

City Council Regular Meeting

Regular Meeting

Tuesday, September 15, 2015

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**B. ROLL CALL****C. CEREMONIAL CALENDAR****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 Thursday, September 10, 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 of interest to the public 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):

None.

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.

1. Second Reading of Ordinance No. 15-0022 Streamlining the Permitting Process for Small Residential Rooftop Solar Energy Systems (Fire Chief Espinosa and Community Development Director Lundstedt).
SECOND READING AND ADOPT ORDINANCE NO. 15-0022

[ORD 15-0022](#)

Attachments: [Ordinance No. 15-0022-Solar Paneling Ordinance](#)

2. Adoption of Urgency Ordinance No. 15-0025-U and Introduction of Non-Urgency Ordinance No. 15-0025, which will Revise *Title 7 - Public Works, Chapter 7.44 - Water Conservation* of the Manhattan Beach Municipal Code (Public Works Director Olmos).
ADOPT URGENCY ORDINANCE NO. 15-0025-U AND INTRODUCE ORDINANCE NO. 15-0025

[ORD
15-0025-U](#)

Attachments: [Ordinance No. 15-0025-U](#)
[Ordinance No. 15-0025](#)

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3. Approve Contract with KNN Public Finance for Financial Advisory Services (Finance Director Moe) [CON 15-0050](#)
APPROVE
Attachments: [KNN Public Finance, Inc. Agreement](#)
4. Approve Contract for Bond and Disclosure Counsel Services with Stradling, Yocca, Carlson & Rauth (Finance Director Moe) [CON 15-0051](#)
APPROVE
Attachments: [Agreement for Bond and Disclosure Counsel Services](#)
5. Acceptance of Donated Real Property, APN 4168-017-027 (Meadows/Bryant Place), by the Pelton Company, LLC to the City of Manhattan Beach (Public Works Director Olmos). [RES 15-0051](#)
ACCEPT AND ADOPT RESOLUTION NO. 15-0051
Attachments: [Resolution 15-0051](#)
6. Financial Reports: [15-0347](#)
Schedule of Demands: August 13, 2015 (Finance Director Moe).
APPROVE
Attachments: [Schedule of Demands for August 13, 2015](#)
7. City Council Minutes: [15-0024](#)
This Item Contains Minutes of the following City Council Meeting: City Council Regular Meeting of September 1, 2015 (City Clerk Tamura).
APPROVE
Attachments: [City Council Regular Meeting of September 1, 2015](#)

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

M. OLD BUSINESS

This section is for any unfinished agenda items from a prior City Council Meeting.

8. Strategic Planning Process Update (Information Memo Published August 28, 2015) (Assistant City Manager Nader). [15-0412](#)
INFORMATION ONLY
Attachments: [Strategic Planning Information Memo 2015](#)
9. Additional Research Regarding Surety Bonds and Numerical Limitations on Residential Construction Permits (Community Development Director Lundstedt). [15-0421](#)
PROVIDE DIRECTION

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10. Introduce Ordinance No. 15-0019: Regulation of Smoking in Multi-Unit Housing in Manhattan Beach (Public Works Director Olmos).
INTRODUCE ORDINANCE NO. 15-0019

[ORD 15-0019](#)

Attachments: [Ordinance No. 15-0019](#)

N. NEW BUSINESS

11. Approve the Appropriation of Additional Surface Transportation Program - Local (STPL) Funding in the Amount of \$481,249 to the Strand Stairs Rehabilitation Project (Public Works Director Olmos).
APPROVE APPROPRIATION

[15-0403](#)

Attachments: [Budget Summary Strand Stairs](#)

O. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS AND TRAVEL REPORTS, INCLUDING AB 1234 REPORTS (COMMITTEE REPORTS)

P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

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

[15-0413](#)

Attachments: [Agenda Forecast September 15, 2015](#)

Q. INFORMATIONAL ITEMS

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

None

R. CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

Agency Negotiator: Mark Danaj, City Manager

**Employee Groups: Manhattan Beach Firefighters' Association;
Manhattan Beach Police Officers' Association;
Manhattan Beach Police Management Association;
Management Confidential;
Teamsters and
Part-Time Employees**

2. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9 (d) (1))

**Kayter, Kenneth v. City of Manhattan Beach, LA Superior Court, Case No.
BC539719**

S. ADJOURNMENT

T. FUTURE MEETINGS**CITY COUNCIL MEETINGS**

Oct. 6, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 20, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 4, 2015 – Wednesday -- 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
Jan. 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting
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 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 – Tuesday -- Time TBD - Budget Study Session #1
May 10, 2016 – Tuesday -- Time TBD - Budget Study Session #2
May 12, 2016 – Tuesday -- Time TBD - Budget Study Session #3
May 17, 2016 – Tuesday -- 6:00 PM - City Council Meeting
May 19, 2016 – Tuesday -- 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

Sept. 22, 2015 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Sept. 24, 2015 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting
Sept. 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Oct. 12, 2015 – Monday – 6:30 PM – Library Commission Meeting
Oct. 13, 2015 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Oct. 14, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
Oct. 22, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
Oct. 26, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Oct. 28, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
Nov. 9, 2015 – Monday – 6:30 PM – Library Commission Meeting
Nov. 10, 2015 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Nov. 11, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
Nov. 23, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
Nov. 25, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
Nov. 26, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting - CANCELLED
Dec. 8, 2015 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting
Dec. 9, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
Dec. 14, 2015 – Monday – 6:30 PM – Library Commission Meeting
Dec. 23, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
Dec. 24, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
Dec. 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

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

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
Jul. 4, 2016 - Monday - Independence Day
Sep. 5, 2016 - Monday - Labor Day