

## City Council Regular Meeting

Regular Meeting

Tuesday, November 17, 2015

6:00 PM

City Council Chambers



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

### 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

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 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, this agenda provides an early opportunity for public comments under "Public Comments," at which time speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the City Council, including items on the agenda. In addition, speakers may comment during any public hearing after the public hearing on that item has been opened.*

*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. The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.*

## **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**

*American Martyrs School*

### **B. ROLL CALL**

### **C. CEREMONIAL CALENDAR**

1. Presentation of Certificates of Recognition to the Winners of the 2015 Fire Department Annual "Home Escape Plan" Contest. [15-0495](#)  
**PRESENT**
2. Presentation of a Plaque to Pooja Nagpal for Being Recognized as an Honoree of the Girl Scouts 2015 National Young Women of Distinction Award. [15-0494](#)  
**PRESENT**

### **D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING**

*I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Thursday, 12, 2015, 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. MAYOR'S REPORT ON MEETING MANAGEMENT****J. 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.*

**K. 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):*

3. Planning Commission Approval of a Variance Amendment for Minimum Parking Requirements, Two-Story Limit, and Setback Requirements for a Proposed Second Story Addition to an Existing One Story Single Family Residence at 2702 North Ardmore Avenue (Community Development Director Lundstedt).

[15-0492](#)

**BY ORDER OF THE CHAIR, RECEIVE AND FILE**

**Attachments:** [Planning Commission Resolution No. PC 15-05](#)  
[Planning Commission Staff Report and Attachments - October 28, 2015](#)  
[Planning Commission Draft Minutes- October 28, 2015](#)

**L. 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.*

4. Financial Report: [15-0458](#)  
Schedule of Demands: October 22, 2015 (Finance Director Moe).  
**ACCEPT REPORT AND DEMANDS**  
*Attachments:* [Schedule of Demands for October 22, 2015](#)
5. Award Purchase Order to South Bay Regional Public Communications Authority in the Amount of \$85,000 for the Purchase of Automatic Vehicle Location Devices for 47 Police Vehicles (Police Chief Irvine).  
**WAIVE FORMAL BIDDING; APPROVE**
6. [15-0479](#)  
Approve Final Payment to PK Construction for the Section 3 Concrete Repair Project in the Amount of \$32,320.12; Formally Accept the Section 3 Concrete Repair Project As Complete; Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$11,625.01 (Public Works Director Olmos).  
**APPROVE**  
*Attachments:* [Budget and Expenditure Details](#)  
[Maintenance Sections](#)  
[Section 3 Repairs Map](#)
7. Resolution No. 15-0061 to Include Energy Efficiency Measures in the City's Climate Action Plan (Public Works Director Olmos). [RES 15-0061](#)  
**ADOPT RESOLUTION NO. 15-0061**  
*Attachments:* [SBCCOG Report: GHG Inventory, Forecasting, Target-Setting Report for an En](#)  
[Resolution 15-0061](#)  
[Municipal and Community Energy Reduction Measures](#)
8. Revised City Wide Civility Policy to Include Council Meetings (City Attorney Barrow). [RES 15-0065](#)  
**ADOPT RESOLUTION NO. 15-0065**  
*Attachments:* [Resolution No. 15-0065 Revised Civility Policy](#)

9. Minutes: [15-0027](#)  
This item contains action minutes of City Council meetings which are presented for approval. Staff recommends that the City Council, by motion, take action to approve the action minutes of the:
- a) City Council Adjourned Regular Meeting (Closed Session) Minutes of October 27, 2015.  
**APPROVE**
  - b) City Council Regular Meeting Minutes of November 3, 2015.  
**CONTINUED TO DECEMBER 1, 2015 CITY COUNCIL REGULAR MEETING**
  - c) City Council Retreat Meeting Minutes of November 4, 2015.  
**CONTINUED TO DECEMBER 1, 2015 CITY COUNCIL REGULAR MEETING**  
(City Clerk Tamura).

Attachments: [Draft-City Council Closed Session Minutes of October 27,2015](#)

#### M. PUBLIC HEARINGS (2 MINUTES PER PERSON)

#### N. OLD BUSINESS

10. Adoption of Council Policies regarding Sunshine Provisions, Including Description of Closed Sessions regarding Pending Litigation and Consideration of Settlements in Open Sessions (City Attorney Barrow). **15-0502**  
**ADOPT POLICY, WITH THE ADDITIONAL PROVISIONS REGARDING CLOSED SESSIONS AND SETTLEMENTS**

Attachments: Draft Sunshine Policy  
Open Government Initiatives Matrix

#### O. NEW BUSINESS

12. Quarterly Capital Improvement Plan Update (Public Works Director Olmos). [15-0481](#)  
**RECEIVE AND FILE**
- Attachments: [FY15-16 CIP Project Status List](#)
13. Fiscal Year 2015-2016 First Quarter Budget Status Report; Two Year Budget Process for Fiscal Years 2016-17 and 2017-18 (Finance Director Moe). [15-0476](#)  
**RECEIVE REPORT; APPROVE**

Attachments: [2015 1021 FY 2015-2016 1Q Comparison](#)  
[Fiscal Year 2015-2016 Q1 report](#)

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14. Fiscal Year 2014-2015 Insurance Fund Status Report; Phased Transfer of Funds from the General Fund to the Insurance Fund to Correct Fund Imbalance (Finance Director Moe). [15-0453](#)  
**ACCEPT REPORT; APPROVE TRANSFER PLAN**
15. Adopt Resolution No. 15-0060 in Support of Utilizing South Bay Measure R Highway Program Funds for the Sepulveda Boulevard Intersection Improvements Project (Public Works Director Olmos). [RES 15-0060](#)  
**ADOPT RESOLUTION**  
*Attachments:* [Resolution No. 15-0060](#)
16. Approve Task Orders No. 1 & 2 with CivilSource, Inc. under the On-Call Professional Service Agreement for Construction Management and Inspection Services for a Total Amount of \$171,524 (Public Works Director Olmos). [15-0485](#)  
**APPROVE**  
*Attachments:* [CivilSource, Inc. Task Order No. 1 for the Construction Management and Inspection Services for a Total Amount of \\$171,524](#)  
[CivilSource, Inc. Task Order No.2 for Geotechnical Engineering Services for the](#)
17. Adoption of Council Policy Regarding Management Employment Agreements; Temporary Short-Term Home Loan for Assistant City Manager (City Attorney Barrow/Finance Director Moe). [RES 15-0064](#)  
**ADOPT; APPROVE; APPROPRIATE**  
*Attachments:* [Resolution No. 15-0064 \(Executive Management Agreement Policy\)](#)  
[Management Employment Agreement Template](#)  
[Nader Kayali -- Draft Secured Promissory Note II.docx](#)

## P. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS

## Q. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

18. Agenda Forecast (City Clerk Tamura). [15-0496](#)  
**DISCUSS AND PROVIDE DIRECTION**  
*Attachments:* [Agenda Forecast November 12, 2015](#)

## R. INFORMATIONAL ITEMS

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

**19. Commission Minutes:** [15-0504](#)

This Item Contains Minutes of the following City Commission Meetings:  
Draft Planning Commission Meeting Action Minutes of October 28, 2015  
(Community Development Director Lundstedt).

**INFORMATION ITEM ONLY**

Attachments: [Planning Commission Meeting Action Minutes October 28, 2015](#)

**S. CLOSED SESSION**

**T. ADJOURNMENT**

**U. FUTURE MEETINGS**

**CITY COUNCIL MEETINGS**

*Nov. 19, 2015 – Tuesday -- 6:00 PM - Joint City Council/Planning Commission Meeting (Mobility Plan)*

*Nov. 30, 2015 - Monday - 8:30 AM - City Council Strategic Planning Follow Up Meeting*

*Dec. 1, 2015 – Tuesday -- 6:00 PM - City Council Meeting*

*Dec. 15, 2015 – Tuesday -- 6:00 PM - City Council Meeting*

*Jan. 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

*Jan. 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

*Feb. 2, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

*Feb. 16, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

*March 1, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

*March 15, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

*April 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

*April 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting/Reorganization*

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

Nov. 23, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Nov. 25, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Nov. 26, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting - CANCELLED  
Dec. 8, 2015 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting  
Dec. 9, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Dec. 14, 2015 – Monday – 6:30 PM – Library Commission Meeting  
Dec. 23, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Dec. 24, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting  
Dec. 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Jan. 11, 2016 – Monday – 6:30 PM – Library Commission Meeting  
Jan. 12, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting  
Jan. 13, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting  
Jan. 25, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Jan. 27, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting  
Jan. 28, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting  
Feb. 8, 2016 – Monday – 6:30 PM – Library Commission Meeting  
Feb. 9, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting  
Feb. 10, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting  
Feb. 22, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Feb. 24, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting  
Feb. 25, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting

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

Nov. 26-27, 2015 – Thursday & Friday – Thanksgiving Holiday  
Dec. 25, 2015 – Friday – Christmas Day  
Jan. 1, 2016 – Friday – New Years Day  
Jan. 18, 2016 – Monday – Martin Luther King Day  
Feb. 15, 2016 - Monday - Presidents Day  
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