

City Council Regular Meeting

Regular Meeting

Tuesday, July 5, 2016

6:00 PM

City Council Chambers

AMENDED AGENDA



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

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, this agenda provides an early opportunity for public comments 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, 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. Proclamation Declaring the Month of July, 2016 as "Parks and Recreation Month". [16-0325](#)
PRESENT
2. Presentation of Certificates of Recognition to the Mira Costa High School's Model U.N. Program for Being Ranked as No. 1 in the Nation. [16-0344](#)
PRESENT

D. MEETING MANAGEMENT

3. Revised City Council Meeting Management Rules (City Clerk Tamura). [RES 16-0049](#)
ADOPT RESOLUTION NO. 16-0049

Attachments: [Resolution No. 16-0049](#)
[Legislative Digest Resolution No. 16-0049](#)

E. 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 Friday, July 1, 2016, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

F. 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.

G. 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.

H. CITY MANAGER REPORT**I. CITY ATTORNEY REPORT****J. PUBLIC COMMENTS (3 MINUTES PER PERSON PER MATTER, A MAXIMUM OF 6 MINUTES IF A SPEAKER WANTS TO COMMENT ON MORE THAN ONE MATTER)**

Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. Each speaker may speak for up to 3 minutes per matter, up to a total of 6 minutes if a speaker wants to comment on more than one matter. With respect to non-public hearing agenda items, speakers may provide their comments at this time or at the time the agenda item is being considered. Please note that for public hearings, speakers are encouraged to speak during the public hearing, if they want their comments to be included in the record of the public hearing. 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.

K. 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):

4. Planning Commission Approval of a Variance for a Remodel/Addition to a Nonconforming Home at 2615 N. Valley Drive (Community Development Director Lundstedt). [16-0322](#)

BY ORDER OF THE CHAIR, RECEIVE AND FILE

Attachments: [Planning Commission Resolution No. PC 16-03](#)
[Planning Commission Staff Report and Attachments - June 22, 2016](#)
[Planning Commission Draft Minutes - June 22, 2016](#)
[Proposed Plans, cover sheet dated October 18, 2015](#)

5. Planning Commission Approval of a Coastal Development Permit for the construction of a new single family residence at 128 21st Street, (Community Development Director Lundstedt). [16-0338](#)

BY ORDER OF THE CHAIR, RECEIVE AND FILE

Attachments: [Planning Commission Staff Report and Attachments - June 22, 2016](#)
[Draft Coastal Development Permit CA 15-41](#)
[Final Coastal Development Permit CA 15-41](#)
[Planning Commission Draft Minutes - June 22, 2016](#)

L. 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.

6. First Reading of Ordinance No. 16-0010 Prohibiting Targeted Residential Picketing (City Attorney Barrow). [ORD 16-0010](#)

WAIVER FURTHER READING; INTRODUCE ORDINANCE NO. 16-0010

Attachments: [Draft Ordinance No. 16-0010](#)

7. Contract with AdminSure, Inc., for Third Party Administration Services in Support of the Self-Insured General Liability Program (Human Resources Director Zadroga-Haase). [CON 16-0024](#)

APPROVE AND APPROPRIATE

Attachments: [Agreement with AdminSure, Inc.](#)

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8. Written Report Regarding Interim Zoning Ordinance U 15-0017 (Community Development Director Lundstedt). [16-0347](#)
ISSUE 10-DAY REPORT
Attachments: [Moratorium - Government Code Section 65858\(d\) Written Report](#)
9. Appointment of Seat No. 5 of the Parks and Recreation Commission (Commissioner Thomas Allard) (City Clerk Tamura). [16-0277](#)
CONTINUE (DUE TO SCHEDULING CONFLICTS, THIS ITEM IS BEING CONTINUED TO THE JULY 19, 2016, REGULAR CITY COUNCIL MEETING)
Attachments: [Advertisements from The Beach Reporter, published May 12, 2016 and May 19](#)
10. Resolution Approving the Agreement with the City of Manhattan Beach Police Management Association modifying Chapter 2, Article 5 Compensation/Salaries of the Memorandum of Understanding (Human Resources Director Zadroga-Haase). [RES 16-0038](#)
ADOPT RESOLUTION NO. 16-0038
Attachments: [Resolution No. 16-0038 - Side Letter Agreement](#)
[Side Letter Agreement](#)
11. Resolution Approving the Agreement with the City of Manhattan Beach Police Management Association modifying Chapter 3, Article 11 Retirement of the Memorandum of Understanding (Human Resources Director Zadroga-Haase). [RES 16-0039](#)
ADOPT RESOLUTION NO. 16-0039
Attachments: [Resolution No. 16-0039 Side Letter Agreement](#)
[Side Letter Agreement](#)
12. Resolution Approving the Agreement with the City of Manhattan Beach Police Officers' Association modifying Article 20 Retirement of the Memorandum of Understanding (Human Resources Director Zadroga-Haase) [RES 16-0040](#)
ADOPT RESOLUTION NO. 16-0040
Attachments: [Resolution 16-0040 - Side Letter Agreement with POA](#)
[Side Letter Agreement](#)
13. Financial Report: [16-0317](#)
Schedules of Demands: June 9, 2016 (Finance Director Moe).
ACCEPT REPORT AND DEMANDS
Attachments: [Schedule of Demands for June 9, 2016](#)

14. City Council Minutes:[16-0326](#)

This Item Contains Minutes of the following City Council Meeting:

- a) City Council Adjourned Regular Meeting - City Council Retreat Minutes of April 7, 2016 (Continued from June 7, 2016 City Council Meeting).

APPROVE

- b) City Council Regular Meeting Minutes of May 3, 2016 (Continued from June 21, 2016 City Council Meeting).

APPROVE

- c) City Council Adjourned Regular Meeting - Closed Session Minutes of May 16, 2016

(Continued from June 7, 2016 City Council Meeting).

APPROVE

- d) City Council Adjourned Regular Meeting - Budget Study Session #2 Minutes of May 23, 2016. **APPROVE**

- e) City Council Adjourned Regular Meeting - Budget Study Session #3 Minutes of May 31, 2016. **APPROVE**

- f) City Council Regular Meeting Minutes of June 7, 2016. (Continued from the June 21, 2016 City Council Regular Meeting)

APPROVE

- g) City Council Adjourned Regular Meeting - Budget Study Session #4 Minutes of June 9, 2016. **APPROVE**

- h) City Council Regular Meeting - Closed Session Minutes of June 20, 2016

APPROVE

- i) City Council Regular Meeting Minutes of June 21, 2016

CONTINUE TO THE JULY 19, 2016 CITY COUNCIL MEETING

(City Clerk Tamura)

APPROVE

Attachments: [City Council Adjourned Regular Meeting - City Council Retreat Minutes of April](#)
[City Council Regular Meeting Minutes of May 3, 2016](#)
[City Council Adjourned Regular Meeting - Closed Session Minutes of May 16, 2016](#)
[City Council Adjourned Regular Meeting - Budget Study Session #2 Minutes of May 23, 2016](#)
[City Council Adjourned Regular Meeting - Budget Study Session #3 Minutes of May 31, 2016](#)
[City Council Regular Meeting Minutes June 7, 2016](#)
[City Council Adjourned Regular Meeting - Budget Study Session #4 Minutes of June 9, 2016](#)
[City Council Adjourned Regular Meeting - Closed Session Minutes of June 20, 2016](#)
[City Council Regular Meeting Minutes of June 21, 2016](#)

M. PUBLIC HEARINGS (3 MINUTES PER PERSON)

15. Public Hearing Regarding the Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2016-2017 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 2015-2016 Assessments Collected (Finance Director Moe). [RES 16-0044](#)

**CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 16-0044;
RATIFY BOARD; APPROVE**

Attachments: [Resolution No. 16-0044](#)
[List of FY 2016-2017 Business Improvement District Advisory Board Member N](#)
[Downtown Manhattan Beach Business Improvement District Business Improven](#)
[Agreement Between Business Improvement District and Downtown Manhattan I](#)
[Boundary Map of the Downtown Business Improvement District](#)

16. Public Hearing and Adoption of Resolution No. 16-0041 for a Coastal Development Permit to Modify the Downtown Valet Parking Program in the Appealable Coastal Zone (Community Development Director Lundstedt). [RES 16-0041](#)

**CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO.
16-0041**

Attachments: [Chronology of Downtown Valet Parking Program](#)
[Resolution No. 15-0045](#)
[Coastal Commission Appeal No. A-5-MNB-0049](#)
[Draft PPIC Minutes April 28, 2016](#)
[Existing and Proposed Valet Locations and Sketches](#)
[Summary of Existing and Proposed Valet Operation Plans](#)
[Coastal Commission Appeal Response](#)
[Existing Valet Parking Agreement](#)
[CDP and Coastal Act Policies and Findings](#)
[Public Hearing Notices](#)
[Public Correspondence Received Prior to Publication](#)
[Resolution No. 16-0041](#)

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17. Public Hearing and Adoption of Resolution No. 16-0042 for a Coastal Development Permit to Modify the Existing Downtown Valet Parking Program in the Non-Appealable Coastal Zone (Community Development Director Lundstedt).

[RES 16-0042](#)

**CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO.
16-0042**

Attachments: [Chronology of Downtown Valet Parking Program](#)
[Resolution No. 15-0045](#)
[Coastal Commission Appeal No. A-5-MNB-0049](#)
[Draft PPIC Minutes April 28, 2016](#)
[Existing and Proposed Valet Locations and Sketches](#)
[Summary of Existing and Proposed Valet Operation Plans](#)
[Coastal Commission Appeal Response](#)
[Existing Valet Parking Agreement](#)
[CDP and Coastal Act Policies and Findings](#)
[Public Hearing Notices](#)
[Public Correspondence Received Prior to Publication](#)
[Resolution No. 16-0042](#)

N. OLD BUSINESS

18. Review Alternative Uses for Site and Draft for Request for Proposal for Hotel Developer at Parkview Site (Finance Director Moe).

[16-0284](#)

PROVIDE DIRECTION

Attachments: [Parkview Site Aerial View](#)
[Request for Qualifications for Parkview Site](#)
[Parkview Avenue Site: Older Adults Apartment Analysis](#)
[Request for Proposal for Parkview Site](#)
[Parkview Site Powerpoint](#)

19. Review of Proposed FY 2017-2019 Cost Recovery Fees (Finance Director Moe).

[16-0339](#)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Citywide Cost Recovery Fee Study Update Results Memorandum \(Matrix Cons\)](#)
[User Fee Study Update Results Overview](#)
[Fiscal Years 2017-2019 Cost Recovery Fee Schedule](#)

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20. Update of El Porto Beach Traffic Circulation Study (Community Development Director Lundstedt). [16-0291](#)

MAINTAIN EXISTING TURN RESTRICTIONS; APPROVE FUNDING APPROPRIATION AND INSTALLATION OF DYNAMIC TURN RESTRICTION SIGNS

Attachments: [El Porto Traffic Count Locations](#)
[El Porto Traffic Count Comparison Tables](#)
[Photographs at 40th Street and Ocean Drive](#)
[Proposed Dynamic Turn Restriction Signs Sketch](#)
[Public Correspondence Received Prior to Publication](#)

21. Acceptance of Donated Real Property, APN 4138-020-002, by Chevron U.S.A. Inc. to City of Manhattan Beach (Interim Public Works Director Saenz). [RES 16-0043](#)

APPROVE AND ADOPT RESOLUTION NO. 16-0043

Attachments: [Chevron Property Location Map](#)
[Resolution No. 16-0043](#)
[Chevron Property Grant Deed](#)

22. Award of Contract to NexLevel Information Technology, Inc. for Enterprise Resource Planning Software Consulting Services in the amount of \$61,415 (Information Technology Director Taylor). [CON 16-0020](#)

APPROVE;APPROPRIATE

Attachments: [RFP #1053-16 ERP Software Consulting Services Comparison](#)
[Professional Services Agreement with NexLevel Information Technology, Inc.](#)
[ERP Software Consulting Services Presentation](#)

O. NEW BUSINESS

23. An Interim Ordinance Requiring a Use Permit for the Following Uses in the Downtown Commercial Zone: (1) Any Office, Business or Professional; Banks and Savings & Loans; Catering Services; or Communications Facilities, Proposed to be Located on The Ground Floor Streetfront; (2) Any Use Proposed to Have More Than 35 Feet of Tenant Frontage on Lots More Than 35 Feet In Depth; (3) Any Use Proposed to Have More Than 50 Feet of Tenant Frontage on Lots 35 Feet or Less In Depth; and (4) Any Retail Sales Use Proposed to Have More Than 1,600 Square Feet of Buildable Floor Area. (Community Development Director Lundstedt).

[ORD
16-0009U](#)

ADOPT URGENCY ORDINANCE NO. ORD 16-0009U

Attachments: [Proposed Ordinance No 16-0009U](#)

24. Discussion of Statement of Intent Process to Address Blight (Community Development Director Lundstedt).

[16-0342](#)

PROVIDE DIRECTION**P. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS****Q. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS**

25. Agenda Forecast (City Clerk Tamura).
DISCUSS AND PROVIDE DIRECTION

[16-0327](#)

Attachments: [Agenda Forecast 06-29-2016](#)

R. INFORMATIONAL ITEMS

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

26. Commission Minutes:

[16-0332](#)

This Item Contains Minutes of the following City Commission Meetings:

- a.) Library Commission Minutes of May 9, 2016
(Parks and Recreation Director Leyman)
- b.) Cultural Arts Commission Minutes of May 10, 2016
(Parks and Recreation Director Leyman)
- c.) Finance Subcommittee Draft Action Minutes of June 16, 2016
(Finance Director Moe)
- d.) Planning Commission Draft Action Minutes of June 22, 2016
(Community Development Director Lundstedt)

INFORMATION ITEM ONLY

Attachments: [Library Commission Minutes of May 9, 2016](#)
[Cultural Arts Commission Minutes of May 10, 2016](#)
[Finance Subcommittee Draft Action Minutes of June 16, 2016](#)
[Planning Commission Draft Action Minutes of June 22, 2016](#)

S. CLOSED SESSION

I. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

1.) 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.

II. RECESS INTO CLOSED SESSION

III. RECONVENE INTO OPEN SESSION**IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION****T. ADJOURNMENT****U. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

July 7, 2016 - Thursday -- 2:00 PM - Boards and Commissions Interviews

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

Nov. 1, 2016 - Tuesday -- 6:00 PM - City Council Meeting

Nov. 15, 2016 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

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

August 8, 2016 - Monday - 6:30 PM - Library Commission Meeting

August 9, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting

August 10, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

August 15, 2016 - Thursday - 8:30 AM - Finance Subcommittee Meeting

August 22, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting

August 24, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

August 25, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting

September 12, 2016 - Monday - 6:30 PM - Library Commission Meeting

September 13, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting

September 14, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

September 22, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting

September 26, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting

September 28, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

October 11, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting

October 12, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

October 24, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting

October 26, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

October 27, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting

November 8, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting

November 9, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

November 14, 2016 - Monday - 6:30 PM - Library Commission Meeting

November 23, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting

November 28, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting

V. CITY OFFICES CLOSED**CITY HOLIDAYS:**

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
May 29, 2017 – Monday – Memorial Day
July 4, 2017 - Tuesday - Independence Day

CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:

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. 25, 2016 - Friday
Dec. 9, 2016 - Friday
Dec. 23, 2016 - Friday