

## City Council Regular Meeting

**Tuesday, August 18, 2015**

**6:00 PM**

**City Council Chambers**



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

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 provided two early opportunities for public comments - under "City Council and Community Organization Announcements of Upcoming Events," at which time community organization representatives may notify the public of upcoming events and under "Public Comments," at which time speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the City Council, including items on the agenda. In addition, speakers may comment during any public hearing after the public hearing on that item has been opened.*

*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](http://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. The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.*

**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****B. ROLL CALL****C. CEREMONIAL CALENDAR**

1. Presentation of Employee Service Awards to Employees Attaining 20 Years of Service or More. [15-0362](#)  
**PRESENT**
2. Presentation of a City Plaque to the Shade Hotel for their Efforts to Improve the Quality of Life for their Neighbors through their Sound Mitigation Project. [15-0386](#)  
**PRESENT**

**D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING**

*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, August 12, 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**

*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. CITY COUNCIL AND COMMUNITY ORGANIZATION ANNOUNCEMENTS OF UPCOMING EVENTS (1 MINUTE PER PERSON)**

*City Councilmembers and community organization representatives may inform the public about upcoming events.*

**G. CITY MANAGER REPORT****H. CITY ATTORNEY REPORT****I. PUBLIC COMMENTS (2 MINUTES PER PERSON PER ITEM, A MAXIMUM OF 5 MINUTES IF A SPEAKER WANTS TO COMMENT ON MORE THAN ONE ITEM)**

*Speakers may comment on any item on the agenda that is not a public hearing, as well as any item of interest to the public that is within the subject matter jurisdiction of the City Council. The Mayor may determine whether an item is within the subject matter jurisdiction of the City Council. 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, the item(s) you would like to offer public comment, and returning it to the City Clerk.*

**J. PLANNING COMMISSION QUASI-JUDICIAL DECISIONS (RECEIVE AND FILE)**

*This is an opportunity for a Councilmember to submit a written request that the City Council review the Planning Commission decision, in which case a duly noticed public hearing on the matter will be scheduled for a later date. In the absence of a written request, the matter will be received and filed by order of the chair.*

*The Planning Commission recently took action on the following matter(s):*

**None.**

**K. CONSENT CALENDAR (APPROVE)**

*Items on the "Consent Calendar" are routine and customary business items and will be enacted with one vote. Removal of items from the Consent Calendar for individual consideration will be at a City Councilmember's discretion. In such case, the item will be heard during general business.*

3. Award of Five-Year Contract to Duthie Power Services to Provide Auxiliary Power Generator Maintenance in the Amount of \$167,563 (Public Works Director Olmos).

[CON 15-0044](#)

**APPROVE**

**Attachments:** [Agreement with Duthie Power Services](#)

4. Approve Three-Year Lease Agreement of Groundwater Rights from Chevron U.S.A., Inc. (Public Works Director Olmos). [CON 15-0043](#)  
**APPROVE**  
*Attachments:* [Water Lease Agreement](#)
5. Change Order No. 1 in the Amount of \$12,680.26 and Final Payment in the Amount of \$62,315.14 to Griffith Company; Formally Accept the Sepulveda Boulevard at Marine Avenue Intersection Improvements Project as Complete; and Authorize the Filing of the Appropriate Notice of Completion and Release of Retention in the Amount of \$22,273.96 (Public Works Director Olmos). [15-0360](#)  
**APPROVE**  
*Attachments:* [Budget and Expenditures](#)
6. Summary Vacation of a Street Easement on the East Side of Ardmore Avenue, at 1800 North Ardmore Avenue (Public Works Director Olmos). [RES 15-0050](#)  
**APPROVE**  
*Attachments:* [Resolution No. 15-0050](#)  
[Exhibit A](#)
7. Fiscal Year 2014-2015 Budget Report for Fourth Quarter (Pre-Audit) (Finance Director Moe). [15-0357](#)  
**RECEIVE REPORT**  
*Attachments:* [FY 2014-2015 Budget Report 4Q](#)
8. Minutes: [15-0022](#)  
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 August 4, 2015  
b) City Council Adjourned Regular Meeting-Closed Session of August 10, 2015  
(City Clerk Tamura).  
**APPROVE**  
*Attachments:* [City Council Regular Meeting Minutes of August 4, 2015](#)  
[City Council Adjourned Regular Meeting-Closed Session Minutes of August 10,](#)

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9. Financial Reports: [15-0341](#)  
a) Schedule of Demands: July 16, 2015  
b) Investment Portfolio for the Month Ending June 30, 2015  
c) Preliminary Financial Reports for the Month Ending June 30, 2015  
(Finance Director Moe).  
**APPROVE; RECEIVE AND FILE**

**Attachments:** [Schedule of Demands for July 16, 2015](#)  
[Investment Portfolio for the Month Ending June 30, 2015](#)  
[Preliminary Financial Reports for the Month Ending June 30, 2015](#)

## L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

## M. OLD BUSINESS

*This section is for any unfinished agenda items from a prior City Council Meeting.*

## N. NEW BUSINESS

10. Youth Art Education Initiative (Art Lab) (Parks and Recreation Director Leyman). [15-0370](#)  
**APPROVE**

**Attachments:** [Manhattan Beach Art Lab](#)

11. Water Conservation Update (Public Works Director Olmos). [15-0374](#)  
**RECEIVE REPORT; DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Water Conservation Tracker \(June - July\)](#)

12. Review Regulation of Smoking in Multi-Unit Housing, and Institution of a Tobacco Retail Licensing Program in Manhattan Beach (Public Works Director Olmos). [15-0375](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Smokefree Air for Everyone Public Opinion Survey Report](#)  
[Draft Ordinance No. 15-0019, Regulating Smoking in Multi-Unit Housing](#)  
[Map of Multi-Unit Housing in Manhattan Beach](#)  
[Los Angeles County Public Health Non-Smoking Multi-Unit Housing Ordinances](#)  
[Draft Ordinance No. 15-0020, Tobacco Retail Licensing](#)  
[Map of Tobacco Retailers in Manhattan Beach](#)  
[Summary of TRL Fees in California](#)  
[SAFE Support Letter for Multi-Unit Housing](#)

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13. Additional Open Government Initiatives and Department Head Employment Agreements (City Attorney Barrow). [15-0376](#)  
**DISCUSS AND PROVIDE DIRECTION**
14. City-Wide Civility Policy (City Attorney Barrow). [15-0384](#)  
**DISCUSS AND APPROVE**  
*Attachments:* [Civility Policy](#)
15. Discussion of a Development Strategy for the Property Located on Parkview (City Council). [15-0383](#)  
**DISCUSS AND PROVIDE DIRECTION**

**O. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS AND TRAVEL REPORTS, INCLUDING AB 1234 REPORTS (COMMITTEE REPORTS)**

**P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS**

16. Agenda Forecast (City Clerk Tamura). [15-0389](#)  
**DISCUSS AND PROVIDE DIRECTION**  
*Attachments:* [August 12, 2015 Agenda Forecast](#)

**Q. INFORMATIONAL ITEMS**

*This section is for items that do not require City Council action.*

17. Commission Minutes: [15-0388](#)  
This Item Contains Minutes of the following City Commission Meetings:  
Cultural Arts Commission Meeting of July 14, 2015 (Parks and Recreation Director Leyman).  
**INFORMATION ITEM ONLY**  
*Attachments:* [Cultural Arts Commission Minutes of July 14, 2015](#)

**R. CLOSED SESSION**

**S. ADJOURNMENT**

**T. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

*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*  
*May 3, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*May 5, 2016 – Tuesday -- Time TBD - Budget Study Session #1*  
*May 10, 2016 – Tuesday -- Time TBD - Budget Study Session #2*  
*May 12, 2016 – Tuesday -- Time TBD - Budget Study Session #3*  
*May 17, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*May 19, 2016 – Tuesday -- Time TBD - Budget Study Session #4*  
*June 7, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*June 21, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*July 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*July 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*Aug. 2, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*Aug. 16, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*Sep. 6, 2016 – Tuesday -- 6:00 PM - City Council Meeting*  
*Sep. 20, 2016 – Tuesday -- 6:00 PM - City Council Meeting*

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

Aug. 11, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting  
Aug. 24, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Sept. 14, 2015 – Monday – 6:30 PM – Library Commission Meeting  
Sept. 15, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting  
Sept. 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Oct. 12, 2015 – Monday – 6:30 PM – Library Commission Meeting  
Oct. 13, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting  
Oct. 14, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Oct. 22, 2015 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting  
Oct. 26, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Oct. 28, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Nov. 9, 2015 – Monday – 6:30 PM – Library Commission Meeting  
Nov. 10, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting  
Nov. 11, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Nov. 25, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Nov. 26, 2015 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting  
Nov. 23, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Dec. 8, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting  
Dec. 9, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Dec. 14, 2015 – Monday – 6:30 PM – Library Commission Meeting  
Dec. 23, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting  
Dec. 24, 2015 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting  
Dec. 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

**U. 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