

## City Council

### Regular Meeting

Tuesday, November 19, 2013

6:00 PM

City Council Chambers

**4:30 PM Adjourned Regular Meeting - Closed Session**



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

Executive Team

John Jalili, Interim 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, November 13, 2013, 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. Recognition of Jan Dennis for her outstanding contributions to the South Bay and to the City of Manhattan Beach. [13-0607](#)  
**PRESENT**
2. Presentation of Certificates to the Winners of the 2013 Manhattan Beach Library Children's Bookmark Contest. [13-0608](#)  
**PRESENT**

**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. Thank you!*

**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 Council members 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. Agreement with Esri for a Three-Year Enterprise Wide Geographic Information Systems Software Licensing in the Annual Amount of \$35,000 (Finance Director Moe). [13-0539](#)

**APPROVE**

Attachments: [Software Agreement with ESRI](#)

4. First Amendment to contract with City Clerk Municipal Services [CCMS], Inc. (Vida Barron), for City Council Recording Secretary Services and Appropriate \$25,200 from the City Council Contingency Fund (City Clerk Tamura). [13-0564](#)

**APPROVE AMENDMENT AND APPROPRIATE FUNDS**

Attachments: [City Clerk Management Services, Inc. Original Contract](#)  
[First Amendment to City Clerk Management Services Inc. Contract](#)

5. Grant Funded Purchase of New Public Safety Facility Video Conferencing Equipment and Installation from CDW-G, Inc. in the Amount of \$76,823.24 (Finance Director Moe). [13-0577](#)

**WAIVE FORMAL BIDDING, APPROVE**

Attachments: [Video Conference - CDW-G installation services](#)  
[Video Conference - CDW-G professional services](#)  
[Video Conference - CDW-G equipment quote](#)

6. Award of Bid for the Budgeted Purchase of Replacement Vehicle: One Ford Focus Electric Vehicle for the Public Works Department from South Bay Ford in the Amount of \$34,165.22 (Finance Director Moe). [13-0585](#)

**APPROVE**

Attachments: [Bid #950-14 Comparison for Ford Focus Electric Vehicle](#)

7. Waiver of City Parking Meter Fees to Encourage Holiday Shopping and Dining (Interim City Manager Jalili). [13-0586](#)

**APPROVE**

Attachments: [Letter from Manhattan Beach Chamber](#)

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8. Final Payment in the net amount of \$13,452.95 to Miramontes Construction Co., Inc.; Formally Accept the 2012-2015 Rehabilitation of Sewer Manholes Project as Complete; and Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$9,264.25 (Public Works Director Olmos). [13-0598](#)

**APPROVE**

Attachments: [Tables 1 and 2 - Budget, Expenditures and Contract Progress Payments](#)  
[Map of FY 2012-2015 Rehabilitation of Sewer Manhole Project](#)

9. Minutes [13-0517](#)
- This item contain minutes of City Council meetings which are presented for approval by the City Council. Staff recommends that the City Council, by motion, take action to approve the minutes of the:
- a) City Council Special Closed Session Meeting of May 30, 2013.
  - b) City Council Special Closed Session Meeting of June 3, 2013.
  - c) City Council Special Closed Session Meeting of October 15, 2013.
  - d) City Council Closed Session Meeting of October 15, 2013.
  - e) City Council Regular Meeting of October 15, 2013.
  - f) City Council Adjourned Regular Meeting (Ethics Training) of October 29, 2013.
  - g) City Council Closed Session Meeting of October 29, 2013.
  - h) City Council Closed Session Meeting of October 30, 2013.
- (City Clerk Tamura)

**APPROVE**

Attachments: [City Council Special Closed Session Meeting of May 30, 2013](#)  
[City Council Special Closed Session Meeting of June 3, 2013](#)  
[City Council Special Closed Session Meeting of October 15, 2013](#)  
[City Council Closed Session Meeting of October 15, 2013](#)  
[City Council Regular Meeting of October 15, 2013](#)  
[City Council Adjourned Regular Meeting \(Ethics Training\) of October 29, 2013](#)  
[City Council Closed Session Meeting of October 29, 2013](#)  
[City Council Closed Session Meeting of October 30, 2013](#)

**L. PUBLIC HEARINGS**

30 MINUTES PER ITEM

- 10.** Ordinance Amending Title 10 Planning and Zoning of the Manhattan Beach Municipal Code to Revise Residential Regulations Regarding Minor Exceptions, Setbacks, Open Space, Maximum Lot Size, Required Alley Access, and Alternative Fuel Vehicle Charger Locations (*Continued from September 17, 2013, City Council Meeting*) (Community Development Director Thompson). [ORD 13-0015](#)
- CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NO. 13-0015**
- Attachments:** [Tables 1-3 and Figures 1 and 2](#)  
[Draft Ordinance No. 13-0015](#)  
[Planning Commission Resolution No. PC 13-06](#)  
[Hyperlink to Planning Commission Minutes, dated 5/8/13](#)  
[Hyperlink to Planning Commission report, dated 5/8/13](#)  
[Draft City Council Minutes Excerpt dated 7/16/2013](#)
- 11.** Ordinance Amending the Implementation Program of the Manhattan Beach Local Coastal Program (LCP) to Revise Residential Regulations Regarding Minor Exceptions, Setbacks, Open Space, Maximum Lot Size, and Alternative Fuel Vehicle Charger Locations (*Continued from September 17, 2013, City Council Meeting*) (Community Development Director Thompson). [ORD 13-0016](#)
- CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NO. 13-0016**
- Attachments:** [Tables 1-3 and Figures 1 and 2.](#)  
[Draft Ordinance No. 13-0016](#)  
[Planning Commission Resolution No. PC 13-06](#)  
[Hyperlink to Planning Commission Minutes, dated 5/8/13](#)  
[Hyperlink to Planning Commission report, dated 5/8/13](#)  
[Draft City Council Minutes Excerpt dated 7/16/2013](#)
- 12.** Consideration of Ordinance to Amend Titles 5, and 9 and to Adopt the Most Recent California Building Standards Code and City Amendments to the following Codes: 2013 California building Code, 2013 California Residential Code, 2013 California Electrical code, 2013 California Plumbing Code, 2013 California Green Building Standards Code, 2013 California Energy Code, 2013 California Mechanical Code, and City Amendments (Community Development Director Thompson). [ORD 13-0027](#)
- CONDUCT THE PUBLIC HEARING AND ADOPT ORDINANCE 13-0027**
- Attachments:** [Ordinance No.13-0027 \(Building Codes\)](#)

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13. Ordinance Adopting By Reference the 2013 Edition of the California Fire Code, and Portions of the International Fire Code, 2012 Edition, Together With Certain Amendments, Deletions, and Additions, and Amending Title 3 of the Manhattan Beach Municipal Code (Community Development Director Thompson & Fire Chief Espinosa). [ORD 13-0028](#)  
**CONDUCT PUBLIC HEARING AND ADOPT ORDINANCE NO. 13-0028 (FIRE CODE)**

**Attachments:** [Ordinance No.13-0028 \(Fire Code\)](#)

## M. GENERAL BUSINESS

30 MINUTES PER ITEM

14. Discuss and Provide Direction for the International Surf Festival's Charlie Saikley 6-Man Beach Volleyball Tournament and Beachsport Sponsorship Agreement (Parks and Recreation Director Leyman). [13-0602](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [6-Man 2013 Operational Costs & 2014 Estimated Cost](#)  
[6-Man Staff Report from the October 1, 2013 City Council Meeting](#)  
[Agreement between the City of Manhattan Beach and Scott Hubbell Production:](#)

15. Submission of Citywide Street Tree Inventory And Tree Trimming Practices (Public Works Director Olmos). [13-0587](#)  
**RECEIVE REPORT AND PROVIDE DIRECTION**

**Attachments:** [Tree Count and Findings](#)  
[Top Ten Tree Species](#)  
[Top Hardscape Damage](#)

16. Social Media Policy, E- Comment and MB Forum [13-0589](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Social Media Policy](#)

17. Consider an On-Street Parking Space located at 4th Place East of Bayview Drive (Community Development Director Thompson). [13-0595](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Site Photos](#)  
[Location Map with Parking Restrictions](#)  
[Proposed Parking Space on North Side of 4th Place](#)  
[Beach Area Street Parking Staff Report from Meeting of 08/06/13](#)  
[Minutes from Meeting of 08/06/13](#)  
[Fire Chief Espinosa's Memo regarding 4th Place Parking](#)  
[Public Meeting Notice](#)

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18. Solicitation of Proposals for Retention of an Executive Search Firm to Assist in the Recruitment and Selection of a City Manager and Appointment of an ad-hoc Council Subcommittee (Interim City Manager Jalili and Human Resources Director Hanson). [13-0605](#)  
**APPROVE**

## 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.*

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

19. Status Update Regarding Strategic Planning and Policy Governance (Councilmember Powell and Councilmember D'Errico). [13-0606](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Strategy Planning & Policy Governance Subcommittee Notes](#)

## 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 any item in this category.*

20. Progress Report by the Manhattan Beach Chamber of Commerce for Economic Development Services provided to the City during Fiscal Year 2013-2014 (Community Development Director Thompson). [13-0559](#)  
**RECEIVE REPORT**

**Attachments:** [Chamber of Commerce Agreement 2013-2014](#)  
[PowerPoint Presentation prepared by the Chamber](#)

21. Financial Reports: [13-0553](#)  
a) Schedule of Demands: November 7, 2013  
(Finance Director Moe).  
**RECEIVE AND FILE**

**Attachments:** [Schedule of Demands for November 7, 2013](#)

**22. Commission Minutes**[13-0610](#)

This item contains minutes of City Council subcommittees and from 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 September 30, 2013.

**RECEIVE AND FILE**

b) Cultural Arts Commission Meeting of October 8, 2013.

**RECEIVE AND FILE**

**Attachments:** [Cultural Arts Commission Meeting of September 30, 2013](#)

[Cultural Arts Commission Meeting of October 8, 2013](#)

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

*Dec. 3, 2013 – Tuesday – 6:00 PM – City Council Meeting*

*Dec. 10, 2013 - Tuesday - 6:00 PM - Adjourned Regular Meeting (CIP & Facilities Strategic Plan)*

*Dec. 17, 2013 – Tuesday – 6:00 PM – City Council Meeting (City Council Reorganization)*

*Jan. 7, 2014 -- Tuesday -- 6:00 PM - City Council Meeting*

*Jan. 14, 2014 - Tuesday - TBD - City Council Adjourned Regular Meeting (Strategic Plan Meeting)*

*Jan. 21, 2014 -- Tuesday -- 6:00 PM - City Council Meeting*

*Feb. 4, 2014 -- Tuesday -- 6:00 PM - City Council Meeting*

*Feb. 18, 2014 -- Tuesday -- 6:00 PM - City Council Meeting*

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

*Nov. 25, 2013 – Monday – 6:30 PM – Parks & Recreation Commission*

*Nov. 27, 2013 – Wednesday -- 6:30 PM – Planning Commission Meeting*

*Dec. 5, 2013 -- Thursday -- 6:30 PM -- Parking & Public Improvements Commission Meeting*

*Dec. 9, 2013 – Monday – 6:30 PM – Library Commission*

*Dec. 10, 2013 – Tuesday – 6:00 PM – Cultural Arts Commission*

*Dec. 10, 2013 - Tuesday - 6:00 PM - Adjourned Regular Meeting*

*Dec. 11, 2013 – Wednesday -- 6:30 PM – Planning Commission Meeting*

*Dec. 23, 2013 – Monday – 6:30 PM – Parks & Recreation Commission*

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

*Nov. 28-29, 2013 – Thursday & Friday – Thanksgiving Holiday*  
*Dec. 25, 2013 – Wednesday – Christmas Day*  
*Jan. 1, 2014 – Wednesday – New Years Day*  
*Jan. 20, 2014 – Monday – Martin Luther King Day*  
*Feb. 17, 2014 – Monday – President's Day*  
*May. 26, 2014 – Monday – Memorial Day*  
*Jul. 4, 2014 - Friday - Independence Day*  
*Sep. 1, 2014 – Monday – Labor Day*  
*Oct. 13, 2014 – Monday – Columbus Day*  
*Nov. 10, 2014 – Monday – Veterans Day*