



## Legislation Text

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**File #:** 19-0324, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Anne McIntosh, Community Development Director

**SUBJECT:**

Consider Request by Mayor Hersman and Mayor Pro Tem Montgomery (City Council Mall Expansion Subcommittee) to Place on a Future Agenda a Digital Media Package Proposal Submitted by Manhattan Village Shopping Center (Community Development Director McIntosh).

**CONSIDER PLACING ON FUTURE AGENDA TO CONSIDER MERITS OF PROPOSAL**

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**RECOMMENDATION:**

Staff recommends that the City Council discuss and provide direction regarding the proposed digital media package submitted by Manhattan Village Shopping Center (MVSC), and if there is an interest in considering the proposal, direct staff to research and analyze the options for discussion at a future City Council meeting.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action. Staff time and resources may be expended should the City Council direct staff to further analyze the request. Additionally, the proposal has the potential of generating revenue for the City through off-site advertising.

**BACKGROUND:**

Pursuant to the Brown Act, the City Council cannot discuss items not on an agenda unless under limited circumstances. The City Council has developed a process to allow individual Councilmembers to request, with the support of another Councilmember, that items be placed on a future agenda for City Council discussion. At that future meeting, the item is identified on the agenda in full compliance with the Brown Act. Discussion allows an opportunity to the public to provide input and the City Council, as a body, to decide whether City resources (staff time, etc.) should be incurred to present a more comprehensive report at a third City Council meeting.

Accordingly, individual Councilmembers can initiate future agenda items by following the following three-step process:

**STEP ONE:**

During "Future Agenda Items," a Councilmember may request that an item be placed on the agenda. If another Councilmember concurs with placing the item on the agenda, the item is

placed on a future agenda. This was done on July 16, 2019.

**STEP TWO:**

The item is placed on the agenda at the section titled, "City Council Requests and Reports Including AB 1234 Reports" at the end of the agenda with this report. After discussion, the City Council has the following options:

- a) Receive and File the report;
- b) Direct staff to perform the necessary work to prepare a more comprehensive staff report and schedule the item for a future City Council meeting;
- c) Continue the item to a future date; or
- d) Due to the nature of the request, the Council may be able to provide direction at this meeting and skip Step Three.

**STEP THREE:**

If City Council chooses option b) in Step Two above, the item is placed on a future City Council meeting agenda for action. It is recommended that this not occur prior to October 15, 2019, in order to give staff adequate time to conduct the required research and analysis.

**DISCUSSION:**

The Use Permit for the Mall expansion contains a condition that the property owner submit a Sign Program for the MVSC site. This condition has been met and the allowable square footage for signage has been allocated in the sign program.

MVSC believes that the shopping experience will be greatly enhanced with the addition of electronic media display. There are several formats being proposed for the promotional platform assets including freestanding and mounted displays of different sizes. The media ranges from interactive to static to video display. The program includes map and wayfinding content, tenant identification, art and photo images, and off-site advertising. The applicant will give a brief presentation of the proposal at the City Council meeting.

The Sign Chapter of the zoning code does not address many of these sign types, and does not allow off-site advertising in any form. If the City Council sees a benefit to considering digital media at the mall, staff would research similar installments at other commercial centers and would suggest code language that would accommodate parts or all of the request. It is possible that a Zoning Code amendment would be required.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENT:**

1. Manhattan Village - City Summary Handout