

City Council Regular Meeting

Regular Meeting

Tuesday, October 20, 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**

1. Presentation of a Plaque in Recognition of Councilmember Amy Howorth as an Honoree of the 12 Remarkable Women for the National Women's Political Caucus Los Angeles Westside Calendar. [15-0456](#)
PRESENT
2. Presentation of a Proclamation to the Manhattan Beach Rotary Club Declaring October 23, 2015 as "World Polio Day." [15-0465](#)
PRESENT
3. Presentation of a Certificate of Recognition to the Manhattan Beach Rotary Club for Leading the Efforts to Raise \$1 Million to Advance Clean Water, Sanitation and Hygiene (WASH) to Over 25,000 People in Niger, Western Africa. [15-0471](#)
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, October 14, 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

- Labor Negotiations Update

H. CITY ATTORNEY REPORT**I. MAYOR'S REPORT ON MEETING MANAGEMENT****J. 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.

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):

- None

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.

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4. Adopt Ordinance No. 15-0019: Regulation of Smoking in Multi-Unit Housing in Manhattan Beach (Continued from the October 6, 2015 City Council Meeting) (Public Works Director Olmos). [ORD 15-0019](#)
ADOPT ORDINANCE NO. 15-0019 AND APPROPRIATE FUNDS
Attachments: [Ordinance No. 15-0019](#)
5. Consideration of a Renewal of a Fire Department Equipment/Apparatus Loan Agreement with the Cities of El Segundo, Hermosa Beach, Redondo Beach and Manhattan Beach (Fire Chief Espinosa). [15-0339](#)
APPROVE
Attachments: [Apparatus Equipment Loan Agreement](#)
6. Request from the Parks and Recreation Commission to Discuss the Salute to the Troops Event and Community Sunscreen Lotion Dispensers (Parks and Recreation Director Leyman). [15-0462](#)
APPROVE
Attachments: [Request to Discuss Salute Sunscreen Memo](#)
7. Financial Reports: [15-0397](#)
a) Schedule of Demands: September 24, 2015
b) Investment Portfolio for the Month Ending August 31, 2015
c) Financial Reports for the Month Ending August 31, 2015
(Finance Director Moe).
ACCEPT REPORTS AND DEMANDS
Attachments: [Schedule of Demands for September 24, 2015](#)
[Investment Portfolio for the Month Ending August 31, 2015](#)
[Financial Reports for the Month Ending August 31, 2015](#)
8. Minutes: [15-0026](#)
The minutes of the City Council Regular Meeting of October 6, 2015 are being continued to the November 3, 2015 City Council Regular Meeting (City Clerk Tamura).
CONTINUED

M. PUBLIC HEARINGS (2 MINUTES PER PERSON)**N. OLD BUSINESS**

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9. Presentation of a Preliminary Wayfinding Signage Master Plan (Continued from the October 6, 2015 City Council Meeting) (Public Works Director Olmos). [15-0373](#)

RECEIVE REPORT AND PROVIDE DIRECTION

Attachments: [Powerpoint Presentation](#)
[Open City Hall Survey - Initial Survey](#)
[Open City Hall Survey - Design Option Selection](#)

10. Downtown Specific Plan Project Update (Community Development Director Lundstedt). [15-0425](#)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Downtown Specific Plan Update Memo](#)
[Open City Hall Survey Results](#)
[Workshop #1 Summary](#)
[Public Outreach Collateral](#)
[PowerPoint Presentation](#)

11. Strand Stairs Rehabilitation Project Design Overview (Public Works Director Olmos). [15-0428](#)

RECEIVE REPORT AND PROVIDE DIRECTION

Attachments: [Project Design Presentation](#)

12. Introduce Ordinance No. 15-0020 to Institute a Tobacco Retail Licensing Program in Manhattan Beach (Public Works Director Olmos). [ORD 15-0020](#)

WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 15-0020

Attachments: [Ordinance No. 15-0020](#)
[LA County Youth Purchase Survey Results](#)
[Tobacco Retailer Map](#)
[Opposition Letters to the Tobacco Retail License Ordinance](#)

O. NEW BUSINESS

P. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS

Q. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

13. Agenda Forecast (City Clerk Tamura). [15-0472](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [Agenda Forecast October 14, 2015](#)

R. INFORMATIONAL ITEMS

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

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

(Government Code Section 54956.9 (a))

Armato v. City of Manhattan Beach LASC Case No. BS142266

On July 21, 2015, the Los Angeles Superior Court upheld the City Council's approval of a Coastal Development Permit ("CDP") for a single family residence at 301/303 25th Street, ruling that the decision was supported by substantial evidence. Specifically, the Court ruled that City staff was correct in concluding that the residence is only three stories high; staff correctly calculated the maximum height of the project; and former Councilmember Montgomery did not display any impermissible bias and thus there was no denial of due process. The court also ruled that the revision to the project to convert crawl space into storage space required a hearing or an appeal process, and thus issued a writ to overturn the approval of such conversion.

2. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION

(Government Code Section 54957)

Title: City Manager

3. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION

(Government Code Section 54957)

Title: City Attorney

T. ADJOURNMENT

U. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Nov. 3, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 4, 2015 - Wednesday - 8:00 AM - City Council Strategic Plan Retreat
Nov. 16, 2015 - Monday - 9 AM - 10:30 AM & 3:30 PM - 5 PM City Council Meeting
Nov. 17, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 19, 2015 - Thursday - 6:00 PM - Joint City Council Meeting/Planning Commission
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

Oct. 22, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting - CANCELLED
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

V. CITY HOLIDAYS

CITY OFFICES CLOSED ON THE FOLLOWING DAYS:

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