

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Wednesday, March 4, 2015

6:00 PM

Regular Meeting

City Council Chambers

5:00 PM Adjourned Regular Meeting - Closed Session

City Council

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

PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes

A. PLEDGE TO THE FLAG

Alegra Stickney, Mira Costa High School, led the Pledge of Allegiance.

B. NATIONAL ANTHEM

Mayor Powell, on behalf of the City Council, recognized the following members of the Manhattan Beach Middle School Orchestra - String Ensemble who played: Kevin Chen, Katherine Kim, Lulu Yu, Rachel Clinton, Ethan Park, Anna MacFarlane, Alexandra So, Olivia Tuffli, Trevor Mahony, Sabrina Kim, Christine Garrison, Eric Mei, Ivy Stevens, Katie Harada Alcantara, Nisha Chatwani, Jordan Lee Shahrzad Sadeghi, Tamara Tran, Jeffrey Noh, Philip Wandel.

C. ROLL CALL

Present: 5 - Mayor Powell, Mayor Pro Tem Burton, Councilmember D'Errico, Councilmember Lesser and Councilmember Howorth

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

City Clerk Liza Tamura confirmed that the meeting was properly posted.

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

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Burton to approve the agenda and waive full reading of ordinances.. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

F. CEREMONIAL CALENDAR

1. Presentation of Certificates of Recognition to the Clinton Family for Distinguished Service to the Manhattan Beach Community. [15-0117](#)

PRESENT

Mayor Powell, on behalf of the City Council, presented certificates of recognition to the Clinton Family for Distinguished Service to the Manhattan Beach Community: Ronald, Malissia, Ronald Micha, Roi Amare, and Rachel Sinai.

2. Presentation of an Employee Service Award to Police Lieutenant Andy Harrod on the Occasion of his 40th Anniversary with the City of [15-0115](#)

Manhattan Beach.

PRESENT

Mayor Powell, on behalf of the City Council, introduced Police Chief Eve Irvine who recognized Lieutenant Andy Harrod for his Forty Years of service to the City of Manhattan Beach.

3. Presentation of a Commendation Recognizing The Hyperion Outfall Serenaders on the Occasion of their 40th Anniversary.

[15-0116](#)

PRESENT

Mayor Powell, on behalf of the City Council, introduced the Hyperion Outfall Serenaders who played a song. Mayor Powell then presented the "I ♥ MB Award" to Bob White founder of the Hyperion Outfall Serenaders and Certificates of Recognition to: Bob White, Louis Pastor, Dave Stanton, Jack freeman, Fran Freeman and John Norton.

Mayor Powell, on behalf of the City Council, introduced George Butts President of the Community Emergency Response Team (CERT) and Community Ambassador for the Red Cross and presented him with a proclamation declaring March Red Cross Month.

G. CITY MANAGER REPORT

City Manager Mark Danaj announced that Thursday, March 5, 2015, the first Interactive Community Budget Meeting will be held at the Joslyn Community Center at 6:00 PM.

City Manager Danaj also clarified that per the City Council direction, he will respond regarding the Rite Aid property in thirty to sixty days.

H. CITY ATTORNEY REPORT

None.

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Councilmember Lesser thanked the residents for re-electing him to the City Council.

Mayor Pro Tem Burton announced a fundraiser for St. Baldrick's to raise money for childrens cancer and asked all City Employees to donate. He also reported that the South Bay Bicycle Coalition held its first "Bike Night Fundraiser" and the City of Manhattan Beach was recognized as a "Bike Friendly City".

Councilmember Howorth also thanked residents for re-electing her to the City Council.

Mayor Powell commented on the low voter turnout.

Mayor Powell announced the Manhattan Beach Little League opening day parade this Saturday at 9:00 AM and free income tax assistance for older adults every Wednesday from 9:00 AM - 2:30 PM at the Joslyn Center. He further spoke about a fund set-up for GI Joe at gofundme.com

J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

The following speakers had Community Announcements:

*Bill Hory
Robert Bush
Holly Francisco Maynes
Viet Ngo
Jackie May*

K. PUBLIC COMMENT ON NON-AGENDA ITEMS

The following speakers gave Public Comment on Non-agenda Items:

*Robert Bush
Adam Goldton
Craig Cadwallader
Viet Ngo
Bill Victor
Antoinette Gill*

L. CONSENT CALENDAR

Mayor Pro Tem Burton pulled Item Nos. 4 & 5.

Councilmember Lesser pulled Item No. 7.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser to approve the Consent Calendar Item Nos. 4-8 with the exception of Item Nos, 4, 5, and 7 which will be heard under Item O Items removed from the Consent Calendar.

4. Agreement with John L. Hunter and Associates for Clean Bay Restaurant (CBR), Fast/Oils/Grease (FOG) and Industrial/Commercial Stormwater Discharge (ICSD) Inspections in the Not-to-Exceed Amount of \$140,385. (Public Works Director Olmos). **APPROVE** [15-0053](#)

Attachments: [Professional Services Agreement with John L Hunter and Associates](#)

This item was removed from the Consent Calendar and heard later under Item O, Items removed from the Consent Calendar.

5. Award Construction Contract to Ruiz Brothers/Fast-Track Joint Venture for the Strand Wall Repair and Enhancement Project (Public Works Director Olmos). **APPROVE** [CON 15-0010](#)

Attachments: [Budget and Anticipated Expenditures](#)

[Approved Wave Patterns](#)

[Strand Wall Construction Contract with Ruiz Brothers Construction Co. and F](#)

This item was removed from the Consent Calendar and heard later under Item O, Items removed from the Consent Calendar.

6. Resolution to Install Stop Signs on 8th Street at John Street as Recommended by the Parking and Public Improvements Commission (Community Development Director Lundstedt). [RES 15-0005](#)

ADOPT

Attachments: [January 22, 2015 Parking and Public Improvements Commission Staff Report](#)
[January 22, 2015 Parking and Public Improvements Commission Draft Minutes](#)
[Resolution No. 15-0005](#)

This item was approved on the Consent Calendar.

7. Resolution to Install Stop Signs on John Street at 9th Street as Recommended by the Parking and Public Improvements Commission (Community Development Director Lundstedt). [RES 15-0006](#)

ADOPT

Attachments: [January 22, 2015 Parking and Public Improvements Commission Staff Report](#)
[January 22, 2015 Parking and Public Improvements Commission Draft Minutes](#)
[Resolution No. 15-0006](#)

This item was removed from the Consent Calendar and heard later under Item O, Items removed from the Consent Calendar.

8. Minutes: [15-0011](#)

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 of February 17, 2015
 - b) City Council Regular Meeting of February 17, 2015
 - c) City Council Adjourned Regular Meeting-Closed Session of February 23, 2015
 - d) City Council Adjourned Regular Meeting-Study Session (ULI) of February 23, 2015
- (City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting-Closed Session of February 17, 2015](#)
[City Council Regular Meeting of February 17, 2015](#)
[City Council Adjourned Regular Meeting-Closed Session of February 23, 2015](#)
[City Council Adjourned Regular Meeting-Study Session \(ULI\) of February 23, 2015](#)

This item was approved on the Consent Calendar.

M. PUBLIC HEARINGS

9. Local Coastal Program Code Amendments in Compliance with the California Coastal Commission Modifications to Implement the **ORD 15-0002**

Adopted and Certified Housing Element Update (2008-2014)
(Community Development Director Lundstedt).

**CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NO.
15-0002**

Attachments: Ordinance No. 15-0002

Mayor Powell introduced Community Development Director Marisa Lundstedt who provided an overview of the report and the introduced Assistant Planner Jason Masters who presented the PowerPoint Presentation.

Mayor Powell opened the floor to public comment.

The following person spoke on this item:

Bill Victor

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Burton, to adopt the Local Coastal Program Code Amendments in compliance with the California Coastal Commission Modifications to implement the adopted and certified Housing Element update (2008-2014) and introduce Ordinance 15-0002.

City Attorney Barrow read the title into the record. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

N. GENERAL BUSINESS

10. Request from Southbay Magazine for Special Permit: Limited Alcoholic Beverage Use on Public Property for the "Southbay's 3rd Annual Girls Night Out" Event on May 8, 2014 in the Civic Center Plaza (Parks and Recreation Director Leyman).

[15-0120](#)

APPROVE

Attachments: [Southbay Magazine's Special Event Application](#)
["Southbay's 3rd Annual Girls Night Out" Site Map](#)

Mayor Powell introduced Parks and Recreation Director Mark Leyman who presented a PowerPoint Presentation on the event.

City Council questions were responded to by Parks and Recreation Director Leyman, Police Chief Eve Irvine and the applicant.

Mayor Powell opened the floor to public comment.

The following people spoke in favor of the event:

Suzanne Sharer

Todd Klawin

Kelly Stroman

The following people spoke against the event:

*Robert Bush
Bill Victor
Viet Ngo
Jackie May
Gary Kucher*

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to direct the City Manager and Staff to develop a policy for limited alcohol beverage use on public property and any amendments to the Municipal Code 4.80.090, to report back in June, and to approve the application for a special permit and amplified sound from 8-8:45 PM and to direct Staff to give immediate notice to residents on 13th Street. A friendly amendment was made by Mayor Powell, which was accepted by the maker of the motion, for clear signage to direct the public to the Police and Fire Departments.

Aye: 4 - Powell, Burton, D'Errico and Howorth

Nay: 1 - Lesser

At 8:37 PM City Council recessed and reconvened at 9:38 PM with all Councilmembers present.

- 11.** Resolution to Install Stop Signs at Valley Drive/Oak Street/35th Street and Realign the Intersection Approaches on a Trial Basis as Recommended by the Parking and Public Improvements Commission (Community Development Lundstedt).

[RES 15-0007](#)

ADOPT

Attachments: [January 22, 2015 Parking and Public Improvements Commission Staff Report](#)
[January 22, 2015 Parking and Public Improvements Commission Draft Minutes](#)
[Resolution No. 15-0007](#)

Mayor Powell introduced Traffic Engineer Erik Zandvliet who presented a PowerPoint Presentation on installing Stop signs at Valley Drive/Oak Street/35th Street.

Traffic Engineer Zandvliet responded to City Council questions.

Mayor Powell opened the floor to public comment.

The following people spoke in favor of the Stop Sign:

*Megan Aldred
Antoinette Gill*

The following people against the Stop Sign:

*Unknown Oak Avenue Resident
Anne Rose
Gary Kucher*

The following person asked for an alternative:

James Gill

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to direct Staff to examine other options at this intersection, especially visibility solutions for south bound Oak Street traffic, and ingress and egress solutions for the Ross Senior Apartments. Councilmember Lesser added a friendly amendment, which was accepted by the maker of the motion, to have the Traffic Engineer present this to the Parking and Public Improvements Commission. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

- 12.** Council Consideration and Direction for a Hardship Exemption from the Downtown IZO to Allow a Change of Use for a Retail Use to Temporarily Occupy a Restaurant Space at 1140 Highland Avenue (Community Development Director Lundstedt).

[15-0111](#)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Ordinance No. 14-0011-Downtown IZO 7-15-14](#)
[IZO Hardship Exemption Request Letter-1140 Highland](#)

Mayor Powell introduced Planning Manager Laurie Jester who provided a presentation on the Interim Zoning Ordinance and the provision for a hardship.

Questions were responded to by Planning Manager Jester and City Attorney Quinn Barrow.

Mayor Powell opened the floor to public comment.

Ron Koch, Property Owner spoke in favor of the request.

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, to deny the hardship exemption. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

- 13.** Updated City of Manhattan Beach Policy for Special Events (Parks and Recreation Director Leyman).

[15-0113](#)

APPROVE

Attachments: [City of Manhattan Beach Policy for Special Events, 1989](#)
[MB Special Event Application](#)
[MB Special Events Policy 2015](#)
[Special Events Calendar for 2015](#)
[Public Relations Form](#)
[Green Matrix Form](#)

Mayor Powell introduced Parks and Recreation Director Mark Leyman.

City Council questions were responded to by Parks and Recreation Director Leyman and City Attorney Quinn Barrow.

Mayor Powell opened the floor to public comment.

The following person spoke on this item:

Craig Cadwallader

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Burton, that this item be continued. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

At 11:25 PM City Council recessed and reconvened at 11:35 PM with all Councilmembers present.

14. Review Waste Management Food Waste Recycling Program Proposal [15-0114](#)
and Approve Commercial and Residential Program - Option 1 (Public Works Director Olmos).

DISCUSS AND PROVIDE DIRECTION

Attachments: [Proposal to Manhattan Beach for Food Waste Diversion Program](#)
[Table Showing AB1826 Participation Requirements for Businesses](#)

Mayor Powell introduced Senior Management Analyst Anna Luke-Jones who presented a PowerPoint Presentation on the Waste Management Food Waste Recycling Program.

City Council questions were responded to by Senior Management Analyst Luke-Jones and Waste Management Representative Janine Hamner.

Mayor Powell opened the floor to public comment..

The following person spoke on this item:

Craig Cadwallader, Surfrider Foundation, spoke in favor of this request

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to approve the Commercial Food Waste Program and Option One for the Residential Food Waste Program and direct the City Manager to draft an amendment to the Franchise Agreement with Waste Management and return to City Council. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

O. ITEMS REMOVED FROM THE CONSENT CALENDAR

4. Agreement with John L. Hunter and Associates for Clean Bay Restaurant (CBR), Fast/Oils/Grease (FOG) and Industrial/Commercial Stormwater Discharge (ICSD) Inspections in the Not-to-Exceed Amount of \$140,385. (Public Works Director Olmos). **APPROVE** [15-0053](#)

Attachments: [Professional Services Agreement with John L Hunter and Associates](#)

Mayor Powell introduced Public Works Director Tony Olmos who gave a brief overview of this item.

Public Works Director Olmos and City Manager Danaj responded to City Council questions.

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth to approve a one year Agreement with John L. Hunter and Associates for CBR, FOG and ICSD Inspections with two one year options. The motion carried by the following vote:

5. Award Construction Contract to Ruiz Brothers/Fast-Track Joint Venture for the Strand Wall Repair and Enhancement Project (Public Works Director Olmos). **APPROVE** [CON 15-0010](#)

Attachments: [Budget and Anticipated Expenditures](#)

[Approved Wave Patterns](#)

[Strand Wall Construction Contract with Ruiz Brothers Construction Co. and F](#)

Mayor Powell introduced Public Works Director Tony Olmos who presented an overview of the item.

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser to award a construction contract to Ruiz Brothers/Fast-Track Joint Venture for the Strand Wall Repair and Enhancement Project. the motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

7. Resolution to Install Stop Signs on John Street at 9th Street as Recommended by the Parking and Public Improvements Commission (Community Development Director Lundstedt). **ADOPT** [RES 15-0006](#)

Attachments: [January 22, 2015 Parking and Public Improvements Commission Staff Report](#)
[January 22, 2015 Parking and Public Improvements Commission Draft Minutes](#)
[Resolution No. 15-0006](#)

Mayor Powell introduced Traffic Engineer Erik Zandvliet who gave a brief presentation on the recommended stop signs.

Traffic Engineer Zandvliet responded to City Council questions.

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, to approve the installation of all-way stop signs at John Street and 9th Street and adopt Resolution #15-0006. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

Q. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS, FUTURE DISCUSSION ITEMS

Councilmember Lesser announced that yesterday was Assistant City Manager Nadine Nader's birthday.

Mayor Powell reported on the 17% voter turnout in the City Election and wanted to see what can be done to increase voter turnout and asked for the item to return on a future City Council agenda.

R. RECEIVE AND FILE ITEMS

Mayor Powell opened the floor to public comment.

Seeing no requests to speak, Mayor Powell closed the floor to public comment.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, that Item Nos. 15-16 be received and filed. The motion carried by the following vote:

Aye: 5 - Powell, Burton, D'Errico, Lesser and Howorth

- 15.** Financial Report: [15-0064](#)
 Schedule of Demands: February 12, 2015 (Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedule of Demands Register for February 12, 2015](#)

This item was received and filed.

- 16.** Commission Minutes: [15-0107](#)

This Item Contains Action 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 Action Minutes of the:

- a) Cultural Arts Commission Meeting of December 9, 2014
- b) Parks and Recreation Commission Meeting of December 22, 2014
- c) Cultural Arts Commission Meeting of January 13, 2015
- d) Parks and Recreation Commission Meeting of February 2, 2015
(Parks and Recreation Director Leyman).

RECEIVE AND FILE

Attachments: [Cultural Arts Commission Meeting of December 9, 2014](#)
[Parks and Recreation Commission Meeting of December 22, 2014](#)
[Cultural Arts Commission Meeting of January 13, 2015](#)
[Parks and Recreation Commission Meeting of February 2, 2015](#)

This item was received and filed.

S. ADJOURNMENT

At 12:30 AM the Regular City Council Meeting was adjourned to the 9:00 AM Adjourned Regular City Council Meeting (City Council Retreat) on Thursday March 12, 2015, in the Police/Fire Conference Room 400/420 15th Street, in said City.

Matthew Cuevas
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk