

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, May 26, 2015

5:00 PM

Adjourned Regular Meeting

5:00 PM Closed Session - City Council Chambers

6:00 PM Budget Study Session #4 - Police/Fire Conference Room

City Council

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

A. CALL MEETING TO ORDER - 5:00 PM CITY COUNCIL CHAMBERS

Mayor Powell called the meeting to order at 5:00 PM.

B. PLEDGE TO THE FLAG

Mayor Powell led the Pledge of Allegiance.

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 was properly posted.

E. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

The following individuals provided public comment:

*Viet Ngo
Bill Victor*

F. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

At 5:05 PM Mayor Powell read into the record the following Closed Session Items:

**1. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9(a)) (3 cases)**

a) Stephen Lancaster vs. City of Manhattan Beach; Workers' Compensation Appeals Board - Case Numbers ADJ8255383, ADJ8255384, ADJ8879104, ADJ8876369

b) Tony Riley vs. City of Manhattan Beach; Workers' Compensation Appeals Board - Case Numbers ADJ737725, ADJ7352081

c) John Nasori vs. City of Manhattan Beach; Worker's Compensation Appeals Board - Case Number ADJ8158131

G. RECESS INTO CLOSED SESSION

At 5:06 PM the City Council recessed into Closed Session.

H. RECONVENE INTO OPEN SESSION

The City Council reconvened into Open Session at 6:00 PM.

I. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Manager Mark Danaj announced that the City Council gave direction to Special Counsel on each of the cases on the agenda.

J. RECESS

At 6:02 PM Mayor Powell adjourned the May 26, 2015, Adjourned Regular City Council Meeting (Closed Session) to the Adjourned Regular City Council Meeting (Budget Study Session #4) in the Police/Fire Conference Room, in said City.

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

K. RECONVENE AT 6:00 PM IN THE POLICE/FIRE CONFERENCE ROOM

L. PLEDGE TO THE FLAG AND NATIONAL ANTHEM

Controller Henry Mitzner led the Pledge of Allegiance.

M. ROLL CALL

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

N. PUBLIC COMMENT ON NON-AGENDA ITEMS

The following individuals provided public comment on non-agenda items:

*Viet Ngo
Ed Caprielian
Bill Victor
Steve Packwood*

O. GENERAL BUSINESS

A motion was made by Mayor Pro Tem Burton, seconded by Mayor Powell to hear Item No. 2 Presentation by Independent Actuary on the Status and Projections of the City's Three CalPERS Pension Plans and Options for

Addressing the City's Unfunded Liabilities and Item No. 3 Consideration of Nikau Kai Waterman Shop and Hermosa Cyclery to Provide Beach Concessions and a Welcome/Information Center in the Sand Lot South of the Lower South Pier Parking Lot before Item No. 1. The motion carried by the following vote:

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

2. Presentation by Independent Actuary on the Status and Projections of the City's Three CalPERS Pension Plans and Options for Addressing the City's Unfunded Liabilities (Finance Director Moe)

[15-0264](#)

RECEIVE REPORT

Attachments: [Draft PowerPoint Presentation - Bartel Associates](#)

This item was taken out of order and heard as the first item under General Business.

Mayor Powell introduced Finance Director Bruce Moe who summarized the item and introduced John Bartel from Bartel and Associates who presented the PowerPoint Presentation.

Finance Director Moe, Independent Actuary Bartel and City Manager Mark Danaj responded to City Council questions.

Mayor Powell opened the floor to public comment.

The following individuals provided public comment:

*Steve Packwood
Bill Victor
Chandra Shaw
Viet Ngo*

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

City Council discussion continued and questions were responded to by Independent Actuary John Bartel.

Hearing no objections, it was so ordered by Mayor Powell that this item be received and filed.

At 7:50 PM City Council recessed and reconvened at 8:03 PM with all Councilmembers present.

3. Consideration of Nikau Kai Waterman Shop and Hermosa Cyclery to Provide Beach Concessions and a Welcome/Information Center in the Sand Lot South of the Lower South Pier Parking Lot

[15-0252](#)

APPROVE

Attachments: [Beach Concessions Proposed Agreement](#)
[Proposed Site Plan](#)
[Nikau Kai Waterman Shop Proposal](#)
[Hermosa Cyclery Proposal](#)
[Perfect Day Surf Camp Proposal](#)
[Camp Surf Proposal](#)
[Request for Quotations for Beach Concessions](#)

This item was taken out of order and heard second under General Business.

Mayor Powell introduced Parks and Recreation Director Mark Leyman who announced that Sports and Aquatics Manager Jessica Vincent would provide the PowerPoint Presentation.

Parks and Recreation Director Leyman, Sports and Aquatics Manager Vincent, and City Manager Mark Danaj responded to City Council questions.

Mayor Powell opened the floor to public comment.

The following individuals provided public comment:

*Bill Victor
Steve Collins
Damira M. Bacic on behalf of Mike Zislis
Michael Don
Robbie Yrigoyen
Chris Brown
Chandra shaw
Matt Friedman
Jason Shanks*

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

A motion was made by Mayor Powell, seconded by Councilmember D'Errico, to continue this item to the June 2, 2015, City Council Meeting with recommendations for noticing, contacting the Coastal Commission, clarifying the rental and taxability of rentals, amend the contract to include the prohibition of using public bike racks, and advertising limited to namesake and not product promotion. The motion carried by the following vote:

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

1. Fiscal Year 2015-2016 Proposed Operating Budget Study Session #4: [15-0201](#)
Outstanding Items and Wrap Up (Finance Director Moe).
DISCUSS AND PROVIDE DIRECTION

This item was taken out of order and heard as the third item under General Business.

Mayor Powell introduced Finance Director Bruce Moe who gave a brief summary of the item.

Finance Director Moe responded to City Council questions.

Mayor Powell opened the floor to public comment.

The following individuals provided public comment:

*Ed Caprielian
Steve Packwood
Bill Victor*

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

Finance Director Moe and Public Works Director Tony Olmos responded to City Council questions.

City Council discussion continued with all Councilmembers commenting on the budget.

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

Mayor Pro Tem Burton requested agendaizing a legal discussion in closed session to discuss exposures and it was agreed to by other Councilmembers.

Q. ADJOURNMENT

At 10:00 PM Mayor Powell adjourned the Adjourned Regular City Council Meeting (Budget Study Session #4) to the 5:30 PM Adjourned Regular City Council Meeting (Closed Session) followed by the 6:00 PM Regular City Council Meeting in City Council Chambers, on June 2, 2015, in said City.

Tatyana Roujenova-Peltekova
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk