

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, January 7, 2014

6:00 PM

Regular Meeting

City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session

City Council

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

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!**A. PLEDGE TO THE FLAG**

Meeting started at 6:05 pm

Jack Crawford from Robinson Elementary School 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

Interim City Manager John Jalili reported that Item No. 9 under the Consent Calendar has been withdrawn. Additionally, he recommended that Item No. 12 be heard as a General Business item as staff would like to make a presentation regarding the matter and requested that the item follow Item No. 15.

Hearing no objection, Mayor Howorth so ordered.

Mayor Pro Tem Powell noted that Item No. 12 was noticed as a Consent Calendar item and asked whether that is an issue. Additionally, he stated that consideration of each phase would be presented as a noticed Public Hearing and included in the newspaper and requested clarification.

Community Development Director Thompson stated that notice was not provided in the newspaper but that notice was given on the matter and it was not specified that it would be under the Consent Calendar.

Mayor Pro Tem Powell stated that it was noticed to adjacent residents but not to the general public and noted that direction was given to provide opportunity for public comment.

Interim City Manager Jalili added that the public would have opportunities to pull items from the Consent Calendar.

E. CEREMONIAL CALENDAR

1. Mayors Youth Council Recap from Community Event, "Reflect on the Past, Give Meaning to the Future - Continuing the Conversation" held December 7, 2013 at the Joslyn Community Center (Parks and Recreation Director Leyman). **14-0024**

RECEIVE AND FILE

Mayor Howorth invited Nancy Hersman to provide a brief presentation.

Ms. Hersman provided a summary of the December 7, 2013, event at the Joslyn Community Center noting that Councilmember Lesser was instrumental in the success of the program. She listed students participating in the event noting the attendance of some.

Natalie Reddington, Junior at Marymount High School, commented on discussions regarding City government and its resources. She reported that the main idea discussed at the event was the lack of communication between the City government and its residents. She addressed possible solutions including creating a Facebook and/or Twitter page to advertise City Council meeting times and City event information. She added that since social media is interactive, residents can provide comments and input which can be responded to accordingly. She reported that nixle.com can be used to receive text and media alerts and reported that social media can be used to help residents make recommendations to Council and create more interaction between City government and residents.

Jake McCabe, Junior at Harbor Westlake High School, addressed how the City can work more effectively with the School District to prepare students for their future careers as well as suggestions for park amenities. He reported that there is concern that Mira Costa and other City high schools are focusing too much on college preparedness and not as much as on careers and job-readiness. Some of the ideas generated included partnering with local businesses for presentations to students and establishing clubs within the school that focus on job-readiness. In terms of park amenities, a skate park was suggested as well as the possibility of a swimming pool complex in the City.

Chance Westin addressed historical buildings and monuments as well as environmental preservation. Regarding historical monuments, the community felt there is a lack of financial incentive to keep supporting and remodeling historical buildings and there is no MILLS plan for the purchase of historical monuments. Suggestions were made to use media to incentivize people to keep the buildings; especially considering the growing property values on which the buildings sit. In terms of environmental preservation, discussion pertained to monitoring large companies such as Chevron to make sure that they are keeping a safe level of air quality as well as review the City's tree policy and increased communication regarding the City's waste and recycling policies and procedures.

Alexandra Mier y Teran commented on transportation and mobility in the City. She stated that, at the December 7, 2013, event, discussions ensued regarding how the community is not walking as much as it should but is increasingly relying on automobiles. The topic of rental bikes was discussed as well as the creation of bicycle lanes on specific streets and walking paths. Also discussion pertained to whether to consider busing for large events in the future.

Jake Fader, Senior at Mira Costa High School, reported on discussions regarding businesses in the City and noted that people were concerned with the proposed Manhattan Village Mall and downtown, as a whole. Issues discussed included

whether to expand the Manhattan Village Mall as well as pros and con's regarding the development. Regarding downtown, discussion entailed whether to maintain local stores or attract chain business to the area. Residents discussed limiting the amount of banks and realty offices introduced into the area noting that they are not sources of sales-tax revenue.

Natalie Reddington commented on the identity of Manhattan Beach including the values of community, family, health and safety and the uniqueness of a small-town feel. There was discussion regarding developments downtown and the impacts of the expansion of the Manhattan Village Mall.

Councilmember Lesser commented positively on the efforts of the Mayor's Youth Council. He added that students elicited insightful comments from those participating and there was high praise for the role students played in the success of the event. He asked what would be done differently in future events.

Alexandra Mier y Teran stated that most of the attendees were elderly and that it would be beneficial to get the youth more involved in the decision-making process.

Chance Westin suggested publishing an agenda including topics for discussion, prior to an event.

Mayor Howorth commended the students for addressing the City's major issues so pointedly and presented each with City pins.

2. Recognition of Promotions and Employee Service Awards (Human Resources Director Hanson). **14-0034**

RECOGNIZE

Mayor Howorth reported that Bonnie Shrewsbury has been a GIS Analyst with the City for fifteen (15) years. In addition she noted that Fire Department Executive Secretary Cleo Vasquez has worked for the City for fifteen (15) years.

Police Chief Irvine acknowledged Officer Victor (Joe) Guzman for his twenty (20) years of service to the City. He was presented with a Certificate of Recognition for his accomplishment.

Police Chief Irvine recognized Officer Dave Caveney for his twenty-five (25) years of service to the City and presented him with a Certificate of Recognition.

Mayor Howorth reported that Justin Gervais, Waste Water and Electric Supervisor has worked for the City for twenty-five (25) years.

3. Manhattan Beach Rotary Club Contribution for the Installation of a Petanque Court at the Joslyn Center (Parks and Recreation Director Leyman). **14-0025**

APPROVE

At 6:36 pm Councilmember Burton reported that he is a member of the Manhattan Beach Rotary Club, recused himself from hearing the aforementioned matter and departed the Chambers.

Jan Buike introduced a representative from the Manhattan Beach Rotary Club Vinnie Fazzino described the location and work necessary to install a petanque court at the Joslyn Center.

Mayor Howorth, on behalf of City Council, thanked members of the Rotary Club for their service and efforts in bettering the City.

Councilmember Lesser indicated his support and asked the status of the Facilities Strategic Plan. He withdrew his inquiry for later on the agenda in connection with the skate park.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember D'Errico, to approve the donation for the installation of a petanque court at the Joslyn Center by the Manhattan Beach Rotary Club. The motion carried by the following vote:

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

Abstain: 1 - Burton

Councilmember Burton returned to the Chambers and took his place on the dais.

F. CITY MANAGER REPORT

Interim City Manager Jalili reported that the Smoking Ordinance will appear on the City Council's agenda of February 4, 2014. He noted that holiday tree recycling will continue until January 17, 2014, and noted that they should be placed at the curb on regular pick-up days and that their length should not exceed beyond seven (7) feet. In addition, he reported that staff is proposing to expand the City website and noted that the matter will be placed in upcoming budget discussions with the opportunity for the public to express their views. Likewise, in terms of selecting a new City Manager, the public will also have an opportunity to comment on his/her desired characteristics.

G. CITY ATTORNEY REPORT

City Attorney Quinn Barrow reported that earlier this afternoon, City Council met in closed session to discuss the first two items identified in the Closed Session agenda. City Council provided direction to the City Attorney on both matters. He added there were two other items listed in the Closed Session agenda that were not discussed and they may be discussed at a future City Council meeting. No other reportable action was taken during closed session. Following up on a prior issue, he reported that City staff has scheduled two Public Hearings before the Planning Commission. The first is a hearing to consider the revocation for the Conditional Use Permit for the 900 Club scheduled for February 26, 2014. The second is a hearing to consider an amendment to the Use Permit for the Shade Hotel which is tentatively scheduled for February 12, 2014.

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Councilmember Burton announced that the Manhattan Beach Rotary Club is sponsoring the Manhattan Beach Middle School Music Competition on Friday, January 17, 2014 at 6:00 PM at the Middle School and admission is free.

Mayor Pro Tem Powell announced that Dine and Discover, the City's older adult luncheon program, will be on January 16, 2014 from 11:30 to 1:00 PM. He added that it is free but that reservations are required by calling (310) 802-5430 by January 13, 2014.

Councilmember Lesser reported on the South Bay Cities Council of Governments noting it is a consortium of all South Bay cities. He announced they will be having a strategic planning session on Thursday, January 9, 2014 which will provide an opportunity to discuss the organization's goals and how it can best serve cities.

I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

Viet Ngo announced daily meetings of the anti-corruption advocacy group at Starbucks on Highland Avenue and Manhattan Beach Boulevards.

Don Gould, Manhattan Beach Librarian, presented a list of upcoming children's programs and reported that information on other upcoming events can be found at the Los Angeles County Library website. He added that there is a link to that website on the City's website.

Lauren Nakano, Director of Blue Zones Project with Beach Cities Health District, announced the "Kicking off the New Year Purpose Workshop" event on Saturday, January 18, 2014, at 8:30 AM at the Redondo Beach Performing Arts Center. It will be presented in connection with a Volunteer and Civic Engagement Fair and she invited City Council and the community to participate.

Kelly Stroman, Executive Director for the Downtown Business Association announced the Annual Winter Sidewalk Sale on Friday, January 17, 2014 through Sunday, January 19, 2014.

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

Craig Cadwallader, resident and representing the Surfrider Foundation, South Bay Chapter, referenced an email he sent today regarding his desire to encourage the repeal of Ordinance 2158 exempting restaurants from the City's single-use bag ban. He referenced a related lawsuit by the City of San Francisco where major precedents were set and stated there is now no threat to the City of Manhattan Beach. He encouraged City Council to direct staff to revisit the matter.

Mike Simms, President of the Downtown Business and Professionals Association, stated that the Planning Commission is soliciting feedback regarding possible zoning changes to the City. He stated this is a greater topic affecting more than just one group and that this is an opportunity to create a greater economic vision for the City. He asked that as City Council continues to receive the Planning Commission's feedback, it continue to make this a priority item.

Viet Ngo alleged ongoing activity of conspiracy and corruption by City Council and officials and encouraged the public to go together to the FBI, the office of the State Attorney General and District Attorney for resolution of the problems. Additionally, he alleged misuse of public funds, bribery and election fraud.

Councilmember Burton gave Mr. Ngo his card and offered to drive him to any of the above-listed offices.

Patrick McBride addressed City Council regarding water and increases in water rates. He stated that the increase negatively affects seniors on limited incomes and suggested the matter is an issue for consideration by the Senior Resource Committee. He suggested eliminating the fixed rate and implementing a fixed, volumetric rate and asked for City Council's support.

Bill Victor spoke in support of Mr. McBride's comments and encouraged City Council's support. He noted there are people in the City that have a tough time making ends meet and suggested that the matter be revisited as well as the matter of waste recovery costs.

Robert Bush commented on his beliefs including transparency and open government and thanked former Mayor Lesser for his service and commented positively on his passion. Additionally, he welcomed new Mayor Howorth and commented positively on her efforts toward transparency. Mr. Bush addressed ongoing problems with Southern California Edison and suggested that residents send emails to the President of the Public Utilities Commission.

K. CONSENT CALENDAR

Viet Ngo pulled Items No. 7 and 10 for separate discussion and consideration.

Bill Victor pulled Items No. 5, 13, 14e and 14g for separate discussion and consideration.

Councilmember Lesser pulled Item No. 4 for separate discussion and consideration.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell, to approve the Consent Calendar Items 6, 8, 11 and 14a, b, c, d, f, h, and i. The motion carried by the following vote: 5 – 0.

4. City Council Assignments (City Clerk Tamura). 14-0028
APPROVE

Councilmember Lesser commented regarding Council assignments to the Senior Advisory Committee noting that it was suggested to have one or two Councilmembers assigned to the Committee. He offered to serve on it and asked regarding the proper process for resolving the matter.

Mayor Howorth indicated there is no reason for further City Council discussion and stated that a City Council representative can be assigned to the Senior Advisory Committee at this time.

Councilmember Burton expressed his interest in joining the Committee as well.

Mayor Pro Tem Powell commented on three existing obsolete Committees and proposed that they be eliminated.

Councilmember D'Errico agreed with assigning Councilmembers Burton and Lesser to the Senior Advisory Committee.

The Mayor opened the floor for public comment.

Mayor Howorth closed public comments.

Councilmember Lesser noted that he is no longer on the Finance Subcommittee but indicated he was glad that Councilmember D'Errico will be able to participate especially considering his financial background.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell to direct staff to delete the Centennial Foundation Committee, the Trolley Subcommittee and the Environmental Task Force, as obsolete and assign Councilmembers Burton and Lesser to the Senior Advisory Committee. The motion carried by the following vote:

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

5. Four Year Contract with Vision Internet Providers Inc. for Website Hosting and Professional Services (Total Four Year Estimated Cost of \$110,810) (Finance Director Moe).

14-0002

APPROVE

The Mayor opened the floor for public comment.

Bill Victor reported that he read the contract and stated he does not understand why the contract has a 5% increase every year. He expressed concerns that there is no cap on the charges and that there is no guarantee that the company will not sell to someone else. He stated that it is a one-sided contract as there is no provision for the City being able to terminate the contract in a case of a violation and it offers no warranty, expressed or implied. He referenced Paragraph 12b and stated that it should be reciprocal.

Mayor Howorth closed public comments.

City Attorney Barrow stated that either party has the right to terminate with the provision of notice.

Finance Director Moe addressed the 5% annual increase noting there is no increase during the first two (2) years. He stated that this is their standard contract with other agencies for their service. If it is found that they are not acceptable, the City has the option of terminating the contract and finding other services but Finance Director Moe indicated that the City is very happy with their service.

Councilmember Lesser commended Finance Director Moe and staff for seeking more robust internet services and for being receptive to making continual modifications to the City's website and addressed the possibility of an easier link to the City's Municipal Code.

Mayor Pro Tem Powell asked regarding providing easier access to the CUP schedule relative to hours of operation for liquor-serving businesses and making the site more searchable.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell to approve adoption of a four year contract with Vision Internet Providers Inc. for website hosting and professional services (total four year estimatd cost of \$110,810).

The motion carried by the following vote:

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

6. Award of Bid to Yale/Chase Equipment for the Budgeted Purchase of One Replacement Forklift in the Amount of \$30,795.77 (Finance Director Moe).

14-0014

APPROVE

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

7. Amendment to Existing Contract for Ongoing Real Estate Advisory Services with Kosmont Companies Related to the Proposed Manhattan Village Mall Revitalization Project and a Budget Adjustment and Appropriation of \$80,000 from the General Fund (Community Development Director Thompson).

CON 14-0003

APPROVE, APPROPRIATE \$80,000 FROM THE GENERAL FUND

The Mayor opened the floor for public comment.

Viet Ngo commented on the hiring of Larry Kosmont by RREEF regarding the Manhattan Village Revitalization Project and alleged that he has a track record with the Cities of Bell and Lynwood and was involved in the corruption scandal in the City of Bell.

Bill Victor stated he does not understand why the City did not negotiate a different deal. He stated that it is not unusual for a developer to pay for the expert and stated that he cannot see how Kosmont Companies is helping the City. Mr. Victor added that Mr. Kosmont has not justified the increases in charges and stated that it would be a good idea to try to negotiate with the developer to pay for his services. He opined that Councilmember Burton should get the fee as he has been the one to ask the right questions and uncover issues that otherwise would have not been addressed.

Mayor Howorth closed public comments.

Councilmember Lesser stated that the ease at which one member of the community slanders good people is outrageous and stated he looks forward to calling him to justify some of his comments. In terms of the contract, Councilmember Lesser asked for confirmation of Mr. Kosmont's role and how there is still a need for him. He added that some of his fees were underwritten by the developer.

Community Development Director Thompson reported that the City entered into a contract with Larry Kosmont to assist the City in entering into a development agreement with the developer. Over a period of time, those provisions were negotiated with the developer until the developer withdrew the application for the development agreement. He added that at that time, Mr. Kosmont brought back an amendment to the contract which was approved by City Council. Presently, staff is seeking to extend his contract. Community Development Director Thompson indicated that the developer has paid for what is legally, their obligation and has reimbursed the City \$50,000 for his work on the development agreement, itself. At this time, the City is working closely with Mr. Kosmont in negotiations and helping City Council understand and help through the project approval stage. He added that Mr. Kosmont has background in economic development, the development of shopping centers and the impacts to communities and stated the costs are offset by the potential benefits.

In response to Mayor Pro Tem Powell's inquiry as to whether RREEF should be made to reimburse the City the incremental amounts for the contract, Community Development Director Thompson stated there is a provision in the Code that allows the City to charge back the developer for consulting fees, which is currently being done. In this case, the City is able to do that, up to \$50,000.

Interim City Manager Jalili suggested that, in the event that this project goes beyond next week, then staff could look into the matter but that there is a need to wait and see.

Mayor Pro Tem Powell indicated that the amendment has not been signed off, as to form and asked if the City Attorney has reviewed it.

City Attorney Barrow responded in the affirmative.

In response to Councilmember D'Errico's question, Community Development Director Thompson stated that some of the \$80,000 being requested has been spent as it is time that Mr. Kosmont has already worked.

Councilmember D'Errico asked why City Council is being asked to approve something, after the fact. Community Development Director Thompson reiterated that it is for time that Mr. Kosmont has already spent on the contract but that he is holding back some invoices for City Council approval.

Interim City Manager Jalili stated that if services are to continue beyond next week, there needs to be more of a centralized management that has not be in place.

Councilmember D'Errico stated that he would be willing to approve the amount needed, up to next Tuesday.

Mayor Howorth stated that Mr. Kosmont has acted on City Council's direction, this has been a complicated process and there have been numerous extra City Council meetings on this topic. She indicated that the expenses have been warranted and he has exceeded his contract because the City has increased the scope of the project. She added that this has gone beyond the development agreement and that Mr. Kosmont is the City's advocate with the developer. Additionally, she commented on the use of outside consultants and addressed the benefits of doing so including cost efficiency.

Interim City Manager Jalili indicated that this particular consultant has gone out of his way to supply information to individual Councilmembers and suggested that City Council approve the matter.

Councilmember D'Errico commented positively on Mr. Kosmont's experiences and skills and noted that his issues are with contract management. He requested to know how much of the \$80,000 has already been spent.

Councilmember Burton agreed with the previous comments and stated that Mr. Kosmont has been invaluable for him but agreed that this is a contract management issue.

Interim City Manager Jalili reported that normally, in situations like this, the consultant reports to one person. However, in terms of policy governance issues, he reported that these sorts of things will not happen.

Councilmember D'Errico asked for information regarding what has been spent and what is still owed.

City Attorney Barrow reported that a number of the speakers are close to reaching the time limit for providing comments.

City Clerk Tamura reported that Viet Ngo has two (2) minutes and thirty (30) seconds left and Bill Victor has two (2) minutes.

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico to approve the contract amendment and direct that no further

expenses be incurred after next Tuesday without return to City Council. The motion carried by the following vote:

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

8. Resolution of Intention to Provide for Annual Levy and Collection of Assessments for the North Manhattan Beach Business Improvement District and Setting February 4, 2014 for a Public Hearing (Finance Director Moe). **RES 14-0001**

ADOPT RESOLUTION NO. 14-0001

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

9. Request from the Manhattan Beach Chamber of Commerce for Special Permit: Limited Alcoholic Beverage Use on Public Property for the "Bite at the Beach" Event on May 17, 2014 in the Civic Center Plaza (Parks and Recreation Director Leyman). **14-0031**

APPROVE

The aforementioned item was removed from the agenda as the matter has been withdrawn.

10. Resolution to Authorize Execution of a Program Supplement Agreement Adding the Cycle 5 Highway Safety Improvement (HSIP) Program to the Existing Master Agreement with State of California Department of Transportation and Appropriation of \$248,600 (Community Development Director Thompson). **RES 14-0002**

APPROVE, APPROPRIATE \$248,600 FROM THE GAS TAX FUND

It was noted that Viet Ngo pulled this item from the Consent Calendar but is currently not present.

The Mayor opened the floor for public comment.

Having no public comments, Mayor Howorth closed public comments.

Councilmember Lesser indicated he has had a dialogue with the Community Development Director regarding this matter as prior City Council's were not in favor of enhanced signs but understands that there is now more safety research. He added that the matter will come before City Council for implementation at a later date.

In response to Councilmember Powell's inquiry regarding item number seven (7) within the document being funded by the North Manhattan Beach Business Improvement District, Traffic Engineer Erik Zandvliet reported that the intersections of interest to the North Manhattan Beach BID were further north.

Discussion followed regarding improvements at Morningside and Manhattan Beach Boulevard. It was noted that this grant will not cover that intersection.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell to adopt and approve RES 14-0002 authorizing execution of a Program Supplement Agreement adding the Cycle 5 Highway Safety Improvement (HSIP) Program to the existing Master Agreement with State of California Department of Transportation and appropriation of \$248,600. The motion carried by the following vote:

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

11. Award of Bid to Bandit Tree Care Products for the Budgeted Purchase of One Replacement Chipper in the Amount of \$32,873.55 (Finance Director Moe). **14-0037**

APPROVE

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

12. Consider Bikeways on Rosecrans Avenue West of Sepulveda Boulevard and Manhattan Avenue between 1st Street and 15th Street (Community Development Director Thompson).

14-0038

APPROVE, APPROPRIATE \$175,000 FROM THE CAPITAL IMPROVEMENTS PROJECT FUND

City Traffic Engineer Erik Zandvliet presented a summary of the staff report including background and prior direction by City Council. He addressed bike paths, bike lanes and bike routes, existing bike facilities in the City, locations for the proposed bikeways and specifications and requirements of each location.

Mayor Pro Tem Powell stated that a bike lane is a good idea for keeping oversized vehicles off the street but noted they also park into the sidewalk blocking it. He asked if that will be a problem relative to ADA requirements.

City Traffic Engineer Zandvliet responded that it can be a problem with oversized vehicles but that generally, a passenger vehicle would fit between the bike lane and the curb and the eight feet would be between the driveway and the ramp portion of the curb. He added that typically, the Police Department enforces the restriction by making sure there is a space in front of the parked car that a person could walk through. If a vehicle is too large, they would have to park parallel to the street.

City Traffic Engineer Zandvliet continued with his presentation addressing sharrows, public education and enforcement, noticing for this item and recommendations.

Mayor Pro Tem Powell referenced recommendations by the South Bay Bicycle Coalition that there should be a Class 3 bikeway on Rosecrans and noted that staff is recommending a Class 2 bike lane. He also pointed out the need for approval by the City of El Segundo and asked why that was not obtained in advance.

City Traffic Engineer Zandvliet stated that staff has verbal support from the City of El Segundo Director of Public Works who indicated the matter would need to be approved by their City Council. In terms of financing, it would be the responsibility of the City of Manhattan Beach. Additionally, he reported that the South Bay Master Plan shows a proposed bike route and that the area is wide enough to accommodate bike lanes. Because of the speed limit on that street, it would be safer to have bicycles in a separate area and it would benefit residents as the bike lane would provide an extra buffer between their homes and driveways and the travel lane.

Councilmember Lesser referenced the Manhattan Avenue proposal and asked regarding the criteria used to define success if sharrows were installed as a test case.

City Traffic Engineer Zandvliet stated that the evaluation would review complaints, possible accidents, the satisfaction of the general public, and surveys of the various groups can be taken. In terms of accident history, he stated there were two accidents in the last six (6) years along Manhattan Avenue and both were in the downtown area.

In response to Councilmember Lesser's inquiry regarding prioritizing projects within the South Bay Master Plan and the criteria to be used to do so, City Traffic Engineer Zandvliet stated that staff does not know which ones to pick first because the Mobility Plan is pending and staff has not yet identified priority projects. He indicated that the two choices being presented are appropriate choices noting that some of the factors relate to cost. He added that he would not recommend continuing this process and

circumventing the Mobility Plan.

Councilmember Burton stated that bike lanes have been recommended on Rosecrans in the 2005 as well as the 2011 plan.

The Mayor opened the floor for public comment.

Todd Dipaola noted that one of the benefits of having bike lanes is that it gets people to drive slower than usual. He stated that people tend to prefer bike lanes over bike routes and that where there is a chance to do both, bike lanes would be preferable. He expressed appreciation that the matter has gotten to this point noting that it has been in the works for a long time. He indicated that this will make it safer for cyclists and will increase access to the community.

John Russo reported that Manhattan Avenue is one of the busiest streets in the City and commented on diagonal parking. He referenced AB 1371 requiring a three (3) foot clearance for bikes; spoke against impeding traffic; commented on bike usage on Manhattan Avenue and opposed adding a bike lane on same.

Sharlene Apalla spoke in support of the proposed plan to add bike lanes/sharrows noting that it will be good for residents' health, increase safety and is good for the environment.

Joe Galliani, Torrance, Founding Board Member of the South Bay Bicycle Coalition, spoke in support of the proposed plan. He noted that bicycles are considered vehicles and have the same rights to be on public streets as automobiles. He indicated the need to have a sense of urgency on this issue beyond transportation, in terms of climate change and the need to cut carbon and the use of fossil fuels. He encouraged City Council to move forward with the plan as soon as possible.

Fred Manna spoke in support of the plan noting that the issue is about increased safety and that people are already using the pathways. He indicated he does not understand the resistance to sharrows adding that there are already markings in the street for pedestrian crossing, stops and speed limits.

Bill Victor spoke in opposition to installing sharrows on Manhattan Avenue and stated that Manhattan Avenue is dangerous as it is. He reported that he has seen three (3) accidents on Manhattan Avenue in the last six (6) months; that the Police Department does not enforce speeding taxi drivers and that consideration has not been given to the valet service where cars are double- and triple-parked. He agreed with the implementation of bike lanes but questioned the safety of sharrows.

Bill Hory thanked City Council and staff for considering this matter and spoke in support of the proposed plan. He commented on the need for increased safety noting that sharrows and bike lanes make streets safer and are very economical.

John Wilcox spoke in support of the proposed plan especially as it increases safety.

Lisa Ryder spoke in support of the proposed plan for increased safety. She noted that it will act to encourage people to get out and ride and stated that it will also be great for local businesses.

Andrea Giancoli, Blue Zones Project for Beach Cities Health District, spoke in support of the proposed plan to advance mobility and increase safety. She noted that the plan aligns with the City's upcoming Mobility Plan and commended staff for their efforts on this matter and encouraged City Council to vote in favor of the plan.

In addition to making the roads safer for cyclists, she reported there are other benefits including traffic-calming effects, provides a definition of travel lanes and provides benefits for pedestrians, motorists and wheelchair users.

Karol Wahlberg commended the City for addressing this issue but expressed concerns with the proposed plan, especially in relation to Manhattan Avenue and 15th Street. She reported that the City has diverted most commercial vehicles to 15th Street and stated that unless something is done to address that, the proposed plan will not be a safe bike route. She also expressed concern that the plan is "piece-meal" and opined that it is not viable. She preferred to divert commercial traffic from that area and implement bike paths along Manhattan Avenue but asked if consideration has been given to implementing bike lanes on Ocean Avenue since it is not as busy as Manhattan Avenue. Additionally, she noted that the area is intensely marked with signage and lines and expressed concerns regarding the aesthetics of adding markings for bicycle lanes.

Bill Fournell commented positively on the plan as it continues to integrate existing facilities in the City. He commented on the proposed plan for Rosecrans and stated that it will help alleviate some of the traffic, especially as it relates to the Manhattan Village Mall project. In terms of education, he stated this is a key opportunity to reinforce the rules of the road for both cyclists and drivers and for increased safety. Additionally, he addressed the South Bay Bicycle Coalition and noted they will be working with local schools to continue to educate students regarding roadway safety.

Sharon Stienstra spoke in support of the proposed plan noting that bike lanes would encourage more people to ride. She stated that the City has become more progressive and could be a leader in its efforts for a cleaner environment. She hoped that City Council will ban Styrofoam in the City as well.

Julian Katz Vice President of South Bay Bicycle Coalition and Member of the Hermosa Beach Public Works Commission commented in support of the proposed plan and stated that several beach cities have fallen behind the rest of the State regarding the matter. He addressed the importance of providing citizens with opportunities for exercise and stated that providing safe cycling lanes would serve to increase the number of people riding. He listed health, safety and carbon neutrality as good reasons in support of the plan and addressed the importance of public education in this matter.

Viet Ngo commented on the plan relative to Manhattan Avenue noting that the roads are very narrow and can be very dangerous. He opined that placing bike lanes on Manhattan Avenue will be impractical and cause added problems. He stated that often cyclists yell at pedestrians.

Steve Collins, Redondo Beach, commented on the efforts of Ted Ernst in support of bicycling and reported that Mr. Ernst felt that this is the age of the bicycle and that now, more than ever, people are embracing cycling as a means of transportation, health, carbon neutrality as well as other purposes. Mr. Collins spoke in support of the plan and moving it forward and encouraged City Council to vote to approve this item.

Craig Cadwallader spoke in support of the proposed plan and noted that riding on the Strand is not the answer, as he has suffered several accidents in the area as well as on Ocean Avenue. He believed that with the proper markings, people will become more educated and that safety will improve. He urged City Council to support the matter and move forward with implementation.

Janet Page spoke in support of the proposed plan and reported that currently she avoids Rosecrans because she does not feel safe riding on it. She reported that she is on the Board for Beach Cities Cycling and reported that the club has great programs for adult and youth education and urged City Council to approve the item.

Dave Sundes reported that he and his wife ride often and spoke in support of the proposed plan. He stated that he currently avoids Rosecrans because of the heavy traffic but indicated he would feel safe riding on it if it had designated bike lanes.

Mike Don noted that it is legal for bicycles to be on the streets and that installing bike lanes and Sharrows has been proven to increase safety and not that more cyclists will move in that particular area. He added that implementation of the program will not increase the City's liability. He addressed a previous comment that the plan is piece-meal and he stated that the start of anything is pretty much piece-meal. Mr. Don reported that there are many organizations and clubs in the City that have educational programs to promote bicycle safety.

Jacque May spoke in opposition to the plan and commented on the City's parking problems and its small streets noting that they were not built for that kind of recreational use. She commented on the lack of connectivity in terms of Rosecrans and Manhattan Avenue and indicated the need to look at all of the facts.

Mayor Howorth closed the public comment period.

Councilmember Lesser reported that he has participated in all of the initiatives in which this plan has been addressed as either a Commissioner or a Councilmember. With all of the proposals, the goal was to develop an interconnected network on appropriate streets for biking and to serve as a foundation for seeking greater grant funds. He noted that no one is opposed to bicycle safety but there seems to be a difference of opinion as to how that goal is reached. He stated he would have liked to have greater criteria as to how the routes were selected and how to develop the greatest connectivity possible. He stated that he would be supportive of having a test case with sharrows.

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico to approve staff recommendations numbers 1 and 4 (1. Installation of bike lanes on Rosecrans Avenue between Highland Avenue and Sepulveda Boulevard and 4. Appropriation of \$150,000 from the Capital Improvements Project Fund (Non-Motorized Transportation Fund) for design and construction costs related to bike lanes on Rosecrans Avenue).

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

Mayor Pro Tem Powell stated that it is inappropriate to make a motion before City Council has weighed in and disagreed with placing the matter under the Consent Calendar, but admonished that City Council specifically directed staff that when each component of the plan would be reviewed, there would be a public hearing with widespread noticing (including all Manhattan Beach residents). He added getting emails from residents complaining they had no idea that this matter was going to be heard. He asked the Police Department to enforce oversized vehicles that park into the roadway as well as onto the sidewalk. He agreed with the motion currently on the floor and that there should be criteria for prioritization as well as time certain set for the one-year period for the pilot program.

Mayor Howorth indicated that the matter was placed under the Consent Calendar at her direction and indicated it was her misunderstanding.

Councilmember D'Errico reported attending a presentation by California Judge David Rosenberg (author of Rosenberg's Rules of Order) at the last California League of Cities conference where he spoke in support of having a motion and second made prior to City Council deliberation because it gives focus and direction on what the discussion will be. He noted that it is not out of order and is a good idea.

Mayor Howorth stated that the issue of commercial traffic on Manhattan Avenue and 15th Street needs to be addressed and that providing access to safe roads does not necessarily make it worse. She commented positively on the staff report, expressed her appreciation to staff and addressed increased safety with implementation of bike lanes.

City Attorney Barrow requested clarity on the motion and Councilmember Burton noted that it was to approve staff's recommendations numbers 1 and 4.

Mayor Pro Tem Powell offered an apology to Councilmember Burton for his earlier comment regarding the appropriateness of making the motion.

A motion was made by Councilmember Burton, seconded by Mayor Pro Tem Powell to approve staff recommendation numbers 3 (Development of a safety education and enforcement campaign for motorists and bicyclists in conjunction with the opening of the new bikeway). The motion carried by the following vote:

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

Mayor Pro Tem Powell commended the South Bay Bicycle Coalition for their work in educating the community on bicycle safety.

Councilmember Burton stated that he would support a pilot program for Manhattan Avenue but asked if the intention is to place sharrows or bike lanes on that street

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico to approve staff recommendations numbers 2 and 5 (2. Installation of bike lanes on Manhattan Avenue between 1st Street and 8th Street, and Class III Bike Route signs and bike sharrows between 8th Street and 15th Street and 5. Appropriation of \$25,000 from the Capital Improvements Project Fund (Non-Motorized Transportation Fund) for design and construction costs related to bike lanes and sharrows on Manhattan Avenue). The motion carried by the following vote:

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

Mayor Pro Tem Powell requested setting a time certain (twelve [12] months) for the pilot program.

Councilmember Burton added that the pilot program should be twelve (12) months from the installation after which staff was directed to provide a report to City Council.

Councilmember D'Errico stated that a good recommendation would be to ask staff to define the criteria by which the pilot program should be measured against prior to the end of the twelve (12) months.

Mayor Howorth stated she would like to hear from residents regarding the program and how it impacts their quality of life.

At 10:04 PM the City Council recessed and reconvened at 10:11 PM with all Councilmembers present.

The aforementioned item was heard as a General Business item following No. 15

13. Consideration of Resolution No. 14-0004 Reclassifying the Management Analyst position in the Police Department to Senior Management Analyst (Human Resources Director Hanson).

RES 14-0004

ADOPT AND APPROVE

The Mayor opened the floor for public comment.

Bill Victor indicated he would waive his comments.

Mayor Howorth closed public comments.

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico to adopt and approve RES 14-0004 reclassifying the Management Analyst position in the Police Department to Senior Management Analyst. The motion carried by the following vote:

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

14. Minutes**14-0026**

This item contain 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 of November 5, 2013.

APPROVE

b) City Council Closed Session Meeting of November 5, 2013.

APPROVE

c) City Council Regular Meeting of November 19, 2013.

APPROVE

d) City Council Adjourned Regular Meeting (Closed Session) of December 3, 2013.

APPROVE

e) City Council Regular Meeting of December 3, 2013.

APPROVE

f) City Council Adjourned Regular Meeting (Closed Session) of December 10, 2013.

APPROVE

g) City Council Regular Meeting of December 10, 2013.

APPROVE

h) City Council Regular Meeting of December 17, 2013.

APPROVE

i) Capital Improvements Corporation Meeting of December 17, 2013.

APPROVE

(City Clerk Tamura).

The Mayor opened the floor for public comment.

Bill Victor indicated he would waive his comments.

Mayor Howorth closed public comments.

A motion was made by Councilmember D'Errico, seconded by Councilmember Burton to approve Items 14e and 14g as the other items were approve on the Consent Calendar. The motion carried by the following vote:

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

L. PUBLIC HEARINGS**M. GENERAL BUSINESS**

15. Provide Direction for the Parks and Recreation Commission to Discuss the Feasibility of Developing a Skateboard Park (Parks and Recreation Director Leyman). **14-0027**

PROVIDE DIRECTION TO PARKS AND RECREATION COMMISSION

Parks and Recreation Director Mark Leyman provided details of the staff report including a brief history of the matter and a request by the Parks and Recreation Commission that City Council grant permission for the Commission to review the feasibility of a skate park in advance of the Parks Master Plan and to form an Ad Hoc Committee. He addressed the proposed scope of work for the Ad Hoc Committee and presented recommendations.

Councilmember Lesser requested staff comments regarding the perceived benefits of establishing an Ad Hoc Committee.

Parks and Recreation Director Leyman reported that the Ad Hoc Committee would be more versatile and be able to be out in the community to gather information and report back to the Commission as a whole.

Councilmember Lesser referenced the Facilities Strategic Plan noting that it recommended that the skate park be located in Polliwog Park. He asked if the Committee would explore the possibility of other locations in addition to the location recommended in the Facilities Strategic Plan.

Parks and Recreation Director Leyman responded in the affirmative adding that it would be at City Council's direction should City Council desire to review alternative locations for the skate park, including Big Marine Park.

Councilmember Lesser asked for confirmation regarding the issues at hand including locations, grant funding and sponsorship and design.

Parks and Recreation Director Leyman confirmed those to be issues for consideration by the Committee and Commission as well as conducting extensive public outreach.

Brief discussion followed regarding a Parks Master Plan.

Councilmember Lesser indicated he would like the record to list what considerations have been given so far and why certain locations were ruled out.

Councilmember Burton asked whether within the fourteen (14) year history of the matter, the City has tried to partner with schools on this issue.

Mayor Howorth reported that she was on the School Board when the matter was first addressed (approximately twelve (12) years ago) and that City staff, at the time, was pushing to build the skate park at Polliwog Park, directly adjacent with the existing Middle School. She stated that the School District did not agree with the location at that time because of the proximity to the Middle School. The issue went through an extensive public process at that time and Polliwog Park was not deemed a suitable site for the skate park.

Councilmember Burton asked if the City will still attempt to partner with schools since they own the property, and noted that to build a high-quality skate park will require partnerships for fundraising.

Parks and Recreation Director Leyman responded in the affirmative.

Mayor Pro Tem Powell noted that the staff report referenced in-line skaters as well as skateboarders and asked if the park will be limited to skateboarding or whether the Ad Hoc Committee will consider multi-use parks.

Parks and Recreation Director Leyman reported that all types of skating will be factored in and considered.

The Mayor opened the floor for public comment.

Shane Grove, student at Mira Costa High School, spoke in support of a skate park noting the need for a safe place for residents to ride. Additionally, he voiced support for building it in Polliwog Park.

Patrick McBride spoke in favor of a multi-use skate park which would provide a place for young people to meet and skate. In addition, he suggested legalizing skateboarding downtown as it is a good method of transportation. He did not recall anyone being opposed to a skate park at Polliwog Park but later heard that City Council had approved a plan and expressed support for placing it in Polliwog Park.

Stephanie Robins, on behalf of her neighborhood, stated she is not opposed to a skate park, but is against having it located at Polliwog Park. She noted that the area is over saturated with public-use amenities and that what may be convenient for some, is a harsh imposition for others. She stated that she is in possession of a petition and will continue to accept signatures in opposition to placing a skate park at Polliwog Park. Ms. Robins opined that an area like Big Marine Park or one not near residential uses may be more suitable for a skate park. She encouraged fundraising activities and stated she would like to see those interested, to not only want things, but to work to make them happen and succeed. Additionally, Ms. Robins reported that Polliwog Park was designed to be a catch basin for storm water runoff, noted instances of flooding and commented on the need to update the antiquated runoff system. She hoped that the needs of the neighborhood will not be overlooked.

Elise Johnson presented a skateboard she purchased in 1979 with money she earned by babysitting. She addressed City Council demanding a skate park in the City and voiced her anger that in 2014 the City still does not have a skateboarding venue. She noted that in 1997 the City of Hermosa Beach allocated funding for their skate park and that every surrounding city has a skate park. Ms. Johnson reported how every few years the matter is presented to City Council but has been rejected over and over again. She encouraged City Council to follow through on promises made while campaigning and represent all members of the community, do the right thing and build a skate park in the City wherever it is deemed suitable.

Ian Johnson thanked Mayor Howorth for allowing the public to provide input on this issue and accepting the sport of skateboarding. He stated that upon evaluating a skate park, there are more pros than cons and stated support for a venue for skateboarders to practice their sport. He stated it doesn't matter where, but hoped that City Council will push forward to build a skate park in the City.

Mayor Howorth noted that applauses and boozing are discouraged.

Cody Purcell spoke in support of a skate park and suggested modeling it after the El Segundo or Venice skate parks. He added that it would be nice for skateboarders to have a place to go to skate.

Karen Schweter acknowledged the need for a skate park and voiced her support. However, she expressed concerns with locating it in Polliwog Park especially in terms of public safety and lack of parking during events. She reported that her husband suggested locating it on the corner of Manhattan Beach Boulevard and Sepulveda which is currently a vacant lot. Additionally, she reported there is an indoor skate park in Orange County, sponsored by Vans and submitted related information as well as a sample of rules from the Hermosa Beach skate park for possible implementation noting the need for security and supervision.

Eric Grump commented on the type of people that will be using the skate park and spoke in support of strategic placement.

Matt Hodges commented on available options for parking if the skate park is placed at Polliwog Park and spoke in support of placing it at Polliwog Park.

Mark Barrera reported that he lives adjacent to Polliwog Park and commented on increased traffic in the area. He stated that it is crowded daily and asked that as City Council considers a location for the skate park, that it take into consideration traffic flow as well as impacts to the environment. He encouraged the City to take volunteers who can help plan out the skate park and avoid any conflicts of interest.

Richard Crow spoke in support of building a skate park for the community. He acknowledged that City Council has a lot on its plate and stated that in order to get the skate park built, the community's support will be needed. He stated that a skate park helps solve problems, brings the community together and can be simple to build. He asked that City Council let the community know how it can help.

Steven Robins spoke in support of building a skate park at Big Marine Park. He stated that he resides near Polliwog Park and expressed concerns that his neighborhood floods and nothing has been done about it. While the skate park concept is good, neighborhood flooding is something that merits priority. Mr. Robins asked that City Council consider the traffic and congestion near Polliwog Park as well as look at solutions for traffic in any area into which the skate park goes.

Robert Bush stated that he was against a skate park when the Facilities Strategic Plan was published and noted the need to consider the area in which it is placed. Additionally, he stated he would support a skate park if the City gives its seniors something in return and if the children using the skate park will tell their parents to get out and vote.

Abel Rossi spoke in support of building a skate park in the City and indicated preference for placing it in Polliwog Park.

Trent Barks spoke in support of building a skate park in Polliwog Park.

Henry Driscoll spoke in support of building a skate park in the City.

Dave Sportslender spoke in support of building a multi-use skate park in the City to include skateboarding and BMX bicycling. He observed that no one seems to be against a skate park but that some disagree regarding its location.

Viet Ngo spoke in support of building a skate park in the City but alleged that City Council has failed to keep promises made during campaigning. He stated that talk is cheap and encouraged City Council to do its duty, now.

Brandon Miller spoke in support of building a skate park in the City noting that it is not a complicated decision to make.

Bill Victor spoke in support of building a skate park in the City and suggested that the City partner with other organizations in this endeavor. He listed possible locations for consideration and asked that City Council move forward with the matter as soon as possible.

Ed Nisheske emphasized the volume of traffic currently near Polliwog Park. He agreed with building a skate park in the City but opposed building it at Polliwog Park. He listed regular activities at Polliwog Park and asked that City Council consider how much use the area currently gets.

Mayor Howorth closed the public comment period.

Mayor Howorth thanked the students, parents and residents who spoke regarding the matter.

Mayor Pro Tem Powell thanked the students, parents and residents who attended to comment on this matter. He spoke in support of a skate park and noted the Parks and Recreation Commission has done a lot of work on this issue and has determined that Marine Field is the ideal location for a skate park. He noted the area has ample parking and that there may be an update needed on the design. He addressed the cost adding that currently, the City has competing challenges including infrastructure, maintenance and liability costs. Additionally, he voiced support for public/private partnerships, sponsorships and grants and stated wanting to make sure that funds are not taken away from other services. He expressed support for having the Parks and Recreation Commission look into details and get the ball rolling.

In response to Councilmember Burton's inquiry regarding the action to be taken at this time, Mayor Howorth reported that City Council is to provide direction to the Parks and Recreation Commission to discuss the feasibility of building a skate park in the City.

Interim City Manager Jalili suggested that City Council provide specific direction including directing them to choose a location and begin on the design of the park. He noted that once a location and design are established, fundraising will become a lot easier and he suggested that timelines would also be helpful.

Councilmember Burton expressed his appreciation for those in attendance and stressed the need for a funding source especially as the City deals with competing interests and priorities. He encouraged those interested in engaging in fundraising to do so and commented positively on placing it in Marine Park noting that the location is key; should not be in an isolated spot and should be where other children can play. He stressed that this is about the money.

Mayor Howorth stated she disagrees with Councilmember Burton's process adding that staff needs to present its request for a skate park with a recommended location to City Council. If City Council decides to go ahead with a skate park, staff would return with funding recommendations including public/private funding and possible grant opportunities. She stated that City Council must show support for it in order to have it included in the City's Capital Improvement Plan.

Councilmember D'Errico indicated he supports moving forward with a skate park if it means that City Council is fundamentally interested in putting a skate park in Manhattan Beach with specific caveats including not spending real money at this time

but directing staff to find a location; develop a design and return to City Council with funding recommendations and usage controls.

Mayor Howorth stated there are liabilities and insurance issues that City Council needs to consider and understand. She suggested directing staff to include a skate park into the budget discussion and include a timeline. If there is consensus to proceed with a skate park, and after it is discussed budget-wise, a taskforce should be formed to engage some of the people who spoke this evening and harness some of their energies.

Councilmember D'Errico indicated he would be fine with staff returning to City Council with specific budget numbers to allocate for a skate park. He would like to avoid nebulous numbers for a skate park.

Councilmember Lesser noted that the item before City Council is a request by the Parks and Recreation Commission with the support of staff, to establish an Ad Hoc Committee to research the feasibility of building a skate park in the City. He added that the last Facilities Strategic Plan is on the City's website and shows a skate park proposed for Polliwog Park. He suggested educating the community regarding the process which has now resulted in Marine Park as the recommended location.

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico to approve the request of the Chair of the Parks and Recreation Commission to move forward, research and conduct hearings to review the feasibility of developing a skate park in the City of Manhattan Beach. The motion carried by the following vote:

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

At 8:18 PM the City Council recessed and reconvened at 8:24 PM with all Councilmembers present.

Mayor Howorth announced that public comments will be received from attending students at this juncture regarding Item No. 17 and/or any other item on the agenda, as desired.

City Attorney Barrow reported the item is not a Public Hearing so that comments may be received at this time.

16. Conduct Budget Priorities and Considerations Discussion at the January 21, 2014 Regular City Council Meeting in-lieu of Previously Proposed Budget Town Hall Meeting on January 9, 2014 (Finance Director Moe). **14-0036**

APPROVE

Finance Director Bruce Moe presented details of the staff report noting prior consideration of scheduling a Town Hall meeting to discuss budget priorities and obtain public input. He stated that it became clear that the meeting should be a City Council meeting and instead of holding it on a separate date, it would be incorporated with the January 21, 2014, City Council meeting. He listed subsequently-scheduled budget meetings with the goal of adopting the budget on June 3, 2014. He reported that the meetings will be advertised through social media as well as local newspapers and the City's website.

Councilmember Lesser noted this is an evolving process and asked regarding the goals for the meeting and the proposed format.

Finance Director Moe reported that he and Interim City Manager Jalili discussed the format and thought it would be helpful to provide a point of reference. A presentation will be provided regarding revenue sources and expenses, focusing on the General Fund and help people become familiar with how resources are allocated and where the money comes from as well as provide opportunity for public input. He added that this will be a learning experience and commented on soliciting comments from the public.

Councilmember D'Errico asked regarding what other items may be added to the agenda of the January 21, 2014 meeting.

Interim City Manager Jalili reported that the intention is to include as few items as possible on the agenda.

Councilmember D'Errico stated the need to have the community provide input regarding discretionary matters to be allocated within the General Fund, beyond the fundamental items.

Mayor Pro Tem Powell suggested providing a link to the budget documents in the City's website for people to reference and review.

Mayor Howorth stated that the process helps with the perception of transparency and commended Councilmember Lesser for recommending this change in the process. She reiterated that it will be a learning process and clarified that this meeting will be a good opportunity for City Council to provide their input regarding budget priorities.

Interim City Manager Jalili noted that at the scheduled budget approval meeting, the budget has already been set and the only way to make changes would be to make trade-offs. Therefore, it will be helpful to discuss priorities early on in the process.

The Mayor opened the floor for public comment.

Bill Victor stated that a promise was made to hold a hearing regarding street-sweeping on January 21, 2014 and that he would like it scheduled as originally promised.

Interim City Manager Jalili reported that the matter will be heard at the City Council

meeting of January 21, 2014.

Additionally, Mr. Victor requested information regarding the reason for changing the Town Hall meeting from January 9, 2014, to the City Council meeting of January 21, 2014.

Interim City Manager Jalili stated that it was moved because the public is used to attending City Council meetings on Tuesdays.

Mayor Howorth added that originally, City Council was not going to be in attendance but expressed interest in hearing what the public has to say.

Mayor Howorth closed the public comment period.

Councilmember Burton commended Councilmember Lesser for his efforts regarding open government planning.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell to approve conducting a budget priorities and considerations discussion at the January 21, 2014 regular City Council meeting in-lieu of the previously proposed Budget Town Hall meeting of January 9, 2014. The motion carried by the following vote:

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

17. Direct Staff to Prepare Amendments to Polystyrene Food Service Ware Ordinance No. 13-0009 (Public Works Director Olmos). **13-0600**

DIRECT PREPARATION OF AMENDMENTS

Environmental Programs Manager Sona Coffee presented details of the staff report including a brief overview and introduction, background, the approved polystyrene ordinance, proposed amendments and polystyrene ordinances in California with additional measures. She addressed the reasons for banning coolers, lids, straws and utensils, reasons for including the School District and the rationale behind banning the sale of polystyrene products. Additionally, she presented details of comparably-priced alternatives to polystyrene.

Mayor Howorth commented on the use of polypropylene materials and Environmental Programs Manager Coffee indicated that is not part of the ban.

Environmental Programs Manager Coffee presented samples of alternative products and addressed those who would be impacted by the ordinance, a compliance timeline, enforcement, details of the City's storm water system and public outreach to encourage re-uses. She presented recommendations as listed in the staff report.

In response to an inquiry from Mayor Pro Tem Powell, Environmental Programs Manager Coffee indicated that the alternative materials should be recyclable or compostable and it will be up to the businesses to choose.

Councilmember D'Errico referenced the six (6) month transition period and asked whether that is adequate time in terms of businesses being able to deplete their stock.

Environmental Programs Manager Coffee indicated that should be sufficient time but if not, staff will work with businesses as needed.

Councilmember D'Errico asked if the existing ordinance and amendments also affect food trucks coming into the City.

Environmental Programs Manager Coffee reported that food trucks are included in the City's definition of food vendor and stated that all entities obtaining business licenses will be sent a letter informing them of the ordinance and amendments.

In response to Councilmember Burton's inquiry, Environmental Programs Manager Coffee addressed the Number 6 polystyrene plastic material and noted its effects on human health, marine life and the environment. She added that none of the plastics are biodegradable.

In reply to Councilmember Burton's inquiry, Public Works Director Olmos reported that the City has approximately fifty (50) miles of storm drains for which it is responsible.

Councilmember Lesser commented positively on the chart that shows the comparative pricing for alternative materials. He asked regarding the remaining challenges for compliance for vendors.

Environmental Programs Manager Coffee stated that alternate materials are readily available and that the biggest challenge will be adjusting the change.

Discussion followed regarding wrappings for meats and unprepared foods. The

ordinance only deals with containers and service of prepared foods.

Environmental Programs Manager Coffee reported that the School District is on board with the plan and that she is working with them to find suitable alternative products.

Councilmember Lesser commented on the possibility of the City receiving credit or points for complying with storm-water drain requirements.

Public Works Director Olmos reported that there is a total maximum daily load requirement in the storm-water permit which states the need to reduce trash by the year 2020 to zero. The ordinance will help by reducing the amount of trash being generated.

Brief discussion followed regarding the need for Target to comply with approved ordinances.

Mayor Howorth stated this is an example of a change that can have real effects.

The following comments were received prior to hearing Item No. 12 above.

Ali Bestyeager Program Manager with Grades of Green, presented a group of Manhattan Beach students who are present to comment on the polystyrene ban.

Unknown speaker thanked City Council for considering a ban on polystyrene foam and plastic materials in Manhattan Beach.

Unknown speaker reported that Californians are concerned about the buildup of plastic materials on beaches and in the oceans and risks to marine wildlife. Cami Dunbar commented on the harmful effects of disposable and single-use polystyrene and plastic materials to the environment.

Miley McDonald presented the results of a study regarding the amount of polystyrene and plastic materials that flow through rivers into the Pacific Ocean.

Jordan Conrad stated that most people are concerned with the harmful effects of toxic materials such as polystyrene foam because it releases a cancer-causing product, styrene, into the environment. She noted it is not just bad for the environment, but for humans as well.

Lauren Stargouter addressed challenges with recycling foam materials including costs and demands for natural resources.

Sarah Fong reported that customers want safer take-out containers and stated that there are safe alternatives available.

Sam Holtz reported on the benefits of using reusable cups, containers and utensils and urged banning foam and plastic.

Miley McDonald commented on the number of jurisdictions in Southern California that have already banned foam and plastic.

Unknown speaker thanked City Council for its attention and urged banning foam and plastic materials in the City of Manhattan Beach.

The Mayor opened the floor for public comment.

Lisa Coppedge, Grades of Green, thanked City Council for its leadership and its consideration of this matter. She spoke in support of including the schools in the bans and urged City Council to include the Manhattan Beach Unified School District in the ban. She commented on the cost of alternative materials noting that they have come down as more municipalities have banned polystyrene.

Craig Cadwallader, Surfrider Foundation, presented a sample of an alternate product being used by the City of Calabasas which has implemented a ban on polystyrene. He presented an example of Styrofoam found on the beach and noted that it breaks off into little pieces which get eaten by birds and fish and subsequently kills them. He stated that this move puts Manhattan Beach as the lead and expressed pride that the City is addressing the matter. He presented pictures of dead albatrosses on Midway Island that have ingested plastics and stated that trash decreases property values and discourages tourism. He added that research shows that restaurants that are environmentally conscientious are more popular than those that are not.

Joe Galliani, organizer of the South Bay 350 Climate Alliance, commended City Council for its environmental leadership. He commended participants from Grades of Green noting that it is a fantastic organization as well as the Surfrider Foundation for its tireless work on this issue. Additionally, he commended Environmental Programs Manager Sona Coffee for her efforts.

Bill Victor commented positively on the presentation and asked regarding the inclusion of Styrofoam coolers and enforcement. He expressed appreciation for the City's efforts in reducing impacts to the environment.

Mayor Howorth closed the public comment period.

In response to an inquiry from Mayor Howorth, Environmental Programs Manager Coffee reported that the use of Styrofoam coolers is not specifically prohibited in the ordinance but that it could be as an amendment.

Mayor Howorth noted that enforcement would be complicated. She commended Environmental Programs Manager Coffee for her work and efforts regarding this matter.

Councilmember Burton stated that the City's greatest natural resource is the beach, stated that the City has come a long way and that part of City Council's vision is for crystal blue waters and clean sand. Towards that vision, he stressed the importance of removing trash, especially from storm drains. In light of the negative impacts of polystyrene to health, he noted that City Council also has an obligation to residents and stated that he is in favor of the recommendations stated by staff.

Mayor Pro Tem Powell concurred with Councilmember Burton and stated support for the recommended actions.

Mayor Howorth commended Councilmembers who requested that this matter be brought back before City Council.

Councilmember Lesser concurred with the prior comments and added that the financial viability of alternative products is a key part of the education effort.

A motion was made by Councilmember Burton, seconded by Mayor Pro Tem Powell to direct staff to amend the Polystyrene Food Service Ware Ordinance No. 13-0009 to include polystyrene coolers and ice chests; straws, cup lids, and utensils; eliminate the exemption for the MBUSD; and prohibit the retail

sale of polystyrene materials in Manhattan Beach. The motion carried by the following vote:

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

City Attorney Barrow clarified staff's recommendation and noted that the only recommendation that is not specifically mentioned but that is implicit would be the outreach element. Councilmember Burton affirmed that is part of the motion.

In terms of the timing when staff will return with the final ordinance, City Attorney Barrow reported that staff will do the best it can to bring it before City Council in mid-February. At Councilmember Burton's request, City Attorney Barrow stated that he will include the recitals.

N. ITEMS REMOVED FROM THE CONSENT CALENDAR

O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

Bill Victor asked regarding an item included in the list of warrants specific to a payment of \$87,519.46 for a Kia Optima.

It was noted this is part of a Receive and File item.

Finance Director Moe reported this is in payment of a number of invoices noting that the financial system used by the City picks up the description from just one item when multiple items are paid. He noted that the City bought multiple Kias.

Mayor Pro Tem Powell asked for clarification regarding this part of the agenda noting that it is his understanding that it is an optional item to allow speakers who did not have the opportunity to comment under the first public comments portion of the agenda.

City Attorney Barrow reported that this item is to allow the opportunity for public comment for people who did not speak during the first public comment portion of the agenda.

Mayor Howorth suggested discussing the matter at the end of the agenda pilot program, in April.

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

Councilmember Burton suggested future discussions on what City Council wants, as a group, in terms of a different direction.

Q. RECEIVE AND FILE ITEMS

City Attorney Barrow reported that Receive and File items can be acted upon with one motion. If there are speakers who have not already used up their allotted time and are interested in commenting, they may do so at this time.

The Mayor opened the floor for public comment.

Mayor Howorth closed public comments.

Councilmember Lesser noted there is a Planning Commission item under this portion of the agenda adding that typically it would be under the Consent Calendar as there was a desire to have City Council action on a property-use determination. He asked to understand the context under which a Planning Commission decision would be under Receive and File.

City Attorney Barrow stated he has discussed the matter with the Interim City Manager and explained that even though an item was on Consent Calendar; City Council had the opportunity to pull it and noted there is still an opportunity to do so at this time. He added that these matters have always been informational, to allow City Council to open an item for City Council review and have another public hearing. These items will be presented in the City Manager's report where City Council will have the opportunity to call an item up for review.

Mayor Howorth stated she would be open to having these items under the Consent Calendar.

City Attorney Barrow suggested that these items were always a Receive and File but just happened to be on the Consent Calendar. They have been moved to this section since they are routine items, but City Council still has the opportunity to review it further.

Mayor Howorth added this is another example of trying out a new agenda.

City Attorney Barrow suggested discussing this issue at the April meeting as well.

Councilmember Lesser added that discussion should also include informing the public how decisions are made.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton to receive and file the aforementioned items. The motion carried by the following vote:

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

18. State Required Annual General Plan Progress Report (Community Development Director Thompson). 14-0006

RECEIVE AND FILE

19. Planning Commission Approval of a Coastal Development Permit and Use Permit to allow a new two-story commercial building (retail space on the ground floor and office space on the second floor) located at 211/213 Manhattan Beach Blvd (Community Development Director Thompson).

14-0033

RECEIVE AND FILE

20. Financial Reports:

- a) Schedule of Demands: December 19, 2013
- b) Investment Portfolio for the Month Ending November 30, 2013
- c) Financial Reports for the Month Ending November 30, 2013 (Finance Director Moe).

14-0017

RECEIVE AND FILE

21. Commission Minutes

This item contains minutes of 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 receive and file the minutes of the:

- a) Planning Commission Meeting of December 11, 2013.
(Community Development Director Thompson)

14-0021

RECEIVE AND FILE

- b) Cultural Arts Commission Meeting of November 12, 2013.
(Parks and Recreation Director Leyman)

RECEIVE AND FILE

- c) Finance Subcommittee Meeting of December 11, 2013.
(Finance Director Moe)

RECEIVE AND FILE

R. ADJOURNMENT

At 11:58 PM, the January 7, 2014, City Council Regular Meeting was adjourned to the 6:00 PM, City Council Adjourned Regular meeting of January 14, 2014, in the City Council Chambers.