

City Council

Regular Meeting

Tuesday, April 15, 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

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, 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, April 9, 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. Grades of Green Presentation by Jane Fishman, 9th Grade, Mira Costa High School. [14-0170](#)
PRESENT
2. Presentation of a National Proclamation Declaring April 2014 as National Child Abuse Prevention Month. [14-0179](#)
PRESENT
3. Presentation of a National Proclamation Declaring April 2014 as "DMV/Donate California Month" [14-0191](#)
PRESENT

F. CITY MANAGER REPORT

5 MINUTES

G. CITY ATTORNEY REPORT

5 MINUTES

4. Consideration of (1) Appointment of City Clerk by City Manager or City Council; and (2) Term Limits for Councilmembers (City Attorney Barrow). [14-0186](#)
PROVIDE DIRECTION

Attachments: [March 26, 1996 Sample Ballot](#)
[Election Deadlines](#)

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.

5. Annual Fee Waiver Requests Associated with Non-Profit Special Events [13-0165](#)
(American Martyrs Parish Fair; American Martyrs 5K Run/Walk; Grandview 5K; Holiday Fireworks Festival; Manhattan Beach 10K Run; Manhattan Beach Education Foundation Wine Auction; Manhattan Beach Grand Prix Bike Race; Manhattan Beach Hometown Fair; Manhattan Beach Little League Opening Day Parade; Richstone Pier-to-Pier Jog/Walk; and the Robinson School Fun Run) (Parks and Recreation Director Leyman).
APPROVE

Attachments: [Legacy Special Event Applications](#)
[Proposed Special Event Fee Waivers 2014-2015](#)
6. Award of Three-Year Water Quality Testing Services Contract to Clinical Lab of San Bernardino (Total Value of \$22,935) (Finance Director Moe). [14-0174](#)
APPROVE

Attachments: [RFP #966-14 Water Quality Testing Services Comparison](#)
7. Approve New Architectural Bench Designs (Parks and Recreation Director Leyman). [14-0161](#)
APPROVE

Attachments: [New Architectural Bench Designs](#)
[Diagram of Wheel Chair Access](#)

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8. Award of Order to South Bay Regional Public Communications Authority to Equip One Previously Purchased Police Undercover Investigations Ford E250 Van in the Amount of \$63,432.12 (Finance Director Moe). [14-0169](#)
APPROVE
9. Rejection of Bids for the Section 2 (Sepulveda Boulevard. to Peck Avenue, Manhattan Beach Boulevard. to Artesia Boulevard.) Concrete Repair Project and Authorize Re- Advertisement for Bids (Public Works Director Olmos). [14-0180](#)
APPROVE
Attachments: [Construction Bidders List](#)
[Project Area Map - Section 2](#)
10. Final Payment in the Net Amount of \$37,763.92 to Bannaoun Engineers Constructors Corporation; Formally Accept the Street Resurfacing Project for Ardmore Avenue, Valley Drive and 11th Place as Complete; and Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$31,713.08 (Public Works Director Olmos). [14-0185](#)
APPROVE
Attachments: [Tables 1 and 2 - Budget, Expenditures and Contract Progress Payments](#)
[Map of Street Resurfacing Project for Ardmore Ave, Valley Drive and 11th Place](#)
11. Resolution No. 14-0021 approving participation by the City of Manhattan Beach in the Los Angeles Urban County Community Development Block Grant (CDBG) Program for the three year funding cycle beginning July 1, 2015 and ending June 30, 2018 (Community Development Director Thompson). [RES 14-0021](#)
ADOPT RESOLUTION NO. 14-0021
Attachments: [CDBG Participation Agreement](#)
[Resolution 14-0021](#)
12. Minutes [14-0171](#)
This item contain 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 of February 25, 2014 (City Clerk Liza Tamura).
APPROVE
Attachments: [City Council Adjourned Regular Meeting Minutes of February 25, 2014](#)

L. PUBLIC HEARINGS

30 MINUTES PER ITEM

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13. Coastal Development Permit for the 2014 Manhattan Beach Open Volleyball Tournament and Consideration of a Three-Year Term Agreement with International Merchandising Company, LLC (IMC) to Co-Sponsor the Manhattan Beach Open (MBO) (Parks and Recreation Director Leyman). [RES 14-0115](#)
CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NO. 14-0115, APPROVE

Attachments: [Manhattan Beach Open Agreement](#)
[Resolution No. 14-0115 \(Coastal Development Permit\)](#)

M. GENERAL BUSINESS

30 MINUTES PER ITEM

14. Update on Six Month Trial Period on Meeting Management and Open Government Initiatives (Senior Management Analyst Biggs). [14-0127](#)
RECEIVE REPORT AND APPROVE MODIFICATIONS

Attachments: [Meeting Management Matrix](#)
[August 13, 2013, Meeting Management Staff Report](#)
[Updated Public Records Act Request Log](#)

15. Strand Alcove Bench Program Plaque Guidelines (Parks and Recreation Director Leyman). [14-0162](#)
APPROVE

Attachments: [Strand Alcove Bench Program](#)
[Strand Bench Inventory List](#)

16. Amendment No. 1 to Design Service Agreement with Community Works Design Group for Additional Work on the Five Retaining Walls for the Strand Stairs Rehabilitation Project and Provide Direction to Staff Regarding the Aesthetic Enhancements on Front Stair Walls (Public Works Director Olmos). [CON 14-0156](#)
APPROVE

Attachments: [Design Services Amendment No. 1 with Community Works Design Group](#)
[Sandblasted Wave Design Options for 18th Street](#)
[Cost Difference for Including Waves on Front Side Walls](#)

17. Ordinance Amending Manhattan Beach Municipal Code Section 14.44.080 Regarding Taxicab Stands (Police Chief Irvine). [ORD 14-0005](#)
INTRODUCE ORDINANCE NO. 14-0005

Attachments: [Draft Ordinance No. 14-0005](#)
[Legislative Digest](#)

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

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.

18. Financial Reports: [14-0147](#)
 Schedule of Demands: March 27, 2014 (Finance Director Moe).
RECEIVE AND FILE

Attachments: [Schedule of Demands Register for March 27, 2014](#)

19. Commission Minutes: [14-0189](#)
 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 December 10, 2013
 b) Parks and Recreation Commission Meeting of January 27, 2014
 c) Library Commission Meeting of February 10, 2014
 (Parks and Recreation Director Leyman)
 d) Parking & Public Improvements Commission Meeting of March 27, 2014
 (Community Development Director Thompson)
RECEIVE AND FILE

Attachments: [Cultural Arts Commission Meeting Minutes of December 10, 2013](#)
[Parks and Recreation Commission Meeting Minutes of January 27, 2014](#)
[Library Commission Meeting Minutes of February 10, 2014](#)
[Parking & Public Improvements Commission Meeting Minutes of March 27, 2014](#)

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

Apr. 15, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Apr. 22, 2014 – Tuesday -- 5:00 PM - Adjourned Regular Meeting (Boards & Commissions Interviews)
Apr. 29, 2014 – Tuesday -- 6:00 PM - Adjourned Regular Meeting
May. 6, 2014 – Tuesday -- 6:00 PM - City Council Meeting
May 8, 2014 – Thursday -- 6:00 PM - City Council Budget Study Session #1
May 12, 2014 – Monday -- 6:00 PM - City Council Budget Study Session #2
May 20, 2014 – Tuesday -- 6:00 PM - City Council Meeting
May 21, 2014 – Wednesday -- 6:00 PM - City Council Budget Study Session #3
May 29, 2014 – Thursday -- 6:00 PM - City Council Budget Study Session #4
Jun. 3, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jun. 17, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jul. 1, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jul. 15, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 5, 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)
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

Apr. 23, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Apr. 24, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Apr. 28, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
May 12, 2014 – Monday – 6:30 PM – Library Commission
May 13, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
May 14, 2014 – Wednesday – 6:30 PM – Planning Commission
May 22, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
May 26, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
May 28, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jun 4, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jun 9, 2014 – Monday – 6:30 PM – Library Commission Meeting
Jun 10, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Jun 18, 2014 – Wednesday – 6:00 PM – Planning Commission Meeting
Jun 23, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
Jun 26, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
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

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

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. 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