6:00 PM – City Council Meeting
Oct. 1, 2013 – Tuesday – 6:00 PM – City Council Meeting
Oct. 15, 2013 – Tuesday – 6:00 PM – City Council Meeting
Nov. 5, 2013 – Tuesday – 6:00 PM – City Council Meeting
Nov. 19, 2013 – Tuesday – 6:00 PM – City Council Meeting
Dec. 3, 2013 – Tuesday – 6:00 PM – City Council Meeting
Dec. 17, 2013 – Tuesday – 6:00 PM – City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Apr. 22, 2013 – Monday – 6:30 PM – Parks & Recreation Commission
Apr. 24, 2013 – Wednesday – 6:30 PM – Planning Commission
Apr. 25, 2013 – Thursday – 6:30 PM – Parking & Public Improvements Commission
May. 1, 2013 – Wednesday – 6:00 PM – North Manhattan Beach Business Improvement District
May. 8, 2013 – Wednesday – 6:30 PM – Planning Commission
May. 13, 2013 – Monday – 6:30 PM – Library Commission
May. 14, 2013 – Tuesday – 6:00 PM – Cultural Arts Commission
May. 22, 2013 – Wednesday – 6:30 PM – Planning Commission
May. 23, 2013 – Thursday – 6:30 PM – Parking & Public Improvements Commission
Jun. 5, 2013 – Wednesday – 6:00 PM – North Manhattan Beach Business Improvement District
Jun. 10, 2013 – Monday – 6:30 PM – Library Commission
Jun. 11, 2013 – Tuesday – 6:00 PM – Cultural Arts Commission
Jun. 12, 2013 – Wednesday – 6:30 PM – Planning Commission
Jun. 24, 2013 – Monday – 6:30 PM – Parks & Recreation Commission
Jun. 26, 2013 – Wednesday – 6:30 PM – Planning Commission
Jun. 27, 2013 – Thursday – 6:30 PM – Parking & Public Improvements Commission
Jul. 3, 2013 – Wednesday – 6:00 PM – North Manhattan Beach Business Improvement District
Jul. 8, 2013 – Monday – 6:30 PM – Library Commission
Jul. 9, 2013 – Tuesday – 6:00 PM – Cultural Arts Commission
Jul. 10, 2013 – Wednesday – 6:30 PM – Planning Commission
Jul. 22, 2013 – Monday – 6:30 PM – Parks & Recreation Commission
Jul. 24, 2013 – Wednesday – 6:30 PM – Planning Commission
Jul. 25, 2013 – Thursday – 6:30 PM – Parking & Public Improvements Commission
Aug. 7, 2013 – Wednesday – 6:00 PM – North Manhattan Beach Business Improvement District
Aug. 12, 2013 – Monday – 6:30 PM – Library Commission
Aug. 13, 2013 – Tuesday – 6:00 PM – Cultural Arts Commission
Aug. 14, 2013 – Wednesday – 6:30 PM – Planning Commission
Aug. 22, 2013 – Thursday – 6:30 PM – Parking & Public Improvements Commission
Aug. 26, 2013 – Monday – 6:30 PM – Parks & Recreation Commission
Aug. 28, 2013 – Wednesday – 6:30 PM – Planning Commission
Sep. 4, 2013 – Wednesday – 6:00 PM – North Manhattan Beach Business Improvement District
Sep. 9, 2013 – Monday – 6:30 PM – Library Commission
Sep. 10, 2013 – Tuesday – 6:00 PM – Cultural Arts Commission
Sep. 11, 2013 – Wednesday – 6:30 PM – Planning Commission
Sep. 23, 2013 – Monday – 6:30 PM – Parks & Recreation Commission
Sep. 25, 2013 – Wednesday – 6:30 PM – Planning Commission
Sep. 26, 2013 – Thursday – 6:30 PM – Parking & Public Improvements Commission

Q. CITY HOLIDAYS**CITY OFFICES CLOSED ON THE FOLLOWING DAYS:**

May. 27, 2013 – Monday – Memorial Day
Jul. 4, 2013 – Thursday – Independence Day
Sep. 2, 2013 – Monday – Labor Day
Oct. 14, 2013 – Monday – Columbus Day
Nov. 11, 2013 – Monday – Veterans Day
Nov. 28-29, 2013 – Thursday & Friday – Thanksgiving Holiday
Dec. 25, 2013 – Wednesday – Christmas Day
Jan. 1, 2014 – Wednesday – New Years Day
Jan. 20, 2014 – Monday – Martin Luther King Day
Feb. 17, 2014 – Monday – President's Day
May. 26, 2014 – Monday – Memorial Day

**CITY OF MANHATTAN BEACH
CLOSED SESSION AGENDA
TUESDAY, APRIL 16, 2012 - 4:30 P.M.
CITY COUNCIL CHAMBERS
1400 HIGHLAND AVENUE
MANHATTAN BEACH, CA 90266**

A. CALL MEETING TO ORDER

B. ROLL CALL

C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Friday, April 12, 2013, on the City's Website and on the bulletin boards of the City Hall and the Library.

Date: 4/12/2013 Signature: /s/ Liza Tamura

D. APPROVAL OF AGENDA

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. PUBLIC COMMENT ON CLOSED SESSION AGENDA (Three Minutes Per Person)

F. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

1. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)

(Government Code Section 64986.9(a))

City of Agoura Hills, City of Manhattan Beach, et. al. v. County of Los Angeles et. al., Superior Court of California - County of Los Angeles Case No. BS1440871

2. CONFERENCE WITH LEGAL COUNSEL (ANTICIPATED LITIGATION)

(Government Code Section 64986.9(c))

The City Council will consider initiating litigation (2 potential cases).

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code Section 54957)

Title: City Manager

4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code Section 54957)

Title: City Attorney

G. RECESS INTO CLOSED SESSION

H. RECONVENE INTO OPEN SESSION

I. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

J. ADJOURNMENT