

City Council
Regular Meeting
Tuesday, June 16, 2015
6:00 PM
City Council Chambers

4:30 PM Adjourned Regular Meeting - Closed Session



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

Executive Team

Mark Danaj, City Manager
Quinn Barrow, City Attorney

Robert Espinosa, Fire Chief
Captain Derrick Abell, Acting 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, the City Council has specified two additional times for public comments on the agenda--under "Community Announcements Regarding Upcoming Events," at which time the public may address the City Council regarding any upcoming events for up to one minute in duration for any speaker; and again under "Public Comment on Non-Agenda Items," at which time speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, not including items on the agenda, for up to three minutes for each speaker. Estimated times have been placed under each heading to assist with meeting management. Please note that these times are merely an estimate.

Please note that each speaker may speak for up to 15 minutes at any one Council meeting, with additional time during public hearings.

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.

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**

5 MINUTES

B. NATIONAL ANTHEM

Mira Costa High School Choir

5 MINUTES

C. ROLL CALL

1 MINUTE

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

1 MINUTE

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, June 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

5 MINUTES

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. CEREMONIAL CALENDAR

30 MINUTES

1. Presentation of the I ♥ MB Award to Retired NASA Astronaut John "Danny" Olivas. [15-0239](#)
PRESENT
2. Presentation of Certificates of Recognition to the Young Entrepreneurs Academy Graduates. [15-0240](#)
PRESENT
3. Presentation of the I ♥ MB Award to Dennis Jarvis for Outstanding Community Service. [15-0241](#)
PRESENT
4. Presentation of a Certificate of Recognition to Nicholas Vu for his Offer of Appointment to the United States Naval Academy. [15-0251](#)
PRESENT

G. CITY MANAGER REPORT

5 MINUTES

H. CITY ATTORNEY REPORT

5 MINUTES

I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

1 MINUTE PER PERSON

This portion of the meeting is to provide an opportunity for citizens to address the City Council regarding upcoming events. The duration for an individual speaking under "Community Announcements Regarding Upcoming Events" is limited to one minute. A second, extended opportunity to speak is provided under "Public Comment on Non-Agenda Items." While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda, except under very limited circumstances. Please complete the "Request to Address the City Council" card by filling out your name, city of residence, and returning it to the City Clerk. Thank you!

K. PUBLIC COMMENT ON NON-AGENDA ITEMS

3 MINUTES PER PERSON - 30 MINUTES MAXIMUM

Speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, not including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda, except under very limited circumstances. Please complete the "Request to Address the City Council" card by filling out your name, city of residence, and returning it to the City Clerk.

L. CONSENT CALENDAR

5 MINUTES

NOTICE TO THE PUBLIC - The items on the "Consent Calendar" are routine and customary business items and will be enacted with one vote. The Mayor will ask the public, the City Councilmembers and the staff if there is anyone who wishes to remove any item from the "Consent Calendar" for public comment, discussion and consideration. The matters removed from the "Consent Calendar" will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." At that time, any member of the audience may comment on any item pulled from the "Consent Calendar." The entire "Consent Calendar," with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion, after the Mayor has invited the public to speak.

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).
APPROVE, AUTHORIZE, WAIVE FORMAL BIDDING

[CON 15-0029](#)

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

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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: [Ordinance No. 15-0009](#)
[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](#)
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 Register](#)
[Courtesy Notice to 3 Short-Term Vacation Rental Business Operators Register](#)
[Written Correspondence](#)
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 Draft](#)
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 Draft](#)

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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](#)
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](#)
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](#)
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](#)
14. Resolution of Intention to Provide for Annual Levy and Collection of Assessments for the Downtown Business Improvement District and Setting July 7, 2015 for a Public Hearing (Finance Director Moe). [RES 15-0034](#)
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](#)
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

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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](#)
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](#)
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 B](#)
[Professional Services Agreement - Civil Source, Inc. of Irvine, CA](#)
[Typical Engineering Consultant RFP Process and RFP #1032-15 Consultant Ra](#)
[List of Potential Projects for Construction Management and Inspection](#)
[Potential Construction Management and Inspection Project Fee Awards](#)
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](#)
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](#)

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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:** [Notice Regarding Solid Waste Fee Increase Ordinance No. 15-0011](#)
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](#)
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](#)
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 Ses](#)
[City Council Adjourned Regular Meeting-Closed Session Minutes of June 2, 201](#)
[City Council Regular Meeting Minutes of June 2, 2015](#)

M. PUBLIC HEARINGS*30 MINUTES PER ITEM*

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](#)
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).
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](#)

N. GENERAL BUSINESS*30 MINUTES PER ITEM*

28. Presentation and Approval of the South Bay Bicycle Mini-Corral Plan (Community Development Director Lundstedt). [15-0277](#)
APPROVE
Attachments: [Final South Bay Bicycle Mini-Corral Plan](#)
[PPIC Minutes-Mini-Corrals 4-23-2015-draft](#)
[Sketch - Mini Bike Corral Locations](#)
29. Council Consideration and Direction for a 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 (Community Development Director Lundstedt). [15-0294](#)
DISCUSS AND PROVIDE DIRECTION
Attachments: [Urgency Ordinance No.14-0016](#)
[IZO Hardship Exemption Request Letter and Plans](#)

O. ITEMS REMOVED FROM THE CONSENT CALENDAR

5 MINUTES PER ITEM

Prior to the Council's consideration of each item removed from the consent calendar, speakers may comment on any or all of those items for up to three minutes per item.

P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

For speakers who did not speak at the first "Public Comment" period because the 30 minute time limit was reached.

3 MINUTES PER PERSON

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

5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES

R. RECEIVE AND FILE ITEMS

The following items are informational items that do not require action by the City Council. They can be "Received and Filed" by one motion: "Motion to Receive and File" or by order of the Chair.

The Mayor will provide a maximum of three minutes for speakers to comment on this category.

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](#)

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](#)

S. ADJOURNMENT**T. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

Jul. 7, 2015 – Tuesday -- 6:00 PM - City Council Meeting/Reorganization
Jul. 8, 2015 – Wednesday-- 2:00 PM - Adjourned Regular Meeting - Study Session
Jul. 21, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 4, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 18, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 1, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 15, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 6, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 20, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 3, 2015 – Tuesday -- 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

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

June 22, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
June 24, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
June 25, 2015 – Thursday – 6:30 PM -- Parking & Public Improvements Commission Meeting
July 8, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
July 13, 2015 – Monday – 6:30 PM – Library Commission Meeting
July 14, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
July 22, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
July 23, 2015 – Thursday – 6:30 PM -- Parking & Public Improvements Commission Meeting
July 27, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
August 10, 2015 – Monday – 6:30 PM – Library Commission Meeting
August 11, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
August 24, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
September 14, 2015 – Monday – 6:30 PM – Library Commission Meeting
September 15, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
September 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

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

Jul. 3, 2015 - Friday - Independence Day
Sep. 7, 2015 – Monday – Labor Day
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