

City Council
Regular Meeting
Tuesday, July 1, 2014
6:00 PM
City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session



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

Executive Team

Bruce Moe, Acting 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, 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, June 25, 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

1. Presentation of a Commendation to Firefighter/Paramedic, James Stratton, for being Named 2013 Firefighter of the Year. [14-0231](#)

PRESENT**Attachments:** [2013 Firefighter of the Year](#)

2. Presentation of a Proclamation Declaring the Month of July 2014 as "Parks and Recreation Month." [14-0299](#)

PRESENT**Attachments:** [Parks and Recreation Proclamation July 2014](#)**F. CITY MANAGER REPORT**

5 MINUTES

- **Downtown Interim Measures Pending Study**

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.

3. Revised Ordinance Amending Manhattan Beach Municipal Code ("MBMC") Section 14.44.080 Regarding Taxicabs (*Continued from June 3, 2014, City Council Meeting*) (City Attorney Barrow). [ORD 14-0005](#)
- INTRODUCE REVISED ORDINANCE NO. 14-0005**

Attachments: [Draft Ordinance No. 14-0005](#)
[Taxicab Stand, Rosecrans EO Highland 6-24-2014](#)
[Taxicab Stand Locations, Downtown 6-24-2014](#)

4. Planning Commission Approval of a Use Permit and Coastal Development Permit for Proposed Construction of a New Building with Small On-site Production and Retail Sales of Handmade Chocolate at 324-326 13th Street. The Project also includes a three-foot Balcony Projection into the Public Right-of-way (Community Development Director Thompson). [14-0298](#)

APPROVE

Attachments: [Resolution No. PC 14-09](#)
[Draft Planning Commission Minutes, dated 6/11/14](#)
[Planning Commission Staff Report and Attachments, dated 6/11/14](#)
[Plans](#)

5. Approval of Plans and Specifications and Award of Contract to Provide and Install Hardware and Software to Upgrade Novar HVAC Controls Project to Building Control Center in an Amount Not-to-Exceed \$36,560.00 (Public Works Director Olmos). [CON 14-0032](#)

APPROVE

Attachments: [Provide and Install Hardware and Software to Upgrade Novar Controls Contract](#)

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6. Formally Accept the Provide and Install Modular Furniture Project as Complete; Authorize Filing of the Appropriate Notice of Completion; Release Retention in the Amount of \$1,078.32 (Public Works Director Olmos). [14-0294](#)
APPROVE
Attachments: [Expenditure Detail](#)
7. Appointment of Jeffrey Feldman to the Board of Building Appeals - Seat No. 4 (City Clerk Tamura). [14-0305](#)
APPOINT
Attachments: [Advertisement from The Beach Reporter, published June 5, 2014](#)
8. Resolution Rescheduling the Election on Term Limits to the March 3, 2015 General Municipal Election (City Clerk Tamura). [RES 14-0046](#)
ADOPT
Attachments: [Resolution No. 14-0046](#)
9. Minutes: [14-0300](#)
This item contains minutes of City Council meetings which are presented for approval. Staff recommends that the City Council, by motion, take action to approve the minutes of the:
a) City Council Adjourned Regular Meeting-Closed Session of June 3, 2014
b) City Council Regular Meeting of June 3, 2014 (City Clerk Tamura).
APPROVE
Attachments: [City Council Adjourned Regular Meeting-Closed Session Minutes of June 3, 2014](#)
[City Council Regular Meeting Action Minutes of June 3, 2014](#)

L. PUBLIC HEARINGS

30 MINUTES PER ITEM

10. Public Hearing Regarding the Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2014-2015 (Acting City Manager Moe). [RES 14-0019](#)
a) **CONDUCT A PUBLIC HEARING**
b) **ADOPT RESOLUTION NO. 14-0019**
Attachments: [Resolution No. 14-0019](#)
[Engineer's Report FY 2014-2015](#)

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11. Public Hearing Regarding the Annual Storm Water Service Charge for Fiscal Year 2014-2015 (Acting City Manager Moe). [RES 14-0036](#)
a) **CONDUCT A PUBLIC HEARING**
b) **ADOPT RESOLUTION NO. 14-0036**

Attachments: [Resolution No. 14-0036](#)

M. GENERAL BUSINESS

30 MINUTES PER ITEM

12. Progress Report on the Agreement with the Chamber of Commerce to Provide Economic Services (*Continued from the May 6, 2014, City Council Meeting*) (Community Development Director Thompson). [14-0208](#)
RECEIVE REPORT

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.

- 13.** Financial Reports: [14-0271](#)
 a) Schedule of Demands: June 19, 2014
 b) Investment Portfolio for the Month Ending May 31, 2014
 c) Financial Reports for the Month Ending May 31, 2014
 (Acting City Manager Moe).
RECEIVE AND FILE

Attachments: [Schedule of Demands for June 19, 2014](#)
[Investment Portfolio for the Month Ending May 31, 2014](#)
[Financial Reports for the Month Ending May 31, 2014](#)

- 14.** Commission Minutes: [14-0297](#)
 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) Planning Commission Meeting of June 11, 2014
 (Community Development Director Thompson)
RECEIVE AND FILE

Attachments: [Planning Commission Action Minutes of June 11, 2014](#)

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Jul 15, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Aug 5, 2014 – Tuesday -- 6:00 PM - City Council Meeting (RESCHEDULED to August 12, 2014)
Aug 12, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Aug 19, 2014 – Tuesday -- 6:00 PM - City Council Meeting
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

Jul 8, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Jul 9, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jul 14, 2014 – Monday – 6:30 PM – Library Commission Meeting
Jul 23, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jul 24, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Jul 28, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Aug 11, 2014 – Monday – 6:30 PM – Library Commission Meeting
Aug 12, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Aug 13, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
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

T. CITY HOLIDAYS**CITY OFFICES CLOSED ON THE FOLLOWING DAYS:**

Jul. 4, 2014 - Friday - Independence Day
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