

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Final

Tuesday, February 2, 2016

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

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

PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO: www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes

A. PLEDGE TO THE FLAG

George Caras, Manhattan Beach Middle School led the Pledge of Allegiance.

B. ROLL CALL

Present: 5 - Mayor Burton, Mayor Pro Tem D'Errico, Councilmember Lesser, Councilmember Howorth and Councilmember Powell

C. CEREMONIAL CALENDAR

- 1. Presentation of Certificates of Recognition to the U.S. Badminton Club for Qualifying at the Olympics. [16-0053](#)

PRESENT

Mayor Burton, on behalf of the City Council, presented certificates of recognition to the following U.S. Badminton Club for Qualifying at the Olympics:

Olympians:
Howard Bach
Linda French
Tony Gunawan
Chris Jogis
Joy Kitzmiller
Ben Lee
Erika Von Heiland-Strader
Rena Wang

U.S. National Champions:
Liliane Zhou
Ann French-Gonsalves
Diane Hales
Stan Hales
Linda Safarik-Tong
Tariq Wawood

The U.S. Badminton Club was unable to attend and receive their certificates.

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

City Clerk Liza Tamura confirmed that the meeting had been properly posted.

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

Mayor Burton noted that Item No. 3 is being moved under Section M. Old Business and would be heard first for the February 16, 2016 City Council Regular Meeting.

Direction was given to City Manager Mark Danaj to post an informational memo regarding drones.

A motion was made by Councilmember Powell, seconded by Councilmember Lesser, to approve the agenda, as amended and waive full reading of ordinances. The motion carried by the following vote:

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

F. CITY COUNCIL AND COMMUNITY ORGANIZATION ANNOUNCEMENTS OF UPCOMING EVENTS (1 MINUTE PER PERSON)

Melissa McCollum, Manager of the Manhattan Beach Library, announced upcoming library events and event dates and times are now available online and are printed for the public.

Councilmember Howorth announced that she will be providing a full report on the South Bay Council Governments and on Friday, February 22, 2016 there will be the 17th Annual General Assembly, "Governing in n Era of Disruptive Technologies".

Councilmember Powell announced free income tax advice and assistance for residents fifty-five and older by the AARP every Wednesday starting February 3, 2016 through April 13, 2016 from 9:00 AM to 2:30 PM at the Joslyn Center. He also announced that February is Red Cross National Heart Awareness month and the Manhattan Beach Community Response Team in connection with the Beach Cities Health District is providing free, to Manhattan Beach residents, a two-year certification upon completion of CPR, First Aid, and Defibrillator training on Saturday, February 20, 2016 from 8:00 AM to 3:00 PM.

G. CITY MANAGER REPORT

City Manager Mark Danaj announced Andrew Zywak as the new Economic Vitality Manager that will be starting February 22, 2016. Reminded everyone that the new City Hall hours will begin March 21, 2016. Provided an update on the windstorms and City respondents to calls. Lastly, reported on the Southern California Edison outages that has affected over 80,000 throughout the Los Angeles area.

H. CITY ATTORNEY REPORT

None.

I. PUBLIC COMMENTS (2 MINUTES PER PERSON FOR ONE ITEM, A MAXIMUM OF 5 MINUTES IF A SPEAKER WANTS TO COMMENT ON MORE THAN ONE ITEM)

The following individuals provided public comments:

Carol Perrin reported that she was late to the meeting because Fire trucks were parked behind her garage. Also spoke in support of the undergrounding wiring for safety of the community.

Steve Packwood wanted to make sure that the parking structure would be open to the public on the Friday's that City Hall is closed and information is provided to the public. In support of the feasibility study he wants to see the survey posted on the Beach Reporter. Requested an update in the Manhattan Beach Village mall.

Phil Reimert shared a story about Groundhogs day.

Viet Ngo spoke on a City consultant and alleged corruption.

Mayor Burton provided clarification and confirmation that the information provided for items discussed during Closed Session is in the appropriate and correct format.

Bill Victor spoke about undergrounding wiring, the police presence in the downtown area over the weekend, the public records act, and the possible City Hall reconstruction.

Robert Bush spoke against bringing Gelson's market to the City, and the duration of public comment.

Tami Zamrazil in support of Item No. 8, undergrounding wiring and how it will be beneficial for the community.

The following individuals provided public comments in favor of Agenda Item No. 3, Historical Preservation:

*Marcello Vavala
Maria Maril
Martha Andreani
Ivan Cameron
Jane Guthrie
Susanne Bailey
Jan Dennis*

The following individuals requested that owner consent be required for Agenda Item No. 3, Historical Preservation:

*John Shirley
Peggy Johnson
Janine Johnston
David Kissinger
Rachel Judson
TJ Judson
Bill Victor
Robert Faries
Mike Welsh*

*Kris Terrill
 Morrine Robey
 Edie Babbe
 Robert Schumann
 Dana Lupton
 Jack Rubens
 Major Avignon
 Jack Cummings
 David Babbe
 Dave Salzmen
 David White*

J. PLANNING COMMISSION QUASI-JUDICIAL DECISIONS (RECEIVE AND FILE)

None.

K. CONSENT CALENDAR (APPROVE)

Councilmember Howorth clarified that she would make a motion to approve the Consent Calendar with the amendment proposed by Mayor Burton regarding Item No. 2 regarding the drones and the removal of Item No. 3 to be heard before Section M. Old Business.

A motion was made by Councilmember Howorth, seconded by Councilmember Powell, to approve the Consent Calendar Item Nos. 2, 4 and 5. The motion carried by the following vote:

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

2. Second Reading of Ordinance No. 16-0002 Regulating Unmanned Aircraft (Drones) (City Attorney Barrow). [ORD 16-0002](#)

ADOPT ORDINANCE NO. 16-0002

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

4. Financial Report: [16-0025](#)
 Schedule of Demands: January 7, 2016 (Finance Director Moe).

ACCEPT REPORT AND DEMANDS

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

5. City Council Minutes: [16-0054](#)

This Item Contains Minutes of the Following City Council Meetings Presented for Approval:

- a.) City Council Adjourned Regular Meeting (Closed Session) Minutes of January 14, 2016
 b.) City Council Regular Meeting Minutes of January 19, 2016 (City Clerk Tamura).

APPROVE

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

At 7:32 PM City Council recessed and reconvened at 7:46 PM.

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

6. Conduct Public Hearing and Consider Adoption of Resolution No. 16-0011 for a Coastal Development Permit to Allow a Program for Recreational Beach Rentals and Permanent Conversion of Portions of Existing Comfort Station Changing Rooms and a Welcome/Information Center, and Authorize the City Manager to Enter into an Operating Agreement with Nikau Kai. (Continued from the January 19, 2016 City Council Meeting) (Community Development Director Lundstedt and Parks and Recreation Director Leyman).

RES 16-0011**ADOPT RESOLUTION**

City Clerk Liza Tamura introduced the item and Parks and Recreation Director Mark Leyman introduced Recreation Manager Jessica Vincent to provide the PowerPoint presentation.

City Attorney Quinn Barrow, Parks and Recreation Director Leyman, Recreation Manager Jessica Vincent responded to City Council questions.

Mayor Burton opened the Public Hearing.

The following individuals provided public comment in favor of Beach Rentals:

*Craig Cadwallader
Kelly Stroman
Jason Shanks*

The following individuals provided public comment opposing for Beach Rentals:

*Martha Andreani
Viet Ngo
Bob Valentine
Ginger Shearer
Suzanne Lerner
Tami Zamrazil
Jim Burton
Bill Victor
Carol Perin*

City Attorney Quinn Barrow confirmed that three eComments received opposing the project are part of the record.

Seeing no further requests to speak, Mayor Burton closed the Public Hearing.

Councilmember Powell spoke of policy, safety and aesthetics and does not support any beach rentals at the proposed locations.

Mayor Burton is in support to have the containers removed from the area.

Councilmember D'Errico opposed to businesses built by the pier, wants to protect the views of the resident of Manhattan Beach.

City Attorney Barrow clarified that there are three separate issues for City Council to consider.

A motion was made by Mayor Burton, seconded by Councilmember Powell, to approve the removal of storage containers from the South end of the South

Parking Lot area to an alternative place. The motion carried by the following vote:

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

Mayor Burton suggested that the area should be commercial free.

Councilmember Howorth opposed a "commercial free zone" because there is an existing business near the location and in the future there could be plans of having other similar businesses around the proposed area.

A motion was made by Mayor Burton, seconded by Councilmember Lesser, to have the proposed area by the pier be a commercial free zone. The motion carried by the following vote:

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

Nay: 1 - Howorth

The City Council did not approve the recreational beach rentals at any of the proposed locations and did not authorize an operating agreement with Nikau Kai.

M. OLD BUSINESS

3. Second Reading of Ordinance No. 16-0034 and Ordinance No. 16-0035 for Amendments to the Zoning Code, Chapter 10.86 and the Local Coastal Program, Chapter A.86, to Establish Provisions for Historic Preservation and Adoption of Resolution No. 16-0013 Transmitting the Local Coastal Program Amendments to the California Coastal Commission (Community Development Director Lundstedt). [ORD 16-0034](#)
- ADOPT ORDINANCE NOS. 16-0034 AND 16-0035, AND RESOLUTION NO. 16-0013**

City Clerk Liza Tamura introduced the item.

Councilmember Powell proposed adding two amendments: 1- add back opt out program and 2- add a provision requiring owner consent in all applications for historic preservation.

Mayor Burton proposed a friendly amendment to have staff return and have a discussion regarding Ordinance Nos. 16-0034 and 16-0035.

City Attorney Quinn Barrow read the title of the ordinances.

A motion was made by Councilmember Powell, seconded by Councilmember Howorth, to introduce Ordinance No. 16-0034 and Ordinance No. 16-0035 for amendments to the zoning code, chapter 10.86 and the local coastal program, chapter A.86, to establish provisions for historic preservation with the following amendment, that all applications received for the historic recognition must require owner consent for participation in respect to both landmarks and districts. The motion carried by the following vote:

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

City Attorney Quinn Barrow announced that the ordinance would be placed on the February 16, 2016 meeting for second reading.

7. Approve Amendment to Consultant Agreement with Selbert Perkins Design for the Preparation of a Master Plan for the Comprehensive Community Identification and Wayfinding Signage Program in the Amount of \$ 44,000 (Public Works Director Olmos).

[CON 16-0002](#)

APPROVE & APPROPRIATE

City Clerk Liza Tamura introduced the item and Public Works Director Tony Olmos and Patrick Fredrickson from Selbert Perkins provided the PowerPoint Presentation.

Councilmember Powell added a friendly amendment and asked to have the letters on the Polliwog Park sign repainted.

Mayor Burton added a friendly amendment and requested fewer signs and to have more consistency.

A motion was made by Councilmember Lesser, seconded by Councilmember Howorth, to approve the amendment to consultant agreement with Selbert Perkins Design for the preparation of master plan for the comprehensive community identification and wayfinding signage program and appropriate the amount of \$44,000 with an amendment that there will be fewer signs and consistent throughout the City. The motion carried by the following vote:

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

City Council agreed that Agenda Item No. 9 continued to the February 16, 2016 Regular City Council Meeting and have the item presented first under Old Business.

N. NEW BUSINESS

8. Appropriate Funds in the Amount of \$69,400 for the Preparation of a Needs Assessment / Feasibility Study for the Potential Replacement of Fire Station No.2, Municipal Pool, and Parking Structure / City Hall and to Conduct a Community Survey to Gauge Support for Revenue Enhancements to Fund Capital Improvements (Public Works Director Olmos). [16-0049](#)

APPROVE; APPROPRIATE

Public Works Director Tony Olmos provided staff presentation.

Public Works Director Olmos answered City Council questions.

A motion was made by Mayor Burton, seconded by Councilmember Howorth, to approve and appropriate funds in the amount of \$69,400 for the preparation of a needs assessment/feasibility study for the potential replacement of Fire Station No. 2, municipal pool, and parking structure/City Hall and to conduct a community survey to gauge support for revenue enhancements to fund Capital improvements. The motion carried by the following vote:

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

9. Presentation of the Police Department 2016-2018 Strategic Plan (Continued from February 2, 2016 City Council Meeting) (Police Chief Irvine). [16-0050](#)

RECEIVE REPORT

Item has been continued to the February 16, 2016 City Council Regular Meeting.

10. Approve Plans and Specifications for the Sewer Main Rehabilitation Project and Award a Construction Contract to Miramontes Construction Company, Inc. in the Amount of \$1,280,000 (Public Works Director Olmos). [16-0033](#)

APPROVE

Public Works Director Tony Olmos provided the staff presentation and responded to Council questions.

A motion was made by Mayor Burton, seconded by Councilmember Powell, to approve plans and specifications for the sewer main rehabilitation project and award a construction contract to Miramontes Construction Company, Inc in the amount of \$1,280,000. The motion carried by the following vote:

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

11. Sepulveda Bridge Widening Project Update and Approval of Amendment No. 2 to HDR's Existing Agreement to Extend the Term and Provide Compensation of \$147,989 for Additional Work (Continued from February 2, 2016 City Council Meeting) (Public Works Director Olmos).

[CON 16-0004](#)

APPROVE AMENDMENT

Item has been continued to the February 16, 2016 City Council Regular Meeting.

O. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS

Councilmember Howorth attended the South Bay Cities Council of Government meeting and provided the energy savings at a glance for the quarter report. Also heard from California Resources Board and drafted language regarding proposals for Measure R funding.

Councilmember Powell and City Attorney Quinn Barrow attended the Independent Cities Association Conference and Councilmember Powell provided his AB 1234 report regarding the topics discussed at the Conference; Proposition 47 impacts, Pension Reform, CalPERS and PEPRA, Legislative update, AB 109 update, Marijuana update, body cameras and Citywide surveillance cameras update, and a presentation about anti-terrorism.

Councilmember Lesser attended the Southern California Edison Subcommittee called the Edison Subcommittee where Councilmember Lesser, Councilmember Powell, and Public Works Director Tony Olmos met with Southern California Edison representatives and will be reporting back to City Council when more information has been provided from SCE regarding the outages, other reports, and date is provided. He further stated that the Library Subcommittee met with the City Manager and they are coming up with ideas on what the Library Commission can do and will report back to City Council.

Mayor Pro Tem D'Errico requested that the Boards and Commissions selection and appointing process should be part of a future agenda item regarding Boards and Commissions. Requested more than 3-5 minutes to meet with each candidate. Requested guidelines for each of the commissions in order to understand what their role is as commissioners and what the proper steps are when they are following City Council direction. Also, he requested staff to report back on what is being done about rental enforcement and the City's rental enforcement plan.

P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

12. Agenda Forecast (City Clerk Tamura). [16-0055](#)
DISCUSS AND PROVIDE DIRECTION

Mayor Burton and the City Council reviewed the Agenda Forecast and Future Discussion Items with the following change:

Agenda Item No. 1 - Cultural Arts Commission to Discuss Downtown Streetscape Plan from the February 16, 2016 City Council Regular Meeting completely removed.

Agenda Item No. 2 - Strand Stairs Rehabilitation Project on the February 16, 2016 City Council Regular Meeting moved under Old Business.

Agenda Item No. 9 - Presentation on Citygate's Fire Department moved from the February 16, 2016 City Council Regular Meeting to the March 1, 2016 City Council Regular Meeting.

Q. INFORMATIONAL ITEMS

13. Commission Minutes: [16-0062](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Library Commission Meeting Action Minutes of November, 2015 (Parks and Recreation Director Leyman).

INFORMATION ITEM ONLY

R. CLOSED SESSION

No closed session took place.

S. ADJOURNMENT

At 10:25 PM Mayor Burton adjourned the meeting to February 8, 2016 at 3:00 PM to be held in the City Manager's Conference room.

Martha Alvarez
Recording Secretary

Mark Burton
Mayor

ATTEST:

Liza Tamura
City Clerk