

## City Council Regular Meeting

Regular Meeting

Tuesday, December 1, 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**

*Will Langton, Robinson Elementary School*

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

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

1. Presentation of Certificates of Recognition for School Achievements. [15-0533](#)  
**PRESENT**
2. Annual City Recognition of Longstanding Local Businesses (Finance Director Moe). [15-0457](#)  
**APPROVE**

#### **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 Tuesday, November 24, 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**

3. Adoption of City Manager Fiscal Year 2016-17 Goals.  
**ADOPT**

[15-0538](#)

**H. CITY ATTORNEY REPORT**

4. Adoption of City Attorney Fiscal Year 2016-17 Goals.  
**ADOPT**

[15-0539](#)

**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 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):*

**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. Financial Report:  
Schedule of Demands: November 5, 2015 (Finance Director Moe).  
**ACCEPT REPORT AND DEMANDS**

[15-0459](#)

Attachments: [Schedule of Demands for November 5, 2015](#)

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6. Adopt Ordinance No. 15-0020 to Institute a Tobacco Retail Licensing Program in Manhattan Beach (Public Works Director Olmos). [ORD 15-0020](#)  
**ADOPT**  
**Attachments:** [Ordinance No. 15-0020](#)  
[Ordinance No. 15-0020 Revisions](#)
7. Approve Plans and Specifications for the Rosecrans Avenue Widening Project and Award a Construction Contract to KTB Construction, Inc. in the amount of \$368,750 (Public Works Director Olmos). [CON 15-0054](#)  
**APPROVE**  
**Attachments:** [Budget and Expenditures](#)  
[Construction Contract Agreement](#)
8. Approve Final Payment to Ruiz Brothers - Fast-Track Construction Joint Venture for the Strand Wall Repair and Enhancement Project; Formally Accept the Strand Wall Repair and Enhancement Project as Complete; Authorize Filing of the Appropriate Notice of Completion and Release Retention (Public Works Director Olmos). [15-0505](#)  
**APPROVE**  
**Attachments:** [Budget and Expenditures](#)
9. City Council Minutes: [15-0531](#)  
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) City Council Regular Meeting Minutes of November 3, 2015  
**(Continued from the November 17, 2015, Regular City Council Meeting).**  
b) City Council Retreat Meeting Minutes of November 4, 2015 **(Continue to the December 15, 2015, Regular City Council Meeting).**  
c) City Council Adjourned Regular Meeting Closed Session Meeting Minutes of November 16, 2015.  
d) City Council Regular Meeting Minutes of November 17, 2015.  
(City Clerk Tamura).  
**APPROVE**  
**Attachments:** [City Council Regular Meeting Minutes November 3, 2015](#)  
[City Council Adjourned Regular Meeting Closed Session Meeting Minutes of No](#)  
[City Council Regular Meeting Minutes November 17, 2015](#)

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

## M. OLD BUSINESS

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10. Letter Opposing Construction of a Water Desalination Plant by West Basin Municipal Water District (Community Development Director Lundstedt/Public Works Director Olmos). [15-0510](#)  
**APPROVE**  
**Attachments:** [Letter Opposing the Proposed Desalination Project](#)
11. Options for Development of City-Owned Property on Parkview Avenue, Including Hotel, Apartments or Office; Citywide Hotel Study Report (Finance Director Moe). [15-0511](#)  
**RECEIVE REPORT; PROVIDE DIRECTION**  
**Attachments:** [PKF Consulting Report](#)  
[Keyser Marston Associated Report](#)
12. Downtown Specific Plan Project Update and Next Steps (Community Development Director Lundstedt). [15-0507](#)  
**DISCUSS AND PROVIDE DIRECTION**  
**Attachments:** [Downtown Specific Plan Outreach Summary](#)  
[Workshop #2 Station Posters, Voting and Public Comments](#)  
[Downtown Specific Plan Project Update PowerPoint](#)
13. Appoint to the Vacant Parking and Public Improvements Commission Business Community Seat No. 2 (Continued from November 17, 2015 City Council Meeting) (City Clerk Tamura). [15-0454](#)  
**APPOINT**  
**Attachments:** [Beach Reporter Advertisements October 8, 2015 and October 29, 2015](#)

## N. NEW BUSINESS

14. Adopt Resolution No.15-0066 Supporting Efforts of the City of Hermosa Beach to Implement the Pacific Coast Highway / Aviation Boulevard Mobility Improvement Project (Public Works Director Olmos). [RES 15-0066](#)  
**ADOPT**  
**Attachments:** [Resolution 15-0066](#)
15. Joint Funding Agreement Between the Cities of Manhattan Beach, Gardena and Hawthorne to Provide Advanced Funding to the South Bay Regional Public Communications Authority (RCC) for a Department of Homeland Security, Urban Areas Security Initiative (UASI) Reimbursable Grant for Construction of Interagency Communications Interoperability Systems; Temporary Use of a Portion of General Fund Reserves (Finance Director Moe). [CON 15-0060](#)  
**APPROVE; APPROPRIATE**  
**Attachments:** [Draft Joint Funding Agreement](#)

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16. (1) Adoption of Interim Ordinance No. 15-0036U prohibiting all cultivation of medical marijuana, (2) Adoption of Urgency Ordinance No. 15-0037U prohibiting the delivery of medical marijuana and mobile marijuana dispensaries in the City, and (3) Introducing Ordinance No. 15-0037 prohibiting delivery of medical marijuana and mobile marijuana dispensaries in the City (City Attorney Barrow). [15-0535](#)
- ADOPT ORDINANCES NO. 15-0036U AND 15-0037U AND INTRODUCE ORDINANCE NO. 15-0037**

**Attachments:** [Interim Ordinance No. 15-0036U](#)  
[Urgency Ordinance No. 15-0037U](#)  
[Ordinance No. 15-0037](#)

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

## P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

17. Agenda Forecast (City Clerk Tamura). [15-0544](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [November 24, 2015 Agenda Forecast](#)

## Q. INFORMATIONAL ITEMS

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

18. Commission Minutes: [15-0532](#)  
This Item Contains Minutes of the following City Commission Meetings:  
a) Library Commission Meeting Action Minutes of September 14, 2015 (Parks and Recreation Director Leyman).  
b) Parks and Recreation Commission Meeting Action Minutes of September 28, 2015 (Parks and Recreation Director Leyman).  
c) Cultural Arts Commission Meeting Action Minutes of October 13, 2015 (Parks and Recreation Director Leyman).

### INFORMATION ITEM ONLY

**Attachments:** [Library Commission Minutes September 14, 2015](#)  
[Parks and Recreation Commission Minutes September 28, 2015](#)  
[Cultural Arts Commission Minutes October 13, 2015](#)

## R. CLOSED SESSION

## S. ADJOURNMENT

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

*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**

*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*  
*Jan. 11, 2016 – Monday – 6:30 PM – Library Commission Meeting*  
*Jan. 12, 2016 – Tuesday – 6:00 PM – Cultural Arts Commission Meeting*  
*Jan. 13, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting*  
*Jan. 25, 2016 – Monday – 6:30 PM – Parks and Recreation Commission Meeting*  
*Jan. 27, 2016 – Wednesday – 6:30 PM – Planning Commission Meeting*  
*Jan. 28, 2016 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting*

## U. CITY HOLIDAYS

### **CITY OFFICES CLOSED ON THE FOLLOWING DAYS:**

*Dec. 25, 2015 – Friday – Christmas Day*  
*Jan. 1, 2016 – Friday – New Years Day*  
*Jan. 18, 2016 – Monday – Martin Luther King Day*  
*Feb. 15, 2016 - Monday - Presidents Day*  
*May 30, 2016 – Monday – Memorial Day*  
*Jul. 4, 2016 - Monday - Independence Day*  
*Sep. 5, 2016 - Monday - Labor Day*  
*Oct. 10, 2016 – Monday – Columbus Day*  
*Nov. 11, 2016 – Friday – Veterans Day*  
*Nov. 24-25, 2016 - Thursday & Friday - Thanksgiving Holiday*  
*Dec. 26, 2016 - Monday - Christmas Day*