

City Council

Regular Meeting

Tuesday, September 17, 2013

6:00 PM

City Council Chambers



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

Executive Team

David N. Carmany, 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 a time for citizen comments on the agenda under "Audience Participation," 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, including items on the agenda, with each speaker limited to three minutes.

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 to make an inquiry concerning the nature of the item described on the agenda.

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 Friday, September, 13, 2013, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

D. CLOSED SESSION ANNOUNCEMENT

1 MINUTE

E. 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.

F. CEREMONIAL CALENDAR

15 MINUTES

1. Presentation of the "Good Samaritan Award" to Jim Leonard for his heroic efforts during the June 28, 2013, residential structure fire. [13-0442](#)
PRESENT
2. Introduction of New Employees, Promotions and Presentation of Service Awards. [13-0480](#)
RECOGNIZE

G. COMMUNITY ANNOUNCEMENTS

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" is limited to one minute. A second, extended opportunity to speak is provided under "Audience Participation." 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, and returning it to the City Clerk. Thank you!

H. AUDIENCE PARTICIPATION

3 MINUTES PER PERSON

Speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, 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. 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!

I. CITY MANAGER REPORT(S)

5 MINUTES

J. CONSENT CALENDAR

5 MINUTES

NOTICE TO THE PUBLIC - The "Consent Calendar" adopting the printed Recommended City Council Action will be enacted with one vote. The Mayor will ask the City Councilmembers, the public, and the staff if there is anyone who wishes to remove any item from the "Consent Calendar" for 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.

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3. Progress Payment No. 2 in the Net Amount of \$99,973.57 to Rakan, Inc. for the Section 1 (Manhattan Beach Boulevard to Boundary Place, Ardmore Avenue to Sepulveda Boulevard) Concrete Repair Project and Payment No.1 to Carl Wallace and Associates for Inspection Services in the Amount of \$25,798.20. [13-0466](#)
- Attachments:** [Rakan Progress Payment No. 2 Table](#)
[Section1 Concrete Repair Map 7-23-13](#)
4. Report on the 2013 International Surf Festival's Charlie Saikley Six-Man Beach Volleyball Tournament. [13-0432](#)
RECEIVE AND FILE
- Attachments:** [Six Man 2013 Operational Costs & 2014 Estimated Cost](#)
5. Status Report Regarding the Commercial and Residential Food Waste Recycling Pilot Program. [13-0405](#)
RECEIVE AND FILE
- Attachments:** [Waste Management's Food Waste Recycling Pilot Program Tonnage Results](#)
6. Implementation of a Direct Invitation Process for the 2013-2014 Sculpture Garden; A One Year Extension of the Current Installation *Believe Green and Not a Step*; and Appropriation of \$5,000 from the Public Art Trust Fund for the Artists Stipend. [13-0452](#)
APPROVE AND APPROPRIATE
7. Ratification of Budgeted Motor Fuel Purchase from Merrimac Energy Group in the Amount of \$27,050.61. [13-0468](#)
WAIVE FORMAL BIDDING, APPROVE
- Attachments:** [Fuel Bid Comparison](#)
8. Contract for Construction Inspection Services (\$43,720) with Willdan Engineering for the Street Resurfacing Project for Ardmore Avenue, Valley Drive and 11th Place. [CON 13-0035](#)
APPROVE
- Attachments:** [Funding and Anticipated Expenditures](#)
[Location Map of Street Resurfacing Project for Ardmore Ave, Valley Dr and 11th](#)
[Agreement for Professional Services - Inspection \(Willdan Engineering\)](#)

9. Planning Commission Approval of a Planned Development Permit Amendment Revising an Existing Shared Parking Program that would Allow Personal Improvement Services Uses including Instructional/Educational Uses, in an Existing Office Building Located at 3601 Aviation Boulevard. [13-0471](#)

RECEIVE AND FILE

Attachments: [Resolution No. PC 13-11](#)
[Draft Planning Commission Minutes dated 8/28/13](#)
[Planning Commission Staff Report and attachments, dated 8-28-13.pdf](#)

10. Financial Reports: [13-0495](#)
a) Schedule of Demands: August 29, 2013.
b) Investment Portfolio for the Month Ending July 31, 2013.
c) Financial Reports for the Month Ending July 31, 2013.

RECEIVE AND FILE

Attachments: [Warrant Register for August 29, 2013](#)
[Investment Portfolio for the Month Ending July 31, 2013](#)
[Financial Reports for the Month Ending July 31, 2013](#)

11. Minutes[13-0496](#)

This item contains minutes of City Council meetings which are presented for approval and minutes from a City commission which is presented to be received and filed by the City Council. Staff recommends that the City Council, by motion, take action to approve the minutes of the:

a) City Council Closed Session Meeting of May 14, 2013.

APPROVE

b) City Council Adjourned Regular Meeting (Closed Session) of July 1, 2013.

APPROVE

c) City Council Adjourned Regular Meeting (Closed Session) of July 9, 2013.

APPROVE

d) City Council Adjourned Regular Meeting (Strategic Plan Session) of July 10, 2013.

APPROVE

e) City Council Adjourned Regular Meeting (Closed Session) of July 16, 2013.

APPROVE

f) City Council Adjourned Regular Meeting (Closed Session) of July 18, 2013.

APPROVE

g) City Council Closed Session Meeting of August 6, 2013.

APPROVE

h) Capital Improvements Corporation Meeting of August 6, 2013.

APPROVE

i) City Council Regular Meeting of August 6, 2013.

APPROVE

j) City Council Adjourned Regular Meeting (Closed Session) of August 14, 2013.

APPROVE

k) Cultural Arts Commission Meeting of August 13, 2013.

RECEIVE AND FILE

Attachments:

[City Council Closed Session Meeting of May 14, 2013](#)

[City Council Adjourned Regular Meeting \(Closed Session\) of July 1, 2013](#)

[City Council Adjourned Regular Meeting \(Closed Session\) of July 9, 2013](#)

[City Council Adjourned Regular Meeting \(Strategic Plan Session\) of July 10, 2013](#)

[City Council Adjourned Regular Meeting \(Closed Session\) of July 16, 2013](#)

[City Council Adjourned Regular Meeting \(Closed Session\) of July 18, 2013](#)

[City Council Closed Session Meeting of August 6, 2013](#)

[Capital Improvements Corporation Meeting of August 6, 2013](#)

[City Council Regular Meeting of August 6, 2013](#)

[City Council Adjourned Regular Meeting \(Closed Session\) of August 14, 2013](#)

[Cultural Arts Commission Meeting of August 13, 2013](#)

K. PUBLIC HEARINGS

30 MINUTES PER ITEM

12. Continued Public Hearing to Consider Certification of a Final Environmental Impact Report and Approval of a Master Use Permit Amendment, Height Variance and Master Sign Program/Exception for the Manhattan Village Shopping Center Enhancement Project at 2600 through 3600 Sepulveda Boulevard and 1220 Rosecrans Avenue. [13-0444](#)
- CONDUCT PUBLIC HEARING, PROVIDE DIRECTION**

Attachments: [Resolution No. PC 13-10 Planning Commission Resolution approving Master U](#)
[Resolution No. PC 13-09 Planning Commission Resolution Certifying Final EIR-](#)
[Resolution No. PC 01-27- Planning Commission Resolution approving Master U](#)
[Resolution No. PC 02-07- Planning Commission Resolution approving Master S](#)
[Applicants nine "white papers" dated June 17, 2013 with cover letter dated Sept](#)
[Hyperlink to Mall City Council presentations, staff report and attachments- Sept](#)
[Hyperlink to Manhattan Village Mall main webpage](#)
[Hyperlink to Draft and Final EIR \(Hard copies distributed to City Council\)](#)
[Public comments](#)

13. 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. [ORD 13-0015](#)
- CONDUCT CONTINUED 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](#)

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14. 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. [ORD 13-0016](#)

CONDUCT CONTINUED 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 Staff Report, dated 5/8/13](#)
[Draft City Council Minutes Excerpt dated 7/16/2013](#)

L. GENERAL BUSINESS

30 MINUTES PER ITEM

15. Ordinance No. 13-0020 amending the City's Municipal Code regarding banners and decorations in the Public Right-of-Way and adoption of banner policy. [ORD 13-0020](#)

WAIVE FURTHER READING; ADOPT ORDINANCE 13-0020

Attachments: [Existing Manhattan Beach Municipal Code Chapter 9.60](#)
[Proposed Ordinance No. 13-0020](#)
[Proposed Banner Policy 7/26/2013](#)

16. Strategic Plan Update. [13-0470](#)
RECEIVE AND FILE

Attachments: [Strategic Plan Update 09172013](#)

17. Review Smoking Regulations. [13-0478](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [Comprehensive Outdoor Secondhand Smoke Ordinances](#)
[Supporting Documentation Regarding Smoking Ordinances](#)
[Potential Smoking and Cigarette Disposal Locations in Downtown and North Ma](#)
[Letters of Support](#)
[Behavioral Health Services Public Opinion Surveys on Smoke-Free Outdoor Arc](#)
[Manhattan Beach Restaurants Support Outdoor Smoking Ordinance](#)

M. 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.

N. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

O. ADJOURNMENT**P. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

Oct. 1, 2013 – Tuesday – 6:00 PM – City Council Meeting
Oct. 8, 2013 - Tuesday - 6:00 PM - Joint City Council/Cultural Arts Commission Meeting
Oct. 15, 2013 – Tuesday – 6:00 PM – City Council Meeting
Oct. 29, 2013 - Tuesday - 6:00 PM - Joint City Council/Library Commission Meeting
Nov. 5, 2013 – Tuesday – 6:00 PM – City Council Meeting
Nov. 12, 2013 - Tuesday - 6:00 PM - Joint City Council/Parking & Public Improvements Commission Meeting
Nov. 19, 2013 – Tuesday – 6:00 PM – City Council Meeting
Dec. 3, 2013 – Tuesday – 6:00 PM – City Council Meeting
Dec. 10, 2013 - Tuesday - 6:00 PM - Joint City Council/ Board of Building Appeals Meeting
Dec. 17, 2013 – Tuesday – 6:00 PM – City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Sep. 23, 2013 – Monday – 6:30 PM – Parks & Recreation Commission
Sep. 25, 2013 – Wednesday – 6:30 PM – Planning Commission
Sep. 26, 2013 - Thursday - 6:30 PM - Parking & Public Improvements Commission
Oct. 9, 2013 – Wednesday -- 6:30 PM – Planning Commission
Oct. 23, 2013 – Wednesday -- 6:30 PM – Planning Commission
Oct. 24, 2013 - Thursday -- 6:30 PM -- Parking & Public Improvements Commission
Oct. 29, 2013 - Tuesday - 6:00 PM - Joint City Council and Library Commission
Nov. 12, 2013 - Tuesday - 6:00 PM - Joint City Council/Parking & Public Improvements Commission
Nov. 13, 2013 – Wednesday -- 6:30 PM – Planning Commission
Nov. 27, 2013 – Wednesday -- 6:30 PM – Planning Commission
Dec. 5, 2013 -- Thursday -- 6:30 PM -- Parking & Public Improvements Commission
Dec. 10, 2013 - Tuesday - 6:00 PM - Joint City Council/ Board of Building Appeals Meeting
Dec. 11, 2013 – Wednesday -- 6:30 PM – Planning Commission

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

Oct. 14, 2013 – Monday – Columbus Day
Nov. 11, 2013 – Monday – Veterans Day
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

