

City Council

Regular Meeting

Tuesday, February 4, 2014

6:00 PM

City Council Chambers

4:30 Adjourned Regular Meeting - Closed Session



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

Executive Team

John Jalili, Interim 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 two additional times for public comments on the agenda--under "Community Announcements Regarding Upcoming Events," at which time the public may address the City Council regarding any upcoming events for up to one minute in duration for any speaker; and again under "Public Comment on Non-Agenda Items," 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, not including items on the agenda, for up to three minutes for each speaker. Estimated times have been placed under each heading to assist with meeting management. Please note that these times are merely an estimate.

Please note that each speaker may speak for up to 15 minutes at any one Council meeting, with additional time during public hearings.

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.

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

Skylar Sload, 8th Grade, Manhattan Beach Middle School

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 Wednesday, January 29, 2014, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

D. 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.

E. CEREMONIAL CALENDAR

30 MINUTES

F. CITY MANAGER REPORT

5 MINUTES

G. CITY ATTORNEY REPORT

5 MINUTES

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

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 Regarding Upcoming Events" is limited to one minute. A second, extended opportunity to speak is provided under "Public Comment on Non-Agenda Items." While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda, except under very limited circumstances. 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!

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

3 MINUTES PER PERSON - 30 MINUTES MAXIMUM

Speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, not 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, except under very limited circumstances. 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.

K. CONSENT CALENDAR

5 MINUTES

NOTICE TO THE PUBLIC - The items on the "Consent Calendar" are routine and customary business items and will be enacted with one vote. The Mayor will ask the public, the City Councilmembers and the staff if there is anyone who wishes to remove any item from the "Consent Calendar" for public comment, 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, after the Mayor has invited the public to speak.

L. PUBLIC HEARINGS

30 MINUTES PER ITEM

1. Consideration of the Planning Commission Recommendation to Approve and Adopt the City's General Plan Housing Element for the 2013-2021 Planning Period (Community Development Director Thompson). [RES 14-0005](#)
 - a) **CONDUCT PUBLIC HEARING**
 - b) **ADOPT RESOLUTION NO. 14-0005**

Attachments: [Draft City Council Resolution No. 14-0005](#)
[Planning Commission Resolution No. 13-12](#)
[HCD review letter dated December 10, 2013](#)
[Draft 2013-2021 Housing Element Update](#)
[Income categories and Affordable Housing costs, RHNA allocation, and Land In](#)

2. Renewal of the North Manhattan Beach Business Improvement District and Approval of Assessments for Fiscal Year 2014-2015 (Finance Director Moe). [RES 14-0006](#)
 - a) **CONDUCT PUBLIC HEARING**
 - b) **ADOPT RESOLUTION NO. 14-0006**
 - c) **RATIFY 2014 BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD MEMBERS**

Attachments: [Resolution 14-0006](#)
[2014 Projects and Activity Plan](#)

M. GENERAL BUSINESS

30 MINUTES PER ITEM

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3. Leadership Manhattan Beach Class of 2014 Annual Project: Renovation of Live Oak Park Tot-Lot (Parks and Recreation Director Leyman). [14-0065](#)

RECEIVE; REPORT

Attachments: [Existing Play Structure and Water Fountain](#)
[Proposed New Play Structure](#)
[New Water Fountain Design](#)

4. Results of Fiscal Year 2012-2013 Financial Audit (Finance Director Moe). [14-0063](#)

RECEIVE; REPORT

Attachments: [FY 2012-2013 General and Enterprise Fund Summary](#)
[FY 2012-2013 Comprehensive Annual Financial Report](#)
[Report on Internal Control \(Management Letter\)](#)
[Audit Committee Letter](#)

5. Approve a Memorandum of Understanding Between the Manhattan Beach Property Owners Association, Friends of Senior & Scout Community Center and the City of Manhattan Beach Regarding the Scout House Reconstruction Project (Parks and Recreation Director Leyman). [14-0062](#)

APPROVE

Attachments: [\(MOU\) Between Manhattan Beach Property Owners Association, Friends of Ser](#)
[Rendering of Possible Senior and Scout Community Center](#)
[Facility Strategic Plan Report \(April 2008\) for Scout House Structure](#)
[Older Adult Program Monthly Newsletter](#)

6. Direct Staff to Prepare Amendments to Smoking Regulations (*Continued from the September 17, 2013 City Council Meeting*) (Public Works Director Olmos). [13-0478](#)

DISCUSS AND PROVIDE DIRECTION

Attachments: [State of Tobacco Control 2014 and the California Local Grades for Los Angeles](#)
[The Health Consequences of Smoking: 2014 Surgeon General Report](#)
[Comprehensive Outdoor Secondhand Smoke Ordinances](#)
[Supporting Documentation Regarding Smoking Ordinances](#)
[Letters of Support](#)
[Behavioral Health Services Public Opinion Surveys on Smoke-Free Outdoor Are](#)
[Manhattan Beach Restaurants Support Outdoor Smoking Ordinance](#)

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7. Submission of Citywide Street Tree Inventory And Tree Trimming Practices *(Continued from the November 19, 2013, City Council Meeting)* [13-0587](#)
(Public Works Director Olmos).

RECEIVE REPORT AND PROVIDE DIRECTION

Attachments: [Tree Count and Findings](#)
[Top Ten Tree Species](#)
[Top Hardscape Damage](#)

8. Award of Contract to TV Pro Gear in the Amount of \$489,634 for Broadcasting System Upgrades and Installation (Finance Director Moe). [CON 14-0006](#)

APPROVE AND APPROPRIATE

Attachments: [TV Pro Gear Proposal](#)

9. Award of Contract to Teri Black & Company for City Manager Recruitment Services (Estimated Total Value of \$26,500); Appropriation of \$26,500 from the City Council Contingency Fund (City Manager Jalili). [CON 14-0007](#)

APPROVE AND APPROPRIATE

Attachments: [City Manager Recruitment Services Comparison](#)
[Proposal from Teri Black & Company](#)
[Agreement with Teri Black & Company](#)

N. 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.

O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

For speakers who did not speak at the first "Public Comment" period.

3 MINUTES PER PERSON

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

Q. RECEIVE AND FILE ITEMS

The following items are informational items that do not require action by the City Council. They can be "Received and Filed" by one motion: "Motion to Receive and File" or by order of the Chair.

The Mayor will provide a maximum of three minutes for speakers to comment on this category.

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10. Financial Reports: [14-0042](#)
Schedule of Demands: January 16, 2014 (Finance Director Moe).
RECEIVE AND FILE

Attachments: [Schedule of Demands for January 16, 2014](#)

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Feb. 18, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 25, 2014 – Tuesday -- 6:00 PM - Adjourned Regular Meeting (Mid-Year Budget Review)
Mar. 4, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Mar. 18, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Apr. 1, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Apr. 15, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Apr. 22, 2014 – Tuesday -- 5:00 PM - Adjourned Regular Meeting (Boards & Commissions Interviews)
May. 6, 2014 – Tuesday -- 6:00 PM - City Council Meeting
May 8, 2014 – Thursday -- 6:00 PM - City Council Budget Study Session #1
May 13, 2014 – Tuesday -- 6:00 PM - City Council Budget Study Session #2
May 14, 2014 – Wednesday -- 6:00 PM - City Council Budget Study Session #3
May. 20, 2014 – Tuesday -- 6:00 PM - City Council Meeting
May 21, 2014 – Wednesday -- 6:00 PM - City Council Budget Study Session #4
Jun. 3, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jun. 17, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jul. 1, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jul. 15, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 5, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 19, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 7, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 21, 2014 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Feb. 10, 2014 – Monday – 6:30 PM – Library Commission Meeting
Feb. 11, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Feb. 12, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Feb. 24, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
Feb. 26, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Feb. 27, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Mar. 10, 2014 – Monday – 6:30 PM – Library Commission Meeting
Mar. 11, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Mar. 12, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Mar. 24, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
Mar. 26, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Mar. 27, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Apr. 8, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Apr. 9, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Apr. 14, 2014 – Monday – 6:30 PM – Library Commission Meeting
Apr. 23, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Apr. 24, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Apr. 28, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
May 12, 2014 – Monday – 6:30 PM – Library Commission
May 13, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
May 14, 2014 – Wednesday – 6:30 PM – Planning Commission
May 22, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
May 26, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
May 28, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting

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

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
Oct. 13, 2014 – Monday – Columbus Day
Nov. 11, 2014 – Tuesday – Veterans Day
Nov. 27-28, 2014 – Thursday & Friday – Thanksgiving Holiday
Dec. 25, 2014 – Thursday – Christmas Day
Jan. 1, 2015 – Thursday – New Years Day
Jan. 19, 2015 – Monday – Martin Luther King Day