

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Final

Tuesday, April 5, 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

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A. PLEDGE TO THE FLAG

Mayor Pro Tem D'Errico led the pledge of allegiance.

B. ROLL CALL

C. CEREMONIAL CALENDAR

Agenda Item No. 2 was taken out of order.

2. Presentation of Distinguished Service Awards for Jean McMillan and Ida VanderPoorte. [16-0127](#)
PRESENT

Mayor Burton, on behalf of the City Council, presented Distinguished Service Awards to former City Clerk Jean McMillan and former Manhattan Beach Unified School District Boardmember Ida VanderPoorte for their years of service and contributions made to the City of Manhattan Beach.

1. Recognition of Outgoing Los Angeles County Board of Supervisor Don Knabe for His Outstanding Service to the Fourth District and the City of Manhattan Beach. [16-0126](#)
PRESENT

Mayor Burton, on behalf of the City Council, recognized Los Angeles County Board of Supervisors Don Knabe on his farewell tour for his outstanding service to the Fourth District and the City of Manhattan Beach.

Agenda Item No. 4 was taken out of order.

4. Certificate of Recognition to Robert Ray, Worshipful Master for the Beach Cities Masonic Lodge.

[16-0134](#)

PRESENT

Mayor Burton, on behalf of the City Council, presented Robert Ray with a Certificate of Recognition for his continued service as the Worshipful Master for the Beach Cities Masonic Lodge.

Presentation of a National Proclamation Declaring April 2015 as "DMV/Donate California Month".

Mayor Burton, on behalf of the City Council, presented Stefanie Hudak, DMS's One Legacy Ambassador, with a National Proclamation Declaring April 2015 as "DMV/Donate California Month".

3. Proclamation Declaring April 12, 2016 as Everyone Matters Day.

[16-0125](#)

PRESENT

Mayor Burton, on behalf of the City Council, proclaimed April 12, 2016, as "Everyone Matters Day."

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

City Clerk Liza Tamura confirmed the meeting was properly posted.

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

A motion was made by Mayor Pro Tem D'Errico, seconded by Councilmember Powell, to approve the agenda 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)

Police Chief Eve Irvine, announced "Coffee with a Cop" on April 13, 2016 from 8:00 AM to 10:00 AM at Bristol Farms Cafe and announced that April is Distracted Driver Month.

Josephine – 3rd Grader, announced that April is National Poetry Month and that on April 16, 2016 at 2:00 PM the Manhattan Beach Public Library will be hosting "Open Mic Poetry" at 2:00 PM.

James Gill , Manhattan Beach Pioneers, announced that the Pioneers meeting will be held at the Drama Room at Mira Costa High School and that the public can visit their Facebook page where videos are posted about the Pioneers history.

Fire Chief Robert Espinosa, announced the Neighborhood Emergency Preparedness Training on April 14, 2016 from 6:30 PM-8:30 PM at the Joslyn Center.

Coach Duke Dulgarian, Head Rugby Coach at Mira Costa High School, announced the costarugby.com donation site for the team to play at the US Rugby Nationals and invited Mayor Pro Tem D'Errico to start the Mira Costa Rugby game on April 29, 2016 at Mira Costa High School Waller Stadium against the New Zealand Kiwi's.

Craig Cadwalder announced that on April 18, 2016, Captain Charles Moore will be speaking at the Manhattan Beach Public Library about his book, "Plastic Ocean: How a Sea Captain's Chance Discovery Launched a Determined Quest to Save the Oceans" and encourages everyone to come out on April 23, 2016 for Earth Day Beach Cleanup.

Councilmember Powell reminded the Manhattan Beach residents that are sixty and over about the free income tax assistance available every Wednesday until April 18, 2016 at the Joslyn Community Center from 9:00 AM to 2:30 PM and announced that April 5, 2016, is National Service Day and wanted to recognize residents who give back to the community, "I Heart MB".

Mayor Burton announced that on April 4, 2016 the nationwide challenge for water conservation started and asked for Sona Coffee from the Public Works Department to provide a report about water conservation at a later meeting.

Bill Victor, wanted to remind everyone that on April 12, 2016 City Council would have a joint meeting with the Planning Commission regarding the Downtown Specific Plan.

G. CITY MANAGER REPORT

City Manager Mark Danaj reminded the public about the Downtown Specific Plan meeting on April 12, 2016 at 6:00 PM in the Police/Fire Conference room.

H. CITY ATTORNEY REPORT

City Attorney Quinn Barrow announced that the trial on the mall litigation scheduled for April 6, 2016, has been continued until October 12, 2016, because the judge retired unexpectedly and a new judge will be assigned.

I. MAYOR'S END OF TERM REMARKS

Mayor Burton thanked the residents, City staff and the public for the support during his time in office.

Steve Napolitano, Senior Deputy for the Los Angeles County Fourth District, presented Mayor Burton with a Commendation from the County of Los Angeles on behalf of Don Knabe, Los Angeles County Fourth District Supervisor.

Mayor Pro Tem D'Errico presented Mayor Burton with a Distinguished Award for his service to the community.

Councilmember Lesser congratulated Mayor Burton on his service to the City.

At 6:57 PM City Council recessed and reconvened at 7:03 PM with all City Councilmembers present.

J. 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)

Jon Chaykowski criticized the draft Downtown Specific Plan, if adopted, does not preserve the small town character for the City in his opinion; also public comments should be received throughout a City Council meeting not just during "Public Comments".

Burton Fuller commented about signage for the El Porto entrance.

Tom Elfmont, supported of the license plate readers to be installed in the City.

Jim Burton, in support of the Public Safety Initiative items wants the Police Department to do what they need to in order to provide safety to the City, opposed to the changes proposed in the Downtown Specific Plan and states that the Police Department should get the necessary funding first and then make decisions regarding the Downtown area.

Robert Bush criticized the draft Downtown Specific Plan, that the police department should have checks and balances and spoke on the property taxes.

Bill Victor is opposed to the draft Downtown Specific Plan because he thinks it will reduce access to the beach, he supports the security camera registration program, and is in support of footbeat patrols in the City.

Karol Wahlberg would like more information about the Downtown Specific Plan and more informational packets available to the public throughout the City if possible in some areas that are open 24 hours.

Mayor Burton announced that the joint meeting on April 12, 2016 at 6:00 PM in Police/Fire Conference room City Council will give direction to staff based on all the comments that they have received from the public.

City Manager Mark Danaj announced that the Downtown Specific Plan for the April 12, 2016 meeting will be available starting April 6, 2016.

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

5. Planning Commission Approval of a Variance for Construction of a New Single Family Residence with a Reduced Front Yard Setback and Reduced Supplemental Second Story Setback at 3017 Elm Avenue (Community Development Director Lundstedt).

[16-0141](#)

BY ORDER OF THE CHAIR, RECEIVE AND FILE

Ordered by the Chair, this item was received and filed.

L. CONSENT CALENDAR (APPROVE)

Councilmember Lesser requested to pull Agenda Item No. 9 (Approve Removal of Decorative Bollards on Pier) for discussion. (Discussion ensued as shown under Agenda Item No. 9 below.)

A motion was made by Councilmember Lesser and seconded by Councilmember Powell, to approve the Consent Calendar subject to staff returning with more options for bollards on the pier. The motion carried by the following vote:

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

6. Contract with Turbo Data Systems, Inc. for Parking Citation Processing for an Estimated Annual Amount of \$135,000 (Finance Director Moe).
WAIVE FORMAL BIDDING; APPROVE

[CON 16-0012](#)

The recommendation for this item was approved.

7. Resolution Ordering Plans, Specifications, Cost Estimates and Engineer's Report for Annual Street Lighting and Landscaping Assessments (Finance Director Moe).
ADOPT

[RES 16-0016](#)

The recommendation for this item was approved.

8. Approve Final Payment to Creative Home, Inc. DBA CHI Construction for the City Yard Cover Project in The Net Amount of \$156,875.80 and Release Retention in the Amount of \$33,975.16 (Public Works Director Olmos).
APPROVE

[16-0059](#)

The recommendation for this item was approved.

9. Approve Removal of Decorative Bollards on Pier (Public Works Director Olmos).
APPROVE

[16-0121](#)

Public Works Director Tony Olmos gave brief presentation and presented City Council with images of the options.

Councilmember Lesser and Councilmember Powell asked questions regarding the project and additional options.

Public Works Director Olmos responded to the City Council questions.

The recommendation for this item was approved.

10. Financial Report: [16-0065](#)
Schedules of Demands: March 3, 2016 and March 17, 2016 (Finance Director Moe).

ACCEPT REPORT AND DEMANDS

The recommendation for this item was approved.

11. City Council Minutes: [16-0128](#)
This Item Contains Minutes of the following City Council Meeting: City Council Regular Meeting of March 15, 2016 (City Clerk Tamura).

APPROVE

The recommendation for this item was approved.

M. PUBLIC HEARINGS (2 MINUTES PER PERSON)

None.

N. PUBLIC SAFETY INITIATIVES

12. Report on the Manhattan Beach Police Department Neighborhood Watch Program (Police Chief Irvine). [16-0129](#)

RECEIVE REPORT

Police Chief Eve Irvine presented information and announced that August 2, 2016 is the Neighborhood Watch's "Paint the Town Orange" event.

Police Chief Irvine responded to City Council questions.

Mayor Burton announced that he wants the program to reach 100% coverage and asked staff to provide City Council in the month of June with a list of the areas in the City that do not have Block Captains. City Council will recruit Block Captains for the Neighborhood Watch program.

Councilmember Powell reminded everyone that the residents of the City are the eyes and ears for the Community and this helps the Police Department, "See Something, Say Something".

Mayor Burton requested to receive a list with the areas in which Block Captains are needed for the Neighborhood Watch program.

13. Report on Feasibility of Community Cameras and License Plate Readers at Points of Ingress and Egress to Manhattan Beach (Police Chief Irvine).

[16-0019](#)

APPROVE, DISCUSS AND PROVIDE DIRECTION

City Clerk Liza Tamura introduced the item.

Police Chief Eve Irvine provided the staff presentation.

Police Chief Irvine and Information Technology Director Sanford Taylor responded to City Council questions.

Councilmember Powell requested signs throughout the entry points identifying that the City is under active surveillance.

Police Chief Irvine responded that she would look at the information but the residents of Manhattan Beach do not like to have "sign pollution" throughout the City.

City Attorney Quinn Barrow responded to questions regarding the policy for license plate/camera images requests on Public Records Act requests.

A motion was made by Mayor Burton, seconded by Councilmember Howorth, that this item be approved. The motion carried by the following vote:

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

At 8:32 PM City Council recessed and reconvened at 8:43 PM with all City Councilmembers present.

14. Report on the Police Department's Residential and Commercial Security Camera Registration Program (Police Chief Irvine).

[16-0064](#)

RECEIVE REPORT AND DISCUSS

City Clerk Liza Tamura introduced the item.

Police Chief Eve Irvine provided the staff presentation.

Police Chief Irvine and City Attorney Quinn Barrow responded to City Council questions.

Mayor Burton requested for the Police Department staff to publicize more about the camera registration forms by making them available at the following sites: Police Department, City Hall, Public Works, Library, Joslyn Center, Heights, send a representative to the Chamber of Commerce, Downtown Business Associations, and North Manhattan Beach to get the businesses to register.

A motion was made by Mayor Burton, seconded by Councilmember Powell, that this item be received and filed. The motion carried by the following vote:

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

15. Report on The Deployment Plan for Random and Regular Footbeat Patrols in Downtown Manhattan Beach, North Manhattan Beach and the Manhattan Village Mall (Police Chief Irvine).

[16-0046](#)

RECEIVE REPORT, DISCUSS AND PROVIDE DIRECTION

City Clerk Liza Tamura introduced the item.

Police Chief Eve Irvine provided the staff presentation.

Police Chief Irvine responded to City Council questions.

Mayor Burton requested further information if there is a need for enhancements for additional resources in regards to foot patrol.

Police Chief Irvine responded that the department is working with the City Manager and the Finance Director evaluating the need for additional resources.

A motion was made by Mayor Burton, seconded by Councilmember Powell, that this item be received and filed. The motion carried by the following vote:

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

O. OLD BUSINESS

None.

P. NEW BUSINESS

16. Approve a Three-year Professional Services Agreement with Geosyntec Consultants, Inc. in the amount of \$1,010,497 for Implementation of the Coordinated Integrated Monitoring Program on behalf of the Beach Cities Watershed Management Group (Public Works Director Olmos).

[CON 16-0007](#)

APPROVE

City Clerk Liza Tamura introduced the item.

Public Works Director Tony Olmos requested for City Council's approval to present both Agenda Item No. 16 and Agenda Item No. 17 concurrently.

City Council approved the request.

Utilities Manager Raul Saenz provided the staff presentation and responded to City Council questions.

At 9:20 PM City Council made a motion and voted on Agenda Item No. 16 and Agenda Item No. 17.

A motion was made by Councilmember Powell, seconded by Mayor Pro Tem D'Errico, to approve a three-year professional services agreement with Geosyntec Consultants, Inc. in the amount of \$1,010,497 for implementation of the coordinated integrated monitoring program on behalf of the Beach Cities Watershed Management Group. The motion carried by the following vote:

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

17. Approve a Three-year Memorandum-Of-Understanding Between the Beach Cities Watershed Management Group for Implementation of the Coordinated Integrated Monitoring Program (Public Works Director Olmos).

[CON 16-0006](#)

APPROVE

Agenda Item No. 16 and Agenda Item No. 17 were concurrently presented by Utilities Manager Raul Saenz.

City Attorney Quinn Barrow recused and left City Council Chambers at 9:15 PM and stated that he has a conflict of interest regarding this item since his law firm represents City of Redondo Beach and City of Torrance and that his law firm did not participate in the drafting of this contract and that it was reviewed by special counsel.

A motion was made by Councilmember Powell, seconded by Mayor Pro Tem D'Errico, to approve a three-year memorandum-of-understanding between the Beach Cities Watershed Management Group for implementation of the coordinated integrated monitoring program. The motion carried by the following vote:

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

City Attorney Barrow returned to City Council Chambers at 9:21 PM after City Council voted on Agenda Item No. 16 and Agenda Item No. 17.

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

Councilmember Powell announced that he has received emails and residents are concerned that AIRBNB is showing short-term rentals on their site.

Mayor's Report on Meeting Management

Mayor Burton reported that the results of the new meeting management are outstanding regarding efficiency and transparency. He stated to City Council that he is open to suggestions and is looking forward to the dialogue at the April 7, 2016 City Council Retreat.

R. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

18. Agenda Forecast (City Clerk Tamura). [16-0135](#)
DISCUSS AND PROVIDE DIRECTION

Councilmember Powell requested to have some of the items under New Business for the May 3, 2016 City Council Meeting moved to other dates.

Mayor Burton asked staff to present to Council in May the changes in election laws and what it would mean for the City of Manhattan Beach.

A motion was made by Mayor Burton, seconded by Councilmember Powell, to discuss the election changes on the first or second meeting in May. The motion carried by the following vote:

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

S. INFORMATIONAL ITEMS

19. Commission Minutes: [16-0142](#)
This Item Contains Minutes of the following City Commission Meetings:

- a) Finance Subcommittee Action Minutes of February 10, 2016 (Finance Director Moe).
- b) Finance Subcommittee Action Minutes of February 25, 2016 (Finance Director Moe).
- c) Finance Subcommittee Action Minutes of March 17, 2016 (Finance Director Moe).
- d) Planning Commission Action Minutes of March 23, 2016 (Community Development Director Lundstedt).

INFORMATION ITEM ONLY

T. CLOSED SESSION

U. ADJOURNMENT

Mayor Burton thanked Councilmember Lesser for suggesting to adjourn the April 5, 2016 City Council Meeting in memory of Manhattan Beach Police Department Reserve Officer Richard Larson.

Police Chief Eve Irvine and Councilmember Lesser provided some words in memory of Reserve Police Officer Larson.

Mayor Burton requested 30 seconds of silence.

At 9:33 PM Mayor Burton adjourned the meeting.

Martha Alvarez
Recording Secretary

Mark Burton
Mayor

ATTEST:

Liza Tamura
City Clerk