

City Council

Revised Agenda for the Regular Meeting

Tuesday, July 15, 2014

6:00 PM

City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session



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

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
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

B. ROLL CALL

1 MINUTE

C. CERTIFICATION OF MEETING NOTICE AND REVISED AGENDA POSTING

1 MINUTE

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/ revised agenda was posted on Friday, July 11, 2014, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

D. 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.

E. CEREMONIAL CALENDAR

30 MINUTES

1. Presentation of a Commendation to Nicholas Arquette for his Contributions to "Walk with Sally," a 501(C)3 Public Benefit Corporation, Dedicated to Providing Mentoring Support Programs and Services to Children of Parents or Siblings with Cancer. [14-0327](#)
PRESENT
2. Presentation of a Proclamation Declaring July 26, 2014, as "P.S. I Love You Foundation "Adopt a Child for One Day" Day". [14-0326](#)
PRESENT

F. CITY MANAGER REPORT

5 MINUTES

3. Report on Emergency Coastal Development Permit Issued for the Temporary Ban on Fishing from the Manhattan Beach Pier; Declaring an Emergency and Nuisance (City Manager Danaj) (REVISED 7-1-14). [14-0336](#)
RECEIVE REPORT AND DECLARE AN EMERGENCY AND NUISANCE

Attachments: [Revised Emergency Coastal Development Permit \(July 8, 2014\)](#)
[Manhattan Beach Local Coastal Program Section A.96.190 \(Emergency Coasta](#)
["Sharing the Waves with Sharks of the South Bay" Flyer](#)
[California Department of Fish and Wildlife July 10, 2014, Release](#)

G. CITY ATTORNEY REPORT

5 MINUTES

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

I. 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!

J. 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.

K. 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 \$53,523.92 to Bannaoun Engineers Constructors Corporation; Formally Accept the Street Resurfacing Project for Ardmore Avenue, Valley Drive and 11th Place as Complete; and Authorize Filing of the Appropriate Notice of Completion and Release Retention in the Amount of \$32,753.08 (Public Works Director Olmos).

[14-0185](#)

APPROVE

Attachments: [Tables 1 and 2 - Budget, Expenditures and Contract Progress Payments](#)

[Map of Street Resurfacing Project for Ardmore Avenue, Valley Drive and 11th P](#)

5. Approval of Plans and Specifications for the Sepulveda Boulevard and 2nd Street Water Main Replacement Project, Award a Construction Contract to GMZ Engineering, Inc. (\$1,283,200) and Award a Professional Engineering Services Contract to Wallace & Associates (\$99,744) for Construction Inspection Services (Public Works Director Olmos).

[14-0319](#)

APPROVE

Attachments: [Budget and Expenditures](#)

-
6. Approve the Removal of Parking on the East Side of Sepulveda Boulevard between Tennyson Street and Longfellow Drive as Recommended by the Parking and Public Improvements Commission (Community Development Director Thompson). [14-0313](#)
- APPROVE**
- Attachments:** [March 27, 2014, Parking and Public Improvements Commission Staff Report wii](#)
[March 27, 2014, Parking and Public Improvements Commission Final Minutes](#)
[April 20, 2010, City Council Staff Report with Attachments](#)
[April 20, 2010, City Council Final Minutes](#)
[Table 1 - Collision History - Sepulveda Boulevard 1/1/2008 to 12/31/2012](#)
[Public Comments](#)
7. Approval of Plans and Specifications and Award of Section 2 Concrete Repair and Miscellaneous Slurry Project to Nobest, Inc. in the amount of \$1,119,790.80 (Public Works Director Olmos). [CON 14-0031](#)
- APPROVE**
- Attachments:** [Revenue and Expenditure Table](#)
[Notice to Property Owners](#)
[Project Area Map- Area 2](#)
[Mira Costa Slurry Area Map](#)
[Contract - Section 2 Concrete Repair](#)
8. Consideration of a Resolution Authorizing Execution of a Program Supplement Agreement Adding the Cycle 5 Highway Safety Improvement Program to the Existing Master Agreement with State of California Department of Transportation (Community Development Director Thompson). [RES 14-0044](#)
- APPROVE AND ADOPT RESOLUTION**
- Attachments:** [FY 2013-2014 Capital Improvement Program Carryover Project Number 14821E](#)
[Authorization/Agreement Summary E-76](#)
[Master Agreement Administering Agency-State Agreement No. 07-5212R](#)
[Program Supplement Agreement No. 007-N](#)
[Resolution No. 14-0044](#)
9. Ordinance Amending Municipal Code Section 14.44.080 Regarding Taxicabs (City Attorney Barrow). [ORD 14-0005](#)
- ADOPT ORDINANCE NO. 14-0005**
- Attachments:** [Ordinance No. 14-0005](#)

-
10. Establish Salary Range and Benefits for the Newly Created Assistant City Manager Classification (Human Resources Director Hanson). [14-0309](#)
APPROVE
Attachments: [Assistant City Manager Classification Specification Management/Confidential Salary Ranges](#)
11. Minutes: [14-0325](#)
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 June 17, 2014
b) City Council Regular Meeting of June 17, 2014 (City Clerk Tamura).
APPROVE
Attachments: [City Council Adjourned Regular Meeting-Closed Session Minutes of June 17, 2014](#)
[City Council Regular Meeting Minutes of June 17, 2014](#)

L. PUBLIC HEARINGS

30 MINUTES PER ITEM

12. Renewal of Downtown Business Improvement District for Fiscal Year 2014-2015 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 2013-2014 Assessments Collected (Finance Director Moe). [RES 14-0035](#)
CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 14-0035; RATIFY BOARD; APPROVE
Attachments: [Resolution No. 14-0035](#)
[List of 2014-2015 Business Improvement District Advisory Board Member Nominations](#)
[Agreement between Business Improvement District and Downtown Manhattan Beach](#)
[DMBBID Business Improvement and Activity Plan - May 2014](#)
[Boundary Map of the Downtown Business Improvement District](#)

M. GENERAL BUSINESS

30 MINUTES PER ITEM

-
13. Status Report and Further Direction on the Feasibility of a Skateboard Park, Including Authorizing the City Manager to Engage the Services of a Consultant to Facilitate Public Workshops, Design and Location Options (Parks and Recreation Director Leyman). [14-0315](#)
RECEIVE REPORT; APPROVE; APPROPRIATE; PROVIDE DIRECTION
- Attachments:** [Att. 1 Ad-Hoc Committee meeting notes combined](#)
[Att. 2 MB Site Surveys](#)
[Att. 3 Surveys and Results](#)
[Att. 4 Potential Locations and Site Selection Criteria](#)
[Att. 5 Marine Ave Skatepark Notice Sent Out 5-1-2014](#)
[Att. 6 Commission Minutes Combined](#)
[Att. 7 Local Skateboard Park Stats 2014](#)
14. Approval of a Contract with PMC to Develop a Downtown Plan Not-to-Exceed \$100,000 (Community Development Director Thompson). [CON 14-0034](#)
APPROVE
- Attachments:** [Agreement for Professional Services Revised](#)
[Exhibit A- Proposal from PMC- June 19, 2014](#)
[Downtown Plan Area Map](#)
[Downtown Visioning Forum Agenda/Notes, June 5, 2014](#)
[Downtown Visioning Forum Attendees, Thursday, June 5, 2014](#)
15. Adopt Interim Zoning Ordinance for regulation of commercial uses in the Downtown (Community Development Director Thompson). [ORD-U 14-0011](#)
DISCUSS AND ADOPT
- Attachments:** [Draft Interim Zoning Ordinance- ORDU No. 14-0011](#)
[Exhibit A- ORDU 14-0011-Downtown Area Map- Interim Zoning Ordinance](#)
16. Report on Power Reliability and Southern California Edison's Capital Improvement Program (Public Works Director Olmos). [14-0317](#)
RECEIVE REPORT
- Attachments:** [Circuit Reliability Report for Manhattan Beach, March 2014](#)
[SCE Capital Improvement Plan Map](#)
[El Porto Substation Removal Plan](#)

N. 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.

O. 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

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

Q. 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.

17. Financial Reports: [14-0292](#)
Schedule of Demands: July 3, 2014 (Finance Director Moe).
RECEIVE AND FILE

Attachments: [Schedule of Demands Register for July 3, 2014](#)

18. Commission Minutes:[14-0312](#)

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) Library Commission Meeting of May 12, 2014
(Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting of May 13, 2014
(Parks and Recreation Director Leyman)
- c) Parks and Recreation Commission Meeting of May 19, 2014
(Parks and Recreation Director Leyman)
- d) Cultural Arts Commission Meeting of June 10, 2014
(Parks and Recreation Director Leyman)
- e) Finance Subcommittee Meeting of June 24, 2014
(Finance Director Moe)
- f) Parking and Public Improvements Commission Meeting of June 26, 2014
(Community Development Director Thompson).

RECEIVE AND FILE

Attachments: [Library Commission Meeting Action Minutes of May 12, 2014](#)
[Cultural Arts Commission Meeting Action Minutes of May 13, 2014](#)
[Parks and Recreation Commission Meeting Action Minutes of May 19, 2014](#)
[Cultural Arts Commission Meeting Action Minutes of June 10, 2014](#)
[Finance Subcommittee Meeting Action Minutes of June 24, 2014](#)
[Parking and Public Improvements Commission Meeting Action Minutes of June](#)

R. ADJOURNMENT**S. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

Jul 29, 2014 – Tuesday -- 6:00 PM - Adjourned Regular Meeting - Study Session
Aug 5, 2014 – Tuesday -- 6:00 PM - City Council Meeting (RESCHEDULED to August 12, 2014)
Aug 12, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Aug 19, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Sep 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Sep 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting (City Council Reorganization)
Sep 30, 2014 – Tuesday -- 6:00 PM - Adjourned Regular City Council Meeting
Oct 7, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Oct 21, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Nov 4, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Nov 18, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec 2, 2014 – Tuesday -- 6:00 PM - City Council Meeting
Dec 16, 2014 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Jul 23, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Jul 24, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting
Jul 28, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Aug 11, 2014 – Monday – 6:30 PM – Library Commission Meeting
Aug 12, 2014 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Aug 13, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Aug 25, 2014 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Aug 27, 2014 – Wednesday – 6:30 PM – Planning Commission Meeting
Aug 28, 2014 – Thursday – 6:30 PM – Parking & Public Improvements Commission Meeting

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

Sep. 1, 2014 – Monday – Labor Day
Oct. 13, 2014 – Monday – Columbus Day
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