

City Council
Regular Meeting
Tuesday, November 18, 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.

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

Sarah Fry, 8th Grade, American Martyrs Catholic School

B. NATIONAL ANTHEM

5 MINUTES

Performance by Manhattan Beach Middle School Orchestra

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, November 12, 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 to Community Development Director Richard Thompson in Recognition of his Dedicated Service to the City of Manhattan Beach. [14-0494](#)
PRESENT
2. Recognition of Manhattan Beach Community Emergency Response Team (CERT) Emergency Medical Response (EMR) Callout Team Members. [14-0443](#)
PRESENT
3. Presentation of a Proclamation Declaring November 20, 2014, as the Great American Smokeout Day. [14-0513](#)
PRESENT

Attachments: [Great American Smokeout 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.

4. Final Payment in the Net Amount of \$50,112.98 to Nobest, Inc., for the Section 2 Concrete Repair and Miscellaneous Slurry Project; Formally Accept the Section 2 Concrete Repair and Miscellaneous Slurry Project As Complete; Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$56,931.19 (Public Works Director Olmos).

[14-0382](#)

APPROVE

Attachments: [Revenue and Expenditure Table](#)
[Project Area Map- Area 2](#)

5. Purchase of One Stormwater and Wastewater Pipeline Closed Circuit Television (CCTV) Camera from Atlantic Machinery, Inc. in the Amount of \$79,167 (Public Works Director Olmos).

[14-0501](#)

APPROVE

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6. Approval of Plans and Specifications for the City Yard Cover Project, [CON 14-0053](#)
Reject the Low Bid and Award a Construction Contract to Creative Home, Inc. DBA CHI Construction (\$672,262) for the City Yard Cover Project, and Award a Professional Engineering Services Contract to Hamilton and Associates, Inc. (\$113,351) for Construction Inspection Services (Public Works Director Olmos).

APPROVE

Attachments: [Budget and Expenditures, City Yard Cover Project](#)
[Project Location Aerial Map](#)
[Bid Results for Apparent Low Bidder - Concept Consultant, Inc.](#)
[Construction Contract Agreement - Creative Homes Inc. DBA CHI Construction](#)
[Inspection Agreement for Professional Services - Hamilton & Associates, Inc.](#)

7. Amendment No. 2 to Agreement with Community Works Design Group [CON 14-0054](#)
for Additional Design Services for the Strand Stairs Rehabilitation Project
(Public Works Director Olmos).

APPROVE

Attachments: [Budget & Expenditures](#)
[Location Map](#)
[Design Services Amendment No. 2 with Community Works Design Group](#)

8. Amendment No. 6 to the South Bay Workforce Investment Board Joint [CON 14-0055](#)
Exercise Agreement (Assistant City Manager Nader/City Clerk Tamura).

APPROVE

Attachments: [Amendment No. 6 Agreement](#)

9. Award Contract to General Pump Company, Inc. to Provide Chemical [CON 14-0056](#)
Treatment and Mechanical Well Head Reconditioning of Well 11A;
Appropriation of \$122,738 from the Water Fund Available Fund Balance
(Public Works Director Olmos).

APPROVE AND APPROPRIATE

Attachments: [Agreement with General Pump Company Inc.](#)

10. Ordinance No. 14-0017 Amending and Restating Municipal Code [ORD 14-0017](#)
Provisions Governing Nuisances and Nuisance Abatement Procedures
(City Attorney Barrow).

ADOPT ORDINANCE NO. 14-0017

Attachments: [Ordinance No. 14-0017](#)
[MBMC Chapters 4.60 & 9.68](#)

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11. Adopt 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](#)
ADOPT ORDINANCE NO. 14-0020
Attachments: [Ordinance No. 14-0020](#)
12. Reject all Bids for the Strand Stairs Rehabilitation Project; Reject all Bids for the Strand Wall Repair and Enhancement Project (Public Works Director Olmos). [14-0497](#)
APPROVE
13. Minutes: [14-0345](#)
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 October 21, 2014
b) Special City Council Meeting of November 6, 2014
(City Clerk Tamura).
APPROVE
Attachments: [City Council Regular Meeting Minutes of October 21, 2014](#)
[Special City Council Meeting Minutes of November 6, 2014](#)

M. PUBLIC HEARINGS

30 MINUTES PER ITEM

N. GENERAL BUSINESS

30 MINUTES PER ITEM

14. Consideration of the Parking and Public Improvement Commission's recommendation to uphold an Encroachment Permit Appeal and allow a private water fountain feature in the public Right-of-Way to remain - 130 41st Street (Community Development Director Thompson). [14-0451](#)
DENY APPEAL
Attachments: [PPIC 9-25-14 Staff Report and Attachments](#)
[PPIC 9-25-14 Draft Minutes \(Final minutes not yet adopted\)](#)
[Written Public Comments](#)
[Encroachment Appeal Plans](#)
[Encroachment Permit Required Findings](#)
[Encroachment Permit Standards - 7.36.150](#)
[Encroachment Permit Handout \(Applicable Sections\)](#)

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15. Update on On-Line Civic Engagement Tools and Social Media [14-0500](#)
(Continued from the November 19, 2013 and February 18, 2014 City Council Meetings) (Finance Director Moe).

RECEIVE REPORT

Attachments: [GORequest Citizen Service Requests 10/1/2013 to 11/1/2014](#)
[Social Media Policy](#)

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.

16. Financial Reports: [14-0490](#)
Schedule of Demands: October 23, 2014 (Finance Director Moe).
RECEIVE AND FILE

Attachments: [Schedule of Demands Register for October 23, 2014](#)

S. ADJOURNMENT

T. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Dec. 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 15, 2014 - Monday -- 5:00 PM - Adjourned Regular Meeting (Tentative)
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. 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. 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
Nov. 11, 2015 – Wednesday – Veterans Day