

## City Council Regular Meeting

Regular Meeting

Tuesday, November 3, 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](http://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**

*Meadows Elementary School*

#### **B. ROLL CALL**

#### **C. CEREMONIAL CALENDAR**

1. Presentation of a Proclamation Declaring the Month of October 2015 as National Caregivers Month. [15-0473](#)  
**PRESENT**
2. Presentation of a Certificate of Recognition to GROW for their Continuous Support and Contributions to the Community. [15-0480](#)  
**PRESENT**
3. Presentation of a Commendation to Fire Battalion Chief Frank Chiella in Recognition of his 35 Years of Dedicated Service to the City of Manhattan Beach. [15-0488](#)  
**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 28, 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

**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):*

4. Planning Commission Approval of Two Coastal Development Permits No. CA 15-05 (VTPM 73511) and CA 15-06 (VTPM 73086) and Subdivision Maps for the Demolition of a Duplex and Construction of Two Three-Story Residential Condominium Units on Each of the Two Lots, for a Total of Four New Condominium Units Located at 2616 and 2620 Alma Avenue (Community Development Director Lundstedt).

[15-0487](#)

**BY ORDER OF THE CHAIR, RECEIVE AND FILE**

**Attachments:** [Planning Commission Staff Report and Attachments- October 14, 2015](#)  
[Late Planning Commission input- Email received on October 14, 2015](#)  
[Planning Commission Draft Minutes- October 14, 2015](#)

**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.

5. Award of a Three-Year Bulk Fuel Contract to Merrimac Energy Group [15-0437](#)  
(Estimated Annual Value of \$350,000) (Finance Director Moe).  
**APPROVE**

Attachments: [Bid 1050-16 Comparison for Bulk Fuel](#)

6. Financial Report: [15-0443](#)  
a) Schedule of Demands: October 8, 2015  
b) Investment Portfolio for the Month Ending September 30, 2015  
c) Month End Report for September 30, 2015  
(Finance Director Moe).

**ACCEPT REPORT AND DEMANDS**

Attachments: [Schedule of Demands for October 8, 2015](#)  
[Investment Portfolio for the Month Ending September 30, 2015](#)  
[Month End Report for September 30, 2015](#)

7. Second Reading and Adoption of Ordinance No. 15-0026 Zoning Code [ORD 15-0026](#)  
Amendments for Maximum Lot Size and Minor Exceptions as  
recommended by the Planning Commission and previously reviewed by  
the City Council in 2013 (Community Development Director Lundstedt).  
**ADOPT ORDINANCE NO.15-0026**

Attachments: [Draft Ordinance No. 15-0026](#)

8. Second Reading and Adoption of Ordinance No. 15-0028 Local Coastal [ORD 15-0028](#)  
Program Amendments for Maximum Lot Size and Minor Exceptions as  
recommended by the Planning Commission and previously reviewed by  
the City Council in 2013 (Community Development Director Lundstedt).  
**ADOPT ORDINANCE NO.15-0028**

Attachments: [Draft Ordinance No. 15-0028](#)

9. Resolution No. 15-0059 Transmitting Ordinance No. 15-0028 to the [RES 15-0059](#)  
California Coastal Commission for Amendments to the Local Coastal  
Program (LCP) Regarding Maximum Lot Size and Minor Exceptions  
(Community Development Director Lundstedt).  
**ADOPT RESOLUTION NO. 15-0059**

Attachments: [Resolution No. 15-0059](#)

- 
10. Letter of Support for the City's Participation in the Compact of Mayors Initiative to Assess the Impacts of Climate Change in Manhattan Beach (Public Works Director Olmos). [15-0483](#)

**APPROVE**

**Attachments:** [Letter of Support for Compact of Mayors Program](#)  
[Requirements for the City's Participation in the Compact of Mayors Program](#)

11. City Council Minutes: [15-0489](#)  
This Item Contains Action Minutes of the Following City Council Meetings Presented for Approval:  
a) City Council Regular Meeting of October 6, 2015 (Continued from October 20, 2015 City Council Meeting)  
b) City Council Regular Meeting of October 20, 2015 (City Clerk Tamura).

**APPROVE**

**Attachments:** [City Council Regular Meeting Minutes of October 6, 2015](#)  
[City Council Regular Meeting Minutes of October 20, 2015](#)

## L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

## M. OLD BUSINESS

12. Introduce Ordinance No. 15-0020 to Institute a Tobacco Retail Licensing Program in Manhattan Beach (Continued from the October 20, 2015 City Council Meeting) (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](#)  
[Supplemental Information Memo for Ordinance No. 15-0020](#)  
[Additional Support Letters for Tobacco Retail Licensing Ordinance](#)

13. Six Month Update on Enforcement of Bike Path Hazards Ordinance Regarding Flashing Lights at the Pier (Ordinance No. 15-0005 - Amending and Restating Municipal Code Provisions Governing Bike Path Hazards) (Police Chief Irvine). [15-0467](#)

**ACCEPT UPDATE**

## N. NEW BUSINESS

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

**P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS**

14. Agenda Forecast (City Clerk Tamura). [15-0486](#)  
**DISCUSS AND PROVIDE DIRECTION**

Attachments: [October 28, 2015 Agenda Forecast](#)

**Q. INFORMATIONAL ITEMS**

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

15. Commission Minutes: [15-0490](#)  
This Item Contains Minutes of the following City Commission Meetings:  
a) Planning Commission Meeting Minutes of October 14, 2015  
(Community Development Director Lundstedt).  
b) Cultural Arts Commission Meeting Minutes of September 22, 2015  
(Parks and Recreation Director Leyman).  
**INFORMATION ITEM ONLY**

Attachments: [Planning Commission Meeting Minutes of October 14, 2015](#)  
[Cultural Arts Commission Meeting Minutes of September 22, 2015](#)

**R. CLOSED SESSION**

**S. ADJOURNMENT**

**T. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

Nov. 4, 2015 - Wednesday - 8:00 AM - City Council Strategic Plan Retreat  
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**

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 - CANCELLED  
Nov. 23, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting  
Nov. 25, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting - CANCELLED  
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:**

*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*