

City Council

Regular Meeting

Tuesday, March 18, 2014

6:00 PM

City Council Chambers

4:00 PM 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

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, March 12, 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

1. Presentation of a "Lifesaving Award" to Toby Brenner and Jeff Hermann for their Heroic Efforts in Rescuing a Potential Drowning Victim on October 6, 2013, near the Strand.
PRESENT

[14-0110](#)**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.

2. Final Payment in the net amount of \$205,802.63 to Roy Allan Slurry Seal; Formally Accept the 2013 Slurry Seal Project as Complete; and Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$10,831.72 (Public Works Director Olmos). [14-0091](#)

APPROVE

Attachments: [Budget, Appropriations and Expenditures](#)
[Location Map](#)

3. Memorandum of Understanding with Police Management Association (Human Resources Director Hanson). [14-0123](#)

APPROVE

Attachments: [Memorandum of Understanding with the PMA](#)
[Staff Report and Memorandum of Agreement with PMA \(approved 12/03/13\)](#)

4. Side Letter Agreement with the Police Officers Association (POA) extending the trial period for the 3/12.5 + 10 work schedule for Patrol (Human Resources Director Hanson). [14-0125](#)

APPROVE

Attachments: [Side Letter of Agreement](#)

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5. Minutes: [14-0057](#)
This item contain minutes of City Council meetings which are presented for approval. Staff recommends that the City Council, by motion, take action to approve the minutes of the
a) City Council Adjourned Regular Meeting-Closed Session of January 7, 2014
b) City Council Regular Meeting of January 7, 2014
c) City Council Adjourned Regular Meeting (Manhattan Village Mall) of January 14, 2014
d) City Council Adjourned Regular Meeting-Closed Session of January 21, 2014
e) City Council Regular Meeting of January 21, 2014
(City Clerk Tamura).
APPROVE

Attachments: [City Council Adjourned Regular Meeting-Closed Session Minutes of January 7, 2014](#)
[City Council Regular Meeting Minutes of January 7, 2014](#)
[City Council Adjourned Regular Meeting \(Manhattan Village Mall\) Minutes of January 14, 2014](#)
[City Council Adjourned Regular Meeting-Closed Session Minutes of January 21, 2014](#)
[City Council Regular Meeting Minutes of January 21, 2014](#)

L. PUBLIC HEARINGS

30 MINUTES PER ITEM

M. GENERAL BUSINESS

30 MINUTES PER ITEM

6. Presentation and Status Report on the Mobility Plan and Proposed Project List (Community Development Director Thompson). [14-0064](#)
RECEIVE REPORT
Attachments: [Draft Projects](#)
7. Ordinance to Prohibit Restaurants from Using Plastic Carry-Out Bags (Public Works Director Olmos). [ORD 14-0004](#)
INTRODUCE ORDINANCE NO. 14-0004
Attachments: [MB Plastic Bag Ordinance No. 2115](#)
[Plastic Bag Amendment Ordinance No. 2158](#)
[Letter to Businesses](#)
[Ordinance No. 14-0004 and Legislative Digest](#)

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8. Ordinance Expanding City Ordinance No. 13-0009 Regarding the Prohibition of the Distribution and Sale of Polystyrene Products (Public Works Director Olmos). [ORD 14-0003](#)

INTRODUCE ORDINANCE NO. 14-0003

Attachments: [Ordinance No. 13-0009](#)
[Ordinance No. 14-0003 and Legislative Digest](#)
[Polystyrene and Plastic Bag Ordinance Letter to Businesses](#)

9. Revised Street Sweeping Refund Process for Expanded Refund Period (Finance Director Moe). [14-0124](#)

RECEIVE REPORT

Attachments: [Revised Street Sweeping Release Form](#)

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.

10. Financial Reports: [14-0098](#)
- a) Schedule of Demands: February 27, 2014.
 - b) Investment Portfolio for the Month Ending January 31, 2014.
 - c) Financial Reports for the Month Ending January 31, 2014.
- (Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedule of Demands for February 27, 2014](#)
[Investment Portfolio for the Month Ending January 31, 2014](#)
[Financial Reports for the Month Ending January 31, 2014](#)

11. Commission Minutes:[14-0100](#)

This item contains minutes of City Council subcommittees and from 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 minutes of the:

a) Planning Commission Meeting of February 26, 2014

b) Parking & Public Improvements Commission Meeting of February 27, 2014

(Community Development Director Thompson).

RECEIVE AND FILE**Attachments:**

[Planning Commission Meeting Minutes of February 26, 2014](#)

[Parking & Public Improvements Commission Meeting Minutes of February 27, 2014](#)

R. ADJOURNMENT**S. FUTURE MEETINGS**

CITY COUNCIL MEETINGS

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)
Apr. 29, 2014 – Tuesday -- 9:00 AM - Adjourned Regular Meeting
May. 6, 2014 – Tuesday -- 6:00 PM - City Council Meeting
May 8, 2014 – Thursday -- 6:00 PM - City Council Budget Study Session #1
May 12, 2014 – Monday -- 6:00 PM - City Council Budget Study Session #2
May. 20, 2014 – Tuesday -- 6:00 PM - City Council Meeting
May 21, 2014 – Wednesday -- 6:00 PM - City Council Budget Study Session #3
May 29, 2014 – Thursday -- 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
Nov. 4, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 18, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

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
Jun. 9, 2014 – Monday – 6:30 PM – Library Commission Meeting
Jun. 10, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Jun. 11, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jun. 23, 2014 – Monday – 6:30 PM – Parks & Recreation Commission Meeting
Jun. 25, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jun. 26, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting

T. CITY HOLIDAYS

CITY OFFICES CLOSED ON THE FOLLOWING DAYS:

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

Feb. 16, 2015 – Monday – President's Day