

City Council
Regular Meeting
Tuesday, October 7, 2014
6:00 PM
City Council Chambers

5:00 PM Adjourned Regular Meeting - Closed Session



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

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
Nadine Nader, Assistant City Manager

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

Meadows Elementary School Student

B. NATIONAL ANTHEM

5 MINUTES

Tamara and Gigi Panzarella

C. ROLL CALL

1 MINUTE

D. 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, October 1, 2014, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

E. 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.

F. CEREMONIAL CALENDAR

30 MINUTES

1. Presentation of a Commendation Recognizing Paul Silva for his Dedicated Service to the South Bay and to the City of Manhattan Beach. [14-0445](#)
PRESENT
2. Presentation of Certificates Recognizing the Grand View Student Council. [14-0435](#)
PRESENT
3. Presentations of Proclamations to the Manhattan Beach Soroptimist International Organization Recognizing October 2014 as Breast Cancer Awareness Month and November 2014 as Domestic Violence Prevention Month. [14-0450](#)
PRESENT
4. Presentation of the "I ♥ MB Award" to Adrienne Slaughter. [14-0455](#)
PRESENT

G. CITY MANAGER REPORT

5 MINUTES

H. CITY ATTORNEY REPORT

5 MINUTES

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

J. 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!

K. 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.

L. 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.

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 (*Continued from the September 2, 2014, City Council Meeting*) (Parks and Recreation Director Leyman). [14-0423](#)
- APPROVE**

Attachments: [Draft Request for Proposal](#)

6. Request for Proposal to Assess Current Tree Program and Develop a Comprehensive Street Tree Master Plan (*Continued from the September 2, 2014, City Council Meeting*) (Public Works Director Olmos). [14-0425](#)
- RECEIVE AND FILE**

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

7. Pursuant to City Council Direction on August 19, 2014, adopt Resolution No. 14-0063 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 (CEQA Categorical Exemption) (*Continued from the September 2, 2014, City Council Meeting*) (Community Development Director Thompson). [RES 14-0063](#)
- ADOPT RESOLUTION UPHOLDING PLANNING COMMISSION DECISION WITH REVISED CONDITIONS**

Attachments: [Resolution No. 14-0063](#)

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8. 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 (*Continued from the September 2, 2014, City Council Meeting*) (Human Resources Director Hanson). [CON 14-0047](#)
APPROVE
9. Award of a One-Year Bulk Fuel Contract to Southern Counties Oil Company (Estimated Annual Value of \$350,000) (Finance Director Moe). [14-0429](#)
APPROVE
Attachments: [Bid #932-13 Comparison for Bulk Fuel](#)
10. Request to Approve the Open Invitation Process for the 2014-2015 Sculpture Garden Program, Locate One Additional Sculpture to the Entry Plaza of the Creative Art Center, and Appropriate \$21,000 from the Public Art Trust Fund for 7 Sculptures (Parks and Recreation Director Leyman). [14-0449](#)
APPROVE
Attachments: [Sculpture Garden IV Program Brochure](#)
11. Request by the Cultural Arts Commission to Restore the Harold Roach Sculpture, "Untitled" 1982 and allocate up to \$3,500 from the Public Art Trust Fund (Parks and Recreation Director Leyman). [14-0448](#)
APPROVE
12. Approval of Plans and Specifications for the Sepulveda Boulevard at Marine Avenue Intersection Improvements Project, Award a Construction Contract to Griffith Company (\$432,799), and Award a Professional Engineering Services Contract to Wallace & Associates (\$49,892) for Construction Inspection Services (Public Works Director Olmos). [14-0410](#)
APPROVE
Attachments: [Budget and Expenditures](#)
13. Amendment No.1 to Design Service Agreement with Cannon Corporation for Additional Work for the 2013-14 Water Main Replacement Project (Public Works Director Olmos). [CON 14-0042](#)
APPROVE
Attachments: [Amendment to Design Service Agreement](#)

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14. Approve Measure R Funding Agreement Between the Los Angeles County Metropolitan Transportation Authority and City of Manhattan Beach for Reimbursement of Costs for Project Development, Right-of-Way, and Construction of the Sepulveda Boulevard Bridge Widening Project for the Previously Awarded Amount of \$9,100,000 (Public Works Director Olmos). [14-0428](#)
- APPROVE**
- Attachments:** [Measure R Funding Agreement](#)
15. Pursuant to City Council Direction on September 2, 2014, adopt Resolution No. 14-0064 Conditionally Approving a Master Use Permit Amendment to Allow the Shade Hotel to Modify Hotel Associated Services such as the Service of Food and Alcohol; Conduct Special Events on its Terrace; Modify its Marketing; and Install Noise Mitigation Measures (CEQA Categorical Exemption) (Community Development Director Thompson). [RES 14-0064](#)
- ADOPT RESOLUTION**
- Attachments:** [Draft Resolution No. 14-0064](#)
[Shade Plans- August 4, 2014](#)
16. Minutes: [14-0342](#)
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 Regular Meeting of September 2, 2014
 - b) City Council Regular Meeting of September 16, 2014 (City Clerk Tamura).
- APPROVE**
- Attachments:** [City Council Regular Meeting Minutes of September 2, 2014](#)
[City Council Regular Meeting Minutes of September 16, 2014](#)

M. PUBLIC HEARINGS

30 MINUTES PER ITEM

N. GENERAL BUSINESS

30 MINUTES PER ITEM

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17. Consideration and Approval of Resolution No. 14-0066 Amending the City of Manhattan Beach's Personnel Rules Establishing the Addition of Four New Strategic Classifications and Corresponding Salary Ranges and Benefits Levels (City Manager Danaj). [RES 14-0066](#)
- ACCEPT RECOMMENDATION**
- Attachments:** [Various City Staffing Levels Chart](#)
[Resolution No. 14-0066](#)
[City of Manhattan Beach Personnel Rules Attachment A - Classification Plan](#)
[City of Manhattan Beach Personnel Rules Attachment B - Management Confide](#)
[City of Manhattan Beach Personnel Rules Attachment C - Classified Service Management/Confidential Benefits Summary](#)
18. Interim Urgency Ordinance No. 14-0019 Requiring a Use Permit Prior to the Establishment of Formula Uses in the Downtown Area (Community Development Director Thompson). [ORD-U 14-0019](#)
- ADOPT INTERIM URGENCY ORDINANCE NO. 14-0019**
- Attachments:** [Draft Ordinance No. ORD U 14-0019](#)
19. Presentation of Mills Act Pilot Program to Provide Incentives for Preserving Historical Resources and Sample Resolution (Community Development Director Thompson). [RES 14-0062](#)
- PROVIDE DIRECTION AND APPROPRIATE \$50,000 FROM UNRESERVED FUNDS TO HIRE A HISTORIC PRESERVATION CONSULTANT**
- Attachments:** [Sample Resolution Establishing a Mills Act Pilot Program](#)
[City Council Report and Minutes- June 17, 2014](#)
[Chapter 10.86-Culturally Significant Landmarks](#)
[City of Beverly Hills - Municipal Code Article 32- Historic Preservation with MBC](#)
[City of Redondo Beach Historic Preservation Regulations](#)
[City of Brea Historical Preservation Regulations](#)
[Office of Historic Preservation Website Information](#)
[Examples of Property Tax Calculations Under the Mills Act- ESTIMATES ONLY](#)
20. Approve an Amendment to the 2007 Personnel Cooperative Agreement Between the Cities of Manhattan Beach and Hermosa Beach to Include the Rank of Fire Captain and Other Specified Resources (Fire Chief Espinosa). [14-0411](#)
- APPROVE**
- Attachments:** [MB HB Personnel Coop Agreement](#)
[MB HB Amendment No. 1 - Personnel Cooperative Agreement](#)

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21. City Council Retreat Outcomes (City Manager Danaj). [14-0418](#)
ADOPT

Attachments: [City Council's Expectations and Obligations of the City Manager](#)
[City Manager's Expectations and Obligations of the City Council](#)
[List of Attributes](#)

O. 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.

P. 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

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

R. 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.

22. Financial Reports: [14-0408](#)
a) Schedule of Demands: September 11, 2014
b) Investment Portfolio for the Month Ending August 31, 2014
c) Financial Reports for the Month Ending August 31, 2014
(Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedule of Demands for September 11, 2014](#)
[Investment Portfolio for the Month Ending August 31, 2014](#)
[Financial Reports for the Month Ending August 31, 2014](#)

23. Commission Minutes:[14-0439](#)

This item contains 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 minutes of the:

- a) Cultural Arts Commission Meeting of August 12, 2014
(Parks and Recreation Director Leyman).
- b) Parks and Recreation Commission Meeting of August 25, 2014
(Parks and Recreation Director Leyman).
- c) Planning Commission Meeting of September 10, 2014
(Community Development Director Thompson).

RECEIVE AND FILE

Attachments: [Cultural Arts Commission Action Minutes of August 12, 2014](#)
[Parks and Recreation Commission Action Minutes of August 25, 2014](#)
[Planning Commission Action Minutes of September 10, 2014](#)

S. ADJOURNMENT**T. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

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
Jan. 6, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Jan. 20, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 3, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 17, 2015 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Oct. 8, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting (CANCELLED)
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

U. 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