

City Council
Regular Meeting
Tuesday, June 2, 2015
6:00 PM
City Council Chambers

5:30 PM Adjourned Regular Meeting - Closed Session



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**

Meadows Elementary School

5 MINUTES

B. NATIONAL ANTHEM

Manhattan Beach Middle School Choir

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, May 27, 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

1. Presentation of a Certificate of Recognition to “Londoner Salon and Blowdry Lounge” and “Peroxide Beauty and Barbershop” for Outstanding Community Service in Providing Free Haircuts to Over 100 Men, Women and Children at the “First Annual Free Haircut Day” at the Richstone Family Center. [15-0237](#)
PRESENT
2. Presentation of Commendations to the Presidential Volunteer Service Award Recipients. [15-0238](#)
PRESENT
3. Presentation of Certificates of Recognition to the Manhattan Beach Little League All-Stars. [15-0273](#)
PRESENT

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. Introduce an Amendment to the 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, First Reading. (Parks and Recreation Director Leyman). [ORD 15-0013](#)
INTRODUCE ORDINANCE NO. 15-0013
Attachments: [Ordinance No. 15-0013](#)

5. Adopt Ordinance No. 15-0008 which will revise *Title 7 - Public Works, Chapter 7.44 - Water Conservation* of the Manhattan Beach Municipal Code (Public Works Director Olmos). [ORD 15-0008](#)
ADOPT
Attachments: [Ordinance No. 15-0008](#)

6. Declare Vacant the Parking and Public Improvements Commission Business Community Seat No. 2 (Apostol) (City Clerk Tamura). [15-0274](#)
DECLARE VACANCY, CONDUCT PUBLIC OUTREACH

7. Renewal of Five Year Professional Services Agreement with HdL, Coren & Cone to Provide Property Tax Reporting, Analytic and Audit Services for an Estimated Cost of \$60,500 (Finance Director Moe). [15-0190](#)
APPROVE
Attachments: [Agreement for Property Tax Consulting and Audit Services](#)

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8. Purchase of One Budgeted Dial-A-Ride Paratransit Van from Nations Bus in the Amount of \$68,944.39 Using AB 2766 (Motor Vehicle Registration Fee) Subvention Funds (Parks and Recreation Director Leyman). [15-0221](#)
WAIVE FORMAL BIDDING; APPROVE
9. Review Draft Enhanced Watershed Management Program (EWMP) and Authorize the City Manager to Submit the Draft EWMP to the Los Angeles Regional Water Quality Control Board (Public Works Director Olmos). [15-0265](#)
AUTHORIZE REPORT SUBMITTAL
Attachments: [Figure 1 - Beach Cities Jurisdictional Areas](#)
[Attachment 1 - Draft EWMP Executive Summary](#)
[Table 1 - Implementation Schedule](#)
[Attachment 2-Draft EWMP Appendix](#)
10. Award Contract to Provide and Install Refurbished Modular Office Furniture to Concept Consultant, Inc. for an Amount Not-to-Exceed \$27,820 (Public Works Director Olmos). [CON 15-0028](#)
APPROVE
Attachments: [Contract Agreement](#)
11. Consideration of the Parking and Pubic Improvement Commission's Recommendation to Approve a Long-Term Commercial Use Encroachment Permit for Two Eave Mounted Patio Heaters in the Public Right-of-Way at 124 Manhattan Beach Boulevard (BREWCO) (Community Development Director Lundstedt). [15-0207](#)
APPROVE
Attachments: [PPIC Draft Minutes - April 23, 2015](#)
[PPIC Staff Report and Attachments - April 23, 2015](#)

12. Minutes: [15-0017](#)

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-Budget Study Session #2 of May 11, 2015
 - b) City Council Regular Meeting of May 19, 2015
 - c) City Council Adjourned Regular Meeting-Budget Study Session #3 of May 21, 2015
- (City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting-Budget Study Session #2 Minutes of M](#)
[City Council Regular Meeting Minutes of May 19, 2015](#)
[City Council Adjourned Regular Meeting-Budget Study Session #3 Minutes of M](#)

M. PUBLIC HEARINGS

30 MINUTES PER ITEM

13. Consideration of Amendments to the Municipal Code to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter 10.100 (Appeals), and Amending Chapter 10.12 (Residential Districts) and Related Municipal Code Sections Regarding Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt). [ORD 15-0009](#)

CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NO.15-0009

Attachments: [Ordinance No. 15-0009](#)
[MBMC Legislative Digest Showing the Proposed Amendments](#)
[Current MBMC Chapter 10.100 - Appeals](#)
[Current MBMC Section 10.12.020](#)
[Planning Commission Resolution No. PC 15-03](#)
[5-13-15 Planning Commission Staff Report & Attachments](#)
[5-13-15 Planning Commission Draft Minutes](#)
[Survey of Short Term Rental Regulations](#)

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14. Consideration of Amendments to the Local Coastal Program (LCP) to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter A.96.160 (Appeals), and Amending Chapter A.12 (Residential Districts) and Related LCP Sections Regarding Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt). [ORD 15-0010](#)
- CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NO. 15-0010**

Attachments: [Ordinance No. 15-0010](#)
[LCP Legislative Digest Showing the Proposed Amendments](#)
[Current LCP Section A.96.160 - Appeals](#)
[Current LCP Section A.12.020](#)
[Planning Commission Resolution No. PC 15-03](#)
[5-13-15 Planning Commission Staff Report & Attachments](#)
[5-13-15 Planning Commission draft minutes](#)
[Survey of Short-Term Rental Regulations](#)

N. GENERAL BUSINESS

30 MINUTES PER ITEM

15. Consideration of Nikau Kai Waterman Shop and Hermosa Cyclery to Provide Beach Concessions and a Welcome/Information Center in the Sand Lot South of the Lower South Pier Parking Lot (Continued from 5-26-15 Budget Study Session #4 City Council Meeting) (Parks and Recreation Director Leyman). [15-0281](#)
- APPROVE**
- Attachments:** [Beach Concessions Proposed Agreement](#)
[Proposed Site Plan](#)
[Nikau Kai Waterman Shop Proposal](#)
[Hermosa Cyclery Proposal](#)
[Perfect Day Surf Camp Proposal](#)
[Camp Surf Proposal](#)
[Request for Quotations for Beach Concessions](#)
16. Final Review and Direction for the Fiscal Year 2015-2016 Budget Prior to Adoption (Finance Director Moe). [15-0202](#)
- DISCUSS AND PROVIDE DIRECTION**

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17. Presentation of Draft Urban Forest Master Plan (Public Works Director Olmos).

[15-0259](#)

RECEIVE REPORT AND PROVIDE DIRECTION

Attachments: [Draft Urban Forest Master Plan](#)
[Resource Analysis](#)
[Draft Plant Palette](#)
[Municipal Code Markup](#)

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.

18. Minutes: [15-0270](#)

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) Parking and Public Improvements Commission Meeting of April 23, 2015 (Continued from the 5-19-15 City Council Meeting) (Community Development Director Lundstedt).
- b) Planning Commission Meeting of May 13, 2015 (Community Development Director Lundstedt).
- c) Parks and Recreation Commission Meeting of May 18, 2015 (Parks and Recreation Director Leyman).

RECIEVE AND FILE

Attachments: [Draft Parking and Public Improvements Commission Minutes of April 23, 2015](#)

[Planning Commission Action Minutes of May 13, 2015](#)

[Parks and Recreation Commission Minutes of May 18, 2015](#)

19. Financial Report: [15-0254](#)

Schedule of Demands: May 7, 2015 (Finance Director Moe).

RECEIVE AND FILE

Attachments: [Schedule of Demands Register for May 7, 2015](#)

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

Jun. 16, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Jul. 7, 2015 – Tuesday -- 6:00 PM - City Council Meeting/Reorganization
Jul. 21, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 4, 2015 – Tuesday -- 6:00 PM - City Council Meeting
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

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

June 8, 2015 – Monday – 6:30 PM – Library Commission Meeting
June 9, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
June 10, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
June 22, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
June 24, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
June 25, 2015 – Thursday – 6:30 PM -- Parking & Public Improvements Commission Meeting
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

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

Jul. 3, 2015 - Friday - Independence Day
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