

City Council
Regular Meeting
Tuesday, July 7, 2015
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
Captain Derrick Abell, Acting 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
Marisa Lundstedt, Community
Development Director

MISSION STATEMENT:

The City of Manhattan Beach is dedicated to providing exemplary municipal services, preserving our small beach town character and enhancing the quality of life for our residents, businesses and visitors.

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

Your presence and participation contribute to good city government.

By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified two additional times for public comments on the agenda--under "Community Announcements Regarding Upcoming Events," at which time the public may address the City Council regarding any upcoming events for up to one minute in duration for any speaker; and again under "Public Comment on Non-Agenda Items," at which time speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, not including items on the agenda, for up to three minutes for each speaker. Estimated times have been placed under each heading to assist with meeting management. Please note that these times are merely an estimate.

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

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.citymb.info, the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). Notification 36 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED. THE RECOMMENDED COUNCIL ACTION IS LISTED IMMEDIATELY AFTER THE TITLE OF EACH ITEM IN BOLD CAPITAL LETTERS.**A. PLEDGE TO THE FLAG**

5 MINUTES

B. NATIONAL ANTHEM

Kevin Sousa

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, July 1, 2015, 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

G. REORGANIZATION AND 15 MINUTE RECESS

1. City Council Assignments (City Clerk Tamura). [15-0337](#)
APPROVE

Attachments: [City Council Assignment and Committee Descriptions](#)
[City Council Assignments \(Mark Burton\)](#)

H. RECESS AND RECONVENE

15 MINUTES

I. CITY MANAGER REPORT

5 MINUTES

J. CITY ATTORNEY REPORT

5 MINUTES

K. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

L. 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!

M. 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.

N. CONSENT CALENDAR

5 MINUTES

NOTICE TO THE PUBLIC - The items on the "Consent Calendar" are routine and customary business items and will be enacted with one vote. The Mayor will ask the public, the City Councilmembers and the staff if there is anyone who wishes to remove any item from the "Consent Calendar" for public comment, discussion and consideration. The matters removed from the "Consent Calendar" will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." At that time, any member of the audience may comment on any item pulled from the "Consent Calendar." The entire "Consent Calendar," with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion, after the Mayor has invited the public to speak.

2. Final Payment in the Amount of \$83,322.98 to GMZ Engineering, Inc.; Formally Accept the Sepulveda Boulevard and 2nd Street Water Main Replacement Project as Complete; and Authorize the Filing of the Appropriate Notice of Completion and Release of Retention in the Amount of \$58,967.67 (Public Works Director Olmos). [15-0286](#)
APPROVE
Attachments: [Sepulveda Water Main - \(Budget and Expenditures\)](#)

3. Approval of HDR Change Order for Phase II Environmental Work in the Amount of \$60,782 (Public Works Director Olmos). [15-0319](#)
APPROVE
Attachments: [Expenditure Analysis](#)
[Task Order for Phase II Environmental Work](#)

4. Decommissioning Policy for Public Art (Parks and Recreation Director Leyman). [15-0312](#)
APPROVE
Attachments: [Decommissioning Policy](#)
[Decommissioning Policy Worksheet](#)
[Standard Condition Report](#)

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5. Second Reading and Adoption of Ordinance No. 15-0013 Amending Municipal Code Section 4.48.090 - Limited Alcoholic Beverage Use on Public Property - Special Permit - Ordinance 15-0013, Requiring that the Permit Provides a Public Benefit to the Community (Parks and Recreation Director Leyman). [ORD 15-0013](#)
- SECOND READING AND ADOPTION OF ORDINANCE NO. 15-0013**
- Attachments:** [Ordinance No. 15-0013](#)
6. Appropriate Funds in the Amount of \$10,000 and Authorize City Manager to Submit Payment in Same Amount to Southern California Edison (SCE) for Preparation of a Street Light Valuation [15-0329](#)
- APPROVE**
7. Minutes: [15-0019](#)
- 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-Study Session of June 8, 2015
 - b) City Council Adjourned Regular Meeting-Closed Session of June 16, 2015
 - c) City Council Adjourned Regular Meeting-Special Meeting of June 16, 2015
 - d) City Council Regular Meeting of June 16, 2015
 - e) City Council Adjourned Regular Meeting-Study Session of June 23, 2015
- (City Clerk Tamura).
- APPROVE**
- Attachments:** [City Council Adjourned Regular Meeting-Study Session Minutes of June 8, 2015](#)
[City Council Adjourned Regular Meeting-Closed Session Minutes of June 16, 2015](#)
[City Council Adjourned Regular Meeting-Special Meeting Minutes of June 16, 2015](#)
[City Council Regular Meeting Minutes of June 16, 2015](#)
[City Council Adjourned Regular Meeting-Study Session Minutes of June 23, 2015](#)

O. PUBLIC HEARINGS

30 MINUTES PER ITEM

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8. Conduct Public Hearing Regarding Resolution No. 15-0042 to Consider the Fiscal Years 2016-2020 Capital Improvement Plan (Public Works Director Olmos). [RES 15-0042](#)
CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 15-0042
Attachments: [Resolution No. 15-0042](#)
[CIP 2016-2020](#)
[Unfunded Projects List](#)
9. Conduct Public Hearing to Consider a One-year Extension of the Interim Zoning Ordinance (IZO) Prohibiting the Conversion of Any Commercial Use to a Different Commercial Use Classification in the Downtown Area of the City (Community Development Director Lundstedt). [ORD-U 15-0017](#)
CONDUCT PUBLIC HEARING AND ADOPT ORD-U 15-0017
EXTENDING THE IZO FOR ONE YEAR
Attachments: [Urgency Ordinance No. 15-0017](#)
[IZO-ORD-U 14-0016- Current IZO – August 19, 2014](#)
10. Conduct Public Hearing Regarding the Proposed Solid Waste Fees for the Food Waste Recycling Program (Public Works Director Olmos). [ORD 15-0011](#)
CONDUCT PUBLIC HEARING; ADOPT ORDINANCE NO. 15-0011;
APPROVE CONTRACT AMENDMENT NO. 15-0037
Attachments: [Ordinance No. 15-0011](#)
[Waste Management Food Waste Diversion Program](#)
[Contract Amendment No. 15-0037](#)
[Waste Management Outreach Materials](#)
11. Conduct Public Hearing Regarding Renewal of Downtown Business Improvement District for Fiscal Year 2015-2016 Including Authorization to Collect Assessments; Ratification of the District Advisory Board; Authorization to Enter Into an Agreement with the Downtown Manhattan Beach Business and Professional Association; and Authorization to Disburse Fiscal Year 2014-2015 Assessments Collected (Finance Director Moe). [RES 15-0035](#)
CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 15-0035;
RATIFY BOARD; APPROVE
Attachments: [Resolution No. 15-0035](#)
[List of FY 2015-2016 Business Improvement District Advisory Board Member N](#)
[Agreement Between Business Improvement District and Downtown Manhattan I](#)
[Downtown Business Improvement District Activity Plan - May 2015](#)
[Boundary Map of the Downtown Business Improvement District](#)

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12. Conduct Public Hearing and Adoption of Resolution No. 15-0045 for a Coastal Development Permit to Allow a Modification to the Existing Downtown Valet Parking Program (Community Development Director Lundstedt). [RES 15-0045](#)

ADOPT RESOLUTION NO. 15-0045

Attachments: [Resolution No. 15-0045](#)
[PPIC-Downtown Valet June 11, 2015](#)
[Crimson Parking Agreement and OP Plan 2015](#)

P. GENERAL BUSINESS

30 MINUTES PER ITEM

13. Ratification of Former Human Resources Director Separation Agreement (City Attorney Barrow). [CON 15-0038](#)

RATIFY APPROVAL OF SEPARATION AGREEMENT WITH THE FORMER HUMAN RESOURCES DIRECTOR

14. Approve Temporary Traffic Calming Measures at Valley Drive/Oak Avenue/35th Street as Recommended by the Parking and Public Improvements Commission (Community Development Director Lundstedt). [15-0278](#)

APPROVE

Attachments: [April 23, 2015 Parking and Public Improvements Commission Staff Report](#)
[April 23, 2015 Parking and Public Improvements Commission Draft Minutes](#)
[Valley Drive at Oak Street Traffic Calming Concept H](#)

15. Consideration of an Ordinance Amending Chapter 2.36 of the Manhattan Beach Municipal Code (Purchasing) Changing the Informal and Formal Bid Limits and Other Minor Changes (Finance Director Moe). [ORD 15-0007](#)

WAIVE FURTHER READING; INTRODUCE ORDINANCE NO. 15-0007

Attachments: [Purchasing Ordinance No. 15-0007 Redline](#)
[Ordinance No. 15-0007](#)
[Bid Limit Survey of Other Cities](#)
[Stratification of FY 2013-2014 Purchases](#)

16. Strand Alcove Bench Policy (Parks and Recreation Director Leyman). [15-0300](#)

APPROVE AND PROVIDE DIRECTION

Attachments: [Strand Alcove Bench Policy](#)
[Strand Alcove Bench Donation Brochure](#)

17. Appoint to the Vacant Parking and Public Improvements Commission Business Community Seat No. 2 (City Clerk Tamura). [15-0324](#)

APPOINT

Q. 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.

R. 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

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

T. 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.

18. Financial Reports:

[15-0257](#)

- a) Schedule of Demands: June 4, 2015
- b) Investment Portfolio for the Month Ending May 31, 2015
- c) Financial Reports for the Month Ending May 31, 2015
(Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedule of Demands Register for June 4, 2015](#)
[Investment Portfolio for the Month Ending May 31, 2015](#)
[Financial Reports for the Month Ending May 31, 2015](#)

19. Commission Minutes:

[15-0313](#)

This Item Contains Minutes of City Commission Meetings. Staff Recommends that the City Council, by Motion, Take Action to Receive and File the Minutes of the:

- a) Parks and Recreation Commission Meeting of May 18, 2015
(Parks and Recreation Director Leyman).
- b) Planning Commission Meeting of June 24, 2015
(Community Development Director Lundstedt).

RECEIVE AND FILE

Attachments: [Parks and Recreation Commission Minutes of May 18, 2015](#)
[Planning Commission Minutes of June 24, 2015](#)

U. ADJOURN CITY COUNCIL MEETING TO A MEETING OF THE MANHATTAN BEACH CAPITAL IMPROVEMENTS COPORATION

1. CALL MEETING TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT ON CAPITAL IMPROVEMENTS CORPORATION AGENDA

4. GENERAL BUSINESS

- A.** Reorganization of the Manhattan Beach Capital Improvements Corporation (Finance Director Moe).

[15-0336](#)

ELECT A NEW PRESIDENT AND VICE PRESIDENT

V. ADJOURN MANHATTAN BEACH CAPITAL IMPROVEMENTS COPORATION AND RECONVENE CITY COUNCIL MEETING

W. ADJOURNMENT

X. FUTURE MEETINGS**CITY COUNCIL MEETINGS**

Jul. 8, 2015 – Wednesday-- 1:00 PM - Adjourned Regular Meeting - Closed Session
Jul. 8, 2015 – Wednesday-- 2:00 PM - Adjourned Regular Meeting - Study Session
Jul. 15, 2015 – Wednesday-- 2:00 PM - Adjourned Regular Meeting - Closed Session
Jul. 21, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 4, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 10, 2015 – Monday -- 2:00 PM - Adjourned Regular Meeting - Study Session
Aug. 18, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 1, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 15, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 6, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 20, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 3, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 17, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 1, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 15, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Jan. 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Jan. 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 2, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 16, 2016 – Tuesday -- 6:00 PM - City Council Meeting
March 1, 2016 – Tuesday -- 6:00 PM - City Council Meeting
March 15, 2016 – Tuesday -- 6:00 PM - City Council Meeting
April 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting
April 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting/Reorganization

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

July 8, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
July 13, 2015 – Monday – 6:30 PM – Library Commission Meeting
July 14, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
July 22, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
July 23, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
July 27, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
August 10, 2015 – Monday – 6:30 PM – Library Commission Meeting
August 11, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
August 24, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
September 14, 2015 – Monday – 6:30 PM – Library Commission Meeting
September 15, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
September 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
October 12, 2015 – Monday – 6:30 PM – Library Commission Meeting
October 13, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
October 14, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
October 22, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
October 26, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
October 28, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
November 9, 2015 – Monday – 6:30 PM – Library Commission Meeting
November 10, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
November 11, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
November 25, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
November 26, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
November 23, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
December 8, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
December 9, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
December 14, 2015 – Monday – 6:30 PM – Library Commission Meeting
December 23, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
December 24, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
December 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

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

Sep. 7, 2015 – Monday – Labor Day
Oct. 12, 2015 – Monday – Columbus Day
Nov. 11, 2015 – Wednesday – Veterans Day
Nov. 26-27, 2015 – Thursday & Friday – Thanksgiving Holiday
Dec. 25, 2015 – Friday – Christmas Day
Jan. 1, 2016 – Friday – New Years Day
Jan. 18, 2016 – Monday – Martin Luther King Day
May 30, 2016 – Monday – Memorial Day
Jul. 4, 2016 - Monday- Independence Day