

City Council
Regular Meeting
Tuesday, September 2, 2014
6:00 PM
City Council Chambers

5:00 PM Adjourned Regular Meeting - Closed Session



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

Executive Team

Mark Danaj, City Manager
Quinn Barrow, City Attorney

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

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

MISSION STATEMENT:

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

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

Your presence and participation contribute to good city government.

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

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

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

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

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

5 MINUTES

B. ROLL CALL

1 MINUTE

C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

1 MINUTE

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, August 27, 2014, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

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

5 MINUTES

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

E. CEREMONIAL CALENDAR

30 MINUTES

F. CITY MANAGER REPORT

5 MINUTES

G. CITY ATTORNEY REPORT

5 MINUTES

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

1 MINUTE PER PERSON

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

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

3 MINUTES PER PERSON - 30 MINUTES MAXIMUM

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

K. CONSENT CALENDAR

5 MINUTES

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

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1. Formally Accept the Hardware and Software Upgrades to the Novar HVAC Controls Project as Complete, Authorize Final Payment in the Net Amount of \$34,732.00, and Release of Retention in the Amount of \$1,828.00 to Building Control Center and (Public Works Director Olmos). [14-0381](#)
APPROVE

 2. Resolution Withdrawing Membership from the Los Angeles Regional Communications System (LA-RICS) Joint Powers Authority (Police Chief Irvine). [RES 14-0058](#)
ADOPT RESOLUTION NO. 14-0058

Attachments: [Resolution No. 14-0058](#)

 3. A Resolution of the Manhattan Beach City Council Approving, Subject to Conditions, a Modified and Restated Use Permit for an Existing Restaurant/Bar (“Eating and Drinking Establishment”) at the Property Located at 900 Manhattan Avenue (900 Club and Red Room) (CEQA Categorical Exemption) (Community Development Director Thompson). [RES 14-0060](#)
ADOPT RESOLUTION UPHOLDING PLANNING COMMISSION DECISION WITH REVISED CONDITIONS

Attachments: [Resolution No. 14-0060](#)

 4. Authorization to Negotiate New Five Year Taxicab Franchise Agreements (Finance Director Moe). [14-0403](#)
APPROVE

 5. Request for Proposal for Skate Park Planning Services to Provide Community Outreach and Propose Skate Park Locations, Type of Skate Park and Funding Options (Parks and Recreation Director Leyman). [14-0405](#)
APPROVE

Attachments: [Draft Request for Proposal](#)

 6. Contract with Messina & Associates in the Amount Not to Exceed \$55,000 for Succession Planning Development, Team Building, Coaching and Career Counseling for multiple City Departments (Human Resources Director Hanson). [14-0406](#)
APPROVE

Attachments: [Messina and Associates Contract](#)

 7. Consideration of Five-Year Fiber Optic Maintenance Agreement with Time Warner Cable with an Estimated Annual Value of \$52,800 (Finance Director Moe). [CON 14-0044](#)
WAIVE FORMAL BIDDING, APPROVE

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8. Request for Proposal to Assess Current Tree Program and Develop a Comprehensive Street Tree Master Plan (Public Works Director Olmos). [14-0356](#)
RECEIVE AND FILE

Attachments: [Assess Current Tree Program and Develop A Street Tree Master Plan](#)

9. Minutes: [14-0340](#)
This item contains action minutes of City Council meetings which are presented for approval. Staff recommends that the City Council, by motion, take action to approve the action minutes of the:
a) City Council Adjourned Regular Meeting-Closed Session of August 12, 2014
b) City Council Regular Meeting of August 12, 2014 (City Clerk Tamura).

APPROVE

Attachments: [Adjourned Regular Meeting-Closed Session Minutes of August 12, 2014](#)
[City Council Regular Meeting Action Minutes of August 12, 2014](#)

L. PUBLIC HEARINGS

30 MINUTES PER ITEM

10. Appeal of Planning Commission Approval of a Master Use Permit Amendment for Modifications to the Shade Hotel on the Metlox Site at 1221 North Valley Drive (Community Development Director Thompson). [14-0386](#)
CONDUCT PUBLIC HEARING AND DIRECT STAFF TO PREPARE A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DECISION TO AMEND THE MASTER USE PERMIT

Attachments: [Resolution No. PC 14-08, May 28, 2014](#)
[Appeal dated June 9, 2014](#)
[Email and Attachments from Appellants Regarding Shade Hotel Appeal, August](#)
[Email from Shade Owner Responding to Appellants Email Regarding Shade Ho](#)

11. Appeal of the Planning Commission's Approval of an Amendment to an Approved Coastal Development Permit and Minor Exception to Construct a Roof Deck on an Existing Single Family Residence with a Non-Conforming Front Setback at 121-20th Street (Plache) (Community Development Director Thompson). [14-0385](#)
CONDUCT PUBLIC HEARING, UPHOLD THE PLANNING COMMISSION'S DECISION

Attachments: [Resolution No. PC 14-10](#)
[July 9, 2014, PC Staff Report & Attachments](#)
[July 9, 2014, PC Draft Minutes](#)
[Appeal Notice of PC Decision](#)

M. GENERAL BUSINESS*30 MINUTES PER ITEM*

12. Consideration of Bagging of City Parking Meters During the Holiday Season to Encourage Local Shopping (Finance Director Moe).

[14-0394](#)**APPROVE****N. ITEMS REMOVED FROM THE CONSENT CALENDAR***5 MINUTES PER ITEM*

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

O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

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

*3 MINUTES PER PERSON***P. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS, FUTURE DISCUSSION ITEMS***5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES***Q. RECEIVE AND FILE ITEMS**

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

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

13. Financial Reports:
- a) Schedule of Demands: August 14, 2014
 - b) Investment Portfolio for the Month Ending July 31, 2014
 - c) Financial Reports for the Month Ending July 31, 2014 (Finance Director Moe).

[14-0374](#)**RECEIVE AND FILE**

Attachments: [Schedule of Demands for August 14, 2014](#)
[Investment Portfolio for the Month Ending July 31, 2014](#)
[Financial Reports for the Month Ending July 31, 2014](#)

R. ADJOURNMENT**S. FUTURE MEETINGS**

CITY COUNCIL MEETINGS

Sep 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting (City Council Reorganization)
Sep 30, 2014 – Tuesday -- 6:00 PM - Adjourned Regular City Council Meeting
Oct 7, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Oct 21, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Nov 4, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Nov 18, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Sep 8, 2014 – Monday – 6:30 PM – Library Commission Meeting
Sep 9, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Sep 10, 2014 – Wednesday – 6:30 PM – Planning Commission
Sep 22, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Sep 24, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Sep 25, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Oct 8, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Oct 13, 2014 – Monday – 6:30 PM – Library Commission Meeting
Oct 14, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Oct 22, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Oct 23, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Oct 27, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Nov 10, 2014 – Monday – 6:30 PM – Library Commission Meeting
Nov 11, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Nov 12, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Nov 24, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Nov 26, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Nov 27, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Dec 8, 2014 – Monday – 6:30 PM – Library Commission Meeting
Dec 9, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Dec 10, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Dec 22, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

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

Oct. 13, 2014 – Monday – Columbus Day
Nov. 11, 2014 – Tuesday – Veterans Day
Nov. 27-28, 2014 – Thursday & Friday – Thanksgiving Holiday
Dec. 25, 2014 – Thursday – Christmas Day
Jan. 1, 2015 – Thursday – New Years Day
Jan. 19, 2015 – Monday – Martin Luther King Day
Feb. 16, 2015 – Monday – President's Day
May. 25, 2015 – Monday – Memorial Day
Jul. 3, 2015 - Friday - Independence Day
Sep. 7, 2015 – Monday – Labor Day