

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, March 21, 2017

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

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

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A. PLEDGE TO THE FLAG

Mayor Lesser led the Pledge of Allegiance.

B. ROLL CALL

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

C. CEREMONIAL CALENDAR

1. Recognition of Outgoing Environmental Programs Manager Sona Coffee.

[17-0099](#)

PRESENT

Mayor Lesser, on behalf of the City Council, presented a Commendation to Environmental Programs Manager Sona Coffee recognizing her accomplishments during her employment with the City of Manhattan Beach.

A Certificate of Recognition, on behalf of the California State Legislature was presented from State Assemblyman Al Muratsuchi's Representative and also from Dency Nelson representing State Senator Ben Allen.

Environmental Programs Manager Coffee presented the City of Manhattan Beach with the 2014 Green Leadership Award. Recognizing Manhattan Beach for implementing sustainability programs.

2. Certificate of Recognition of {pages} a Bookstore in Celebration of their Seventh Anniversary.

[17-0123](#)

PRESENT

Mayor Lesser, on behalf of the City Council, presented a Certificate of Recognition and City Pins to {pages} a Bookstore on the occasion of their Seventh Anniversary.

A Certificate of Recognition, on behalf of the California State Legislature was presented from State Assemblyman Al Muratsuchi's Representative.

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 ORDINANCE

City Clerk Liza Tamura confirmed that the Planning Commission Meeting of March 22, 2017, will still meet as scheduled. (This is a correction to page 7 of the agenda under Boards, Commissions and Meetings that had cited that the meeting was cancelled.)

A motion was made by Councilmember Burton, seconded by Councilmember Powell, to approve the agenda. The motion carried by the following vote:

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

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

Melissa McCollum, Manhattan Beach Library, reported on upcoming events.

Mayor Pro Tem Howorth commented on the recognition of Environmental Programs Manager Sona Coffee and {pages} a Bookstore. She further commented on the opening of the new Manhattan Beach Skate Park on this past Saturday.

Councilmember Powell announced the free "Income Tax Assistance" for Seniors at the Joslyn Community Center on Wednesdays through April 12, 2017. He further added that on Saturday, March 18, 2017, "Coffee, Technology and You" will be held at 10:00 AM also at the Joslyn Community Center.

Mayor Lesser announced that he will be having a new "Mayoral Community Meeting" on Saturday, April 15, 2017, at 10:00 AM in the Police/Fire Community Room..

G. CITY MANAGER REPORT

City Manager Mark Danaj introduced Parks and Recreation Director Mark Leyman who displayed pictures from the opening of the Skate Spot on Saturday, March 17, 2017, and provided details of the event.

H. CITY ATTORNEY REPORT

None.

**I. PUBLIC COMMENTS (3 MINUTES PER PERSON FOR ONE ITEM, A
MAXIMUM OF 6 MINUTES IF A SPEAKER WANTS TO COMMENT ON
MORE THAN ONE ITEM)**

Stephanie Robins thanked the outgoing City Councilmembers, spoke of election concerns regarding the last minute change of school polling places, and support of the resolution for campaign filings on the website.

Martha Andreani thanked the outgoing City Councilmembers, and requested that the Downtown Specific Plan be submitted to the California Coastal Commission on this coming Friday.

Carol Perrin, thanked the outgoing City Councilmembers, commented on the negative advertising in the General Municipal Election, supports FPPC (Fair Political Practices Commission) filings on line.

Tami Zamrazil, thanked the outgoing City Councilmembers, supports the FPPC Resolution, and urged the submission of the Downtown Specific Plan.

Suzanne Lerner, thanked the outgoing City Councilmembers for listening to constituents; supports the FPPC Resolution, and requests the submission of the Downtown Specific Plan.

Patrick McBride spoke of the Toastmasters, the Voters for Good Government mailers, and supports the FPPC Resolution.

George Kaufman thanked the outgoing City Councilmembers and noted that if the Downtown Specific Plan is not pushed to the Coastal Commission right away, it could "fall through the cracks".

Gary McAulay questioned an agenda item regarding the approval of the minutes of the Cultural Arts Commission and allowing private memorials on The Strand in the form of The Strand Benches.

Bill Victor thanked the outgoing City Councilmembers, remarked on negative campaigning, investigating unfair information distributed during the election and noted that the School Boards actions made it inconvenient for voters.

Karol Wahlberg, thanked the outgoing City Councilmembers, supports the FPPC Resolution and moving forward with the Downtown Specific Plan.

Jan Dennis thanked the outgoing City Councilmembers, spoke of an investigation of the election and disappointment with the School Board for not allowing the schools to be used as polling places.

Jim Burton, thanked the outgoing City Councilmembers for their service and noted that it has been a great City Council.

City Manager Mark Danaj confirmed that the Downtown Specific Plan was signed and will be submitted to the Coastal Commission by the end of the week.

City Manager Mark Danaj and Parks and Recreation Director Mark Leyman responded to City Council questions.

Mayor Pro Tem Howorth clarified for the residents that the Gelson's and Sketcher's items would be on the agenda for the Planning Commission Meeting of March 22, 2017.

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

None.

K. CONSENT CALENDAR (APPROVE)

There was a motion to approve the consent calendar.

Councilmember Powell requested that Agenda Item No. 3 of the Consent Calendar be individually considered. The City Attorney stated that the request should have been made at the time of approval of the agenda; therefore, a motion to reconsider approval of the agenda was appropriate.

A substitute motion was made by Councilmember Burton, seconded by Mayor Pro Tem Howorth to reconsider the approval of the agenda. The motion carried by the following vote:

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

A motion was made by Councilmember Powell, seconded by Councilmember D'Errico to pull Item No. 3 from the Consent Calendar. The motion carried by the following vote:

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

Councilmember Burton moved to approve the agenda, as amended. The motion carried by the following vote:

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

A motion was made by Councilmember Burton, seconded by Councilmember Powell to approve the Consent Calendar, as amended (Item No. 3. Resolution awarding a Construction Contract to Alfaro Communication Construction Inc. for the Highland Avenue at 38th Street and Rosecrans Avenue at Highland Avenue Street Improvement Project in an Amount Not-to-Exceed \$313,544) was pulled during the approval of the agenda. The motion carried by the following vote:

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

3. Resolution Awarding a Construction Contract to Alfaro Communication Construction Inc. for the Highland Avenue at 38th Street and Rosecrans Avenue at Highland Avenue Street Improvement Project in an Amount Not-to-Exceed \$313,544 (Public Works Director Katsouleas).

[RES 17-0027](#)

ADOPT RESOLUTION AND APPROVE

This item was removed from the Consent Calendar and heard after the approval of the Consent Calendar.

4. Resolution Approving a Contract Authorizing the Repair, Replacement and Installation of Equipment at the 23rd St. and Peck Ave. Stormwater Pump Station, and Approve Continuation of the Emergency Work (Public Works Director Katsouleas).

[17-0116](#)

APPROVE AND APPROPRIATE

The recommendation for this item was approved on the Consent Calendar.

5. Ratification of Pass-Thru Agreements with Willdan for Project Management Services and Plan Check and Processing Services for the Manhattan Village Mall Renovation Project (Interim Community Development Director McIntosh)

[17-0130](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

6. Settlement and Release with Marsha Weiss (City Attorney Barrow and Human Resources Director Zadroga-Haase).

[17-0122](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

7. Five-Year General Services Agreement with the County of Los Angeles for Miscellaneous County Services on an As-Needed Basis (Finance Director Moe).

[RES 17-0034](#)

APPROVE; ADOPT RESOLUTION

The recommendation for this item was approved on the Consent Calendar.

8. Accept Resignation for Planning Commissioner Hersman, Declare Vacant Planning Commission Seat No. 4 (Hersman), and Defer Planning Commissioner Appointment Until the Annual Boards and Commissions Interview and Appointment Process (City Clerk Tamura).

[17-0127](#)

ACCEPT RESIGNATION, DECLARE VACANCY, AND DEFER PLANNING COMMISSIONER APPOINTMENT

The recommendation for this item was approved on the Consent Calendar.

9. Financial Report: [17-0104](#)
Schedules of Demands: February 16, 2017 (Finance Director Moe).
ACCEPT REPORT AND DEMANDS

The recommendation for this item was approved on the Consent Calendar.

10. City Council Minutes: [17-0085](#)
This Item Contains Minutes of the following City Council Meeting:
a) City Council Regular Meeting Minutes of March 8, 2017
(City Clerk Tamura).
APPROVE

The recommendation for this item was approved on the Consent Calendar.

3. Resolution Awarding a Construction Contract to Alfaro Communication [RES 17-0027](#)
Construction Inc. for the Highland Avenue at 38th Street and
Rosecrans Avenue at Highland Avenue Street Improvement Project in
an Amount Not-to-Exceed \$313,544 (Public Works Director
Katsouleas).
ADOPT RESOLUTION AND APPROVE

Mayor Lesser introduced the item and Councilmember Powell explained why he pulled the item.

Public Works Director Stephanie Katsouleas introduced City Engineer Prem Kumar who gave a brief presentation.

Mayor Lesser opened the floor to public comment.

Bill Victor commented on combining projects and the need for more transparency.

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

A motion was made by Councilmember Burton, seconded by Mayor Pro Tem Howorth to adopt Resolution No. 17-0027 awarding a construction contract to Alfaro Communication Construction Inc. for the Highland Avenue at 38th Street and Rosecrans Avenue at Highland Avenue Street Improvement Project in an Amount Not-to-Exceed \$313,544. The motion carried by the following vote:

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

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

None.

M. OLD BUSINESS

None.

N. NEW BUSINESS

11. Request from Manhattan Village Shopping Center for Nighttime Construction Hours (Interim Community Development Director McIntosh).

[17-0131](#)

DISCUSS AND PROVIDE DIRECTION

City Manager Mark Danaj introduced Interim Community Development Director Anne McIntosh who provided the staff presentation.

Interim Community Development Director McIntosh, Project Development Manager Phil Friedl with JLL PDS Los Angeles and Building Official Ryan Heise responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Karol Wahlberg questioned if the Senior Villa Apartments would be notified about future construction.

Bill Victor related that more notice should be given so the public has an opportunity to come and give their opinions.

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

A motion was made by Councilmember Burton, seconded by Councilmember Powell, to approve the request by the Manhattan Village Mall to approve nighttime construction hours for the Center Court refresh construction, in addition to authorizing the Community Development Director to approve additional requests for nighttime work for a period of six months and also include the required noticing to the Manhattan Village Residents and the Senior Villas. The motion carried by the following vote:

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

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

12. Consider Posting Fair Political Practices Commission (FPPC) Filings in a Conspicuous Section on the City's Website Within 72 Hours of the FPPC Document Filing Deadline (City Clerk Tamura).

[RES 17-0040](#)

DISCUSS, CONSIDER ADOPTING RESOLUTION OR PROVIDE ADDITIONAL DIRECTION

City Clerk Liza Tamura provided the Staff presentation and responded to City Council questions.

Councilmember Powell provided a brief overview of the Campaign Financing Disclosure Issue.

Mayor Lesser opened the floor to public comment.

Bill Victor supports having the campaign filings on the website, but would like it done immediately.

Tami Zamrazil in favor of the software but also wants the filings scanned now.

Martha Andreani supports public disclosure and urges the City Council to pass the resolution.

Kathy Clark supports the resolution and wants to be able to follow the money.

Craig Cadwalder supports the postings, but thinks 24 hours is a long enough reporting time.

Karol Wahlberg supports the postings, but wants it done immediately.

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

City Clerk Tamura clarified that it is not necessary to put in a Public Records Request to view Campaign Filings. These documents are available in the City Clerk's Office.

Management Analyst George Gabriel, City Clerk Tamura, City Manager Mark Danaj and City Attorney Quinn Barrow responded to City Council questions.

A motion was made by Councilmember Burton, seconded by Councilmember Powell, to adopt Resolution No. 17-0040 to post certain FPPC filings on the City's website. The motion carried by the following vote:

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

City Attorney Quinn Barrow clarified that the resolution was approved but the City Council must adopt an ordinance to require mandatory electronic filing.

A motion was made by Councilmember Powell, seconded by Councilmember Burton, to investigate the various software available and come back with an ordinance to implement the software. The motion carried by the following vote:

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

P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

13. Agenda Forecast (City Clerk Tamura).
DISCUSS AND PROVIDE DIRECTION

[17-0083](#)

No changes.

Q. INFORMATIONAL ITEMS

14. Commission Minutes:
This Item Contains Minutes of the following City Commission Meetings:

[17-0126](#)

- a) Parks and Recreation Commission Meeting Minutes of October 24, 2016 (Parks and Recreation Director Leyman)
- b) Parks and Recreation Commission Meeting Minutes of November 28, 2016 (Parks and Recreation Director Leyman)
- c) Cultural Arts Commission Meeting Minutes of January 10, 2017 (Parks and Recreation Director Leyman)
- d) Parks and Recreation Commission Meeting Minutes of January 23, 2017 (Parks and Recreation Director Leyman)

INFORMATION ITEM ONLY

By order of the Chair, this item was received and filed.

R. CLOSED SESSION

None.

S. ADJOURNMENT

At 8:40 PM the March 21, 2017, Regular City Council Meeting was adjourned.

Martha Alvarez
Recording Secretary

David Lesser
Mayor

ATTEST:

Liza Tamura
City Clerk