

**City Council**  
**Regular Meeting**  
**Tuesday, August 19, 2014**  
**6:00 PM**  
**City Council Chambers**



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

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

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](http://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

**B. ROLL CALL**

1 MINUTE

**C. 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, August 13, 2014, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.*

**D. 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.*

**E. CEREMONIAL CALENDAR**

30 MINUTES

**F. CITY MANAGER REPORT**

5 MINUTES

**G. CITY ATTORNEY REPORT**

5 MINUTES

**H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS**

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

**I. 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!*

**J. 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.*

**K. 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.*

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1. Ordinance Amending the City's Fishing and Pier Regulations (City Attorney Barrow). [ORD 14-0014](#)  
**ADOPT ORDINANCE NO. ORD 14-0014**  
**Attachments:** [Modified Ordinance No. 14-0014-Pier and Fishing Regulations](#)
  
  2. Waive Formal Bidding and Authorize the Purchase of 45 Electronic Control Devices (Tasers) and Cartridges from ProForce Law Enforcement in the amount of \$48,417.53 (Finance Director Moe). [14-0370](#)  
**APPROVE**
  
  3. Consideration of One-Year Renewal of Fire Records Management System (RMS) Support and Maintenance Contract with Fire Information Support Services, Inc. in the Amount of \$26,350.00 (Fire Chief Espinosa). [CON 14-0038](#)  
**APPROVE AND APPROPRIATE**  
**Attachments:** [Contract with Fire Information Support Services, Inc.](#)
  
  4. Award of Three-Year Contract for Microsoft Enterprise Software Licensing to EnPointe Technologies with an Estimated Total Value of \$174,935 (Finance Director Moe). [CON 14-0040](#)  
**APPROVE**  
**Attachments:** [Bid #994-15 Comparison for Microsoft Enterprise Licenses](#)
  
  5. Resolution Adopting the 2015 Conflict of Interest Code for the City of Manhattan Beach (City Clerk Tamura). [RES 14-0050](#)  
**ADOPT RESOLUTION NO. 14-0050**  
**Attachments:** [Resolution No. 14-0050 Adopting 2015 Conflict Code](#)
  
  6. Minutes: [14-0339](#)  
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 July 15, 2014  
b) City Council Regular Meeting of July 15, 2014  
c) City Council Adjourned Regular Meeting-Study Session of July 29, 2014  
(City Clerk Tamura).  
**APPROVE**  
**Attachments:** [City Council Adjourned Regular Meeting-Closed Session Minutes of July 15, 2014](#)  
[City Council Regular Meeting Action Minutes of July 15, 2014](#)  
[City Council Adjourned Regular Meeting-Study Session Action Minutes of July 29, 2014](#)

## L. PUBLIC HEARINGS

30 MINUTES PER ITEM

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7. Public Hearing Regarding the Interim Zoning Ordinance (IZO) Prohibiting the Conversion of Any Commercial Use to a Different Commercial Use Classification in the Downtown Area of the City (City Attorney Barrow). [ORD-U 14-0016](#)  
**CONDUCT PUBLIC HEARING AND ADOPT ORD-U 14-0016  
EXTENDING IZO FOR 10 MONTHS AND 15 DAYS**

**Attachments:** [Draft Interim Zoning Ordinance- ORDU No. 14-0016 and Exhibit A-Downtown C IZO-ORD-U 14-0011- Current IZO - July 15, 2014](#)

8. Appeal of Planning Commission Approval of a Modification of a Use Permit Due to a Revocation/Modification Hearing for an Existing Restaurant/Bar at 900 Manhattan Avenue (900 Club and Red Room) (Community Development Director Thompson). [14-0255](#)  
**CONDUCT PUBLIC HEARING AND DIRECT STAFF TO PREPARE A  
RESOLUTION UPHOLDING PLANNING COMMISSION DECISION**

**Attachments:** [Resolution No. PC 14-06](#)  
[Applicant's Appeal dated May 27, 2014 and supporting documentation](#)

## M. GENERAL BUSINESS

30 MINUTES PER ITEM

## N. 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.*

## O. 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

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

## Q. 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.*

9. Financial Reports: [14-0373](#)  
Schedule of Demands: July 31, 2014 (Finance Director Moe).  
**RECEIVE AND FILE**

Attachments: [Schedule of Demands Register for July 31, 2014](#)

## R. ADJOURNMENT

## S. FUTURE MEETINGS

### CITY COUNCIL MEETINGS

Sep 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting  
Sep 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting (City Council Reorganization)  
Sep 30, 2014 – Tuesday -- 6:00 PM - Adjourned Regular City Council Meeting  
Oct 7, 2014 – Tuesday -- 6:00 PM - City Council Meeting  
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

### BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Aug 25, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Aug 27, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting  
Aug 28, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting  
Sep 8, 2014 – Monday – 6:30 PM – Library Commission Meeting  
Sep 9, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting  
Sep 10, 2014 – Wednesday – 6:30 PM – Planning Commission  
Sep 22, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Sep 24, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting  
Sep 25, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting  
Oct 8, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting  
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

## T. CITY HOLIDAYS

### **CITY OFFICES CLOSED ON THE FOLLOWING DAYS:**

*Sep. 1, 2014 – Monday – Labor Day*  
*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*