

City Council
Regular Meeting
Wednesday, November 5, 2014
6:00 PM
City Council Chambers



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

Executive Team

Mark Danaj, 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

Nadine Nader, Assistant City Manager
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.

November 5, 2014

City Council Meeting Agenda Packet

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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

Jack Storer, 5th Grade, Pacific Elementary School

B. NATIONAL ANTHEM

5 MINUTES

C. ROLL CALL

1 MINUTE

D. 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, October 30, 2014, 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

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.

F. CEREMONIAL CALENDAR

30 MINUTES

1. Presentation of a Commendation Recognizing Madonna Newburg for her Contributions to the City of Manhattan Beach. [14-0484](#)

PRESENT

Attachments: [Madonna Newburg Commendation](#)

2. Presentation of a Proclamation Declaring the Month of November, 2014, as National Family Caregivers Month. [14-0485](#)

PRESENT

Attachments: [National Family Caregivers Month Proclamation 2014](#)

G. CITY MANAGER REPORT

5 MINUTES

H. CITY ATTORNEY REPORT

5 MINUTES

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

J. 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!

K. 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.

L. 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.

3. Award Contract to Hazen and Sawyer for Engineering Services to Evaluate and Optimize City's Water Disinfectant Process in the Amount of \$55,725 (Public Works Director Olmos).

[CON 14-0045](#)**APPROVE**

Attachments: [Engineering Services Agreement with Hazen and Sawyer](#)

4. (a) Reclassify the Existing Senior Deputy City Clerk position from the Teamsters Bargaining Group to Management Confidential.
(b) Establish a Salary Range and Benefits for the previously Council-approved and Budgeted Full- Time Graphic Artist Classification (Human Resources Director Hanson).

[14-0493](#)**APPROVE**

5. Award Contract with Martin & Chapman in the Amount Not-to-Exceed \$60,000 for Election Services Related to the Tuesday, March 3, 2015 General Municipal Election (City Clerk Tamura).

[CON 14-0046](#)**APPROVE**

Attachments: [Agreement with Martin & Chapman for Election Services](#)

-
6. Contract Amendment with Tyler Technologies for a Cashiering System Module for the Existing Financial System in an Amount not to Exceed \$60,000 as Provided for in the City's Information Systems Master Plan and Budget (Finance Director Moe). [CON 14-0049](#)
- APPROVE**
- Attachments:** [Statement of Work from Tyler Technologies](#)
[Tyler Techynologies Cashiering Quotation](#)
7. Ordinance No. 14-0020 Amending Chapter 4.108 of the Manhattan Beach Municipal Code (Vehicles for Hire) to Update the Requirements for Clean Air Vehicles (Finance Director Moe). [ORD 14-0020](#)
- WAIVE FURTHER READING; INTRODUCE ORDINANCE NO. 14-0020**
- Attachments:** [Ordinance No. 14-0020](#)
8. Approve an Amendment to the Memorandum of Understanding between the Cities of Manhattan Beach, Redondo Beach, Hermosa Beach, Torrance and the Los Angeles County Flood Control District for Administration and Cost Sharing for Development of Phase II of the Enhanced Watershed Management Program (Public Works Director Olmos). [CON 14-0048](#)
- APPROVE**
- Attachments:** [Amendment to the Agreement for EWMP](#)
[Memorandum of Understanding 2013](#)
9. Minutes: [14-0344](#)
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 October 7, 2014
 - b) City Council Regular Meeting of October 7, 2014
 - c) City Council Special Meeting - Closed Session of October 15, 2014
 - d) City Council Adjourned Regular Meeting - Closed Session of October 24, 2014
- (City Clerk Tamura).
- APPROVE**
- Attachments:** [City Council Adjourned Regular Meeting-Closed Session Minutes of October 7,](#)
[City Council Regular Meeting Minutes of October 7, 2014](#)
[City Council Special Meeting - Closed Session Minutes of October 15, 2014](#)
[City Council Adjourned Regular Meeting - Closed Session Minutes of October 2](#)

M. PUBLIC HEARINGS

30 MINUTES PER ITEM

N. GENERAL BUSINESS

30 MINUTES PER ITEM

10. Government Access Channel Broadcast Capabilities (Finance Director Moe). [14-0465](#)
RECEIVE REPORT; DISCUSS AND PROVIDE DIRECTION
Attachments: [CMB Government Access Channel Broadcast Schedule](#)
[13-0481 Staff Report November 5, 2014, City Broadcast Capabilities](#)
11. Fiscal Year 2014-2015 First Quarter (July-September) Budget Update Status Report and Implementation of the OpenGov Financial Application (City Manager Danaj). [14-0480](#)
RECEIVE REPORT; COMMENT
Attachments: [Fiscal Year 2014-2015 Quarter 1 Financial Reports](#)
[General Fund Forecast of Revenues and Expenditures](#)
12. Advanced Gas Meter Installations Update and Presentation (Public Works Director Olmos). [14-0477](#)
RECEIVE REPORT
Attachments: [Gas Company Advanced Meter Presentation](#)
13. Status report on Construction Rules, Surety Bonds, and Construction Parking Permits (Community Development Director Thompson). [14-0371](#)
RECEIVE REPORT
Attachments: [Statistical Numbers for 6 Months](#)
[Original Staff Report from March 6, 2014](#)
[Meeting Minutes from March 6, 2014](#)
14. Ordinance No. 14-0017 Amending and Restating Municipal Code Provisions Governing Nuisances and Nuisance Abatement Procedures (City Attorney Barrow). [ORD 14-0017](#)
WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 14-0017
Attachments: [ORD No. 14-0017](#)
[MBMC Chapters 4.60 & 9.68](#)

O. 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.

P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

For speakers who did not speak at the first "Public Comment" period because the 30 minute time limit was reached.

3 MINUTES PER PERSON

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

R. 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.

15. Financial Reports:[14-0473](#)

- a) Schedule of Demands: October 9, 2014
- b) Investment Portfolio for the Month Ending September 30, 2014
- c) Financial Reports for the Month Ending September 30, 2014
(Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedule of Demands for October 9, 2014](#)
[Investment Portfolio for the Month Ending September 30, 2014](#)
[Financial Reports for the Month Ending September 30, 2014](#)

16. Commission Minutes:[14-0489](#)

This item contains 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 minutes of the:

- a) Cultural Arts Commission Meeting of September 9, 2014
(Parks and Recreation Director Leyman)

RECEIVE AND FILE

Attachments: [Cultural Arts Commission Action Minutes of September 9, 2014](#)

S. ADJOURNMENT

T. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Nov. 6, 2014 - Thursday - 6:00 PM - Adjourned Regular Meeting (ULI)
Nov. 18, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 9, 2014 – Tuesday -- 6:00 PM - Adjourned Regular Meeting - Study Session
Dec. 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Jan. 6, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Jan. 20, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 3, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 17, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Mar. 4, 2015 – Wednesday -- 6:00 PM - City Council Meeting
Mar. 17, 2015 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Nov. 10, 2014 – Monday – 6:30 PM – Library Commission Meeting
Nov. 11, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting (Cancelled)
Nov. 12, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Nov. 24, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Nov. 26, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Nov. 27, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Dec. 8, 2014 – Monday – 6:30 PM – Library Commission Meeting
Dec. 9, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Dec. 10, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Dec. 22, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

U. CITY HOLIDAYS

CITY OFFICES CLOSED ON THE FOLLOWING DAYS:

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
May. 25, 2015 – Monday – Memorial Day
Jul. 3, 2015 - Friday - Independence Day
Sep. 7, 2015 – Monday – Labor Day
Oct. 12, 2015 – Monday – Columbus Day

Agenda Date: 11/5/2014

TO:

Members of the City Council

FROM:

Mayor Powell

SUBJECT:

Presentation of a Commendation Recognizing Madonna Newburg for her Contributions to the City of Manhattan Beach.

PRESENT

**The City Council of the City of Manhattan Beach
Does Hereby Proudly Recognize
Madonna Newburg
for her Contributions in Helping to Make
Manhattan Beach
an Exceptional and Unique Community**

I ♥ MIB COMMENDATION

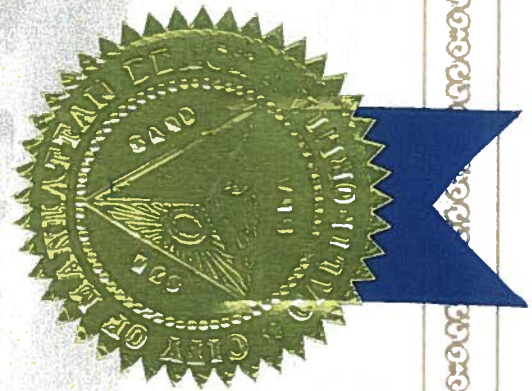
Recognizing People, Places & Organizations
That Make **Manhattan Beach**
The **Community We All Love!**

The City Council of the City of Manhattan Beach Does Hereby Proudly Recognize

Madonna Newburg

*for Her Contribution in Helping Make Manhattan Beach
an Exceptional and Unique Community*

Dated this 4th Day of November, 2014



Wayne Powell

Mayor Wayne Powell

Agenda Date: 11/5/2014

TO:

Members of the City Council

FROM:

Mayor Powell

SUBJECT:

Presentation of a Proclamation Declaring the Month of November, 2014, as National Family Caregivers Month.

PRESENT

**The City Council of the City of Manhattan Beach
Does Hereby Proudly Recognize
November 2014 as
National Family Caregivers Month**

City of Manhattan Beach, California

Proclamation

**National Family Caregivers Month
"Family Caregivers Matter!"
November 2014**

WHEREAS, *the family is the cornerstone of our nation and family caregivers act out of profound love, dedication, and commitment in caring for our loved ones; and*

WHEREAS, *60 million family caregivers in the United States are the unacknowledged backbone of the nation's long-term healthcare system by providing daily assistance to manage health and personal care, thus enabling their loved ones to stay in the home longer; and*

WHEREAS, *many family members who provide care to a loved one are loving daughters and sons, spouses and partners, parents, siblings and friends throughout every part of our community; and*

WHEREAS, *family caregivers greatly improve the quality of life for our loved ones, spending an average of 20 hours per week providing care, and many caring for our loved ones around the clock; and*

WHEREAS, *between balancing their own lives and caring for our loved ones, caring for our young children and our aging parents, we reflect this month on the strength and grace of caregivers, who deserve our love, appreciation, and support.*

NOW, THEREFORE, BE IT RESOLVED that I, Wayne Powell, Mayor of the City of Manhattan Beach, California, on behalf of the City Council and the residents do hereby recognize November 2014 as

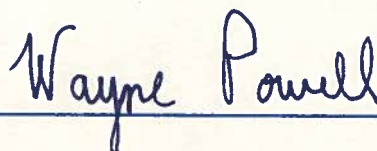
NATIONAL FAMILY CAREGIVERS MONTH

with the theme "Family Caregivers Matter!" in The City of Manhattan Beach, California.

DATED this 5th day of November, 2014.



City Clerk



Mayor

Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Tony Olmos, Public Works Director
Bruce Moe, Finance Director
Raul Saenz, Utilities Manager
Gwen Eng, Purchasing Manager

SUBJECT:

Award Contract to Hazen and Sawyer for Engineering Services to Evaluate and Optimize City's Water Disinfectant Process in the Amount of \$55,725 (Public Works Director Olmos).

APPROVE

RECOMMENDATION:

Staff recommends that the City Council award RFP #993-15 to Hazen and Sawyer for an engineering services contract to evaluate and optimize the City's water disinfectant process in the amount of \$55,725.

FISCAL IMPLICATIONS:

Sufficient funds are available in the Fiscal Year (FY) 2014-2015 Public Works Department budget for this project.

BACKGROUND:

The City operates its two wells, Wells 11A and 15, by blending groundwater with imported water from the Metropolitan Water District of Southern California (MWD) at Block 35 and Peck Reservoirs. MWD water contains chloramines (chlorine / ammonia mix) for disinfection and is mixed at the reservoirs with groundwater containing naturally occurring ammonia. Chlorine is added to the combined flow at the reservoirs in an effort to disinfect the groundwater. Variations in the proportion of MWD water and groundwater, as well as variations in groundwater quality, adversely impact the interactions of ammonia, chlorine and chloramines, thereby creating challenges in maintaining consistent disinfection levels in the blended water.

DISCUSSION:

This effort is aimed to create predictable and consistent disinfection levels that will minimize the risk of reduced water quality. In order to resolve this issue, requests for proposals were issued to four Engineering firms that specialize in this type of work, as well as posting on the City's website. A single response from Hazen and Sawyer was received. When queried, the other firms stated that they do not have the capacity to handle this project at this time. In addition, resoliciting proposals will delay the project which needs to be completed in a timely manner.

Hazen & Sawyer brings a level expertise in water chemistry, water system operations and water system design that will assist the City in taking corrective action. They will: 1) assess the City's historical water quality and operations data to develop a baseline; 2) evaluate the current state of the water system disinfection stability, level of disinfection byproducts and nitrification through a comprehensive water monitoring plan; 3) develop a sampling and analysis plan for the reservoirs and water distribution system to create an action plan to provide protocols for maintaining strong disinfection throughout the water system; 4) recommend chemical feed and monitoring system related capital improvements; and 5) communicate and coordinate with the California Department of Health for acceptability of capital improvements and in preparation of an amendment of the City's drinking water permit.

Upon completion of this study, staff will evaluate the recommended capital improvement options. Subsequently, a Request For Proposal will be developed to solicit a design/build agreement to construct the most viable capital improvement option.

CONCLUSION:

Staff recommends that the City Council award RFP #993-15 to Hazen and Sawyer for engineering services to evaluate and optimize the City's water disinfectant process in the amount of \$55,725.

Attachment:

1. Engineering Services Agreement with Hazen and Sawyer

AGREEMENT FOR ENGINEERING PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into on this 22nd day of October, 2014, by and between the City of Manhattan Beach, a municipal corporation ("City") and Hazen and Sawyer, P.C., a New York corporation dba Hazen and Sawyer ("Contractor") (collectively, the "Parties").

RECITALS

A. City desires to obtain services of Contractor for engineering services to evaluate City's water system disinfection stability and associated regulatory compliance issues.

B. Contractor represents that it is qualified and able to perform the services ("Services") required by this Agreement.

NOW, THEREFORE, in consideration of the Parties' performance of the promises, covenants, and conditions stated herein, the Parties hereto agree as follows:

Section 1. Contractor's Services. Contractor shall perform the Services described in Tasks 1- 5 ("Services") of Exhibit A – Scope of Services, in a manner satisfactory to City and consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. Task 6 in the Scope of Services is excluded from this Agreement.

Section 2. Term of Agreement. This Agreement shall apply to services rendered on or after October 22, 2014, and shall terminate when the work is completed, unless sooner terminated by City.

Section 3. Time of Performance. Contractor shall commence its Services under this Agreement upon receipt of a written notice to proceed from City. Contractor shall complete the Services in conformance with the timeline set forth in Exhibit A (Tasks 1-5), or as otherwise directed by City's representative.

Section 4. Compensation.

(a) City agrees to pay Contractor in accordance with the fee schedule attached hereto as Exhibit B. Except as otherwise stated in subsection (c) of this section, in no event shall Contractor be paid more than \$55,725 during the term of this Agreement. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void.

(b) Unless expressly provided for in Exhibit B, Contractor shall not be entitled to reimbursement for any expenses. Any expenses incurred by Contractor that are not expressly authorized by this Agreement will not be reimbursed by City.

(c) The City Manager may authorize cumulative increases for additional work of up to \$20,000. Any additional work in excess of this amount shall be approved by the City Council.

Section 5. Method of Payment. City shall pay Contractor the compensation set forth in Section 4 in accordance with the method and schedule of payment set forth in Exhibit B, attached hereto and incorporated herein. Unless otherwise specified in Exhibit B, Contractor shall submit to City a detailed invoice on a monthly basis for the services performed pursuant to this Agreement. Each invoice shall describe in detail the Services rendered during the period, the Tasks (1-5) to which those Services relate, the days worked, number of hours worked, the hourly rates charged, and the Services performed for each day in the period, as applicable. Within 45 days of receipt of each invoice, City shall pay all undisputed amounts included on the invoice.

Section 6. Independent Contractor. The Parties agree, understand, and acknowledge that Contractor is not an employee of City, but is solely an independent contractor. Contractor expressly acknowledges and agrees that City has no obligation to pay or withhold state or federal taxes or to provide workers' compensation or unemployment insurance or other employee benefits and that any person employed by Contractor shall not be in any way an employee of City. As such, Contractor shall have the sole legal responsibility to remit all federal and state income and social security taxes and to provide for his/her own workers' compensation and unemployment insurance and that of his/her employees or subcontractors. Neither City nor any of its agents shall have control over the conduct of Contractor or any of Contractor's employees. Contractor shall not, at any time, or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of City. Contractor shall indemnify and hold harmless City and its elected officials, officers and employees, servants, designated volunteers, and agents serving as independent contractors in the role of City officials, from any and all liability, damages, claims, costs and expenses of any nature to the extent arising from Contractor's personnel practices. City shall have the right to offset against the amount of any fees due to Contractor under this Agreement any amount due to City from Contractor as a result of Contractor's failure to promptly pay to City any reimbursement or indemnification arising under this Section 6.

Section 7. Assignment. This Agreement shall not be assigned, in whole or in part, by Contractor without the prior written approval of City. Any attempt by Contractor to so assign this Agreement or any rights, duties, or obligations arising hereunder shall be void and of no effect.

Section 8. Responsible Principals.

(a) Contractor's responsible principal, Lynn Grijalva, PE, shall be principally responsible for Contractor's obligations under this Agreement and shall serve as principal liaison between City and Contractor. Designation of another Responsible Principal by Contractor shall not be made without prior written consent of City.

(b) City's Responsible Principal shall be the City Manager, who shall administer the terms of the Agreement on behalf of City.

Section 9. Personnel. Contractor represents that it has, or shall secure at its own expense, all personnel required to perform the Services under this Agreement. All personnel engaged in the work shall be qualified to perform such Services.

Section 10. Permits and Licenses. Contractor shall obtain and maintain during the term of this Agreement all necessary licenses, permits, and certificates required by law for the provision of the Services, including a business license.

Section 11. Interests of Contractor.

(a) Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which may be affected by the Services, or which would conflict in any manner with the performance of the Services. Contractor further covenants that, in performance of this Agreement, no person having any such interest shall be employed by it. Furthermore, Contractor shall avoid the appearance of having any interest, which would conflict in any manner with the performance of the Services. Contractor shall not accept any employment or representation during the term of this Agreement which is or may likely make Contractor "financially interested" (as provided in California Government Code §§ 1090 and 87100) in any decision made by City on any matter in connection with which Contractor has been retained.

(b) Contractor further warrants and maintains that it has not employed or retained any person or entity, other than a bona fide employee working exclusively for Contractor, to solicit or obtain this Agreement. Nor has Contractor paid or agreed to pay any person or entity, other than a bona fide employee working exclusively for Contractor, any fee, commission, gift, percentage, or any other consideration contingent upon the execution of this Agreement. Upon any breach or violation of this warranty, City shall have the right, at its sole and absolute discretion, to terminate this Agreement without further liability, or to deduct from any sums payable to Contractor hereunder the full amount or value of any such fee, commission, percentage or gift.

(c) Contractor warrants and maintains that it has no knowledge that any officer or employee of City has any interest, whether contractual, non-contractual, financial, proprietary, or otherwise, in this transaction or in the business of Contractor, and that if any such interest comes to the knowledge of Contractor at any time during the term of this Agreement, Contractor shall immediately make a complete, written disclosure of such interest to City, even if such interest would not be deemed a prohibited "conflict of interest" under applicable laws as described in this subsection.

Section 12. Insurance. [Check if Applicable]

(a) Contractor shall at all times during the term of this Agreement carry, maintain, and keep in full force and effect, insurance as follows:

1. A policy or policies of Comprehensive General Liability Insurance, with minimum limits of \$2,000,000 for each occurrence, combined single limit, against any personal injury, death, loss, or damage resulting from the wrongful or negligent acts by Contractor.

2. A policy or policies of Comprehensive Vehicle Liability Insurance covering personal injury and property damage, with minimum limits of \$1,000,000 per occurrence combined single limit, covering any vehicle utilized by Contractor in performing the Services required by this Agreement.

3. Workers' compensation insurance as required by the State of California.

4. A policy or policies of Professional Liability Insurance (errors and omissions) with minimum limits of \$2,000,000 per claim and in the aggregate. Any deductibles or self-insured retentions attached to such policy or policies must be declared to and be approved by City. Further, Contractor agrees to maintain in full force and effect such insurance for one year after performance of work under this Agreement is completed.

(b) Other Insurance Provisions. The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. City, its officers, officials, employees, designated volunteers and agents serving as independent contractors in the role of City officials, are to be covered as additional insureds as respects: liability arising out of activities performed by or on behalf of Contractor; products and completed operations of Contractor; premises owned, occupied or used by Contractor; or automobiles owned, leased, hired or borrowed by Contractor. The coverage shall contain no limitations on the scope of protection afforded to City, its officers, officials, employees, designated volunteers or agents serving as independent contractors in the role of City officials which are not also limitations applicable to the named insured.

2. For any claims related to this Agreement, Contractor's insurance coverage shall be primary insurance as respects City, its officers, officials, employees, designated volunteers and agents serving as independent contractors in the role of City officials. Any insurance or self-insurance maintained by City, its officers, officials, employees, designated volunteers or agents serving as independent contractors in the role of City officials shall be excess of Contractor's insurance and shall not contribute with it.

3. Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

4. Each insurance policy, except for the professional liability policy, required by this clause shall expressly waive the insurer's right of subrogation against

City and its elected officials, officers, employees, servants, attorneys, designated volunteers, and agents serving as independent contractors in the role of City officials.

5. Each insurance policy required by this Agreement shall be endorsed to state: should the policy be canceled before the expiration date, the issuing insurer shall mail 30 days' prior written notice to City.

6. If insurance coverage is canceled or reduced in coverage or in limits, Contractor shall within two business days of notice from insurer, phone, fax and/or notify City via certified mail, return receipt requested, of the changes to or cancellation of the policy.

(c) City's Risk Manager may, in writing, amend and/or waive any or all of the insurance provisions set forth herein. In such case, Contractor shall comply with the insurance provisions required by City's Risk Manager.

(d) The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A-;VII in the latest edition of Best's Insurance Guide, unless waived in writing by City's Risk Manager.

(e) Contractor agrees that if it does not keep the insurance required by this Section 12 in full force and effect, City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, City may take out the necessary insurance and pay, at Contractor's expense, the premium thereon.

(f) All insurance coverages shall be confirmed by execution of endorsements on forms approved by City. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements are to be received and approved by City before services commence. As an alternative to City forms, Contractor's insurer may provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

(g) Any deductibles or self-insured retentions must be declared to and approved by City, and shall not exceed \$25,000.

(h) Contractor shall require each of its sub-contractors (if any) to maintain insurance coverage that meets all of the requirements of this Agreement.

Section 13. Indemnification. Contractor shall hold harmless and indemnify City, and its elected officials, officers, employees, servants, designated volunteers, and those city agents serving as independent consultants in the role of city officials (collectively, "Indemnitees"), with respect to any and all claims, demands, damages, liabilities, losses, costs or expenses, including reimbursement of attorneys' fees and costs of defense (collectively, "Claims" hereinafter), including but not limited to Claims relating to death or injury to any person and injury to any property, which arise out of, pertain to, or relate to in whole or in part to the negligence, recklessness, or willful misconduct of Contractor or any of its officers, employees, subcontractors, or agents in the

performance of its services under this Agreement. Contractor shall defend Indemnitees in any action or actions file in connection with any such Claims with counsel of City's choice, and shall pay all costs, judgments, and expenses, including all attorneys' fees and experts' costs actually incurred in connection with such defense. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Contractor or City. All duties of Contractor under this Section shall survive termination of this Agreement.

Section 14. Termination.

(a) City shall have the right to terminate this Agreement for any reason or for no reason upon five calendar days' written notice to Contractor. Contractor agrees to cease all work under this Agreement on or before the effective date of such notice.

(b) City may at any time, for any reason, with or without cause, suspend this Agreement, or any portion hereof, by serving upon Contractor written notice. Upon receipt of such notice, Contractor shall immediately cease all work under this Agreement, unless the notice provides otherwise. If City suspends only a portion of this Agreement, such suspension shall not make void or invalidate the remainder of this Agreement.

(c) In the event of termination or cancellation of this Agreement by City, due to no fault or failure of performance by Contractor, Contractor shall be paid based on the percentage of work satisfactorily performed at the time of termination. In no event shall Contractor be entitled to receive more than the amount that would be paid to Contractor for the full performance of the Services required by this Agreement. Contractor shall have no other claim against City by reason of such termination, including any claim for compensation.

Section 15. City's Responsibility. City shall provide Contractor with all pertinent data, documents, and other requested information as is available for the proper performance of Contractor's Services.

Section 16. Information and Documents.

(a) Contractor covenants that all data, documents, discussion, or other information (collectively "Data") developed or received by Contractor or provided for performance of this Agreement are deemed confidential and shall not be disclosed or released by Contractor without prior written authorization by City. City shall grant such authorization if applicable law requires disclosure. Contractor, its officers, employees, agents, or subcontractors, shall not without written authorization from the City Manager or unless requested in writing by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement or relating to any project or property located within the City. Response to a subpoena or court order shall not be considered "voluntary," provided Contractor gives City notice of such court order or subpoena.

(b) Contractor shall promptly notify City should Contractor, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder or with respect to any project or property located within the City. City retains the right, but has no obligation, to represent Contractor and/or be present at any deposition, hearing or similar proceeding. Contractor agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Contractor. However, City's right to review any such response does not imply or mean the right by City to control, direct, or rewrite the response.

(c) All Data required to be furnished to City in connection with this Agreement shall become the property of City, and City may use all or any portion of the Data submitted by Contractor as City deems appropriate. Upon completion of, or in the event of termination or suspension of this Agreement, all original documents, designs, drawings, maps, models, computer files containing data generated for the work, surveys, notes, and other documents prepared in the course of providing the Services shall become the sole property of City and may be used, reused or otherwise disposed of by City without Contractor's permission.

(d) Contractor shall maintain complete and accurate records with respect to sales, costs, expenses, receipts and other such information required by City that relate to the performance of the Services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. Contractor shall provide free access to City, its designees and representatives at reasonable times, and shall allow City to examine and audit the books and records, to make transcripts therefrom as necessary, and to inspect all work, data, documents, proceedings and activities related to this Agreement. Such records, together with supporting documents, shall be maintained for a period of 3 years after receipt of final payment.

(e) Contractor's covenants under this Section shall survive the termination of this Agreement.

Section 17. Default

(a) Contractor's failure to comply with the provisions of this Agreement shall constitute a default. In the event that Contractor is in default for cause under the terms of this Agreement, City shall have no obligation or duty to continue compensating Contractor for any work performed after the date of default and can terminate this Agreement immediately by written notice to Contractor. If such failure by Contractor to make progress in the performance of work hereunder arises out of causes beyond Contractor's control, and without fault or negligence of Contractor, it shall not be considered a default.

(b) If the City Manager or his delegate determines that Contractor is in default in the performance of any of the terms or conditions of this Agreement, City shall serve Contractor with written notice of the default. Contractor shall have ten (10) days after service upon it of the notice in which to cure the default by rendering a satisfactory performance. In the event that Contractor fails to cure its default within such period of time, City shall have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement.

Section 18. Changes in the Services. City shall have the right to order, in writing, changes in the Services or the services to be performed. Any changes in the Services requested by Contractor must be made in writing and approved by both Parties.

Section 19. Notice. Any notices, bills, invoices, etc. required by this Agreement shall be deemed received on (a) the day of delivery if delivered by hand during the receiving party's regular business hours or by facsimile before or during the receiving party's regular business hours; or (b) on the second business day following deposit in the United States mail, postage prepaid, to the addresses set forth below, or to such other addresses as the Parties may, from time to time, designate in writing pursuant to this section.

If to City: City of Manhattan Beach
 1400 Highland Avenue
 Manhattan Beach, California 90266
 Attn: Raul Saenz

If to Contractor: Hazen and Sawyer
 1149 S. Hill Street, Suite 450
 Los Angeles, CA 90015
 Attn: Lynn Grijalva, PE

Section 20. Attorneys' Fees. If a party commences any legal, administrative, or other action against the other party arising out of or in connection with this Agreement, the prevailing party in such action shall be entitled to have and recover from the losing party all of its attorneys' fees and other costs incurred in connection therewith, in addition to such other relief as may be sought and awarded.

Section 21. Entire Agreement. This Agreement represents the entire integrated agreement between City and Contractor, and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both City and Contractor.

Section 22. Governing Law. The interpretation and implementation of this Agreement shall be governed by the domestic law of the State of California.

Section 23. Venue. Any litigation concerning this Agreement shall take place in the municipal, superior, or federal district court with geographic jurisdiction over the City of Manhattan Beach.

Section 24. City Not Obligated to Third Parties. City shall not be obligated or liable under this Agreement to any party other than Contractor.

Section 25. Exhibits; Precedence. All documents referenced as exhibits in this Agreement are hereby incorporated in this Agreement. In the event of any discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail.

Section 26. Corporate Authority. The persons executing this Agreement on behalf of the Parties warrant that they are duly authorized to execute this Agreement on behalf of the Parties and that by their execution, the Parties are formally bound to the provision of this Agreement.


Section 27. Severability. Invalidation of any provision contained herein or the application thereof to any person or entity by judgment or court order shall in no way affect any of the other covenants, conditions, restrictions, or provisions hereof, or the application thereof to any other person or entity, and the same shall remain in full force and effect.

EXECUTED on the date first written above at Manhattan Beach, California.

CITY OF MANHATTAN BEACH

CONTRACTOR: Hazen and Sawyer

Mark Danaj
City Manager



Lynn Grijalva, PE
Vice President

ATTEST:

October 22, 2014

LIZA TAMURA
City Clerk

APPROVED AS TO FORM:



QUINN M. BARROW
City Attorney

EXHIBIT A
SCOPE OF SERVICES
City of Manhattan Beach
RFP # 993-15
Engineering Services for Disinfection Residual Stability and Regulatory Compliance

SECTION 1: PROPOSED APPROACH

PROJECT UNDERSTANDING

The City of Manhattan Beach has a reliable source of local groundwater from two wells – Wells 11A and 15. Due to natural aquifer conditions, the wells have compounds that can cause disinfectant residual stability challenges (ammonia) and aesthetic concerns (color, sulfur odor). The natural ammonia is not regulated but has significant implications for water quality. Ammonia can significantly affect disinfection chemistry by forming chloramines. When formed in an uncontrolled manner, inadvertent reactions can occur that cause loss of disinfectant residual and increase the chance for bacterial growth in the distribution system. In addition, excess ammonia is available to ammonia oxidizing bacteria that convert the ammonia to nitrite, causing more loss of disinfectant residual.

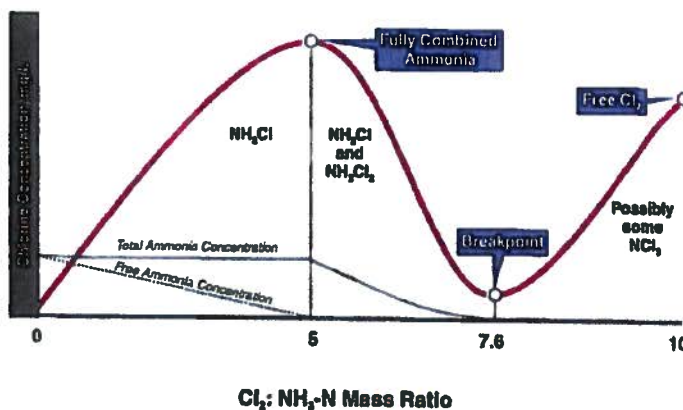
The City operates the wells by blending groundwater with water from the Metropolitan Water District of Southern California (Metropolitan) at Block 35 and Peck Reservoirs. Metropolitan water contains chloramines for secondary disinfection, which is mixed with Manhattan Beach groundwater containing ammonia. The ratio is capped at approximately 75% groundwater to maintain manganese concentrations below the secondary maximum contaminant level (MCL).

Chlorine is currently added into the combined flow with flow pacing of hypochlorite. Variations in the proportion of Metropolitan water and groundwater, as well as variations in groundwater quality, impact the chlorine-to-ammonia ratio of chloramines. If greater than 5:1 $Cl_2:NH_3-N$, the water can form dichloramines (a strong “swimming pool” odor) or reach breakpoint where ammonia disappears and the chlorine residual drops. If less than 5:1, free ammonia

will be present and ammonia oxidizing bacteria can use the free ammonia as an energy source, degrading the chloramine residual. A strong disinfectant residual is necessary to prevent bacterial regrowth in the distribution system.

The City needs to balance competing water quality regulatory requirements, including:

- Primary and Secondary Maximum Contaminant Levels (MCLs) – groundwater is above the MCL for manganese, requiring blending, and has the potential for formation of nitrite levels above the MCL arising from the natural ammonia
- Total Coliform Rule (TCR)– requiring maintenance of a measurable disinfectant residual in the distribution system and limiting bacterial growth
- Stage 2 Disinfectants and Disinfection Byproducts Rule – regulating byproducts that form when chlorine or chloramines react with natural organics in the water
- Notification Levels (NLs) – the groundwater may have a higher potential for formation of nitrosamines including NDMA, due to the availability of nitrogenous compounds
- Groundwater Rule – achievement of adequate disinfection of well water (CT) can be challenging if natural ammonia is present



Specific tasks that Hazen and Sawyer proposes to perform for the City in this project include:

Task 1 – Assess water quality and operations data

We are very familiar with Manhattan Beach groundwater quality since groundwater was extensively studied by our team in the West Basin Desalination Integration study, which will allow us to minimize costs and time required to complete this project. Four months of weekly groundwater quality data was collected on Well 11A and more limited data on Well 15. The West Basin integration study also involved testing disinfectant residual stability, closely mimicking current operations at the City blending facilities, and formation potential testing for nitrosamines.

In this study, we will first compile City water quality data from the last 5 years of operation to assess water quality, including levels of constituents and fluctuations, which could impact potential control strategies. The current blending approaches at Peck Reservoir and Block 35 will be reviewed and opportunities identified for not only improving disinfectant residual stability but harnessing natural ammonia to the benefit of the City. Options for addressing the natural ammonia will be evaluated to provide the City with an understanding of the outcomes from different approaches. Disinfectant by-product formation tests will be run with the following disinfectant strategies to determine the potential DBPs formed and chemical doses needed to optimize disinfection:

1. Use of natural ammonia to form chloramines
2. Breakpoint of natural ammonia to yield free chlorine then addition of ammonia to form chloramines

The outcome of Task 1 will be an analysis of water quality data and identification of feasible alternatives for attaining more stable operations and compliance with water quality regulations. The deliverable will be a meeting with the City to discuss the findings and strategy for completing the remaining tasks.

Task 2 – Evaluate distribution system water quality

In Task 2, Hazen and Sawyer will develop a short-term monitoring plan for assessing residual (chlorine vs. chloramine) and nitrification in the system, including sampling methods and monitoring frequency. This plan will address distribution system water quality, including TCR and Stage 2 D/DBP Rule compliance in particular.

We propose a two-pronged approach for improving water quality in the Manhattan Beach distribution system. First, we will use the City's hydraulic model to determine if short-term opportunities exist to improve circulation in areas of high water age in the distribution system. To identify any specific factors causing residual loss, we will identify:

- Areas with low disinfectant residuals
- Areas with continual or periodic nitrification episodes
- Areas without nitrification problems
- Water age in the distribution system, including water storage facilities
- Usage patterns of groundwater and blending.

This information will be coupled with information on pipe age and materials to evaluate if specific factors can be identified that are causing disinfectant residual losses. We will also conduct model runs to identify optimal locations for chlorine feed stations to boost chloramines residual in the distribution system. Modeling of residual decay will be compared with residual samples collected in the distribution system to assess the impact of water age on water quality. Additionally, bulk decay tests will be completed for the different sources to develop understanding of how fast the residual is disappearing. This would serve as a good test to verify the impact of different dosing techniques.

Task 2 is important because it will provide the City with insight into the distribution network and determine whether operational adjustments and/or additions would resolve the issues, or if pipe main replacement is necessary to improve the overall water quality to comply with primary and secondary standards.

Sampling and Analysis Plan Outline

1. **Background**
 - a. Chloramine Fundamentals
 - b. System Operational Strategies
2. **Sampling and Analysis**
 - a. Monitoring Locations
 - b. Sample Collection Procedures
 - c. Monitoring Frequency
 - d. Reporting Frequency
3. **Water Quality Thresholds**
 - a. Action Levels
 - b. Corrective Actions
4. **Summary and Recommendations**

Findings in Task 2 will be provided to the City in the final project technical memorandum. Recommendations will include potential network looping options, storage operational changes, valving operational changes, and prioritizing distribution system pipe replacements based on the outcome of hydraulic modeling with disinfectant residual analysis.

Task 3 – Develop sampling and analysis plan for blending facilities and distribution system

In Task 3, we will develop a tailored sampling and analysis plan for City operations staff to monitor chloramines formation and residual stability in the blends of MWD water and groundwater blends, as well as in the distribution system. This plan will be prepared to provide materials for training new staff in chloramines formation and the best practices in maintaining the disinfectant residual throughout the system. An action plan will be developed to provide protocols for addressing any exceedances of water quality thresholds with the purpose of curtailing disinfectant residual losses before becoming severe. Sampling from locations throughout the distribution system will provide insight on where improvements can be accomplished with the operations team.

The deliverables for this task include the sampling and analysis plan and a workshop with City staff to transfer knowledge on chloramine chemistry, methods of control, and interpretation of results to enable long-term success in managing the disinfectant residual, which impacts multiple drinking water treatment regulations.

Task 4 – Recommend and prioritize capital improvements

We understand that the chemical feed equipment at Peck and Block 35 reservoirs are in need of upgrades and the City would like to add chemical feed systems and equipment housing structures at the wells. In Task 4, we will assist the City in evaluating chemical feed system options, including control loops, online monitoring, and any recommended piping modifications to achieve the recommended blending strategy identified in Task 1. Since ammonia and monochloramine monitoring equipment have been evolving over the past few years, we will conduct a brief survey of multiple utilities using this equipment to determine operational advantages and disadvantages of the options. Based on these findings, we will provide recommendations on chemical feed and monitoring systems for the two City blending facilities. In addition, potential equipment needs and engineering approaches to the integration of chlorine boosting facilities in the distribution system will be assessed and preliminary design information provided in the final technical memorandum.

Task 5 – Drinking Water Permit Amendment

We anticipate that changes in the disinfection strategy of groundwater recommended in this project will require CDPH review and approval. Findings from the testing in Task 1 will be presented to CDPH and concerns evaluated prior to final recommendation of capital improvements for the system. Our team will assist the City in preparing documentation to apply for a CDPH permit amendment.

Task 6 – Groundwater Well Water Quality

City water has been, at times, described as having a green tint despite meeting regulatory limits. In this task, we will investigate the source of this color interviewing staff on details of the occurrences, reviewing water quality and production data to look for trends in when the color occurred and evaluating the spatial distribution of complaints in the distribution system compared with other water quality conditions. We will also review the scientific literature

to investigate potential sources of green tint to potable groundwater and provide recommendations to the City on constituents to sample in the well water and/or distribution system to evaluate the cause. It is our understanding that the groundwater color analysis may be addressed separately, and may be considered an optional scope of work.

The final deliverable will be a technical memorandum summarizing key findings of the project and recommendations for system optimization. The initial sampling and analysis results will be presented, and a sampling and analysis plan for future operations will be included in an appendix for ongoing use by City staff.

Deliverable

The final deliverable for this project will be a technical memorandum summarizing key project findings and recommendations for system optimization of disinfection residual control and aesthetic concerns. A sampling and analysis plan for future operations will be included as an appendix to provide a stand-alone document for operations staff.

Manhattan Beach Project Schedule

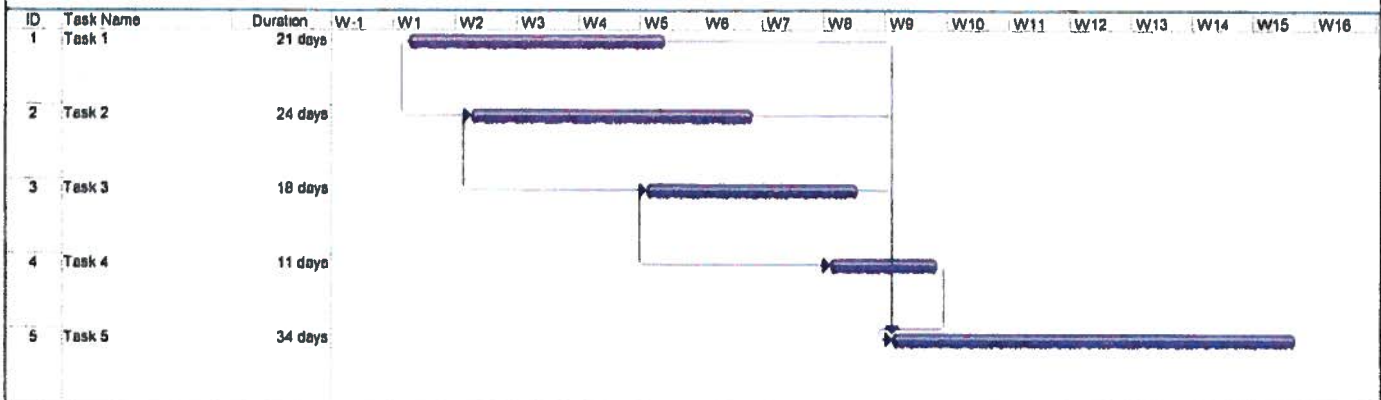


EXHIBIT B

CONSIDERATION AND METHOD OF PAYMENT

City of Manhattan Beach

RFP # 993-15 Engineering Services for Disinfection Residual Stability and Regulatory Compliance

Task	Task Description	Est. Hrs Ghika \$281	Est. Hrs Blum \$237	Est. Hrs Wu \$140	Est. Hrs Ghu \$180	Est. Hrs Mackenzie \$217	Est. Hrs Roberts \$157	Est. Hrs Chau \$102	Labor Cost	ODCs	Estimated Cost
1	Assess water quality and operations data evaluate distribution	2	8	0	16	0	0	28	\$6,242	\$300	\$6,542
2	system water quality	2	8	4	16	0	44	16	\$14,475	\$300	\$14,775
3	Develop sampling and analysis plan	2	6	4	16	4	0	40	\$10,493	\$300	\$10,793
4	Prioritize capital improvements	2	4	0	16	16	16	32	\$13,690	\$300	\$13,990
5	Obtaining water permit amendment	4	8	0	8	0	0	28	\$7,384	\$300	\$7,684
	Cumulative Hours	12	34	8	72	20	60	144	\$54,225	\$1,500	\$55,725

Agenda Date: 11/5/2014

TO:

Honorable Mayor Powell and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Cathy A. Hanson, Human Resources Director

SUBJECT:

- (a) Reclassify the Existing Senior Deputy City Clerk position from the Teamsters Bargaining Group to Management Confidential.
- (b) Establish a Salary Range and Benefits for the previously Council-approved and Budgeted Full- Time Graphic Artist Classification (Human Resources Director Hanson).

APPROVE

RECOMMENDATION:

Staff recommends that the City Council:

- (a) Reclassify the Existing Senior Deputy City Clerk position from the Teamsters Bargaining Group to Management Confidential.
- (b) Establish a Salary Range and Benefits for the previously Council-approved and Budgeted Full- Time Graphic Artist Classification.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action. The Graphic Artist position costs are included in the FY 2014-2015 adopted budget. The reclassification of the Senior Deputy City Clerk position is expected to be cost neutral since the recommended action is only to move the position from the Teamsters into Management/Confidential. The salary range will be similar under the new classification.

BACKGROUND:

Historically, the Parks and Recreation Department have contracted out graphic art projects and used a part-time Graphic Artist to meet the needs of the Department. In the Fiscal Year (FY) 2014 - 2015 budget, City Council approved the addition of a full time Graphic Artist position.

This position will be able to perform a majority of the currently contracted out projects as well as spearhead implementing the Department's new marketing plan and social media efforts.

The City currently has a full time Senior Deputy City Clerk classification that is part of the Teamsters bargaining unit. This position is currently vacant but will be filled in the next couple of months.

As positions become vacant, human resources staff works with department management to determine if the classification should be updated prior to recruitment. In this case, staff recommends that this position be removed from the Teamsters Bargaining Group and placed in the Management/Confidential group and designating the position as "At Will."

DISCUSSION:

In order to better meet the graphic art needs of the Parks and Recreation Department and to reduce the reliance on an outside firm, a full time Graphic Artist position was approved and budgeted for in the Fiscal Year 2014-2015 approved budget.

Staff conducted a salary range survey of the City's benchmark cities to determine the recommended Teamster salary range for the Graphic Artist. Based on that survey, staff recommends this classification five step base pay as:

A - \$3,890 AA - \$4,085 B - \$4,289 C - \$4,503 D - \$4,728 E - \$4,964

The position will receive benefits designated for the Teamsters Union.

Moving the Senior Deputy City Clerk position to the Management/Confidential group will allow the department additional flexibility in order to utilize the Senior Deputy City Clerk to act as a back up to the City Clerk in her absence, assist with the open government initiatives, assist with various special projects, and back up the Executive Assistant in her absence in addition to the previously identified roles and responsibilities of the position.

In order to remove the Senior Deputy City Clerk position from the Teamsters bargaining group, Human Resources staff approached the Teamster Representatives to discuss placement of the approved Graphic Artist position and withdrawal of the Senior Deputy Clerk position. The Teamster Representatives agreed to the job duties, salary steps and placement of the Graphic Artist position in Teamsters Unit and the removal of the Senior Deputy Clerk position.

Based on the Senior Deputy City Clerk position's current salary range, staff recommends placing the classification in the Management Confidential (MC) salary range MC1 (\$5,029-\$6,634). Staff is recommending this position be designated "At Will" and receive benefits designated for the middle management classifications.

These classifications along with the applicable pay and benefits provisions will be added to the Personnel Rules the next time they are amended.

CONCLUSION:

Staff recommends that the City Council approve the recommended salary ranges and benefits for the Senior Deputy City Clerk reclassification and Graphic Artist classification.

Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Liza Tamura, City Clerk

Matthew Cuevas, Management Analyst

SUBJECT:

Award Contract with Martin & Chapman in the Amount Not-to-Exceed \$60,000 for Election Services Related to the Tuesday, March 3, 2015 General Municipal Election (City Clerk Tamura).

APPROVE

RECOMMENDATION:

Staff is requesting that the City Council:

- a) Waive formal bidding per Municipal Code Section 2.36.130 (professional services)
- b) Approve authorizing the City Manager to enter into the agreement between the City and Martin & Chapman Co., for Election Services related to the March 3, 2015, General Municipal Election.

FISCAL IMPLICATIONS:

Sufficient funds are budgeted by the City Clerk's office for this expense. Staff is requesting that the City Council authorize the agreement with an amount not-to-exceed \$60,000.

BACKGROUND:

Martin & Chapman Co. is the only source of election consulting for cities that conduct their own elections. They have over 50 years of experience in working with cities, counties and districts by providing services, supplies and guidance for elections. They work closely with the Secretary of State's Office, the Department of Justice, the Los Angeles County Board of Supervisors and the Los Angeles County Registrar/Recorders office in order to provide timely and accurate election materials to over 488 California Cities.

DISCUSSION:

Manhattan Beach has utilized Martin and Chapman's professional election services for General and Special Municipal Elections since 1988. Entering into an agreement with Martin

& Chapman for election services associated with the March 3, 2015, General Municipal Election will ensure a sense of continuity in the many aspects of the election process.

The proposed agreement with Martin & Chapman for the Tuesday, March 3, 2015, General Municipal Election, has been attached for City Council's consideration.

Services to be provided include: provision of a calendar listing election events, dates and requirements of the Elections Code; sample forms, resolutions and notices required for the election; assistance of a qualified staff member, available by telephone or in person at all times, to assist the City Clerk; pre-election, absentee ballot, precinct, and official ballot supplies; sample ballot/voter information pamphlets, voter identification reports and labels, and ballot counting/election night supplies; delivery of precinct supplies; and mailing services, etc.

CONCLUSION:

Staff recommends that City Council waive formal bidding per Municipal Code Section 2.36.130 (professional services) and approve authorization for the City Manager to enter into the agreement between the City and Martin & Chapman Co., for Election Services related to the March 3, 2015, General Municipal Election.

Attachment:

1. Agreement with Martin & Chapman for Election Services

PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MANHATTAN BEACH AND MARTIN & CHAPMAN COMPANY

THIS AGREEMENT is made this 5th day of November, 2014 by the CITY OF MANHATTAN BEACH, a municipal corporation ("CITY"), and MARTIN & CHAPMAN COMPANY, a California Corporation ("CONTRACTOR").

RECITALS

The following recitals are a substantive part of this Agreement:

1. CITY desires to obtain election consulting services regarding the General Municipal Election to be held on March 3, 2015 ("Election Day"); and
2. CONTRACTOR is qualified by virtue of experience, training, education, and expertise to accomplish these services.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Term of Agreement.** This Agreement shall terminate on June 30, 2015, unless earlier terminated as provided below.

1.1 **Termination.** CITY shall have the right to terminate this Agreement, without cause, by giving 7 days' written notice. CONTRACTOR shall have the right to terminate this Agreement, without cause, by giving 30 days' written notice. Upon receipt of a termination notice, CONTRACTOR shall:

- (1) promptly discontinue all services affected (unless the notice directs otherwise); and
- (2) promptly deliver all data, reports, estimates, summaries, and such other information and materials as may have been accumulated by CONTRACTOR in performing the Agreement to CITY, whether completed or in progress. CONTRACTOR shall be entitled to reasonable compensation for the services it performs up to the date of termination.

2. **Services to be Provided.** CONTRACTOR shall provide all necessary election advice, supplies, and services for the CITY'S March 3, 2015 General Municipal Election, as further described in Exhibit A, Scope of Services, which

is attached hereto and incorporated herein by this reference.

3. **Compensation.** CONTRACTOR shall be compensated as follows:

3.1 **Amount.** Except as provided in Section 3.3, Compensation under this Agreement shall not exceed \$60,000.

3.2 **Payment.** For work under this Agreement, payment shall be made in two installments as identified in Exhibit B.

3.3 **Expenses.** CONTRACTOR may receive reimbursement for additional expenses if approved in writing by the City Manager prior to CONTRACTOR incurring such expense. Under no circumstances shall any such additional expenses exceed \$5,000.

4. **Professional Standards.** CONTRACTOR shall maintain or exceed the level of competency presently maintained by other similar practitioners in the State of California, for professional and technical soundness, accuracy and adequacy of all work, advice, and materials furnished under this Agreement.

5. **Time of Performance.** CONTRACTOR shall complete all services required hereunder as and when directed by CITY. However, CITY, in its sole discretion, may extend the time for performance of any service. CONTRACTOR shall have all votes counted by twelve midnight (12:00 A.M.) on Election Day. If CONTRACTOR fails to do so, CONTRACTOR shall waive all charges to CITY for ballot counter rental.

6. **Employees and Subcontractors.** CONTRACTOR may, at CONTRACTOR'S sole cost and expense, employ such other person(s) as may, in the opinion of CONTRACTOR, be needed to comply with the terms of this Agreement, if such person(s) possess(es) the necessary qualifications to perform such services. If such person(s) is/are employed to perform a portion of the scope of work, the engagement of such person(s) shall be subject to the prior approval of the CITY.

7. **Insurance Requirements.** CONTRACTOR shall not commence work under this Agreement until it has obtained CITY approved insurance and provided CITY with original endorsements. CONTRACTOR shall, at its expense, procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Services by the CONTRACTOR, its agents, representatives, employees or subcontractors. CONTRACTOR shall also require all of its subcontractors to procure and maintain the same insurance for the duration of the Agreement. CONTRACTOR shall maintain limits no less than: (1) *General Liability*: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is

used, either the general aggregate limit shall apply separately to this Agreement/location or the general aggregate limit shall be twice the required occurrence limit; (2) *Automobile Liability*: \$1,000,000 per accident for bodily injury and property damage; and (3) *Workers' Compensation and Employer's Liability*: Workers' compensation limits as required by the Labor Code of the State of California. The insurance provided by CONTRACTOR shall be primary to any coverage available to CITY. Any deductibles or self-insured retentions must be declared to and approved by CITY.

8. **Non-Liability of Officials and Employees of the CITY.** No official or employee of CITY shall be personally liable for any default or liability under this Agreement.

9. **Non-Discrimination.** CONTRACTOR covenants there shall be no discrimination based upon race, color, creed, religion, sex, sexual orientation, marital status, age, handicap, national origin, or ancestry, in any activity pursuant to this Agreement.

10. **Independent Contractor.** The parties agree, understand and acknowledge that CONTRACTOR is not an employee of the CITY, but is solely an independent contractor. CONTRACTOR expressly acknowledges and agrees that CITY has no obligation to pay or withhold state or federal taxes or to provide workers' compensation or unemployment insurance or other employee benefits and that any person employed by CONTRACTOR shall not be in any way an employee of the CITY. As such, CONTRACTOR shall have the sole legal responsibility to remit all federal and state income and social security taxes and to provide for his/her own workers compensation and unemployment insurance and that of his/her employees or subcontractors. Neither CITY nor any of its agents shall have control over the conduct of CONTRACTOR or any of CONTRACTOR's employees. CONTRACTOR shall not, at any time, or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of CITY. CONTRACTOR shall indemnify and hold harmless CITY and its elected officials, officers and employees, servants, designated volunteers, and agents serving as independent contractors in the role of CITY officials, from any and all liability, damages, claims, costs and expenses of any nature to the extent arising from CONTRACTOR's personnel practices. CITY shall have the right to offset against the amount of any fees due to Contractor under this Agreement any amount due to CITY from CONTRACTOR as a result of CONTRACTOR's failure to promptly pay to CITY any reimbursement or indemnification arising under this Section.

11. **Compliance with Law.** CONTRACTOR shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government.

12. **Ownership of Work Product.** All data, information, documents and drawings prepared for CITY and required to be furnished to CITY in connection

with this Agreement shall become the property of CITY, and CITY may use all or any portion of the work submitted by CONTRACTOR and compensated by CITY pursuant to this Agreement as CITY deems appropriate.

13. Conflict of Interest and Reporting. CONTRACTOR shall at all times avoid conflict of interest, or appearance of conflict of interest, in performance of this Agreement.

14. Notices. All notices shall be personally delivered or mailed to the below listed addresses. Unless either party has provided a different address in writing to the other party, these addresses shall be used for delivery of service of process.

a. Address of CONTRACTOR is as follows:

Scott Martin
Martin & Chapman Co.
1951 Wright Circle
Anaheim, CA 92806

b. Address of CITY is as follows:

City Clerk
City of Manhattan Beach
1400 Highland Ave
Manhattan Beach, CA 90266

(with a copy to):

City Attorney
City of Manhattan Beach
1400 Highland Ave
Manhattan Beach, CA 90266

15. Contractor's Proposal. This Agreement includes CONTRACTOR'S proposal, which is attached hereto as Exhibit C and incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.

16. Licenses, Permits, and Fees. CONTRACTOR shall obtain a Manhattan Beach Business License, all permits, and licenses as may be required by this Agreement.

17. Familiarity with Work. By executing this Agreement, CONTRACTOR warrants that:

(1) it has investigated the work to be performed;

- (2) it understands the difficulties and restrictions of the work under this Agreement. Should CONTRACTOR discover any conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY and shall not proceed, except at CONTRACTOR's risk, until written instructions are received from CITY.

18. **Time of Essence.** Time is of the essence in the performance of this Agreement.

19. **Limitations upon Subcontracting and Assignment.** Neither this Agreement, or any portion, shall be assigned by CONTRACTOR without prior written consent of CITY.

20. **Authority to Execute.** The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement.

21. **Indemnification.** CONTRACTOR shall defend, indemnify, and hold harmless the CITY, its officials, and every officer, employee and agent of CITY (collectively "CITY") from any claim, liability or financial loss (including, without limitation, attorneys fees and costs), injuries to property or persons (including without limitation, attorneys fees and costs) arising out of any acts or omissions of CONTRACTOR, its officials, officers, employees or agents in connection with the performance of this Agreement, except for such claim, liability or financial loss or damage arising from the sole negligence or willful misconduct of the CITY, as determined by final arbitration or court decision or by the agreement of the parties. CONTRACTOR shall defend CITY, with counsel of CITY's choice, at CONTRACTOR's own cost, expense, and risk and shall pay and satisfy any judgment, award, or decree that may be rendered against CITY. CONTRACTOR shall reimburse CITY for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. CONTRACTOR's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by CONTRACTOR or CITY. All duties of CONTRACTOR under this Section shall survive termination of this Agreement.

22. **Modification.** This Agreement constitutes the entire agreement between the parties and supersedes any other agreements, oral or written. No promises, other than those included in this Agreement, shall be valid. This Agreement may be modified only by a written agreement executed by CITY and CONTRACTOR.

23. **California Law.** This Agreement shall be construed in accordance with the laws of the State of California. Any action commenced about this Agreement shall be filed in the appropriate branch of the Los Angeles County Municipal or Superior Court.

24. **Interpretation.** This Agreement shall be interpreted as though prepared by both parties.

25. **Preservation of Agreement.** Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable.

26. **Entire Agreement.** This Agreement supersedes any and all other agreements, either oral or in writing, between the parties with respect to the subject matter herein. Each party to this Agreement acknowledges that representations by any party not embodied herein, and any other agreements, statements, or promises concerning the subject matter of this Agreement, not contained in this Agreement, shall not be valid and binding. Any modification of this Agreement will be effective only if it is in writing signed by the parties. Any issue with respect to the interpretation or construction of this Agreement is to be resolved without resorting to the presumption that ambiguities should be construed against the drafter.

27. **Attorneys' Fees.** In the event that legal action is necessary to enforce the provisions of the Agreement, or to declare the rights of the parties hereunder, the parties agree that the prevailing party in the legal action shall be entitled to recover from the opposing party all of its attorneys' fees and other costs incurred in connection therewith, in addition to such other relief as may be sought and awarded.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on the day and year first shown above.

CITY OF MANHATTAN BEACH

By _____

Mark Danaj, City Manager

CONTRACTOR

Martin & Chapman Company.

By  _____

Scott Martin, President / Owner

ATTEST:

Liza Tamura, City Clerk

APPROVED AS TO FORM:



Quinn M. Barrow, City Attorney

EXHIBIT A

SCOPE OF SERVICES

Contractor shall render the following services in connection with the City of Manhattan Beach's General Municipal Election to be held on Tuesday, March 3, 2015.

- a. Contractor shall furnish to the City the election services and supplies which shall include, but not be restricted to the following:
 - Pre-election, nomination, mail ballot, and precinct supplies
 - Reports – voter registration and polling places
 - Vote by mail tracking system
 - Vote by mail supplies
 - Voter information pamphlets
 - Ballots, including test/duplicate ballots and privacy sleeves
 - Ballot counting/election night supplies
 - Instruction and procedures manuals
 - Forms and notices
 - Mailing services
 - Delivery services
- b. Contractor shall be "on call" by telephone, meaning that Contractor shall be available at any time during regular business hours to the Contract Officer, or his/her designee, prior to and during the election, and until the completion of the official canvass of the election. During the same period, upon request by the Contract Officer, Contractor shall appear in person and work in cooperation with the Contract Officer, or his/her designee, upon any election task or problems which may arise. For the purposes of this Agreement, the "Contract Officer" shall be the City Clerk.
- c. Contractor shall furnish additional working forms, outlines, checklists and schedules that will aid the Contract Officer, or his/her designee, in keeping track of procedural details of the election. Such documents shall include, but are not limited to, forms, outlines, checklists and schedules identified in Contractor's "Election Handbook", "Order Form for Cities Conducting Own Election", and "City Information Fact Sheet Regarding Your Upcoming Election".
- d. Contractor shall prepare and mail the Voter Information Pamphlets to all eligible voters in the City no later than 21 days prior to the election.
- e. Contractor shall secure the services of qualified foreign language translators to ensure that all relevant election materials comply with the federal Voting Rights Act and State law.

- f. Contractor shall otherwise provide such special and unique services, in close cooperation with the Contract Officer, or his/her designee, as may be necessary for the successful conduct of the election.

EXHIBIT B

SCHEDULE AND METHOD OF COMPENSATION

1. Contractor shall submit to City a detailed invoice for the services performed pursuant to this Agreement. Each invoice shall describe in detail the services rendered during the period, the rates charged, and the supplies used, as applicable. Within 45 days of receipt of each invoice, City shall pay all undisputed amounts included on the invoice.
2. City shall pay Contractor in two installments, after receipt of an invoice, in accordance with the following schedule:
 - A. After completion of services related to the candidate statement portion of the sample ballot pamphlet; and
 - B. After completion of the election.
3. Payment shall be made in accordance with the estimated prices included in Exhibit C. In the event that more or less supplies are actually furnished, either as requested by the City Clerk or as required by changes in the law, the actual amount of supplies provided to City will be billed accordingly. Estimated pamphlet prices are based on the number of registered voters and the election materials will be provided to voters in English; the City understands that the number of pages for the pamphlet may increase or decrease accordingly.

EXHIBIT C
CONTRACTOR'S PROPOSAL

Martin & Chapman Co.

1951 Wright Circle * Anaheim, California 92806 * 714/939-9866 * Fax 714/939-9870

CITY OF MANHATTAN BEACH
 OFFICE OF THE CITY CLERK
 1400 HIGHLAND AVE
 MANHATTAN BEACH, CA 90266-4728

OCTOBER 28, 2014

ESTIMATE FOR 2015 ELECTION

GENERAL MUNICIPAL ELECTION

March 3, 2015

Quantity	Description	Unit Price	Total
PRE-ELECTION SUPPLIES			
1	Calendar of Events	NC	NC
1	Election Handbook w/Resolutions, Forms, Notices, Manual	NC	NC
1	Elections Code of California	NC	NC
1	Election Night Procedures Manual	NC	NC
1	Email of Resolutions, Notices and Forms	\$20.00	\$20.00
PROCESSING OF COUNTY VOTER FILES RECEIVED			
1	E - 120 Day County Voter File	\$160.00	\$160.00
1	E - 54 Day County Voter File	\$200.00	\$200.00
1	E - 29 Day County Voter File	\$200.00	\$200.00
1	E - 14 Day County Voter File	\$200.00	\$200.00
120 DAY VOTER ID REPORT			
1	Voter Identification Report voters	32,188	\$273.60
1	Set of Out of State/Country Voter Labels	\$25.00	\$25.00
NOMINATION SUPPLIES			
1	Electronic Nomination Documents	\$50.00	\$50.00
25	Nomination Papers	\$0.50	\$12.50
25	Supplemental Nomination Papers	\$0.50	\$12.50
25	Candidate's Election Calendars	\$0.50	\$12.50
5	Petition in Lieu of Filing Fee	\$0.50	\$2.50
MILITARY AND OVERSEAS VOTER SUPPLIES			
1	Process Military and Overseas Voters	\$75.00	\$75.00
1	Ballot Groups	\$25.00	\$25.00
209	Labels of Military & Overseas (Out of Country) Voters	\$0.25	\$52.25
418	Labels of Election Official's Return Address	\$0.15	\$62.70
214	Outgoing Envelopes	\$0.25	\$53.50
214	Return Envelopes	\$0.25	\$53.50
214	Facsimile Ballots	\$0.25	\$53.50
214	Instructions to Voters	\$0.25	\$53.50
214	Oath of Voter	\$0.25	\$53.50

Quantity	Description	Unit Price	Total
VOTE-BY-MAIL BALLOT SUPPLIES			
8889	Generate 54 Day PVBM / VBM Voter Labels (54 day voters)	25.00+0.25	\$2,247.25
29	Generate 29 Day PVBM / VBM Voter Labels (29 day voters)	25.00+0.25	\$32.25
30	Generate 14 Day PVBM / VBM Voter Labels (14 day voters)	25.00+0.25	\$32.50
25	Correction Identification/Return Envelopes	\$0.35	\$8.75
25	Provisional Ballot Envelopes	\$0.35	\$8.75
11000	Instructions for Voters - 8.5 x 11	\$0.25	\$2,750.00
11000	Gray/Secrecy Envelopes	\$0.07	\$770.00
11000	Outgoing Envelopes - #14 w/ and w/o indicia	\$50.00+0.30 ea	\$3,350.00
9000	PVBM ID/Return Envelopes - #11 - Yellow	\$25.00+0.35 ea	\$3,175.00
2000	ID/Return Envelopes - #11 - White	\$25.00+0.30 ea	\$625.00
20	Voted Ballot Boxes for VBM Ballots-regular size	\$3.10	\$62.00
20	Seals for Voted Ballot Boxes	\$0.50	\$10.00
10	Add'l Voted Ballot Boxes for VBM Ballots-regular size	\$3.10	\$31.00
10	Seals for Voted Ballot Boxes	\$0.50	\$5.00
VBM TRACKING SYSTEM			
32593	Vote by Mail Tracking System / Active and Inactive Voters		\$1,990.76
PRECINCT SUPPLIES			
10	Precinct Supply Sets	\$110.00	\$1,100.00
1	Sample Set	\$110.00	\$110.00
1	Vote by Mail Canvass Set	\$45.00	\$45.00
2	Add'l "Unvoted Ballots" White Boxes for precincts>1300 voters	\$3.00	\$6.00
2	Add'l White Box Seals	\$0.25	\$0.50
11	Sets of "I VOTED" stickers (700 per precinct + sample kit)	\$5.00	\$55.00
11	Sets of <i>Opto-Mark</i> Pens for <i>Opto-Mark</i> Ballots	\$17.25	\$189.75
5	Table Cloths / Colored	\$5.00	\$25.00
1308	Roster pages / Active & Inactive Voters voters	32,440	\$1,122.60
1548	Street Index pages / Active & Inactive Voters / 4 sets per precinct		\$691.40
45	Election Officer Digests / 8.5 x 11 / 56 pages	\$3.00	\$135.00
12	Election Officer / Inspector's Guidelines & Checklists	\$3.00	\$36.00
45	Election Officer Appointment Forms	\$0.25	\$11.25
45	Election Officer Outgoing Window Envelopes	\$0.10	\$4.50
REPORTS			
54 DAYS BEFORE			
1	Voter Identification Report - (54 day reports) voters	32,477	\$336.05
1	Polling Place Location Report - (54 day reports) voters	32,477	\$336.05
29 DAYS BEFORE			
1	Voter Identification Report - (29 day reports) voters	32,455	\$335.87
1	Polling Place Location Report - (29 day reports) voters	32,455	\$335.87
SAMPLE BALLOT / VOTER INFORMATION PAMPHLETS			
17000	Sample Ballot Pamphlets / 7 of 10 pages /	3	\$5,700.00
3	<i>(this cost excludes pages of candidates statements paid for by candidates, invoiced separately)</i>		
PVBM INSERTS / VOTER INFORMATION PAMPHLETS			
11000	8.5 X 11 / 2 Panels - "A"		\$775.00
11000	11 x 17 / 4 Panels - "B"		\$1,550.00

Quantity	Description	Unit Price	Total
SAMPLE BALLOT MAILING LABELS			
1	NCOA (National Change of Address) Set-up charge	\$75.00	\$75.00
25216	NCOA Processing for Change of Address	\$0.00375	\$94.56
1	Mail Manager Automated Sort & Palletization	\$150.00	\$150.00
16325	Generate Voter Address Labels / 54 day labels		\$941.25
50	Generate Voter Address Labels / 29 day labels		\$27.50
66	Generate Voter Address Labels / 15 day labels		\$28.30
OFFICIAL BALLOTS AND SUPPLIES			
1	Official Ballots - Typeset Ballot / per side / English only	\$150.00	\$150.00
11000	Official Ballots / Vote by Mail	\$0.23	\$2,530.00
13200	Official Ballots / Precincts	\$0.23	\$3,036.00
300	Official Ballots / Test-Duplicates	\$0.23	\$69.00
24500	Total Official Ballots		
1	Test / Duplicate Overprint / each Card	\$25.00	\$25.00
12300	Gray Secrecy Envelopes - Rental	\$35.00	\$430.50
BALLOT COUNTING / ELECTION NIGHT SUPPLIES			
1	Election Night Supply Kit	\$35.00	\$35.00
30	Counted Ballot Seals / 2 per precinct + extras	\$1.00	\$30.00
1	Ballot Counter Rental / Card 1-side 1	\$3,750.00	\$3,750.00
10	Add'l Programing to count VBM's/Provisionals by precinct	\$20.00	\$200.00
1	Additional Ballot Counter Operator	\$650.00	\$650.00
1	Add'l Tally of Late VBM's & Provisional Ballots	\$600.00	\$600.00
SUBTOTAL			
	Subtotal / Taxable Items		\$42,472.26
	Sales Tax	0.09	\$3,822.50
			\$46,294.76
MISCELLANEOUS SERVICES			
10	Type Election Officer Appointment Forms	\$15.00	\$150.00
1	Repair/maintenance/re-wrapping of Voting Booths / hour	\$25.00	\$25.00
TRANSLATIONS			
1	Department of Justice compliance requirements - Annual revision/editing of new and current materials for Notices, Sample Ballot pages, VBM Materials, and Precinct Supplies into all languages - bi-annual charge per city	\$300.00	\$300.00
MAILING SERVICES / SAMPLE BALLOTS			
1	54 Day File transfer to mailer, address machine setup	\$350.00	\$350.00
1	Ballot Group setups	\$30.00	\$30.00
16325	Affixing Address Labels / <20,000		\$750.00
1	Postal documentation	\$70.00	\$70.00
1	29 Day File transfer to mailer, address machine setup	\$250.00	\$250.00
1	Ballot Group setups	\$25.00	\$25.00
50	Affixing Address Labels	\$0.50	\$25.00
1	15 Day File transfer to mailer, address machine setup	\$100.00	\$100.00
1	Ballot Group setups	\$25.00	\$25.00
66	Affixing Address Labels	\$0.50	\$33.00

Quantity	Description	Unit Price	Total
POSTAGE ACTIVITY / SAMPLE BALLOTS			
	Postage Received from City / Check # 503657	(\$6,750.00)	
16143	Standard Rate Postage - 1st mailing-54 day file	\$3,894.76	
182	1st Class Postage - 1st mailing -Out of State/Country	\$385.24	
50	1st Class Postage - 2nd mailing-29 day file	\$46.00	
66	1st Class Postage - 3rd mailing-15 day file	\$60.72	
	Additional Postage Due (Credit for unused postage)	(\$2,363.28)	(\$2,363.28)
182	Affix Meter Tape 1st class Postage to Out State/Out Country	\$100.00	\$100.00
50	Affix Meter Tape 1st class Postage to Pamphlets-29 day	\$0.25	\$12.50
66	Affix Meter Tape 1st class Postage to Pamphlets-15 day	\$0.25	\$16.50
110	Affix Clear Tabs to International Mail	\$0.75	\$82.50
MAILING SERVICES / VOTE-BY-MAIL BALLOTS			
1	Track My Mail / tracking for VBM Ballots / Setup	\$150.00	\$150.00
8889	Track My Mail / ea	\$0.005	\$44.45
PVBM's			
8948	Addressing PVBM Envelopes and labels / 54 + 29 + 15 days	\$0.25	\$2,237.00
8788	Inserting PVBM materials into #14 Outgoing Envelopes/54 day only		\$2,247.00
1	Mail preparation, Postal Documentation	\$150.00	\$150.00
CITY CLERK'S VBM'S FOR ISSUING			
2000	Inserting VBM materials into #14 Outgoing Envelopes/54 day only		\$550.00
POSTAGE ACTIVITY / VOTE-BY-MAIL BALLOTS			
	Postage Received from City / Check # 503658	(\$1,975.00)	
8691	PVBM ballots	\$1,738.91	
97	PVBM ballots - Out of State	\$64.02	
	Additional Postage Due (Credit for unused postage)	(\$172.07)	(\$172.07)
97	Affix Meter Tape 1st class Postage to PVBM's - 54 Day file	\$0.25	\$24.25
DELIVERY SERVICES			
1	Deliver Sample Ballots to Post Office / 54 days	\$500.00	\$500.00
1	Deliver PVBM Ballots to Post Office	\$350.00	\$350.00
1	Deliver VBM Supplies to City	\$175.00	\$175.00
1	Deliver Precinct Supplies to City	\$500.00	\$500.00
1	Pickup Precinct Supplies after election from City	\$500.00	\$500.00
10	Pickup from & Return to County Warehouse - Ballot Boxes, etc.		\$350.00
	UPS/Fed Ex charges		\$326.00
	Total Nontaxable Items		\$7,912.85
TOTAL DUE THIS INVOICE			\$54,207.61
INFLATION FACTOR		10%	\$5,420.76
ESTIMATE FOR 2015 ELECTION			\$59,628.37

Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Bruce Moe, Finance Director

Steve Charelian, Revenue Services Manager

SUBJECT:

Contract Amendment with Tyler Technologies for a Cashiering System Module for the Existing Financial System in an Amount not to Exceed \$60,000 as Provided for in the City's Information Systems Master Plan and Budget (Finance Director Moe).

APPROVE

RECOMMENDATION:

Staff recommends that City Council amend the existing contract with Tyler Technologies for a cashiering system module for the existing financial system for an amount not to exceed \$60,000 and authorize the City Manager to execute all necessary documents.

FISCAL IMPLICATIONS:

Sufficient funds (\$60,000) are budgeted for this Information Systems Master Plan project. Funds will be allocated to software (\$32,000); professional services (\$7,200); maintenance (\$5,760); and hardware (\$4,234) for a subtotal of \$49,194. Additional costs include travel and lodging for two on-site visits (\$4,000) and sales tax on hardware (\$381). The remaining \$6,425 will be held as a project contingency, bringing the total cost of the project to \$60,000.

BACKGROUND:

The City has an existing site license and a maintenance agreement with Tyler Technologies/Eden Systems which was approved by a previous City Council. Eden Systems is the City's financial system platform with many existing modules (General Ledger, Utility Billing, Purchasing, Payroll Human Resources, etc.). As part of 2014-2015 budgeting process, funds totaling \$60,000 were approved for the Finance Department to replace the current cashiering system as an add-on module with Tyler Technologies. This upgrade is part of the Information Systems Master Plan and is scheduled for implementation between 7/1/2014 and 6/30/2015.

DISCUSSION:

Finance currently processes approximately 40,000 customer transactions per year using the existing Quadrant cashiering system. This system, which was originally purchased in 1996, is a third party system separate from Tyler/Eden. It is not fully integrated with the City's accounting platform, is antiquated and lacking in terms of its reporting features, upgrade capabilities and support. As a result, staff requested funds to replace the system with a fully integrated system.

The new cashiering system from Tyler Technologies will have improved reporting, real-time updates to accounts, advanced search features, and seamless integration with our current Eden Systems modules: General Ledger, Accounts Receivable, Utility Billing, and Licensing. The built in flexibility of the software allows administrative controls for security features and boosts accuracy in processing payments. Also inherent in the new software is the ability to install multiple register terminals that can run concurrently which creates greater efficiency and less wait time for our residents/customers (this would require additional funding in the future). The new cashiering system will be developed and programmed while maintaining the current levels of service. Parallel systems will be run until the new system is fully functioning.

Tyler Technologies is the same company that provides the City with its accounting software, Eden Systems. Utilizing their expertise in the implementation of this new cashiering solution assures software continuity and support from a well-staffed organization that has proven to be thorough and professional when assisting the city with our current accounting software solution. The new cashiering system will also be compliant with the accounting standards. Additionally, the new cashiering system offers improved interface with the City's current chart of accounts.

As previously mentioned, the City has an existing contract with Tyler Technologies/Eden Systems for licensing of the Financial System. As a result, in order to implement the cashiering module, all that is required is a statement of work and a signed quotation form, both of which are attached. There is not a formal contract to be approved.

CONCLUSION:

Staff recommends that City Council amend the existing contract with Tyler Technologies for a cashiering system module for the existing financial system for an amount not to exceed \$60,000. The project is expected to be completed by April 2015.

Attachments:

1. Statement of Work from Tyler Technologies
2. Tyler Technologies Cashiering Quotation



Statement of Work Tyler Cashiering/Eden Implementation

For City of Manhattan Beach, CA
Date 09/08/2014

1100 Oakesdale Ave SW
Renton, WA 98057
P 800-328-0310
F 425-254-1402
tylertech.com

For more information, visit www.tylertech.com

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Section 1 Executive Summary

The goal of the project is successful implementation of the Tyler Cashiering system at the City of Manhattan Beach with Tyler Technologies and is the result of a number of factors related to a collaborative approach of doing business, which includes:

- Setting realistic expectations and meeting them
- Understanding the roles and responsibilities of Manhattan Beach and Tyler
- Allotting proper time for planning, training, and testing
- Determining proper allocation of resources on the part of both parties
- Fostering teamwork, communication, and effective change management

Section 2 Scope of Implementation

Tyler, in partnership with the City of Manhattan Beach, will place into production Tyler Cashiering and is limited to the following modules and services.

Software

The modules to be implemented at The City of Manhattan Beach are:

- Tyler Cashiering

Services

- Tyler Project Planning Services
- Tyler Implementation Services

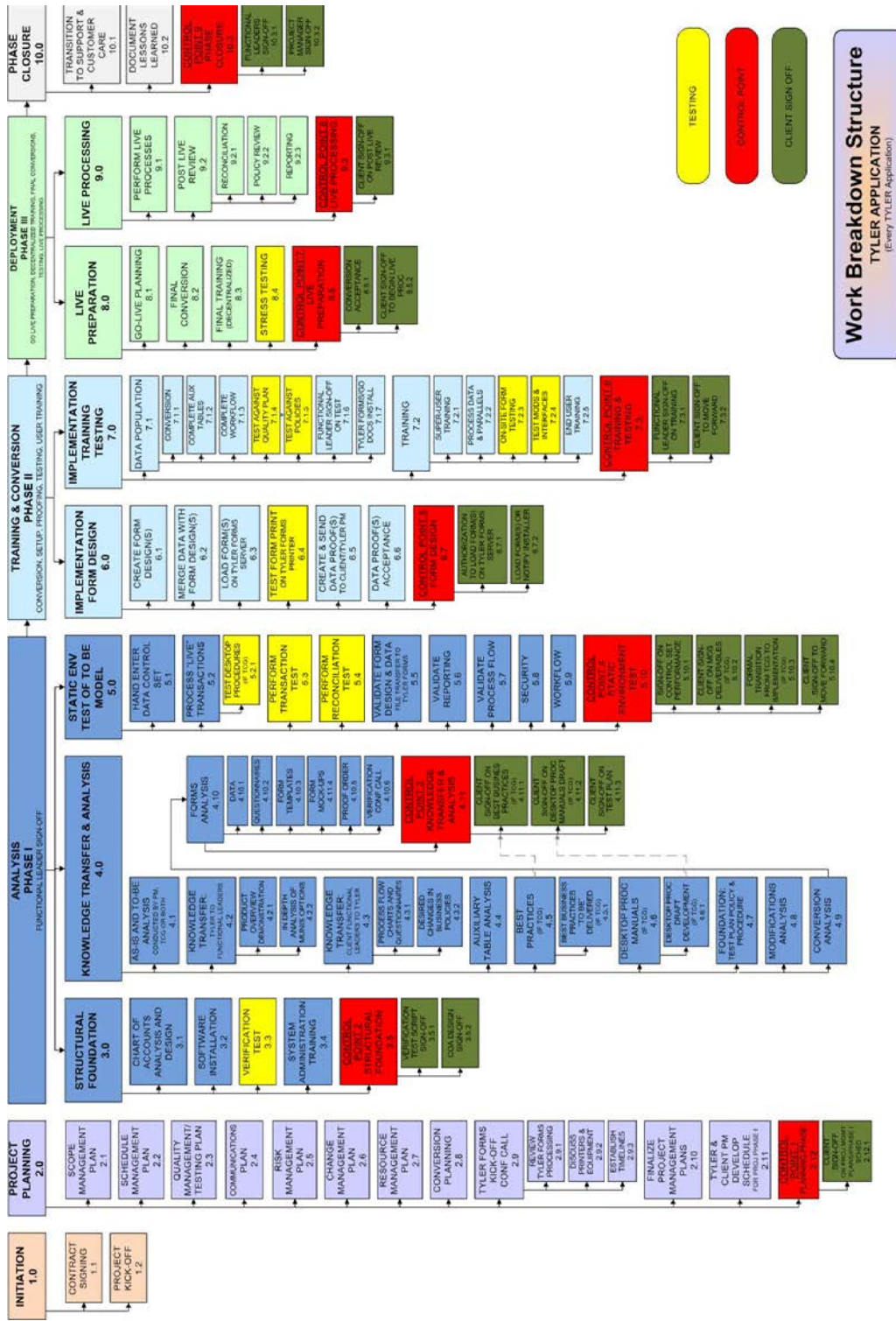
Estimated Travel Expenses

Based on the proposed project plan, we anticipate approximately 4 days. Travel expenses are in addition to implementation and consulting fees and will be billed as incurred according to Tyler's current travel policy.

Tyler Implementation Work Breakdown Structure (WBS)

The WBS on the following page breaks down all of the major tasks involved in the implementation of the ERP system.

City of Manhattan Beach Statement of Work for Personnel System Implementation



TESTING
CONTROL POINT
CLIENT SIGN OFF

Work Breakdown Structure TYLER APPLICATION (Every TYLER Application)

Core Project Team Roles and Responsibilities

Tyler Resources

Some Tyler Resources may hold multiple project roles. For example, the Tyler Functional PM role may be held by the Tyler PM or Tyler Consultant for the project.

Tyler Project Manager

- Schedule and lead the Kick-Off Meeting.
- Oversee project and monitor progress with Client PM.
- Hold regular conference calls with Client PM to review status and progress of project and to identify any outstanding issues.
- Manage Change Orders.
- Initiate Change Requests to project management plans as requested by Client.
- Provide regular Status Reports to Client project management.

Tyler Implementation Consultants – Product Specialists, Trainers

- Deliver Knowledge Transfer Analysis.
- Perform System Design
- Assist in Testing
- Provide Super-User Training.
- Provide go-live support.

Tyler Installation Team – Technical Specialists

- Install software as specified in contract.

Tyler Technical Support – Product Specialists

- Provide timely response to questions and issues based on call priorities.
- Escalate issues to Senior Analysts and Development as needed.
- Seek Client confirmation of issue resolution.

Manhattan Beach Resources

The individuals involved in the project, along with their assigned role(s) will be identified during project planning for further clarification of responsibilities.

Client Project Manager

- Work directly with Tyler Project Manager.
- Attend project status meetings.
- Oversee all Manhattan Beach core team members.

- Manage completion of Project Planning Documents.
- Identify and communicate to Tyler PM requirements for a successful implementation of Eden.
- Coordinate with Tyler PM to develop and maintain implementation schedule, which identifies specific milestones and establishes accountability.
- Scheduling Client resources for training days. This includes but is not limited to personnel, equipment, and training rooms
- Identify additional employee training needs and update the schedule.
- Ensure that employees accomplish tasks on time, including monitoring homework assignments.
- Review invoices and approve payment in accordance with the contract and associated milestones.
- Oversee Project and monitor progress with Tyler PM.
- Coordinate MIS functions such as system backups, loading releases and software updates, hardware installation, and operating system setup.
- Coordinate regular internal project meetings to determine status of tasks and list outstanding issues. Communicate these to the Tyler PM at each project management meeting.
- Initiate Change Requests to project management plans as required.

Functional Leader – Support Specialist

- Provide detailed policy information.
- Analyze potential policy changes.
- Are the subject matter experts on selected modules.
- Participate in knowledge transfer and analysis sessions.
- Participate in testing
- Assign department resources for training and internal project tasks.
- Complete system setup and application configuration.
- Attend all training sessions or appoint an appropriate management level designee.
- Assess end-user competency on trained topics.
- Assess policy compliance.
- Provide end users with dedicated time to complete required homework tasks.
- Act as supervisor and change coach for the new processes.
- Identify and communicate to Client PM any additional training needs or scheduling conflicts.
- Perform Live Processes.

Implementation Methodology, Staffing, and Work Plan

The Implementation Methodology

Tyler uses a Work Breakdown Structure (WBS) to organize and manage its software implementation projects. This ensures that all critical tasks are planned, scheduled, and executed, resulting in a successful implementation. Tasks are organized throughout each project phase to ensure that project Initiation, Planning, Execution, Controlling, and Closure are accomplished, per the standards set by the Project Management Institute (PMI).

The Tyler Project Manager will provide a detailed project plan and schedule specific to the project tasks for Manhattan Beach during the planning portion of the project. Using Microsoft Project and other tools, the Tyler PM will maintain the project task list and distribute updates through the duration of the project. An example of the WBS can be found in the Project Roles and Responsibilities section of this document.

The Project plan below represents an example of the format and detail of the planning deliverable which will be developed and maintained by the Tyler Project Manager. The dates and duration of this plan are hypothetical and have not made consideration of staff availability, customer-imposed "black out" time periods, etc. During the initiation and planning stages of the project, the Tyler and Manhattan Beach Project Managers will collaborate to review the detail task requirement, identify staff resources and confirm their availability, and finalize the actual implementation plan and schedule to be pursued.

Sample Project Task List

Session / Task	Approx. Time	Client Resources	Tyler Lead Role	Client Lead Role
Order & Deliver Cashiering Hardware	2 weeks	Project Manager	<ul style="list-style-type: none"> Collect hardware preferences. Place hardware order to Core Technologies. 	<ul style="list-style-type: none"> Provide hardware preference information. Review packing list upon delivery. Notify EDEN of hardware delivery.
Cashiering Consult	4 hours	Project Manager IT Cashiering users	<ul style="list-style-type: none"> Provide agenda. Gather data for setup. Provide "Follow-Up Memo" detailing accomplishments and homework. 	<ul style="list-style-type: none"> Complete "Cashiering Questionnaire." Make setup decisions.
Cashiering Database Setup	4 hours	IT	<ul style="list-style-type: none"> Setup Cashiering database. 	<ul style="list-style-type: none"> Be available for questions.
Cashiering Setup, Ops & Go Live	4 days	Project Manager IT Cashiering users	<ul style="list-style-type: none"> Provide agenda. Provide initial system preference setup. Train on module configuration. Train on Cashiering functionality. Provide on-site support for live operations. Provide "Follow-Up Memo" detailing accomplishments and homework. 	<ul style="list-style-type: none"> Complete Client-specific configuration such as Cashiering transaction types. Complete homework items detailed in the "Follow-Up Memo." Begin live operations.

Section 3 Project Assumptions

Project Assumptions

The product will provide functionality as represented in the Functional Requirements section(s) of the Proposal and based upon demonstrations, discovery, and the development of the SOW.

Implementation services will be provided as described in this “Statement of Work.”

General Project Activities and Deliverables

Project Planning and Kickoff

The following outlines major assumptions and activities surrounding the Project Initiation and Kickoff phase of the Project:

- Manhattan Beach will assign and authorize a Project Manager prior to the start of this phase.
- Manhattan Beach Project Manager, along with the Tyler Project Manager, will participate in the review and final revision of the Project management and planning documents, which include the Project Scope Agreement, Communications Plan, and Risk Management Plan.
- The Tyler Project Manager and Client Project Manager will complete development of the Project Plan.
- Manhattan Beach project staff will participate with the Tyler Project Manager in the Project Kickoff meeting to discuss the project approach and expectations.

System Administration, Database Setup, and Tyler Cashiering Database Setup

The following list outlines major assumptions and activities surrounding the System Administration implementation phase of the Project:

- Tyler will advise the Client on Eden security and user setup features—for example, user setup, user and group security, field security, and so on.
- The Client shall define and set up menu and end-user security options.
- The Client, through data testing, will approve the functional configuration options and setup.

Tyler Cashiering and Hardware

The following list outlines major assumptions and activities surrounding the Tyler Cashiering implementation phase of the Project:

- The Client will not plug in the cashiering hardware prior to training; to do so will void all manufacture’s warranties and product support.
- Tyler will install the Cashiering hardware during the Cashiering implementation.
- Tyler will assist the Client in the selection and definition of Cashiering functional configuration options.
- The Client, with Tyler support, is responsible for the testing of configuration options.
- The Client, through data testing, will approve the functional configuration options and setup.
- Tyler does not convert Cashiering information.
- No Cashiering functional modifications are included within the Eden Project scope.

Section 4 Scope Change

Request for Services

This “State of Work” document outlines the services that Tyler will provide Manhattan Beach. If Manhattan Beach would like Tyler to perform additional services, a Request for Services (RFS) can be submitted to the Tyler Project Manager. The RFS defines the scope of the requested task and will be used to estimate the associated cost to Manhattan Beach.

Application Changes

Manhattan Beach is responsible for identifying change as early as possible. Once the Project Plan is set for the module, application changes should be made after the module is in Live production. Manhattan Beach is responsible for any training and conversion services that result from an application change.

If Manhattan Beach would like Tyler to make modifications to the software, a formal request for change through a Request for Services (RFS) can be submitted to the Tyler Project Manager. Tyler will review the RFS and provide Manhattan Beach with a scope and cost estimate to authorize the change, if it can be made. If Manhattan Beach is interested in funding the application change, the request will go to the Tyler Program Management department where a Tyler Business Analyst will create a formal scope and cost Business Requirements Document (BRD) to be signed by Manhattan Beach. After signing off on the BRD, Tyler will add the service to the Development Schedule and invoice any fees in accordance to the BRD.



Quoted By: Christina Hendrickson
Date: 10/07/2014
Quote Expiration: 03/30/2015
Quote Name: Tyler Cashiering
Quote Number: 52099

Sales Quotation For:

Steve S. Charelian 105609
 City of Manhattan Beach
 1400 Highland Avenue
 Manhattan Beach, CA 90266

Phone: (310) 802-5555
Fax:
Email: scharelian@citymb.info

1 Software

Model #	Description	Quantity	Price	Extended Price	Software Total
OF-CASH-SW-E	Tyler Cashiering - Software	1.00	\$32,000.00	\$32,000.00	\$32,000.00
					Total: \$32,000.00

2 Services

Training					
Model #	Description	Quantity	Price	Extended Price	Training Total
OF-CASH-CS-E	Tyler Cashiering - Consulting	1.00	\$1,200.00	\$1,200.00	\$1,200.00
OF-CASH-TR-E	Tyler Cashiering - Training	5.00	\$1,200.00	\$6,000.00	\$6,000.00
					Total: \$7,200.00
Total Other Services:		Total Consulting:	Total Training:	Total Conversion Services:	Total Services:
\$0.00		\$0.00	\$7,200.00	\$0.00	\$7,200.00
				Total Training Days: 6	Total Consulting Days: 0

3 Maintenance

Model #	Description	Quantity	Price	Extended Price	Maintenance Total
OF-CASH-SP-E	Tyler Cashiering - Support	1.00	\$5,760.00	\$5,760.00	\$5,760.00
					Total: \$5,760.00

4 Hardware

Model #	Description	Quantity	Price	Extended Price	Hardware Total
VAR-CASH-HDW-3601-ED	Hand Held Scanner-Model 4600G	2.00	\$385.00	\$770.00	\$770.00
VAR-CASH-HDW-3605-ED	Power Supply	2.00	\$40.00	\$80.00	\$80.00
VAR-CASH-HDW-3606-ED	Printer-(EPSON TM-H6000iii)	2.00	\$1,400.00	\$2,800.00	\$2,800.00
VAR-CASH-HDW-3607-ED	Cash Drawer	2.00	\$230.00	\$460.00	\$460.00
VAR-CASH-HDW-3610-ED	ID Tech MiniMag USB Reader	2.00	\$62.00	\$124.00	\$124.00

Summary

	Fees	Maintenance
Total Software	\$32,000.00	\$5,760.00
Total Services	\$7,200.00	
Total Hardware	\$4,234.00	
Summary Total	\$43,434.00	\$5,760.00

Comments

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services depends on such factors as your level of involvement in the project and the speed of knowledge transfer.

Prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use, excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the canceled services if Tyler is unable to re-assign its personnel.

For existing EDEN Clients, the fees are billed as follows:

- 100% of Application Software License Fees upon delivery of the software products
- 100% of the Year 1 Application Software Maintenance Fees are billed upon Initiation (first day of training)
- 100% of the Third Party Product License Fees/Purchase Price upon delivery of the third party products
- 100% of the Year 1 Third Party Product Maintenance Fees upon delivery of the third party products
- Services and associated expenses as provided/incurred.

Payment is due within 30 days of invoice receipt. Quote is subject to existing Contract.

Customer Approval: _____
 Print Name: _____

Date: _____
 P.O. #: _____

All primary values quoted in US Dollars

APPROVED AS TO FORM:

By 2m Bar
 City Attorney

Agenda Date: 11/5/2014

TO:

Honorable Mayor Powell and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Bruce Moe, Finance Director
Steve Charelian, Revenue Services Manager
Sona Coffee, Environmental Programs Manager

SUBJECT:

Ordinance No. 14-0020 Amending Chapter 4.108 of the Manhattan Beach Municipal Code (Vehicles for Hire) to Update the Requirements for Clean Air Vehicles (Finance Director Moe).

WAIVE FURTHER READING; INTRODUCE ORDINANCE NO. 14-0020

RECOMMENDATION:

Staff recommends that the City Council waive further reading and introduce Ordinance No. 14-0020 to amend Municipal Code Section 4.108.210 to revise the clean air vehicle requirements for vehicles for hire operating under a City franchise.

FISCAL IMPLICATIONS:

There is no fiscal implication associated with the recommended action.

BACKGROUND:

The City's taxicab franchises are set to expire December 31, 2014. The City is in the process of preparing new franchise agreements for the upcoming franchise period (January 1, 2015 - December 31, 2020). Staff expects to return to the Council for its consideration of the new franchise agreements on December 2, 2014.

In 2008, the City Council approved clean air vehicle standards for taxicabs operating within the City. In keeping with the City's environmental efforts and in light of technological progress, City staff recommends updating these standards before the City enters into the new franchise agreements. The attached Ordinance will replace the City's existing clean air vehicle standards with more environmentally progressive standards.

DISCUSSION:

In support of the City's efforts to reduce air pollution and greenhouse gases (GHGs), City staff has prepared the attached Ordinance to update the clean air vehicle standards set for City franchisees in 2008. Previously, the City required that a franchisee's vehicle fleet consist of low emission vehicles, meaning low carbon fuel vehicles (i.e., vehicles using compressed natural gas) with a greenhouse gas reduction of 10 percent, or hybrid electric vehicles with a minimum rating of 33 city miles per gallon (MPG).

Since 2008, fuel emission standards have continued to improve. In 2012, the U.S. Environmental Protection Agency and the Department of Transportation's National Highway Traffic Safety Administration issued a final rule to improve fuel economy for model years 2017 through 2025 to a standard of 54.5 MPG. City staff now proposes updating the clean air vehicle requirements for City franchisees in an effort to meet these new federal standards over time and reduce GHGs.

Under the proposed Ordinance, City franchisees would be required to meet the following standards:

- Vehicles used in the operation of the franchise must achieve a minimum rating of 47 City MPG (as rated by the US Department of Energy website, www.fueleconomy.gov). The City will allow a four year phase-in of the new standards, so that franchisees will need to make sure the following percentage of their fleets meet the clean air vehicle requirements in the appropriate year:

Year 1 = 25%, Year 2 = 50%, Year 3 = 75%, Year 4 = 100%

- Up to 25% of a franchisee's fleet may be exempt from the 47 City MPG requirement if the franchisee uses larger capacity passenger vehicles and/or wheel chair accessible vehicles. [Currently, such vehicles are not widely available in alternative fuel form. Staff will continue to monitor technological progress and propose amendments to the clean air vehicle standards as these vehicles become more commercially available and affordable.]
- Franchise vehicles cannot be older than 8 model years at any time during the franchise.

In devising the new standards, City staff conferred with the City's existing franchisees. Based on these conversations, City staff believes that franchisees will be able to comply with the new requirements under the phase-in plan.

If adopted, the new requirements would go into effect on January 1, 2015 to apply to the new franchise agreements.

CONCLUSION:

Staff recommends that the City Council waive further reading and introduce Ordinance No. 14-0020 to amend the City's clean air requirements for vehicles for hire operating under City franchises.

Attachment:

1. Ordinance No. 14-0020

ORDINANCE No. 14-0020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AMENDING MANHATTAN BEACH MUNICIPAL CODE SECTION 4.108.210 OF CHAPTER 4.108, TO TITLE 4 OF THE MANHATTAN BEACH MUNICIPAL CODE RELATING TO THE CITY VEHICLE FOR HIRE CODE CLEAN AIR VEHICLES.

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Manhattan Beach hereby finds as follows:

Promotion of low emission vehicles is in the best interest of the health and welfare of the citizens of Manhattan Beach. This Ordinance is intended to encourage replacement of existing standard emission vehicles with low emission vehicles in an effort to move towards achieving compliance with the 2025 Obama Administration Fuel Efficiency Standard (54.5MPG).

This Ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to CEQA Guidelines Section 15061(b)(3) in that the activity will not result in direct or Indirect or reasonably foreseeable direct or Indirect physical change to the environment.

SECTION 2. A new Section is hereby added to Chapter 4.108, Title 4 of the Manhattan Beach Municipal Code to read as follows:

4.108.210 Clean Air Vehicles

As of January 1, 2015; Franchisees are required to provide low emission/clean air vehicles as defined within this section of the code, achieving the minimum threshold set forth by the end of the annual period listed below. Period commences on the effective date of their fully executed Franchise Agreement.

Year	Minimum %
1	25%
2	50%
3	75%
4	100%

The City recognizes that certain special purpose vehicles (wheel chair access, vans used for school transportation or larger passenger volume vehicles to accommodate large parties) may not be commercially available as low emission models at the time of adoption of this Ordinance. These special purpose vehicles, which may not exceed twenty-five percent (25%) of the total authorized vehicles under each franchisee's agreement, will be exempt from the requirement. Please Note: This 25% allocation of special purpose vehicles must include a minimum of 5% (no less than 2) wheelchair accessible vans as defined by the Americans with Disabilities Act 1990 including floor area, interior height clearance, and door entrance clearance and ramp or lift design specifications.

Gasoline or diesel powered vehicles for purposes of this requirement shall exceed, or meet, and be maintained to, the specifications of the following ratings provided by the California Air Resources

Board (CARB):

- Super Ultra Low Emissions Vehicle (SULEV)
- Partial Zero Emissions Vehicle (PZEV)
- Advanced Technology Partial Zero Emissions Vehicle (AT PZEV)
- Zero Emissions Vehicle (ZEV)

Additionally, low emission/clean air vehicles used in the operation of the franchise, must achieve a minimum of forty-seven (47) City MPG as rated by the US Department of Energy website www.fueleconomy.gov. This will comply with the California Governor's Executive Order S-01-7(2007) and will move the city closer to achieving the National objective of fifty-four and five tenths (54.5) MPG for model year 2025 set forth by the President, NHTSA and the EPA.

No vehicle shall be older than eight (8) model years at any time during the franchise period.

SECTION 3. All other provisions of the Manhattan Beach Municipal Code shall remain unchanged and continue in full force and effect.

SECTION 4. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other Ordinances of the City, to the extent that they are inconsistent with this Ordinance, and no further, are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that It would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 6. This Ordinance shall go into effect and be in full force and operation from and after thirty days after its final passage and adoption.

SECTION 7. The City Clerk shall cause this Ordinance or a summary thereof to be published and, if appropriate, posted as provided by law. Any summary shall be published and a certified copy of the full text of this Ordinance posted in the Office of the City Clerk at least five (5) days prior to the City Council meeting at which this Ordinance is to be adopted. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall cause a summary to be published with the names of those City Council members voting for and against this Ordinance and shall post in the Office of the City Clerk a certified copy of the full text of this Ordinance along with the names of those City Council Members voting for and against the Ordinance.

PASSED, APPROVED and ADOPTED this __ day of ____, 2014.

AYES:
NOES:
ABSENT:
ABSTAIN:

WAYNE POWELL
Mayor, City of Manhattan Beach, California

ATTEST:

LIZA TAMURA
City Clerk

Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Tony Olmos, Public Works Director
Raul Saenz, Utilities Manager

SUBJECT:

Approve an Amendment to the Memorandum of Understanding between the Cities of Manhattan Beach, Redondo Beach, Hermosa Beach, Torrance and the Los Angeles County Flood Control District for Administration and Cost Sharing for Development of Phase II of the Enhanced Watershed Management Program (Public Works Director Olmos).

APPROVE

RECOMMENDATION:

Recommend that the City Council:

1. Approve the amended Memorandum of Understanding between the Cities of Manhattan Beach, Redondo Beach, Hermosa Beach, Torrance and the Los Angeles County Flood Control District for administration and cost sharing for development of Phase II of the Enhanced Watershed Management Program; and
2. Authorize the City Manager to execute the amended Memorandum of Understanding.

FISCAL IMPLICATIONS:

The City's cost share component of the Memorandum of Understanding (MOU) is \$74,928. Funds are budgeted in the Fiscal Year 2014-2015 Public Works Storm Drain Maintenance Budget to carry out Phase II of the MOU.

BACKGROUND:

On December 3, 2013, City Council approved an MOU between the Cities of Manhattan Beach, Redondo Beach, Hermosa Beach, Torrance and the Los Angeles County Flood Control District (Group). The MOU identified cost sharing for development of the Enhanced Watershed Management Program (EWMP) Work Plan, Coordinated Integrated Management Plan (CIMP), and preparation of the EWMP Plan for the Santa Monica Bay and Dominguez

Channel Watersheds to comply with the Municipal Stormwater Permit (Permit). The total estimated cost in the original MOU was \$760,000, and only included the consultant fee.

The MOU also discussed that previous water quality modeling would be submitted to the Regional Water Quality Control Board (Board) and could result in cost savings if the Board approved its use. As a result, it was decided to separate the overall tasks into two phases. Phase I would only include the development of the Enhanced Watershed Management Program (EWMP) Work Plan and Coordinated Integrated Management Plan (CIMP). Phase II would then include the preparation of the actual EWMP Plan in accordance with the EWMP Work Plan. The City of Manhattan Beach's share of the cost for Phase I was \$42,585. The approved MOU recognized that an amendment was forthcoming and made provisions for Phase II work.

Phase I has been completed and the EWMP Work Plan and CIMP were submitted to the Board on June 17, 2014.

DISCUSSION:

This amendment to the MOU addresses Phase II, or the preparation of the actual EWMP Plan in accordance with the EWMP Work Plan. The purpose of the EWMP Plan is to present to the Board the basis for, and define the elements of the methodology that will be utilized by the Group for its development through Phase II. The cost of the consultant services agreement with Geosyntec for Phase II is \$648,818. The City of Redondo Beach was the lead agency for Phase I and has agreed to continue to serve as lead agency for Phase II. Given the staff time and fiduciary responsibility required based on past experience, the City of Redondo Beach has requested a 10% contract administration fee, or \$47,941, of the shared cost of the contract. Thus, the overall contract and contract management cost for Phase II is \$696,759. The City of Manhattan Beach's share of this cost is \$74,928 (Attachment 1 - Exhibit A-1).

The EWMP Plan will comprehensively evaluate opportunities, within the Group's collective jurisdictional areas, Santa Monica Bay and Dominguez Channel, for collaboration on multi-benefit regional projects that, wherever feasible, will retain all non-storm water runoff and storm water runoff from the 85th percentile, 24-hour storm event for the drainage areas tributary to the projects. Where retention of the 85th percentile storm is not feasible, the EWMP Plan shall include a Reasonable Assurance Analysis (RAA) that employs a quantitative water quality model to demonstrate that applicable water quality based effluent limitations and receiving water limitations are achieved through implementation of other watershed control measures.

The revised cost of the project has increased from \$760,000 to \$1,003,014 (Phase I: \$306,255 + Phase II: \$696,759). The difference in cost includes \$161,408 for additional modeling within the City of Torrance to be paid by the City of Torrance and additional outreach of \$8,000. The difference also includes the 10% administration fee to the City of Redondo Beach, which was inadvertently omitted in the original MOU.

City of Manhattan Beach's approved share for Phase I was \$42,585 and is \$74,928 for Phase II. The City's share was calculated based on the percentage of area within the Santa Monica Bay and Dominguez Channel watersheds (Attachment 1 - Exhibit A-1).

The following is a status of major project milestones:

June 2014:

- Submitted EWMP Work Plan and CIMP to the Regional Board

April 2015

- Complete Phase II Draft EWMP Plan for Group Review to include:
 - Finalize approach to addressing receiving water limitations
 - Develop list of regional projects and conduct initial screening
 - Identify selected watershed control measures and conduct Reasonable Assurance Analysis
 - Develop project schedule and cost estimates

May 2015

- Present City Councils with Overview of the:
 - Phase II Draft EWMP Plan
 - Preliminary list of regional projects and cost estimates

June 2015:

- Submit Final Draft EWMP Plan to the Regional Board

January 2016:

- Submit Final EWMP Plan approval

Staff will provide additional information regarding Phase I and Phase II at the upcoming Study Session on Stormwater Management to be scheduled for later this month or next month.

CONCLUSION:

Staff recommends that City Council approve an amendment to the MOU between the Group for administration and cost sharing for development of Phase II of the EWMP to comply with the Permit.

Attachments:

1. Amended MOU Between Cities of Manhattan Beach, Redondo Beach, Hermosa Beach, Torrance and the Los Angeles County Flood Control District
2. Original MOU Between Cities of Manhattan Beach, Redondo Beach, Hermosa Beach, Torrance and the Los Angeles County Flood Control District

FIRST AMENDMENT TO
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF REDONDO BEACH, THE CITY OF HERMOSA BEACH, THE CITY OF
MANHATTAN BEACH, THE CITY OF TORRANCE, AND THE LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT

REGARDING THE ADMINISTRATION AND COST SHARING FOR DEVELOPMENT OF THE
ENHANCED WATERSHED MANAGEMENT PROGRAM AND THE COORDINATED
INTEGRATED MONITORING PROGRAM FOR THE SANTA MONICA BAY WATERSHED
AND THE DOMINGUEZ CHANNEL WATERSHED

This First Amendment to the Memorandum of Understanding (this "FIRST AMENDMENT"), is made and entered into as of the date set forth below by and between the CITY OF REDONDO BEACH, a body corporate and politic, THE CITY OF HERMOSA BEACH, a body corporate and politic, THE CITY OF MANHATTAN BEACH, a body and politic, THE CITY OF TORRANCE, a municipal corporation, and THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT (LACFCD), a body corporate and politic. Collectively, these entities shall be known herein as "PARTIES" or individually as "PARTY."

WITNESSETH

WHEREAS, the PARTIES entered into the above referenced Memorandum of Understanding (MOU) in December of 2013;

WHEREAS, the PARTIES wish to enact this FIRST AMENDMENT to amend the MOU pursuant to Section 12 subsection e in order to increase the not to exceed amount from \$760,000.00 to \$1,003,014.00 due to increased costs in the preparation of Phase II plans including a Draft and Final EWMP plan (collectively, PLANS); and

WHEREAS, the PARTIES determined that the cost of completing Phase II plans would be negotiated with the Consultant at the completion of Phase I and that the PARTIES desire to participate and will provide Phase II funding in accordance with a mutually agreed upon revised cost Allocation Schedule to be established in this Amendment to the MOU; and

WHEREAS, the CITY OF REDONDO BEACH will act on behalf of the PARTIES in the preparation of the PLANS; and

WHEREAS, there were two (2) unanticipated financial outlays in Phase II which are an \$8,000 outreach effort which will be split equally among PARTIES and \$161,408 for Reasonable Assurance Analysis Modeling work which will be borne entirely by THE CITY OF TORRANCE as the work solely took place within the jurisdiction of THE CITY OF TORRANCE which are reflected in Table 1(f) of Exhibit "A-1"; and

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the PARTIES, and of the promises herein contained, is the PARTIES hereby agree to amend the MOU as follows:

Section 1. Recitals: The recitals set forth above are fully incorporated as part of this FIRST AMENDMENT.

Section 2. Purpose: The purpose of this FIRST AMENDMENT is to increase the not to exceed amount contemplated in the MOU from \$760,000.00 to \$1,003,014.00. Pursuant to this change, Exhibit "A" of the MOU shall be deleted in its entirety and replaced with Exhibit "A-1" attached hereto and incorporated by reference. Further, pursuant to changes to personnel of the PARTIES, Exhibit "B" of the MOU shall be deleted in its entirety and replaced with Exhibit "B-1" attached hereto and incorporated by reference.

Section 3. Terms: This FIRST AMENDMENT shall become effective on the date of the final execution by the PARTIES or November 11, 2014, whichever comes first, and shall remain in effect until (1) the Regional Board has given final approval to the last outstanding portion of the PLANS, (2) the City of Redondo Beach has provided the PARTIES with an accounting as set forth in section 7(d), of the MOU and (3) the PARTIES have paid all outstanding invoices.

Section 4. Assessment for Proportional Cost for PLANS. The PARTIES agree to pay the City of Redondo Beach for preparation and delivery of the Phase II PLANS in the amounts shown in Table (1c) and Table (1f) of Exhibit "A-1", based on the cost allocation formula shown in Table (2) of Exhibit A-1" attached hereto and made part of this FIRST AMENDMENT by reference. The City of Redondo Beach will annually invoice the PARTIES to this FIRST AMENDMENT as shown in Table (3) and Table (3a) of Exhibit "A-1", based on the allocated cost for developing the PLANS and the project administration and management costs at a percentage not to exceed 10% of the allocated costs for development of the PLANS. The cost of preparing Phase II PLANS has been negotiated with the Consultant pursuant to the conclusion of Phase I and will be allocated to the PARTIES based upon the revised Table (1c) and Table (1f) of Exhibit "A-1".

Section 5. No Other Amendments. Except as expressly stated herein, the MOU shall remain unchanged and in full force and effect. The MOU and this FIRST AMENDMENT shall constitute the entire agreement between the parties and supersede any previous oral or written agreement with respect to the subject matter hereof. In the event of any inconsistency between the terms of the MOU and this FIRST AMENDMENT, the terms of this FIRST AMENDMENT shall govern.

[SIGNATURES FOLLOW ON NEXT PAGES]

IN WITNESS WHEREOF, the PARTIES hereto have caused this FIRST AMENDMENT to be executed by their duly authorized representative and affixed as of the date of signature of the PARTIES:

CITY OF REDONDO BEACH

Date: _____

By: _____
Steve Aspel, Mayor

ATTEST:

By: _____
Eleanor Manzano, City Clerk

APPROVED AS TO FORM

By: _____
Mike Webb, City Attorney

CITY OF HERMOSA BEACH

Date: _____

By: _____
Peter Tucker, Mayor

ATTEST:

By: _____
Elaine Doerfling, City Clerk

APPROVED AS TO FORM:

By: _____
Michael Jenkins, City Attorney

CITY OF MANHATTAN BEACH

Date: _____

By: _____
Wayne Powell, Mayor

ATTEST:

By: _____
Liza Tamura, City Clerk

APPROVED AS TO FORM

By: 
Omar Sandoval, Special Counsel

CITY OF TORRANCE

Date: _____

By: _____
Patrick J. Furey, Mayor

ATTEST:

By: _____
Rebecca Poirier, MMC, City Clerk

APPROVED AS TO FORM

By: _____
John Fellows, City Attorney

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Date: _____

By: _____
Gail Farber, Chief Engineer

APPROVED AS TO FORM:

Mark J. Saladino
County Counsel

By: _____
Senior Associate

Date: _____

EXHIBIT A-1

**BEACH CITIES
EWMP/CIMP GROUP
PHASE I
Funding Contributions**

PHASE I TABLE 1a. TOTAL COST

Item		Total Cost
Contract Cost	(a)	\$278,414
RB Contract Management Fee (10%)	(b)	\$27,841
Sub-Total Cost	(a) + (b) = (c)	\$306,255
LACFCD Allocation (10%) [1]	(c) x 10% = (d)	\$30,626
TOTAL COST TO BE DISTRIBUTED	(c) - (d) = (e)	\$275,630
Santa Monica Watershed [2]		\$137,815
Dominguez Channel Watershed [2]		\$137,815

Notes

[1] The Los Angeles County Flood Control District (LACFCD) has committed to contributing 10% of the Total Cost for their share in the development of the plans.

[2] Using tributary land areas, the two watersheds were estimated to have an even split.

PHASE I TABLE 1b. DISTRIBUTION OF TOTAL COST AMONG PARTICIPATING AGENCIES

Santa Monica Bay Watershed					
Agency	Acres	Adjustment [3]	Percent of Area	Distributed Total Cost	
City of Redondo Beach [3]	2,613.50	2,540.90	33%	\$45,478.93	
City of Hermosa Beach	831.51	811.46	11%	\$15,159.64	
City of Manhattan Beach [3]	2,078.37	2,040.02	26%	\$35,831.88	
City of Torrance	2,313.76	2,313.76	30%	\$41,344.48	
TOTAL	7,837.14	7,706.14	100%	\$137,814.93	

Notes:

[3] Adjustments were made to Redondo Beach and Manhattan Beach to subtract the acreage of the Wylie Sump.

PHASE I TABLE 1c. DISTRIBUTION OF TOTAL COST AMONG PARTICIPATING AGENCIES

Dominguez Channel Watershed					
Agency	Acres	Adjustment [4] [5]	Percent of Area	Distributed Total Cost	
City of Redondo Beach	1,217.61	1,215.97	17%	\$23,428.54	
City of Hermosa Beach	0.00	0.00	0%	\$0.00	
City of Manhattan Beach	350.07	350.07	5%	\$6,752.93	
City of Torrance	11,056.79	5,578.31	78%	\$107,633.46	
TOTAL	12,624.47	7,144.35	100%	\$137,814.93	

Notes

[4] Adjustments were made to Redondo Beach and Torrance to subtract the acreage of Machado Lake.

[5] Adjustment was made to Torrance to subtract the acreage of the Ocean and Bishop Montgomery basins.

PHASE I TABLE 1d. DISTRIBUTION OF TOTAL COST AMONG PARTICIPATING AGENCIES

Combined Santa Monica Bay and Dominguez Channel Watershed					
Agency	Acres	Adjusted Acres	Percent of Area	Distributed Total Cost	
City of Redondo Beach	3,831.11	3,756.87	19%	\$68,907	
City of Hermosa Beach	831.51	811.46	4%	\$15,160	
City of Manhattan Beach	2,428.44	2,390.09	12%	\$42,585	
City of Torrance	13,370.55	7,892.07	65%	\$148,978	
LACFCD	N/A	N/A		\$30,626	
TOTAL	20,461.61	14,850.49	100%	\$306,255	

EXHIBIT A-1
BEACH CITIES
EWMP/CIMP GROUP
PHASE II
Funding Contributions

Phase II TABLE 1c. TOTAL COST

Item		Total Cost
Contract Cost	(a)	\$479,410
RB Contract Management Fee (10%)	(b)	\$47,941
Sub-Total Cost	(a) + (b) = (c)	\$527,351
LACFCD Allocation (10%) [1]	(c) x 10% = (d)	\$52,735.10
TOTAL COST TO BE DISTRIBUTED	(c) - (d) = (e)	\$474,616
Santa Monica Watershed [2]		\$237,307.95
Dominguez Channel Watershed [2]		\$237,307.95

Notes

[1] The Los Angeles County Flood Control District (LACFCD) has committed to contributing 10% of the Total Cost for their share in the development of the plans.

[2] Using tributary land areas, the two watersheds were estimated to have an even split.

Phase II TABLE 1d. DISTRIBUTION OF TOTAL COST AMONG PARTICIPATING AGENCIES

Santa Monica Bay Watershed					
Agency	Acres	Adjustment [3]	Percent of Area	Distributed	Total Cost
City of Redondo Beach [3]	2,613.50	2,540.90	33%	\$78,311.62	
City of Hermosa Beach	831.51	811.46	11%	\$26,103.87	
City of Manhattan Beach [3]	2,078.37	2,040.02	26%	\$61,700.07	
City of Torrance	2,313.76	2,313.76	30%	\$71,192.39	
TOTAL	7,837.14	7,706.14	100%	\$237,307.95	

Notes:

[3] Adjustments were made to Redondo Beach and Manhattan Beach to subtract the acreage of the Wylie Sump.

Phase II TABLE 1e. DISTRIBUTION OF TOTAL COST AMONG PARTICIPATING AGENCIES

Dominguez Channel Watershed					
Agency	Acres	Adjustment [4] [5]	Percent of Area	Distributed	Total Cost
City of Redondo Beach	1,217.61	1,215.97	17%	\$40,342.35	
City of Hermosa Beach	0.00	0.00	0%	\$0.00	
City of Manhattan Beach	350.07	350.07	5%	\$11,628.09	
City of Torrance	11,056.79	5,578.31	78%	\$185,337.51	
TOTAL	12,624.47	7,144.35	100%	\$237,307.95	

Notes

[4] Adjustments were made to Redondo Beach and Torrance to subtract the acreage of Machado Lake.

[5] Adjustment was made to Torrance to subtract the acreage of the Ocean and Bishop Montgomery basins.

Phase II TABLE 1f. DISTRIBUTION OF TOTAL COST AMONG PARTICIPATING AGENCIES

Combined Santa Monica Bay and Dominguez Channel Watershed						Outreach	Torrance	Total
Agency	Acres	Adjusted Acres	Percent of Area	Distributed	Total Cost	Distribution	RAA/Modeling	Fair Share
City of Redondo Beach	3,831.11	3,756.87	19%	\$118,653.98		\$1,600		\$120,254
City of Hermosa Beach	831.51	811.46	4%	\$26,103.87		\$1,600		\$27,704
City of Manhattan Beach	2,428.44	2,390.09	12%	\$73,328.16		\$1,600		\$74,928
City of Torrance	13,370.55	7,892.07	65%	\$256,529.89		\$1,600	\$161,408	\$419,538
LACFCD	N/A	N/A		\$52,735.10		\$1,600		\$54,335
TOTAL	20,461.61	14,850.49	100%	\$527,351.00		\$8,000	\$161,408	\$696,759

Exhibit A-1

**BEACH CITIES
EWMP/CIMP GROUP
Funding Contributions**

Table 2. Cost Allocation Formula

AGENCY Cost = Total EWMP&CIMP Cost X Agency Percent of Area

Table 2a. Cost Allocation Formula for Phase I Outreach

AGENCY COST = TOTAL PHASE I OUTREACH / 5 (AGENCIES)

EXHIBIT A-1

BEACH CITIES
EWMP/CIMP GROUP
Funding Contributions

Phase I Table 3. Invoice Schedule

	Agency Cost	Deposit Schedule
Agency	Total Cost	Jan 1, 2014
City of Redondo Beach	\$68,907	\$68,907
City of Hermosa Beach	\$15,160	\$15,160
City of Manhattan Beach	\$42,585	\$42,585
City of Torrance	\$148,978	\$148,978
LACFCD	\$30,626	\$30,626
TOTAL	\$306,255	\$306,255

Phase II Table 3a. Invoice Schedule

	Agency Cost	Deposit Schedule
Agency	Total Cost	Jan 1, 2015
City of Redondo Beach	\$120,254	\$120,254
City of Hermosa Beach	\$27,704	\$27,704
City of Manhattan Beach	\$74,928	\$74,928
City of Torrance	\$419,538	\$419,538
LACFCD	\$54,335	\$54,335
TOTAL	\$696,759	\$696,759

EXHIBIT B-1

**BEACH CITIES WMG
EWMP/CIMP GROUP
Responsible Agencies Representative**

1. City of Redondo Beach
Department of Public Works, Engineering Division
415 Diamond Street
Redondo Beach, CA 90266

Elaine Jeng, P.E.
E-mail: elaine.jeng@redondo.org
Phone: (310) 318-0661 x2279
Fax: (310) 374-4828

2. City of Hermosa Beach
Department of Public Works
1315 Valley Drive
Hermosa Beach, CA 90254

Homayoun Behboodi
E-mail: hbhboodi@hermosabch.org
Phone: (310) 318-0212
Fax: (310) 937-5015

3. City of Manhattan Beach
Department of Public Works
1400 Highland Avenue
Manhattan Beach, CA 90266

Raul Saenz
E-mail: rsaenz@citymb.info
Phone: (310) 802-5315
Fax: (310) 802-5314

4. City of Torrance
Department of Public Works
20500 Madrona Avenue
Torrance, CA 90503

John C. Dettle, P.E.
E-mail: jdettle@TorranceCA.gov
Phone: (310) 618-3059
Fax: (310) 781-6902

5. Los Angeles County Flood Control District
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue

Alhambra, CA 91803

Angela George

E-mail: ageorge@dpw.lacounty.gov

Phone: (626) 458-4300

Fax: (626) 457-1526

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF REDONDO BEACH, THE CITY OF HERMOSA BEACH, THE CITY OF
MANHATTAN BEACH, THE CITY OF TORRANCE, AND THE LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT

REGARDING THE ADMINISTRATION AND COST SHARING FOR DEVELOPMENT OF THE
ENHANCED WATERSHED MANAGEMENT PROGRAM AND THE COORDINATED
INTEGRATED MONITORING PROGRAM FOR THE SANTA MONICA BAY WATERSHED
AND THE DOMINGUEZ CHANNEL WATERSHED

This Memorandum of Understanding (MOU), is made and entered into as of the date set forth below by and between the CITY OF REDONDO BEACH, a body corporate and politic, THE CITY OF HERMOSA BEACH, a body corporate and politic, THE CITY OF MANHATTAN BEACH, a body and politic, THE CITY OF TORRANCE, a municipal corporation, and THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT (LACFCD), a body corporate and politic. Collectively, these entities shall be known herein as "PARTIES" or individually as "PARTY."

WITNESSETH

WHEREAS, the Regional Water Quality Control Board, Los Angeles Region (Regional Board) adopted the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit Order No. R4-2012-0175 Municipal Separate Storm Sewer System (MS4 Permit); and

WHEREAS, the MS4 Permit became effective on December 28, 2012 and requires that the LACFCD, the County of Los Angeles, and 84 of the 88 cities (excluding Avalon, Long Beach, Palmdale, and Lancaster) within the County of Los Angeles comply with the prescribed elements of the MS4 Permit; and

WHEREAS, the City of Redondo Beach, the City of Hermosa Beach, the City of Manhattan Beach, the City of Torrance, and the LACFCD have agreed to collaborate on the compliance of certain elements of the MS4 Permit; and

WHEREAS, the PARTIES collaboratively prepared a final Scope of Work and Request for Proposal to obtain a Consultant to assist the PARTIES with compliance with certain elements of the MS4 Permit; and

WHEREAS, the PARTIES propose for the Consultant to prepare and deliver Phase I plans including a Draft and Final Enhanced Watershed Management Program (EWMP) Work Plan and a Draft and Final Coordinated Integrated Monitoring Plan (CIMP), and Phase II plans including a Draft and Final EWMP plan (collectively, PLANS) in compliance with certain elements of the MS4 Permit, at a total cost not to exceed \$760,000; and

WHEREAS, the PARTIES have determined that hiring a Consultant to prepare and deliver the PLANS will be beneficial to the PARTIES and they desire to participate and will provide Phase I funding in accordance with the cost allocation in Exhibit A; and

WHEREAS, the PARTIES have determined that the cost of completing Phase II plans will be negotiated with the Consultant at the completion of Phase I and that the PARTIES desire to participate and will provide Phase II funding in accordance with a mutually agreed Phase II cost Allocation Schedule to be established as an Amendment to this MOU; and

WHEREAS, the CITY OF REDONDO BEACH will act on behalf of the PARTIES in the preparation of the PLANS; and

WHEREAS, the PARTIES agree that each shall assume full and independent responsibility for ensuring its own compliance with the MS4 Permit despite the collaborative approach of the MOU.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the PARTIES, and of the promises herein contained, it is hereby agreed as follows:

Section 1. Recitals: The recitals set forth above are fully incorporated as part of this MOU.

Section 2. Purpose: The purpose of this MOU is to cooperatively fund the preparation and submittal of the PLANS to the Regional Board.

Section 3. Cooperation: The PARTIES shall fully cooperate with one another to attain the purpose of this MOU.

Section 4. Voluntary: This is a voluntary MOU entered into for the purpose of preparing and submitting the PLANS to the Regional Board.

Section 5. Terms: This MOU shall become effective on the date of the final execution by the PARTIES or December 28, 2013, whichever comes first, and shall remain in effect until (1) the Regional Board has given final approval to the last outstanding portion of the PLANS, (2) the City of Redondo Beach has provided the PARTIES with an accounting as set forth in section 7(d), and (3) the PARTIES have paid all outstanding invoices.

Section 6. Assessment for Proportional Cost for PLANS. The PARTIES agree to pay the City of Redondo Beach for preparation and delivery of the Phase I PLANS in the amounts shown in Table (1a) and Table (1b) of Exhibit A, based on the cost allocation formula shown in Table (2) of Exhibit A, attached hereto and made part of this MOU by this reference. The City of Redondo Beach will annually invoice the PARTIES upon execution of this MOU as shown in Table (3) of Exhibit A, based on the allocated cost for developing the PLANS and the project administration and management costs at a percentage not to exceed 10% of the allocated costs for development of the PLANS. At the end of each fiscal year, the City of Redondo Beach will provide the PARTIES with a Statement with the actual expenditures. Unexpended funds at the termination of this MOU will be reimbursed to the PARTIES. The PARTIES agree to pay the City of Redondo Beach for preparation and delivery of the Phase II PLANS. The cost of preparing Phase II PLANS will be negotiated with the Consultant at the conclusion of Phase I and will be allocated to the PARTIES by way of amendment to this MOU consistent with the cost allocation formula show in Table (2) of Exhibit A.

Section 7. City of Redondo Beach Agrees:

- a. To solicit proposals for, award and administer a Consultant contract for the preparation and delivery of the PLANS. The CITY OF REDONDO BEACH shall

require the Consultant, its contractors and subcontractors, to provide liability insurance pursuant to CITY OF REDONDO BEACH standards. The CITY OF REDONDO BEACH shall be compensated for the administration and management of the Consultant contract as described in Exhibit A.

- b. To utilize the funds deposited by the PARTIES only for the administration of the Consultant contract, project management, and the preparation and completion of the PLANS.
- c. To provide the PARTIES with one (1) electronic copy and one (1) hard copy of the completed PLANS within seven business days after receipt from the Consultant.
- d. To provide an accounting upon the early termination of this MOU pursuant to section 11(a) or 60 days after the date the Regional Board gives final approval to the last outstanding portion of the PLANS. The CITY OF REDONDO BEACH shall return any unused portion of all funds deposited with the CITY OF REDONDO BEACH using the cost allocated formulas used in Exhibit A.
- e. To notify the PARTIES if the actual cost of the preparation of the PLANS will exceed the cost estimates shown on Exhibit A and obtain approval of the increase from the PARTIES prior to executing extra work, or work associated with a changed Scope of Work. Upon approval of the cost increase by the PARTIES, the CITY OF REDONDO BEACH will invoice the PARTIES per the cost allocation formulas on Exhibit A.
- f. To not submit any PLANS to the Regional Board unless and until the PLANS have been approved, in writing, for submittal by all PARTIES to this MOU.

Section 8. THE PARTIES Further Agree:

- a. To make a full faith effort to cooperate with one another to achieve the purposes of this MOU by providing information about project opportunities, reviewing deliverables in a timely manner, and informing city administration and council.
- b. To fund the cost of the preparation and delivery of the PLANS and to pay the CITY OF REDONDO BEACH for the preparation and delivery of the PLANS based on the cost allocation shown on Exhibit A.
- c. To grant reasonable access rights and entry to the Consultant, on an as-needed basis during the term of this MOU to the PARTY'S storm drains, channels, catch basins, and similar properties (FACILITIES) to achieve the purpose of this MOU. Prior to exercising said right of entry, the CITY OF REDONDO BEACH or its Consultant shall provide written notice to the PARTIES at least 72 hours in advance. For the purpose of this provision, written notice shall include notice delivered via e-mail that has been delivered to the PARTIES' representative identified in Exhibit B.

Section 9. Invoice and Payment

- a. Payment: The PARTIES shall reimburse the CITY OF REDONDO BEACH for their proportional share cost preparation and delivery of PLANS and project administration and management cost as shown in Table (1b) and Table (1c) of Exhibit A within thirty (30) days of receipt of the invoice from the CITY OF REDONDO BEACH.
- b. Invoice: The CITY OF REDONDO BEACH will invoice PARTIES as shown in Table (3) of Exhibit A.
- c. Late Payment Penalty: Any payment that is late shall be subject to interest on the original amount due from the date that the payment first became due. The interest rate shall be equal to the Prime Rate in effect when the payment first became due plus one percent for any payment that is made up to 30 days after the due date. The

Prime Rate in effect when the payment first became due plus five (5) percent shall apply for any payment that is made from 31 to 60 days after the due date. The Prime Rate in effect when the payment first became due plus ten (10) percent shall apply for any payment that is made more than 60 days after the due date. Regardless of the penalty rates stated above, the rates due shall not exceed the maximum allowed by law.

Section 10. Indemnification

- a. To the fullest extent permitted by law, the CITY OF HERMOSA BEACH, the CITY OF MANHATTAN BEACH, the CITY OF TORRANCE, the LACFCD and the CITY OF REDONDO BEACH agree to indemnify, defend, and hold harmless each other from any and all liability, claims, suits, actions, arbitration proceedings, administrative proceedings, and regulatory proceedings, losses, expenses, or any injury or damage of any kind whatsoever, whether actual, alleged or threatened, attorney fees, court costs, and any other costs of any nature without restriction incurred in relation to, as a consequence of, or arising out of, the performance of this Agreement, and attributable to each PARTY'S own fault. Following a determination of the percentage of fault of each PARTY, and or liability by agreement between the PARTIES or a court of competent jurisdiction, the PARTY responsible for liability to the other will indemnify the other PARTY to this MOU for the percentage of liability determined.
- b. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the PARTIES hereto, pursuant to the authorization contained in Section 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act of omission occurring in the performance of this MOU to the same extent that such liability would be imposed in the absence of Section 895.2 of said code. To achieve the above stated purpose, each of the PARTIES indemnifies, defends, and holds harmless each other PARTY for any liability, cost, or expense that may be imposed upon such other PARTY solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

Section 11. Termination

- a. This MOU may be terminated upon the express written agreement of all PARTIES. If this MOU is terminated, all PARTIES must agree on the equitable redistribution of remaining funds deposited, if there are any, or payment of invoices due at the time of termination. Completed work shall be owned by all PARTIES. Rights to uncompleted work by the Consultant still under contract will be held by the PARTY or PARTIES who fund the completion of such work.
- b. If a PARTY fails to comply with any of the terms or conditions of this MOU, that PARTY shall have rights to work completed under the MOU up to the time of that PARTY'S non-compliance, but shall forfeit its rights to work completed after the point of non-compliance. No such forfeiture shall occur unless and until the defaulting PARTY has first been given notice of its default and a reasonable opportunity to cure the alleged default.

Section 12. General Provisions

- a. Notices. Any notices bills, invoices, or reports relating to this MOU, and any request, demand, statement or other communication required or permitted hereunder shall be in writing and shall be delivered to the Representative of the PARTY at the address set forth in Exhibit B. PARTIES shall promptly notify each other of any change of contact information, including personnel changes, provided in Exhibit B. Written notice shall include notice delivered via email or fax. A notice shall be deemed to have been received on (1) the date of delivery, if delivered by hand during regular business hours, or by confirmed facsimile or by email; or (2) on the third (3rd) business day following mailing by registered or certified mail (return receipt requested) to the addresses set forth in Exhibit B.
- b. Administration. For the purpose of this MOU, the PARTIES hereby designate as their respective Party Representatives the persons named in Exhibit B. The designated Party Representatives, or their respective designees, shall administer the terms and conditions of this MOU on behalf of their respective Party. Each of the persons signing below on behalf of a Party represents and warrants that they are authorized to sign this MOU on behalf of such Party.
- c. Relationship to PARTIES. The PARTIES are and shall remain at all times as to each other, wholly independent entities. No PARTY to this MOU shall have power to incur any debt, obligations, or liability on behalf of another PARTY unless expressly provided to the contrary by this MOU. No employee, agent, or officer of a PARTY shall be deemed for any purpose whatsoever to be an agent, employee or officer of another PARTY.
- d. Binding Effect. This MOU shall be binding upon and inure to the benefit of each PARTY to this MOU and their respective heirs, administrators, representatives, successors and assigns.
- e. Amendment. The terms and provisions of this MOU may not be amended, modified or waived, except by an instrument in writing signed by all the PARTIES.
- f. Waiver. Waiver by any PARTY to this MOU of any term, condition, or covenant of this MOU shall not constitute a waiver of any other term, condition, or covenant. Waiver by any PARTY to any breach of the provisions of this MOU shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this MOU.
- g. Assignment Prohibited. No PARTY may assign its respective rights or obligations under this MOU without the prior written consent of the other PARTIES.
- h. Law to Govern; Venue. This MOU shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the PARTIES, venue in the state trial courts shall lie exclusively in the County of Los Angeles.
- i. No Presumption in Drafting. The PARTIES to this MOU agree that the general rule that an MOU is to be interpreted against the PARTY drafting it, or causing it to be prepared, shall not apply.
- j. Entire Agreement. This MOU constitutes the entire agreement of the PARTIES with respect to the subject matter hereof and supersedes all prior contemporaneous agreements, whether written or oral, with respect hereto.
- k. Severability. If any term, provision, condition or covenant of this MOU is declared or determined by any court or competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this MOU shall be not be affected thereby

and this MOU shall be read and constructed without the invalid, void, or unenforceable provision(s).

- I. Counterparts. This MOU may be executed in any number of counterparts, each of which shall be an original, but all of which taken together shall constitute but one and the same instrument, provided, however, that such counterparts shall have been delivered to all PARTIES to this MOU.
- m. All PARTIES have been represented by counsel in the preparation and negotiation of this MOU. Accordingly, this MOU shall be construed according to its fair language.

IN WITNESS WHEREOF, the PARTIES hereto have caused this MOU to be executed by their duly authorized representative and affixed as of the date of signature of the PARTIES:

[SIGNATURES FOLLOW ON NEXT PAGE]

CITY OF REDONDO BEACH

Date: 12-17-13

By: 
Steve Aspel, Mayor

ATTEST:

By: 
Eleanor Manzano, City Clerk


APPROVED AS TO FORM

By: 
for Mike Webb, City Attorney

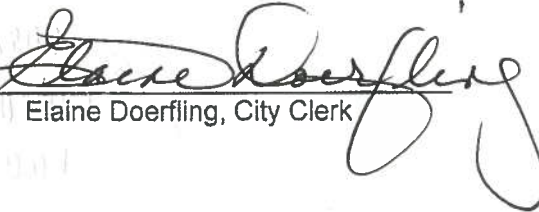


CITY OF HERMOSA BEACH

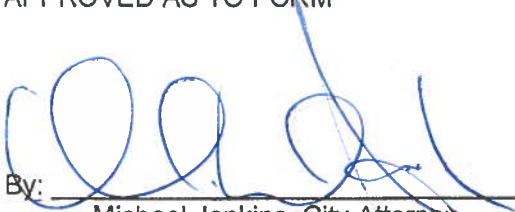
Date: 11/26/13

By: 
Michael DiVirgilio, Mayor

ATTEST:

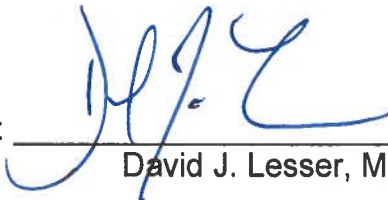
By: 
Elaine Doerfling, City Clerk

APPROVED AS TO FORM


By: 
Michael Jenkins, City Attorney

CITY OF MANHATTAN BEACH

Date: 12-11-13

By: 
David J. Lesser, Mayor

ATTEST:

By:  12-11-13
Liza Tamura, City Clerk

APPROVED AS TO FORM

By: 
Omar Sandoval, Special Counsel

CITY OF TORRANCE

Date: Dec 23, 2013

By: Frank Scotto
Frank Scotto, Mayor

ATTEST:

By: Sue Herbers
Sue Herbers, City Clerk

APPROVED AS TO FORM

By: John Fellows
John Fellows, City Attorney

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Date: 12/3/13

By: 
Gail Farber, Chief Engineer

APPROVED AS TO FORM:

John F. Krattli
County Counsel

By: 
Senior Associate

Date: 11/21/13

EXHIBIT A
 BEACH CITIES
 EWMP/CIMP GROUP
 PHASE I
 Funding Contributions

TABLE 1a. TOTAL COST

Item		Total Cost
Contract Cost	(a)	\$278,414
RB Contract Management Fee (10%)	(b)	\$27,841
Sub-Total Cost	(a) + (b) = (c)	\$306,255
LACFCD Allocation (10%) [1]	(c) x 10% = (d)	\$30,626
TOTAL COST TO BE DISTRIBUTED	(c) - (d) = (e)	\$275,630
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Dominguez Channel Watershed [2]		\$137,815

Notes

- [1] The Los Angeles County Flood Control District (LACFCD) has committed to contributing 10% of the Total Cost for their share in the development of the plans.
- [2] Using tributary land areas, the two watersheds were estimated to have an even split.
- [3] Adjustments were made to Redondo Beach and Manhattan Beach to subtract the acreage of the Wylie Sump.
- [4] Adjustments were made to Redondo Beach and Torrance to subtract the acreage of Machado Lake.
- [5] Adjustment was made to Torrance to subtract the acreage of the Ocean and Bishop Montgomery basins.

TABLE 1b. DISTRIBUTION OF TOTAL COST AMONG PARTICIPATING AGENCIES

Combined Santa Monica Bay and Dominguez Channel Watershed 5					
Agency	Acres	Adjusted Acres	Percent of Area	Distributed Total Cost	
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City of Hermosa Beach	831.51	811.46	4%	\$15,160	
City of Manhattan Beach	2,428.44	2,390.09	12%	\$42,585	
City of Torrance	13,370.55	7,892.07	65%	\$148,978	
LACFCD	N/A	N/A		\$30,626	
TOTAL	20,461.61	14,850.49	100%	\$306,255	

Table 2. Cost Allocation Formula

$\text{AGENCY Cost} = \text{Total EWMP\&CIMP Cost} \times \text{Agency Percent of Area}$
--

Table 3. Invoice Schedule

Agency	Agency Cost		Deposit Schedule
	Total Cost		Jan 1, 2014
City of Redondo Beach	\$ 68,907	\$	68,907
City of Hermosa Beach	\$ 15,160	\$	15,160
City of Manhattan Beach	\$ 42,585	\$	42,585
City of Torrance	\$ 148,978	\$	148,978
LACFCD	\$ 30,626	\$	30,626
TOTAL	\$ 306,255	\$	306,255

EXHIBIT B

**BEACH CITIES WMG
EWMP/CIMP GROUP
Responsible Agencies Representative**

1. City of Redondo Beach
Department of Public Works, Engineering Division
415 Diamond Street
Redondo Beach, CA 90266

Elaine Jeng, P.E.
E-mail: elaine.jeng@redondo.org
Phone: (310) 318-0661 x2279
Fax: (310) 374-4828

2. City of Hermosa Beach
Department of Public Works
1315 Valley Drive
Hermosa Beach, CA 90254

Frank Senteno, P.E.
E-mail: fsenteno@hermosabch.org
Phone: (310) 318--0238
Fax: (310) 937-5015

3. City of Manhattan Beach
Department of Public Works
1400 Highland Avenue
Manhattan Beach, CA 90266

Raul Saenz
E-mail: rsaenz@citymb.info
Phone: (310) 802-5315
Fax: (310) 802-5314

4. City of Torrance
Department of Public Works
20500 Madronna Avenue
Torrance, CA 90503

John C. Dettle, P.E.
E-mail: jdettle@TorranceCA.gov
Phone: (310) 618-3059
Fax: (310) 781-6902

5. Los Angeles County Flood Control District
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue

Alhambra, CA 91803

Gary Hildebrand

E-mail: ghildeb@dpw.lacounty.gov

Phone: (626) 458-4300

Fax: (626) 457-1526

Agenda Date: 11/5/2014

TO:

Honorable Mayor Howorth and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Liza Tamura, City Clerk

SUBJECT:

Minutes:

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 October 7, 2014
- b) City Council Regular Meeting of October 7, 2014
- c) City Council Special Meeting - Closed Session of October 15, 2014
- d) City Council Adjourned Regular Meeting - Closed Session of October 24, 2014
(City Clerk Tamura).

APPROVE

RECOMMENDATION:

Staff recommends that the City Council, by motion, take action to approve the minutes of the City Council.

Attachments:

- 1. City Council Adjourned Regular Meeting-Closed Session Minutes of October 7, 2014
- 2. City Council Regular Meeting Minutes of October 7, 2014
- 3. City Council Special Meeting - Closed Session Minutes of October 15, 2014
- 4. City Council Adjourned Regular Meeting - Closed Session Minutes of October 24, 2014

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, October 7, 2014

5:00 PM

Adjourned Regular Meeting - Closed Session

City Council Chambers

City Council Meeting

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

A. CALL MEETING TO ORDER

The Closed Session Meeting of October 7, 2014, was called to order at 5:00 PM.

B. PLEDGE TO THE FLAG

Mayor Powell led the Pledge to the Flag.

C. ROLL CALL

Present 5 - Mayor Wayne Powell, Mayor Pro Tem Mark Burton, Councilmember Tony D'Errico, Councilmember David J. Lesser, and Councilmember Amy Howorth

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

City Clerk Tamura confirmed the meeting was properly posted.

E. PUBLIC COMMENTS

Bill Victor spoke about two cases of perjury by police officers that he witnessed. He said police officers should be accountable for committing perjury.

Mayor Powell asked the City Attorney about the process or procedure for allegations of improprieties or perjury.

City Attorney Barrow said there is a process to file charges against a police officer. They can be filed through the Chief of Police or the City Attorney.

F. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

At 5:03 PM City Attorney Barrow read into the record the following Closed Session item:

**1. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6)**

Agency Negotiator: Mark Danaj, City Manager

**Employee Groups: Manhattan Beach Police Management Association; and
Management Confidential**

G. RECESS INTO CLOSED SESSION

The City Council recessed into Closed Session at 5:04 PM.

H. RECONVENE INTO OPEN SESSION

The City Council reconvened into Open Session at 6:00 PM.

I. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

The City Attorney announced there was no reportable action taken.

J. ADJOURNMENT

At 6:00 PM, Mayor Powell adjourned the October 7, 2014, Adjourned Regular Meeting - Closed Session to the October 7, 2014, Regular City Council Meeting in City Council Chambers, in said city.

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, October 7, 2014

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

City Attorney Quinn Barrow led the Pledge of Allegiance.

B. NATIONAL ANTHEM

Tamara Walker-Panzarella and Gigi Panzarella sang the National Anthem.

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

Mayor Pro Tem Burton requested that Item No.14 on the Consent Calendar be moved to General Business or to a future agenda as a General Business Item.

Mayor Powell confirmed that it would be moved to a future agenda.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to approve the agenda and waive full reading of ordinances with the exception of Item No. 14 which was moved to a future agenda. The motion carried by the following vote:

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

Nay: 1 - Lesser

F. CEREMONIAL CALENDAR

2. Presentation of Certificates Recognizing the Grand View Student Council. [14-0435](#)
PRESENT

This item was taken out of order.

On behalf of the City Council, Mayor Powell presented Certificates of Recognition to the Grand View Student Council. Kylie Duncan, 5th Grade Teacher introduced the

students:

President - Duncan Ross
Vice President - Parker Kinsey
Historian - Jordan Koo
Community Service - Andrew Salzman
Fun Fridays - Skylar Gerhardt
Spirit Chairperson - Skyler Behrens
Gator Mascot - Billy Mattis
Secretary - Ella Davis
Grades of Green Leader - Annie Lantuono
Garden Club Leader - Killey Keating

1. Presentation of a Commendation Recognizing Paul Silva for his Dedicated Service to the South Bay and to the City of Manhattan Beach.

[14-0445](#)

PRESENT

This item was taken out of order.

On behalf of the City Council, Mayor Powell presented a Certificate of Recognition to Paul Silva for his contributions to the South Bay and the City of Manhattan Beach.

3. Presentations of Proclamations to the Manhattan Beach Soroptimist International Organization Recognizing October 2014 as Breast Cancer Awareness Month and November 2014 as Domestic Violence Prevention Month.

[14-0450](#)

PRESENT

On behalf of the City Council, Mayor Powell presented a Proclamation to Laura Lind, representing the Soroptimist International Organization for Breast Cancer Awareness Month and Domestic Violence Prevention Month.

4. Presentation of the "I ♥ MB Award" to Adrienne Slaughter.

[14-0455](#)

PRESENT

On behalf of the City Council, Mayor Powell presented the "I ♥ MB Award" to Adrienne Slaughter for her cancer survival inspiration. Adrienne thanked Dorothy Yost, Richard Budman and Maggie Walsh for their support.

Maggie Walsh, American Cancer Society thanked the City Council for their support during the annual "Relay for Life" event.

G. CITY MANAGER REPORT

City Manager Mark Danaj introduced Nadine Nader, the newly appointed Assistant City Manager.

H. CITY ATTORNEY REPORT

None.

Mayor Pro Tem Burton asked City Attorney Barrow to clarify the "Entertainment Permit" as it applies to the 900 Club being sold to one owner.

City Attorney Barrow clarified that the resolution requires the site to have an Entertainment Permit.

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Councilmember Howorth announced that there is a Candidate Forum next Wednesday, October 15, 2014 at Mira Costa High School from 7 - 9 PM. It will include State Assembly, Congressional and State Senate Candidates.

Mayor Powell reported that at the Dine and Discover Lunch, October 15, 2014, the League of Women Voters will be presenting impartial analysis on initiatives. He also thanked everyone who came out to his "Mayors Walk and Talk. The next one will be held on Monday, October 20, 2014, at 9 AM, at the North End Cafe.

J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

Police Chief Eve Irvine announced that Wednesday, October 8, 2014, at the Tin Roof Bistro, a "Tip-a-Cop" fundraiser for the Special Olympics will be held from 5 - 9 PM. Police Chief Irvine also stated that the Neighborhood Watch Fall Meeting will be held Thursday, October 16, 2014, at 6:30 PM, at the Joslyn Community Center. She further added that the Community Police Academy is accepting applications and the class will begin on January 15, 2015.

Gary Stabile, representing Community Emergency Response Team (CERT), used document reader to show flyer announcing the semiannual training class in November and the annual "Great American Shakeout" which will be held on Saturday, October 25, 2014.

Jill Jensen, Director of Development with Walk with Sally, encouraged everyone to wear pink for the "Paint the Town Pink" event on October 8, 2014.

Bill Victor, property owner, alerted the public that "Police Watch" was an organization he founded years ago and he has reactivated the organization.

Don Gould, Manhattan Beach Library, noted upcoming library events and the bookmark contest.

K. PUBLIC COMMENT ON NON-AGENDA ITEMS

Robert Bush provided a handout and spoke against mansionization.

Patrick McBride, resident, remarked about wasting water.

Bill Victor, remarked about water sprinklers, building of rooftop decks, and the Chili Cook-Off at the fire department in November.

Mayor Powell announced that the Drought Water Conservation Ordinance was sent out in water bills, e-notified, is on the City Website and also on the City's Social Media, Facebook and Twitter. To report a violation, he pointed out that the number is under "Going Green" on the City's Website.

Max and Alex, Manhattan Beach Middle School Students, stated that they are skate boarders and requested a skate park.

Frank Waddles, resident, is concerned about fiscal responsibility in the City.

Brayden, Manhattan Beach Middle School, asked for a skate park.

L. CONSENT CALENDAR

Bill Victor pulled Items Nos. 5, 6, 7, 8, and 12.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, to approve the Consent Calendar Item Nos. 5-16 with the exception of Item Nos. 5, 6, 7, 8, and 12 and continue Item No. 14 which was moved to a future agenda. The motion carried by the following vote:

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

5. Request for Proposal for Skate Park Planning Services to Provide Community Outreach and Propose Skate Park Locations, Type of Skate Park and Funding Options (*Continued from the September 2, 2014, City Council Meeting*) (Parks and Recreation Director Leyman). [14-0423](#)

APPROVE

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

6. Request for Proposal to Assess Current Tree Program and Develop a Comprehensive Street Tree Master Plan (*Continued from the September 2, 2014, City Council Meeting*) (Public Works Director Olmos). [14-0425](#)

RECEIVE AND FILE

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

7. Pursuant to City Council Direction on August 19, 2014, adopt Resolution No. 14-0063 Approving, Subject to Conditions, a Modified and Restated Use Permit for an Existing Restaurant/Bar ("Eating and Drinking Establishment") at the Property Located at 900 Manhattan Avenue (CEQA Categorical Exemption) (*Continued from the September 2, 2014, City Council Meeting*) (Community Development Director Thompson). [RES 14-0063](#)

ADOPT RESOLUTION UPHOLDING PLANNING COMMISSION DECISION WITH REVISED CONDITIONS

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

8. Contract with Messina & Associates in the Amount Not-to-Exceed \$55,000 for Succession Planning Development, Team Building, Coaching and Career Counseling for multiple City Departments (*Continued from the September 2, 2014, City Council Meeting*) (Human Resources Director Hanson). [CON 14-0047](#)

APPROVE

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

9. Award of a One-Year Bulk Fuel Contract to Southern Counties Oil Company (Estimated Annual Value of \$350,000) (Finance Director Moe). [14-0429](#)

APPROVE

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

10. Request to Approve the Open Invitation Process for the 2014-2015 Sculpture Garden Program, Locate One Additional Sculpture to the Entry Plaza of the Creative Art Center, and Appropriate \$21,000 from the Public Art Trust Fund for 7 Sculptures (Parks and Recreation Director Leyman). [14-0449](#)

APPROVE

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

11. Request by the Cultural Arts Commission to Restore the Harold Roach Sculpture, "Untitled" 1982 and allocate up to \$3,500 from the Public Art Trust Fund (Parks and Recreation Director Leyman). [14-0448](#)

APPROVE

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

12. Approval of Plans and Specifications for the Sepulveda Boulevard at Marine Avenue Intersection Improvements Project, Award a Construction Contract to Griffith Company (\$432,799), and Award a Professional Engineering Services Contract to Wallace & Associates (\$49,892) for Construction Inspection Services (Public Works Director Olmos). [14-0410](#)

APPROVE

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

13. Amendment No.1 to Design Service Agreement with Cannon Corporation for Additional Work for the 2013-14 Water Main Replacement Project (Public Works Director Olmos). [CON 14-0042](#)

APPROVE

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

14. Approve Measure R Funding Agreement Between the Los Angeles County Metropolitan Transportation Authority and City of Manhattan Beach for Reimbursement of Costs for Project Development, Right-of-Way, and Construction of the Sepulveda Boulevard Bridge Widening Project for the Previously Awarded Amount of \$9,100,000 (Public Works Director Olmos). [14-0428](#)

APPROVE

This item was continued to a future meeting.

15. Pursuant to City Council Direction on September 2, 2014, adopt Resolution No. 14-0064 Conditionally Approving a Master Use Permit Amendment to Allow the Shade Hotel to Modify Hotel Associated Services such as the Service of Food and Alcohol; Conduct Special Events on its Terrace; Modify its Marketing; and Install Noise Mitigation Measures (CEQA Categorical Exemption) (Community Development Director Thompson). [RES 14-0064](#)
- ADOPT RESOLUTION**

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

16. Minutes: [14-0342](#)
- 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 Regular Meeting of September 2, 2014
 - b) City Council Regular Meeting of September 16, 2014 (City Clerk Tamura).
- APPROVE**

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

M. PUBLIC HEARINGS

N. GENERAL BUSINESS

17. Consideration and Approval of Resolution No. 14-0066 Amending the City of Manhattan Beach's Personnel Rules Establishing the Addition of Four New Strategic Classifications and Corresponding Salary Ranges and Benefits Levels (City Manager Danaj). [RES 14-0066](#)
- ACCEPT RECOMMENDATION**

Mayor Powell introduced City Manager Mark Danaj who provided a PowerPoint presentation. City Manager Danaj identified the reasons for requesting the approval of additional staff and outlined the importance of each position including: IT Director, Community/Civic Engagement Manager, Economic Development Manager, Assistant Director of Finance. Fiscal Implications were also presented.

Councilmember Lesser expressed his concerns with filling all four positions at one time rather than being phased in over a period of time.

Discussion continued and City Manager Danaj, Finance Director Bruce Moe and Human Resources Director Cathy Hanson responded to City Council questions.

At 7:20 PM Mayor Powell opened the floor to public comment on Item No. 5 to allow the youth to participate and then leave as it is a school night.

5. Request for Proposal for Skate Park Planning Services to Provide Community Outreach and Propose Skate Park Locations, Type of [14-0423](#)

Skate Park and Funding Options (*Continued from the September 2, 2014, City Council Meeting*) (Parks and Recreation Director Leyman).

APPROVE

This item was taken out of order.

Mayor Powell opened the floor to public comment for the youth in attendance.

Blake Bordkas, senior at Mira Costa High School, who served on the Ad Hoc Committee, commented on the benefit of having a professional design the Skate Park.

Jayden Kessel, senior at Mira Costa High School, spoke about taking the Skate Park issue seriously.

Eric Kessel stated the need for a Skate Park because there is no place to skate unless you go out of town.

Riley, attends Manhattan Beach Middle School, agreed that a Skate Park is needed because there is no place else to skate.

Dick Hane, mom of a skater, concerned about children being chased off of other properties and emphasizes that they need a safe place to be.

Matt Rhenas, supporter for the skate park, wants to know who is against the skate park.

Jonathon G, Mira Costa graduate in 2006, former Manhattan Beach resident and now Mammoth Lakes resident, suggested that the Skate Park should be more street friendly and built by someone that skates.

Seeing no further requests to speak, Mayor Powell closed the public comments for the youths and continued the item to Item No. O, Items Removed from the Consent Calendar.

17. Consideration and Approval of Resolution No. 14-0066 Amending the City of Manhattan Beach's Personnel Rules Establishing the Addition of Four New Strategic Classifications and Corresponding Salary Ranges and Benefits Levels (City Manager Danaj).

[RES 14-0066](#)

ACCEPT RECOMMENDATION

Mayor Powell opened the floor to public comment.

Bill Victor emphasized his opposition to the four new positions.

Faith Lyons conveyed that she is stunned and floored to see this high level of staffing.

Jan Dennis asked if these new positions meant that the City would stop hiring consultants.

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

Discussion continued among City Council members.

Councilmember Lesser stated that he shares the vision of this City Council but he

doesn't think this is the way to approach it. He thinks a more robust argument should be made for these positions with data to support it.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico to concur with City Manager Danaj's recommendation to Adopt Resolution No. 14-0066 and Amend the City of Manhattan Beach's Personnel Rules establishing the addition of four new Strategic Classifications and Corresponding Salary Ranges and Benefits Levels. The motion carried by the following vote:

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

Nay: 1 - Lesser

At 8:13 PM City Council recessed and reconvened at 8:25 PM with all Councilmembers present.

18. Interim Urgency Ordinance No. 14-0019 Requiring a Use Permit Prior to the Establishment of Formula Uses in the Downtown Area (Community Development Director Thompson).

[ORD-U
14-0019](#)

ADOPT INTERIM URGENCY ORDINANCE NO. 14-0019

Councilmember D'Errico asked City Attorney Quinn Barrow to respond regarding a Conflict of Interest on this matter.

City Attorney Barrow clarified that the Fair Political Practices Commission (FPPC) had been contacted and responded with a written letter that Councilmember D'Errico does not have a Conflict of Interest.

Mayor Powell introduced Community Development Director Richard Thompson who presented a PowerPoint Presentation.

Community Development Director Thompson and City Attorney Barrow responded to City Council questions.

Mayor Powell opened the floor to public comment.

Sheryl Lynn, Manhattan Beach resident, doesn't want downtown Manhattan Beach to become like Santa Monica with all of the chain stores.

Jan Rhees, resident, urged the City Council to find a balance of stores.

Kris D'Errico, resident, encourages City Council to take the "time out measures" to study the chain stores issues in downtown and hear from everyone involved.

Steve Saylor, resident, was asked to speak under "Public Comment on Non-Agenda Items".

Bill Victor, supports Starbucks, Noah's, Coffee Bean, etc., and stated that they have not destroyed downtown.

Chandra Shaw, resident, spoke on behalf of downtown and achieving a balance.

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

Discussion continued among City Councilmembers regarding the necessity of this

ordinance.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser to take this Interim Urgency Ordinance No. U 14-0019 off of the calendar at this time. The motion carried by the following vote:

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

19. Presentation of Mills Act Pilot Program to Provide Incentives for [RES 14-0062](#) Preserving Historical Resources and Sample Resolution (Community Development Director Thompson).

PROVIDE DIRECTION AND APPROPRIATE \$50,000 FROM UNRESERVED FUNDS TO HIRE A HISTORIC PRESERVATION CONSULTANT

Mayor Powell introduced Community Development Planning Manager Laurie Jester who gave a PowerPoint Presentation on the Mills Act.

Discussion continued among City Councilmembers and Planning Manager Jester responded to questions.

Mayor Powell opened the floor to public comment.

Jan Dennis, resident, spoke on the importance of preservation and requested staff to prepare an ordinance, not a resolution.

Jane Guthrie, member of Manhattan Beach Cultural and Heritage Foundation Board, also echoed that it was her understanding staff was to prepare an ordinance. She also stated that the Beverly Hills Ordinance was presented to staff as a solid base.

Community Development Planning Manager Jester and City Attorney Barrow clarified that the resolutions would authorize the City to enter into Mills Act Contracts, and the ordinance would be for designating properties as landmarks.

Marcello Vavala, Los Angeles Conservancy, remarked about the unique nature of Manhattan Beach and also of his previous work with other cities and governments on implementing the Mills Act.

Michelle Watchfogel, Redondo Beach resident, said that the Mills Act seems like a good idea.

Jane Guthrie, spoke about the differences between the Beverly Hills ordinance and the proposed Manhattan Beach resolution and requested moving forward with great speed.

Unknown speaker reiterated the assets of having a Mills Act and adopting this resolution because the City is losing these buildings at a high rate of speed.

Gary McAulay, resident, urged City Council to take steps in an efficient and rapid manner.

Jan Rhees, resident, stated that she is a preservation advocate.

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 Resolution No. 14-0062 with answers to certain questions: to piggyback the Beverly Hills Ordinance, establish a Landmark Commission, add a dollar amount of 3 million, keep Section 10 as is, keep Section 12 having a Landmark Commission, also include working with the Los Angeles Conservancy and ask Staff to engage a Consultant to assist Staff in drafting a Historic Preservation Ordinance and to return to City Council in 60 days. Also direct Staff to consult with any other stake holders such as the school district and health district. The motion carried by the following vote:

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

20. Approve an Amendment to the 2007 Personnel Cooperative Agreement Between the Cities of Manhattan Beach and Hermosa Beach to Include the Rank of Fire Captain and Other Specified Resources (Fire Chief Espinosa).

[14-0411](#)

APPROVE

Mayor Powell introduced Fire Chief Bob Espinosa, who provided the staff presentation.

City Council discussion continued and Fire Chief Espinosa responded to City Council questions.

Mayor Powell opened the floor to public comment.

Bill Victor inquired if we do the same thing with police for manpower and equipment.

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 an amendment to the 2007 Personnel Cooperative agreement between the Cities of Manhattan Beach and Hermosa Beach to include the rank of Fire Captain and other specified resources. The motion carried by the following vote:

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

At 10:59 PM City Council recessed and reconvened at 11:06 PM with all Councilmembers present.

21. City Council Retreat Outcomes (City Manager Danaj).

[14-0418](#)

ADOPT

Mayor Powell introduced City Manager Mark Danaj who gave a brief overview on the City Council Retreat.

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 D'Errico, to adopt the City Council Retreat Outcomes. The motion carried by the following vote:

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

O. ITEMS REMOVED FROM THE CONSENT CALENDAR

5. Request for Proposal for Skate Park Planning Services to Provide Community Outreach and Propose Skate Park Locations, Type of Skate Park and Funding Options (*Continued from the September 2, 2014, City Council Meeting*) (Parks and Recreation Director Leyman). [14-0423](#)

APPROVE

Mayor Powell opened the floor to public comment.

Bill Victor commented that the contract needs provisions for insurance and some of the language in the RFP needs clarification.

City Attorney Quinn Barrow responded to questions.

Gary Kessel, resident, remarked that his sons have been attending meetings on the skate park, and he is happy to see the skate park moving forward.

Unknown speaker, upset that Polliwog Park has been circumvented in due process from being considered for a skate park.

Julie Prophet, resident, disturbed by skate park proponents for Polliwog Park and thinks her neighborhood is being unfairly intimidated.

Alex Jordan reiterated that Polliwog Park should not be in any further discussions of a skate park.

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

Mayor Powell clarified that Polliwog Park is not to be considered in the Request for Proposals (RFP).

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to approve the Request for Proposal for Skate Park Planning Services to Provide Community Outreach and Propose Skate Park Locations, Type of Skate Park and Funding Options.

Discussion continued among City Council.

Mayor Pro Tem Burton stated that he wants to find out if the community really supports this or not, and the question should be included in a survey. He added that he remembers asking for a consultant to go out and gauge community interest in building a skate park, not hiring an advocate for a skate park.

Councilmember D'Errico believes the process has been extremely flawed. He further added that he is not against the skate park, but against doing something without having done the appropriate outreach.

Mayor Pro Tem Burton made a friendly amendment to give direction that when there is a community survey the question be asked if the residents support a skate park.

Mayor Powell asked if Mayor Pro Tem Burton's friendly amendment was accepted.

Councilmember Howorth replied "no".

Councilmember D'Errico added a friendly amendment that staff pay attention to Item No. 4. (Development of community outreach meetings and public input process).

Councilmember Howorth agreed 100% to accept the friendly amendment.

Mayor Pro Tem Burton stated that he doesn't feel that Item No. 4 really specifies if residents support a skate park and this really should be sent out in a separate document, a community survey.

Councilmember Howorth reiterated that in her motion she is in favor of a skate park.

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to approve the Request for Proposal for Skate Park Planning Services to Provide Community Outreach and Propose Skate Park Locations, Type of Skate Park and Funding Options. The motion carried by the following vote:

Aye: 3 - Powell, Lesser and Howorth

Nay: 2 - Burton and D'Errico

6. Request for Proposal to Assess Current Tree Program and Develop a Comprehensive Street Tree Master Plan *(Continued from the September 2, 2014, City Council Meeting)* (Public Works Director Olmos).

[14-0425](#)

RECEIVE AND FILE

This item was pulled by Bill Victor.

Mayor Powell opened the floor to public comment.

Bill Victor commented that he didn't think the City needed to hire tree consultants.

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

City Manager Mark Danaj confirmed that this hiring was for an "Arborist" and there are none on staff.

Public Works Director Tony Olmos gave a brief presentation and provided background on this issue.

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

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

7. Pursuant to City Council Direction on August 19, 2014, adopt Resolution No. 14-0063 Approving, Subject to Conditions, a Modified and Restated Use Permit for an Existing Restaurant/Bar (“Eating and Drinking Establishment”) at the Property Located at 900 Manhattan Avenue (CEQA Categorical Exemption) (*Continued from the September 2, 2014, City Council Meeting*) (Community Development Director Thompson).

[RES 14-0063](#)

**ADOPT RESOLUTION UPHOLDING PLANNING COMMISSION
DECISION WITH REVISED CONDITIONS**

This item was pulled by Bill Victor.

Mayor Powell opened the floor to public comment.

Chandra Shaw reported that the reality of effectively closing this business earlier is a "negative impact" on this business.

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

Mayor Powell reopened the item to allow the applicant to respond.

City Attorney Barrow clarified that it was not a reopening of the public hearing.

David Rohrbacher, owner of 900 Manhattan, stated that he was not clear on the modification of having to stop serving food or drink thirty minutes before closing time, because it was effectively taking away from his income.

Albro Lundy, attorney for the property owner, remarked that this is basically taking away property rights.

Mayor Powell closed the floor to discussion.

City Council discussion continued and City Attorney Barrow responded to City Council questions.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico to adopt Resolution No. 14-0063 A Resolution of the Manhattan Beach City Council Approving, Subject to Conditions, a Modified and Restated Use Permit for an Existing Restaurant/Bar (“Eating and Drinking Establishment”) at the Property Located at 900 Manhattan Avenue (900 Club and Red Room. the motion carried by the following vote:

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

8. Contract with Messina & Associates in the Amount Not-to-Exceed \$55,000 for Succession Planning Development, Team Building, Coaching and Career Counseling for multiple City Departments (*Continued from the September 2, 2014, City Council Meeting*) (Human Resources Director Hanson).

[CON 14-0047](#)

APPROVE

This Item was pulled by Bill Victor.

Mayor Powell opened the floor to public comment.

Bill Victor stated that the City doesn't need a consultant to tell them how to transition jobs.

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

City Council discussion continued and questions were responded to by Human Resources Director Cathy Hanson, Fire Chief Bob Espinosa and Parks and Recreation Director Mark Leyman.

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to approve the Contract with Messina & Associates in the Amount Not-to-Exceed \$55,000 for Succession Planning Development, Team Building, Coaching and Career Counseling for multiple City Departments. The motion carried by the following vote:

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

- 12.** Approval of Plans and Specifications for the Sepulveda Boulevard at [14-0410](#) Marine Avenue Intersection Improvements Project, Award a Construction Contract to Griffith Company (\$432,799), and Award a Professional Engineering Services Contract to Wallace & Associates (\$49,892) for Construction Inspection Services (Public Works Director Olmos).

APPROVE

This item was pulled by Bill Victor.

Mayor Powell opened the floor to public comment.

Bill Victor reported that a contract was not attached to the staff report.

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

Public Works Director Tony Olmos responded to City Council questions.

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

P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

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

Councilmember Lesser requested that the agenda items be reviewed more carefully, so that meetings do not go this late.

Mayor Pro Tem Burton requested three items scheduled for a future meeting on the Consent Calendar be moved to General Business (Community Choice, MOU for

Watershed Phase II, and the ULI Contract). He commented on the blue benches on the Strand and requested that no more be installed until they can be reviewed, as there have been many complaints. He further added that he will be meeting with the Customer Service Advantage CEO in San Diego and will be returning with a report.

Councilmember Lesser asked if the attendance at the Chamber of Commerce "Best of Manhattan" was something that needed to be reported with regards to AB1234.

City Clerk Liza Tamura confirmed that it is reported on FPPC Form 802.

Mayor Powell announced that at the first meeting in November, during the ceremonial item, the City will be presented with an Environmental Sustainability Award.

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 Councilmember Lesser, that Item Nos. 22 and 23 be received and filed. The motion carried by the following vote:

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

- 22.** Financial Reports: [14-0408](#)
- a) Schedule of Demands: September 11, 2014
 - b) Investment Portfolio for the Month Ending August 31, 2014
 - c) Financial Reports for the Month Ending August 31, 2014
(Finance Director Moe).

RECEIVE AND FILE

This item was received and filed.

- 23.** Commission Minutes: [14-0439](#)
- This item contains 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 minutes of the:
- a) Cultural Arts Commission Meeting of August 12, 2014
(Parks and Recreation Director Leyman).
 - b) Parks and Recreation Commission Meeting of August 25, 2014
(Parks and Recreation Director Leyman).
 - c) Planning Commission Meeting of September 10, 2014
(Community Development Director Thompson).

RECEIVE AND FILE

This item was received and filed.

S. ADJOURNMENT

At 12:58 AM the Regular City Council Meeting was adjourned to the Adjourned Regular City Council Meeting (Closed Session) at 9 AM Wednesday, October 15,

2014, in the City Council Chambers, at City Hall, in said City.

Matthew Cuevas
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Wednesday, October 15, 2014

9:00 AM

CALL AND NOTICE OF A SPECIAL CITY COUNCIL MEETING

City Council Chambers
Closed Session

City Council Meeting

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

A. CALL MEETING TO ORDER

The Special City Council Meeting - Closed Session of October 15, 2014, was called to order at 9:04 AM.

B. PLEDGE TO THE FLAG

Mayor Powell led the Pledge to the Flag.

C. ROLL CALL

Present 5 - Mayor Wayne Powell, Mayor Pro Tem Mark Burton, Councilmember Tony D'Errico, Councilmember David J. Lesser, and Councilmember Amy Howorth

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

Management Analyst Matthew Cuevas confirmed the meeting was properly posted.

E. PUBLIC COMMENTS

None.

F. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

At 9:09 AM, Mayor Powell read into the record the following Closed Session item:

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)
Titles: City Manager, City Attorney**

G. RECESS INTO CLOSED SESSION

The City Council recessed into Closed Session at 9:05 AM.

H. RECONVENE INTO OPEN SESSION

The City Council reconvened into Open Session at 11:34 AM.

I. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Attorney Barrow announced the City Council gave direction, and there was no reportable action.

J. ADJOURNMENT

At 11:35 AM, Mayor Powell adjourned the Speical City Council Meeting - Closed Session.

Quinn Barrow
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Friday, October 24, 2014

11:00 AM

Adjourned Regular Meeting - Closed Session

City Council Chambers

City Council Meeting

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

A. CALL MEETING TO ORDER

The Closed Session Meeting of October 24, 2014, was called to order at 11:03 AM.

B. PLEDGE TO THE FLAG

Mayor Powell led the Pledge to the Flag.

C. ROLL CALL

Present 5 - Mayor Wayne Powell, Mayor Pro Tem Mark Burton, Councilmember Tony D'Errico, Councilmember David J. Lesser, and Councilmember Amy Howorth

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

City Clerk Tamura confirmed the meeting was properly posted.

E. PUBLIC COMMENTS

None.

F. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

At 11:04 AM, City Attorney Barrow read into the record the following Closed Session item:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (G.C. Section 54957)

Establish Criteria for Future Evaluation

Title: City Manager

Title: City Attorney

G. RECESS INTO CLOSED SESSION

The City Council recessed into Closed Session at 11:04 AM.

H. RECONVENE INTO OPEN SESSION

The City Council reconvened into Open Session at 1:07 PM.

I. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Attorney Barrow announced there was no reportable action taken.

J. ADJOURNMENT

At 1:07 PM, Mayor Powell adjourned the October 24, 2014, Adjourned Regular Meeting - Closed Session, to the November 5, 2014, Regular City Council Meeting, located in City Council Chambers, in said city.

Quinn Barrow
Recording Secretary

Wayne Powell
Mayor

ATTEST:

Liza Tamura
City Clerk

Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Bruce Moe, Finance Director

Leilani Flores Emnace, Information Systems Manager

SUBJECT:

Government Access Channel Broadcast Capabilities (Finance Director Moe).

RECEIVE REPORT; DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Staff recommends that the City Council: a) receive the report, and b) discuss and provide direction.

FISCAL IMPLICATIONS:

There is no fiscal impact associated with the recommended action.

BACKGROUND:

Through the two incumbent cable television franchisees (Time Warner and Verizon), the City provides community (Government) television to the residents of Manhattan Beach. The City utilizes Time Warner Channel 8 and Verizon Channel 35 to broadcast (and re-broadcast) City Council and Planning Commission meetings, as well as other special events such as Mayor's Town Hall meetings. Additionally, other content advertising City events and activities are programmed. The City is the programming authority for these channels (the same content is run concurrently on both channels). In technical terms, these are "Government" channels (as opposed to "Education" or "Public" channels, described further below). In response to questions and requests the City Council has received, staff was directed to present information on the City's public access channel broadcast capabilities to provide a framework for discussion and further research.

DISCUSSION:

Public-Education-Government Television

Cable television Local Access Channels are mandated by the Federal Communications Commission (FCC). Local Access Channels include Public, Education and Government (PEG) channels. Pursuant to Section 611 of the Communications Act, local franchising authorities (such as the City) may require cable operators to set aside channels for PEG use with the following definitions:

- Public access channels are available for use by the general public. They are usually administered either by the cable operator or by a third party designated by the franchising authority. The City of Manhattan Beach currently does not have any Public access channels on Time Warner or Verizon.
- Educational access channels are used by educational institutions for programming. Time on these channels is typically allocated among local schools, colleges and universities by either the franchising authority or the cable operator. In Manhattan Beach, the School District broadcasts Board meetings on Time Warner Channel 45 and Verizon Channel 36.
- Government access channels are used for programming by local governments. In most jurisdictions, the local government directly controls these channels. In Manhattan Beach, these are Time Warner Channel 8 and Verizon Channel 35.

In the past, California local governments entered into individual franchise agreements with local cable providers which required PEG channels, defined franchise fees and PEG fees to be paid, in-kind support (such as studio space for original content production and assistance with broadcasting of meetings and events), and other matters deemed to be of local interest and control.

By 2006, the City of Manhattan Beach had two companies franchised to provide cable television service - Time Warner and Verizon. At that time, the local PEG revenues and in-kind support provided a certain level of local cable television programming on Government Access Channels, not only in Manhattan Beach, but in communities across the State.

However, the landscape changed dramatically in 2006 when the State Legislature adopted AB 2982, the Digital Infrastructure and Video Competition Act (DIVCA). This act pre-empted local cable franchising rights and replaced it with a State Franchise for each provider. DIVCA defined a fixed and uniform level of franchise fee, 5% of gross revenues, and while still requiring PEG channels, allowed local jurisdictions to levy a PEG fee of just an additional 1% with there being no requirement for any in-kind services (in 2008, the City adopted Ordinance 2116 which conformed the City's cable requirements to those of the State Franchise and imposed the local option 1% PEG fee).

The requirement for PEG channels under DIVCA stated that the PEG channels shall be for the exclusive use of the local entity or its designee to provide public, educational, and government channels. The PEG channels shall be used only for noncommercial purposes. However, advertising, underwriting, or sponsorship recognition may be carried on the channels for the purpose of funding PEG-related activities.

As DIVCA was implemented, cities across the State began to modify their cable television activities in response to less funding being available and the withdrawal of in-kind services by the cable companies as local franchise agreements expired and the State Franchises became effective.

Manhattan Beach Programming

The programming currently provided on the Manhattan Beach Local Community Cable Channel as a Government Access Channel (e.g., Time Warner Channel 8 and Verizon Channel 35) is comprised of the live broadcast and repeat broadcast of City Council and Planning Commission meetings, other City meetings and special events (see Attachment 1). In between scheduled programming, City related meeting announcements appear as slides. On November 5, 2013, the City Council received a report on the operation of the Manhattan Beach Local Community Cable Channel (see Attachment 2).

The City of Manhattan Beach does not currently have a Public access channel. According to DIVCA, in order to maintain Public access channels, local entities (cities) must broadcast eight hours of **original** (city-produced) non-duplicated content daily. If not, the channel may no longer be available to the local entity and may be programmed at the carrier's discretion. Time Warner Channel 54, which was the Public access channel, was reclaimed by the carrier due to a lack of required programming. Staff contacted other local municipalities and found that most cities no longer have a Public access channel for the same reason. However, if at any time the local entity can produce, and certify to the carrier a schedule for at least eight hours of daily programming, the carrier shall restore the Public Access Channel. It is important to note that if that were to occur, the City would need to research and invest in additional technical equipment and capabilities in order to effectuate broadcasting.

Policies

If the City chooses to provide outside groups with programming opportunities either through a reinstated Public access channel or expanded use of the Government channel, policies will play a key role in appropriate programming. Such policies may be applied to Public and Government channels, and will ensure appropriate use of each local channel.

The adoption of a policy will establish procedures designed to present programming on government issues and services to the public and perform related video communication services for the City of Manhattan Beach. The policy would include the following:

- Mission Statement (Purpose)
- Objectives (Definitions)
- Channel Administration
- Equipment Policy
- Technical Standards
- Types of Programs
 - Public Meetings
 - City Programs
 - Government Agency Programs
 - Outside Programming
 - Emergency Message
 - Bulletin Board (Public Service Announcements)
 - Special Events
- Program Requests, Eligibility and Approval
- Content Restrictions

- Political Use of Government Channel
- Commercialism
- Product Endorsements
- Defamatory Material
- Obscene or Indecent Matter
- Copyright Considerations
- Program Retention

Other Issues for Consideration

In addition to the access and policy issues, there are other considerations in expanding local programming:

1. **Human Resources:** The City may need to consider additional resources (staff or contract) to support an expansion of broadcasting and/or content creation, depending upon the level of service. At a minimum, staff will be needed to review outside video content submittals, create and/or review Public Service Announcements, and schedule broadcasts. Cities with extensive broadcast programs such as City of Torrance and Santa Monica have dedicated staff.
2. **Funding:** Depending upon the level of new programming, the City may need to identify funding sources to support expanded broadcasting. PEG funds may continue to be used to purchase broadcast equipment, but may not be used for labor and maintenance costs.
3. **Content Creation:** If the Public access channel is to be reinstated, 8 hours per day of original programming must be maintained. Further, if the City wants to create more content such as broadcasting of other City meetings and events, consideration must be given to adequate staffing and funding. The City does not have a studio to support production of programs; however, it may be possible to utilize a neighboring city's (Lawndale) studio to create programming. Another option to create content would be to contract with commercial production companies.
4. **Ability to Broadcast Content (Public Access Channel):** In order to broadcast content on a Public Access Channel, the City will need to invest in additional technical facilities. This is due to the fact that the Time Warner studio space and equipment (previously located in Hermosa Beach), which allowed for content creation and broadcasting under the previous franchise, is no longer operational. This requirement would need to be further analyzed and researched for scope and cost estimates.

CONCLUSION:

The City provides limited cable programming utilizing Time Warner and Verizon Government channels. Expanding broadcast programming will require policies and guidelines establishing the parameters of cablecast. Additional programming, whether Government or Public access, may also require additional resources (human, infrastructure, technology, facility) depending upon the level, complexity and volume. If designating a separate Public access channel is City Council's direction, the City will need to work with the carriers in assigning and implementing the channels provided the broadcast requirements of eight hours daily programming are satisfied.

Staff recommends that the City Council: a) receive report and b) discuss and provide direction.

Attachments:

1. City of Manhattan Beach Government Access Channel Broadcast Schedule
2. 13-0481 Staff Report November 5, 2014 City Broadcast Capabilities

PROGRAM TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
1:00 AM							
2:00 AM							
3:00 AM							
4:00 AM							
5:00 AM							
6:00 AM							
7:00 AM							
8:00 AM							
9:00 AM							
10:00 AM							
11:00 AM							
12:00 PM	Beach Cities Health District Board Rebroadcast 1st & 3rd Mondays	Mayor Lesser Symposium (12/7/2013)	Police Chief Irvine Crime Report (9/3/2013) Mayor Lesser Symposium (12/7/2013)	City Council Rebroadcast	Planning Commission Rebroadcast	City Council Rebroadcast	Planning Commission Rebroadcast
1:00 PM							
2:00 PM							
3:00 PM							
4:00 PM							
5:00 PM							
6:00 PM							
6:30 PM							
7:00 PM			Live Planning Commission 2nd & 4th Wed.				
8:00 PM	Beach Cities Health District Board Rebroadcast 1st & 3rd Mondays	Live City Council 1st & 3rd Tuesdays		City Council Rebroadcast	Planning Commission Rebroadcast	City Council Rebroadcast	Planning Commission Rebroadcast
9:00 PM							
10:00 PM							
11:00 PM							
12:00 AM							

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File #: 13-0481 **Version:** 1
Type: Gen. Bus. - Staff Report **Status:** Agenda Ready
On agenda: 11/5/2013 **In control:** City Council
Title: Presentation of City Broadcast Capabilities (Finance Director Moe). DISCUSS AND PROVIDE DIRECTION
Attachments: 1. [Annual Broadcast Recordings Report FY11-12](#), 2. [Annual Broadcast Recordings Report FY12-13](#), 3. [Annual Broadcast Recordings Report FY13-14](#)

[History \(0\)](#)
 [Text](#)

TO:
 Honorable Mayor and Members of the City Council

THROUGH:
 David N. Carmany, City Manager

FROM:
 Bruce Moe, Finance Director
 Leilani Flores Emnace, Information Systems Manager

SUBJECT: Title
 Presentation of City Broadcast Capabilities (Finance Director Moe).
DISCUSS AND PROVIDE DIRECTION

Line

Recommended Action

RECOMMENDATION:

Staff recommends that the City Council discuss and provide direction.

Body

FISCAL IMPLICATIONS:

There is no fiscal impact associated with this recommendation.

BACKGROUND:

During the Fiscal Year (FY) 2013-2014 Budget Study Sessions, City Council inquired about the City's broadcasting capabilities. This report addresses that inquiry.

DISCUSSION:

In 2007, the City's cable franchise agreement with Time Warner Cable (TWC) expired, at which time TWC began operating in the City under the statewide franchise which established common requirements for cable operators in all jurisdictions. It also eliminated the requirement for cable companies to negotiate individual franchise agreements in each jurisdiction. Up to that point, the TWC had provided staff to support broadcasting of City meetings and events. However, under the statewide franchise, TWC was no longer required to provide such support

to the City. In response, the City's Information Systems Division assumed that responsibility, and has since then staffed production of all City meetings that are broadcast over the cable system and streamed on the Internet.

With in-house staff handling audio-video (AV), the quality of the broadcasts have improved, with more attention to camera work and post production editing. Additionally, the City has made considerable hardware and software upgrades to the AV technology. Redundant broadcasting hardware was purchased to remove single points of failure. Additional cable integration was implemented when Verizon Cable offered subscribers another cable channel option in the City. Further upgrades were made with the implementation of Granicus Open Platform solutions which provides infrastructure to support agenda item display in the Council Chambers, webcast, touch screen voting, voting results, streaming of meetings on devices (desktop and mobile), and on demand webcast viewing of City meetings.

Scope of Broadcast Activities

By way of broadcast activities, IS staff manages the production (recording, broadcasting, editing) of the following:

- 1) City Council meetings, broadcast live the first and third Tuesdays of each month at 6:00 PM, with re-broadcast Thursdays and Saturdays 12:00 PM and 8:30 PM;
- 2) Planning Commission Meetings, broadcast live the second and fourth Wednesdays of each month at 6:30 PM; rebroadcast Fridays and Sundays at 12:00 PM and 8:30 PM;
- 3) Recording and post production of off-site meetings, including budget study sessions and special City Council meetings;
- 4) Other special events including Mayor's Town Hall meetings and last year's Centennial symposium;

In addition to the above, staff also re-broadcasts Beach Cities Health District Board of Directors meetings the first and third Mondays at 12:00 PM and 8:00 PM, and re-broadcasts Manhattan Beach Unified School District Board meetings (when the DVD is provided) the second and fourth Mondays at 12:00 PM and 8:00 PM.

It is important to note that meetings which occur outside the City's existing broadcast infrastructure in the City Council chambers (such as #3 above), requires additional post production efforts by IS staff because the recording must be "rendered" (a process which involves the use of computer programs to generate the video image) in order to make the video compatible with the broadcasting equipment, viewable on a computer and on the City's website. Next, the completed production is uploaded to the Granicus media vault, then the Granicus storage cloud for on-demand playback. This takes several days after the recording. However, with the upcoming purchase of broadcast equipment for the Police/Fire conference room and Joslyn Center (described later in this report) the City will have live broadcast and improved recording capabilities in two locations outside the City Council chambers.

Viewership

The City is not able to determine how many cable subscribers view the Council Meetings live on Time Warner Channel 8 or Verizon Channel 35. However, the City is able to track live and on demand viewers of the City's webcast stream on desktops and mobile devices. By way of historical data:

FY 2011-2012 - 52 meetings streamed with 1,750 total viewers (average of 34 viewers)

FY 2012-2013 - 63 meetings with 2,144 total viewers (average of 34 viewers)

FY 2013-2014 (Q1) - 22 meetings with 45 total viewers (average of 2 viewers)

Staffing Considerations

In 2007, Information Systems absorbed broadcasting with existing staff. At that time, only one staff member was required to record a meeting; similar to the resources that Time Warner once provided. However, due to the growing complexity of broadcasting, and the desire for more professional productions, Information Systems began staffing each city meetings with 2 personnel beginning in Fiscal Year 2012-2013. This is partly due to the fact that broadcasting no longer entails just the management of four cameras, but also connectivity and integration to Granicus (voting), the Internet cloud for webcast streaming, and broadcasting to Verizon and Time Warner cable channels.

Broadcast services are funded through overtime pay, compensation time off (at an overtime rate 1.5 hours for each hour worked) and the use of flexible work hours employing all full and part time Information Systems staff. Supplemental support is also provided by the IS Manager. In Fiscal Year 2011-2012, Information Systems staff spent 496 hours in the broadcast and recording of City meetings (Attachment #1). In Fiscal Year 2012-2013, Information Systems staff spent 691.15 hours in the broadcast and recording of City meetings (Attachment #2). This is 195 hours and 11 more meetings than the previous fiscal year. In the first quarter of FY 2013-2014, Information Systems staff spent 210.75 hours in the broadcast and recording of 22 City meetings (Attachment #3), thus trending to exceed FY 2012-2013 workload.

It is important to note that these broadcast duties divert the City's technology staff support from core technical duties such as network administration, telecommunications, hardware, software, program installation, connectivity and infrastructure support. This is particularly true when time off in lieu of overtime is utilized as compensation for broadcast duties. Further, as the number of evening meeting broadcasts grows, so too does staff fatigue as they work those duties in addition to a normal nine hour work day.

As the number of broadcasted meetings increases, Information Systems is seeking to employ outside contract services to assist in recording future meetings. However, because of the integration of specialized systems with the AV (Granicus hardware, software and connectivity), one IS staff will need to remain on site to support City meetings. Former Time Warner employees are an option being considered. Professional services may also be contracted to record meetings outside of the City Council Chambers. For example, the upcoming Mayor's Symposium estimate amounted to \$2,450 for recording, editing and producing a DVD. Information Systems would then make the DVD available in the on-demand webcast library (it was determined that Information Systems would record the Mayor's Symposium instead of hiring professional services).

Police/Fire and Joslyn

One of City Council's Strategic Plan Initiatives is the implementation of broadcast capabilities in the Public Safety Facility and Joslyn Center. Separate from this goal, the Fire Department received a grant to implement a Smart Classroom in the Public Safety Facility, which will provide some of the infrastructure needed to achieve the broadcast goal. This grant amounts to \$75,000 which will be invested in ceiling mounted microphones, cameras and projectors which will provide the capabilities to record, view and collaborate "classroom" type meetings taking place in other City's (i.e. Santa Monica, Long Beach and Beverly Hills) Fire Departments.

Information Systems plans to integrate the Smart Classroom technology with the Strategic Plan initiative of enhanced broadcast capabilities in the Public Safety Facility. In addition to extending broadcast capabilities in the Public Safety Facility and Joslyn Center, Information Systems will upgrade the cameras and respective systems in the Council Chamber and provide capabilities to record events in the Civic Center Plaza. At present the City is limited to recording one meeting at a time. With the planned enhancements, meetings can take place simultaneously, one meeting can be broadcast live, the second can be broadcasted at a later time. The capability to record and broadcast from the Joslyn Center will allow for live broadcast of election results.

Information Systems has contracted with a consultant to assist the division in the specifications for the RFP. The RFP is under final review and has been released. It is expected that the cost of the broadcast enhancements will be approximately \$300,000 paid from PEG (Public, Education, Government) funds generated from cable subscribers.

With the addition of nearly \$300,000 of broadcast capabilities, and the expectation of broadcasting additional meetings, the City will need to consider the staff needed to support and manage this investment. Funding for additional Information Systems staff in FY 2014-2015 will need to be considered as part of the planned formation of an independent Information Systems department.

Cable Television Programming

Aside from the broadcasting activities discussed above, the City is responsible for programming the City's Government channels (Time Warner channel 8, Verizon channel 35) when those other meetings are not being broadcasted. Such programming currently includes informational slides regarding City Council and Commission meetings. Clearly, these channels are a resource that could be utilized to a greater extent for public service announcements or to promote other City events. However, expanding the use of this media will require further staff hours which are already limited.

The City also receives periodic requests from community and civic organizations to broadcast their programs or PSAs. The City does not have the resources to manage these programs. Several years ago, Information Systems subscribed to a system that provided, weather, traffic, financial, sports news, etc. reports when no other programs were played, however that was terminated.

CONCLUSION:

Since 2007, the City has taken responsibility for, and improved the quality of, broadcasting of City meetings and events. As demand increases for more AV services, particularly with the

coming implementation of the broadcast capabilities at Police/Fire and Joslyn Center, staff resources will be stretched, and more resources will be necessary to manage production. Staff is reviewing options for supplemental support from outside contractors skilled in broadcasting, however, there will also be increased dependence on in-house staff to manage the overall function as the scope and portfolio of AV expands. This will be a consideration as the City moves to the creation of a separate Information Systems department.

City Staff recommends that the City Council discuss and provide direction.

Attachments:

1. Annual Broadcast Recordings Report FY11-12
2. Annual Broadcast Recordings Report FY12-13
3. Annual Broadcast Recordings Report FY13-14

BROADCAST REPORT FISCAL YEAR 2011-2012

MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
1	PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	6/27/2012	6:30PM	10:00PM	3.5	0	0		0	5	3	5	8
2	CITY COUNCIL MEETING	COUNCIL CHAMBERS	6/19/2012	6:30PM	11:30PM	5	6	0		6	18	8	39	47
3	PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	6/13/2012	6:30PM	10:00PM	3.5	0	0		0	5	2	12	14
4	CITY COUNCIL MEETING	COUNCIL CHAMBERS	6/5/2012	6:30PM	11:30PM	5	6.5	0		0	12.5	8	29	37
5	BUDGET STUDY SESSION III	PUBLIC SAFETY FACILITY	5/24/2012	6:00PM	9:30PM	3.5	0	9		5	19	0	19	19
6	BUDGET STUDY SESSION II	PUBLIC SAFETY FACILITY	5/22/2012	6:00PM	9:00PM	3	0	8		0	12.5	0	2	2
7	BUDGET STUDY SESSION I	PUBLIC SAFETY FACILITY	5/16/2012	6:00PM	10:00PM	4	0	10		0	14.5	0	24	24
8	CITY COUNCIL MEETING	COUNCIL CHAMBERS	5/15/2012	6:30PM	10:45PM	4.25	5.75	5		0	16.5	6	19	25
9	PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	5/9/2012	6:30PM	7:30PM	1	0	1		0	3.5	1	4	5
10	CITY COUNCIL MEETING	COUNCIL CHAMBERS	5/1/2012	6:30PM	10:00PM	4	4	1		0	9	7	5	12
11	SPECIAL CITY COUNCIL MEETING - CENTENNIAL	COUNCIL CHAMBERS	4/30/2012	6:30PM	11:00PM	4.5	0	3		0	7.5	4	6	10
12	CITY COUNCIL MEETING	COUNCIL CHAMBERS	4/17/2012	6:30PM	11:30PM	5	5	1		0	11	9	20	29
13	CITY COUNCIL MEETING	COUNCIL CHAMBERS	4/3/2012	6:30PM	11:30PM	5	5	1		0	11	5	17	22
14	CITY COUNCIL MEETING	COUNCIL CHAMBERS	3/20/2012	6:30PM	10:00PM	3.5	2	1		3.5	10	5	21	26
15	PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	3/14/2012	6:30PM	9:30PM	3	0	1		0	5.5	4	12	16
16	CITY COUNCIL MEETING	COUNCIL CHAMBERS	3/6/2012	6:30PM	9:30PM	3	2	1		3	9	10	22	32
17	AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	3/1/2012	6:30PM	9:00PM	2.5	2	0.5		2.5	7.5	3	18	21
18	CAPITAL IMPROVEMENT PLAN PUBLIC WORKSHOP	COUNCIL CHAMBERS	2/28/2012	6:30PM	10:00PM	3.5	0	0.5		0	4	3	15	18

BROADCAST REPORT FISCAL YEAR 2011-2012

MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
19 CITY COUNCIL MEETING	COUNCIL CHAMBERS	2/21/2012	6:30PM	12:00AM	5.5	5.5	2	1		5.5	14	12	34	46
20 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	2/8/2012	6:30PM	8:00PM	1.5	3	0	1		0	4	1	21	22
21 CITY COUNCIL MEETING	COUNCIL CHAMBERS	2/7/2012	6:30PM	11:00PM	4.5	4.5	2	1		4.5	12	10	38	48
22 CITY COUNCIL STRATEGIC PLANNING MEETING	COUNCIL CHAMBERS	1/31/2012	6:30PM	9:30PM	3	3	2	0.5		3	8.5	4	25	29
23 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	1/25/2012	6:30PM	8:00PM	1.5	3	0	1		0	4	1	21	22
24 STRATEGIC PLAN MEETING	PUBLIC SAFETY FACILITY	1/20/2012	8:00AM	5:00PM	8	8	0	16		8	32	0	30	30
25 CITY COUNCIL MEETING	COUNCIL CHAMBERS	1/17/2012	6:30PM	11:00PM	4.5	4.5	2	1		4.5	12	10	61	71
26 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	1/11/2012	6:30PM	9:30PM	3	4.5	0	1		0	5.5	1	19	20
27 CITY COUNCIL MEETING	COUNCIL CHAMBERS	1/3/2012	6:30PM	11:30PM	5	5	2	1		5	13	5	57	62
28 CITY COUNCIL MEETING	COUNCIL CHAMBERS	12/20/2011	6:30PM	10:30PM	4	4	2	1		4	11	7	55	62
29 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	12/14/2011	6:30PM	8:30PM	2	3.5	0	1		0	4.5	1	10	11
30 AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	12/13/2011	6:30PM	10:30PM	4	4	0	0.5		4	8.5	3	18	21
31 CITY COUNCIL MEETING	COUNCIL CHAMBERS	12/6/2011	6:30PM	12:30AM	6	6	2	1		6	15	11	50	61
32 AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	11/29/2011	6:30PM	10:30PM	4	4	0	0.5		4	8.5	2	27	29
33 CITY COUNCIL MEETING	COUNCIL CHAMBERS	11/15/2011	6:30PM	12:30AM	6	6	2	1		6	15	11	47	58
34 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	11/9/2011	6:30PM	10:30PM	4	5.5	0	1		0	6.5	2	24	26
35 CITY COUNCIL MEETING	COUNCIL CHAMBERS	11/1/2011	6:30PM	11:30PM	5	5	2	1		5	13	6	33	39
36 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	10/26/2011	6:30PM	8:30PM	2	3.5	0	1		0	4.5	2	9	11
37 AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	10/25/2011	6:30PM	9:30PM	3	3	0	0.5		3	6.5	1	40	41

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MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
38 CITY COUNCIL MEETING	COUNCIL CHAMBERS	10/18/2011	6:30PM	12:00AM	5.5	5.5	2	1		5.5	14	10	47	57
39 LIBRARY COMMISSION MEETING	COUNCIL CHAMBERS	10/13/2011	6:30PM	9:30PM	3	3	0	0.5		0	3.5	0	0	0
40 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	10/12/2011	6:30PM	9:30PM	3	4.5	0	1		0	5.5	2	11	13
41 CULTURAL ART COMMISSION MEETING (NEW LIBRARY DISCUSSION)	COUNCIL CHAMBERS	10/11/2011	6:30PM	9:30PM	3	3	0	0.5		0	3.5	0	0	0
42 CITY COUNCIL MEETING	COUNCIL CHAMBERS	10/4/2011	6:30PM	11:30PM	5	5	2	1		5	13	8	57	65
43 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	9/28/2011	6:30PM	10:30PM	4	5.5	0	1		0	6.5	4	12	16
44 CITY COUNCIL MEETING	COUNCIL CHAMBERS	9/20/2011	6:30PM	9:30PM	3	3	2	1		3	9	9	81	90
45 CITY COUNCIL MEETING	COUNCIL CHAMBERS	9/6/2011	6:30PM	8:30PM	2	2	2	1		2	7	4	48	52
46 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	8/24/2011	6:30PM	8:30PM	2	3.5	0	1		0	4.5	0	8	8
47 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	8/10/2011	6:30PM	8:30PM	2	3.5	0	1		0	4.5	2	9	11
48 CITY COUNCIL MEETING	COUNCIL CHAMBERS	8/2/2011	6:30PM	10:30PM	4	4	2	1		4	11	8	80	88
49 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	7/27/2011	6:30PM	8:30PM	2	3.5	0	1		0	4.5	2	39	41
50 CITY COUNCIL WORK PLAN MEETING	COUNCIL CHAMBERS	7/22/2011	6:30PM	8:30PM	2	2	2	0.5		2	6.5	0	9	9
51 CITY COUNCIL MEETING	COUNCIL CHAMBERS	7/19/2011	6:30PM	9:30PM	3	3	2	1		3	9	8	146	154
52 CITY COUNCIL MEETING	COUNCIL CHAMBERS	7/5/2011	6:30PM	12:30AM	6	6	2	1		6	15	28	42	70
TOTAL					192.75	222.25	72.25	88.5		113	496	253	1497	1750

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MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
CITY COUNCIL MEETING	COUNCIL CHAMBERS	7/3/2012	6:30PM	11:15PM	4.75	6.25	6.25	1	TRIM & SCHEDULE	0	13.5	4	114	118
CITY COUNCIL STRATEGIC PLANNING	PSF	7/11/2012	8:30AM	4:30PM	8	0	0	10	NOT RECORDED BY GRANICUS	0	10	0	27	27
CITY COUNCIL MEETING	COUNCIL CHAMBERS	7/17/2012	6:30PM	11:45PM	5.25	6.75	6.75	1	TRIM & SCHEDULE	0	14.5	10	32	42
AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	7/19/2012	6:30PM	9:45PM	3.25	4.75	4.75	1	TRIM & SCHEDULE	0	10.5	0	36	36
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	7/25/2012	6:30PM	11:00PM	4.5	6.5	0	1	TRIM & SCHEDULE	0	7.5	2	14	16
CITY COUNCIL MEETING	COUNCIL CHAMBERS	8/7/2012	6:30PM	9:30PM	3	5	5	6	MISSING AUDIO AND VIDEO	0	16	1	49	50
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	8/8/2012	6:30PM	7:45PM	1.25	3	0	1	TRIM & SCHEDULE	0	4	1	18	19
AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	8/30/2012	6:30PM	10:15PM	3.75	5.25	5.25	1	TRIM & SCHEDULE	3	14.5	1	16	17
CITY COUNCIL MEETING	COUNCIL CHAMBERS	9/4/2012	6:30PM	12:30AM	6	7.5	7.5	1	TRIM & SCHEDULE	7.5	23.5	2	103	105
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	9/12/2012	6:30PM	7:00PM	0.5	2	2	2	NOT RECORDED DUE TO ISSUE	0	6	0	17	17
CITY COUNCIL MEETING	COUNCIL CHAMBERS	9/18/2012	6:30PM	2:00AM	7.5	9	9	1	TRIM & SCHEDULE	9	28	5	138	143
MAYOR'S TOWN HALL MEETING - EARTHQUAKE PREPAREDNESS	FIRE1 APPARATUS BAY	9/20/2012	6:30PM	8:30PM	2	3	3	4	NOT RECORDED BY GRANICUS	0	10	0	130	130
AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	9/24/2012	6:30PM	9:30PM	3	4.5	4.5	1	TRIM & SCHEDULE	4.5	14.5	1	8	9
CITY COUNCIL MEETING	COUNCIL CHAMBERS	10/2/2012	6:30PM	11:00PM	4.5	6	6	1	TRIM & SCHEDULE	6	19	6	40	46
ADJOURNED PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	10/3/2012	6:30PM	10:15PM	4.25	5.25	5.25		TRIM & SCHEDULE	1	11.5	1	32	33
CITY COUNCIL MEETING	COUNCIL CHAMBERS	10/16/2012	6:30PM	11:00PM	4.5	6	6	6	LOST VIDEO STREAM DURING MTG	0	18	3	43	46

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MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
17 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	10/24/2012	6:30PM	9:30PM	3	4.5	4.5	0	PARTIALLY RECORDED BY GRANICUS	0	9	2	41	43
18 CITY COUNCIL MEETING	COUNCIL CHAMBERS	11/6/2012	6:00PM	9:45PM	3.75	5	5	1	TRIM & SCHEDULE	1	12	2	47	49
19 MAYOR'S 2ND TOWN HALL MEETING GET TO KNOW YOUR CITY	JOSLYN CENTER	11/8/2012	6:30PM	8:30PM	2	3.5	3.5	4	NOT RECORDED BY GRANICUS	0	11	0	3	3
20 CULTURAL ARTS COMMISSION SPECIAL MEETING	COUNCIL CHAMBERS	11/13/2012	10:00AM	5:00PM	7	7	0	6	EDITING & TRIMMING	0	13	3	3	6
21 CULTURAL ARTS COMMISSION SPECIAL MEETING	COUNCIL CHAMBERS	11/14/2012	10:00AM	12:00PM	2	2	0	0		0	2	0	0	0
22 CITY COUNCIL MEETING	COUNCIL CHAMBERS	11/20/2012	6:00PM	10:00PM	4	5	5	0	TRIM & SCHEDULE	5	15	5	70	75
23 CITY COUNCIL MEETING	COUNCIL CHAMBERS	12/4/2012	6:00PM	11:15PM	5.25	6.5	6.5	5	LOST PARTIAL VIDEO & AUDIO	0	18	4	44	48
24 ISMP PROJECT KICKOFF MEETING	COUNCIL CHAMBERS	12/5/2012	1:30PM	2:30PM	1	1.5	0	2	NOT RECORDED BY GRANICUS	0	3.5	0	0	0
25 CITY COUNCIL ADJOURNED REGULAR MEETING (STUDY SESSION)	COUNCIL CHAMBERS	12/11/2012	6:00PM	8:30PM	2.5	3.5	3.5	0	TRIM & SCHEDULE	0	7	3	13	16
26 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	12/12/2012	6:30PM	9:00PM	2.5	4	4	0	TRIM & SCHEDULE	1	9	1	17	18
27 LEADERSHIPS OF MANHATTAN BEACH	COUNCIL CHAMBERS	12/13/2012	5:00PM	7:30PM	2.5	2.5	0	0		0	2.5	0	0	0
28 CITY COUNCIL MEETING	COUNCIL CHAMBERS	12/18/2012	6:00PM	9:30PM	3.5	3.75	4.5	0	TRIM & SCHEDULE	0	8.25	3	38	41
29 FY13-14 BUDGET KICKOFF MEETING	COUNCIL CHAMBERS	1/9/2013	11:00AM	12:00PM	1	1.5	0.5	2.5	NOT RECORDED BY GRANICUS	0	4.5	0	0	0
30 ILEGISLATE (IPAD) TRAINING	COUNCIL CHAMBERS	1/14/2013	10:00AM	11:00AM	1	1.5	0	2	NOT RECORDED BY GRANICUS	0	3.5	0	0	0
31 CITY COUNCIL MEETING	COUNCIL CHAMBERS	1/15/2013	6:00PM	10:00PM	4	5	5	0	TRIM & SCHEDULE	5	15	4	53	57

BROADCAST REPORT FISCAL YEAR 2012-2013

MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
CITY COUNCIL STRATEGIC PLANNING	PSF	1/23/2013	8:00AM	5:00PM	8	2	2	6	NOT RECORDED BY GRANICUS	0	10	0	17	17
CITY COUNCIL MEETING	COUNCIL CHAMBERS	2/5/2013	6:00PM	10:30PM	4.5	5.5	5.5	0	TRIM & SCHEDULE	5.5	16.5	3	51	54
CITY COUNCIL CANDIDATES FORUM	COUNCIL CHAMBERS	2/7/2013	6:30PM	8:00PM	1.5	3	0	0	TRIM & SCHEDULE	0	3	1	97	98
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	2/13/2013	6:30PM	9:30PM	3	4.5	4.5	0	TRIM & SCHEDULE	1	10	2	14	16
CITY COUNCIL MEETING	COUNCIL CHAMBERS	2/19/2013	6:00PM	9:15PM	3.25	4.25	3.25	0	TRIM & SCHEDULE	4.25	11.75	5	47	52
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	2/27/2013	6:30PM	10:00PM	3.5	5	5	0	TRIM & SCHEDULE	5	15	2	9	11
CITY COUNCIL MEETING	COUNCIL CHAMBERS	3/6/2013	6:00PM	12:15AM	6.25	7	6.25	0	DVD LOST 10 MINUTES	5	18.25	3	123	126
AD HOC OPEN GOVERNMENT SUBCOMMITTEE MEETING	COUNCIL CHAMBERS	3/12/2013	6:30PM	11:00PM	5.5	6	0	0	0	6	12	2	34	36
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	3/13/2013	6:30PM	10:45PM	5.75	4.15	0	0	0	0	4.15	4	8	12
CITY COUNCIL MEETING	COUNCIL CHAMBERS	3/19/2013	6:00PM	9:15PM	3.25	4.5	3.25	2	LOST INTERNET ACCESS	0	9.75	0	43	43
CITY COUNCIL TEAMBUILDING MEETING	PSF	3/21/2013	8:30AM	2:30PM	6	1	0.5	2	NOT RECORDED BY GRANICUS	0	3.5	0	24	24
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	3/27/2013	6:30PM	8:45PM	2.25	4	4	0	TRIM & SCHEDULE	0	8	1	10	11
CITY COUNCIL MEETING	COUNCIL CHAMBERS	4/2/2013	6:00PM	11:45PM	5.75	6.5	5.5	0	TRIM & SCHEDULE	5	17	3	39	42
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	4/10/2013	6:30PM	9:30PM	3	4	4	0	TRIM & SCHEDULE	1	9	1	9	10
CITY COUNCIL MEETING	COUNCIL CHAMBERS	4/16/2013	6:00PM	11:45PM	5.75	6.25	5	0	TRIM & SCHEDULE	5	16.25	3	73	76
JOINT CITY COUNCIL/MBUSD TRUSTEES MEETING	JOSLYN CENTER	4/22/2013	6:00PM	8:00PM	2	2.75	0	4	NOT RECORDED BY GRANICUS	0	6.75	0	38	38
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	4/24/2013	6:30PM	10:45PM	4.25	5.25	4.25	0	0	0	9.5	1	9	10

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MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
CITY COUNCIL/PLANNING COMMISSION JOINT MEETING	PSF	4/30/2013	6:00PM	9:45PM	3.75	4.5	0	5	NOT RECORDED BY GRANICUS	0	9.5	0	28	28
COMMUNITY MEETING ON LABOR COSTS AND PENSION REFORM	COUNCIL CHAMBERS	5/2/2013	6:30PM	8:45PM	2.25	3.5	0	4		0	7.5	0	0	0
CITY COUNCIL MEETING	COUNCIL CHAMBERS	5/7/2013	6:00PM	11:30PM	5.5	6.25	6.25	0	TRIM & SCHEDULE	0	12.5	3	74	77
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	5/8/2013	6:30PM	10:00PM	3.5	4.5	4.5		TRIM & SCHEDULE	1	10	1	7	8
BUDGET STUDY SESSION #1	PSF	5/9/2013	6:00PM	11:15PM	4.25	4.75	0	4	NOT RECORDED BY GRANICUS	0	8.75	0	9	9
BUDGET STUDY SESSION #2	PSF	5/14/2013	6:00PM	10:45PM	4.75	5.5	0	4	NOT RECORDED BY GRANICUS	0	9.5	0	6	6
BUDGET STUDY SESSION #3	PSF	5/16/2013	6:00PM	10:45PM	4.75	5.5	0	4	NOT RECORDED BY GRANICUS	5.5	15	0	11	11
CITY COUNCIL MEETING	COUNCIL CHAMBERS	5/21/2013	6:00PM	0:15AM	6.25	6.75	5.5	0	TRIM & SCHEDULE	5	17.25	3	39	42
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	5/22/2013	6:30PM	11:00PM	4.5	5.5	5.5	0	TRIM & SCHEDULE	0	11	1	14	15
BUDGET STUDY SESSION #4	PSF/COUNCIL CHAMBERS	5/28/2013	6:00PM	9:00PM	3	3.75	3.75	4	MTG WAS IN 2 LOCATIONS	0	11.5	2	19	21
CITY COUNCIL MEETING	COUNCIL CHAMBERS	6/4/2013	6:00PM	6:15PM	0.25	1	0	0	NO MTG	1	2	0	0	0
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	6/12/2013	6:30PM	7:00PM	0.5	1.5	1	0	TRIM & SCHEDULE	0	2.5	2	3	5
CITY COUNCIL MEETING	COUNCIL CHAMBERS	6/18/2013	6:00PM	11:30PM	5.5	6	5.5	0	TRIM & SCHEDULE	6	17.5	5	9	14
CITY COUNCIL MEETING (MAKE UP)	COUNCIL CHAMBERS	6/25/2013	6:00PM	10:30PM	4.5	5	0	0	TRIM & SCHEDULE	4.5	9.5	1	18	19
PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	6/26/2013	6:30PM	11:45PM	5.25	6.25	5.25	0	TRIM & SCHEDULE	1	12.5	1	2	3
TOTAL					243	283.4	203.5	99.5		104.75	691.15	114	2030	2144

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	MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS STAFF	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
1	CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	7/2/2013	4:00PM	4:30PM	0.5	PHAT	1	0	0	SETUP	0	1	0	0	0
2	CITY COUNCIL MEETING	COUNCIL CHAMBERS	7/2/2013	6:00PM	11:15PM	5.25	PHAT	6	5.5	5	PARTIALLY NOT RECORDED BY GRANICUS	6	22.5	6		6
3	STRATEGIC PLAN COMMUNITY TOWN HALL MEETING	PSF	7/9/2013	6:00PM	9:00PM	3	PHAT	4	0	4	RECORDED BY GRANICUS NOT	0	8	0		0
4	CITY COUNCIL STRATEGIC PLAN MEETING	PSF	7/10/2013	8:30AM	3:30PM	7	PHAT	1	0	4	RECORDED BY GRANICUS	0	5	0		0
5	PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	7/10/2013	6:30PM	7:30PM	1	MIKE	2	3	1	TRIMMED AND SCHEDULED	1	7	1		1
6	CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	7/10/2013	4:00PM	4:30PM	0.25	PHAT	1	0	0	SETUP	0	1	0		0
7	CITY COUNCIL MEETING	COUNCIL CHAMBERS	7/16/2013	6:00PM	11:30PM	5.5	PHAT	6	5.5	1	TRIMMED AND SCHEDULED	6	18.5	2		2
8	CITY COUNCIL/PARKS & REC COMMISSION JOINT MEETING	PSF	7/23/2013	6:00PM	9:00PM	3	PHAT	4	0		NOT RECORDED BY GRANICUS	0	4	0		0
9	PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	7/24/2013	6:30PM	12:30AM	6	MIKE	7.25	6.75	1	TRIMMED AND SCHEDULED	3	18	5		5
10	CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	7/24/2013	4:00PM	4:30PM	0.25	PHAT	1	0	0	SETUP	0	1	0		0
11	CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	8/6/2013	4:00PM	4:30PM	0.25	PHAT	1	0	0	SETUP	0	1	0		0
12	CITY COUNCIL MEETING	COUNCIL CHAMBERS	8/6/2013	6:00PM	1:00AM	7	PHAT	7.5	6	1	TRIMMED AND SCHEDULED	0	14.5	2		2
13	EXTRA CITY COUNCIL MEETING	COUNCIL CHAMBERS	8/13/2013	9:00AM	5:00PM	8	MIKE/RAVY	8	8	1	TRIMMED AND SCHEDULED	8	25	13		13
14	CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	8/20/2013	4:00PM	4:30PM	0.25	PHAT	1	0	0	SETUP	0	1	0		0

BROADCAST REPORT FISCAL YEAR 2013-2014

MEETING TYPE	LOCATION	DATE	START	END	DURATION (HOURS)	PRIMARY IS STAFF	PRIMARY IS (HOURS)	SECONDARY IS (HOURS)	ADDITIONAL IS SUPPORT (HOURS)	PURPOSE FOR ADDITIONAL IS SUPPORT	IS MANAGER (HOURS)	TOTAL IS SUPPORT HOURS	# OF LIVE VIEWERS	# OF ON DEMAND VIEWERS (AFTER)	TOTAL # OF VIEWERS
15 CITY COUNCIL MEETING	COUNCIL CHAMBERS	8/20/2013	6:00PM	12:30AM	6.5	PHAT/ROB	7.25	6.5	1	TRIMMED AND SCHEDULED	6.5	21.25	3		3
16 PLANNING COMMISSION MEETING	COUNCIL CHAMBERS	8/28/2013	6:30PM	8:15PM	1.75	MIKE	3	0	1	TRIMMED AND SCHEDULED	0	4	1		1
17 CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	9/3/2013	4:00PM	4:30PM	0.25	PHAT	1	0	0	SETUP	0	1	0	0	0
18 CITY COUNCIL MEETING	COUNCIL CHAMBERS	9/3/2013	6:00PM	12:30AM	6.5	RAVY/ROB	7.25	6.75	1	TRIMMED AND SCHEDULED	6.5	21.5	2		2
ADJOURNED REGULAR CITY COUNCIL MEETING - MANHATTAN VILLAGE MALL SHOPPING CENTER ENHANCEMENT PROJECT & CONTINUED ITEMS	COUNCIL CHAMBERS	9/10/2013	6:00PM	11:15PM	5.25	PHAT/TATYANA	6	6	1	TRIMMED AND SCHEDULED	0	13	2		2
20 CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	9/17/2013	5:00PM	5:30PM	0.25	PHAT	1	0	0	SETUP	0	1	0	0	0
21 CITY COUNCIL MEETING	COUNCIL CHAMBERS	9/17/2013	6:00PM	12:45AM	6.75	MIKE/ROB	7.25	7.25	1	TRIMMED AND SCHEDULED	5	20.5	8		8
22 CITY COUNCIL MEETING - CLOSED SESSION	COUNCIL CHAMBERS	9/24/2013	10:00AM	4:00PM	0.25	PHAT	1	0	0	SETUP	0	1	0	0	0
				TOTAL	74.75		84.5	61.25	23		42	210.75	45	0	45

Agenda Date: 11/5/2014

TO:

Honorable Mayor Powell and Members of the City Council

FROM:

Mark Danaj, City Manager
Bruce Moe, Finance Director

SUBJECT:

Fiscal Year 2014-2015 First Quarter (July-September) Budget Update Status Report and Implementation of the OpenGov Financial Application (City Manager Danaj).

RECEIVE REPORT; COMMENT

RECOMMENDATION:

Staff recommends that the City Council receive and comment on the First Quarter Budget Update Status Report for Fiscal year 2014-2015, and receive a presentation on the implementation of the OpenGov financial application.

FISCAL IMPLICATIONS:

Staff anticipates that no additional appropriations are necessary at this time.

The programs described later in this report fit within the existing budget and do not impact established reserves. Because the City customarily realizes expenditure savings at year-end, we currently anticipate no additional appropriations at this time (unless otherwise noted). However, as always, depending upon how budgeted expenditures develop during the year, adjustments during the mid-year review may be requested if necessary in order to fund the City Council's directives.

BACKGROUND:

As I complete my first quarter as your City Manager, I continue to be impressed with the City, the organization and the community. There are so many new and exciting opportunities and initiatives that I look forward to implementing under the leadership of the City Council. To that end, and based on the Council's request, I have taken the past four months to assess where we are as an organization and where we would like to be. This has led me to identify some gaps and new opportunities that I believe are crucial at this time, and since I was not the City Manager during this fiscal year's budget deliberations, I wanted to take the opportunity to layout those items. This list of items that is discussed later in the report generally represents items that have either been approved by the Council, or have been discussed as a priority of this Council.

Additionally, in an effort to keep the City Council and community fully informed of the City's fiscal performance, I am instituting quarterly presentations of financial information to the City Council. While this information has, and will continue to be provided to the Council in the form of "Receive and File" written reports on the agenda, this new format will provide for more interactive discussion.

As discussed later in this report, I will also be launching the City's new OpenGov web application that provides transparency by offering public access to the City's financial performance data, and allows for users to run their own queries.

The new schedule of verbal reports is as follows:

<u>Quarter</u>	<u>Months Included</u>	<u>Council Agenda</u>
Q1	July-September	November 2014
Q2 (mid-year report)	July-December	February 2015
Q3	July-March	May 2015 (w/Proposed Budget)
Q4 (pre-audit*)	July-June	August 2015

* Fully audited financial statements are presented no later than February 1st after the end of the fiscal year.

DISCUSSION:

The City Council and City staff respond to the community's needs in part through the budget. The budget is both a spending plan for the City's available financial resources and the legal authority for City departments to spend the resources for public purposes. Through these resources, services are provided to meet the needs of Manhattan Beach residents.

First Quarter Budget Overview (July-September 2014)

General Fund

The General Fund is performing within expectations. FY 2014-2015 revenues are expected to exceed budgetary estimates, while expenditures are anticipated to come in below projections. Reserves remain healthy, and were increased in this most recent budget cycle, reflecting the City's strong fiscal position.

Through the first quarter, revenues are at 16.33% of full year estimates, which is typical for this time frame, while expenditures are at 24.6% of budget. The typical pattern of General Fund cash flow includes significant Property Tax revenue in the months of December, January, April and May (after Q1). As a result, cash flow in other months is often negative (expenditures exceed revenues for the month). This is fully expected, and typically by year-end, revenues have exceeded expenditures. Thus it is historically anticipated that at this point in the year expenditures have exceeded revenues by \$4,149,623.

Based on these patterns, we offer the following highlights of the City's Q1 financial performance compared to the prior year:

- General Fund revenues totaled \$9,746,922. This is an increase of \$406,405 (4.4%) from the prior year period. The increase is attributable to Transient Occupancy Tax (+\$118,076, 11.9%), Building Permits (+\$98,829, 41.6%), Business License Tax (+\$56,613, 42.4%) and Sales Tax (+29,545, 1.6%). See Attachment #1 for the list of key General Fund revenues.
 - Property tax is the City's most significant General Fund revenue source. Although this first quarter update does not include the major collections of this revenue source given the timing of this report, property tax revenues are now estimated to total \$24,358,150 in FY 2014/15 (an increase of \$447,000 over the adopted budget). Staff projects this revenue will increase to \$25,449,926 million in FY 2015/16, an increase of 4.5%.
 - The City's second largest General Fund revenue source, Sales Tax, is estimated to total \$9,112,873 in FY 2014/15, growing to \$9,386,259 in FY 2015/16, an increase of 3%. The largest contributors to sales tax are from the general consumer goods, restaurants and hotels, and fuel and service stations sectors.
 - Building and construction also continue to perform well.
- General Fund expenditures have outpaced last year at this time, increasing by \$1,086,841 or 8.9%. Increases by category include Salary and Wages (+\$535,814, 8.9%), Contract and Professional Services (+\$295,561, 20.4%) and Materials and Services (+\$195,279, 42.2%). Internal Service Charges are up \$369,939 (27.8%); this category reflects internal charges for Workers Compensation, Liability claims, Information Services and Fleet charge outs. Bond Debt decreased by \$321,660 reflecting last year's refunding of debt which included an expenditure for the payoff of existing bonds.
 - The Salary and Wages increase is reflective of the new positions added at the beginning of last fiscal year which have since been recruited for and filled (the positions were vacant at this time last year). Additionally, salary adjustments provided to labor groups, including Police, Fire and Management/Confidential which are now in effect, were not in place during the first quarter last year.
 - Within the Internal Service Funds, there are two main drivers for the increase: Information Systems Fund charge outs which are up \$185,181, and Building Maintenance and Operations Fund charge outs, up \$174,016. Both reflect budgeted expenditures for FY 2014-2015. Some variations from year-to-year may be explained by the timing of expenditures. For example, Building Maintenance Fund contract expenditures last year were \$25,000 in Q1 compared to \$192,046 for the current year.

Lastly, I want to underscore that there is no use of established reserves in the current fiscal year, either the 20% policy reserve or the \$4 million economic uncertainty reserve. These

reserves have a combined balance of \$15,787,616 this fiscal year. The Government Finance Officers Association of the United States and Canada has a recommended practice that local governments maintain reserves of at least 16.7% (two months of revenues or expenditures) which would total \$9.97 million based on the City's General Fund budget. The City's reserve level exceeds this recommended practice by \$5.8 million. In addition, the FY 2014/15 budget anticipates ending the fiscal year with \$16,977,937 in fund balance (including the reserves). In the event of another downturn, our reserves should allow us time to adjust service levels to match our resources without major service disruptions.

Other Funds

Other funds appear to be tracking appropriately thru the first quarter, with the exception of the Insurance Fund, which has expended 71.9% of the full year budget. Controlling Liability and Workers Compensation costs continues to be challenging, and staff continues to monitor these costs, which can be unpredictable by nature.

The Insurance fund is made up of Workers Compensation as well as Liability claims activity. Workers Compensation claims (\$1,513,974) have outpaced the prior year's Q1 activity (\$568,495) by \$945,479, an increase of 166%. Liability claims for Q1-2015 of \$421,429 are up \$328,075 (+350%) over Q1-2014 (\$93,354). Additionally, the annual payments for excess insurance premiums (\$1,342,429) were made in Q1 and represent 28.5% of the total annual budget. These premiums exceeded budgeted amounts by a net of \$253,036 (23%) due to a hardening of the insurance market which was not anticipated (actual premium levels are not always known until after budget adoption).

While it appears that expenditures in this fund may exceed allocated funds, sufficient moneys are available in the Insurance Fund for these costs. While a mid-year budget adjustment may be necessary in order to authorize expenditures, staff does not anticipate the need for an equity transfer (cash from the General Fund) to support these activities.

New City Manager Budget Review

As noted above, I used my first four months as your City Manager to assess where we are as an organization and where I see opportunities. Below are a compilation of items that I have either recommended to the Council or items that have been directed and or/discussed by the Council. As stated earlier, the adjustments I have described fit within the existing budget and do not impact established reserves. Between higher than expected revenues from Property Tax, Sales Tax and Transient Occupancy Tax, and customary expenditure savings typically realized at year-end, we currently anticipate no additional appropriations at this time (unless otherwise noted).

Four Key Strategic Investments/Positions

On October 7th City Council approved the first recommended modifications I made to the adopted FY 2014 - 2015 budget. These included the reinstatement of one position and the addition of three positions which will be filled over the next several months and into next

calendar year. Currently, we are recruiting for the IT Director and the Communication/Civic Engagement Manager positions and anticipate filling them by year end. After the first of the year, we anticipate beginning the recruitments for the Economic Development Manager and the Assistant Finance Director.

The salary ranges for these positions were set based upon a salary survey using the benchmark cities we have traditionally used for Management/Confidential positions. The benchmark cities include: Beverly Hills, Culver City, El Segundo, Hawthorne, Hermosa Beach, Inglewood, Newport Beach, Redondo Beach, Santa Monica, and Torrance. The salary ranges established for these positions and approved by City Council are commensurate with the salaries established in the survey cities.

The estimated annual cost to fill all the positions is \$847,700 (salary and benefits). The actual salaries at time of appointment will be within the following ranges:

<u>Position</u>	<u>Minimum Annual Salary</u>	<u>Mid-Point of Range</u>
Comm. Mgr.	\$119,412	\$137,388
Econ. Dev. Mgr.	\$119,412	\$137,388
Asst. Finance Dir.	\$132,252	\$152,160
IT Director	\$156,648	\$180,516

The actual costs for FY 2014 - 2015 are estimated to be \$356,400 due to the phasing in of the positions, likely placement of the candidate at the lower end of the range, and the timing of the recruitments.

These costs will be charged to the Salaries and Wages and Employee Benefits expenditure categories. The Communications Manager and Economic Development Manager will be included in the Management Services Department budget; the Assistant Finance Director will be incorporated into the Finance Department budget and the IT Director will be charged to a newly created IT Department.

Downtown Planning

Funding (\$125,000) was allocated at the October 21st Council meeting for the services of Urban Land Institute (ULI) to create the vision for the downtown. The product of this activity will flow to the Downtown Plan (or Specific Plan), which has already been budgeted for \$100,000 in FY 2014-2015. Depending upon the direction of the City Council on the Downtown Plan (or Specific Plan) additional funds of up to \$160,000 (for a total of \$260,000) will be needed to complete the project.

These costs will be allocated to the Contract and Professional Services expenditure category within the Community Development Department.

Mills Act

The City Council approved the City's next step in Historic Preservation through the creation of a Mills Act process. Ultimately, the potential creation of a commission and the addition of a half-time employee position to support their activities will be necessary. The estimated

annual cost of this is \$50,000.

These costs will be allocated to the Community Development Department. Expenditure categories will include Salaries and Wages for part time labor as well as Contract and Professional Services for any consultant assistance.

Strategic Planning and Community Survey

While the Council recently reviewed the City's interim work plan, the ultimate goal is to re-institute a strategic planning process. This would include a community survey. The entire planning process would flow through to the creation of the operating budget in order to fund the plan goals. The estimated cost of the Strategic Planning process is \$50,000, which includes the community survey (\$30,000) and the facilitator (\$20,000).

The Contract and Professional Services expenditure category will be utilized for these costs, which will reside in the Management Services budget.

Employee Survey

Staff is key to the City's organizational development as well as the provision of services. Understanding our employees' opinions and needs will give us insight regarding employee satisfaction, engagement, and other workplace issues. The estimated cost for the survey is \$12,000.

The Contract and Professional Services expenditure category will be utilized for this cost, which will be charged to the Human Resources budget.

These are a few of the most important recommended additions to the budget for FY 2014-2015.

Five-Year Forecast

Each year during the preparation of the annual budget, staff presents a five-year forecast of fund balances, revenues, expenditures, transfers, reserves and ending fund balances for the year. Certain assumptions are made regarding revenue and expenditure trends. Known events are factored into the projections, such as changes in pension costs, and debt payoff schedules.

Recently, when the City Council approved the four new positions, staff presented information from a revised five-year forecast which included those new expenditures. At that time, staff confirmed the City's ability to fund the new positions now and in the future.

Staff has once again updated the five-year forecast to include not only the four new positions, but also the additional recommended activities listed above. The updated forecast continues to indicate that these added activities can be accommodated.

However, it is important to note that the trend of reduced General Fund surpluses over the

coming five years, which was first presented in the five year forecast at the time of budget adoption, is still projected to continue in this latest forecast (see Attachment #2).

Staff has also highlighted the on-going need for the City Council to address the General Fund subsidies of the Storm Water (\$4.6 million) and Street Lighting/Landscaping Districts (\$1.4 million) over the next five years. Unabated, eventually these subsidies will require a drawdown of General Fund reserves for Economic Uncertainty. Current projections include the need to access the City's Economic Uncertainty reserve beginning in FY 2016-2017.

OpenGov

In addition to the existing financial reports already generated on a monthly basis, staff is pleased to announce that the City's financial results are now available to the public in graphical format, with the ability to custom query results in several ways. The information includes five years of historical data as well as the current year budget. Users can query revenues, and expenditures by fund, department, expense type (salary, benefits, materials and services) etc. Staff will present an overview of the new application during this Council meeting.

CONCLUSION:

In summary, I am pleased to introduce the new quarterly budget status report, which is designed to provide increased transparency to the City's on-going fiscal performance. Additionally, the launch of OpenGov will further enhance these efforts and provide the public with the opportunity to self-query financial data, both historic and current. The next quarterly update will occur in February 2015 with the mid-year budget report.

Attachments:

1. First Quarter Fiscal Performance Reports
2. Five Year Forecast of General Fund Revenues and Expenditures

FY 2014-2015 First Quarter Comparison - General Fund

General Fund Expenditure Category	First Quarter Actual		Increase/(Decrease) from FY 2014 to FY 2015	
	FY 2014	FY 2015	\$	%
Salary & Wages (1)	\$6,016,485	\$6,552,299	\$535,814	8.9%
Employee Benefits (1)	2,706,496	2,679,688	(26,807)	(1.0%)
Contract & Professional Services (2)	1,446,107	1,741,668	295,561	20.4%
Materials & Services	462,366	657,644	195,279	42.2%
Utilities	171,362	196,388	25,026	14.6%
Internal Service Charges	1,331,992	1,701,931	369,939	27.8%
Property & Equipment	1,995	15,685	13,690	686.2%
Bond Debt	1,353,337	1,031,677	(321,660)	(23.8%)
Total General Fund Expenditures	\$13,490,140	\$14,576,981	\$1,086,841	8.1%

General Fund Revenues	First Quarter Actual		Increase/(Decrease) from FY 2014 to FY 2015	
	FY 2014	FY 2015	\$	%
Key Revenues				
Property Tax	\$581,963	\$605,342	\$23,378	4.0%
Sales & Use Tax	1,825,332	1,854,877	29,545	1.6%
Transient Occupancy Tax	995,754	1,113,829	118,076	11.9%
Business License Tax	133,558	190,171	56,613	42.4%
Real Estate Transfer Tax	172,521	195,529	23,008	13.3%
Building Permits	237,466	336,294	98,829	41.6%
Interest Earnings	85,426	73,091	(12,336)	(14.4%)
Building Plan Check Fees	385,313	319,267	(66,046)	(17.1%)
Subtotal Key Revenues	\$4,417,332	\$4,688,399	\$271,068	6.1%
Remaining Revenues by Category				
Other Taxes & Assessments	\$370,472	\$317,015	(\$53,458)	(14.4%)
Revenue from Permits	175,889	267,758	91,869	52.2%
Fines	739,634	766,341	26,707	3.6%
Use of Property & Money	564,754	594,577	29,824	5.3%
Other Governments	45,035	82,817	37,782	83.9%
Service Charges & Transfers	2,895,918	2,769,495	(126,424)	(4.4%)
Miscellaneous	131,483	260,520	129,037	98.1%
Subtotal Other Revenues	\$4,923,185	\$5,058,522	\$135,337	2.7%
Total General Fund Revenues	\$9,340,517	\$9,746,922	\$406,405	4.4%

Expenditure categories where the following City Manager recommendations will be charged:

- (1) Communications Manager, Economic Development Manger, Assistant Finance Director, IT Director, Mills Act
- (2) Downtown Planning, Mills Act, Strategic Planning and Community Survey, Employee Survey

Data Date 10/20/2014

**City of Manhattan Beach
Month End Financial Report
General Fund Expenditures By Department**

Percent Year 25.00
Fiscal Year 2015
Month September
Period 3

Department Name	Annual Budget	Current Month	YTD Expend.	YTD Encumb.	Available Budget	Percent Utilized
11 Management Services	2,677,892	223,012	528,681	6,500	2,142,711	19.99
12 Finance	3,774,231	248,783	784,844	81,946	2,907,441	22.97
13 Human Resources	1,251,945	76,261	215,799	13,785	1,022,361	18.34
14 Parks and Recreation	7,671,648	504,257	1,992,825	38,359	5,640,464	26.48
15 Police	23,210,318	1,847,457	5,734,408	242	17,475,668	24.71
16 Fire	11,461,981	880,193	2,945,136	90,102	8,426,742	26.48
17 Community Development	4,379,251	364,180	939,943	236,397	3,202,911	26.86
18 Public Works	6,965,722	628,687	1,435,344	80,621	5,449,757	21.76
100 General Fund	<u>61,392,988</u>	<u>4,772,831</u>	<u>14,576,981</u>	<u>547,952</u>	<u>46,268,055</u>	<u>24.64</u>

10/20/2014

Data Date

**City of Manhattan Beach
Month End Financial Report
Expenditures By Fund- Summary**

Percent Year 25.00
Fiscal Year 2015
Month September

Fund Number	Fund Title	Annual Budget	Current Month	YTD Exp	YTD Encumbr	Available Budget	Percent Utilized
100	General Fund	61,392,988	4,772,831	14,576,981	547,952	46,268,055	24.64
201	Street Lighting & Landscape Fund	652,909	48,035	108,121	-	544,788	16.56
205	Streets, Highways & Sidewalks	1,715,000	534,676	534,676	-	1,180,324	31.18
210	Asset Forfeiture Fund	226,345	1,319	43,754	19,030	163,561	27.74
211	Police Safety Grants Fund	209,274	16,039	72,440	32,482	104,353	50.14
230	Prod. A Fund	805,070	52,803	155,006	763	649,301	19.35
231	Prod. C Fund	5,895,200	-	-	-	5,895,200	0.00
232	AB 2766 Air Quality Fund	155,068	809	2,427	-	152,641	1.57
233	Measure R	335,000	-	-	-	335,000	0.00
401	Capital Improvement Fund	2,925,055	560	560	-	2,924,495	0.02
501	Water Fund	13,551,644	792,406	1,991,226	29,880	11,530,538	14.91
502	Stormwater Fund	1,255,558	12,985	55,143	37,256	1,163,159	7.36
503	Wastewater Fund	2,044,748	161,175	373,515	75,429	1,595,803	21.96
510	Refuse Fund	4,184,371	325,851	698,114	-	3,486,257	16.68
520	Parking Fund	2,538,942	140,009	388,317	9,618	2,141,007	15.67
521	County Parking Lots Fund	644,806	15,865	26,732	-	618,074	4.15
522	State Pier and Parking Lot Fund	1,533,889	47,978	105,075	19,480	1,409,334	8.12
601	Insurance Reserve Fund	4,702,745	495,587	3,384,494	-	1,318,251	71.97
605	Information Systems Fund	2,861,335	206,018	381,433	149,468	2,330,434	18.55
610	Fleet Management Fund	2,646,638	203,019	472,945	616,189	1,557,503	41.15
615	Building Maintenance & Operations Fund	1,698,391	177,319	445,317	128,736	1,124,338	33.80
710	Soecial Assessment Redemption Fund	953,389	3,190	754,187	-	199,202	79.11
801	Pension Trust Fund	233,220	16,557	49,176	-	184,044	21.09
	Grand Total - All City Funds	113,161,585	8,025,031	24,619,639	1,666,282	86,875,663	23.23

**City of Manhattan Beach
Month End Financial Report
Revenue By Fund - Fund Summary**

Data Date 10/20/2014

Percent Year 25.00

Fiscal Year 2015

Month September

Fund No.	Fund Title	Budget	Budget Adj.	Adjusted Budget	Current Month	YTD Actual	Unrealized Amount	Percent Realized
100	General Fund	59,846,949	50,000	59,896,949	2,769,782	9,782,160	50,114,789	16.33
201	Street Lighting & Landscape Fund	399,620	-	399,620	-	-	399,620	0.00
205	Streets, Highways & Sidewalks	933,447	-	933,447	156,685	268,719	664,728	28.79
210	Asset Forfeiture Fund	7,300	-	7,300	10,050	29,518	-22,218	404.35
211	Police Safety Grants Fund	101,200	-	101,200	-	24	101,176	0.02
220	Federal & State Grants Fund	-	-	-	-	-	-	0.00
230	Prop. A Fund	637,699	-	637,699	58,779	158,051	479,648	24.78
231	Prop. C Fund	5,284,829	-	5,284,829	47,897	130,357	5,154,472	2.47
232	AB 2766 Air Quality Fund	51,712	-	51,712	11,412	11,447	40,265	22.14
233	Measure R	416,577	-	416,577	-	61,311	355,266	14.72
401	Capital Improvement Fund	2,013,901	-	2,013,901	107,317	391,095	1,622,806	19.42
402	Safety & Civic Center Construction Fund	-	-	-	-	-	-	0.00
403	Underground Assessment Districts	1,200	-	1,200	-	32	1,168	2.63
501	Water Fund	16,546,891	-	16,546,891	2,021,974	5,153,114	11,393,777	31.14
502	Stormwater Fund	353,033	-	353,033	-	16	353,017	0.00
503	Wastewater Fund	3,743,047	-	3,743,047	391,038	1,057,078	2,685,969	28.24
510	Refuse Fund	3,968,705	-	3,968,705	333,847	1,017,702	2,951,003	25.64
520	Parking Fund	2,385,078	-	2,385,078	93,927	564,233	1,820,845	23.66
521	County Parking Lots Fund	775,510	-	775,510	27,430	224,664	550,846	28.97
522	State Pier and Parking Lot Fund	581,729	-	581,729	37,182	143,412	438,317	24.65
601	Insurance Reserve Fund	4,661,672	-	4,661,672	384,313	1,220,247	3,441,425	26.18
605	Information Systems Fund	2,272,016	-	2,272,016	189,335	568,005	1,704,011	25.00
610	Fleet Management Fund	2,223,625	-	2,223,625	101,975	526,635	1,696,990	23.68
615	Building Maintenance & Operations Fun	1,699,779	-	1,699,779	13,855	285,107	1,414,672	16.77
710	Special Assessment Redemption Fund	965,000	-	965,000	-	-	965,000	0.00
801	Pension Trust Fund	180,900	-	180,900	-	-390	181,290	(0.22)
803	UAD Loan Program	-	-	-	-	-	-	0.00
Grand Total - All City Funds		110,051,419	50,000	110,101,419	6,756,797	21,592,536	88,508,883	19.61

Data Date 10/20/2014

**City of Manhattan Beach
Month End Financial Report
Revenue By Fund -Line Item-Maj Accts
Budget >= \$500,000**

Percent Year 25.00
Fiscal Year 2015
Month September

Account No.	Account Title	Annual Budget	Budget Adj.	Adjusted Budget	Current Month	YTD Actual	Unrealized	Percent Realized
100-3101	C. Yr Secured Property Tax	19,100,000	-	19,100,000	-	-	19,100,000	-
100-3102	C. Yr Unsecured Property Tax	783,750	-	783,750	-	605,342	178,408	77.24
100-3108	Property Tax In Lieu of VLF	3,553,000	-	3,553,000	-	-	3,553,000	-
100-3201	Sales & Use Tax	6,630,118	-	6,630,118	809,774	1,825,271	4,804,847	27.53
100-3202	Franchise Tax	1,407,385	-	1,407,385	-	255,150	1,152,235	18.13
100-3203	Transient Occupancy Tax	3,669,000	-	3,669,000	387,292	1,113,829	2,555,171	30.36
100-3204	Business License Tax	3,125,000	-	3,125,000	60,417	190,171	2,934,829	6.09
100-3205	Property Tax In Lieu of Sales Tax	2,482,755	-	2,482,755	-	-	2,482,755	-
100-3206	Real Estate Transfer Tax	595,000	-	595,000	56,313	195,529	399,471	32.86
100-3301	Building Permits	1,160,000	-	1,160,000	75,125	336,294	823,706	28.99
100-3402	Parking Citations	2,340,000	-	2,340,000	226,678	714,286	1,625,714	30.53
100-3515	Marriott Hotel Percentage Rent	920,000	-	920,000	-	272,076	647,924	29.57
100-3703	Building Plan Check Fees	1,350,000	-	1,350,000	87,323	319,267	1,030,733	23.65
100-3716	Ambulance Fees	775,000	-	775,000	94,866	223,050	551,950	28.78
100-3779	Sports Classes *	530,000	-	530,000	996	339,064	190,936	63.97
100-3896	Operating Service Transfers	2,913,338	-	2,913,338	242,777	728,331	2,185,007	25.00
100-3913	W Comp Salary Continuation	619,100	-	619,100	73,006	191,325	427,775	30.90
100	General Fund							
230-3221	Transit Sales Tax	606,599	-	606,599	57,710	155,917	450,682	25.70
230	Prop. A Fund							
231-3221	Transit Sales Tax	504,829	-	504,829	47,897	129,356	375,473	25.62
231-3641	Measure R SB Highway	4,550,000	-	4,550,000	-	-	4,550,000	-
231	Prop. C Fund							
401-3203	Transient Occupancy Tax	647,000	-	647,000	68,346	196,558	450,442	30.38
401-3751	Parking Meters	710,000	-	710,000	25,911	153,804	556,196	21.66
401	Capital Improvement Fund							
501-3737	Utility Service Charges	16,300,000	-	16,300,000	2,007,359	5,062,351	11,237,649	31.06
501	Water Fund							
503-3737	Utility Service Charges	3,610,000	-	3,610,000	387,377	1,031,341	2,578,659	28.57
503	Wastewater Fund							

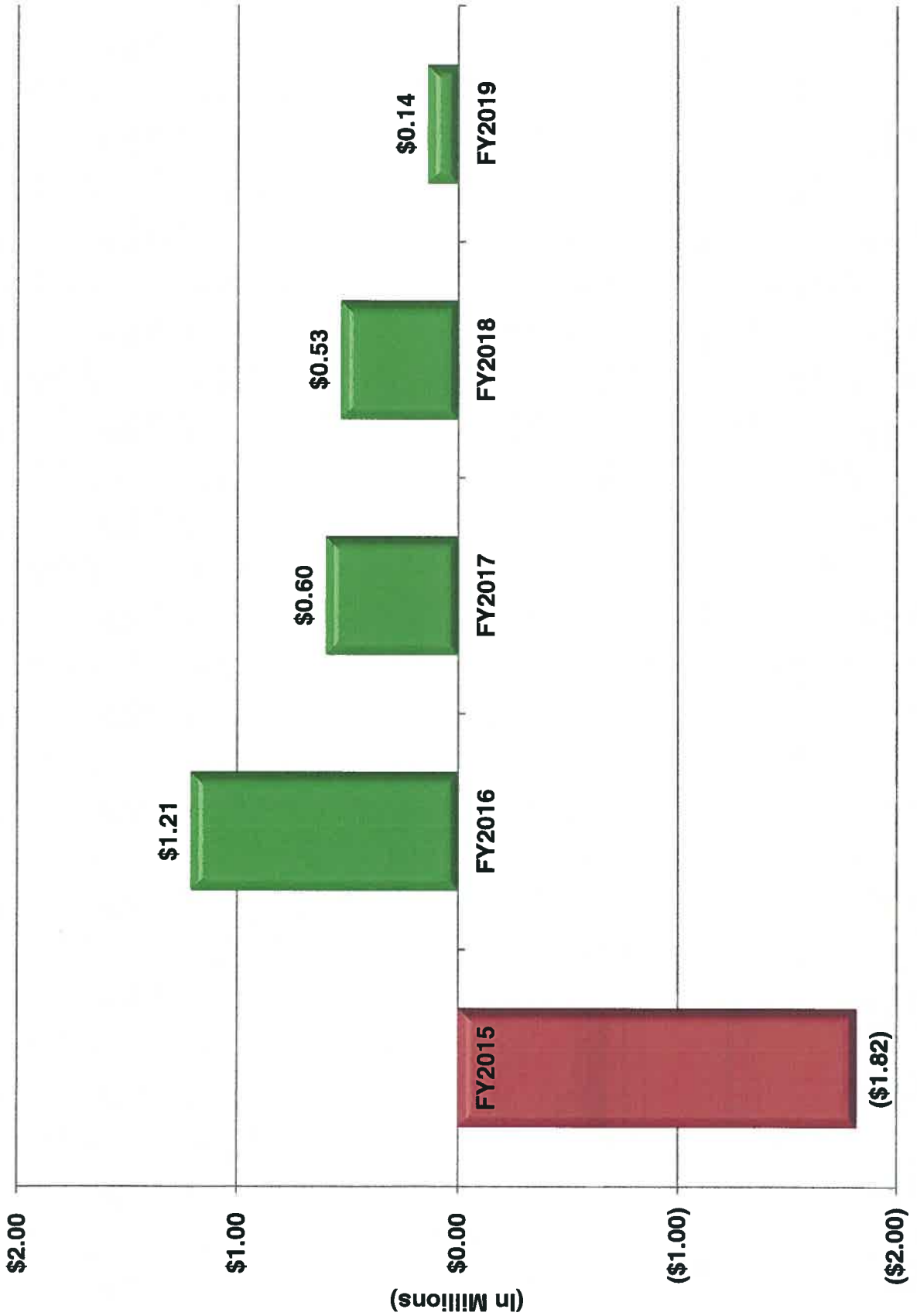
Data Date 10/20/2014

**City of Manhattan Beach
Month End Financial Report
Revenue By Fund -Line Item-Maj Accts
Budget >= \$500,000**

Percent Year 25.00
Fiscal Year 2015
Month September

Account No.	Account Title	Annual Budget	Budget Adj.	Adjusted Budget	Current Month	YTD Actual	Unrealized	Percent Realized
510-3742	Residential Refuse Fee	1,956,000	-	1,956,000	169,848	496,998	1,459,002	25.41
510-3743	Commercial Refuse Fee	1,392,000	-	1,392,000	117,644	353,943	1,038,057	25.43
510	Refuse Fund							
520-3751	Parking Meters	2,010,000	-	2,010,000	71,681	459,664	1,550,336	22.87
520	Parking Fund							
521-3754	Parking Lot C Meters	617,000	-	617,000	20,689	170,714	446,286	27.67
521	County Parking Lots Fund							
522-3751	Parking Meters	570,000	-	570,000	37,182	142,971	427,029	25.08
522	State Pier and Parking Lot							
601-3850	Workers Comp Billing	3,004,140	-	3,004,140	250,345	751,035	2,253,105	25.00
601-3852	Liability Insurance Billings	1,557,420	-	1,557,420	129,785	389,355	1,168,065	25.00
601	Insurance Reserve Fund							
605-3860	Information System Charge	2,272,016	-	2,272,016	189,335	568,005	1,704,011	25.00
605	Information Systems Fund							
610-3853	Fleet Rental Charges	1,223,650	-	1,223,650	101,975	305,925	917,725	25.00
610-3854	Fleet Maintenance Charge	975,975	-	975,975	64,322	226,426	749,549	23.20
610	Fleet Management Fund							
615-3861	Building Maintenance	1,580,084	-	1,580,084	163,628	417,181	1,162,903	26.40
615	Building Maintenance & Of							
710-3211	C. Yr Assessments	965,000	-	965,000	-	-	965,000	-
710	Special Assessment Redemp							
Totals for selected accounts		97,005,159	0.00	97,005,159	6,025,601	18,320,529	78,684,630	18.99
Totals for all accounts		110,051,419	50,000	110,101,419	6,984,747	21,820,487	88,280,932	19.82

General Fund Five-Year Forecast Revenues Over Expenditures



Agenda Date: 11/5/2014

TO:

Honorable Mayor Powell and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Tony Olmos, Director of Public Works
Joe Parco, City Engineer

SUBJECT:

Advanced Gas Meter Installations Update and Presentation (Public Works Director Olmos).

RECEIVE REPORT

RECOMMENDATION:

Staff recommends that the City Council receive this report regarding advanced gas meter installations.

FISCAL IMPLICATIONS:

There will be no cost borne by the City. The Southern California Gas Company (SoCal Gas) will be performing the installations.

BACKGROUND:

In 2010, the California Public Utilities Commission (CPUC) authorized \$1.05 billion to upgrade approximately 6 million existing natural gas meters by 2017 with a communication device. The Advanced Gas Meter Installations Project will install new devices on existing gas meters and a limited number of antennas on street light poles that read and transmit hourly gas usage information securely and wirelessly on a daily basis. This will provide more frequent and detailed information to help customers better manage energy use and costs.

DISCUSSION:

On April 1, 2014 SoCal Gas staff gave a presentation to City Council describing the Advanced Gas Meter Installations Project. SoCal Gas relayed that gas usage will still be recorded in the traditional manner. However, consumers will now have the ability to access their account information in a variety of different ways such as online, call-in, on mobile devices and traditional paper.

Due to the size and geography of the city, there will be a minimum of 5 Network Points

required to provide the necessary coverage for the citywide SoCal Gas system. SoCal Gas has performed a reconnaissance survey over the entire City to determine the most suitable locations for installation of their data collection units (DCU). The proposed locations of the 5 DCU's is shown in attachment 1. SoCal Gas will be providing a presentation on the Advanced Meter Installation and community outreach that will occur.

CONCLUSION:

Staff recommends that the City Council receive this update from staff regarding the SoCal Gas advanced meter installations.

Attachment:

1. Gas Company Advanced Meter Presentation



ADVANCEDmeter

**MANHATTAN BEACH
CITY COUNCIL**

NOVEMBER 4, 2014

What is the Advanced Meter Project?

- California Public Utilities Commission (CPUC) decision received in April 2010 authorizing \$1.05 billion to upgrade approximately 6 million existing natural gas meters with a communication device by 2017
- Automatically reads and securely transmits hourly gas usage information on a “next day” basis
- Provides more frequent and detailed information to help customers better manage energy use and costs
- SoCalGas employees will perform installations
- Advanced meter installation began in October 2012 in South East LA County
 - Manhattan Beach scheduled Mid 2015

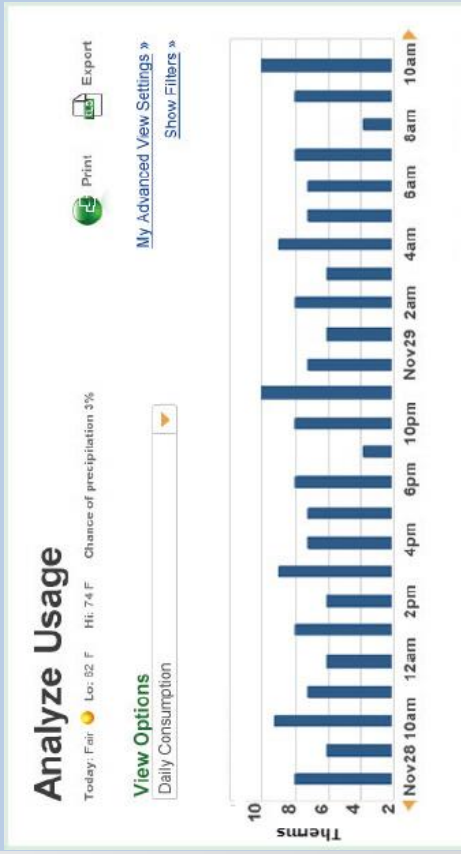


PHOTOS FOR DISCUSSION PURPOSES ONLY

Information: Present - Future



Monthly Bill



Hourly Information

What are the Benefits?



**Get
Information**



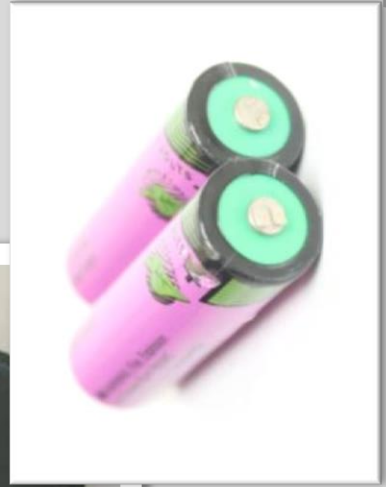
**Save
Money**



**Help the
Environment**

How Does it Work?

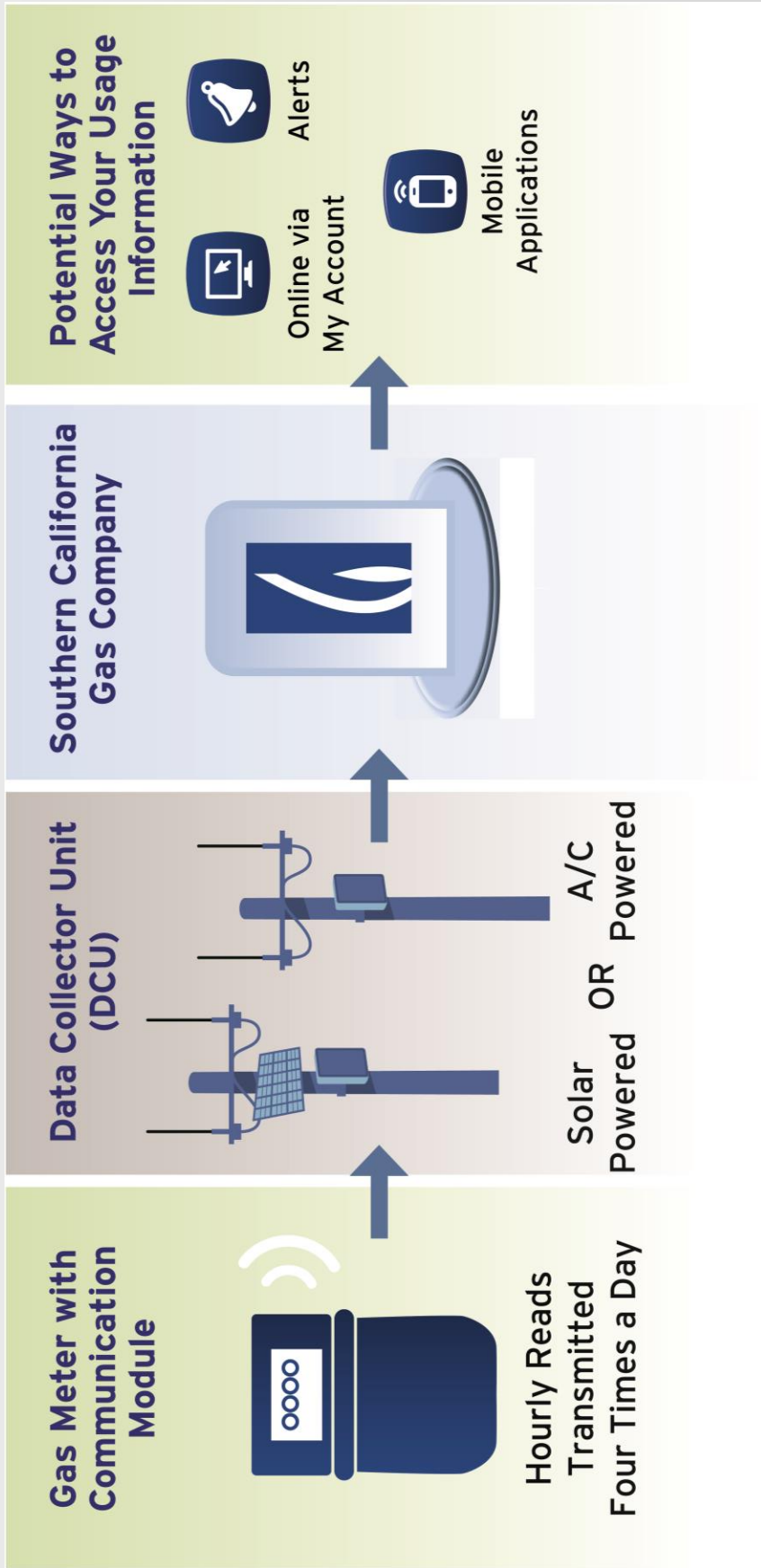
Gas usage is still recorded in the traditional way, it's a new communication device that transmits the information electronically



- Does not change the functionality of the gas meter; No remote connect / disconnect capabilities
- Device is **off** most of the time
- Securely transmits 12 hours of data 4 times per day to a Data Collector Unit (total “on” time is less than 2 minutes per year)
- **Battery-powered**
- Does not communicate with other meters
- Does not communicate with appliances in the home

ADVANCEDmeter

How is the information transmitted?



About the Communication Network – Data Collection Units (DCUs)

- Installing approximately 4,000 DCUs throughout SoCalGas' service territory
- Mostly pole mounted
- Antennas mounted 28 feet or higher (licensed 450 MHz frequency)
- Typically, Data Collector box is placed at top of pole with solar panel and antennas
- A/C* or Solar Powered
- 21.5" H x 13.6" W x 8.25" D
- Maximum DCU weight is 55 lbs
- Built-in Redundancy: advanced meters communicate with two to three DCUs

Data Collection Units (DCUs)



- Installed in areas where least impactful to the community
- Options of pole types to match existing infrastructure (wood, cement, steel)
- If viable assets exist in city (Edison poles, city poles, etc) can look into potential attachments if meets network need and passes engineering requirements

Community Outreach Efforts

- **Phase 1: Network Construction Customer Notification**

SoCalGas will notify impacted customers of network construction activity. Notification letter will be distributed to customers 2 weeks prior to network construction.

- **Phase 2: Advanced Meter Installation Outreach**

SoCalGas will implement local community outreach and customer communication to prepare customers for advanced meter installation

Local Communication & Community Outreach

90 to 60 Days Prior to Installation:

Briefings with Local Elected Officials, Community Leaders, Chambers, etc.

60 to 30 Days Prior to Installation:

Local Community Involvement & Events

30 Days Prior to Installation:

Customer receives notification letter
(geographically distributed)

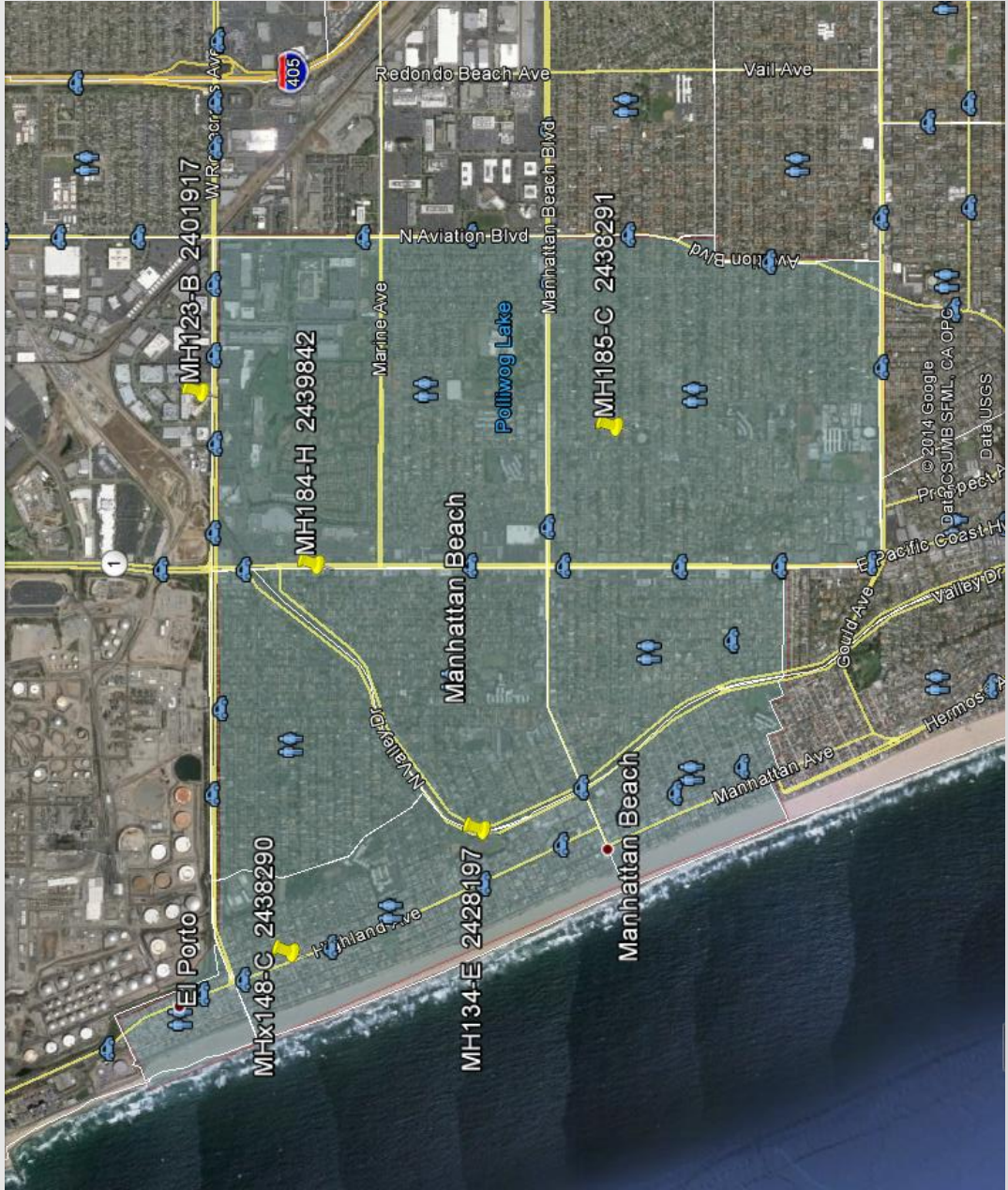
Installation Day:

Customer receives door hanger confirming installation has occurred

Post Installation:

Obtain feedback on installation experience

Final Site Selections - 5 Data Collector Units



DCU Search Ring Locations

Site	Address	Latitude	Longitude
MH184-H	On N. Sepulveda Blvd.; East of 2809 N. Sepulveda Blvd.	33.89668	-118.39616
MH134-E	On N Valley Dr; North of 1601 N Valley Dr	33.88948	-118.41008
MH123-B	On Rosecrans Ave; North of 1500 Rosecrans Ave	33.90174	-118.38713
MHx148-C	On Highland Ave; East of 3111 Highland Ave	33.89779	-118.41652
MH185-C	On 8th St; South of 1427 8th St	33.88371	-118.38893

MH184-H



On N. Sepulveda Blvd.; East of 2809 N. Sepulveda Blvd.

Notes

196 ft. South of the South curbface of 30th St.

2 ft. West of the West curbface of N. Sepulveda Blvd.

Attachment – SCE Street Light

DCU will be located at approximately
26 feet above ground level

MH184-H



On N. Sepulveda Blvd.; East of 2809 N. Sepulveda Blvd.

Notes

196 ft. South of the South curbface of 30th St.

2 ft. West of the West curbface of N. Sepulveda Blvd.

Attachment – SCE Street Light

MH134-E



On N. Valley Dr.; North of 1601 N. Valley Drive

Notes

505 Feet North of the North Curbside of 15th St.
2 Feet West of the West Curbside of N Valley Dr.

Attachment – SCE Street Light

DCU will be located at approximately
26 feet above ground level

MH134-E



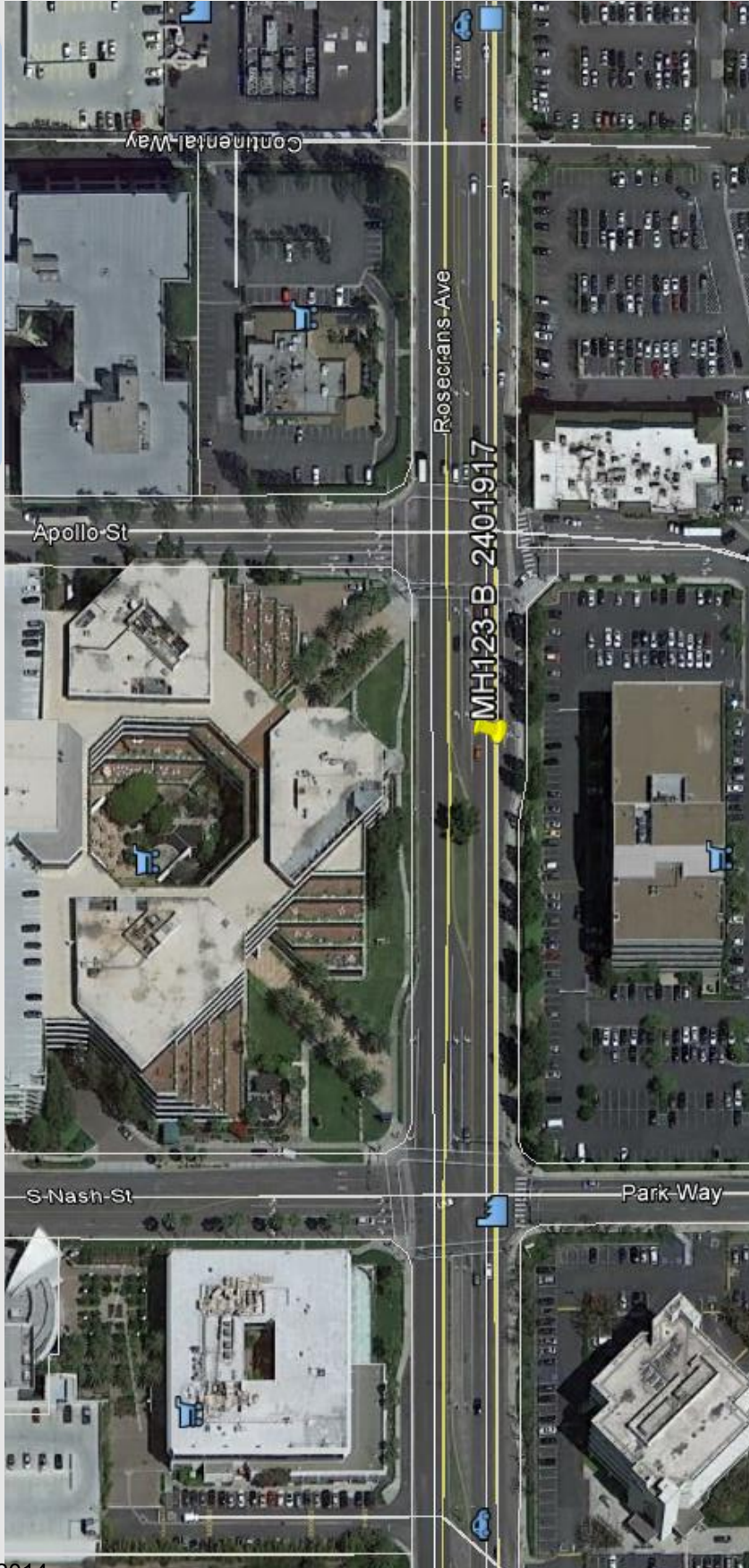
On N. Valley Dr.; North of 1601 N. Valley Drive

Notes

505 Feet North of the North Curbside of 15th St.
2 Feet West of the West Curbside of N Valley Dr.

Attachment – SCE Street Light

MH123-B



On Rosecrans Ave.; North of 1500 Rosecrans Ave.

Notes

154ft. West of the West curb face of Market Place
2ft. South of the South curb face of Rosecrans Ave.

Attachment – SCE Street Light

DCU will be located at approximately
26 feet above ground level

MH123-B



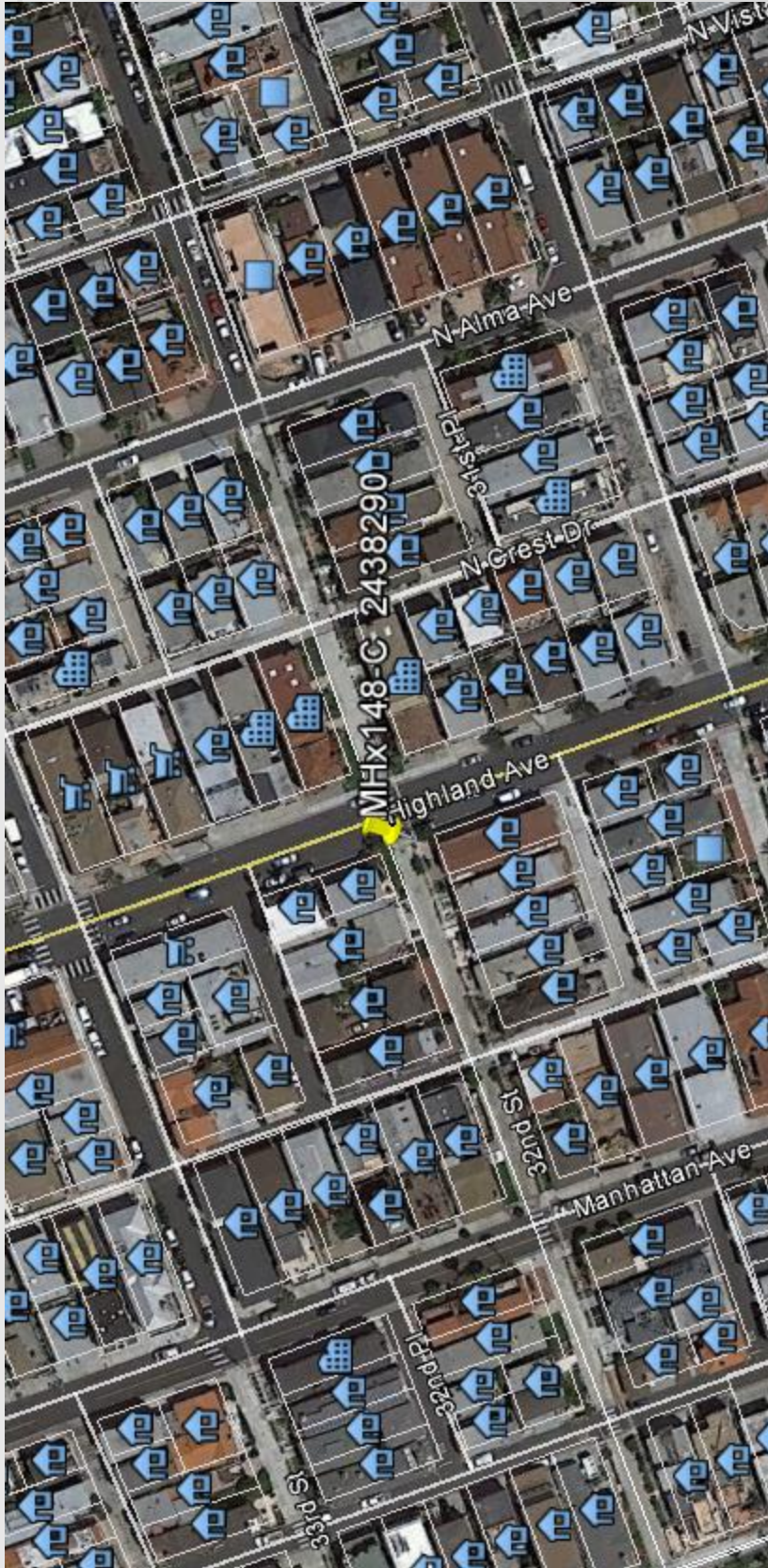
On Rosecrans Ave.; North of 1500 Rosecrans Ave.

Notes

154ft. West of the West curb face of Market Place
2ft. South of the South curb face of Rosecrans Ave.

Attachment – SCE Street Light

MHX148-C



On Highland Ave.; East of 3111 Highland Ave.

Notes

- 4 Feet South of the South Edge of Pavement of 32nd St.
- 2 Feet West of the West Curbside of Highland Ave.

Attachment – SCE Street Light

DCU will be located at approximately
26 feet above ground level

MHx148-C



On Highland Ave.; East of 3111 Highland Ave.

Notes

- 4 Feet South of the South Edge of Pavement of 32nd St.
- 2 Feet West of the West Curbside of Highland Ave.

Attachment – SCE Street Light

MH185-C



On 8th Street; South of 1427 8th Street

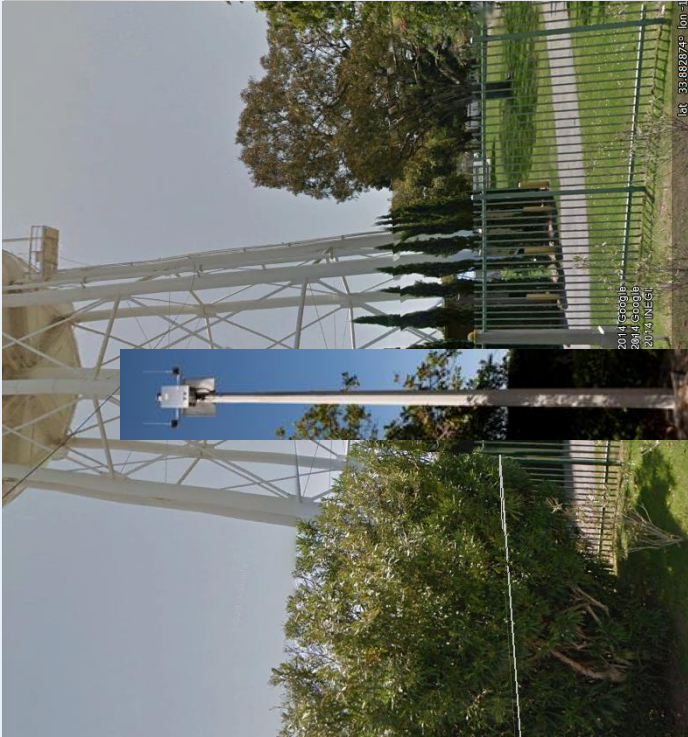
Notes

467 Feet West of the West Curbside of N Peck Ave.
3 Feet South of the South Curbside of 8th St.

New Installation – 26' Concrete Pole

MH185-C

Pole will be approximately
26 feet, 4 inches tall



On 8th Street; South of 1427 8th Street

Notes

467 Feet West of the West Curbside of N Peck Ave.
3 Feet South of the South Curbside of 8th St.

New Installation – 26' Concrete Pole

Contact Information

- To learn more about the project, visit: socalgas.com/advanced

Or Contact:

- Site Acquisition Manager
 - Shaun Baptiste
 - 310-755-8792
 - SBaptiste@semprautilities.com
- Public Affairs Manager
 - Marcella Low
 - (310) 605-4194 Office
 - (310) 613-8875 Cell
 - MLow@semprautilities.com



Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Richard Thompson, Director of Community Development
Sal Kaddorah, Building Official

SUBJECT:

Status report on Construction Rules, Surety Bonds, and Construction Parking Permits
(Community Development Director Thompson).

RECEIVE REPORT

RECOMMENDATION:

Staff recommends that the City Council receive this report.

FISCAL IMPLICATIONS:

None.

BACKGROUND:

On July 2, 2013, and August 6, 2013, Staff provided presentations to the City Council on the rules and procedures to alleviate construction impacts in residential neighborhoods. Staff was then directed by Council to implement additional construction rules and meet with the Board of Building Appeals to discuss adding additional construction rules. Staff conducted meetings with the Board of Building Appeals on September 11, 2013, November 14, 2013, and January 30, 2014.

On March 4, 2014 Staff provided a follow up presentation to the City Council, and introduced the additional rules and procedures to alleviate construction impacts in residential neighborhoods. City Council requested an update report showing statistical numbers in 6 months.

Additionally, Council directed Staff to explore the implementation of a "surety bond" requirement for all projects as a protective measure for properties adjacent to active construction sites.

DISCUSSION:

Over the course of the last two years, staff has presented measures to Council regarding mitigate construction concerns expressed by residents. As a result of numerous meetings, concerns were addressed and new guidelines have been implemented.

CONSTRUCTION VIOLATIONS:

At Council's request Staff was directed to gather statistical data for 6 months on construction violations. For the period between April 1, 2014 and September 30, 2014, the Residential Construction Officer and Code Enforcement Officer conducted 5,940 Construction site inspections. A total of 208 violations were handled with the violation breakdown as follows:

- Parking: 43
- Sandbags: 21
- Trash: 18
- Work without permits: 16
- Fence/Green screen: 16
- Noise: 13
- Impact on neighbors: 11
- Dumpster in the right of way: 10
- Civil matters: 9
- Early/Late start: 8
- Debris in the right of way: 8
- P.O.D.'s: 4

Examination of these numbers reveals that Parking issues result in the majority of complaints particularly in the areas near the beach. Sandbag issues yielded the second greatest number of complaints, followed by trash issues, and working without permits.

Over the past 6 months, the Residential Construction Officer and Code Enforcement Officer also issued 8 stop work orders, conducted 57 on-site meetings and 44 office meetings.

PARKING:

Police, Parking Control and Building and Safety staff held several meetings to discuss the impacts of construction parking and ways to mitigate impact. As a result of those meetings, Staff modified the Construction Parking Permit Program to alleviate traffic congestion and parking in the alleys. In lieu of issuing temporary construction parking permits, the modified parking program designates a Construction Parking Zone for a specific job site. These zone designations are evaluated on a case-by-case basis and are considered at the discretion of the Residential Construction Officer with final approval by the City Traffic Engineer.

For job sites requiring the use of the Right-of-Way (i.e. concrete trucks, cranes, large lumber or steel deliveries, or other temporary uses) a Temporary Right-of-Way permit is required. Before issuance of a Right-of-Way permit contractors must come to the Community Development Department to update their building permit. There are numerous conditions for the Right-of-Way permit required of the applicant/owner including:

- Liability insurance;
- Cleanup and liquidated damages deposits;

- 72 hour advance written notification to all property residents;
- 48 hour advance notification to the Public Works Inspector;
- The morning of the street closure Dispatch must be notified; and
- The temporary Right-of-Way permit must be available at the job site, for verification by City field staff.

The Parking Program ensures that all construction vehicles Park legally and adhere to all traffic laws, parking signs and markings are subject to citation and/or towing. The results of the modified Parking Program appear to be very effective, as the number of parking complaints and all other related violations has dropped dramatically since mid-August, which was the time when the last temporary construction parking permits had expired.

SURETY BONDS:

At Council's request Staff researched and evaluated the implementation and implications of establishing a surety bond requirement as a protective measure for properties adjacent to active construction sites.

The 2013 California Building Code, Section 3307.1 states, and the City of Manhattan Beach has procedures in place that implement the following:

“Protection required. Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection shall be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered no less than 10 days prior to the scheduled starting date of the excavation.”

According to information obtained from the City Attorney's office, only one City they work with requires a surety bond as a protective measure for certain construction sites. In Beverly Hills, the Building Official is authorized to require a surety bond prior to issuance of a permit.

“...where the nature of the work, if commenced and allowed to remain in an uncompleted state, would create a hazard to human life or endanger adjoining or other property, any street or street improvement, or any other public property. The bond shall be in an amount sufficient to cover the cost of eliminating any dangerous condition or geological hazard if the project is not properly performed or is not completed in a timely manner.”

We understand that Beverly Hills would typically use the surety bond to stabilize a construction site in the event of abandonment or inactivity for the sole purpose of eliminating a “dangerous condition or geological hazards”.

Staff also researched cities in the area and learned that no other South Bay city requires a surety bond for all projects. Only one other South Bay city, Hermosa Beach, has crafted additional construction guidelines for the Building Official.

In addition to the provisions provided for in the Building Code, Hermosa Beach provides the following Building Code Amendments pertaining to construction guidelines:

1. Gives the Building Official the authority to stop construction work at any time based on their opinion of pending or actual caused damage.
2. In the event it is determined damage has occurred to a property as a direct result of the construction, the Building Official determines when construction can begin again. It is the Building Official's responsibility to establish and manage to the definition of what corrections may be necessary to ensure the damaged property is fixed and will not suffer further damage.
3. If there is a dispute between the owner claiming damage and the party alleged to have caused the damage, the later will post a bond with the City. The amount posted will be determined by the Building Official based on what he/she believes the full cost of repairs to be.

The following is a summary of some of the challenges the City could encounter by requiring a surety bond for all projects:

1. The City may not accurately estimate the dollar amount for a surety bond to offset the actual repairs of the damaged property.
2. The City may not be able to accurately assess the extent of the actual damages to the property and there may be unknown significant related damages beyond the amount originally collected by the surety bond.
3. Staff would engage in a complex process to manage, track and document: mutual agreements, incoming bond money, disputes, repairs, project timelines, payouts and the refund process.
4. The City may become engaged in private disputes between property owners when the parties do not resolve the repair issues within the allocated time frame of the bond.

Staff believes we currently have regulations in place that achieve the same results without some of the difficulties identified above. The following are the tools Staff currently uses to protect and ensure the safety of properties adjacent to construction sites:

1. The Building Official requires measures to protect properties adjacent to a construction site at any time before or during construction, as stated in the California Building Code.
2. The Building Official requires written notices be sent to the owners of the adjoining buildings advising them about the shoring or excavation to be made and that the adjoining buildings must be protected. Said notifications are delivered not less than 10 days prior to the secluded date of shoring or excavation, as stated in the California Building Code.
3. A CAL-OSHA Permit is required for any excavation that is five feet or more. Contractors must carry a one million dollar liability policy in order to obtain a CAL-OSHA permit.
4. The Building Official issues a Stop Work Order on a project at any time if the work being performed is dangerous, unsafe, or non-compliant with the Building Code or other applicable regulations, as stated in the California Building Code.
5. The Building Official withholds issuing the Certificate of Occupancy or Permit Final for

properties that caused damage to adjacent properties during construction until all repairs are done or both parties reach an agreement to remedy the damaged property.

6. The Building Official limits the construction hours beyond what is allowed by code on certain projects to mitigate construction impacts to residents living near a construction site.

Based on research and the information provided, Staff recommends not requiring a surety bond and continuing to utilize the measures that are available through the California Building Code, CAL-OSHA and other City safety policies. Staff will continue to work with the City Attorney to explore additional measures to mitigate construction impacts to residents.

CONCLUSION:

Because of our daily patrolling, in combination with the Police Department's assistance, and because of the modified Construction Parking Program, parking congestion and residents' complaints have diminished. Parking issues have dropped each month since we have aggressively been patrolling the hot spots and we will continue to monitor the hot spots. The residential construction enforcement will be continuously updated, to reflect today's needs and safety concerns, as well as to minimize the construction impacts on residents.

Attachments:

1. Statistical Numbers for 6 Months
2. Original Staff Report from March 6, 2014
3. Meeting Minutes from March 6, 2014

MONTHLY TOTALS (Not all days in each month are documented.)	RE-INSPECTION		INSPECTION	AQMD (Dust, Debris)	Civil Issues	Debris in ROW	Dumpster	Early/Late Hours	Expired Permits	Fence/Green Screen	Illegal Discharge	Impact on Neighbors	Misc/Other	Noise	Parking	POD	Sandbags	Trash	Work w/out Permits	AQMD Issue	Citation	No Violation	Stop Work Issued	Verbal Advisory	Hot Spot Drive-By	RFA	RFI	In-House Meeting	On-Site Meeting
	APRIL	0	0	846	0	1	0	1	2	0	0	0	0	8	3	3	0	0	0	2	0	0	0	1	2	837	0	1	7
MAY	0	0	839	0	1	0	0	1	0	0	0	4	1	0	2	0	0	0	0	0	0	0	0	2	846	0	0	4	8
JUNE	6	6	475	2	2	6	0	1	0	9	0	3	18	0	3	4	21	13	6	3	0	1	4	5	452	0	0	8	12
JULY	8	8	677	4	2	0	0	0	1	6	5	0	9	0	9	0	0	1	5	1	1	0	1	4	540	0	3	13	15
AUGUST	1	1	1219	0	1	1	1	2	0	0	1	2	5	4	15	0	0	3	0	0	0	0	0	1	1159	2	0	6	9
SEPTEMBER	0	0	1884	2	2	1	8	2	0	1	2	2	8	6	11	0	0	1	3	1	0	0	2	0	1869	1	0	6	8
2014 YEAR TO DATE	15	15	5940	8	9	8	10	8	1	16	8	11	49	13	43	4	21	18	16	5	1	1	8	14	5703	3	4	44	57



Legislation Text

File #: 14-0072, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

John Jalili, Interim City Manager

FROM:

Richard Thompson, Director of Community Development
Sal Kaddorah, Building Official

SUBJECT:

Implementation of additional Construction Rules as approved by the Board of Building Appeals (Community Development Director Thompson).

RECEIVE REPORT

RECOMMENDATION:

Staff recommends that the City Council receive this report.

FISCAL IMPLICATIONS:

None

BACKGROUND:

On July 2, 2013, and August 6, 2013, staff provided presentations to the City Council on the rules and procedures to alleviate construction impacts in residential neighborhoods. Staff was then directed by Council to add additional rules and meet with the Board of Building Appeals to discuss adding additional construction rules. Staff conducted meetings with the Board of Building Appeals on September 11, 2013, November 14, 2013, and January 30, 2014.

DISCUSSION:

On July 2, 2013, staff gave a presentation to Council regarding the Residential Construction Officer program and the rules and procedures in place to alleviate construction impacts in residential neighborhoods. Council proposed some adjustments to the construction rules and requested more information as follows:

- *Status of staffing the Code Enforcement Program*
- *Restrict loud radios and music on construction sites*
- *Expand the notification area to residents for the on-site construction meeting*
- *Provide a map of major projects that are currently under construction*
- *Provide a list of current rules and regulations.*

Staff provided the requested information and added the following rules which were presented to Council at the August 6, 2013, meeting.

Status of staffing Code Enforcement:

The Code Enforcement section was operating shorthanded with only one officer for over a year due to the retirement of the former Officer and the time to recruit and hire a new employee. In June 2013 the vacant position was filled. The combination of reduced staffing and the increase in construction activity greatly impacted our ability to mitigate impacts associated with construction activity. With the addition of the second officer, staff has noted improved service levels.

Radio/Music:

The City utilizes Penal Code 415 and Municipal Code Section 5.48.060 C, which prohibit loud music on job sites. The Residential Construction Officer or Police Officer will cite the contactor of the subject project if this provision is violated. This rule has been added to the construction rules sign as reflected on Attachment 5.

Municipal Code Section 5.48.060 C.

It is prohibited for any person to operate any radio or disc player or cassette player or similar device at a construction site in a manner that results in noise levels that are audible beyond the construction site property line.

5.48.140 - Noise disturbances:

A. Notwithstanding any other provisions of this chapter and in addition thereto, it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary and unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness. The standard which may be considered in determining whether a violation of the provisions of this section exists may include, but not be limited to, the following:

1. The level of the noise;
2. Whether the nature of the noise is usual or unusual;
3. Whether the origin of the noise is natural or unnatural;
4. The level and intensity of the background noise if any;
5. The proximity of the noise to residential sleeping facilities;
6. The nature and zoning of the area within which the noise emanates;
7. The density of the inhabitation of the area within which the noise emanates;
8. The time of the day and night the noise occurs;
9. The duration of the noise;
10. Whether the noise is recurrent, intermittent or constant;
11. Whether the noise is produced by a commercial or noncommercial entity;
12. Whether the noise occurs on a weekday, weekend, or holiday.

B. The City may issue a citation against the person, persons, or entity responsible for the noise including, but not limited to, the property owner or business operator on whose premises the noise originates.

Notification:

Staff has expanded the notification area to include all properties within 300 feet of the subject project inviting residents to attend an on-site meeting. The notification was expanded from 100 feet.

Construction Rules:

“Construction Rules” were amended to include, “No Loud Radios or Music “ at construction sites. As directed by Council during the August 6th meeting, staff met with the Board of Building Appeals on September 11, 2013, November 14, 2013, and January 30, 2014 to discuss and implement additional Construction Rules and Regulations. As a result of those meetings, staff added the following rules and regulations:

- "Neighborhood Notification Postcards" shall be sent to entire block and/or blocks impacted by construction in Residential Area District III and IV; such blocks shall include all homes that abut the alley or street
- All deliveries lasting more than 2 hours or more in Residential Area District III and IV shall require road closure permit (i.e. street closure notice allows residents to plan ahead)
- On site meeting with all subcontractors prior to subcontractor starting work (i.e. supplements the in-house City meeting with the contractor)
- Full and Complete Job Site Rules that add back in the construction rules including no loud radios, music and talking allowed at construction sites
- No large deliveries on Trash Day in Residential District III and IV
- No final project approval by City until porta- potty has been removed from job site, or from public property onto private property.
- Create a resident construction webpage where information can be posted: expand existing webpage and incorporate as appropriate.
- Handout of RCO Rules and Regulations to all contractors and subcontractors prior to issuing permits.
- Increase parking enforcement in hot spots (We are currently working with the police department to patrol the hot spots).
- No deliveries on street sweeping days.
- No construction off-loading of lumber, drywall, appliances etc. (Prior Right of Way permits are required.)
- No loud radios or music, at construction sites
- Require that removed parking pads for all existing and new projects either temporarily or permanently be replaced immediately so that routine off-loading is not done in alley traffic lanes. This will increase resident safety by increasing Police and Fire access and improving traffic flow in general (enforced on a case by case basis and will be coordinated with the contractor).

CONCLUSION:

Staff recognizes the variety of construction issues that can arise over time. We are continually improving the Residential Construction Program and the Construction Rules and Procedures to ensure compliance and protect the quality of life for our residents.

As a result of the meetings the attachments reflect the new Policy and Procedures as they apply to the Residential Construction Program.

Attachments:

1. List of the Construction Rules as approved by the Board of Building Appeals
2. Staff Report dated July 2, 2013
3. Staff Report dated August 6, 2013
4. July 2, 2013, City Council Meeting Minutes, Pages 7-10
5. August 6, 2013, City Council Meeting Minutes, Pages 7-10

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Final

Tuesday, March 4, 2014

6:00 PM

Regular Meeting

City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session

City Council

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

A. PLEDGE TO THE FLAG

Faith Marvin, Senior at Mira Costa High School led the Pledge of Allegiance.

B. ROLL CALL

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

C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

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

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

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

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

E. CEREMONIAL CALENDAR

1. Presentation of a Proclamation to the American Red Cross Declaring March 2014, as Red Cross Month. **14-0096**
PRESENT

On behalf of City Council, Mayor Howorth presented a Proclamation to George Butts, representing the American Red Cross, declaring March 2014, as Red Cross Month.

F. CITY MANAGER REPORT

Interim City Manager Jalili provided an update on the recent storm, notification by the Health Department regarding a case of typhus, an update on the City Manager's recruitment process, an update on the 900 Club and a status report on the restriping of Pacific/Valley and Ardmore intersection.

G. CITY ATTORNEY REPORT

None

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Mayor Pro Tem Powell announced American Association of Retired Persons will be providing income tax assistance for seniors ages 60 and older every Wednesday from February 5, 2014, through April 9, 2014, at the Joslyn Community Center from 9:00 a.m. to 1:00 p.m.

Councilmember Burton reminded residents that Matt Williams, who lost his daughter, Lilly, is asking for support for the "Relay for Life" under which he has a team called, "Red Shoes for Lilly", and urged residents to donate towards cancer research. He also announced that the Manhattan Beach Rotary Club partners with various organizations including Stop Hunger Now. The event will be held on March 29, 2014, from 8:00 a.m. to 10:00 a.m. at Pacific Elementary School and they are looking for 100 volunteers to assemble items for children in need.

Mayor Howorth announced the SAGE Expo (Sustainable And Green Environments) on March 11, 2014, at the Tin Roof Bistro, at breakfast time.

Councilmember Lesser provided an update of a recent meeting with Southern California Edison and addressed the purpose of the meeting noting that they are laying out the groundwork for infrastructure upgrades and are expecting to present a major overview of the project in the future. He added that the scale of the upgrade is substantial and that the number of planned outages will be considerable.

Mayor Howorth announced that Susan Warshaw, Executive Director of the Manhattan Beach Educational Foundation, will be honored on her retirement at the School Board meeting on Wednesday, March 5, 2014, at 6:00 p.m.

I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

Police Chief Eve Irvine, acting as a Member of Leadership Manhattan Beach, announced an upcoming fundraiser for the Tot Lot upgrade at Live Oak Park. She reported that groundbreaking will be on Saturday, March 8, 2014, from 10:00 a.m. to noon, where there will be fun activities for the family. She encouraged the public to attend and bring their extra change.

Don Gould, County Librarian, provided updates on Library events and programs. He provided status of the recruiting process for a new Children's Librarian.

Viet Ngo announced bicycle lanes and sharrows installed in the City and encouraged the public to visit the City website for information regarding related rules and laws.

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

Robert Bush read a letter into the record and distributed copies to City Councilmembers regarding fiscal responsibility, accountability, transparency, oversight and honesty. He commented on residents who do not get involved, on time limitations for public comment and on various issues that City Council and the City have failed to act on.

Rusty Roten, South Bay Workforce Investment Board, distributed folders with information to City Councilmembers and provided a summary of the organization's current activities and program accomplishments.

Viet Ngo commented on Mayor Howorth's campaign for State Senate and alleged misappropriation of public funds and violations of the Brown Act. He asked that Mayor Howorth resign her position during her campaign and not use City resources such as the City Attorney, adding that she should hire her own attorney.

K. CONSENT CALENDAR

2. Adopt Resolution No. 14-0007 Authorizing the Installation of Stop Signs on 21st Street / 22nd Street and Magnolia Avenue as Recommended by the Parking and Public Improvements Commission (Community Development Director Thompson). **RES 14-0007**

ADOPT RESOLUTION

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to approve the Consent Calendar (Item No. 2) except for Item No. 3 which was pulled for separate discussion and consideration. The motion carried by the following vote:

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

3. Revision to the Municipal Code Removal Provisions Regarding the City Manager (City Attorney Barrow). **ORD 14-0002**

ADOPT

Viet Ngo pulled Consent Calendar Item No. 3 for separate discussion and consideration.

L. PUBLIC HEARINGS

None

M. GENERAL BUSINESS

4. Presentation of the Proposed Fiscal Year 2014-2015 to Fiscal Year 2018-2019 Five Year Capital Improvement Plan (*Continued from the February 25, 2014, Adjourned Regular City Council Meeting*) (Public Works Director Olmos). **14-0075**

RECEIVE REPORT

Public Works Director Tony Olmos presented an update of the proposed Fiscal Year 2014-2015 to Fiscal Year 2018-2019 Five Year Capital Improvement Plan. He addressed objectives, the Capitol Improvement Plan schedule, recap from the City Council meeting of December 10, 2013, discussion format, Fiscal Year 2014-2015 summary, five-year summary, wastewater projects, wastewater projects five-year outlook, water projects Fiscal Year 2014-2015 summary, water projects five year summary, storm water projects, storm water projects five year outlook, streets and transportation capacity enhancements, streets and transportation capacity enhancements five-year outlook, streets and transportation pedestrian and safety improvements, streets and transportation pedestrian and safety improvements five-year outlook, concrete repairs, concrete repairs five-year outlook, asphalt repairs, asphalt repairs five-year outlook, facility improvements (CIP Fund) and facility improvements (CIP Fund) five-year outlook.

Public Works Director Olmos highlighted various projects and addressed current conditions of the downtown sidewalk, replacement and material options and recommendations.

Discussion followed regarding using blue stamped asphalt for intersections temporarily, having a community meeting for resident feedback regarding treatments, reducing the scope of the project to crosswalks, slurry sealing and striping and use the cost savings to implement a more expanded project in the future.

City Council agreed with using the blue stamped asphalt at the intersection and repairing/maintaining existing poles as a "quick fix" until a more substantial plan can be developed with appropriate funding.

Mayor Howorth commented on new "glow-in-the-dark" asphalt being developed in Europe which absorbs solar rays and suggested it could be one of the materials used in a future project.

Public Works Director Olmos continued with the presentation addressing management services office remodels, facilities (Special Review Fund) and Parking Fund. He reiterated steps going forward and recommendations.

Ensuing discussion pertained to allocations for parking meters that were carried over when the meters were replaced and having the fourth meeting (study session) on this matter and the Operating Budget at the same time.

Councilmember Burton requested a copy of the Pacific Coast Highway/Sepulveda Traffic Study. He recapped the December 10, 2013, City Council meeting and expressed concerns regarding incorporating facilities assessments into the CIP. He added there are certain facilities that should not be programmed if they will be changed in the future.

Public Works Director Olmos listed projects that will be completed this year and those that will be addressed in subsequent years under facility improvements.

Interim City Manager Jalili noted that allocation of funds will depend on maintenance

needs. He added that in the next few months staff should have better ideas as to other alternatives.

Councilmember Burton commented on wastewater, the possibility of partnering with Metropolitan Water Replenishment District to gain water independence, additional water wells based on water rights, considering possible impacts of the desalination project in El Segundo and concerns related to storm water.

Interim City Manager Jalili noted that the workshop scheduled for April will include discussions regarding water.

Councilmember Burton commented on streets and transportation and the possibility of slurry sealing as a stop-gap measure.

Public Works Director Olmos reported that the streets are in good shape and would not recommend slurry sealing unless needed. He added that there is a point where adding slurry sealing will not work and the street will need to be repaired.

Discussion followed regarding Fire Station No. 2 and allocation of funds for design features and the possibility of doing a site assessment to evaluate locations before money is spent on a specific design. Ensuing discussion pertained to Begg Pool, evaluating parking structures, scope of work on the Peck ground reservoir and increasing capacity.

In response to Councilmember Burton's inquiry, Public Works Director Olmos provided details of the City-wide sign program.

Interim City Manager Jalili commented on carrying the same theme as the signs in the downtown area.

Councilmember Burton commented on funding deficits for street rehabilitation projects and noted the need for continuous assessments. He noted regarding the Begg Pool and the Fire Station, there is an opportunity to partner with other beach cities.

Public Works Director Olmos indicated that the assessment will include projects necessary for the next ten years.

In response to Councilmember Lesser's inquiries, Public Works Director Olmos addressed the storm drain projects and total obligations, deficiencies identified in the last storm drain videoing, catch basins for debris management and total obligations. A detailed update will be provided to City Council at an upcoming meeting. Additionally, Public Works Director Olmos reported how the City is addressing the deficit under street rehabilitation noting that it is not a matter of urgency at this time and that there is no cause for alarm as long as there are funds dedicated to the project. He presented the recommended plans related to Fire Station No. 2 and commented on the consultant's involvement. This will be the initial work necessary to obtain actual costs.

Discussion followed regarding making sure there are sufficient funds for structural support of specific parking structures and the possibility of replacing some as well as setting aside funds to maintain them, the importance of community meetings to gather public input and specific information to be solicited from the public.

Interim City Manager Jalili reported that the downtown study will be considering parking demand and the approach to be taken in terms of the downtown area will

depend on that analysis.

Community Development Director Richard Thompson reported that a survey was done, as part of the Metlox project, to identify parking demands and also as part of the Library project.

In response to Councilmember D'Errico's inquiry, Community Development Director Thompson explained the way the parking studies were done including evaluating the parking demand and how best to manage existing parking versus what is needed as well as how much is charged as well as time limits. If City Council desires, it can be evaluated in terms of number of spaces needed per square foot of commercial use. He added that part of any specific plan must have a parking component to it.

Public Works Director Olmos explained how fund balances are identified and noted staff tries to maximize cost benefits and prioritizes line items. He addressed the development of a five-year plan and assessing needs versus wants. He noted working in conjunction with Finance in order to identify possible funding sources for the five-year plan. First year figures act as a planning tool for subsequent years.

Councilmember D'Errico explained how he would develop a five-year plan considering major categories and sub-categories as well as funding needs for each and based on previous years' allocations for each. He commented on the categories listed in the report, on the need to simplify the process for increased understanding and on identifying tradeoffs and doing a tradeoff analysis.

Interim City Manager Jalili reported that what has been generated is a function of the City trying to live within its means. He noted that looking to the future in terms of visioning and strategic planning, consideration will not be given to costs, but rather, needs.

Councilmember Burton stressed the urgency of installing an intersection of 38th Street and Highland.

Mayor Howorth commented on exploring the best locations for an intersection in the area.

Councilmember Burton commented positively on the work ethic of Public Works staff.

Mayor Pro Tem Powell commented on the history of the corner of 38th and Highland, parking structures and the possibility of a beach cities pool.

Mayor Howorth referenced capacity enhancements for the south side Rosecrans Avenue widening, grants for which the City will need to apply for extensions and other agencies involved in terms of right-of-way entities. Public Works Director Olmos noted that it is a high-priority project and that staff will act as facilitator between Chevron and SCE to reach an understanding.

Interim City Manager Jalili reported issues with Chevron which they need to address.

Mayor Howorth encouraged that staff communicate with related businesses and provide a status update. She commented on the Skate Park, parking enhancements, a pool and a Scout House and asked regarding the process for communicating ideas to City staff.

Public Works Director Olmos provided information for contacting the City with project ideas and addressed the internal evaluation process.

Councilmember Lesser commented on the Rosecrans project noting that it will increase traffic flow and on the possibility of a pool. He stated he would like the City to be proactive in soliciting funds for a pool.

Mayor Howorth opened the floor for public comments.

Viet Ngo commented on lack of documentation for the public to reference and comment and referenced shortfalls in Fiscal Year 2013-2014. He addressed the need for funding and setting priorities for CIPs and stated that they should be funded separately and not comingled with other types of funds.

Seeing no additional requests to speak, Mayor Howorth closed public comments.

Councilmember Burton suggested directing staff regarding downtown streetscapes, crosswalks, slurry seal and markings, consideration of the CIP adoption and operating budget at the same time, breakout of facilities and parking assessments, and provide clarity in terms of what Capital Improvement consists of.

Mayor Howorth commented on the need for direction regarding the specific dilapidated crosswalk.

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to direct the Community Development Department and the City Manager to set forth money in the CIP to repair the crosswalk of note with stamped blue asphalt, slurry seal the street and do the markings per his recommendation. The motion carried by the following vote:

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

Mayor Pro Tem Powell asked that the CIP be presented by funding source the next time it is presented.

A motion was made by Councilmember Burton, seconded by Mayor Pro Tem Powell, to receive the Proposed Fiscal Year 2014-2015 to Fiscal Year 2018-2019 Five-Year Capital Improvement Plan. The motion carried by the following vote:

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

At 8:17 PM the City Council recessed and reconvened at 8:32 PM with all Councilmembers present.

5. New Architectural Bench Design Proposals for the Strand Alcove Bench Program Pre-Approved Bench Catalog (Parks and Recreation Director Leyman). **14-0053**
APPROVE

Parks and Recreation Director Mark Leyman introduced Interim Cultural Arts Manager Gina Allen and noted the attendance of the artists presenting proposals. He deferred to Interim Cultural Arts Manager Allen for a report.

Interim Cultural Arts Manager Gina Allen presented details of the report addressing existing conditions and benches, new architectural design proposals and related artists.

John Sparano, Sparano and Mooney Architecture, presented details of their proposed design, "The Loop". He addressed the design, materials, dimensions, placement in the alcove, durability, safety and maintenance, color and water pooling. Additionally, he presented the fabrication process, fabricator and bench cost.

Stacy Dukes, Stacy Dukes Design, presented details for their proposed design, "Wave II". He addressed the material as well as costs and timeline and the social interaction that occurs on benches.

Gaston Nogues, Ball and Nogues Studio, presented details for their proposed design, "Puddle". He addressed social interaction, the shape, dimensions, elevations, the fabrication process, comfort and safety, water pooling, material, finish, timeline, cost and proposed manufacturer.

Discussion followed regarding the desire to make the City "walk-able" and Mayor Howorth noted that benches make it so.

Councilmember Lesser commended the artists for their proposals and commented on their enhancement of vistas. He reported pooling of water on the existing Stacy Dukes bench and asked regarding measures to prevent water from building up on the top of the bench.

Mr. Dukes addressed the process and efforts at avoiding pooling.

Interim City Manager Jalili suggested that Public Works review the designs.

Cultural Arts Manager Allen stated that past designs have not been reviewed by Public Works and Mayor Pro Tem Powell commented on a subcommittee when he was on the Cultural Arts Commission that reviewed maintenance of art pieces.

Concerns were expressed regarding damage caused by skate boarders, water pooling, cost of the "Wave II", durability of "Puddle", encouraging good behavior by residents related to the benches and placement of donor recognition plaques.

Councilmember D'Errico suggested directing staff to vet this item through the appropriate departments regarding durability, maintenance, safety, vandalism and liability and return with a report to City Council.

Councilmember Burton agreed and commented on the bench policy and wording and asked that the matters return to City Council at the same time that the report is presented.

Mayor Howorth opened the floor for public comments.

Seeing no requests to speak, Mayor Howorth closed public comments.

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico, to continue this matter to a date uncertain to allow City Manager staff to review the item and return to City Council with a Strand Alcove Bench program and plaque wording. The motion carried by the following vote:

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

6. Implementation of additional Construction Rules as approved by the Board of Building Appeals (Community Development Director Thompson). **14-0072**

RECEIVE REPORT

Community Development Director Richard Thompson introduced Building Official Sal Kaddorah and deferred to him for a presentation. He added that the required action at this time is to receive and file the report.

Building Official Kaddorah presented the staff report addressing background, challenges, July 2013 major projects under construction versus July 2014 major projects under construction, new construction rules added, procedures in problem areas and conclusions.

Mayor Pro Tem Powell commented on the process for updating the construction webpage in a timely fashion, hotspots, phasing, preventing vehicles from dropping off materials at the same time, parking and the possibility to have a staff on-call to address parking issues, regulations regarding construction parking permits and after-hours complaints.

Building Official Kaddorah commented on the possibility of reducing or eliminating the parking permit as it is misunderstood and misused and challenges with phasing construction.

Mayor Pro Tem Powell suggested including a statement in the parking passes that they require the recipient to obey all parking regulations.

In regards to having someone on-call to handle after-hours issues, Building Official Kaddorah stated that may require hiring another staff member and funding. He suggested after-hours issues may be addressed by the Police Department or Parking Control.

Mayor Pro Tem Powell commented on issues that were not addressed by the Board of Building Appeals including the possibility of increasing fines for multiple offenses. Additionally, he commented on surety bonds and stated he would like to see what other cities do in terms of best practices.

Building Official Kaddorah stated that it would require an amendment to the Municipal Code and that it would be more beneficial to issue "stop works" for multiple offenses.

Regarding surety bonds, City Attorney Quinn Barrow noted that the issue was reviewed last August noting that surety bonds involve public property but staff will conduct further research, as directed.

In response to Councilmember Lesser's inquiries, Building Official Kaddorah stated that staff responds to complaints but also acts proactively to avoid problems. He provided information for lodging complaints during regular and after hours and addressed steps going forward in implementing and enforcing construction rules. He added that the rules will be posted on the City's website.

Brief discussion followed regarding the format of the document and whether or not to include bullet points.

In response to Councilmember D'Errico's inquiries, Building Official Kaddorah addressed tracking the number of complaints, violations and fines to keep track of

repeat offenders. Councilmember D'Errico requested a report showing that information and referenced security deposits adding that he would like to see an expanded definition of "as needed" as well as a cost/benefit analysis of having an on-call mechanism for handling complaints.

Building Official Kaddorah presented case examples related to security deposits.

Building Official Kaddorah responded to Councilmember Burton's question regarding the matter being initially presented to the Board of Building Appeals rather than the Planning Commission. Councilmember Burton stated support for directing staff to provide a status report within six months to identify repeat offenders.

Mayor Pro Tem Powell commented on challenges navigating the City website to obtain the desired information and suggested adding a link on the home page for residential construction problems for ease of access.

Interim City Manager Jalili noted that in comparing the City's enforcement system with other cities, Manhattan Beach has the finest.

Mayor Howorth agreed to the need to make it easier for residents to access information on the City's website. She confirmed that construction signs have contact information including who to contact after hours. Additionally, she noted the need to clarify the definition of "adjacent driveways".

Building Official Kaddorah reported that parking regulations already address the issue.

Mayor Howorth opened the floor for public comments.

Lynn Harris presented testimony regarding construction vehicles completely blocking a street adding that she sent a picture to Councilmember Lesser and commented on the dangerous situation. She recommended using a guide person or sign to direct traffic in such instances as well as when deliveries are being made. She addressed challenges with keeping track of complaints adding that she usually will call the Police non-emergency number. In addition, she spoke in support of eliminating parking permits.

Gerry O'Connor stated that it has been at least twenty-five years since the Board of Building Appeals has met and noted the importance of having the right process as well as enforcement.

Bill Victor suggested that it would be beneficial to remind construction workers of the need to comply with City smoking ordinances and cleaning up after they are done working.

Mayor Howorth closed public comments.

In response to Mayor Howorth's questions regarding the Board of Building Appeals process, City Attorney Barrow reported that they are subject to the Brown Act and addressed their duties and responsibilities.

Interim City Manager Jalili noted that they meet very seldom but there will be upcoming opportunities to review the structure and Brown Act issues with the Board of Building Appeals.

Responding to Councilmember Lesser's questions, Building Official Kaddorah

addressed current availability of parking permits for contractors. Councilmember Lesser asked for further research regarding the matter. Additionally, Building Official Kaddorah addressed that statutory function of the Board of Building Appeals.

Councilmember D'Errico noted it is a governance issue and Interim City Manager Jalili reported this is why staff has proposed that once a year, City Council meets with all Boards and Commissions.

Discussion followed regarding ensuring the proper structure for the Board of Building Appeals.

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to receive the report and direct the City Manager and staff to return with a report within six (6) months with information regarding enforcement of the construction rules, stop work orders, security deposits, as list of the most frequent violators, the possible elimination of parking permits for construction and have the rules reviewed by the Planning Commission.

The motion carried by the following vote:

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

At 10:25 PM the City Council recessed and reconvened at 10:33 PM with all Councilmembers present.

7. Proposed April 29th Adjourned Meeting Topics: Open Government Initiative Review; Sunshine Ordinance; Work Program & Key Activities; Council/Commission Relationships; and, Planning Commission Action Notifications (Interim City Manager Jalili). **14-0094**

CONFIRM TOPICS AND PROVIDE DIRECTION

Senior Management Analyst David Biggs presented details of the staff report and recommended holding a special meeting proposed for April 29, 2014, to allow City Council to dedicate time to address several pending topics and including a six-month review of open government and meeting management issues. He added that it has been proposed as a day-time meeting to allow sufficient time for thorough discussion of each topic.

Mayor Pro Tem Powell expressed concerns with holding the meeting during the day since most people are working and would not be able to attend.

Mayor Howorth commented on the need to follow up on open government and suggested it could be discussed as a separate agenda item at a regular meeting. She explained her rationale for suggesting a day-time meeting.

Discussion followed regarding the goal of the meeting and the need for meeting management initiative review.

Interim City Manager Jalili reported Dr. Don Brand will be invited to address City Council at this meeting as he is an expert on meeting management. He added that the meeting will be held in a "workshop" format.

Topics for discussion during the proposed meeting will include a review of meeting management initiatives that have been implemented and open government initiatives.

Councilmember Lesser stated he would like for reports to include the matrix to compare items that have been achieved, those that have not, an updated California Public Records Act log, review of staffing for certain core functions such as minutes and the distribution of packets.

Councilmember Burton commented on discussing meeting management prior to hiring the new City Manager.

City Attorney Barrow reported that in addition to Councilmember Lesser's request other topics will include public notification of Planning Commission items. After a brief discussion Councilmember Burton suggested adding that item to the City Council meeting agenda of April 1, 2014, and City Attorney Barrow agreed.

Discussion followed regarding discussing City Council priorities prior to hiring a new City Manager. Interim City Manager Jalili stated that ample time must be allowed for that discussion as it is not a small item.

Mayor Howorth noted the need for a temporary work plan, immediately.

Discussion followed regarding the ways of bifurcating the topics for discussion, changing work plan to "work program" and reviewing the original strategic plan to determine issues that have already been addressed.

Mayor Howorth opened the floor for public comments.

Gerry O'Connor objected to holding a meeting during the day adding that they discourage public input. He noted that the six-month review of initiatives is already late and opined that the meeting management rules that were implemented are the cause of the "empty" Chamber and suggested moving that matter to the April 1, 2014, agenda adding that he would like to see it sooner rather than later. Additionally, he commented on the need to create a "true" strategic plan and felt that City Council should not stop reviewing it, even though a new method is being developed.

Bill Victor stated he would support holding a daytime meeting if it were on a Saturday so that the public could attend. He stated he spent a lot of time marking up the sunshine ordinance without receiving a response from City Council. He noted the importance of not only soliciting ideas from City Council, but also from the people and indicated he would like to participate in the process.

Mayor Howorth closed public comments.

Discussion followed regarding the agenda for the proposed meeting including the six-month review of meeting management initiatives. City Council concurred.

Mayor Howorth suggested scheduling the matter for the meeting of April 1, 2014.

Councilmember Burton commented on the importance of hearing from Dr. Brand and felt that April 1, 2014, may be too soon.

City Manager Jalili indicated he can discuss the matter with Dr. Brand to determine if he can attend the meeting of April 1, 2014.

Brief discussion followed regarding the format of Dr. Brand's presentation and the need to have an open mind and listen to facts versus opinions.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to schedule discussions on the six-month review of meeting management initiatives and open government for the City Council meeting of April 1, 2014, making it the first item under General Business. The motion carried by the following vote:

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

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to direct staff to return with a status report on the strategic plan on April 1, 2014, and schedule discussions, updates and changes regarding priorities on April 29, 2014, and provide a report from the sub-committee regarding the process. Councilmember Burton offered a friendly amendment to the motion which was accepted by Mayor Pro Tem Powell and Councilmember Lesser that it be subject to the availability of Dr. Don Brand. The motion carried by the following vote:

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

City Attorney Barrow reported that Council/Commission relationships; and, Planning Commission action notifications will be placed on the meeting agenda for April 1, 2014.

Discussion followed regarding scheduling the sunshine ordinance on a future agenda, date to be determined.

N. ITEMS REMOVED FROM THE CONSENT CALENDAR**3. Revision to the Municipal Code Removal Provisions Regarding the City Manager (City Attorney Barrow).****WAIVE FURTHER READING AND ADOPT**

Mayor Howorth reported that the person who pulled the matter is not present at this time.

Mayor Howorth opened the floor for public comments.

Seeing no requests to speak, Mayor Howorth closed public comments.

Councilmember Burton commented on prior discussions regarding this matter and asked for a report from the City Attorney regarding provisions regarding subordinates of the City Manager, changes in terms of new City Managers and having management employees under contract, in light of those provisions.

City Attorney Barrow read title to the Ordinance.

A motion was made by Councilmember Burton, seconded by Councilmember D'Errico, to adopt Ordinance 14-002 (Revision to the Municipal Code Removal Provisions Regarding the City Manager). The motion carried by the following vote:

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

O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

Gerry O'Connor addressed problems in the City Clerk's office and expressed concerns that City Council meeting minutes have not been provided for the last two months and the fact that meeting videos are not user friendly. He stated that City Council is failing to publicly communicate its actions and that although the City Council has provided the City Clerk with the necessary tools; the work is not getting done. He asked that City Council not ignore the issue and to take action, immediately. Additionally, he addressed the Granicus voting method noting it is consistently not working and that it needs to work and be reliable. He asked that City Council address the matters.

Mayor Howorth reported that the Granicus matter is a hardware/wiring issue that is being addressed by staff.

Bill Victor commented on the need to know what City Council is doing with Granicus. He suggested that the City get rid of Granicus and obtain a system that works. He commented on the importance of having the video for the meeting of April 29, 2014, available and improved IS support.

Mayor Howorth acknowledged that systems should always function but noted that problems occur. This is one of the reasons why the City needs to have a strategic plan and Mayor Howorth noted that staff is very responsive and that while some may consider that work is not getting done, it is, all while facing many challenges.

Mayor Pro Tem Powell addressed the state of technology in the City and commented on the need for a system that works. He suggested getting the hardware fixed by the next meeting or entertaining the idea of alternative solutions.

Councilmember D'Errico expressed frustrations with Granicus and minutes not being available. He stated he would like to know why the problems are occurring.

Councilmember Burton reported that residents believe there has been less transparency since the implementation of Granicus and agreed with needing to fix the problem. In terms of the minutes, the City has an outside contractor transcribing them and suggested contacting them regarding the matter.

Councilmember Lesser commented on the challenges faced by the City Clerk's office and noted the need to understand what is going on with Granicus and determine the issue regarding the minutes.

Mayor Howorth acknowledged problems with video streaming and suggested that issues be addressed promptly rather than having the public report them to the City.

Interim City Manager Jalili reported retaining a consultant, noting that the first step is to admit there is a problem. Staff is involved in developing solutions and is taking steps to address them. He addressed problems with the voting system.

Councilmember Burton felt that the problem with the minutes is due to the contractor and would like to look in to the matter.

Councilmember D'Errico noted that no one is pointing fingers at the City Clerk's office and acknowledged problems with Granicus. In terms of the minutes, he requested a report from the Interim City Manager as to why they have not been posted in a timely manner.

City Attorney Barrow noted that the minutes will be on the agenda for the April 1, 2014, meeting and reported that besides the City Clerk's office, there has been review by the City Attorney's office, that there have been meetings every week and that the contractor does a good job but they need to be reviewed. The issue is a combination of different factors but this will be reviewed on April 1, 2014.

Mayor Pro Tem Powell commented on the need to fix the Granicus technology as well as the broadcast, adding that there are problems with clarity and synchronization. He believed that broadcast issues will be resolved with the new system.

Councilmember Lesser asked for a status report on improvements expected with changes in the Chamber and to direct the City Attorney to review the City's contract with Granicus to determine possible solutions to the problems being faced.

City Clerk Tamura apologized for the problems being experienced with Granicus and stated that staff will follow up to develop solutions. Additionally, she indicated she does not want the minute contractor to be tainted with a negative reputation and noted issues with back-to-back meetings and their length. She noted the need for her staff to review the minutes to ensure that names and motions are correct.

Mayor Howorth commented on various issues that could be contributing to the problems and noted the need to look at the matter holistically.

City Attorney Barrow reported the discussions regarding the minutes will be scheduled for the City Council meeting of April 1, 2014, including consideration of summary minutes.

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

Councilmember Lesser reported that he and the Mayor met with a group of residents who are interested in having Manhattan Beach serve as the host City during the 2015 Special Olympics and requested that the matter be placed on a future agenda. Councilmember Burton expressed his support.

Additionally, councilmember Lesser reported that he and Councilmember Burton attended the 15th Annual General Assembly of the South Bay Cities Council of Governments and addressed this year's theme and sessions. He presented a brochure to the City Clerk.

Councilmember Burton commented on the possibility of having the City Clerk report directly to City Council and review of Councilmember term limits.

Mayor Howorth indicated she is not opposed but noted pending issues needing to be addressed and expressed concerns with adding to City Council's plate.

Councilmember Burton commented on the importance of both items.

Mayor Pro Tem Powell stated his support for permanent term limits.

City Attorney Barrow noted that the City Clerk used to be elected and that voters decided to make it an appointed position. Based on his research, it will not require another election. Regarding term limits, the matter would need to be placed before voters and noted the deadline for placing it on the ballot for November.

Councilmember Burton noted that he would agree to have the matter on the ballot for March, 2015. He added these are fundamental reforms that need to be discussed sooner than later.

Mayor Pro Tem Powell noted there is already an election planned for November and asked regarding the incremental costs of adding an item.

City Attorney Barrow reported that it is approximately \$30,000 and City Clerk Tamura added that it depends on how many cities are on the ballot.

Discussion continued and City Attorney Barrow stated that he would find out the cost of adding an item to the ballot.

Q. RECEIVE AND FILE ITEMS

8. Financial Reports: **14-0076**
 a) Schedule of Demands: February 13, 2014
 b) Investment Portfolio for the Month Ending December 31, 2013
 (Finance Director Moe).
RECEIVE AND FILE

9. Commission Minutes: 14-0099

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) Library Commission Meeting of January 13, 2014
(Parks and Recreation Director Leyman)

RECEIVE AND FILE

b) Planning Commission Meeting of February 12, 2014
(Community Development Director Thompson)

RECEIVE AND FILE

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember D'Errico, to receive and file Items No. 8 and 9, above. The motion carried by the following vote:

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

R. ADJOURNMENT

At 11:57 PM, the March 4, 2014, City Council Regular Meeting was adjourned to the 10:00 AM, City Council Adjourned Regular Meeting (Closed Session) of March 10, 2014 in the City Council Chambers.

Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Quinn M Barrow, City Attorney

SUBJECT:

Ordinance No. 14-0017 Amending and Restating Municipal Code Provisions Governing Nuisances and Nuisance Abatement Procedures (City Attorney Barrow).

WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 14-0017

RECOMMENDATION:

Staff recommends that the City Council waive further reading and introduce Ordinance No. 14-0017 to amend and restate Municipal Code provisions governing nuisances and nuisance abatement procedures.

FISCAL IMPLICATIONS:

No impact.

DISCUSSION:

At the City Council's direction, the City Attorney's Office has reviewed the existing nuisance provisions in the Manhattan Beach Municipal Code affecting nuisances on private property, including residential, commercial and industrial properties. Proposed Ordinance No. 14-0017 modernizes and consolidates the City's existing provisions and makes the City's nuisance provisions consistent with State laws that were adopted after the City's nuisance provisions were incorporated into the Municipal Code.

Section 9.68.010 tracks State law to define what constitutes a public nuisance. Section 9.68.020 includes an expanded list of conditions that constitute a nuisance. Sections 9.68.030 - 9.68.120 clarify and reconcile local procedures with governing State law provisions, including due process requirements, procedures for abating nuisances, and recovering City costs associated with abatement. The proposed Ordinance includes:

- (1) An administrative process to achieve voluntary Code compliance or nuisance abatement (Sections 9.68.030 - 9.68.40);

- (2) A hearing process before the City Council (Sections 9.68.050 - 9.68.100);
- (3) A second opportunity for a property owner to voluntarily abate the nuisance (Section 9.68.110);
- (4) Abatement by the City if the nuisance is not voluntarily abated (Section 9.68.120);
- (5) Recovery of cost provisions if the City abates the nuisance (Section 9.68.130);
- (6) A cost hearing process before the City Council (Sections 9.68.140 - 9.68.150); and
- (7) Alternative methods of recovering costs, including a nuisance abatement lien (Section 9.68.160) and a special assessment (Section 9.68.170).

In addition, the proposed Ordinance would repeal Chapter 4.60, "Miscellaneous Offenses-Dangerous and Defective Conditions," adopted in 1952. According to staff, no one can recall whether the City had ever used Chapter 4.60 to abate a nuisance. Upon comparing Chapter 4.60 with Chapter 9.68, it appears that most, if not all of Chapter 4.60 is repetitive of provisions in Chapter 9.68. Thus, we have recommended that Chapter 9.68 be repealed, and that Chapter 9.68 govern all nuisances.

The vast majority of nuisances are abated voluntarily, after the property owners receive the first notice from the Director of Community Development. For a recent example, a single family home had a number of Code violations and nuisance conditions. The owner promptly corrected the substandard conditions after receiving a notice to abate from the City. Sometimes, property owners will abate the nuisance only after receiving notice of the hearing before the City Council.

Some property owners, however, will not voluntarily abate the nuisance. In such cases, after following the process outlined above, cities must use city employees or contractors to abate the nuisance, and then either place a lien or special assessment on the property to recover the abatement costs. In our experience, municipal abatement has occurred most frequently to remove weeds or repair a deficient roof. In some cases, the conditions have been so extreme that cities have actually demolished the structure.

The procedures established in the proposed Ordinance provide property owners with numerous opportunities to voluntarily abate a nuisance. The Ordinance also gives property owners an opportunity to contest the nuisance declaration and comment on the costs of abatement. We have prepared the Ordinance to balance the City's need to protect the public health, safety, and welfare with property owners' due process rights. In addition, we have drafted the Ordinance to maximize the City's ability to recover its costs.

CONCLUSION:

Staff recommends that the City Council waive further reading and introduce Ordinance No. 14-0017 to amend and restate Municipal Code provisions governing nuisances and nuisance abatement procedures.

Attachments:

1. Ordinance No. 14-0017
2. MBMC Chapters 4.60 & 9.68

ORDINANCE NO. 14-0017

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH
AMENDING AND RESTATING MUNICIPAL CODE
PROVISIONS GOVERNING NUISANCES AND NUISANCE
ABATEMENT PROCEDURES

THE MANHATTAN BEACH CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City Council hereby amends Chapter 9.68 (Public Nuisances) in its entirety to read as follows:

“Chapter 9.68 NUISANCES

9.68.010 Public nuisance; General.

Anything injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property, including but not limited to the conditions listed below, so as to interfere with the comfortable enjoyment of life or property by a neighborhood or by a considerable number of persons in the City, irrespective of whether the annoyance or damage inflicted upon individuals is unequal, shall constitute a public nuisance.

9.68.020 Public nuisance; Substandard or dangerous property conditions.

The following conditions are unlawful and constitute a nuisance:

- A. Any condition constituting a public nuisance or unsafe or substandard building as defined in state codes, common law and the City’s building regulations.
- B. Any condition caused or permitted to exist in violation of any provision of this Code.
- C. Any building or structural component thereof, which is partially destroyed, or otherwise structurally unsound. Where a building permit has been issued for the repair, construction or reconstruction of such building, it shall be a violation of this Chapter for the building to remain in such condition at any time beyond one month following the expiration of such building permit.
- D. Any building that has dry rot, warping, or termite or similar infestation.
- E. Any building that increases the danger of fire or other calamity because of conditions including but not limited to:
 - 1. Dilapidated condition;
 - 2. Deterioration;

3. Defective wiring, switches, gas lines, valves, pipes or any other component parts of the electric, gas, water, or plumbing systems.

F. Accumulation of any:

1. Junk, trash, boxes, debris, building materials, substantial quantities of loose earth, dirt, rocks, or pieces of concrete, except during construction performed pursuant to a valid building permit and in accordance with applicable construction rules and regulations;

2. Stagnant water;

3. Earth, dirt or sand that migrates from the property;

4. Combustible material;

5. Animal excrement, rotting produce, or a substance that produces a noxious odor.

G. Unsecured doorways, windows and other openings into vacant structures.

H. Vegetation on property that harbors rats, vermin, or other disease carriers.

I. Trees, weeds or other vegetation, which are dead, decayed, diseased or hazardous, or which protrude over or across a street or sidewalk so as to obstruct the clear passage of vehicles or pedestrians.

J. Camper shells, cargo containers or other mobile equipment, which are stored for more than 72 consecutive hours in a front or side yard and are visible from the public right-of-way or private property.

K. Inoperable, dismantled or wrecked motor vehicles, trailers or boats or parts thereof, which are visible from the public right-of-way or private property.

L. Dismantled, discarded, unused or deteriorating materials, machines, furniture, sinks, equipment, appliances, or other fixtures.

M. The operation or maintenance of any furnace, oven drier, bleacher, evaporator, roaster or other heating, drying, burning or charring device or apparatus, or any vat, storage yard, warehouse, shed or place where any raw or manufactured material or commodity is treated, dried, burned, charred or stored, from which noxious fumes or odors are emitted.

N. Deteriorated parking lots, which have pot holes, cracks or ridges that constitute a safety hazard to the public.

O. A building, or part thereof, which was constructed, or partially constructed, without complying with applicable provisions of this Code or other law.

P. Walls, fences, driveways, or walkways that are in a state of disrepair and create a safety hazard, including, but not limited to, the following conditions:

1. Broken, rotted or defective fence support posts or other structural members;
2. Chain link fence material that is damaged or broken;
3. Potholes and/or buckled asphalt or other ground materials.

Q. Any audible alarm that is not deactivated within 30 minutes of activation.

R. Feeding, or causing to be fed, any wild birds or other undomesticated animals, where such feeding creates any unsanitary condition, excessive noise, or property damage.

S. Graffiti visible from any public right-of-way or private property.

T. Any wall or fence constructed, or any hedge planted or maintained, in violation of this Code.

U. Any other condition which adversely affects the public health, welfare, and safety.

9.68.030 Nuisance abatement; Initial notice.

Whenever the Director of Community Development finds that a nuisance, as defined by Sections 9.68.010 and 9.68.020, exists on any property located in the City, the Director of Community Development shall provide written notification of the nuisance to the owner, and any lessee or occupant, and request that the nuisance be abated. For the purpose of this Chapter, the term "owner" shall mean the owner of record of the parcel of land on which the nuisance is maintained, based on the last equalized assessment roll or the supplemental roll, whichever is more current. The notification shall include a description of the nuisance and establish a reasonable abatement period not less than 30 days from the date of the notice. The notice shall state that if the nuisance is not abated, the City will seek all administrative costs, including reasonable attorneys' fees, incurred in connection with abating the nuisance. In addition, the notice shall state that if the nuisance is not promptly abated by the owner, such nuisance may be abated by the City, in which case the costs associated with such abatement, including reasonable attorneys' fees incurred in connection with such abatement, may constitute a special assessment or a lien against the property.

9.68.040 Voluntary compliance.

The owner, lessee or occupant of any property found to contain a nuisance under the provisions of this Chapter, may abate the nuisance at any time within the abatement period by taking all necessary steps to abate the nuisance, including but not limited to, rehabilitation, repair, removal or demolition of any buildings that constitute a nuisance. The Community Development Department shall be advised of the abatement and shall inspect the property to determine whether the nuisance has been abated to the Director of Community Development's satisfaction.

9.68.050 Failure to abate.

If a nuisance is not properly abated within the period established under the provisions of Section 9.68.030, the City Council may hold a hearing to determine if a nuisance exists and whether it should be abated.

9.68.060 Notice of hearing.

A written notice of hearing, substantially in the form contained in Section 9.68.070, shall be sent by certified mail to the owner at least 10 days prior to the date set for the City Council hearing. In addition, the notice shall be posted on the property at least 10 days before the date set for the City Council hearing. The City may also notify agents of the owner, lessees, occupants or persons in possession of the property by regular mail. The failure of any person to receive such notice shall not affect the validity of the proceedings.

9.68.070 Form of notice of hearing.

The City shall provide notice substantially in the following form:

NOTICE OF HEARING TO DECLARE AND ABATE NUISANCE

To the owner of record of the property located at [INSERT STREET ADDRESS], legally described as [INSERT LEGAL DESCRIPTION AND ASSESSOR'S PARCEL NUMBER].

Notice is hereby given that the Manhattan Beach City Council will hold a hearing at the City Council Chambers, located at 1400 Highland Avenue, Manhattan Beach, California, to consider whether the property described above constitutes a public nuisance, because of the following conditions:

If the City Council declares that the property, in whole or part, constitutes a public nuisance as defined by Manhattan Beach Municipal Code Sections 9.68.010 and 9.68.020, and if the nuisance is not promptly abated by the owner, such nuisance may be abated by the City, in which case the costs associated with such abatement, including reasonable attorneys' fees incurred in connection with such abatement, will constitute a special assessment or a lien against the property.

You will have an opportunity to provide oral and written material in connection this matter at _____ p.m. on _____, 20__.

Dated: _____

City Clerk

9.68.080 Hearing by the City Council.

At the time and place stated in the notice provided pursuant to Section 9.68.070, the City Council shall provide an opportunity for the owner, occupants, and other interested persons to comment on the alleged public nuisance and on proposed abatement measures.

9.68.090 Decision of the City Council.

After the close of the hearing, the City Council shall determine whether the property, or any part of the property, constitutes a public nuisance. If the City Council finds that a public nuisance exists, the City Council shall adopt a resolution declaring that a public nuisance exists at the subject property and order that the nuisance be abated by rehabilitation, repair, demolition, or any other measure, manner or method required to abate the nuisance. The resolution shall set forth the time within which the abatement shall be commenced and completed.

9.68.100 Mailing of the resolution.

The City shall mail the adopted resolution to the owner by certified mail. In addition, the resolution shall be posted on the property.

9.68.110 Voluntary abatement.

The owner or his or her designee may at his or her own expense, abate the nuisance prior to the expiration of the compliance dates set forth in the resolution. If the nuisance has been inspected by the Community Development Department and has been abated in accordance with the resolution, the City will provide to the property owner a notice of compliance.

9.68.120 Failure to comply; Abatement by the City.

If the nuisance has not been voluntarily abated, the Director of Community Development is authorized and directed to cause the nuisance to be abated, pursuant to a valid warrant issued by a court of competent jurisdiction, if required. Such abatement may be conducted by City forces or private contract. In furtherance of this section, the Director of Community Development, or designated representative, is expressly authorized to enter upon the property for the purposes of abating the nuisance, pursuant to a valid warrant issued by a court of competent jurisdiction, if required.

9.68.130 Recovery of costs.

A. The prevailing party in any action, administrative proceeding, or special proceeding to abate a public nuisance, or in any appeal or other judicial action arising therefrom, may recover its reasonable attorneys' fees in those actions or proceedings wherein the City elects, at the initiation of the individual action or proceeding, to seek recovery of its own attorneys' fees. In no action, administrative proceeding, or special proceeding shall an award of attorneys' fees to any prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the action or proceeding.

B. The City may collect the cost of abatement of any nuisance and related administrative costs, including but not limited to inspection costs, investigation costs, attorneys' fees and costs, and costs to repair and eliminate all substandard conditions by either: (i) obtaining a court order stating that this reimbursement requirement is a personal obligation of any person held responsible for creating, causing, committing or maintaining a public nuisance, recoverable by the City in the same manner as any civil judgment; (ii) recording a nuisance abatement lien pursuant to this Code against the parcel of land on which the nuisance is maintained; or (iii) imposing a special assessment pursuant to this Code against the parcel of land on which the nuisance is maintained.

9.68.140 Record of abatement costs; Notice of proposed assessment and lien.

A. The City Council shall hold a hearing to review and approve the record of the costs of abatement. The Finance Director, or his or her designee, shall prepare and submit to the City Council a report of all costs associated with abatement, including any costs incurred in inspection, investigation, boundary determination, measurement, abatement, attorneys' fees and costs, and associated clerical and administrative work.

B. At least 45 days prior to the City Council hearing, the City shall serve the owner of record with notice of the hearing and a copy of the itemized written report:

1. By certified mail; and

2. In the same manner as a summons in a civil action in accordance with California Code of Civil Procedure Section 415.10, *et seq.* If the owner of record, after diligent search cannot be found, the notice may be served by posting a copy thereof in a conspicuous place upon the property for a period of 10 days and publication thereof in a newspaper of general circulation published in the county in which the property is located pursuant to Government Code Section 6062.

C. The notice shall inform the owner of the proposed assessment and lien, including the proposed amount.

9.68.150 Cost hearing before City Council; Assessment and lien.

A. At the hearing, the City Council shall provide an opportunity for the owner, occupants, and other interested persons to comment on the report of abatement costs. The City Council shall modify the report, if necessary, and approve the report by resolution.

B. The City Council shall determine that the costs of abatement constitute a special assessment against the property or shall be a lien on the property for the amount of such assessment. The City shall not impose a lien on any owner-occupied residential dwelling.

9.68.160 Nuisance abatement lien.

A. A nuisance abatement lien shall be recorded in the Los Angeles County Recorder's office and from the date of recording shall have the force, effect, and priority of a judgment lien.

B. A nuisance abatement lien authorized by this Chapter shall specify the amount of the lien, the City's name, the date of the abatement order, the street address, legal description and assessor's parcel number of the parcel on which the lien is imposed, and the name and address of the owner of the parcel.

C. In the event that the lien is discharged, released, or satisfied, either through payment or foreclosure, notice of the discharge containing the information specified in subsection (B) of this section shall be recorded by the City. A nuisance abatement lien and the release of the lien shall be indexed in the grantor-grantee index.

D. A nuisance abatement lien may be foreclosed by the City as a money judgment. The City may recover from the property owner any costs incurred regarding the processing and recording of the lien and providing notice to the property owner as part of its foreclosure action to enforce the lien or as a condition of removing the lien upon payment.

9.68.170 Special assessment.

- A. As an alternative to the procedures set forth in Section 9.68.160, the City Council may impose a special assessment.
- B. The City shall provide the owner with notice of the imposition of the special assessment. The notice shall specify that that the property may be sold after three years by the tax collector for unpaid delinquent assessments.
- C. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to the special assessment.

9.68.180 Refunds.

The City Council may order a refund of all or part of the assessment paid pursuant to this Chapter if it finds that all or part of the assessment was erroneously levied. An assessment or part thereof shall not be refunded unless a claim is filed with the City Clerk on or before six months after the assessment became due and payable. Any claim shall be verified by the person who paid the assessment, or his guardian, executor, or administrator.

9.68.190 Violations.

Any person violating any provision of this Chapter shall be guilty of a misdemeanor, unless such violation is subsequently prosecuted as an infraction pursuant to Section 1.04.010.”

SECTION 2. The City Council hereby repeals Chapter 4.60.

SECTION 3. CEQA Finding. The City Council hereby finds that this Ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15060(c)(2), because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and 15060(c)(3), because the activity is not a project as defined in CEQA Guidelines Section 15378. The adoption of this Ordinance will not result in any direct physical change in the environment or any reasonably foreseeable indirect physical change in the environment. In addition, the adoption of this Ordinance, and any action pursuant to these nuisance abatement procedures, is exempt under CEQA Guidelines Section 15321 as an enforcement activity by the City.

SECTION 4. If any sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council

hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentence, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 5. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

SECTION 6. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2014.

AYES:
NOES:
ABSENT:
ABSTAIN:

WAYNE POWELL
Mayor

ATTEST:

LIZA TAMURA
City Clerk

APPROVED AS TO FORM:

QUINN M. BARROW
City Attorney

Chapter 4.60 - MISCELLANEOUS OFFENSES—DANGEROUS AND DEFECTIVE CONDITIONS

Sections:

4.60.010 - Purpose.

In adopting this chapter the Council is mindful of the fact that in the past dangerous and defective conditions of properties have resulted in great injury and damage to persons and property and in many instances to the loss of lives, and the Council is desirous of eliminating from the City all dangerous and defective conditions, so far as reasonably possible; and the Council further realize that in every metropolitan community many dangerous situations may exist and be developed in the lawful pursuit of industry and of commercial activity and in the possession, ownership and enjoyment of property, but the Council also feels that in all such cases due and adequate steps, precautions and provisions should be provided, established, taken and maintained to effectively guard against accidents, injuries and damages due to such conditions. The Council feels any failure to take such steps, precautions and provisions should be construed as constituting wilfulness on the part of the parties responsible therefor, or who own, possess or control the property upon which such conditions exist, and that such parties should be liable to and for the penalties prescribed by this Code.

(§ 2, Ord. 648)

4.60.020 - Unlawful conditions.

It shall be unlawful for any person, whether as principal, agent, employee, servant, representative or otherwise, owning, possessing or controlling any real property within the City to wilfully create, maintain, permit or allow to exist, be in or upon any property so owned, possessed or controlled by him any dangerous or defective structure, accumulation, pile or arrangement of any material, excavation, growth, instrumentality, condition or means of any kind, which by reason of its existence, location, accessibility, nature, concealment, construction, weakness, arrangement, position or character is apt or liable to cause injury or damage to persons or property, or which constitutes a then present menace or threat to life or property.

(§ 1, Ord. 648)

4.60.030 - Public nuisance.

The Council, pursuant to the power and authority vested in it so to do under the provisions of Section 38771 of the Government Code of the State, does hereby find and declare that any dangerous or defective structure, accumulation, pile or arrangement of any material, excavation, growth, instrumentality, condition or means of any kind, which by reason of its existence, location, accessibility, nature, concealment, construction, weakness, arrangement, position or character, is apt or liable to cause injury or damage to persons or property, or which constitutes a then present menace or threat to life or property, constitutes and is a nuisance and shall be subject to abatement as such by civil action or summarily as provided by law.

(§ 3, Ord. 648)

Chapter 9.68 - PUBLIC NUISANCES—PREMISES

Sections:

9.68.010 - Property maintenance—Nuisance.

It shall be unlawful for any person owning, leasing, occupying or having charge of any property in the City to maintain such premises in such a manner that any of the following conditions are found to exist thereon:

- A. Buildings which are partially destroyed, or permitted to remain in a state of partial construction, for more than twelve (12) months; provided, however, where a building permit has been issued for the repair, construction or reconstruction of the building, it shall be a violation of this section for the building to be partially destroyed, or permitted to remain in a state of partial construction, for one (1) month following the expiration of such building permit;
- B. A topographical condition wherein lack of a physical barrier permits the sand or soil on the premises to encroach on the public way;
- C. The failure to secure and maintain from public access any doorways, windows and other openings into vacant structures;
- D. Improper occupancy of any building or portions thereof occupied or used for any purpose for which it was not built;
- E. Vegetation on property which harbors rats, vermin, or other disease carriers; or
- F. Trees, weeds or other vegetation on property which are dead, decayed, diseased or hazardous;
- G. Camper shells, cargo containers or other mobile equipment stored for more than seventy-two (72) consecutive hours in a front or side yard visible from the public right of way;
- H. Inoperable or abandoned motor vehicles, trailers or boats visible from the public right of way;
- I. Abandoned or broken, machinery or equipment, or dismantled machinery or auto parts, visible from the public right of way;
- J. Broken or discarded furniture, household equipment or appliances on the premises, visible from the public right of way;
- K. Packing boxes, lumber, litter, trash or debris which is visible from the public right of way; provided, however, building materials may be maintained on the premises during construction or reconstruction on the premises pursuant to a valid building permit;
- L. Deteriorated parking lots which have pot holes, cracks or ridges which constitute a safety hazard to the public;
- M. Fences which are in a state of disrepair and create a safety hazard, including, but not limited to the following conditions:
 - 1. Broken, rotted or defective fence support posts or other structural members; and
 - 2. Chain link fence material which is damaged or broken;

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.020 - Declaration of nuisance.

On any premises within the City on which there exists any of the conditions declared unlawful pursuant to Section 9.68.010 of this chapter, such a condition shall be deemed and is hereby declared to be a public nuisance.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.030 - Notice of nuisance.

Whenever the Director of Community Development finds, upon the recommendation of a duly authorized representative of the Community Development Department, that a nuisance, as defined by sections 9.68.010 and 9.68.020 of this chapter, exists on any premises located in the City, the Director or an authorized representative shall advise the property owner, lessee or occupant of the nuisance and direct such individual to abate the nuisance. The owner, lessee or occupant shall be notified of the existence of the nuisance in writing. The notification shall detail the violation and establish a reasonable abatement period not to exceed thirty (30) days from the date of the notice.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.040 - Voluntary abatement of nuisances.

The owner, lessee or occupant of any property found to contain a nuisance under the provisions of this chapter, may abate the nuisance at any time within the abatement period by rehabilitation, repair, removal or demolition. The Community Development Department shall be advised of the abatement and shall inspect the premises to insure that the nuisance has in fact been abated.

(§ 2, Ord. 1266, eff. March 2, 1972, as amended by § 1, Ord. 1590, eff. November 6, 1980; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.050 - Failure to abate a declared nuisance voluntarily.

If a nuisance is not properly abated within the period established under the provisions of section 9.68.030, the City Council shall hold a public hearing to determine if the declared nuisance should be abated pursuant to the police powers of the City.

(§ 2, Ord. 1266, eff. March 2, 1972, as amended by § 2, Ord. 1590, eff. November 6, 1980; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.060 - Notice of public hearing.

A written notice of public hearing, substantially in the form contained in section 9.68.070, shall be personally served on the property owner at least fifteen (15) days prior to the date set for the City Council public hearing. In lieu of personal service, service may be given at least twenty (20) days prior to the date set for the City Council public hearing by certified or registered mail to the address shown on the latest assessor's parcel rolls. If there is no known address for the owner, the notice shall be sent to the owner, in care of the property address. "Owner," as used herein, shall mean any person(s) shown as the property owner on the latest equalized property tax assessment rolls, and any person having, or claiming to have, any legal or equitable interest in or to the fee relating to said premises. In addition, notice of said hearing shall be published in a newspaper of general circulation in the City at least ten (10) calendar days before the hearing. The failure of any person to receive such notice shall not affect the validity of the proceedings.

(§ 2, Ord. 1266, eff. March 2, 1972, as amended by § 3, Ord. 1590, eff. November 6, 1980; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.070 - Form of notice of public hearing.

Notice substantially in the following form shall be given as provided in section 9.68.060:

NOTICE OF PUBLIC HEARING TO DETERMINE EXISTENCE OF PUBLIC NUISANCE AND TO ABATE
IN WHOLE OR IN PART

Notice is hereby given that the City Council of the City of Manhattan Beach will hold a public hearing at the City Council Chambers, to ascertain whether certain premises situated in the City of Manhattan Beach, State of California, known as and designated as _____ constitutes a

public nuisance subject to abatement by the rehabilitation of such premises or by the repair or demolition of buildings or structures situated thereon. If said premises, in whole or part, are found to constitute a public nuisance as defined by Manhattan Beach Municipal Code Sections 9.68.010 and 9.68.020 and if the same are not promptly abated by the owner, such nuisance may be abated by municipal authority, in which case the cost of such rehabilitation, repair or demolition will be assessed upon such premises and such cost will constitute a lien upon such land until paid.

Said violations consist of the following: _____

Said methods of abatement available are: _____

All persons having any objection to or interest in said matters are hereby notified to attend the hearing before the City Council to be held on the _____ day of _____, 20_____ at the hour of _____ m. when their testimony and evidence will be heard and given due consideration.

Dated: _____ / _____ / _____, 20_____.

City Clerk

(§ 2, Ord. 1266, eff. March 2, 1972, as amended by § 4, Ord. 1590, eff. November 6, 1980; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.080 - Hearing by the City Council.

At the time and place stated in the notice of the public hearing, the City Council shall hear and consider all relevant evidence, objections or protests, and shall receive testimony of owners, witnesses, city personnel and interested persons relative to such alleged public nuisance and to proposed abatement measures. Each party shall be accorded procedural due process. The hearing may be continued from time to time.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.090 - Decision of the City Council.

Following the public hearing, the City Council shall consider all evidence and determine whether the premises, or any part of the premises, constitute a public nuisance as alleged. If the City Council finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the City Council shall make a written order, setting forth the findings and ordering the owner or other person having charge or control of the premises to abate the nuisance by rehabilitation, repair, or demolition in the manner and by the means specifically set forth in the City Council order. The order shall set forth the time within which the work shall be commenced and completed.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.100 - Service of the abatement order.

Within ten (10) days following the City Council decision, the property owner or the person having charge or control of the premise, or both where applicable, shall be personally served with a copy of the written order of the City Council. In lieu of personal service, service may be given by certified or registered mail to the address shown on the latest assessor's parcel rolls.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.110 - Abatement by property owner.

The property owner or person having charge or control of the property may at his or her own expense, abate the nuisance as prescribed by the order of the City Council prior to the expiration of the

compliance dates set forth in the abatement order. If the nuisance has been inspected by the Department of Community Development and has been abated in accordance with the order, proceedings shall be terminated.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.120 - Abatement by the City.

If a declared nuisance is not completely abated by the owner or person having charge or control of the property within the time prescribed in the City Council order, the Director of Community Development is authorized and directed to cause the nuisance to be abated, pursuant to a valid warrant issued by a court of competent jurisdiction, if required. Such abatement may be conducted by city forces or private contract. In furtherance of this section, the Director of Community Development, or designated representative, is expressly authorized to enter upon the premises for the purposes of abating the nuisance, pursuant to a valid warrant issued by a court of competent jurisdiction, if required.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.130 - Record of cost for abatement by City.

- A. The Finance Director, or such other city official as may be designated, shall keep an account of costs (including incidental expenses) of abating such nuisance on each separate lot or parcel of land where the work is done and shall render an itemized written report to the City Council showing the cost of abatement and the rehabilitation, demolition or repair of said premises, buildings or structures, including any salvage value relating thereto. A copy of the report, and notice of the time when said report will be heard by the City Council for confirmation, shall be personally served on the property owner at least fifteen (15) days prior to the City Council meeting at which the report shall be heard by the City Council for confirmation. In lieu of personal service, service may be given at least twenty (20) days prior to the City Council meeting at which the report shall be heard by the City Council for confirmation by certified or registered mail to the address shown on the latest assessor's parcel rolls.
- B. The City Council shall set the matter for hearing to determine the correctness or reasonableness, or both, of such costs.
- C. Proof of service of the report on the property owner shall be made by declaration under penalty of perjury filed with the City Clerk.
- D. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in the preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.140 - Report of cost-hearing and proceedings.

At the time and place fixed for receiving and considering said report, the City Council shall hear and pass upon the report of such cost of abatement, together with any objections or protests. Following the hearing the City Council may make such revision, correction or modification in the report as it may deem just, after which, by motion, the report as submitted, or as revised, corrected or modified, shall be adopted. The decision of the City Council on all protests and objections which may be made shall be final and conclusive. The resolution of adoption and the report shall be served upon the property owner by personal service or by certified or registered mail to the address shown on the latest assessor's parcel rolls.

(§ 2, Ord. 1266, eff. March 2, 1972; Ord. No. 1885, Rep&ReEn, 09/16/93)

9.68.150 - Assessment of costs against property—Lien.

The total cost for abating such nuisance, as adopted by the City Council, shall constitute a special assessment against the respective lot or parcel of land to which it relates, and upon recordation in the Office of the County Recorder of a notice of lien, as so made and adopted, shall constitute a lien on said property for the amount of such assessment.

- A. After such confirmation and recordation, a copy may be turned over to the tax collector for the city, whereupon it shall be the duty of said tax collector to add the amounts of the respective assessments for municipal purposes to the next regular tax bill levied against said respective lots and parcels of land, and thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedures under foreclosure and sale, in case of delinquency as provided for ordinary municipal taxes; or
- B. After such recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.
- C. Such notice of lien for recordation shall be in form substantially as follows:

NOTICE OF LIEN

(Claim of City of Manhattan Beach)

Pursuant to the authority vested by the provisions of Section 9.68.120 of the Manhattan Beach Municipal Code, the Director of Community Development of the City of Manhattan Beach did on or about the _____ day of _____, 20_____ cause the premises hereinafter described to be rehabilitated or the building or structure on the property hereinafter described, to be repaired or demolished in order to abate a _____ public nuisance on said real property; and the City Council of the City of Manhattan Beach did on the _____ day of _____, 20_____ assess the cost of such rehabilitation, repair or demolition upon the real property hereinafter described; and the same has not been paid nor any part thereof; and said City of Manhattan Beach does hereby claim a lien on such rehabilitation, repair or demolition in the amount of said assessment, to wit: the sum of \$_____; and the same shall be a lien upon said real property until the same has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Manhattan Beach, County of Los Angeles, State of California, and particularly described as follows:

(Description)

DATED: This _____ day of _____, 20_____.

Director of Community Development
of the City of Manhattan Beach

(ACKNOWLEDGEMENT)

(Ord. No. 1885, Enacted, 09/16/93)

9.68.160 - Violations.

- A. The owner or other person having charge or control of any such buildings or premises who maintains any public nuisance defined in this chapter, or who violates any order of abatement served as provided in section 9.68.100, is guilty of a misdemeanor.

- B. Any occupant or lessee in possession of any such building or structure who fails to vacate said building or structure in accordance with an order given as provided in this chapter is guilty of a misdemeanor.
- C. Any person who removes any notice or order posted as required in this chapter, for the purpose of interfering with the enforcement of the provisions of this chapter, is guilty of a misdemeanor.
- D. Any person who obstructs, impedes or interferes with any representative of the City Council or with any representative of a Manhattan Beach City Department or with any person who owns or holds any estate or interest in a building which has been ordered to be vacated, repaired, rehabilitated, or demolished or with any person to whom any such building has been lawfully sold pursuant to the provisions of this chapter when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance is guilty of a misdemeanor.

(Ord. No. 1885, Enacted, 09/16/93)

9.68.170 - Alternatives.

Nothing in the foregoing sections shall prevent the City Attorney and City Prosecutor from commencing a civil or criminal proceeding to abate a public nuisance under applicable provisions of the California Civil Code or Penal Code as an alternative to the proceedings set forth herein.

(Ord. No. 1885, Enacted, 09/16/93)

Agenda Date: 11/5/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Bruce Moe, Finance Director

SUBJECT:

Financial Reports:

- a) Schedule of Demands: October 9, 2014
- b) Investment Portfolio for the Month Ending September 30, 2014
- c) Financial Reports for the Month Ending September 30, 2014
(Finance Director Moe).

RECEIVE AND FILE

RECOMMENDATION:

Staff recommends that the City Council ratify the attached schedules of demands, and receive and file these reports.

FISCAL IMPLICATIONS:

The financial reports included herein are designed to communicate fiscal activity based upon adopted and approved budget appropriations. No further action of a fiscal nature is requested as part of this report.

The total value of the warrant register for October 9, 2014 is \$1,954,200.18.

BACKGROUND:

Finance staff prepares a variety of financial reports for City Council and Finance Subcommittee. A brief discussion of the enclosed reports follows.

DISCUSSION:

Ratification of Demands:

Every two weeks staff prepares a comprehensive listing of all disbursements (warrant and payroll registers) with staff certification that the expenditure transactions listed have been reviewed and are within budgeted appropriations.

Investment Portfolio:

Detailed Investment reports are provided to the Finance Subcommittee with summary reporting to City Council. The month end portfolio includes a certification by the Finance Director that all investments comply with established Investment Policies (or with Finance Subcommittee approved exceptions) and there is sufficient liquidity to support projected expenditures.

Financial Reports:

This package includes summary level financial reports for the month ending September 30, 2014. These reports mark the third month of the 2014-2015 fiscal year and reflect the annual budget adopted by City Council.

These reports provide monthly and year-to-date activity for all funds and departments presenting a snapshot of budget performance. A report highlighting the performance of key revenue sources is also included.

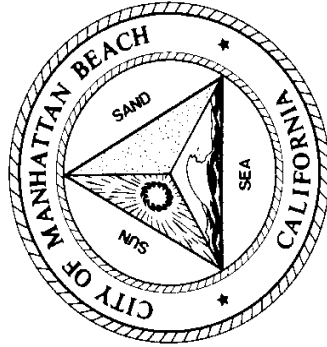
CONCLUSION:

Staff recommends that the City Council receive and file the attached financial reports.

Attachments:

1. Schedule of Demands for October 9, 2014
2. Investment Portfolio for the Month Ending September 30, 2014
3. Financial Reports for the Month Ending September 30, 2014

City of Manhattan Beach




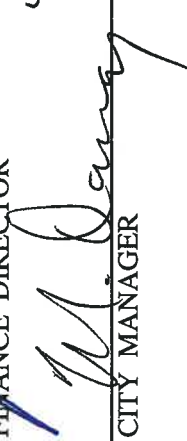
Schedule of Demands October 9, 2014

CITY OF MANHATTAN BEACH
WARRANT REGISTER

WARRANT(S) WR 8B
DATED: 10/09/2014

I HEREBY CERTIFY THAT THE CLAIMS OR DEMANDS COVERED BY THE ABOVE WARRANT(S) IN THE AMOUNT OF \$1,954,200.18 HAVE BEEN REVIEWED AND THAT SAID CLAIMS OR DEMANDS ARE ACCURATE, ARE IN CONFORMANCE WITH THE ADOPTED BUDGET, AND THAT THE FUNDS ARE AVAILABLE THEREOF.



FINANCE DIRECTOR


CITY MANAGER

THIS 4TH DAY OF NOVEMBER

WARRANT REGISTER(S)	WR 8B	WARRANT(S)	8B	973,421.81
		PREPAID WIRES / MANUAL CKS	8B	221,520.14
		SUBTOTAL WARRANTS		<u>1,194,941.95</u>
		VOIDS	8B	(18,569.78)
		PAYROLL	PY	777,828.01
		TOTAL WARRANTS		<u><u>1,954,200.18</u></u>

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

wr 8b

WARRANT BATCH NUMBER:

November 5, 2014

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
101414	10/14/2014	T	UNION BANK	F.I.T./MEDICARE/S.I.T.	221,520.14
SUBTOTAL					221,520.14
516099	10/9/2014	N	AC MARTIN PARTNERS INC	ARCHITECT	3,000.00
516100	10/9/2014	N	ACCELA INC	CITYWIDE PERMITTING SOFTWARE CONT	11,303.05
516101	10/9/2014	N	ADLERHORST INTERNATIONAL INC	OFF-SITE K-9 MONTHLY TRAINING	300.00
516102	10/9/2014	N	ADMINISTRATIVE SERVICES COOP	DIAL-A RIDE SUPPLEMENTAL CAB SERVICI	914.25
516103	10/9/2014	N	PERRY ALLISON	GYM EQUIPMENT MAINTENANCE AGREEN	290.00
516104	10/9/2014	N	MICHELLE AMI	REFUND	296.68
516105	10/9/2014	N	JOSE ANAYA	PARKS & RECREATION REFUND	50.00
516106	10/9/2014	N	REBECCA ANSERT	PUBLIC ART PROJECT MANAGEMENT SER'	4,750.00
516107	10/9/2014	N	ARAKELIAN ENTERPRISES INC	STREET SWEEPING SERVICES EXTRAS	33,218.17
516108	10/9/2014	N	LEO ARNOLD	BACKGROUND INVESTIGATION-NEW FIRE	5,175.00
516109	10/9/2014	N	SANDRA ARREAZA	PARKS & RECREATION REFUND	100.00
516110	10/9/2014	N	AT&T	T1 LINE TO RCC	147.26
516111	10/9/2014	N	AT&T MOBILITY	CELLULAR CHARGES	3,038.89
516112	10/9/2014	N	DANNY OR WENDY AUSTIN	REFUND RIGHT OF WAY DEPOSIT	427.00
516113	10/9/2014	N	ANDREW BAKER	FIRE RESERVE	175.00
516114	10/9/2014	N	RONALD BARONE	STREET SWEEPING REIMBURSEMENT	201.70
516115	10/9/2014	N	HANY BEKHIT	STREET SWEEPING REIMBURSEMENT	46.57
516116	10/9/2014	N	JEANETTE BENJAMIN	METER COIN REFUND	1.25
516117	10/9/2014	N	CHRISTOPHER BLACK	STREET SWEEPING REIMBURSEMENT	22.72
516118	10/9/2014	N	CHRISTINA MARIE BROOME	WATER AEROBICS INSTRUCTOR	105.00
516119	10/9/2014	N	CA BLDG STANDARDS COMMISSION	3Q 2014 BSA FEES	1,276.00

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

wr 8b

WARRANT BATCH NUMBER:

November 5, 2014

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516120	10/9/2014	N	CA NEWSPAPER PARTNERSHIP	ADVERTISING	1,794.00
516121	10/9/2014	N	CA TEAMSTERS LOCAL 911	DUES (MISC): PAYMENT	6,292.00
516122	10/9/2014	N	CAPITAL ONE NATIONAL ASSN	MISC SUPPLIES-COSTCO	2,837.37
516123	10/9/2014	N	JAMES CARLIN	STREET SWEEPING REIMBURSEMENT	122.53
516124	10/9/2014	N	CELLCO PARTNERSHIP	CONTRACT SERVICES	164.86
516125	10/9/2014	N	CITY OF LONG BEACH	FIELD TRIP-JUNIOR GUARD PROGRAM	222.00
516126	10/9/2014	N	CITY OF MANHATTAN BEACH	PETTY CASH REPLENISHMENT	688.97
516127	10/9/2014	N	CLE ELECTRIC INC	ON-CALL ELECTRICIAN	8,640.46
516128	10/9/2014	N	CLEANSSTREET	LANDSCAPE SERVICE EXTRAS	6,300.00
516129	10/9/2014	N	LJ COMBS	STREET SWEEPING REIMBURSEMENT	267.79
516130	10/9/2014	N	MISTII KIMM COMEAU	CITATION REFUND	48.00
516131	10/9/2014	N	CORELOGIC INFO SOLUTIONS INC	CONTRACT SERVICES-WIN2DATA	512.00
516132	10/9/2014	N	SANTIAGO A CORNEJO	TENNIS COURT MONTHLY WASHING	1,440.00
516133	10/9/2014	N	CROWN BLDG MAINTENANCE CO INC	JANITORIAL SERVICES EXTRAS	18,969.27
516134	10/9/2014	N	JOE DELIA	POLYGRAPHS	1,000.00
516135	10/9/2014	N	DEPARTMENT OF CONSERVATION	3Q 2014 SEISMIC FEES	4,200.00
516136	10/9/2014	N	DIV OF THE STATE ARCHITECT	SB1186 FEES/3RD QUARTER	156.90
516137	10/9/2014	N	DANIEL DOBRIN	CITATION REFUND	48.00
516138	10/9/2014	N	JOHN DULMAGE	REIMBURSMENT-TRAVEL EXPENSE	769.00
516139	10/9/2014	N	ECOLOGY ACTION OF SANTA CRUZ	MEMBERSHIP DUES	1,000.00
516140	10/9/2014	N	ELITE SANDBLASTING	REFUND RIGHT OF WAY DEPOSIT	496.00
516141	10/9/2014	N	EUROFINS EATON ANALYTICAL INC	ALGAE ENUMERATION AND IDENTIFICATI	2,700.00

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

wr 8b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516142	10/9/2014	N	EXPERIAN INFO SOLUTIONS INC	JOB APPLICANT CREDIT CHECKS	77.71
516143	10/9/2014	N	FILM THIS!	FILM OVERPAYMENT REFUND	988.60
516144	10/9/2014	N	FIRE INFO SUPPORT SERVICES INC	FIRERMS SUPPORT & MAINTENANCE CON	860.00
516145	10/9/2014	N	SUZANNE FISK	CITATION REFUND	48.00
516146	10/9/2014	N	BRETT FOURNIER	FIRE RESERVE	175.00
516147	10/9/2014	N	KELLY FRAZIER	PARKS & RECREATION REFUND	50.00
516148	10/9/2014	N	DANIEL C GACAD	INSTRUCTOR-KARATE	201.60
516149	10/9/2014	N	ALEXANDRIA GARCIA	METER COIN REFUND	1.50
516150	10/9/2014	N	GARDA CL WEST INC	ARMORED SERVICES	296.57
516151	10/9/2014	N	GATEWAY TO LA INC	OCEAN EXPRESS SHUTTLE	19,500.00
516152	10/9/2014	N	JOSEPH DANE GIESREGEN	FIRE RESERVE	175.00
516153	10/9/2014	N	GOVERNMENT OUTREACH	MAINTENANCE RENEWAL	9,300.00
516154	10/9/2014	N	GRANICUS	MEDIA STREAMING	7,690.98
516155	10/9/2014	N	LANAKILA KAMAKA GUERRERO	FIRE RESERVE	175.00
516156	10/9/2014	N	H F & H CONSULTANTS LLC	PROFESSIONAL SERVICES	53.75
516157	10/9/2014	N	TIMOTHY HAGEMAN	REIMBURSEMENT-TRAVEL EXPENSE	190.00
516158	10/9/2014	N	ANDREW HAKIM	VIDEO RECORDING SERVICES	450.00
516159	10/9/2014	N	AARON HAYRE	FIRE RESERVE	175.00
516160	10/9/2014	N	JAKE HERRON	FIRE RESERVE	175.00
516161	10/9/2014	N	HOME DEPOT CREDIT SERVICES	MISC SUPPLIES	84.57
516162	10/9/2014	N	KIRK HONDA	FIRE RESERVE	175.00
516163	10/9/2014	N	HONEYWELL INTERNATIONAL INC	HVAC MAINTENANCE & REPAIR	33,363.57

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

wr 8b

WARRANT BATCH NUMBER:

November 5, 2014

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516164	10/9/2014	N	HUNTINGTON BCH MOTORSPORTS INC	MOTORCYCLE PARTS & SERVICE	1,229.14
516165	10/9/2014	N	STEPHEN ROSS HYDE	BEGG POOL MASTERS/POOL COORD	1,810.00
516166	10/9/2014	N	ICMA RETIREMENT TRUST - 401	DEFERRED COMP 108075: PAYMENT	673.08
516167	10/9/2014	N	ICMA RETIREMENT TRUST - 401	DEFERRED COMP 109365: PAYMENT	2,811.22
516168	10/9/2014	N	ICMA RETIREMENT TRUST - 457	DEFERRED COMP AND LOAN REPAY 457	70,172.59
516169	10/9/2014	N	ICMA RETIREMENT TRUST 401	DEFERRED COMP 109766: PAYMENT	4,706.58
516170	10/9/2014	N	INCONTACT INC	LONG DISTANCE SERVICE	559.41
516171	10/9/2014	N	GIANNA INGRAM	CITATION REFUND	48.00
516172	10/9/2014	N	INTERNATIONAL MERCHANDISING CO	REFUND MBO DEPOSIT	24,074.18
516173	10/9/2014	N	JOAN STEIN JENKINS	PROSECUTION SERVICES	5,522.60
516174	10/9/2014	N	VICTORIA HELEN JOHNSON	WATER AEROBICS INSTRUCTOR	264.00
516175	10/9/2014	N	JENNIFER KALLOK	EARNINGS WITHHOLDING	184.62
516176	10/9/2014	N	IYER KALYANI	CITATION REFUND	48.00
516177	10/9/2014	N	STEVE KELLOND	UB REFUND	1,615.07
516178	10/9/2014	N	KEVORK ENTERPRISES INC	AUTO BODY REPAIRS	365.34
516179	10/9/2014	N	L A COUNTY ASSESSOR	PARCEL BOUNDARY GIS DATA	8.72
516180	10/9/2014	N	L A COUNTY ASSESSOR	PARCEL MAP	8.00
516181	10/9/2014	N	L A COUNTY CLERK/RECORDER	STRAND WALL REPAIR PROJECT	75.00
516182	10/9/2014	N	L A COUNTY CLERK/RECORDER	STRAND STAIRS REHABILITATION PROJEC	75.00
516183	10/9/2014	N	L A COUNTY CLERK/RECORDER	CITY YARD COVER	75.00
516184	10/9/2014	N	L A COUNTY DEPT OF P W	TRAFFIC SIGNAL MAINTENANCE	10,249.58
516185	10/9/2014	N	L A COUNTY MTA	SEPT 2014 EZ PASS	315.00

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

wr 8b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516186	10/9/2014	N	LA COUNTY MTA	SEPT 2014 TAP	228.00
516187	10/9/2014	N	LA COUNTY SHERIFF'S OFFICE	EARNINGS WITHHOLDING	87.50
516188	10/9/2014	N	LA ICE VENTURES LLC	ICE SKATING INSTRUCTOR	288.00
516189	10/9/2014	N	ROSEMARY LACKOW	RECORDING SERVICES	86.25
516190	10/9/2014	N	LAGUNA CLAY COMPANY	CLAY PRODUCTS FOR CERAMIC CLASSES	495.18
516191	10/9/2014	N	BILL LASAROW	ADVERTISEMENT	525.00
516192	10/9/2014	N	LATITUDE GEOGRAPHICS GROUP LTD	ANNUAL MAINTENANCE-HOSTING	7,140.00
516193	10/9/2014	N	JACQUELINE LEON	LINE DANCING INSTRUCTOR	83.25
516194	10/9/2014	N	KEITH LINCOLN	FIRE RESERVE	175.00
516195	10/9/2014	N	LOGIX SECURITY INC	SECURITY MONITORING	75.00
516196	10/9/2014	N	WAYNE LOSSON	STREET SWEEPING REIMBURSEMENT	144.35
516197	10/9/2014	N	LEIGH ANNE LYNCH	PARKS & RECREATION REFUND	255.00
516198	10/9/2014	N	M B POLICE MGMT ASSC	DUES \$ (POL MGT ASSN): PAYMENT	280.00
516199	10/9/2014	N	M B POLICE OFFICERS ASSOCIA	DUES \$ (POLICE FIXED): PAYMENT	5,773.08
516200	10/9/2014	N	MAC KNIGHT CONSTRUCTION	REFUND RIGHT OF WAY DEPOSIT	427.00
516201	10/9/2014	N	MAIN STREET TOURS INC	TOURS/EVENTS	4,787.00
516202	10/9/2014	N	SALVADOR MANZO IV	FIRE RESERVE	175.00
516203	10/9/2014	N	SONDRA MARCHESE	COMEDY IMPROV INSTRUCTOR	147.00
516204	10/9/2014	N	MARINE RESOURCES INC	TEMPORARY EMPLOYEE SERVICES	12,029.31
516205	10/9/2014	N	MATTHEW ROBERT MARTINEZ	FIRE RESERVE	175.00
516206	10/9/2014	N	MATRIX CONSULTING GROUP LTD	COST ALLOCATION STUDY	10,684.00
516207	10/9/2014	N	DANIEL MATUSZCZAK	FIRE RESERVE	175.00

CITY OF MANHATTAN BEACH
WARRANT REGISTER

wr 8b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516208	10/9/2014	N	MBPOA RETIREE	MD TRUST (MED TRUST): PAYMENT	2,625.00
516209	10/9/2014	N	MARYLOU MCLAMMACK	REFUND RIGHT OF WAY PERMIT	427.00
516210	10/9/2014	N	SCOTT MCLELLAN	FIRE RESERVE	175.00
516211	10/9/2014	N	MELAD AND ASSOCIATES INC	PLAN CHECK AND INSPECTION SERVICES	6,162.50
516212	10/9/2014	N	MICHAEL MENENDEZ	FIRE RESERVE	175.00
516213	10/9/2014	N	MERCHANTS LANDSCAPE SVCS INC	LANDSCAPE SERVICES EXTRAS	1,680.00
516214	10/9/2014	N	MIHM INC	CONTRACT SERVICES	500.00
516215	10/9/2014	N	MICHAEL MURPHY	REIMBURSEMENT-UNIFORM/SAFETY EQU	255.00
516216	10/9/2014	N	NADINE NADER	HOUSING SEARCH & MISC EXPENSES	977.56
516217	10/9/2014	N	NATALIE'S CATERING	MEALS FOR SENIOR SERVICES	1,916.22
516218	10/9/2014	N	CLAUDIA NAVA	METER COIN REFUND	1.00
516219	10/9/2014	N	CINDY L NESS	CONTRACT SERVICES	696.00
516220	10/9/2014	N	RICHARD LEONARD NIGGEMANN II	FIRE RESERVE	175.00
516221	10/9/2014	N	NOTORIOUS FIT LLC	FITNESS INSTRUCTOR	2,772.00
516222	10/9/2014	N	NTH GENERATION COMPUTING INC	NETWORK SERVERS AND ENGINEERING S	7,191.11
516223	10/9/2014	N	PACIFIC COAST ELEVATOR CORP	ELEVATOR MAINTENANCE	3,685.99
516224	10/9/2014	N	PEARCE CONCRETE	REFUND RIGHT OF WAY DEPOSIT	496.00
516225	10/9/2014	N	FINN PETERSEN	CITATION REFUND	48.00
516226	10/9/2014	N	GABRIELE PIERLUISSI	REIMBURSEMENT-TRAVEL EXPENSE	114.00
516227	10/9/2014	N	PREPAID LEGAL SERVICES INC	PREPAID LEGAL: PAYMENT	94.70
516228	10/9/2014	N	PRUDENTIAL OVERALL SUPPLY	UNIFORM RENTAL SERVICE	771.18
516229	10/9/2014	N	PSYCHOLOGICAL CONSULTING ASSOC	CONTRACT SERVICES	350.00

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

wr 8b

WARRANT BATCH NUMBER:

November 5, 2014

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516230	10/9/2014	N	PUBLIC EMPLOYEES'	PENSION CONTRIBUTION SAFETY: PAYME	269,647.13
516231	10/9/2014	N	GILBERT RAMIREZ	FIRE RESERVE	175.00
516232	10/9/2014	N	WILLIAM REDANZ	FIRE RESERVE	175.00
516233	10/9/2014	N	BARBARA REFOLD	PARKS & RECREATION REFUND	22.00
516234	10/9/2014	N	RELIANT IMMED CARE MED GRP INC	CONTRACT SERVICES	601.52
516235	10/9/2014	N	BLAKE ROBERTS	PARKS & RECREATION REFUND	156.15
516236	10/9/2014	N	ROTARY CLUB OF MANHATTAN BCH	MEMBERSHIP DUES 2014-2015	995.00
516237	10/9/2014	N	ROUTEMATCH SOFTWARE INC	DIAL A RIDE SOFTWARE	375.00
516238	10/9/2014	N	PAUL A RUBIO	REIMBURSEMENT	327.98
516239	10/9/2014	N	S & S PORTABLE SERVICES INC	PORTABLE RESTROOMS	270.06
516240	10/9/2014	N	AMERICO SAM	CONCERTS IN THE PARK 2014 STAFF	108.00
516241	10/9/2014	N	MARIA SANCHEZ	METER COIN REFUND	1.50
516242	10/9/2014	N	SBRPCA	COMMUNICATIONS EQUIPMENT	62,921.35
516243	10/9/2014	N	SCPOA	MEMBERSHIP RENEWAL	30.00
516244	10/9/2014	N	KRISZTINA SEPE	CITATION REFUND	48.00
516245	10/9/2014	N	SERENITY MEDIA	REFUND RIGHT OF WAY DEPOSIT	496.00
516246	10/9/2014	N	STEPHEN SINKUS	STREET SWEEPING REIMBURSEMENT	138.47
516247	10/9/2014	N	RYAN SLOWAY	FIRE RESERVE	175.00
516248	10/9/2014	N	RYAN B SMALL	REIMBURSEMENT-TRAVEL EXPENSE	114.00
516249	10/9/2014	N	SMART & FINAL INC	MISC SUPPLIES	34.96
516250	10/9/2014	N	SMART SOURCE OF CALIFORNIA LLC	PRINTING AND DIRECT MAILING SERVICE	193.47
516251	10/9/2014	N	ALEINA SMITH	REIMBURSEMENT-TRAVEL EXPENSE	190.00

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

WR 8b

WARRANT BATCH NUMBER:

November 5, 2014

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516252	10/9/2014	N	SO CA MUNICIPAL ATHLETIC FED	TRAINING	65.00
516253	10/9/2014	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	78,760.79
516254	10/9/2014	N	SOUTHERN COUNTIES OIL CO	BULK FUEL CONTRACT	25,050.08
516255	10/9/2014	N	SSBRA	SOCCER OFFICIALS	6,426.00
516256	10/9/2014	N	STATE DISBURSEMENT UNIT	EARNINGS WITHHOLDING	2,241.51
516257	10/9/2014	N	STEPHAN T HONDA MD INC	MEDICAL SERVICES	1,206.66
516258	10/9/2014	N	SULLY MILLER CONTRACTING CO	ASPHALT/EMULSION	81.79
516259	10/9/2014	N	SWRCB FEES	WATER SYSTEM FEES	7,881.06
516260	10/9/2014	N	THE EDGE FITNESS TRAINING	MB FIT/LUNCH & LEARN INSTRUCTOR	300.00
516261	10/9/2014	N	THE GAS COMPANY	MONTHLY GAS CHARGES	3,726.71
516262	10/9/2014	N	THE PITNEY BOWES BANK INC	POSTAGE METER REFILLS	83.96
516263	10/9/2014	N	PINAR THIELEN	PARKS & RECREATION REFUND	50.00
516264	10/9/2014	N	TIME WARNER CABLE INC	CABLE SERVICES	38.91
516265	10/9/2014	N	EVAN TOMITA	CONCERTS IN THE PARK 2014 STAFF	100.00
516266	10/9/2014	N	TOTAL ADMINISTRATIVE SVCS CORP	CHILD125 (CHILD 125 PLAN): PAYMENT	7,241.70
516267	10/9/2014	N	TURBO DATA SYSTEMS INC	CITATION PROCESSING-AUG 2014	14,724.79
516268	10/9/2014	N	U.S. BANK	P/T EMP RETIREMENT CONTRIB: PAYMEN	3,599.94
516269	10/9/2014	N	UCLA MEDICAL CENTER	MEDICAL SERVICES	730.00
516270	10/9/2014	N	UNITED PARCEL SERVICE	DELIVERY SERVICE	45.20
516271	10/9/2014	N	UNITED STATES SWIMMING INC	2015 ANNUAL MEMBERSHIP	330.00
516272	10/9/2014	N	DORIS JUNG USUI	COMEDY IMPROV INSTRUCTOR	147.00
516273	10/9/2014	N	VALLEY POWER SYSTEMS INC	E-22 'B' SERVICE AND REPAIRS	6,491.20

**CITY OF MANHATTAN BEACH
WARRANT REGISTER**

wr 8b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516274	10/9/2014	N	VANTAGEPOINT TRANSFER AGENTS	RETMT HLTH SAVINGS CONTRIB: PAYME	1,364.33
516275	10/9/2014	N	ROBIN L VARGAS	EARNINGS WITHHOLDING	553.85
516276	10/9/2014	N	DENNIS VELEZ II	FIRE RESERVE	175.00
516277	10/9/2014	N	VERIZON CALIFORNIA INC	TELEPHONE SERVICE	15,592.72
516278	10/9/2014	N	VISION SERVICE PLAN	VISION PREMIUMS	3,628.95
516279	10/9/2014	N	WALLACE & ASSOC CONSULTING INC	SEPULVEDA & 2ND ST WATER MAIN-INSPE	8,735.00
516280	10/9/2014	N	WALTERS WHOLESale ELECTRIC CO	ELECTRICAL SUPPLIES	4,959.90
516281	10/9/2014	N	WEST BASIN WATER ASSOCIATION	7TH SPECIAL ASSESSMENT FEES	5,655.00
516282	10/9/2014	N	WESTERN AUDIO VISUAL CORP	PROFESSIONAL SERVICES AND REPLACEM	2,593.67
516283	10/9/2014	N	JEFFREY WOODALL	FIRE RESERVE	175.00
516284	10/9/2014	N	XEROX CORPORATION	MULTI MACHINES LEASE & MANAGED PR	30,684.76
516285	10/9/2014	N	XEROX CORPORATION	MULTI MACHINES LEASE & MANAGED PR	4,657.89
SUBTOTAL					973,421.81
COMBINED TOTAL					1,194,941.95

PAYMENT LEGEND:
T = Wire Transfers
N = System Printed Checks
H = Hand Written Checks

CITY OF MANHATTAN BEACH
WARRANT REGISTER
CHECKS EQUAL TO OR ABOVE
\$2,500.00

wr 8b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
101414	10/14/2014	T	UNION BANK	F.I.T./MEDICARE/S.I.T.	221,520.14
SUBTOTAL					221,520.14
516099	10/9/2014	N	AC MARTIN PARTNERS INC	ARCHITECT	3,000.00
516100	10/9/2014	N	ACCELA INC	CITYWIDE PERMITTING SOFTWARE CONT	11,303.05
516106	10/9/2014	N	REBECCA ANSERT	PUBLIC ART PROJECT MANAGEMENT SER	4,750.00
516107	10/9/2014	N	ARAKELIAN ENTERPRISES INC	STREET SWEEPING SERVICES EXTRAS	33,218.17
516108	10/9/2014	N	LEO ARNOLD	BACKGROUND INVESTIGATION-NEW FIRE	5,175.00
516111	10/9/2014	N	AT&T MOBILITY	CELLULAR CHARGES	3,038.89
516121	10/9/2014	N	CA TEAMSTERS LOCAL 911	DUES (MISC): PAYMENT	6,292.00
516122	10/9/2014	N	CAPITAL ONE NATIONAL ASSN	MISC SUPPLIES-COSTCO	2,837.37
516127	10/9/2014	N	CLE ELECTRIC INC	ON-CALL ELECTRICIAN	8,640.46
516128	10/9/2014	N	CLEANS STREET	LANDSCAPE SERVICE EXTRAS	6,300.00
516133	10/9/2014	N	CROWN BLDG MAINTENANCE CO INC	JANITORIAL SERVICES EXTRAS	18,969.27
516135	10/9/2014	N	DEPARTMENT OF CONSERVATION	3Q 2014 SEISMIC FEES	4,200.00
516141	10/9/2014	N	EUROFINS EATON ANALYTICAL INC	ALGAE ENUMERATION AND IDENTIFICATI	2,700.00
516151	10/9/2014	N	GATEWAY TO LA INC	OCEAN EXPRESS SHUTTLE	19,500.00
516153	10/9/2014	N	GOVERNMENT OUTREACH	MAINTENANCE RENEWAL	9,300.00
516154	10/9/2014	N	GRANICUS	MEDIA STREAMING	7,690.98
516163	10/9/2014	N	HONEYWELL INTERNATIONAL INC	HVAC MAINTENANCE & REPAIR	33,363.57
516167	10/9/2014	N	ICMA RETIREMENT TRUST - 401	DEFERRED COMP 109365: PAYMENT	2,811.22
516168	10/9/2014	N	ICMA RETIREMENT TRUST - 457	DEFERRED COMP AND LOAN REPAY 457	70,172.59
516169	10/9/2014	N	ICMA RETIREMENT TRUST 401	DEFERRED COMP 109766: PAYMENT	4,706.58
516172	10/9/2014	N	INTERNATIONAL MERCHANDISING C	REFUND MBO DEPOSIT	24,074.18

CITY OF MANHATTAN BEACH
WARRANT REGISTER
CHECKS EQUAL TO OR ABOVE
\$2,500.00

wr 8b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516173	10/9/2014	N	JOAN STEIN JENKINS	PROSECUTION SERVICES	5,522.60
516184	10/9/2014	N	L A COUNTY DEPT OF P W	TRAFFIC SIGNAL MAINTENANCE	10,249.58
516192	10/9/2014	N	LATITUDE GEOGRAPHICS GROUP LTI	ANNUAL MAINTENANCE-HOSTING	7,140.00
516199	10/9/2014	N	M B POLICE OFFICERS ASSOCIA	DUES \$ (POLICE FIXED): PAYMENT	5,773.08
516201	10/9/2014	N	MAIN STREET TOURS INC	TOURS/EVENTS	4,787.00
516204	10/9/2014	N	MARINE RESOURCES INC	TEMPORARY EMPLOYEE SERVICES	12,029.31
516206	10/9/2014	N	MATRIX CONSULTING GROUP LTD	COST ALLOCATION STUDY	10,684.00
516208	10/9/2014	N	MBPOA RETIREE	MD TRUST (MED TRUST): PAYMENT	2,625.00
516211	10/9/2014	N	MELAD AND ASSOCIATES INC	PLAN CHECK AND INSPECTION SERVICES	6,162.50
516221	10/9/2014	N	NOTORIOUS FIT LLC	FITNESS INSTRUCTOR	2,772.00
516222	10/9/2014	N	NTH GENERATION COMPUTING INC	NETWORK SERVERS AND ENGINEERING S	7,191.11
516223	10/9/2014	N	PACIFIC COAST ELEVATOR CORP	ELEVATOR MAINTENANCE	3,685.99
516230	10/9/2014	N	PUBLIC EMPLOYEES'	PENSION CONTRIBUTION SAFETY: PAYME	269,647.13
516242	10/9/2014	N	SBRPCA	COMMUNICATIONS EQUIPMENT	62,921.35
516253	10/9/2014	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	78,760.79
516254	10/9/2014	N	SOUTHERN COUNTIES OIL CO	BULK FUEL CONTRACT	25,050.08
516255	10/9/2014	N	SSBRA	SOCCER OFFICIALS	6,426.00
516259	10/9/2014	N	SWRCB FEES	WATER SYSTEM FEES	7,881.06
516261	10/9/2014	N	THE GAS COMPANY	MONTHLY GAS CHARGES	3,726.71
516266	10/9/2014	N	TOTAL ADMINISTRATIVE SVCS CORP	CHILD125 (CHILD 125 PLAN): PAYMENT	7,241.70
516267	10/9/2014	N	TURBO DATA SYSTEMS INC	CITATION PROCESSING-AUG 2014	14,724.79
516268	10/9/2014	N	U.S. BANK	P/T EMP RETIREMENT CONTRIB: PAYMEN	3,599.94

CITY OF MANHATTAN BEACH
WARRANT REGISTER
CHECKS EQUAL TO OR ABOVE
\$2,500.00

WARRANT BATCH NUMBER:

wr 8b

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
516273	10/9/2014	N	VALLEY POWER SYSTEMS INC	E-22 "B" SERVICE AND REPAIRS	6,491.20
516277	10/9/2014	N	VERIZON CALIFORNIA INC	TELEPHONE SERVICE	15,592.72
516278	10/9/2014	N	VISION SERVICE PLAN	VISION PREMIUMS	3,628.95
516279	10/9/2014	N	WALLACE & ASSOC CONSULTING INC	SEPULVEDA & 2ND ST WATER MAIN-INSPE	8,735.00
516280	10/9/2014	N	WALTERS WHOLESALE ELECTRIC CO	ELECTRICAL SUPPLIES	4,959.90
516281	10/9/2014	N	WEST BASIN WATER ASSOCIATION	7TH SPECIAL ASSESSMENT FEES	5,655.00
516282	10/9/2014	N	WESTERN AUDIO VISUAL CORP	PROFESSIONAL SERVICES AND REPLACEM.	2,593.67
516284	10/9/2014	N	XEROX CORPORATION	MULTI MACHINES LEASE & MANAGED PR.	30,684.76
516285	10/9/2014	N	XEROX CORPORATION	MULTI MACHINES LEASE & MANAGED PR.	4,657.89
SUBTOTAL					923,644.14
COMBINED TOTAL					1,145,164.28

PAYMENT LEGEND:
T = Wire Transfers
N = System Printed Checks
H = Hand Written Checks

Report of Warrant Disbursements
wr 8b

Fund	Description	Amount
400	General	843,241.34
201	Street Light	4,520.77
210	Asset Forfeiture	18,575.25
230	Prop A	22,641.40
401	Capital Improvements	3,225.00
501	Water	65,086.41
502	Storm	25,009.75
503	Waste Water	2,113.07
510	Refuse	1,115.73
520	Parking	21,428.29
521	County Parking Lot	613.73
522	State Pier Lots	9,084.77
601	Insurance	16.10
605	Information Services	22,561.66
610	Vehicle Fleet	71,158.02
615	Building Maintenance	84,550.66
		<u>1,194,941.95</u>
		<u>1,194,941.95</u>

**CITY OF MANHATTAN BEACH PAYROLL
PAY PERIOD: 09/20/14 TO 10/03/14
PAY DATE: 10/10/14**

NET PAY 777,828.01

CITY OF MANHATTAN BEACH PAYROLL REPORT
 PAYROLL PERIOD ENDING DATE 10/3/2014

FUND	DESCRIPTION	AMOUNT
100	General Fund	1,048,942.55
210	Asset Forfeiture Fund	6,366.71
230	Prop. A Fund	14,869.08
501	Water Fund	25,452.74
502	Stormwater Fund	2,808.95
503	Wastewater Fund	9,066.49
510	Refuse Fund	3,688.90
520	Parking Fund	2,021.18
521	County Parking Lots Fund	481.30
522	State Pier and Parking Lot Fund	481.28
601	Insurance Reserve Fund	7,622.61
605	Information Systems Fund	26,911.04
610	Fleet Management Fund	9,059.92
615	Building Maintenance & Operations Fund	12,186.85
801	Pension Trust Fund	8,278.48
	Gross Pay	<u>1,178,238.08</u>
	Deductions	400,410.07
	Net Pay	<u><u>777,828.01</u></u>

Check History Listing
CITY OF MANHATTAN BEACH

Bank code: union

Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
505186	05/07/2013	12092 POSTMASTER	V	10/09/2014	66015	03/20/2013	200.00	200.00
505734	06/18/2013	30975 NICOLE AYER	V	10/09/2014	61029791	04/30/2013	48.00	48.00
505818	06/18/2013	26121 LIDO DE MANHATTAN BAKI	V	10/09/2014	BL-17910	06/04/2013	36.50	36.50
506022	07/02/2013	11635 HOME DEPOT CREDIT SER	V	10/09/2014	1144359	06/12/2013	21.76	21.76
506857	08/15/2013	31156 CORI LAGAO	V	10/09/2014	SUMMER 2013	08/06/2013	270.00	270.00
506949	08/15/2013	31149 HELEN TU	V	10/09/2014	SUMMER 2013	07/30/2013	100.00	100.00
507041	08/29/2013	31317 ALEXANDRA BODNAR	V	10/09/2014	170018	08/09/2013	10.00	10.00
507048	08/29/2013	31290 MICHAEL BRANDIN	V	10/09/2014	53-0754112-09	08/19/2013	60.76	60.76
507431	09/12/2013	31362 ANNE CLARY	V	10/09/2014	53-0760013-09	08/21/2013	62.69	62.69
507670	09/12/2013	31369 STEVE WEBER	V	10/09/2014	80-1002010-07	08/21/2013	35.91	35.91
508061	09/26/2013	31589 JIM OPENSHAW	V	10/09/2014	61-1038012-08	09/05/2013	0.42	0.42
508137	09/26/2013	31308 SECC CORPORATION	V	10/09/2014	RW10-0368	07/29/2013	427.00	427.00
			V	10/09/2014	RW11-0062	07/29/2013	427.00	427.00
			V	10/09/2014	RW11-0309	07/29/2013	427.00	1,281.00
508238	09/26/2013	31637 DAVID WESOLIK	V	10/09/2014	158597/158466	09/06/2013	47.00	47.00
508766	10/24/2013	32064 T CUNNINGHAM	V	10/09/2014	83-1462010-03	10/16/2013	71.73	71.73
508942	10/24/2013	31874 KEVIN O CONNELL	V	10/09/2014	87263	10/02/2013	10.00	10.00
509660	11/21/2013	31422 KAREN ORQUIOLA	V	10/09/2014	FALL 2013	11/13/2013	19.98	19.98
509919	12/05/2013	12168 RIO HONDO COLLEGE	V	10/09/2014	F13-30-ZMNB	11/12/2013	38.00	38.00
510013	12/19/2013	32548 TIM BRENNAN	V	10/09/2014	61056546	09/30/2013	48.00	48.00
510048	12/19/2013	32576 CAROL DAFESH	V	10/09/2014	15-03082	04/10/2013	290.00	290.00
510098	12/19/2013	32523 MICHAEL JADON	V	10/09/2014	RW11-0350	11/04/2013	150.00	150.00
510456	01/02/2014	32609 JEFF WILKINS	V	10/09/2014	17-0130000-02	12/20/2013	69.17	69.17

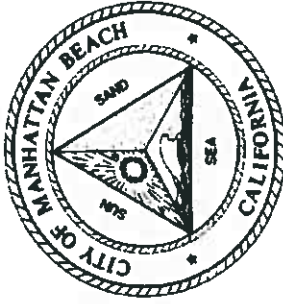
apCkHist
10/09/2014 2:37PM
Check History Listing
CITY OF MANHATTAN BEACH

Bank code: union

Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
510612	01/16/2014	32675 MARC MOULTON	V	10/09/2014	162507	01/02/2014	20.00	20.00
510883	02/13/2014	32737 ELIZABETH BAYERD	V	10/09/2014	61058803	09/11/2013	69.00	69.00
510918	02/13/2014	32729 TODD OR KATIE EMAUS	V	10/09/2014	61076369	12/27/2013	48.00	48.00
510963	02/13/2014	32743 PETER KIM	V	10/09/2014	169743	01/24/2014	10.00	10.00
511080	02/13/2014	32715 FARRAH WEITZ	V	10/09/2014	WINTER 2014	02/04/2014	84.00	84.00
511165	02/27/2014	24429 JENNIFER KALLOK	V	10/09/2014	02-26-14	02/26/2014	184.62	184.62
511215	02/27/2014	32756 MAX ALLEN ROLER	V	10/09/2014	WINTER 2014	02/11/2014	50.00	50.00
511354	03/13/2014	32517 JAKE HERRON	V	10/09/2014	FEB 2014	03/05/2014	175.00	175.00
511380	03/13/2014	20930 KAISER PERMANENTE	V	10/09/2014	122355	02/28/2014	333.45	333.45
515947	09/25/2014	21798 FOX RENT A CAR	V	10/09/2014	21798	08/31/2014	14,724.79	14,724.79
union Total:							18,569.78	

31 checks in this report

Total Checks: 18,569.78



City of Manhattan Beach

Investment Portfolio September 2014

As Finance Director for the City of Manhattan Beach, I hereby certify that these investments are in compliance with the City's investment policy (unless otherwise noted). Sufficient liquidity has been maintained to meet budget expenditure requirements for the current six month period.



Bruce Moe, Director of Finance

CITY OF MANHATTAN BEACH
Portfolio Management
Portfolio Summary
September 1, 2014 through September 30, 2014

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
LAIIF	24,750,000.00	24,750,000.00	24,750,000.00	32.33	1	1	0.243	0.246
Certificates of Deposit - Bank	8,541,000.00	8,571,315.59	8,541,000.00	11.16	1,302	726	0.979	0.992
Medium Term Notes	12,000,000.00	12,151,860.00	12,168,989.66	15.89	1,276	684	1.195	1.212
Federal Agency Issues - Coupon	31,000,000.00	31,008,010.00	31,104,962.77	40.63	1,553	1,023	1.434	1.454
Investments	76,291,000.00	76,481,185.59	76,564,962.43	100.00%	979	605	0.960	0.974
Cash and Accrued Interest								
Passbook/Checking (not included in yield calculations)	229,470.95	229,470.95	229,470.95		1	1	0.000	0.000
Accrued Interest at Purchase		22,523.96	22,523.96					
Subtotal		251,994.91	251,994.91					
Total Cash and Investments	76,520,470.95	76,733,180.50	76,816,957.34		979	605	0.960	0.974

Total Earnings September 30 Month Ending 78,308.81
Current Year

BRUCE A. MOE, FINANCE DIRECTOR

Reporting period 09/01/2014-09/30/2014

Run Date: 10/20/2014 - 15:48

No fiscal year history available

Portfolio CITY
 CP
 PM (PRF PM1) 7.3.0
 Report Ver. 7.3.5

CITY OF MANHATTAN BEACH
Portfolio Management
Portfolio Details - Investments
September 30, 2014

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
LAIF											
SYSS000	3000	Local Agency Invest. Fund	07/01/2000	24,750,000.00	24,750,000.00	24,750,000.00	0.246		0.246	1	
		Subtotal and Average		24,750,000.00	24,750,000.00	24,750,000.00			0.246	1	
Certificates of Deposit - Bank											
84603M3D6	CD0016	SOVEREIGN BANK NATL ASSN	10/24/2012	245,000.00	245,071.05	245,000.00	0.750		0.750	23	10/24/2014
05568PZ42	CD0017	BMW BK NORTH AMER	10/26/2012	245,000.00	245,080.85	245,000.00	0.700		0.700	26	10/27/2014
786580G52	CD0009	Safra National Bank	05/31/2012	245,000.00	246,117.20	245,000.00	0.800		0.800	243	06/01/2015
06251AYD6	CD0010	BANK HAPOALIM NY	07/24/2012	245,000.00	246,261.75	245,000.00	1.000		1.000	296	07/24/2015
795450NT8	CD0012	SALLIE MAE BANK	08/08/2012	245,000.00	246,291.15	245,000.00	1.100		1.100	313	08/10/2015
20451PEM4	CD0025	Compass Bank	09/25/2013	245,000.00	245,320.95	245,000.00	0.750		0.750	359	09/25/2015
49306SSQ0	CD0026	Key Bank NA	09/25/2013	245,000.00	245,369.95	245,000.00	0.550		0.550	359	09/25/2015
068513BC3	CD0027	Barrington Bank (WTFC)	09/27/2013	245,000.00	245,414.05	245,000.00	0.650		0.650	362	09/28/2015
962721AM8	CD0028	Wheaton Bank & Trust (WTFC)	09/27/2013	245,000.00	245,414.05	245,000.00	0.650		0.650	362	09/28/2015
35137QAR5	CD0029	Fox Chase Bank	09/30/2013	245,000.00	245,485.10	245,000.00	0.600		0.600	364	09/30/2015
SYSCD0003	CD0003	Bank of Manhattan	10/28/2011	245,000.00	245,000.00	245,000.00	1.730		1.730	392	10/28/2015
59012YVW29	CD0015	Merrick Bank	08/29/2012	245,000.00	247,077.60	245,000.00	0.700		0.700	516	02/29/2016
02005QZW6	CD0007	Ally Bank	03/21/2012	245,000.00	247,393.65	245,000.00	1.150		1.150	537	03/21/2016
20033ADU7	CD0033	Comenity Capital Bank	12/02/2013	245,000.00	245,367.50	245,000.00	0.750		0.750	610	06/02/2016
29976DNNM8	CD0013	Everbank Jacksonville FL	08/29/2012	245,000.00	247,114.35	245,000.00	0.900		0.900	698	08/29/2016
3364ORBW6	CD0030	First Sentry Bank	11/22/2013	245,000.00	245,493.80	245,000.00	0.750		0.750	783	11/22/2016
31931TDC6	CD0031	First Bank North Carolina	11/27/2013	245,000.00	245,634.55	245,000.00	0.800		0.800	789	11/28/2016
57116AHE1	CD0032	Marlin Business Bank	11/27/2013	245,000.00	245,423.85	245,000.00	0.850		0.850	789	11/28/2016
3616OXC39	CD0004	GENERAL ELECTRIC CAPITAL	12/29/2011	245,000.00	250,402.25	245,000.00	2.100		2.100	820	12/29/2016
38143AFP5	CD0005	Goldman Sachs	01/05/2012	245,000.00	250,431.65	245,000.00	2.050		2.050	827	01/05/2017
06414QSU4	CD0034	Bank of North Carolina	02/14/2014	245,000.00	245,039.20	245,000.00	0.800		0.800	867	02/14/2017
2546703V2	CD0006	Discover Bank Greenwood Intere	02/15/2012	245,000.00	250,093.55	245,000.00	1.600		1.600	868	02/15/2017
22766AAD7	CD0035	CROSSFIRST BANK	02/19/2014	245,000.00	244,661.90	245,000.00	0.750		0.750	874	02/21/2017
373128EC7	CD0021	Georgia Bank & Trust	03/28/2013	245,000.00	245,053.90	245,000.00	0.750		0.750	909	03/28/2017
747133BP0	CD0022	Pyramax Bank	03/28/2013	245,000.00	245,053.90	245,000.00	0.750		0.750	909	03/28/2017
90344LBS7	CD0020	USNY Bank	03/28/2013	245,000.00	244,970.60	245,000.00	0.750		0.750	940	04/28/2017
344030EQ0	CD0011	Flushing SVGS Bk NY	07/27/2012	245,000.00	248,633.35	245,000.00	1.100		1.100	1,030	07/27/2017
062649YAO	CD0014	Bank of Holland	08/29/2012	245,000.00	242,802.35	245,000.00	1.050		1.050	1,063	08/29/2017
88413QAH11	CD0037	THIRD FEDERAL SAVINGS & LOAN	02/21/2014	245,000.00	245,022.05	245,000.00	1.150		1.150	1,147	11/21/2017
856284J21	CD0018	State Bank of India	12/21/2012	245,000.00	246,234.80	245,000.00	1.200		1.200	1,177	12/21/2017
94768NUE5	CD0019	Webster Bank	12/26/2012	245,000.00	246,202.95	245,000.00	1.000		1.000	1,182	12/26/2017
17453FBG6	CD0036	CITIZENS DEPOSIT BANK	02/20/2014	211,000.00	210,776.34	211,000.00	1.300		1.300	1,238	02/20/2018

Portfolio CITY
CP
PM (PRF_PMT) 7.3.0

CITY OF MANHATTAN BEACH
Portfolio Management
Portfolio Details - Investments
September 30, 2014

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Certificates of Deposit - Bank											
320844NW9	CD0038	FIRST MERT BANK	02/24/2014	245,000.00	244,808.90	245,000.00	1.300		1.300	1,244	02/26/2018
938828AA8	CD0023	Washington Federal	03/28/2013	245,000.00	243,427.10	245,000.00	1.000		1.000	1,274	03/28/2018
101120CZ4	CD0024	Boston Private Bank & Trust	04/04/2013	245,000.00	243,363.40	245,000.00	0.950		0.950	1,281	04/04/2018
Subtotal and Average				8,541,000.00	8,571,315.59	8,541,000.00			0.992	726	
Money Market Fund											
SYSGMRA39907	GMRA39907	Union Bank of California	10/09/2008	0.00	0.00	0.00	0.350		0.350	1	
Subtotal and Average				0.00	0.00	0.00			0.000	0	
Medium Term Notes											
94974BFA3	MTN0064	WELLS FARGO & CO SRNT	07/20/2012	1,000,000.00	1,003,400.00	1,003,270.00	1.250		1.120	135	02/13/2015
20271RAA8	MTN0063	Commonwealth Bank Australia	06/13/2012	1,000,000.00	1,007,370.00	1,006,690.00	1.950		1.750	166	03/16/2015
63254AAC2	MTN0067	NATL AUSTRALIA BANK	10/24/2012	500,000.00	505,105.00	509,880.00	1.600		0.880	310	08/07/2015
22160KAD7	MTN0071	COSTCO COMPANIES	08/20/2013	1,000,000.00	1,001,700.00	1,002,270.00	0.650		0.550	432	12/07/2015
36962G5C4	MTN0066	Gen elec Cap Corp	10/24/2012	2,000,000.00	2,069,940.00	2,065,367.88	2.950		1.350	586	05/09/2016
90520EAC5	MTN0070	Union Bank	12/21/2012	1,000,000.00	1,033,090.00	1,033,592.48	3.000		1.244	614	06/06/2016
88579YAD3	MTN0072	3M	11/21/2013	1,000,000.00	1,014,410.00	1,018,367.76	1.375		0.783	729	09/29/2016
94974BEZ9	MTN0068	WELLS FARGO & CO	10/24/2012	500,000.00	517,315.00	517,777.17	2.625		1.256	806	12/15/2016
084670BD9	MTN0065	BERKSHIRE HATHWY	07/20/2012	1,000,000.00	1,019,150.00	1,021,884.37	1.900	AAA	1.112	853	01/31/2017
89233P6S0	MTN0069	Toyota Motor Corp	12/21/2012	1,000,000.00	993,740.00	1,005,100.00	1.250		1.140	1,100	10/05/2017
68389XAN5	MTN0074	ORACLE CORP	02/18/2014	1,000,000.00	992,790.00	994,650.00	1.200		1.350	1,110	10/15/2017
717081DG5	MTN0073	Pfizer Inc	12/27/2013	1,000,000.00	993,850.00	990,150.00	1.500		1.730	1,353	06/15/2018
Subtotal and Average				12,000,000.00	12,151,860.00	12,168,999.66			1.212	684	
Federal Agency Issues - Coupon											
3128X3L76	FAC0191	Freddie Mac	06/04/2010	2,000,000.00	2,011,500.00	2,019,007.60	5.000	AAA	2.325	43	11/13/2014
31398AZV7	FAC0197	Fannie Mae	09/20/2010	2,000,000.00	2,006,900.00	2,009,297.87	2.625	AAA	1.482	50	11/20/2014
31331SNP4	FAC0194	FED FARM CR BK	07/14/2010	2,000,000.00	2,037,100.00	2,032,847.95	4.550	AAA	2.177	154	03/04/2015
313373SZ6	FAC0202	Federal Home Loan Bank	08/29/2011	1,000,000.00	1,026,540.00	1,017,615.92	2.125	AAA	1.233	618	06/10/2016
3135GOCM3	FAC0206	Fannie Mae	12/28/2011	2,000,000.00	2,023,660.00	2,006,420.00	1.250	AAA	1.180	728	09/28/2016
3130A2KX38	FAC0223	Federal Home Loan Bank	07/28/2014	2,000,000.00	1,999,040.00	2,000,000.00	0.875	AAA	0.875	839	01/17/2017
3134G5EK7	FAC0225	Federal Home Loan Mortgage	08/21/2014	2,000,000.00	1,993,720.00	2,000,000.00	1.200	AAA	1.200	1,055	08/21/2017
3130A33J1	FAC0226	Federal Home Loan Bank	09/22/2014	3,000,000.00	3,004,980.00	3,001,740.00	1.200	AAA	1.180	1,084	09/19/2017
3133EDE99	FAC0219	FED FARM CR BK	02/13/2014	2,000,000.00	2,014,880.00	2,009,541.70	1.340	AA	1.213	1,185	12/29/2017
3134G37A2	FAC0213	Federal Home Loan Mortgage	04/02/2013	2,000,000.00	1,973,860.00	2,000,000.00	1.125	AAA	1.125	1,279	04/02/2018
313383LA7	FAC0215	Federal Home Loan Bank	06/27/2013	2,000,000.00	1,987,920.00	2,000,000.00	1.450	AA	1.450	1,365	06/27/2018

Portfolio CITY
CP
PM (PRF_PMT) 7.3.0

CITY OF MANHATTAN BEACH
Portfolio Management
Portfolio Details - Investments
September 30, 2014

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date	
Federal Agency Issues - Coupon												
880591EQ1	FAC0220	Tennessee Valley Authority	05/29/2014	2,000,000.00	2,001,720.00	2,030,703.93	1.750		1.395	1,475	10/15/2018	
3130A0CU2	FAC0217	Federal Home Loan Bank	11/21/2013	1,000,000.00	996,030.00	1,000,000.00	1.550	AA	1.550	1,512	11/21/2018	
313376BR5	FAC0218	Federal Home Loan Bank	12/27/2013	1,000,000.00	1,001,530.00	998,570.00	1.750	AAA	1.780	1,535	12/14/2018	
3135G0ZA4	FAC0221	Fannie Mae	05/29/2014	1,000,000.00	1,002,890.00	1,018,967.69	1.875	AAA	1.478	1,602	02/19/2019	
3133EDLR1	FAC0222	FED FARM CR BK	05/29/2014	2,000,000.00	1,984,280.00	2,010,750.11	1.650	AAA	1.542	1,687	05/15/2019	
3137EADK2	FAC0224	Federal Home Loan Mortgage	08/01/2014	2,000,000.00	1,941,460.00	1,949,500.00	1.250	AAA	1.780	1,765	08/01/2019	
				31,000,000.00	31,008,010.00	31,104,962.77			1.454	1,023		
Subtotal and Average									0.974	605		
Total and Average				76,291,000.00	76,481,185.59	76,564,962.43						

CITY OF MANHATTAN BEACH
Portfolio Management
Portfolio Details - Cash
September 30, 2014

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity
Money Market Fund										
SYS39903-39902	39901	UNION BANK	06/01/2003	229,470.95	229,470.95	229,470.95			0.000	1
			Accrued Interest at Purchase		22,523.96	22,523.96				1
			Subtotal		251,994.91	251,994.91				
		Total Cash and Investments		76,520,470.95	76,733,180.50	76,816,957.34			0.974	605

**City of Manhattan Beach
Investment Portfolio Summary
As of September 30, 2014**

PORTFOLIO PROFILE	Sep 30, 2014	Aug 31, 2014	Jul 31, 2014	Jun 30, 2014	May 31, 2014
Total Book Value (Excluding Trust Funds)	\$76,564,962	\$79,463,222	\$80,263,722	\$82,566,110	\$86,638,308
Increase/(Decrease) from Prior Period	(2,898,260) (3.6%)	(800,500) (1.0%)	(2,302,387) (2.8%)	(4,072,198) (4.7%)	5,561,580 6.86%
Percentage Change					
Average Yield to Maturity (365 Days)	0.974%	0.917%	0.843%	0.836%	0.810%
Increase/(Decrease) from Prior Period	0.056%	0.074%	0.007%	0.026%	0.035%

PORTFOLIO ALLOCATIONS

By Security	Value (Par)	Percent	Par YTM	Time Horizon	Percent
LAIF*	\$24,750,000	32.4%	0.246%	Next 12 months	47%
Certificates of Deposit	8,541,000	11.2%	0.992%	Months 13-24	12%
Medium Term Notes	12,000,000	15.7%	1.212%	Months 25-36	15%
Federal Agencies	31,000,000	40.6%	1.455%	Months 37-48	14%
				Months 49-60	12%
Total	\$76,291,000	100.0%	0.973%	Total	100.0%

*LAIF YTM as of September 30, 2014

RECENT ACTIVITY

Security	Date of Activity	Maturity Date	Purchase (Par)	Maturing/Call	YTM
TVA - 1.75% Coupon	5/29/2014	10/15/2018	2,000,000		1.395%
FNMA - 1.875% Coupon	5/29/2014	2/19/2019	1,000,000		1.478%
FFCB - 1.65% Coupon	5/29/2014	5/15/2019	2,000,000		1.542%
FHLB - 0.875% Coupon	7/28/2014	1/17/2017	2,000,000		0.875%
FHLMC - 1.25% Coupon	8/1/2014	8/1/2019	2,000,000		1.788%
FHLMC - 1.2% Coupon	8/21/2014	8/21/2017	2,000,000		1.200%
FHLB - 1.2% Coupon	9/22/2014	9/19/2017	3,000,000		1.180%
Total Purchases			\$18,191,000		1.299%
Called: FNMA - 1.0% Coupon	2/28/2014	11/28/2016		\$2,000,000	1.063%
Matured: Certificate of Deposit - 1.15%	3/28/2014	3/28/2014		245,000	1.150%
Matured: Certificate of Deposit - 1.15%	3/31/2014	3/31/2014		245,000	1.150%
Matured: FHLMC - 3% Coupon	7/28/2014	7/28/2014		2,000,000	1.576%
Total Maturing/Calls				\$4,490,000	1.301%

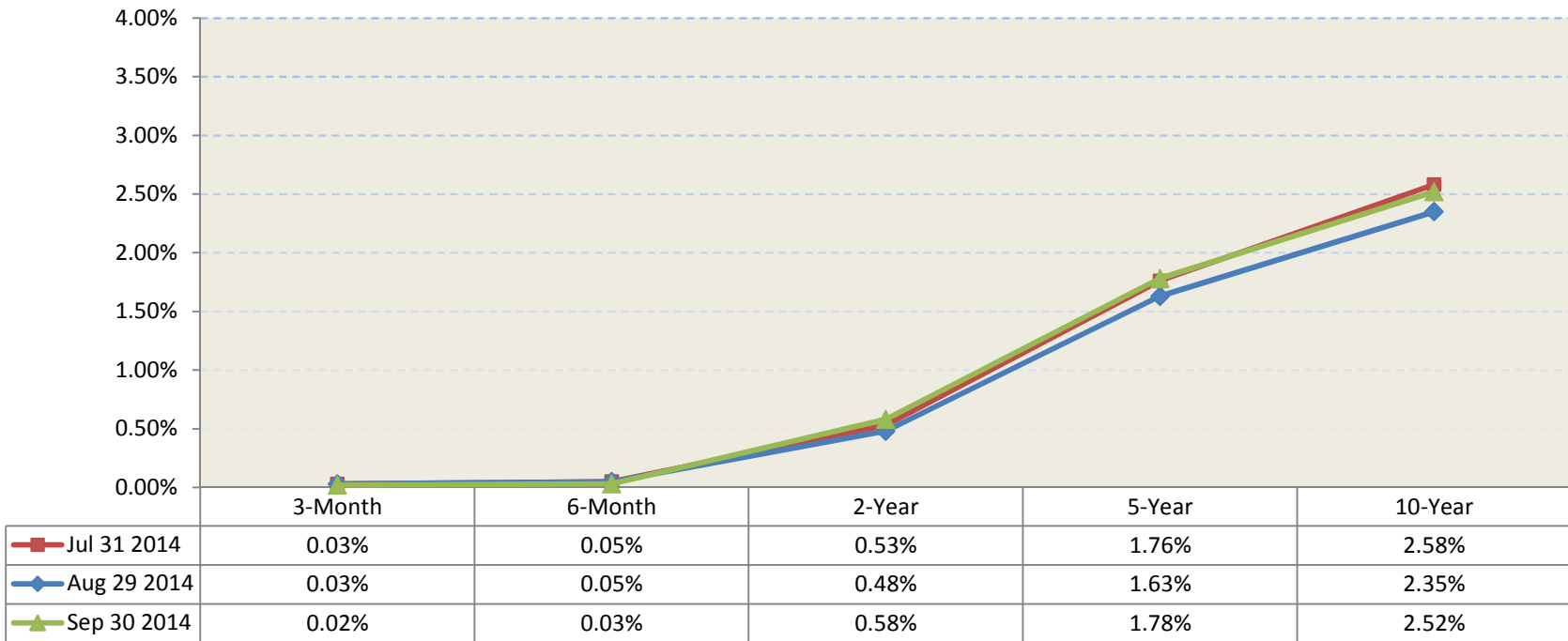
City of Manhattan Beach
Investment Portfolio Summary
As of September 30, 2014

PORTFOLIO FUNDS HELD IN TRUST	Value
Police/Fire Refund Delivery Cost	\$1
Marine Avenue	37,563
Metlox & Water/Wastewater Refunding	4
UUAD Assessment Funds	1,359,648
Total Funds Held in Trust	\$1,397,215

As of September 30, 2014

US Treasuries Yield Curve

www.treas.gov



CITY OF MANHATTAN BEACH
September 30, 2014

<u>Investments</u>	Book Value
LAIF	\$24,750,000.00
Medium Term Notes	12,168,999.66
Federal Agency Issues-Coupon	31,104,962.77
Certificates of Deposit	8,541,000.00
Subtotal Investments	<u>\$76,564,962.43</u>
<u>Demand Deposit/Petty Cash</u>	
Cash in Bank	\$229,470.95
Petty Cash	2,482.50
Subtotal Demand Deposit	<u>\$231,953.45</u>
<u>Subtotal City Cash & Investments</u>	<u>\$76,796,915.88</u>
<u>Bond Funds Held in Trust</u>	
Police Fire Refund Delivery Cost	\$0.57
Marine	37,562.67
Metlox & Water/Wastewater Refunding	3.72
Utility Assessment Dist	1,359,647.65
Subtotal Bonds Held in Trust	<u>\$1,397,214.61</u>
Treasurer's Balance	<u><u>\$78,194,130.49</u></u>



**BILL LOCKYER
TREASURER
STATE OF CALIFORNIA**



2014 LAIF Conference Registration

PMIA Performance Report

LAIF Performance Report

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
09/25/14	0.24	0.25	217
09/26/14	0.25	0.25	230
09/27/14	0.25	0.25	230
09/28/14	0.25	0.25	230
09/29/14	0.25	0.25	232
09/30/14	0.25	0.25	232
10/01/14	0.26	0.26	243
10/02/14	0.26	0.26	241
10/03/14	0.26	0.26	240
10/04/14	0.26	0.26	240
10/05/14	0.26	0.26	240
10/06/14	0.26	0.26	238
10/07/14	0.26	0.26	233
10/08/14	0.26	0.26	233

Quarter Ending 06/30/14

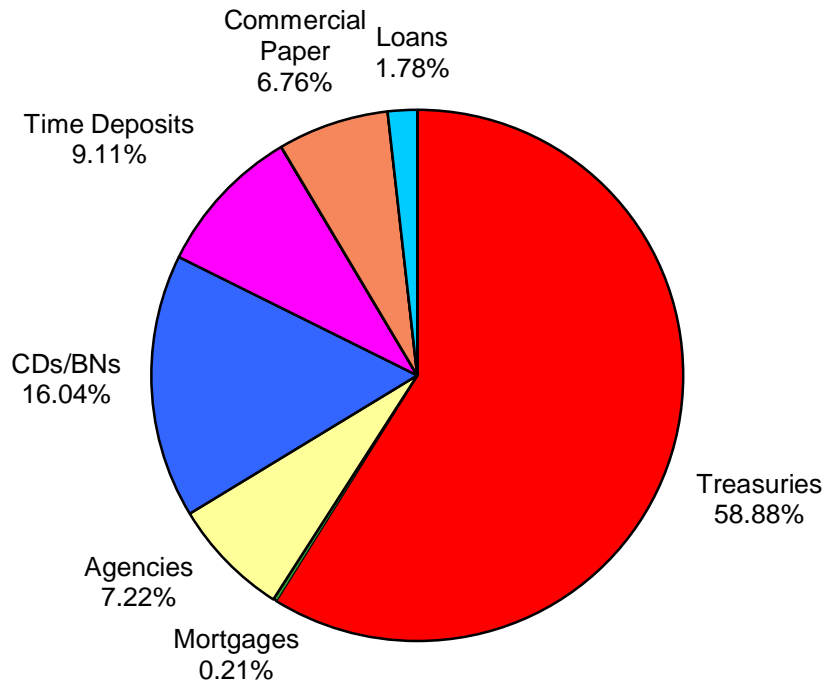
Apportionment Rate: 0.22%
 Earnings Ratio: .00000606145493377
 Fair Value Factor: 1.00029875
 Daily: 0.23%
 Quarter To Date: 0.23%
 Average Life: 232

PMIA Average Monthly Effective Yields

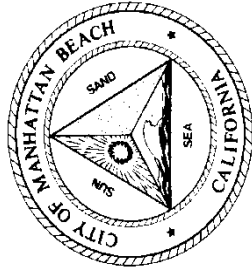
SEP 2014 0.246%
 AUG 2014 0.260%
 JUL 2014 0.244%

*Daily yield does not reflect capital gains or losses

**Pooled Money Investment Account
Portfolio Composition
\$54.9 Billion
08/31/14**



City of Manhattan Beach



Financial Reports September 2014 Fiscal Year 2014-2015

City of Manhattan Beach
Fiscal Year 2014 Statement of Revenues & Expenditures
 September 30, 2014

% of Year
 25.0%

		Current Year Activity					
<u>Fund Title</u>	<u>Fund No.</u>	<u>Budgeted Revenue</u>	<u>YTD Revenues</u>	<u>% Realized</u>	<u>Budgeted Expenditures</u>	<u>YTD Expenditures</u>	<u>% Expended</u>
General Fund	100	\$59,896,949	\$9,746,922	16.3%	\$61,392,988	\$14,576,981	23.7%
Street Lighting & Landscaping Fund	201	399,620	-	0.0%	652,909	108,121	16.6%
Gas Tax Fund	205	933,447	271,170	29.1%	1,715,000	534,676	31.2%
Asset Forfeiture	210	7,300	30,211	413.8%	226,345	43,754	19.3%
Police Safety Grants	211	101,200	130	0.1%	209,274	72,440	34.6%
Federal & State Grants	220	-	-	n/a	-	-	n/a
Prop A Fund	230	637,699	158,051	24.8%	805,070	155,006	19.3%
Prop C Fund	231	5,284,829	133,729	2.5%	5,895,200	-	0.0%
AB 2766 Fund	232	51,712	11,588	22.4%	155,068	2,427	1.6%
Measure R	233	416,577	62,318	15.0%	335,000	-	0.0%
Capital Improvements Fund	401	2,013,901	391,095	19.4%	2,925,055	560	0.0%
Underground Assessment District Construction	403	1,200	193	16.1%	-	-	n/a
Water Fund	501	16,546,891	5,169,983	31.2%	13,551,644	1,991,226	14.7%
Storm Drain Fund	502	353,033	764	0.2%	1,255,558	55,143	4.4%
Wastewater Fund	503	3,743,047	1,060,979	28.3%	2,044,748	373,515	18.3%
Refuse Fund	510	3,968,705	1,018,136	25.7%	4,184,371	698,114	16.7%
Parking Fund	520	2,385,078	566,366	23.7%	2,538,942	388,317	15.3%
County Parking Lots Fund	521	775,510	224,664	29.0%	644,806	26,732	4.1%
State Pier & Parking Lot Fund	522	581,729	145,219	25.0%	1,533,889	105,075	6.9%
Insurance Reserve Fund	601	4,661,672	1,220,247	26.2%	4,702,745	3,384,494	72.0%
Information Systems Reserve Fund	605	2,272,016	568,005	25.0%	2,861,335	381,433	13.3%
Fleet Management Fund	610	2,223,625	590,957	26.6%	2,646,638	472,945	17.9%
Building Maintenance & Operation Fund	615	1,699,779	448,735	26.4%	1,698,391	445,317	26.2%
Special Assessment Debt Service	710	965,000	-	0.0%	953,389	754,187	79.1%
City Pension Fund	801	180,900	1,024	0.6%	233,220	49,176	21.1%
		\$110,101,419	\$21,820,487	19.8%	\$113,161,585	\$24,619,639	21.8%

**City of Manhattan Beach
Fiscal Year 2014-2015
Period 3 - September
General Fund Expenditures By Department**

Data Date: 10/20/2014
Percent Year: 25.0%

	Annual Budget	Current Month	YTD Expend.	YTD Encumb.	Available Budget	Percent Utilized*
11 Management Services	2,677,892	223,012	528,681	6,500	2,142,711	19.99
12 Finance	3,774,231	248,783	784,844	81,946	2,907,441	22.97
13 Human Resources	1,251,945	76,261	215,799	13,785	1,022,361	18.34
14 Parks and Recreation	7,671,648	504,257	1,992,825	38,359	5,640,464	26.48
15 Police	23,210,318	1,847,457	5,734,408	242	17,475,668	24.71
16 Fire	11,461,981	880,193	2,945,136	90,102	8,426,742	26.48
17 Community Development	4,379,251	364,180	939,943	236,397	3,202,911	26.86
18 Public Works	6,965,722	628,687	1,435,344	80,621	5,449,757	21.76
100 General Fund	61,392,988	4,772,831	14,576,981	547,952	46,268,055	24.64

*Percent Utilized includes YTD encumbrances.

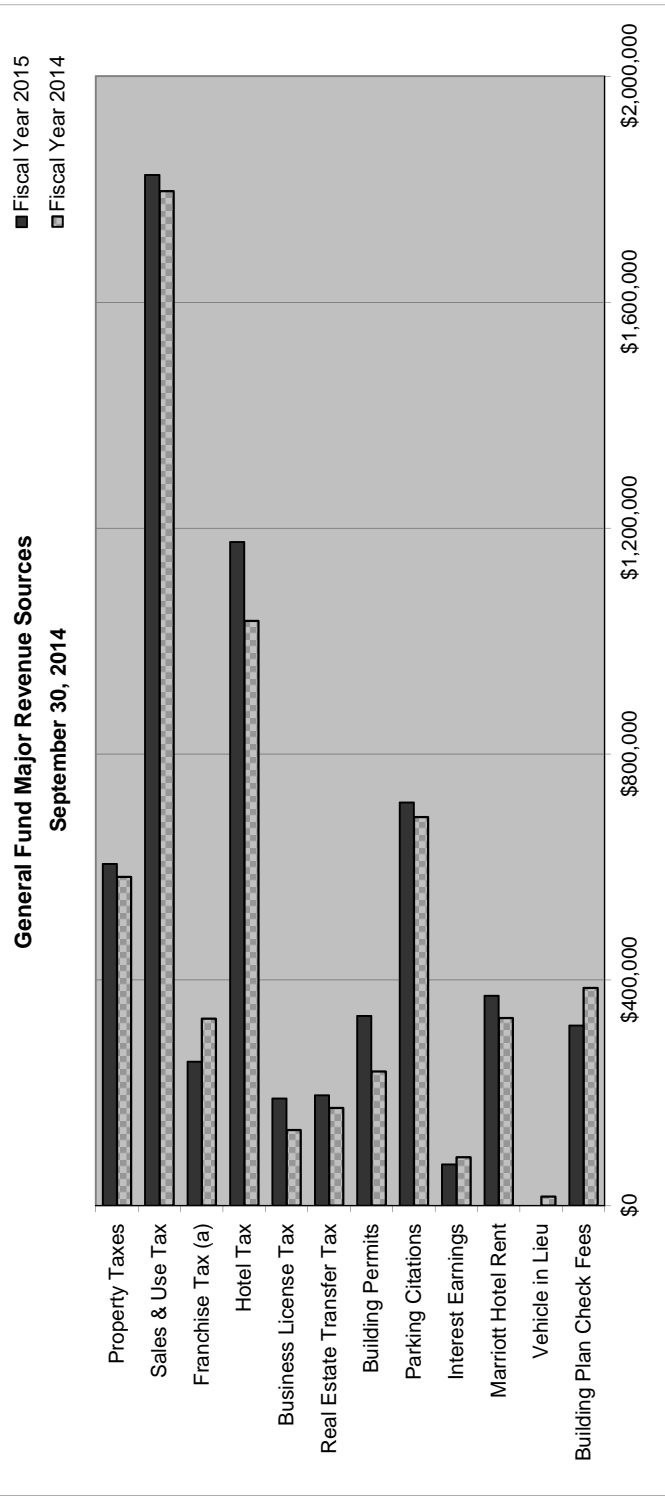
City of Manhattan Beach
 Fiscal Year 2014 General Fund Major Revenue Trends
 September 30, 2014

Percent of Year
 25.00%

Major Revenue Accounts	Fund No.	Year-To-Date Actuals					FY 2015		
		2010	2011	2012	2013	2014	2015	Adj Budget	Realized
Property Taxes	100	574,647	547,641	534,119	559,639	581,963	605,342	17,771,000	3.41%
Sales & Use Tax	100	1,342,042	1,546,739	1,645,057	1,823,082	1,796,130	1,825,271	9,154,850	19.94%
Franchise Tax (a)	100	277,293	285,225	299,093	317,118	330,708	255,150	1,392,303	18.33%
Hotel Tax	100	775,982	818,592	837,614	904,845	1,035,082	1,175,171	3,414,403	34.42%
Business License Tax	100	143,126	130,578	149,597	138,557	133,558	190,171	3,050,000	6.24%
Real Estate Transfer Tax	100	119,664	84,536	157,190	119,000	172,521	195,529	621,275	31.47%
Building Permits	100	148,169	161,819	211,632	191,049	237,466	336,294	924,000	36.40%
Parking Citations	100	677,809	621,224	776,334	666,869	687,793	714,286	2,440,000	29.27%
Interest Earnings	100	152,700	98,365	115,239	124,843	85,426	73,091	548,092	13.34%
Marriott Hotel Rent	100	236,512	250,597	243,022	284,604	332,215	372,076	1,256,709	29.61%
Vehicle in Lieu	100	48,958	45,575	95,915	18,887	15,631	-	-	-
Building Plan Check Fees	100	143,942	186,557	272,046	255,849	385,313	319,267	1,040,000	30.70%
Total Major Revenue Accounts		4,640,844	4,777,446	5,336,859	5,404,342	5,793,805	6,061,647	41,612,632	14.57%
Over/(Under) Prior Year		136,602	559,413	67,483	389,464	267,841	4.62%		
Percent Change From Prior Year		2.94%	11.71%	1.26%	7.21%	4.62%			
Other Revenues		3,366,011	3,521,116	3,800,815	3,440,931	3,604,787	3,685,275	18,284,317	20.16%
Total General Fund Revenues		8,006,854	8,298,563	9,137,674	8,845,272	9,398,592	9,746,922	59,896,949	16.27%

Other Revenues 3,366,011 3,521,116 3,800,815 3,440,931 3,604,787 3,685,275 18,284,317 20.16%

Total General Fund Revenues 8,006,854 8,298,563 9,137,674 8,845,272 9,398,592 9,746,922 59,896,949 16.27%



(e) The structure of payments for some of the franchise fees has changed resulting in lower initial revenues at the beginning of the fiscal year as compared to prior years. This revenue will self adjust throughout the year to better align with prior full-year numbers.

Agenda Date: 11/5/2014

TO:

Honorable Mayor Powell and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Liza Tamura, City Clerk

SUBJECT:

Commission Minutes:

This item contains 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 minutes of the:

- a) Cultural Arts Commission Meeting of September 9, 2014
(Parks and Recreation Director Leyman)

RECEIVE AND FILE

RECOMMENDATION:

Staff recommends that the City Council, by motion, take action to receive and file the minutes of the City Council subcommittees, City commissions, and other committees.

Attachments:

- 1. Cultural Arts Commission Action Minutes of September 9, 2014

**CITY OF MANHATTAN BEACH
MINUTES OF THE CULTURAL ARTS COMMISSION**

September 9th, 2014
Manhattan Beach City Council Chambers
1400 Highland Avenue
Manhattan Beach, CA 90266

A. CALL TO ORDER

The meeting was called to order at 6:06 PM.

B. PLEDGE TO THE FLAG

C. ROLL CALL

Present: Commissioners Ramezani, Gill, Samuels, May and Dunn*
Absent: none

*Chairperson Dunn arrived at 6:26 with previous notification to the Commission.

Others Present: Cultural Arts Manager, Martin Betz; Recording Secretary, Linda Robb

D. APPROVAL OF MINUTES

Commissioner Gill moved to approve the August 12, 2014 minutes with changes requested by Commissioner Samuels. Commissioner Ramezani seconded the motion.

Page 5 – corrected Commissioner Samuels statement to reflect the position that all options are not available without a deaccession process in place.

Ayes: Commissioners Ramezani, May, Samuels and Gill
Nays: none
Abstain: none
Absent: Dunn

The motion passed.

E. CEREMONIAL

None

F. AUDIENCE PARTICIPATION

Chairperson Dunn opened the floor to audience participation; seeing none, the floor was closed.

G. STAFF ITEMS

Cultural Arts Manager Martin Betz reported that there is a City Council meeting on September 30th to discuss the work plan and how the City Council will direct items and communicate with Commissions. There will also be a video available for commissioner

Brown Act training. Commissioner Ramezani asked if there could be a process for the new City Manager and Assistant City Manager to meet the commissioners. Commissioner Gill stated that it would be nice if the City Manager attended a meeting. Commissioner May stated that Mayor Powell will be holding a Town Hall meeting that may serve that purpose.

Mr. Betz announced that Concerts in the Park have concluded and there were some lessons learned that will be addressed for the next season. He stated that the selection of music is of primary importance and the sound and staging was new and functioned extremely well. Commissioner Ramezani stated that she went to a concert and was impressed by staff presence.

Mr. Betz thanked the Commissioners for attending the art show opening for the Natalie Arnoldi. The opening was a great success with about 200 attendees.

Mr. Betz stated that he would be providing the Commission with an Exhibition calendar through 2016 for the Arts Center as soon as it is completed. Commissioner Ramezani asked if the commissioners would have any input on the exhibition calendar. Mr. Betz stated that the commission has a governance function and this is a programming function but if there were any problems with the schedule, to please let him know. Commissioner May expressed that she was looking forward to more local artist exhibitions. Commissioner Ramezani observed that she was surprised that she didn't recognize many people at the opening and hoped there would be more local participation. Commissioner Gill stated that Homeira Goldstein has a wide circle and brings in many people from all around Los Angeles. Commissioner May stated that Ms. Goldstein has many connections in the art world and brings in high caliber shows that draw a large crowd. Commissioner Gill stated that in the past Ms. Goldstein's shows have been subsidized by the Public Art Trust Fund. Mr. Betz stated that this show was not funded by the Public Art Trust Fund and the model has changed so that the Center no longer pays for exhibitions.

Mr. Betz stated that the Decommissioning Policy is being reviewed by the City Attorney.

Mr. Betz informed the Commission that the Harold Roach sculpture repair staff report would be reviewed by the City Council on October 7th.

Commissioner Gill inquired about the Shell bench. Mr. Betz stated that the bench had been manufactured in the way it was presented. The manufacturer fixed them and has delivered the finished product to be installed.

Commissioner Gill inquired about the vacant Library Art Commission representative position and how the representative would be chosen. Mr. Betz stated that the vacant spot would be filled by the artist representative, Jacquelyne May, who will serve as the representative on the Library Art Commission along with Commissioner Samuels.

Commissioner Ramezani inquired about the role of the Cultural Arts Commission in the Library Art process. She asked if the Commission is entitled to learn any more of the details of why a new artist is being chosen and the timeframe for the project being that a significant amount of money to fund the piece is coming from the Public Art Trust Fund. Commissioner Gill inquired about the Miguel Angel Velasquez mural. Mr. Betz reported that he was unable to find any history on the artist. He consulted with Latin arts experts who were also unable to

find any information. Commissioner May stated that she spoke with Steve Napolitano, who was on the City Council at the time, and he said that it was covered when City Hall was renovated and it didn't go with the new design so it was covered. Commissioner Gill asked how we can move forward. Mr. Betz said that it is a City Council decision to make. Nancy Dunn stated that she would also speak with Steve Napolitano. Commissioner Samuels stated that it should be up to the community to decide whether or not the mural stays or goes. The Commission is simply asking for a temporary unveiling to get feedback from the public. Commissioner Gill stated that the Commission previously made a request to City Council to unveil but nothing has actually happened. Commissioner Ramezani stated that many points had been clarified so it is now time to City Council for a decision. Commissioner May suggested that a pamphlet be made available to the public once it is unveiled to help the public make their decision. Commissioner Dunn would like to know who was on the Cultural Arts Commission in 2003 to try to gain some information from those members. Commissioner Dunn asked Mr. Betz to advise the Commission of who was on the Commission in 2003 when the piece was covered. Commissioner Dunn asked Mr. Betz to follow up with the City Manager to find out what the process would be to move forward and review the proposal that was sent to City Council approximately a year ago.

Commissioner Dunn inquired about the review of Peter DeMaria's proposals for the Strand Bench Program and Sculpture Garden Competition. Mr. Betz stated that the whole Strand Bench Program has already been set and is running. Commissioner Gill stated that the document was meant to be used to add more benches to the program. Commissioner Dunn stated that the document was meant to set a process in place and prevent the Commission from having to reinvent the wheel every time.

H. COMMISSION ITEMS:

Commissioner Samuels gave an update on the LA County Art Commission meeting. He stated that the original artist, Lita Albuquerque, and LA County mutually decided that she wasn't a good fit for the library project. New invitations were sent to 5 additional artists selected by LA County which were presented to the Art Commission from which 3 were selected. At the next meeting, the artists will present and the Commission may choose one. They are moving very quickly. The Commission still thinks the art will be ready by the time the Library opens in Spring 2015. Commissioner Ramezani asked if there will be community outreach once the artist is selected. Commissioner Samuels stated that the 3 artists selected have significant experience dealing with the public.

Commissioner Samuels stated that although Lita Albuquerque was paid for the work she did before she left, money was replenished into the art fund so there is actually more money available now than the original amount.

I. GENERAL BUSINESS:

14/0812.1 – Sculpture Garden Competition 2015 – Mr. Betz recommended the Commission to request funds to the City Council. Commissioner Dunn stated that in the past, Gina had a list of artists who were sent the RFP. Mr. Betz stated that he would like to change the process a bit and request electronic submissions, narrow down and request models and plans from a smaller group, then choose a smaller amount to present to City

Council. Mr. Betz stated that he would also like to request that one of the existing pot and poles be moved to the Art Center for a total of seven pot and poles.

Commissioner May inquired how the artists are chosen for the RFP distribution. Mr. Betz answered that it would be announced to Americans for the Arts public call and to LA Culturenet in its public call as well as local arts organizations and anyone on the current list, UCLQ Public Arts Group, SPARK, other local cities that have a similar type of program. Commissioner asked if there would be an ad in the paper. She stated that most of the local artists would only see the opportunity if it was advertised in the paper. Chairperson Dunn stated that from a marketing perspective it would be better to get the press involved and get an article written for free instead of spending money on an ad. Commissioner May clarified that she meant that the publication would publish an announcement for free.

Commissioner Ramezani asked how the decision is made as to the location for the sculptures. Commissioner Samuels stated that Public Works decided where the pots would be located. Commissioner Gill stated that staff makes the decision which pieces would go in the various locations. Mr. Betz stated that the Commission would want to think about the locations when considering the pieces to recommend.

Commissioner Samuels moved to request to move one of the pot and poles to the Arts Center and to approve \$21,000 for seven art pieces for the next sculpture art garden to follow the included schedule. The motion was seconded by Commissioner Gill. The motion passed.

Ayes: Commissioners Dunn, Gill, Ramezani, May and Samuels

Nays: None

Abstain: None

Absent: None

Commissioner Samuels inquired how many benches are approved. Mr. Betz will verify how many bench designs have been approved by the City Council.

Commissioner May stated that there is a blue/green bench is looking worn but wasn't sure of the exact location. She was asked to provide the location so that Mr. Betz can look at it and determine if it was the bench that was removed for repair.

Commissioner Ramezani asked about the resident who had inquired about a new bench design. Mr. Betz stated that he is working with him separately.

Commissioner Ramezani inquired about the plaques next to the art pieces and if the plaques will indicate that the piece is part of the Sculpture Garden. Mr. Betz stated that they've been ordered but have not yet been received and that the artist's name and the name of the piece would be included. Commissioner Dunn suggested a QR code so that people will have an interactive experience. Commissioner Dunn stated that philosophically, it's the job of the Commission to do what it can do to educate the community and provide more information to invoke more thought and discussion. She

stated that if doing that is as simple as putting up a plaque to give more information, then that's what should be done.

Mr. Betz distributed the budget report showing no change since July. Commissioner Dunn asked for the budget report to be included on the agenda as a standing staff item.

Commissioner May inquired about the Public Art Master Plan. Mr. Betz stated that there is no movement on that currently. Commissioner Gill inquired about hiring a consultant. Mr. Betz stated that the Public Art Master Plan needs to be considered as part of a larger Parks and Recreation master plan that needs to be developed.

J. ADJOURNMENT

Commissioner Samuels moved to adjourn the meeting. Commissioner Gill seconded the motion. The motion passed. The meeting adjourned at 7:29 PM.

Ayes: Commissioners Dunn, Gill, Ramezani, May and Samuels

Nays: None

Abstain: None

Absent: None.