

## City Council Regular Meeting

**Regular Meeting**  
**Tuesday, May 17, 2016**  
**6:00 PM**  
**City Council Chambers**



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

### Executive Team

Mark Danaj, City Manager  
Quinn Barrow, City Attorney

Robert Espinosa, Fire Chief  
Teresia Zadroga-Haase, Human Resources Director  
Eve R. Irvine, Police Chief  
Mark Leyman, Parks & Recreation Director  
Bruce Moe, Finance Director  
Sanford Taylor, Information Technology 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 recognized for providing exemplary municipal services and contributing to the exceptional quality of life afforded to residents, businesses and visitors who enjoy living in and visiting California's safest beach community**

**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**

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

*I, Matthew Cuevas, Management Analyst of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, May 11, 2016, 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 FOR ONE ITEM, A MAXIMUM OF 5 MINUTES IF A SPEAKER WANTS TO COMMENT ON MORE THAN ONE ITEM)**

*THIS IS YOUR OPPORTUNITY TO COMMENT ON ANY ITEM ON THE AGENDA THAT IS NOT A PUBLIC HEARING, AS WELL AS ANY ITEM 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. 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.

1. Ratify the Appointment of the Mira Costa High School Student Nominee, Grace Lauson, to Seat No. 7 of the Parks and Recreation Commission (City Clerk Tamura). [16-0252](#)  
**APPOINT**
  
2. Purchase of One Budgeted Vacuum Excavation Machine from E.H. Wachs in the Amount of \$74,237.53 (Finance Director Moe). [16-0169](#)  
**WAIVE FORMAL BIDDING; APPROVE**
  
3. Approval of Contract Amendments #2 and #3 (\$20,985) to Communication Strategies for Technology Consulting Services (Finance Director Moe). [CON 16-0019](#)  
**APPROVE**  
  

Attachments: [Com-Strat Original Contract](#)  
[Com-Strat Contract Amendment #1](#)  
[Com-Strat Contract Amendment #2](#)  
[Com-Strat Contract Amendment #3](#)
  
4. Approve Continued Use of As-Needed Professional Services Agreement with Transtech Engineers, Inc. and Penco Engineering, Inc. for Design Engineering Services (Public Works Director Olmos). [16-0107](#)  
**APPROVE**  
  

Attachments: [Transtech Task Order Summary](#)  
[Penco Task Order Summary](#)
  
5. Fiscal Year 2015-2016 Third Quarter Budget Status Report [16-0261](#)  
**RECEIVE REPORT; APPROPRIATE PROPOSITION A FUNDS;  
TRANSFER MEASURE R FUNDS**  
  

Attachments: [FY 2015-16 Third Quarter Results](#)
  
6. Third Quarter Review of City's Existing Capital Improvement Plan (Public Works Director Olmos). [16-0159](#)  
**RECEIVE AND FILE**  
  

Attachments: [FY15-16 CIP Project Status List, QTR 3](#)

- 
7. Letter of Opposition to Assembly Bill (AB 2586 - Gatto) Regarding Limitations on Local Government Authority to Regulate Parking (Traffic Engineer Zandvliet and Management Fellow Davis). [16-0182](#)

**AUTHORIZE LETTER**

**Attachments:** [Assembly Bill 2586 - Parking](#)  
[Assembly Bill 2586 - Draft Opposition Letter](#)

8. Financial Report: [16-0101](#)  
a) Schedule of Demands: April 28, 2016  
b) Investment Portfolio for the Month Ending March 31, 2016  
c) Month End Report for March 31, 2016  
(Finance Director Moe).

**ACCEPT REPORT AND DEMANDS**

**Attachments:** [Schedule of Demands for April 28, 2016](#)  
[Investment Portfolio for the Month Ending March 31, 2016](#)  
[Month End Report for March 31, 2016](#)

9. City Council Minutes: [16-0251](#)  
This Item Contains Minutes of the following City Council Meeting:  
a) City Council Regular Meeting - Study Session Minutes of March 28, 2016  
**APPROVE**  
b) City Council Regular Meeting - Council Retreat Minutes of April 7, 2016  
**APPROVE**  
c) City Council Regular Meeting - Joint City Council/Planning Commission Meeting Minutes of April 12, 2016  
**APPROVE**  
d) City Council Regular Meeting - Closed Session and Downtown Specific Plan Minutes of April 18, 2016  
**APPROVE**  
e) City Council Regular Meeting - Boards and Commissions Interviews Minutes of May 3, 2016  
**APPROVE**  
f) City Council Regular Meeting Minutes of May 3, 2016  
**CONTINUED TO JUNE 7, 2016 CITY COUNCIL REGULAR MEETING**  
g) City Council Regular Meeting - Budget Study Session #1 Minutes of May 5, 2016  
**APPROVE**  
h) City Council Regular Meeting - Closed Session Minutes of May 9, 2016  
**APPROVE**  
(City Clerk Tamura).

**Attachments:** [City Council Regular Meeting - Study Session Minutes of March 28, 2016](#)  
[City Council Regular Meeting - Council Retreat Minutes of April 7, 2016](#)  
[City Council Regular Meeting - Joint City Council-Planning Commission Meeting](#)  
[City Council Regular Meeting - Closed Session and Downtown Specific Plan Mi](#)  
[City Council Regular Meeting - Boards and Commissions Interviews Minutes of](#)  
[City Council Regular Meeting - Budget Study Session #1 Minutes of May 5, 201](#)  
[City Council Regular Meeting - Closed Session Minutes of May 9, 2016](#)

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

**M. OLD BUSINESS**

10. Report on As-Needed Engineering Services Program (Continued from the May 3, 2016 City Council Regular Meeting) (Public Works Director Olmos). [16-0160](#)

**RECEIVE REPORT**

**Attachments:** [Task Order Summary](#)  
[PowerPoint Presentation](#)

**N. NEW BUSINESS**

11. Report on Power Reliability and Southern California Edison's Capital Improvement Program (Public Works Director Olmos). [16-0184](#)

**RECEIVE REPORT**

**Attachments:** [SCE Presentation May 17, 2016](#)

12. Award a Professional Engineering Services Contract to MWH Americas, Inc. for Design Services for the Peck Reservoir Replacement Project in the Amount Not-to-Exceed \$1,358,640 (Public Works Director Olmos). [CON 16-0014](#)

**APPROVE**

**Attachments:** [Budget and Expenditures](#)  
[MWH Project Proposal](#)  
[MWH Professional Services Agreement](#)  
[Powerpoint Presentation](#)

13. Pilot Sunscreen Dispenser Program Recommended by the Parks and Recreation Commission (Parks and Recreation Director Leyman). [16-0147](#)

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Sunscreen Dispenser Comparison](#)  
[Proposed Sunscreen Dispenser Locations](#)  
[Sunscreen Dispenser Photos](#)  
[Sunscreen Dispenser Sponsorship Wrap](#)

14. One Year Extension of Master Agreement with Manhattan Beach Unified School District Regarding Use and Maintenance of School District Fields and Facilities (City Attorney Barrow). [CON 16-0015](#)

**APPROVE**

**Attachments:** [MBUSD Agreement](#)  
[Amendment to Agreement](#)

**O. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS**

*Request by Councilmember Burton to discuss Brian Sweeney claim.*

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

15. Agenda Forecast (City Clerk Tamura). [16-0258](#)  
**DISCUSS AND PROVIDE DIRECTION**

Attachments: [May 11, 2016 Agenda Forecast](#)

**Q. INFORMATIONAL ITEMS**

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

16. Commission Minutes: [16-0255](#)  
This Item Contains Minutes of the following City Commission Meetings:  
Planning Commission Action Minutes of April 27, 2016 (Community  
Development Director Lundstedt).  
**INFORMATION ITEM ONLY**

Attachments: [Planning Commission Action Minutes of April 27, 2016](#)

**R. CLOSED SESSION**

- a. **CONFERENCE WITH LEGAL COUNSEL (ANTICIPATED LITIGATION)**  
**(Government Code Section 54956.9 (d)(2))**

**A point has been reached where, in the opinion of the City Council on the advice of its City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation against the City.**

**Number of Potential Cases: 1**

- b. **CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)**  
**(Government Code Section 54956.9(d)(1))**

**On June 16, 2015, the State Water Board adopted a final order resolving the petition for review filed on behalf of the City challenging the 2012 Los Angeles MS4 Permit ("Permit"). The City Council has previously authorized defending actions brought to challenge the final order.**

**c. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)  
(Government Code Section 54956.9 (d)(1))**

**Sensible Citizens of Manhattan Beach v. City of Manhattan Beach,  
RREEF AMERICA REIT CORP. BBB II; RREEF AMERICA REIT II CORP. BBB  
Case No. BS152854**

**Sensible Citizens of Manhattan Beach v. City of Manhattan Beach  
Case No. BC570884**

**After the City Council certified an Environmental Impact Report and approved the Village Mall renovation project, the Sensible Citizens of Manhattan Beach filed two lawsuits to challenge the City Council's actions. Trial is scheduled for October 12, 2016.**

**S. ADJOURNMENT**

**T. FUTURE MEETINGS**

**CITY COUNCIL MEETINGS**

*May 23, 2016 - Tuesday -- 6:00 PM - Budget Study Session # 2  
May 31, 2016 - Tuesday -- 6:00 PM - Budget Study Session # 3 (Tentative)  
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  
Oct. 4, 2016 - Tuesday - 6:00 PM - City Council Meeting  
Oct. 18, 2016 - Tuesday - 6:00 PM - City Council Meeting*



**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

May 23, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
May 25, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting  
May 26, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting  
June 8, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting  
June 13, 2016 – Monday – 6:30 PM – Library Commission Meeting  
June 14, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting  
June 22, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting  
June 23, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting  
June 27, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
July 11, 2016 - Monday - 6:30 PM - Library Commission Meeting  
July 12, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting  
July 13, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
July 25, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting  
July 27, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
July 28, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting

**U. CITY OFFICES CLOSED****CITY HOLIDAYS:**

May 30, 2016 – Monday – Memorial Day  
Jul. 4, 2016 - Monday - Independence Day  
Sep. 5, 2016 - Monday - Labor Day  
Oct. 10, 2016 – Monday – Columbus Day  
Nov. 11, 2016 – Friday – Veterans Day  
Nov. 24-25, 2016 - Thursday & Friday - Thanksgiving Holiday  
Dec. 26, 2016 - Monday - Christmas Day Observed  
Jan. 2, 2017 – Monday – New Years Day Observed  
Jan. 16, 2017 – Monday – Martin Luther King Day  
Feb. 20, 2017 - Monday - Presidents Day

**CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:**

May 27, 2016 - Friday  
June 10, 2016 - Friday  
June 24, 2016 - Friday  
July 8, 2016 - Friday  
July 22, 2016 - Friday  
Aug. 5, 2016 - Friday  
Aug. 19, 2016 - Friday  
Sep. 2, 2016 - Friday  
Sep. 16, 2016 - Friday  
Sep. 30, 2016 - Friday  
Oct. 14, 2016 - Friday  
Oct. 28, 2016 - Friday  
Nov. 11, 2016 - Friday  
Nov. 23, 2016 - Friday  
Dec. 9, 2016 - Friday  
Dec. 23, 2016 - Friday