

City Council Regular Meeting

Regular Meeting
Tuesday, May 17, 2016
6:00 PM
City Council Chambers



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

Executive Team

Mark Danaj, City Manager
Quinn Barrow, City Attorney

Robert Espinosa, Fire Chief
Teresia Zadroga-Haase, Human Resources Director
Eve R. Irvine, Police Chief
Mark Leyman, Parks & Recreation Director
Bruce Moe, Finance Director
Sanford Taylor, Information Technology Director

Nadine Nader, Assistant City Manager
Tony Olmos, Public Works Director
Liza Tamura, City Clerk
Marisa Lundstedt, Community
Development Director

MISSION STATEMENT:

The City of Manhattan Beach is recognized for providing exemplary municipal services and contributing to the exceptional quality of life afforded to residents, businesses and visitors who enjoy living in and visiting California's safest beach community

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

B. ROLL CALL

C. CEREMONIAL CALENDAR

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

I, Matthew Cuevas, Management Analyst of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, May 11, 2016, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

E. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

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.

F. CITY COUNCIL AND COMMUNITY ORGANIZATION ANNOUNCEMENTS OF UPCOMING EVENTS (1 MINUTE PER PERSON)

City Councilmembers and community organization representatives may inform the public about upcoming events.

G. CITY MANAGER REPORT

H. CITY ATTORNEY REPORT

I. PUBLIC COMMENTS (2 MINUTES PER PERSON FOR ONE ITEM, A MAXIMUM OF 5 MINUTES IF A SPEAKER WANTS TO COMMENT ON MORE THAN ONE ITEM)

THIS IS YOUR OPPORTUNITY TO COMMENT ON ANY ITEM ON THE AGENDA THAT IS NOT A PUBLIC HEARING, AS WELL AS ANY ITEM THAT IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL. The Mayor may determine whether an item is within the subject matter jurisdiction of the City Council. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the Agenda. Please complete the "Request to Address the City Council" card by filling out your name, city of residence, the item(s) you would like to offer public comment, and returning it to the City Clerk.

J. PLANNING COMMISSION QUASI-JUDICIAL DECISIONS (RECEIVE AND FILE)

This is an opportunity for a Councilmember to submit a written request that the City Council review the Planning Commission decision, in which case a duly noticed public hearing on the matter will be scheduled for a later date. In the absence of a written request, the matter will be received and filed by order of the chair.

The Planning Commission recently took action on the following matter(s): None.

K. CONSENT CALENDAR (APPROVE)

Items on the "Consent Calendar" are routine and customary business items and will be enacted with one vote. Removal of items from the Consent Calendar for individual consideration will be at a City Councilmember's discretion. In such case, the item will be heard during general business.

1. Ratify the Appointment of the Mira Costa High School Student Nominee, Grace Lauson, to Seat No. 7 of the Parks and Recreation Commission (City Clerk Tamura). [16-0252](#)
APPOINT
2. Purchase of One Budgeted Vacuum Excavation Machine from E.H. Wachs in the Amount of \$74,237.53 (Finance Director Moe). [16-0169](#)
WAIVE FORMAL BIDDING; APPROVE
3. Approval of Contract Amendments #2 and #3 (\$20,985) to Communication Strategies for Technology Consulting Services (Finance Director Moe). [CON 16-0019](#)
APPROVE

Attachments: [Com-Strat Original Contract](#)
[Com-Strat Contract Amendment #1](#)
[Com-Strat Contract Amendment #2](#)
[Com-Strat Contract Amendment #3](#)
4. Approve Continued Use of As-Needed Professional Services Agreement with Transtech Engineers, Inc. and Penco Engineering, Inc. for Design Engineering Services (Public Works Director Olmos). [16-0107](#)
APPROVE

Attachments: [Transtech Task Order Summary](#)
[Penco Task Order Summary](#)
5. Fiscal Year 2015-2016 Third Quarter Budget Status Report [16-0261](#)
RECEIVE REPORT; APPROPRIATE PROPOSITION A FUNDS; TRANSFER MEASURE R FUNDS

Attachments: [FY 2015-16 Third Quarter Results](#)
6. Third Quarter Review of City's Existing Capital Improvement Plan (Public Works Director Olmos). [16-0159](#)
RECEIVE AND FILE

Attachments: [FY15-16 CIP Project Status List, QTR 3](#)

7. Letter of Opposition to Assembly Bill (AB 2586 - Gatto) Regarding Limitations on Local Government Authority to Regulate Parking (Traffic Engineer Zandvliet and Management Fellow Davis). [16-0182](#)

AUTHORIZE LETTER

Attachments: [Assembly Bill 2586 - Parking](#)
[Assembly Bill 2586 - Draft Opposition Letter](#)

8. Financial Report: [16-0101](#)
a) Schedule of Demands: April 28, 2016
b) Investment Portfolio for the Month Ending March 31, 2016
c) Month End Report for March 31, 2016
(Finance Director Moe).

ACCEPT REPORT AND DEMANDS

Attachments: [Schedule of Demands for April 28, 2016](#)
[Investment Portfolio for the Month Ending March 31, 2016](#)
[Month End Report for March 31, 2016](#)

9. City Council Minutes: [16-0251](#)
This Item Contains Minutes of the following City Council Meeting:
a) City Council Regular Meeting - Study Session Minutes of March 28, 2016
APPROVE
b) City Council Regular Meeting - Council Retreat Minutes of April 7, 2016
APPROVE
c) City Council Regular Meeting - Joint City Council/Planning Commission Meeting Minutes of April 12, 2016
APPROVE
d) City Council Regular Meeting - Closed Session and Downtown Specific Plan Minutes of April 18, 2016
APPROVE
e) City Council Regular Meeting - Boards and Commissions Interviews Minutes of May 3, 2016
APPROVE
f) City Council Regular Meeting Minutes of May 3, 2016
CONTINUED TO JUNE 7, 2016 CITY COUNCIL REGULAR MEETING
g) City Council Regular Meeting - Budget Study Session #1 Minutes of May 5, 2016
APPROVE
h) City Council Regular Meeting - Closed Session Minutes of May 9, 2016
APPROVE
(City Clerk Tamura).

Attachments: [City Council Regular Meeting - Study Session Minutes of March 28, 2016](#)
[City Council Regular Meeting - Council Retreat Minutes of April 7, 2016](#)
[City Council Regular Meeting - Joint City Council-Planning Commission Meeting](#)
[City Council Regular Meeting - Closed Session and Downtown Specific Plan Mi](#)
[City Council Regular Meeting - Boards and Commissions Interviews Minutes of](#)
[City Council Regular Meeting - Budget Study Session #1 Minutes of May 5, 201](#)
[City Council Regular Meeting - Closed Session Minutes of May 9, 2016](#)

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

M. OLD BUSINESS

10. Report on As-Needed Engineering Services Program (Continued from the May 3, 2016 City Council Regular Meeting) (Public Works Director Olmos). [16-0160](#)

RECEIVE REPORT

Attachments: [Task Order Summary](#)
[PowerPoint Presentation](#)

N. NEW BUSINESS

11. Report on Power Reliability and Southern California Edison's Capital Improvement Program (Public Works Director Olmos). [16-0184](#)

RECEIVE REPORT

Attachments: [SCE Presentation May 17, 2016](#)

12. Award a Professional Engineering Services Contract to MWH Americas, Inc. for Design Services for the Peck Reservoir Replacement Project in the Amount Not-to-Exceed \$1,358,640 (Public Works Director Olmos). [CON 16-0014](#)

APPROVE

Attachments: [Budget and Expenditures](#)
[MWH Project Proposal](#)
[MWH Professional Services Agreement](#)
[Powerpoint Presentation](#)

13. Pilot Sunscreen Dispenser Program Recommended by the Parks and Recreation Commission (Parks and Recreation Director Leyman). [16-0147](#)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Sunscreen Dispenser Comparison](#)
[Proposed Sunscreen Dispenser Locations](#)
[Sunscreen Dispenser Photos](#)
[Sunscreen Dispenser Sponsorship Wrap](#)

14. One Year Extension of Master Agreement with Manhattan Beach Unified School District Regarding Use and Maintenance of School District Fields and Facilities (City Attorney Barrow). [CON 16-0015](#)

APPROVE

Attachments: [MBUSD Agreement](#)
[Amendment to Agreement](#)

O. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS

Request by Councilmember Burton to discuss Brian Sweeney claim.

P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

15. Agenda Forecast (City Clerk Tamura). [16-0258](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [May 11, 2016 Agenda Forecast](#)

Q. INFORMATIONAL ITEMS

This section is for items that do not require City Council action.

16. Commission Minutes: [16-0255](#)
This Item Contains Minutes of the following City Commission Meetings:
Planning Commission Action Minutes of April 27, 2016 (Community
Development Director Lundstedt).
INFORMATION ITEM ONLY

Attachments: [Planning Commission Action Minutes of April 27, 2016](#)

R. CLOSED SESSION

- a. **CONFERENCE WITH LEGAL COUNSEL (ANTICIPATED LITIGATION)**
(Government Code Section 54956.9 (d)(2))

A point has been reached where, in the opinion of the City Council on the advice of its City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Number of Potential Cases: 1

- b. **CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)**
(Government Code Section 54956.9(d)(1))

On June 16, 2015, the State Water Board adopted a final order resolving the petition for review filed on behalf of the City challenging the 2012 Los Angeles MS4 Permit ("Permit"). The City Council has previously authorized defending actions brought to challenge the final order.

c. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9 (d)(1))

**Sensible Citizens of Manhattan Beach v. City of Manhattan Beach,
RREEF AMERICA REIT CORP. BBB II; RREEF AMERICA REIT II CORP. BBB
Case No. BS152854**

**Sensible Citizens of Manhattan Beach v. City of Manhattan Beach
Case No. BC570884**

**After the City Council certified an Environmental Impact Report and
approved the Village Mall renovation project, the Sensible Citizens of
Manhattan Beach filed two lawsuits to challenge the City Council's
actions. Trial is scheduled for October 12, 2016.**

S. ADJOURNMENT

T. FUTURE MEETINGS

CITY COUNCIL MEETINGS

May 23, 2016 - Tuesday -- 6:00 PM - Budget Study Session # 2
May 31, 2016 - Tuesday -- 6:00 PM - Budget Study Session # 3 (Tentative)
June 7, 2016 - Tuesday -- 6:00 PM - City Council Meeting
June 21, 2016 - Tuesday -- 6:00 PM - City Council Meeting
July 5, 2016 - Tuesday -- 6:00 PM - City Council Meeting
July 19, 2016 - Tuesday -- 6:00 PM - City Council Meeting
Aug. 2, 2016 - Tuesday -- 6:00 PM - City Council Meeting
Aug. 16, 2016 - Tuesday -- 6:00 PM - City Council Meeting
Sep. 6, 2016 - Tuesday -- 6:00 PM - City Council Meeting
Sep. 20, 2016 - Tuesday -- 6:00 PM - City Council Meeting
Oct. 4, 2016 - Tuesday - 6:00 PM - City Council Meeting
Oct. 18, 2016 - Tuesday - 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

May 23, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
May 25, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
May 26, 2016 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
June 8, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
June 13, 2016 – Monday – 6:30 PM – Library Commission Meeting
June 14, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
June 22, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
June 23, 2016 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
June 27, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
July 11, 2016 – Monday – 6:30 PM – Library Commission Meeting
July 12, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
July 13, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
July 25, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
July 27, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
July 28, 2016 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting

U. CITY OFFICES CLOSED**CITY HOLIDAYS:**

May 30, 2016 – Monday – Memorial Day
Jul. 4, 2016 – Monday – Independence Day
Sep. 5, 2016 – Monday – Labor Day
Oct. 10, 2016 – Monday – Columbus Day
Nov. 11, 2016 – Friday – Veterans Day
Nov. 24-25, 2016 – Thursday & Friday – Thanksgiving Holiday
Dec. 26, 2016 – Monday – Christmas Day Observed
Jan. 2, 2017 – Monday – New Years Day Observed
Jan. 16, 2017 – Monday – Martin Luther King Day
Feb. 20, 2017 – Monday – Presidents Day

CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:

May 27, 2016 – Friday
June 10, 2016 – Friday
June 24, 2016 – Friday
July 8, 2016 – Friday
July 22, 2016 – Friday
Aug. 5, 2016 – Friday
Aug. 19, 2016 – Friday
Sep. 2, 2016 – Friday
Sep. 16, 2016 – Friday
Sep. 30, 2016 – Friday
Oct. 14, 2016 – Friday
Oct. 28, 2016 – Friday
Nov. 11, 2016 – Friday
Nov. 23, 2016 – Friday
Dec. 9, 2016 – Friday
Dec. 23, 2016 – Friday