

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, February 17, 2015

6:00 PM

Regular Meeting

City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session

City Council

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

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. 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

Assistant Coach of the Mira Costa High School Rugby Team Ali Taylor led the Pledge of Allegiance.

B. NATIONAL ANTHEM

Heath Francis sang the National Anthem.

C. ROLL CALL

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

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

A motion was made by Councilmember Lesser, seconded by Councilmember Howorth, to approve the agenda. The motion carried by the following vote:

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

F. CEREMONIAL CALENDAR

Mayor Powell showed a picture of the Clinton family of Manhattan Beach who were the victims of an unfortunate incident. Mayor Powell gave out the phone numbers of Fire Marshall Mike Murray and Crime Stoppers for anonymous tips.

Heath Francis wrote and sang a song titled "Stand Up for Love" to demonstrate community support.

1. Presentation of a Commendation to Junior Lifeguard Madisson Giese for her Heroic Efforts on January 31, 2015. [15-0102](#)

PRESENT

Mayor Powell, on behalf of of the City Council, presented a Commendation to Madisson Giese for her heroic efforts for saving another persons life, on January 31, 2015.

2. Recognition of the "Why I Heart MB" Art Contest Winners: 1st Place - David Dixon; 2nd Place - Peggy Sullivan; 3rd Place - Karen Myers; and Honorable Mention - Luisa Millicent. [15-0041](#)

PRESENT

Mayor Powell, on behalf of the City Council, read the names of the "Why I ♥ MB Art Contest" winners": 1st Place - David Dixon; 2nd Place - Peggy Sullivan; 3rd Place - Karen Myers; and Honorable mention - Luisa Millicent.

3. Presentation of Employee Service Awards to Employees Attaining 20 Years of Service or More. [15-0094](#)

PRESENT

Mayor Powell, on behalf of the City Council presented Certificates of Recognition to employees with over 20 years of service: Bruce Moe (25 years), Steve Charelian (25 years), Matt Simkins (25 years) and Mayor Powell also recognized Larry Randle (30 years) who was unable to attend the meeting.

4. Presentation of Certificates Recognizing the Mira Costa High School Rugby Team. [15-0095](#)

PRESENT

Mayor Powell introduced Mira Costa High School Assistant Rugby Coach, Ali Taylor who introduced the Rugby Team.

Mayor Powell, on behalf of the City Council, presented the team with Certificates of Recognition.

Mayor Powell also introduced newly elected State Assemblyman David Hadley, who was present in the audience.

G. CITY MANAGER REPORT

City Manager Mark Danaj announced the Urban Land Institute (ULI) Study Session on February 23, 2015. He also announced the upcoming Interactive Community Budget Priority Session on March 5, 2015, at the Joslyn Community Center. City Manager Danaj explained that there would be a series of stations where residents could learn more about the budget issues and weigh in on priorities.

H. CITY ATTORNEY REPORT

City Attorney Barrow stated he has nothing to report.

Mayor Pro Tem Burton asked the status of the Manhattan Village Mall lawsuits.

City Attorney Barrow stated that there are two lawsuits filed by the Sensible Citizens of Manhattan Beach and the trial setting conference is scheduled for March 25, 2015.

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Mayor Pro Tem Burton thanked Assembly Member David Hadley for speaking at the State Assembly about how the community of Manhattan Beach came together in a candle light vigil in support of the Clinton Family.

Councilmember Lesser announced that he was appointed to the Los Angeles Library Commission and explained that the role of the Commission is to advise the Board of Supervisors as well as the County Librarian on library services throughout the County.

Mayor Powell commented on the condition of the Rite Aid Site at the intersection of Sepulveda and Manhattan Beach Boulevard and asked Staff to issue a letter to Rite Aid.

Staff responded that a meeting is being arranged.

J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

None.

K. PUBLIC COMMENT ON NON-AGENDA ITEMS

Julie Profet, Chair of Friends of Polliwog Park, related her concerns about moving the Peck House to Polliwog Park and using up open space and urged the City Council to protect the openness of Polliwog Park.

Robert Bush, resident, spoke in support of City Council Candidate Bill Victor.

Ray Pok, Southern California Edison, gave an update on the El Porto Project and gave the hotline number for residents to call 866-977-3487.

Bill Victor, showed a picture of a utility pole and pointed out an issue with the double poles, noting the old ones are not removed.

Ray Pok responded that all poles are safe and added additional answers on the issues. Mr. Pok gave his e-mail Raymond.pok@sce.com and the website is SCE.com/elporto. He further added that it is helpful if the pole number is given when reporting an issue.

Vet Ngo reminded that all elected members took an oath of office and alleged violations during the election.

Ed Capriellian spoke about the performance evaluation of the City Manager and requested a copy of a performance measures contract.

L. CONSENT CALENDAR

Bill Victor pulled Item No. 7.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to approve the Consent Calendar Item Nos. 5-8 with the exception of Item No. 7. The motion carried by the following vote:

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

Councilmember D'Errico requested that the timing issue of Item No. 7 could be addressed now rather than at a late night hour.

Public Works Director Tony Olmos reported that if the vendor is approved, he has agreed to change the timeline from beginning in March thru May to beginning in September or October with no change in cost. Note: Item 7 still to be discussed under "Items Removed from the Consent Calendar".

5. Amendment No. 2 to the Professional Engineering Services Agreement with Wallace & Associates for Additional Construction Inspection Services for the Sepulveda Boulevard and 2nd Street Water Main Replacement Project in the Amount of \$18,416 (Public Works Director Olmos).

[CON 15-0006](#)

APPROVE

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

6. Direct the Public Works Director to Issue an Encroachment Permit to Southern California Gas (SoCalGas) for Installation of a New Utility Pole on City Property Near 8th Street, East of Rowell Avenue (Public Works Director Olmos).

[15-0070](#)

APPROVE

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

7. Approval of Plans and Specifications for the Downtown Crosswalk Replacement and Slurry Seal Project (Interim Streetscape Improvements), Declare the Low Bid Non-Responsive and Award a Construction Contract to PALP Inc. dba EXCEL Paving Company for the Downtown Crosswalk Replacement and Slurry Seal Project (\$876,563.50) (Public Works Director Olmos).

[CON 15-0007](#)

APPROVE

This item was removed from the Consent Calendar and heard later under Item O . Items Removed from the Consent Calendar.

8. Minutes:
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 February 3, 2015
b) City Council Regular Meeting of February 3, 2015
(City Clerk Tamura).

[15-0010](#)

APPROVE

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

M. PUBLIC HEARINGS

9. Renewal of the North Manhattan Beach Business Improvement District and Approval of Assessments for Fiscal Year 2015-2016 (Finance Director Moe).

[RES 15-0008](#)

a) CONDUCT PUBLIC HEARING

b) ADOPT RESOLUTION NO. 15-0008

c) RATIFY 2015 BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD MEMBERS

Mayor Powell introduced Revenue Services Manager Steve Charelian who gave a brief presentation on the renewal of the North Manhattan Beach Business Improvement District and Assessments for the Fiscal Year 2015-2016.

Mayor Powell opened the floor to public comment.

Viet Ngo alleged that City Council Candidates running for re-election should abstain from voting on this issue.

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Burton, to renew the North Manhattan Beach Business Improvement District and Approval of Assessments for Fiscal Year 2015-2016, Adopt Resolution No. 15-0008, and Ratify the 2015 Business Improvement District Advisory Board Members. The motion carried by the following vote:

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

N. GENERAL BUSINESS

10. Leadership Manhattan Beach's Report on the Pier Telescope Replacement Project and Review and Direction on the Location of Two New Telescopes in the Upper Strand Parking Lots (Fire Chief Espinosa).

[15-0093](#)

RECEIVE REPORT AND APPROVE

Mayor Powell introduced Fire Chief Bob Espinosa, a member of the Leadership Manhattan Beach Class of 2015, who reported on the Class Project.

Fire Chief Espinosa introduced the project leader, George Apostol who summarized the project. Mr. Apostol introduced Jillian Turkmany, classmember and high school student who presented a PowerPoint Presentation on replacing the telescopes on the Manhattan Beach Pier.

Fire Chief Espinosa and Classmember Apostol responded to City Council questions.

Mayor Powell opened the floor to public comment.

Viet Ngo alleged that this was a violation of public funds and money should not be collected.

Robert Bush stated that the public needs leaders and democracy needs to be worked on.

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

City Council discussion continued and questions were responded to by Fire Chief Espinosa and Classmember Apostol.

Mayor Pro Tem Burton stated that he is in favor of the project but would like to see the other telescopes placed at the north and south ends of the pier, rather than in the Pier Parking Lot, find out from Staff if there are any restrictions, and then approve the last part of the project.

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to receive the report and approve the Pier Telescope Replacement Project and the proposed two new telescopes in the Upper Strand Parking Lots.

Councilmember Lesser offered a friendly amendment which was accepted by the maker of the motion, to have the educational panels to be reviewed by the City.

City Attorney Barrow clarified that the signage would go through the Parks and Recreation Commission without coming back to City Council. The motion carried by the following vote:

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

Nay: 1 - Burton

At 8:05 PM City Council recessed and reconvened at 8:15 PM with all Councilmembers present.

12. Presentation of the Proposed Fiscal Year 2015-2016 to Fiscal Year 2019-2020 Five Year Capital Improvement Plan (Public Works Director Olmos).

[15-0067](#)

RECEIVE REPORT

Mayor Powell requested that public participation on Item No. 12 the Five-year Capital Improvement Plan be allowed for the students wishing to participate. Hearing no objections it was so ordered.

David Hensell, President of Manhattan Beach Youth Athletics, spoke in support of artificial turf on Big Marine Field.

Dillon Dennis, member of All Star Team that made it to the Junior League World Series, stated his support for the artificial turf.

Wyatt Robb, member of the All Star Team that made it to the Junior League World Series, echoed his support for the artificial turf and the need for the upgrade.

11. Fiscal Year 2014-2015 Mid-Year Budget Report; Discuss and Provide Direction Regarding the Information Technology Director Position (Finance Director Moe). [15-0072](#)
**RECEIVE REPORT; DISCUSS AND PROVIDE DIRECTION;
APPROPRIATE**

City Manager Mark Danaj presented a brief introduction noting that this report is on the status of our current Fiscal Year at the mid-year mark, but at the City Council request it will also contain a discussion of the IT Director Position and the author of the IT Master Plan will be available for City Council questions.

Mayor Powell introduced Finance Director Bruce Moe who presented a PowerPoint Presentation on the Mid-Year Budget Report and then responded to City Council questions.

Finance Director Moe then presented information on the Information Technology Director and introduced the President of NexLevel Technology, Terry Hackelmann and they responded to City Council questions.

Mayor Powell opened the floor to public comment.

Bill Victor commented on the budget presentation, then alleged spiraling salary and pension costs and asked why a manager can't become a director.

Viet Ngo spoke about the decline in sales tax at the mall and the need to review policies and guidelines regarding business license tax.

Seeing no further requests to speak, Mayor Powell closed the public comment.

City Council discussion continued and it was decided to vote on the IT Director first.

Councilmember Lesser stated that he is in favor and agrees with the IT Director position, but not now. He further added that City Council should wait until the new budget process is started and study it in the context of the whole budget.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to direct the City Manager to hire an IT Director. The motion carried by the following vote:

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

Nay: 1 - Lesser

Discussion continued and Finance Director Moe responded to City Council questions.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to receive the report and appropriate \$1,000,050 from the Insurance Reserve Fund, approve a budget adjustment/appropriation to reallocate a portion of the previously approved Cashiering System Upgrade to the Water (\$18,00), Refuse (\$6,00) and Parking (\$6,000) Funds. The motion carried by the following vote:

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

Councilmember D'Errico gave direction to Staff regarding the sales tax revenue (during the budget process), to see if there are ways to mitigate, or attack the problem, minimize or stop the decline.

Mayor Pro Tem Burton suggested coordinating with the Chamber of Commerce and the Downtown Business Association to work together and come up with a plan..

12. Presentation of the Proposed Fiscal Year 2015-2016 to Fiscal Year [15-0067](#)
2019-2020 Five Year Capital Improvement Plan (Public Works Director
Olmos).

RECEIVE REPORT

City Manager Danaj provided a brief introduction to the presentation and spoke of "What the Capital Improvement Plan (CIP) is", "What it is not", and "What his hopes for the future are".

Mayor Powell introduced Public Works Director Tony Olmos who presented a PowerPoint Presentation on the CIP including a refresher, funding sources, timeline and projects.

City Engineer Joe Parco provided a presentation on the list of CIP Projects.

Questions were responded to by Public Works Director Olmos, City Engineer Parco, Traffic Engineer Eric Zandvliet, and Parks and Recreation Director Mark Leyman.

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Burton, to receive the report, direct Staff to further explore, in conjunction with the Manhattan Beach Unified School District (MBUSD), opportunities for improving/remodeling Begg Pool, including contacting the Beach Cities Health District. Second with reference to the Fire Station, go to the next step and come up with more firm financial information, and finally with regard to a Parks Master Plan returning to City Council with a better definition of the scope of what is involved and in conjunction with MBUSD. Mayor Powell proposed a friendly amendment, which was accepted by the maker of the motion, for Staff to return with additional information for what is being proposed at 38th and Highland. Mayor Pro Tem Burton asked to explore opportunities for Measure R Funds to free up the \$3.7 million of Prop C Money. The motion carried by the following vote:

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

At 11:08 PM City Council recessed and reconvened at 11:16 PM with all Councilmembers present,

13. Status Report on Historic Preservation (Community Development Director Lundstedt).

[15-0092](#)

REVIEW AND PROVIDE DIRECTION

Mayor Powell introduced Community Development Director Marisa Lundstedt who provided a summary on the timing of moving the Peck House.

Community Development Director Lundstedt presented a PowerPoint Presentation on Historic Preservation and Planning Manager Laurie Jester spoke about the policy issues.

Community Development Director Lundstedt then spoke of the stakeholder outreach and input.

City Council questions were responded to by Community Development Director Lundstedt, Planning Manager Jester and City Attorney Quinn Barrow.

Mayor Powell opened the floor to public comment.

Jane Guthrie, Board Member of Manhattan Beach Cultural Heritage Conservancy, stated that she is pleased the City is moving forward and also thinks the standalone commission is better, prefers Staff taking the middle of the road, and regarding demolition agrees with staff recommendations.

Marcello Vavala, Preservation Associate with the LA Conservancy, suggests the stand alone commission and shared the reasons why they recommend a standalone commission.

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

Community Development Director Lundstedt introduced Senior Architectural Historic Project Manager with SWIC Environmental Consultants, Debi Howeel-Ardilla who is a Consultant on this project and she responded to City Council questions.

Discussion continued among City Councilmembers and questions were responded to by Community Development Director Lundstedt and City Attorney Barrow.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, for Staff to move forward to establish a Historical Preservation Commission, it should be a Stand Alone Commission with five members, meet quarterly and they should seek Certified Local Government (CLG) Status, as to the Nomination Process (Limited Voluntary Process) and Demolition and Alteration Permit Process (No permit may be issued without Staff recommendation and approval) adopt Staff recommendations. Mayor Powell proposed a friendly amendment, which was accepted by the maker of the motion, to have one seat as an architect and one seat as a historic person with historic expertise and the remaining seats can be be at-large. The motion carried by the following vote:

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

O. ITEMS REMOVED FROM THE CONSENT CALENDAR

Approval of Plans and Specifications for the Downtown Crosswalk Replacement and Slurry Seal Project (Interim Streetscape Improvements), Declare the Low Bid Non-Responsive and Award a Construction Contract to PALP Inc. dba EXCEL Paving Company for the Downtown Crosswalk Replacement and Slurry Seal Project (\$876,563.50) (Public Works Director Olmos).

[CON 15-0007](#)

APPROVE

Bill Victor removed this item from the Consent Calendar and stated that he hasn't seen the Urban Land Institute (ULI) final report and there is discussion of covering up the roadway with a stamped asphalt making it look like stone. The ULI suggests that we may want to widen the sidewalk and change the configuration. He further questioned what are the benefits of signing the contract when we don't know what the ULI changes are.

Seeing no further requests to speak Mayor Powell closed the floor to public comment.

Public Works Director Tony Olmos responded to City Council questions.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to approve the Downtown Crosswalk Replacement and Slurry Seal Project with the amendment to start the project in September or October. The motion carried by the following vote:

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

P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

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

14. Request by Mayor Powell to Send Letters or Adopt Resolution Supporting the Los Angeles Air Force Base and the Space and Missile Systems Center and Opposing Their Closure or Relocation.

[15-0103](#)

DISCUSS AND PROVIDE DIRECTION

Mayor Powell opened the floor to public comment.

Seeing no requests to speak Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to send letters supporting the Los Angeles Air Force Base and the Space And Missile Systems Center and opposing their closure or relocation. The motion carried by the following vote:

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

Mayor Powell reported that there has been a request from the Special Olympics for a member of the City Council to be on their committee and he asked Staff to agendize this for the next City Council Meeting.

Mayor Pro Tem Burton asked to direct Staff to look at abatement action for the Rite Aid property.

City Manager Danaj responded that conversations have taken place with the property owners and it was decided that sixty days would be a reasonable amount of time to report back.

Mayor Pro Tem Burton asked if the goals for the City Manager evaluation could be released.

City Attorney Barrow responded to the questions.

R. RECEIVE AND FILE ITEMS

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor closed the floor to public comment.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, that Item Nos. 15-18 be Received and Filed. The motion carried by the following vote:

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

15. Financial Reports: [15-0063](#)
a) Schedule of Demands: January 29, 2015
b) Investment Portfolio for the Month Ending December 31, 2014
c) Financial Reports for the Month Ending December 31, 2014
(Finance Director Moe).
RECEIVE AND FILE
This item was received and filed.
16. Planning Commission Approval of a Use Permit, Vesting Tentative Parcel Map No. 72860 and a Categorical Exemption under CEQA for a Four-Unit Residential Condominium Project at 1154 North Rowell Avenue (Community Development Director Lundstedt) [15-0080](#)
RECEIVE AND FILE
This item was received and filed.
17. Report on Emergency Repairs for Booster No. 3 of Peck Reservoir for the Amount of \$49,988 (Public Works Director Olmos). [15-0087](#)
RECEIVE AND FILE
This item was received and filed.

18. Commission Minutes:

[15-0089](#)

This Item Contains Action Minutes of City Council Subcommittees and 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 Action Minutes of the:

a) Parking and Public Improvements Commission Meeting of January 22, 2015

(Community Development Director Lundstedt)

b) Planning Commission Meeting of January 28, 2015

(Community Development Director Lundstedt)

RECEIVE AND FILE

This item was received and filed.

S. ADJOURNMENT

At 12:39 AM the Regular City Council Meeting was adjourned to the Adjourned Regular City Council Meeting (Closed Session) at 5:00 PM on February 23, 2015, followed by the 6:00 PM Adjourned Regular City Council Meeting (Urban Land Institute (ULI) Study Session in City Council Chambers in said City.

Matthew Cuevas
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk