

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Final

Tuesday, June 16, 2015

6:00 PM

Regular Meeting

City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session

### City Council

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

**PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO: [www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes](http://www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes)**

#### **A. PLEDGE TO THE FLAG**

*City Attorney Quinn Barrow led the Pledge of Allegiance.*

#### **B. NATIONAL ANTHEM**

*The Mira Costa High School Choir, led by Michael Hayden, sang the National Anthem including: Madeline Angstreich, Andrew Anton, Drew Boettner, Emily Chase, Sarah Colen, Esteban Delgado, Ian Docktor, Kendall Dominguez, Kayla Elson, Calyssa Frankel, Robert Gerami, Mckay Gillette, Isabel Gray, Nina Kemper, Anders Khaykin, Anand Landon, Sean Langley, Julia LeVee, Tyler Morgan, Sravan Motamarri, Victoria Nwoke, Victor Pineschi, John Plaster, William Rose, Sam Sturges, Connor Vosberg, Katie Wah, Natalie Winzen and Derek Zeoli.*

#### **C. ROLL CALL**

**Present:** 5 - Mayor Powell, Mayor Pro Tem Burton, Councilmember D'Errico, Councilmember Lesser and Councilmember Howorth

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

*City Clerk Liza Tamura confirmed that the meeting was properly posted.*

#### **E. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES**

*Mayor Powell stated that Staff requested Item No. 27( Written Report Regarding Interim Zoning Ordinance, ISSUE 10-DAY REPORT AND SCHEDULE PUBLIC HEARING) be moved to the Consent Calendar. Hearing no objections, it was so ordered.*

**A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to approve the agenda moving Item Nos. 6, 7, and 10 from the Consent Calendar to the first General Business Item and to waive full reading of ordinances.**

**No. 6 Second Reading and Adoption of Ordinance No. 15-0009 Approving Amendments to the Municipal Code for Chapter 10.12 (Residential Districts) and Related Municipal Code Sections prohibiting Commercial and Transient Uses in Residential Zones and ADOPT ORDINANCE NO.15-0009.**

**No.7 Second Reading and Adoption of Ordinance No. 15-0010 Approving**

**Amendments to the Local Coastal Program for Chapter A.12 (Residential Districts) and Related Code Sections prohibiting Commercial and Transient Uses in Residential Zones and ADOPT ORDINANCE NO.15-0010.**

**No.10 Resolution No. 15-0039 Transmitting Ordinance Nos. 15-0010 and 15-0016 to the California Coastal Commission for Amendments to the Local Coastal Program (LCP) Regarding Commercial and Transient Uses in Residential Zones and Appeals and ADOPT RESOLUTION NO. 15-0039. to the first General Business Item and to waive full reading of ordinances.**

**The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

## **F. CEREMONIAL CALENDAR**

1. Presentation of the I ♥ MB Award to Retired NASA Astronaut John "Danny" Olivas. [15-0239](#)

**PRESENT**

*Mayor Powell, on behalf of the City Council, presented the I ♥ MB Award to retired NASA Astronaut John "Danny" Olivas for his contributions to the Manhattan Beach Community.*

2. Presentation of Certificates of Recognition to the Young Entrepreneurs Academy Graduates. [15-0240](#)

**PRESENT**

*Mayor Powell invited teacher Rachel Thomas and Manhattan Beach Chamber of Commerce President Jim O'Callaghan to summarize the accomplishments of the students of the first graduating class of the Young Entrepreneurs Academy.*

*Mayor Powell, on behalf of the City Council, presented certificates of recognition to:*

*Student: Shane Grady  
Company: SurfDec*

*Student: Anthony Mosavi  
Company: Thriftique*

*Student: Karrington Smith  
Company: Kustom Kupcakes*

*Student: Isabelle Lau  
Company: add 1 cup love*

*Student: Ryan Ulrich  
Company: Sand Dollar Surf Company*

*Student: Ryan Huebner  
Company: Ride N Learn*

*Student: Hannah Lauson  
Company: Back Patch*

*Student: Shriya Pillan  
Company: Shriya's Custom Paintings*

*Student: Viraj Arora  
Company ecoflo*

3. Presentation of the I ♥ MB Award to Dennis Jarvis for Outstanding Community Service. [15-0241](#)  
**PRESENT**

*Mayor Powell, on behalf of the City Council, presented the I ♥ MB Award to Dennis Jarvis for his outstanding Community Service.*

4. Presentation of a Certificate of Recognition to Nicholas Vu for his Offer of Appointment to the United States Naval Academy. [15-0251](#)  
**PRESENT**

*Mayor Powell, on behalf of the City Council, presented a certificate of Recognition to Nicholas Vu for his Offer of Appointment to the United States Naval Academy.*

## **G. CITY MANAGER REPORT**

*City Manager Mark Danaj announced that the newly formed Manhattan Beach Fire Foundation, which is comprised of community leaders, will have an Executive Board Member speak at the July 7, 2015, City Council Meeting to introduce the group and explain their purpose. He further added that "Open City Hall", the City's new civic engagement tool, is in full force and includes topics for discussion of community interest.*

## **H. CITY ATTORNEY REPORT**

*None.*

## **I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS**

*Councilmember Howorth stated that the Mira Costa High School Graduation will take place on Thursday, June 18, 2015, at 5 PM.*

*Mayor Powell announced that the "Concerts in the Park" will begin on July 5, 2015, in Polliwog Park.*

## **J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS**

*The following individuals provided Community Announcements:*

*Tom Allard  
Yolande Wilburn  
Viet Ngo  
Unknown Speaker*

## **K. PUBLIC COMMENT ON NON-AGENDA ITEMS**

*The following individuals provided public comment:*

Rusty Roten  
 Julie Profet  
 Roger Lamont  
 Robert Bush  
 Bill Victor  
 Martha Andreani  
 Ed Caprielian  
 Viet Ngo

## L. CONSENT CALENDAR

Mayor Powell noted that Item Nos. 6, 7, and 10 were moved to General Business and Item No. 27 was moved to the Consent Calendar.

Viet Ngo pulled Item Nos. 6, 7, 8, 9 and 10.

Jackie May pulled Item No. 27.

Bill Victor pulled Item No. 5.

Ed Caprielian pulled Item Nos. 5, 9, 12, 15, 17, 18, 19 and 22.

Prior to the vote on the motion, City Attorney Quinn Barrow read into the record the title of Ordinance No. 15-0011 to Raise Solid Waste Fees for the Proposed Food Waste Recycling Program in Manhattan Beach Ordinance No. 15-0013 to Introduce an Amendment to the Municipal Code Section 4.48.090 - Limited Alcoholic Beverage Use on Public Property - Special Permit and Ordinance 15-0013, requiring that the permit provides a public benefit to the community,

Councilmember Howorth stated that she would be voting "no" on this motion because she felt there was a misuse of this process.

**A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Burton, to approve the Consent Calendar with the exception of the Item Nos. that were pulled. The motion carried by the following vote:**

**Aye:** 4 - Powell, Burton, D'Errico and Lesser

**Nay:** 1 - Howorth

5. Approve the Budgeted Replacement of the Electronic Document Management System; Award of Request For Proposal (RFP) #1011-15 to Konica Minolta Business Solutions for the Purchase of a Replacement Electronic Document Management System in an Amount Not-to-Exceed \$130,000 and Authorize the City Manager to Negotiate a Contract; Award a Purchase Order to Nth Generation for the Purchase of Servers, Storage and Backup Solutions in an Amount Not-to-Exceed \$35,000; Approve a Contract with Gladwell Governmental Services, Inc. for Project Management Services in an Amount Not-to-Exceed \$35,000 and Authorize the City Manager to Negotiate a Contract; and Waive Formal Bidding per Municipal Code Section 2.36.140 (waivers) for Gladwell Governmental Services, Inc. and Nth Generation (City Clerk Tamura).

[CON 15-0029](#)

**APPROVE, AUTHORIZE, WAIVE FORMAL BIDDING**

Attachments: [RFP #1011-15 Responses](#)

[Infrastructure Requirements Diagram](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

6. Second Reading and Adoption of Ordinance No. 15-0009 Approving Amendments to the Municipal Code for Chapter 10.12 (Residential Districts) and Related Municipal Code Sections prohibiting Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt). [ORD 15-0009](#)
- ADOPT ORDINANCE NO.15-0009**

Attachments: [MBMC Chapter 6.24- Short-Term Vacation Rentals \(6-Man Volleyball Tournament\)](#)  
[Map of Short-Term Vacation Rental Locations](#)  
[Courtesy Notice to 58 Short-Term Vacation Rental Business Operators Registered](#)  
[Courtesy Notice to 3 Short-Term Vacation Rental Business Operators Registered](#)  
[Written Correspondence](#)  
[Ordinance No. 15-0009](#)

This Item was removed from the Consent Calendar and heard later under item No. N. General Business.

7. Second Reading and Adoption of Ordinance No. 15-0010 Approving Amendments to the Local Coastal Program for Chapter A.12 (Residential Districts) and Related Code Sections prohibiting Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt). [ORD 15-0010](#)
- ADOPT ORDINANCE NO.15-0010**

Attachments: [Ordinance No. 15-0010](#)  
[MBMC Chapter 6.24- Short-Term Vacation Rentals \(6-Man Volleyball Tournament\)](#)  
[Map of Short-Term Vacation Rental Locations](#)  
[Courtesy Notice to 58 Short-Term Vacation Rental Business Operators Registered](#)  
[Courtesy Notice to 3 Short-Term Vacation Rental Business Operators Registered](#)  
[Written Correspondence](#)

This Item was removed from the Consent Calendar and heard later under item No. N. General Business.

8. Second Reading and Adoption of Ordinance No. 15-0015 Approving Amendments to the Municipal Code to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter 10.100 (Appeals) (Community Development Director Lundstedt). [ORD 15-0015](#)
- ADOPT ORDINANCE NO. 15-0015**

Attachments: [Ordinance No. 15-0015](#)  
[Ordinance No. 15-0015 Redline Strike Out Version Comparing June 2, 2015](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

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9. Second Reading and Adoption of Ordinance No. 15-0016 Approving Amendments to the Local Coastal Program to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter A.96.160 (Appeals) (Community Development Director Lundstedt). [ORD 15-0016](#)
- ADOPT ORDINANCE NO. 15-0016**
- Attachments: [Ordinance No. 15-0016](#)  
[Ordinance No. 15-0016 redline strike out version comparing June 2, 2015 Dr](#)
- This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.
10. Resolution No. 15-0039 Transmitting Ordinance Nos. 15-0010 and 15-0016 to the California Coastal Commission for Amendments to the Local Coastal Program (LCP) Regarding Commercial and Transient Uses in Residential Zones and Appeals(Community Development Director Lundstedt). [RES 15-0039](#)
- ADOPT RESOLUTION NO. 15-0039**
- Attachments: [Resolution No. 15-0039](#)
- This Item was removed from the Consent Calendar and heard later under Item No. N. General Business.
11. Fiscal Year 2014-2015 Third Quarter Budget Status Report (Finance Director Moe). [15-0276](#)
- RECIEVE REPORT**
- Attachments: [FY 2014-2015 Q3 Year End Projections](#)
- This item was approved on the Consent Calendar.
12. One-Year Contract with Verizon California, Inc. to Provide Telecommunications Services Including Integrated Services Digital Network, Digital Signal 1 and CentraNet Telecommunications Services with an Estimated Annual Value of \$49,729 (Finance Director Moe). [CON 15-0030](#)
- APPROVE**
- Attachments: [Agreement with Verizon California – CentraNet and ISDN-PRI Services](#)
- This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.
13. Three-Year Contract with BidSync to Provide eProcurement Services (Total Cost of \$28,050) (Finance Director Moe). [CON 15-0033](#)
- APPROVE**
- Attachments: [Agreement with BidSync](#)
- This item was approved on the Consent Calendar.
14. Resolution of Intention to Provide for Annual Levy and Collection of [RES 15-0034](#)

Assessments for the Downtown Business Improvement District and Setting July 7, 2015 for a Public Hearing (Finance Director Moe).  
**ADOPT RESOLUTION NO. 15-0034, SET PUBLIC HEARING FOR JULY 7, 2015**

**Attachments:**     [FY 2015-2016 Downtown Business Improvement District Activity Plan](#)  
[Chairperson Letter from BID Advisory Board](#)  
[Resolution No. 15-0034](#)

**This item was approved on the Consent Calendar.**

15. Award of Orders to South Bay Regional Public Communications Authority to Provide Electronics and Equipment for Eleven Previously Approved Vehicles: Six Patrol Utility Interceptors, One K-9 Interceptor and One Explorer for the Police Department and Three Public Works Vehicles, in the Amount of \$97,575.51 (Finance Director Moe). [15-0226](#)  
**WAIVE FORMAL BIDDING, APPROVE**

**This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.**

16. Resolution No. 15-0026 Portal-to-Portal Compensation for the City of Manhattan Beach to Continue Portal-to-Portal Reimbursements from the California Office of Emergency Management (Fire Chief Espinosa). [RES 15-0026](#)  
**ADOPT**

**Attachments:**     [Resolution No. 15-0026](#)

**This item was approved on the Consent Calendar.**

17. Request to Exercise Contract Renewal Option for Landscaping Services Provided by Merchants Landscape, Inc. (Public Works Director Olmos). [CON 15-0035](#)  
**APPROVE**

**Attachments:**     [Amended Agreement](#)

**This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.**

18. Award of Professional Service Agreements for On-Call Construction Management and Inspection Services (RFP #1032-15) to Psomas, Civil Source, Inc. and AndersonPenna Partners, Inc. in the Amount of \$400,000 for a Three Year Term for Each Firm and Direct Staff to Incorporate Past City Council Restrictions from Previously Approved On-Call Engineering Services Agreements (Public Works Director Olmos). [CON 15-0034](#)  
**APPROVE**



**Attachments:** [Professional Services Agreement - Psomas of Culver City, CA](#)  
[Professional Services Agreement - AndersonPenna Partners, Inc. of Newport](#)  
[Professional Services Agreement - Civil Source, Inc. of Irvine, CA](#)  
[Typical Engineering Consultant RFP Process and RFP #1032-15 Consultant](#)  
[List of Potential Projects for Construction Management and Inspection](#)  
[Potential Construction Management and Inspection Project Fee Awards](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

19. Award of Professional Services Agreement with IDS Group for Design Services for Improvements to Parking Structures at Lots Number 2, 3, and 4 and Authorize the City Manager to Execute Agreement in the Amount of \$29,780 (Public Works Director Olmos). [CON 15-0031](#)  
**APPROVE**

**Attachments:** [Professional Services Agreement](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

20. Resolution No. 15-0043 to Accept Sidewalk Easement at 1101 N. Aviation Boulevard (Public Works Director Olmos). [RES 15-0043](#)  
**APPROVE**

**Attachments:** [Resolution No. 15-0043](#)  
[Sidewalk Easement Deed and Exhibits](#)

This item was approved on the Consent Calendar.

21. Ordinance No. 15-0011 to Raise Solid Waste Fees for the Proposed Food Waste Recycling Program in Manhattan Beach (Public Hearing July 7, 2015) (Public Works Director Olmos). [ORD 15-0011](#)  
**WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 15-0011**

**Attachments:** [Ordinance No. 15-0011](#)  
[Waste Management Food Waste Diversion Program](#)  
[Contract Amendment No. 15-0037](#)  
[Waste Management Outreach Materials](#)

This item was approved on the Consent Calendar.

22. Approval of Plans and Specifications and Award of Well 11-A Generator Installation Project to Unispec Construction, Inc. in the Amount of \$98,000.00, Approve Additional Appropriation in the amount of \$7,800, and Authorize the City Manager to Approve Contingency Funds in an Amount Not-To-Exceed \$9,800 (10%) (Public Works Director Olmos). [CON 15-0032](#)

**APPROVE**

**Attachments:** [Well 11-A Agreement Unispec004](#)  
[Well 11-a Project- budget and expenditure table](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

23. Ordinance No. 15-0013 to 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 (Continued from the 6-2-15 City Council Meeting) (Parks and Recreation Director Leyman). [ORD 15-0013](#)

**INTRODUCE ORDINANCE NO. 15-0013**

**Attachments:** [Ordinance No. 15-0013](#)

This item was approved on the Consent Calendar.

24. Minutes: [15-0018](#)  
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) Adjourned Regular Meeting - Closed Session and Budget Study Session #4 of May 26, 2015
  - b) City Council Adjourned Regular Meeting-Closed Session of June 2, 2015
  - c) City Council Regular Meeting of June 2, 2015 (City Clerk Tamura).

**APPROVE**

**Attachments:** [City Council Adjourned Regular Meeting-Closed Session and Budget Study S](#)  
[City Council Adjourned Regular Meeting-Closed Session Minutes of June 2, 2](#)  
[City Council Regular Meeting Minutes of June 2, 2015](#)

This item was approved on the Consent Calendar.

27. Written Report Regarding Interim Zoning Ordinance (Community Development Director Lundstedt). [15-0292](#)

**ISSUE 10-DAY REPORT AND SCHEDULE PUBLIC HEARING**

**Attachments:** [Government Code Section 65858\(d\) Written Report](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items Removed from the Consent Calendar.

**M. PUBLIC HEARINGS**

25. Public Hearing Regarding Resolution No. 15-0020 for the Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2015-2016 (Finance Director Moe). [RES 15-0020](#)
- CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NO. 15-0020**

**Attachments:**    [Resolution No. 15-0020](#)  
[Engineer's Report 2015-2016](#)

*Mayor Powell introduced Finance Controller Henry Mitzner who provided the staff presentation.*

*Controller Mitzner and City Manager Mark Danaj responded to City Council questions.*

*Mayor Powell opened the public hearing.*

*The following individual provided public comment:*

*Bill Victor*

*Seeing no further requests to speak, Mayor Powell closed the public hearing.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to adopt Resolution No. 15-0020 for the Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2015-2016. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

26. Public Hearing and Adoption of the Fiscal Year 2015-2016 Operating Budget, Including the Gann Appropriation Limit (Finance Director Moe). [15-0298](#)

**CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NOS. 15-0036 AND 15-0037  
(PER CITY COUNCIL DIRECTION AT THE JUNE 8, 2015 ADJOURNED REGULAR MEETING, THE CITY COUNCIL REQUESTED THAT THIS ITEM BE PLACED ON THE JUNE 16, 2015 CITY COUNCIL AGENDA AND THAT THE STAFF REPORT BE DISTRIBUTED BY FRIDAY, JUNE 12, 2015).**

*Mayor Powell introduced Finance Director Bruce Moe who provided the staff presentation.*

*Finance Director Moe responded to City Council questions.*

*Mayor Powell opened the public hearing.*

*The following individuals provided public comment:*

*Bill Victor*

Barbara Vanduzen  
 Ed Capriellian  
 Viet Ngo  
 Unknown Speaker

Seeing no further requests to speak, Mayor Powell closed the public hearing.

Finance Director Moe responded to additional City Council questions.

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to adopt Resolution Nos. 15-0036 establishing the Gann Appropriations Limit for Fiscal Year 2015-2016 and Resolution No. 15-0037 adopting the Fiscal Year 2015-2016 Operating Budget and authorize the City Manager to create classifications and set salary ranges for new positions authorized in the Fiscal Year 2015-2016 Budget for which no classifications exist. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

At 8:00 PM City Council recessed and reconvened at 8:11 PM with all Councilmembers present.

## N. GENERAL BUSINESS

Item Nos. 6, 7 and 10 were heard concurrently.

6. Second Reading and Adoption of Ordinance No. 15-0009 Approving Amendments to the Municipal Code for Chapter 10.12 (Residential Districts) and Related Municipal Code Sections prohibiting Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt).

[ORD 15-0009](#)

### **ADOPT ORDINANCE NO.15-0009**

**Attachments:** [MBMC Chapter 6.24- Short-Term Vacation Rentals \(6-Man Volleyball Tournament\)](#)  
[Map of Short-Term Vacation Rental Locations](#)  
[Courtesy Notice to 58 Short-Term Vacation Rental Business Operators Register](#)  
[Courtesy Notice to 3 Short-Term Vacation Rental Business Operators Register](#)  
[Written Correspondence](#)  
[Ordinance No. 15-0009](#)

7. Second Reading and Adoption of Ordinance No. 15-0010 Approving Amendments to the Local Coastal Program for Chapter A.12 (Residential Districts) and Related Code Sections prohibiting

[ORD 15-0010](#)

Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt).

**ADOPT ORDINANCE NO.15-0010**

**Attachments:**    [Ordinance No. 15-0010](#)  
[MBMC Chapter 6.24- Short-Term Vacation Rentals \(6-Man Volleyball Tourn](#)  
[Map of Short-Term Vacation Rental Locations](#)  
[Courtesy Notice to 58 Short-Term Vacation Rental Business Operators Regis](#)  
[Courtesy Notice to 3 Short-Term Vacation Rental Business Operators Regist](#)  
[Written Correspondence](#)

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Robert Bush  
Unknown Speaker\*  
Robert Reyes  
Bill Victor  
Tami Zamrazil  
Steve Ammons  
Luanne Collup  
John Stiegler  
Unknown Speaker  
Tanna Housh  
Dana Seagers  
Jose Ramirez  
Erin Purdy  
Laurie Dillman  
Betsy Ryan  
Steve Deweiss  
Meg and Roc Dillman  
Lawrence Thomas  
Unknown Speaker  
Rita  
James Civella  
Nader Shahin  
Jim Healy  
Karol Wahlberg  
Robert Stgenus  
Edward McMahon  
Linda Rosen  
Martha Andreani  
Natalie  
Neil Boyer  
Jill Lamkin  
Gina Cloves  
Becca  
Dalia Yasitas  
Lauren Amarante  
Brendhan Springe  
Unknown Speaker  
Mark  
Lynn Harris*

Viet Ngo  
Angela Shriver  
Ashley Danker  
Marlene Ramirez  
Steve Brown  
Unknown Speaker  
Jackie May  
Annette  
Unknown Speaker

*\*This speaker stated that she had a petition with 325 signatures. This petition was not submitted to the City Council at the meeting, nor was it submitted to the City Clerk's Office.*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*City Attorney Quinn Barrow responded to City Council questions.*

*Councilmember Lesser related that he is grateful for additional input received tonight. He supported the Ordinance on first reading, but has had a chance to reflect on the issue and would like to explore regulations, licensing, and limiting the number of times per year rentals would be allowed and see how this would work.*

*City Attorney Barrow read the title of Ordinance No. 15-0009 Approving Amendments to the Municipal Code for Chapter 10.12 (Residential Districts) and Related Municipal Code Sections prohibiting Commercial and Transient Uses in Residential Zones into the record.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to adopt Ordinance No. 15-0009 approving amendments to the Municipal Code for Chapter 10.12 (Residential Districts) and Related Municipal Code Sections prohibiting Commercial and Transient Uses in Residential Zones. The motion carried by the following vote:**

**Aye:** 4 - Powell, Burton, D'Errico and Howorth

**Nay:** 1 - Lesser

*City Attorney Barrow read the title of Ordinance No. 150010 Approving Amendments to the Local Coastal Program for Chapter A.12 (Residential Districts) and Related Code Sections prohibiting Commercial and Transient Uses in Residential Zones into the record.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to adopt Ordinance No. 15-0010 Approving Amendments to the Local Coastal Program for Chapter A.12 (Residential Districts) and Related Code Sections prohibiting Commercial and Transient Uses in Residential Zones. The motion carried by the following vote:**

**Aye:** 4 - Powell, Burton, D'Errico and Howorth

**Nay:** 1 - Lesser

0016 to the California Coastal Commission for Amendments to the Local Coastal Program (LCP) Regarding Commercial and Transient Uses in Residential Zones and Appeals (Community Development Director Lundstedt).

**ADOPT RESOLUTION NO. 15-0039**

**Attachments:**     [Resolution No. 15-0039](#)

*After discussion on this item, City Council deferred taking action until after its consideration of Item Nos. 8 and 9, later in the evening.*

*At 10:05 PM City Council recessed and reconvened at 10:17 PM with all Councilmembers present.*

- 28.**     Presentation and Approval of the South Bay Bicycle Mini-Corral Plan [15-0277](#)  
(Community Development Director Lundstedt).

**APPROVE**

**Attachments:**     [Final South Bay Bicycle Mini-Corral Plan](#)  
[PPIC Minutes-Mini-Corrals 4-23-2015-draft](#)  
[Sketch - Mini Bike Corral Locations](#)

*Mayor Powell introduced traffic Engineer Erik Zandvliet who provided the staff presentation.*

*Traffic Engineer Zandvliet responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*David Sudins  
Julian Katz  
Craig Cadwallader  
Bill Victor  
Ryan Johnson*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, to approve the South Bay bicycle Mini-Corral Plan. A friendly amendment, accepted by the maker, was to give Staff direction to add bicycle racks at the lower level of City Hall until such time as the corrals are added at 15th Street and Highland. the motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

- 29.**     Council Consideration and Direction for a Hardship Exemption from [15-0294](#)  
the Downtown IZO to Allow a Change of Use for a Retail Use to  
Occupy a portion of a Vehicle Repair Space at 1140 Highland Avenue  
(Community Development Director Lundstedt).

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:**     [Urgency Ordinance No.14-0016](#)  
[IZO Hardship Exemption Request Letter and Plans](#)

*Mayor Powell introduced the item and Community Development Director Marisa Lundstedt provided the staff presentation.*

*Community Development Director Lundstedt responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Jason Shanks  
Craig Cadwallader*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Mayor Pro Tem Burton, seconded by Mayor Powell, to grant the Hardship Exemption from the Downtown IZO to Allow a Change of Use for a Retail Use to Occupy a portion of a Vehicle Repair Space at 1140 Highland Avenue. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth



**O. ITEMS REMOVED FROM THE CONSENT CALENDAR**

5. Approve the Budgeted Replacement of the Electronic Document Management System; Award of Request For Proposal (RFP) #1011-15 to Konica Minolta Business Solutions for the Purchase of a Replacement Electronic Document Management System in an Amount Not-to-Exceed \$130,000 and Authorize the City Manager to Negotiate a Contract; Award a Purchase Order to Nth Generation for the Purchase of Servers, Storage and Backup Solutions in an Amount Not-to-Exceed \$35,000; Approve a Contract with Gladwell Governmental Services, Inc. for Project Management Services in an Amount Not-to-Exceed \$35,000 and Authorize the City Manager to Negotiate a Contract; and Waive Formal Bidding per Municipal Code Section 2.36.140 (waivers) for Gladwell Governmental Services, Inc. and Nth Generation (City Clerk Tamura).

[CON 15-0029](#)**APPROVE, AUTHORIZE, WAIVE FORMAL BIDDING**

**Attachments:**    [RFP #1011-15 Responses](#)  
[Infrastructure Requirements Diagram](#)

*This item was pulled by Bill Victor and Ed Caprielian.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Ed Caprielian  
Bill Victor*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to approve the Budgeted Replacement of the Electronic Document Management System; Award of Request For Proposal (RFP) #1011-15 to Konica Minolta Business Solutions for the Purchase of a Replacement Electronic Document Management System in an Amount Not-to-Exceed \$130,000 and Authorize the City Manager to Negotiate a Contract; Award a Purchase Order to Nth Generation for the Purchase of Servers, Storage and Backup Solutions in an Amount Not-to-Exceed \$35,000; Approve a Contract with Gladwell Governmental Services, Inc. for Project Management Services in an Amount Not-to-Exceed \$35,000 and Authorize the City Manager to Negotiate a Contract; and Waive Formal Bidding per Municipal Code Section 2.36.140 (waivers) for Gladwell Governmental Services, Inc. and Nth Generation. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

*Items 8, 9 and 10 were heard concurrently.*

8. Second Reading and Adoption of Ordinance No. 15-0015 Approving Amendments to the Municipal Code to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter 10.100 (Appeals) (Community Development Director Lundstedt). [ORD 15-0015](#)  
**ADOPT ORDINANCE NO. 15-0015**  
**Attachments:** [Ordinance No. 15-0015](#)  
[Ordinance No. 15-0015 Redline Strike Out Version Comparing June 2, 2015](#)
9. Second Reading and Adoption of Ordinance No. 15-0016 Approving Amendments to the Local Coastal Program to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter A.96.160 (Appeals) (Community Development Director Lundstedt). [ORD 15-0016](#)  
**ADOPT ORDINANCE NO. 15-0016**  
**Attachments:** [Ordinance No. 15-0016](#)  
[Ordinance No. 15-0016 redline strike out version comparing June 2, 2015 Dr](#)
10. Resolution No. 15-0039 Transmitting Ordinance Nos. 15-0010 and 15-0016 to the California Coastal Commission for Amendments to the Local Coastal Program (LCP) Regarding Commercial and Transient Uses in Residential Zones and Appeals (Community Development Director Lundstedt). [RES 15-0039](#)  
**ADOPT RESOLUTION NO. 15-0039**  
**Attachments:** [Resolution No. 15-0039](#)
- Viet Ngo pulled Item Nos. 8, 9 and 10. He was no longer in attendance.*
- Ed Caprielian pulled item No. 9.*
- Mayor Powell opened the floor to public comment.*
- The following individuals provided public comment:*
- Jackie May  
Ed Caprielian  
Bill Victor*
- Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*
- City Attorney Quinn Barrow read the title of Ordinance No. 15-0015 Approving Amendments to the Municipal Code to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter 10.100 (Appeals) into the record.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember d'Errico, to adopt Ordinance No. 15-0015 Approving Amendments to the Municipal Code to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter 10.100 (Appeals) and strike the words "for notification only". The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

*City Attorney Barrow read the title of Ordinance No. 15-0016 Approving Amendments to the Local Coastal Program to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter A.96.160 into the record.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to adopt Ordinance No. 15-0016 Approving Amendments to the Local Coastal Program to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter A.96.160 (Appeals), with the same amendment to delete "for notification only". The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

*City Attorney Barrow read the title of Resolution No.15-0039 into the record : Resolution No. 15-0039 A Resolution of the City Council Authorizing Submission of Ordinance Nos. 15-0010 and 15-0016 to the California Coastal Commission to incorporate Amendments to the Local Coastal Program (LCP) for Chapter 8A.12 Residential Districts and Related LCP Sections clarifying that Commercial and Transient uses are Prohibited in Residential Zones and to include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter A.96.160 (Appeals).*

*Councilmember Lesser stated that he would not be supporting this Resolution because of his earlier vote on Ordinance 15-0010.*

**A motion was made by Mayor Pro Tem Burton, seconded by Mayor Powell, to adopt Resolution No. 15-0039 Transmitting Ordinance Nos. 15-0010 and 15-0016 to the California Coastal Commission for Amendments to the Local Coastal Program (LCP) Regarding Commercial and Transient Uses in Residential Zones and Appeals. The motion carried by the following vote:**

**Aye:** 4 - Powell, Burton, D'Errico and Howorth

**Nay:** 1 - Lesser

- 12.** One-Year Contract with Verizon California, Inc. to Provide Telecommunications Services Including Integrated Services Digital Network, Digital Signal 1 and CentraNet Telecommunications Services with an Estimated Annual Value of \$49,729 (Finance Director Moe).

[CON 15-0030](#)

**APPROVE**

**Attachments:** [Agreement with Verizon California – CentraNet and ISDN-PRI Services](#)

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, to approve a One-Year Contract with Verizon California, Inc. to Provide Telecommunications Services Including Integrated Services Digital Network, Digital Signal 1 and CentraNet Telecommunications Services with an Estimated Annual Value of \$49,729. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

15. Award of Orders to South Bay Regional Public Communications Authority to Provide Electronics and Equipment for Eleven Previously Approved Vehicles: Six Patrol Utility Interceptors, One K-9 Interceptor and One Explorer for the Police Department and Three Public Works Vehicles, in the Amount of \$97,575.51 (Finance Director Moe). [15-0226](#)  
**WAIVE FORMAL BIDDING, APPROVE**

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, Award of Orders to South Bay Regional Public Communications Authority to Provide Electronics and Equipment for Eleven Previously Approved Vehicles: Six Patrol Utility Interceptors, One K-9 Interceptor and One Explorer for the Police Department and Three Public Works Vehicles, in the Amount of \$97,575.51 . The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

17. Request to Exercise Contract Renewal Option for Landscaping Services Provided by Merchants Landscape, Inc. (Public Works Director Olmos). [CON 15-0035](#)  
**APPROVE**

**Attachments:** [Amended Agreement](#)

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, to Exercise Contract Renewal Option for Landscaping Services Provided by Merchants Landscape, Inc. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

18. Award of Professional Service Agreements for On-Call Construction Management and Inspection Services (RFP #1032-15) to Psomas, Civil Source, Inc. and AndersonPenna Partners, Inc. in the Amount of \$400,000 for a Three Year Term for Each Firm and Direct Staff to Incorporate Past City Council Restrictions from Previously Approved On-Call Engineering Services Agreements (Public Works Director Olmos). [CON 15-0034](#)

**APPROVE**

**Attachments:** [Professional Services Agreement - Psomas of Culver City, CA](#)  
[Professional Services Agreement - AndersonPenna Partners, Inc. of Newport](#)  
[Professional Services Agreement - Civil Source, Inc. of Irvine, CA](#)  
[Typical Engineering Consultant RFP Process and RFP #1032-15 Consultant](#)  
[List of Potential Projects for Construction Management and Inspection](#)  
[Potential Construction Management and Inspection Project Fee Awards](#)

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

*Mayor Pro Tem Burton stated that he has concerns that the cap is unrealistic and this needs oversight on the part of the City Council. He further added that an appropriate cap be set and then bring the item to City Council on the Consent Calendar for approval.*

*Councilmember D'Errico commented that he thinks that the delay in returning to City Council would be only a week on average and that is nothing in terms of time, and the objective is to keep moving on contracts.*

**A motion was made by Councilmember Lesser, seconded by Councilmember Howorth, to award a Professional Service Agreements for On-Call Construction Management and Inspection Services (RFP #1032-15) to Psomas, Civil Source, Inc. and AndersonPenna Partners, Inc. in the Amount of \$400,000 for a Three Year Term for Each Firm and Direct Staff to Incorporate Past City Council Restrictions from Previously Approved On-Call Engineering Services Agreements. The motion carried by the following vote:**

**Aye:** 3 - Powell, Lesser and Howorth

**Nay:** 2 - Burton and D'Errico

- 19.** Award of Professional Services Agreement with IDS Group for Design Services for Improvements to Parking Structures at Lots Number 2, 3, and 4 and Authorize the City Manager to Execute Agreement in the Amount of \$29,780 (Public Works Director Olmos).

[CON 15-0031](#)

**APPROVE**

**Attachments:** [Professional Services Agreement](#)

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to award a Professional Services Agreement with IDS Group for Design Services for Improvements to Parking Structures at Lots Number 2, 3, and 4 and Authorize the City Manager to Execute Agreement in the Amount of \$29,780. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

- 27.** Written Report Regarding Interim Zoning Ordinance (Community

[15-0292](#)

Development Director Lundstedt).

### ISSUE 10-DAY REPORT AND SCHEDULE PUBLIC HEARING

**Attachments:** [Government Code Section 65858\(d\) Written Report](#)

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Jackie May  
Karol Wallberg  
Bill Victor*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*Community Development Director Marisa Lundstedt responded to City Council questions.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to direct Staff to issue a 10-day report and schedule a public hearing on the Interim Zoning Ordinance for the next City Council Meeting and direct Staff to contact all Manhattan Beach residents in the Downtown Business District and adjacent residents (within one block) and set a meeting at a future date to assist that group in coalescing into a meaningful working group. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

22. Approval of Plans and Specifications and Award of Well 11-A Generator Installation Project to Unispec Construction, Inc. in the Amount of \$98,000.00, Approve Additional Appropriation in the amount of \$7,800, and Authorize the City Manager to Approve Contingency Funds in an Amount Not-To-Exceed \$9,800 (10%) (Public Works Director Olmos).

[CON 15-0032](#)

#### **APPROVE**

**Attachments:** [Well 11-A Agreement Unispec004](#)  
[Well 11-a Project- budget and expenditure table](#)

*Mayor Powell opened the floor to public comment.*

*The following individual provided public comment:*

*Bill Victor*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to approve the Plans and Specifications and Award of Well 11-A Generator Installation Project to Unispec Construction, Inc. in the Amount of \$98,000.00, Approve Additional Appropriation in the amount of \$7,800, and Authorize the City Manager to Approve Contingency Funds in an Amount Not-To-Exceed \$9,800 (10%) . The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

**P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*None.*

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

*None.*

**R. RECEIVE AND FILE ITEMS**

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Lesser, to receive and file Item Nos. 30-31. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

**30. Commission Minutes: [15-0301](#)**

This Item Contains Minutes of City Commissions Meetings. Staff Recommends that the City Council, by Motion, Take Action to Receive and File the Minutes of the:

- a) Cultural Arts Commission Meeting of May 12, 2015
- b) Library Commission Meeting of May 20, 2015  
(Parks and Recreation Director Leyman).

**RECEIVE AND FILE**

**Attachments:** [Cultural Arts Commission Action Minutes of May 12, 2015](#)  
[Library Commission Action Minutes of May 20, 2015](#)

**This item was received and filed.**

**31. Financial Reports: [15-0255](#)**

- a) Schedule of Demands: May 21, 2015
- b) Investment Portfolio for the Month Ending April 30, 2015
- c) Financial Reports for the Month Ending April 30, 2015  
(Finance Director Moe).

**RECEIVE AND FILE**

**Attachments:** [Schedule of Demands for May 21, 2015](#)  
[Investment Portfolio for the Month Ending April 30, 2015](#)  
[Financial Reports for the Month Ending April 30, 2015](#)

**This item was received and filed.**

**S. ADJOURNMENT**

*At 12:25 AM Mayor Powell adjourned the June 16, 2015 Regular City Council Meeting to the 6:00 PM June 23, 2015 Adjourned Regular Meeting (Study Session) to be held in the Police/Fire Conference Room 400/420 15th Street, in said City.*

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**Tatyana Roujenova-Peltekova**  
**Recording Secretary**

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**Wayne Powell**  
**Mayor**

**ATTEST:**

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**Liza Tamura**  
**City Clerk**