

City Council Regular Meeting

Regular Meeting
Tuesday, January 5, 2016
6:00 PM
City Council Chambers



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

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

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, 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

Pennekamp Elementary School

B. ROLL CALL**C. CEREMONIAL CALENDAR**

1. Presentation of a Plaque to Public Works Director Tony Olmos for Being Honored as the Southern California Chapter of the Public Works Association 2015 Leader of the Year. [16-0013](#)
PRESENT
2. Presentation of a Plaque to Rabbi Mark Hyman, Congregation Tikvat Jacob, in Recognition of His Years of Dedicated Service and Continuous Support to the Community. [16-0011](#)
PRESENT
3. Presentation of a Certificate of Recognition to Alexander Marsden for his Assistance at the November 2015 Pier Lighting Ceremony. [16-0010](#)
PRESENT

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4. Presentation of a Plaque to Pooja Nagpal for Being Recognized as an Honoree of the Girl Scouts 2015 National Young Women of Distinction Award (Continued from the November 17, 2015 City Council Meeting). [15-0494](#)
PRESENT
5. Presentation of a Plaque to Lester Silverman for his Years of Dedicated Service on the Library Commission and the Parking and Public Improvements Commission. [16-0012](#)
PRESENT

D. 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 Wednesday, December 30, 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

By motion of the City Council this is the time to notify the public of any changes to the agenda and/or rearrange the order of the agenda.

F. CITY COUNCIL AND COMMUNITY ORGANIZATION ANNOUNCEMENTS OF UPCOMING EVENTS (1 MINUTE PER PERSON)

City Councilmembers and community organization representatives may inform the public about upcoming events.

G. CITY MANAGER REPORT

H. CITY ATTORNEY REPORT

I. PUBLIC COMMENTS (2 MINUTES PER PERSON FOR ONE ITEM, A MAXIMUM OF 5 MINUTES IF A SPEAKER WANTS TO COMMENT ON MORE THAN ONE ITEM)

THIS IS YOUR OPPORTUNITY TO COMMENT ON ANY ITEM ON THE AGENDA THAT IS NOT A PUBLIC HEARING, AS WELL AS ANY ITEM THAT IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL. The Mayor may determine whether an item is within the subject matter jurisdiction of the City Council. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the Agenda. Please complete the "Request to Address the City Council" card by filling out your name, city of residence, the item(s) you would like to offer public comment, and returning it to the City Clerk.

J. PLANNING COMMISSION QUASI-JUDICIAL DECISIONS (RECEIVE AND FILE)

This is an opportunity for a Councilmember to submit a written request that the City Council review the Planning Commission decision, in which case a duly noticed public hearing on the matter will be scheduled for a later date. In the absence of a written request, the matter will be received and filed by order of the chair.

The Planning Commission recently took action on the following matter(s):

K. CONSENT CALENDAR (APPROVE)

Items on the "Consent Calendar" are routine and customary business items and will be enacted with one vote. Removal of items from the Consent Calendar for individual consideration will be at a City Councilmember's discretion. In such case, the item will be heard during general business.

6. Approve Amendment to Agreement with Davey Resource Group to Perform Additional Tasks for the Urban Forest Master Plan in the Amount of \$26,980 (Public Works Director Olmos). [16-0004](#)

APPROVE; APPROPRIATE

Attachments: [DRG Proposal for Additional Tasks](#)
[Original Professional Services Agreement](#)
[Amendment to Professional Services Agreement](#)

7. Approve Continued Use of On-Call Engineering Services Agreement with CivilSource, Inc. for Construction Management and Inspection Services (Public Works Director Olmos). [16-0005](#)

APPROVE

Attachments: [CivilSource, Inc. Task Order Summary](#)

8. Financial Report:
Schedule of Demands: November 25, 2015 and December 10, 2015
(Finance Director Moe). [16-0001](#)

ACCEPT REPORT AND DEMANDS

Attachments: [Schedule of Demands for November 25, 2015 and December 10, 2015](#)

9. City Council Minutes: [16-0020](#)
This Item Contains Action Minutes of the Following City Council Meetings Presented for Approval:
a.) City Council Regular Meeting Minutes of December 15, 2015
b.) Special City Council Meeting Minutes of December 21, 2015
(City Clerk Tamura).

APPROVE

Attachments: [City Council Regular Meeting Minutes of December 15, 2015](#)
[Special City Council Meeting Minutes of December 21, 2015](#)

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

10. Consideration of Amendments to the Zoning Code, Chapter 10.86 and the Local Coastal Program, Chapter A.86, Historic Preservation (Community Development Director Lundstedt) [ORD 15-0034](#)
CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NOS. 15-0034 AND 15-0035

Attachments: [Draft Ordinance No. ORD 15-0034- MBMC](#)
[Draft Ordinance No. ORD 15-0035- LCP](#)
[Planning Commission Resolution No. 15-06](#)
[Planning Commission Staff Report and Attachments- April 29, 2015](#)
[Planning Commission Minutes- April 29, 2015](#)
[Planning Commission Staff Report and Attachments- June 10, 2015](#)
[Planning Commission Minutes- June 10, 2015](#)
[Planning Commission Staff Report and Attachments- September 23, 2015](#)
[Planning Commission Minutes- September 23, 2015](#)
[Late Attachment Email Cover Page and Compare Document; draft Planning Co](#)
[Los Angeles Conservancy Letter – December 23, 2015](#)

11. Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) Prohibiting Cultivation of Commercial Medical Marijuana Activity in the City and Allowing Limited Cultivation of Medical Marijuana for Personal Use by Qualified Persons (Community Development Director Lundstedt). [ORD 15-0036](#)
CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NOS. 15-0036 AND 16-0001

Attachments: [Draft Ordinance No. ORD 15-0036-MBMC](#)
[Draft Ordinance No. ORD 16-0001- LCP](#)
[Planning Commission Resolution No. PC 15-07](#)
[Urgency Ordinance No ORD 15-0036U- December 1, 2015](#)
[Current MBMC Section 10.60.160](#)
[Planning Commission staff report and attachments- December 9, 2015](#)
[Planning Commission draft minutes- December 9, 2015](#)

**AGENDA ITEM NOS. 12 AND 13 WILL BE CONSIDERED IMMEDIATELY BEFORE
SECTION L. PUBLIC HEARINGS.**

M. OLD BUSINESS

12. Adoption of 2015 City-wide Strategic Plan (Assistant City Manager Nader). [16-0014](#)
ADOPT

Attachments: [2015 City of Manhattan Beach Strategic Plan Final Draft](#)
[Community Final Draft Review \(includes Open City Hall and emailed responses\)](#)

13. Memorandum of Understanding with the California Teamsters Local 911 (Human Resources Director Zadroga-Haase). [RES 16-0004](#)
APPROVE, ADOPT RESOLUTION NO. 15-0067

Attachments: [California Teamsters Local 911 Memorandum of Understanding \(redlined\)](#)
[California Teamsters Local 911 Memorandum of Understanding \(final\)](#)
[Resolution No. 16-0004](#)

14. Second Reading of Ordinance No. 15-0037 Prohibiting Delivery of Medical Marijuana and Mobile Marijuana Dispensaries in the City (Continued from the December 15, 2015 City Council Meeting) (City Attorney Barrow). [ORD 15-0037](#)
ADOPT ORDINANCE NO. 15-0037

Attachments: [Ordinance No. 15-0037](#)

N. NEW BUSINESS

15. Ordinance Regulating Unmanned Aircraft (Drones) (City Attorney Barrow). [ORD 16-0002](#)
**INTRODUCE ORDINANCE NO. 16-0002 AND WAIVE FURTHER
READING**

Attachments: [Draft Ordinance No. 16-0002](#)

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

P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

16. Agenda Forecast (City Clerk Tamura). [16-0016](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [Agenda Forecast January 5, 2016](#)

Q. INFORMATIONAL ITEMS

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

17. Commission Minutes:[16-0024](#)

This Item Contains Minutes of the following City Commission and Subcommittee Meetings:

- a) Planning Commission Meeting Action Minutes of December 9, 2015 (Community Development Director Lundstedt).
- b) Finance Subcommittee Meeting Action Minutes of December 17, 2015 (Finance Director Moe).

INFORMATION ITEM ONLY

Attachments: [Planning Commission Meeting Action Minutes of December 9, 2015](#)
[Finance Subcommittee Meeting Action Minutes of December 17, 2015](#)

R. CLOSED SESSION**1. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)**

(Government Code Section 54956.9(a))

**Ferreol Cardenas v. Manhattan Beach, United States District Court, Central District of California,
Case Number 2:15-CV-01469-R (ASx)**

S. ADJOURNMENT

T. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Jan. 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 2, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 16, 2016 – Tuesday -- 6:00 PM - City Council Meeting
March 1, 2016 – Tuesday -- 6:00 PM - City Council Meeting
March 3, 2016 -- Thursday -- 6:00 PM - Joint City Council/Manhattan Beach Unified School District Meeting
March 15, 2016 – Tuesday -- 6:00 PM - City Council Meeting
April 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting
April 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting/Reorganization
May 3, 2016 – Tuesday -- 6:00 PM - City Council Meeting
May 5, 2016 – Thursday -- Time TBD - Budget Study Session #1
May 10, 2016 – Tuesday -- Time TBD - Budget Study Session #2
May 12, 2016 – Thursday -- Time TBD - Budget Study Session #3
May 17, 2016 – Tuesday -- 6:00 PM - City Council Meeting
May 19, 2016 – Thursday -- Time TBD - Budget Study Session #4
June 7, 2016 – Tuesday -- 6:00 PM - City Council Meeting
June 21, 2016 – Tuesday -- 6:00 PM - City Council Meeting
July 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting
July 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 2, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 16, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 6, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 20, 2016 – Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

Jan. 11, 2016 – Monday – 6:30 PM – Library Commission Meeting
Jan. 12, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Jan. 13, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
Jan. 25, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Jan. 27, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
Jan. 28, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
Feb. 8, 2016 – Monday – 6:30 PM – Library Commission Meeting
Feb. 9, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Feb. 10, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
Feb. 22, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Feb. 24, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
Feb. 25, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
March 8, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
March 9, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
March 14, 2016 – Monday – 6:30 PM – Library Commission Meeting
March 23, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting
March 24, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
March 28, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

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

Jan. 18, 2016 – Monday – Martin Luther King Day

Feb. 15, 2016 - Monday - Presidents Day

May 30, 2016 – Monday – Memorial Day

Jul. 4, 2016 - Monday - Independence Day

Sep. 5, 2016 - Monday - Labor Day

Oct. 10, 2016 – Monday – Columbus Day

Nov. 11, 2016 – Friday – Veterans Day

Nov. 24-25, 2016 - Thursday & Friday - Thanksgiving Holiday

Dec. 26, 2016 - Monday - Christmas Day