

## City Council Regular Meeting

**Regular Meeting**  
**Tuesday, June 21, 2016**  
**6:00 PM**  
**City Council Chambers**



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

### 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  
Sanford Taylor, Information Technology 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 recognized for providing exemplary municipal services and contributing to the exceptional quality of life afforded to residents, businesses and visitors who enjoy living in and visiting California's safest beach community**

**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****B. ROLL CALL****C. CEREMONIAL CALENDAR**

1. Presentation of Certificates to the Mira Costa High School Dance Team for Recognition as Three Time Division Winners and 2016 National Champions.  
**PRESENT**

[16-0306](#)

**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, June 15, 2016, 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****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 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): None.*

**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.*

2. Acceptance of Donated Real Property, APN 4138-020-002, by Chevron U.S.A. Inc. to City of Manhattan Beach (Public Works Director Olmos). [RES 16-0043](#)  
**APPROVE AND ADOPT RESOLUTION NO. 16-0043**

**Attachments:** [Chevron Property Location Map](#)  
[Resolution No. 16-0043](#)  
[Chevron Grant Deed](#)

3. Award of Contract to NexLevel Information Technology, Inc. for Enterprise Resource Planning Software Consulting Services in the amount of \$61,415 (Information Technology Director Taylor). [CON 16-0020](#)  
**APPROVE**

**Attachments:** [RFP #1053-16 ERP Software Consulting Services Comparison](#)  
[Professional Services Agreement with NexLevel Information Technology, Inc.](#)

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4. Second Reading of Ordinance No. 16-0007 Amending the Municipal Code to Provide a Process for Modifying Construction Hours Under Limited Circumstances (Community Development Director Lundstedt). [ORD 16-0007](#)  
**SECOND READING AND ADOPT ORDINANCE NO. 16-0007**  
*Attachments:* [Ordinance No. 16-0007](#)  
[Legislative Digest](#)
5. Financial Report: [16-0270](#)  
Schedules of Demands: May 26, 2016 (Finance Director Moe).  
**ACCEPT REPORT AND DEMANDS**  
*Attachments:* [Schedule of Demands for May 26, 2016](#)
6. City Council Minutes: [16-0307](#)  
This Item Contains Minutes of the following City Council Meeting:  
a) City Council Regular Meeting Minutes of May 3, 2016  
(Continued from the June 7, 2016 City Council Meeting). **APPROVE**  
b) City Council Regular Meeting Minutes of May 17, 2016  
(Continued from the June 7, 2016 City Council Meeting). **APPROVE**  
c) City Council Regular Meeting Minutes of June 7, 2016  
**CONTINUE TO THE JULY 5, 2016 CITY COUNCIL MEETING**  
(City Clerk Tamura).  
**APPROVE**  
*Attachments:* [City Council Regular Meeting Minutes of May 3, 2016](#)  
[City Council Regular Meeting Minutes of May 17, 2016](#)
- L. PUBLIC HEARINGS (2 MINUTES PER PERSON)**
7. Conduct Public Hearing Regarding Resolution No. 16-0034 to Consider the Fiscal Years 2017-2021 Capital Improvement Plan (Public Works Director Olmos). [RES 16-0034](#)  
**CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 16-0034**  
*Attachments:* [Projects Brand New to the CIP](#)  
[Existing CIP Projects Needing FY 2016-17 Funding](#)  
[Projects by Type Spreadsheet CIP 17-21](#)  
[Five Year CIP 2017-2021 for Adoption](#)  
[Resolution No. 16-0034](#)  
[Adjustments to the CIP Since May 5, 2016](#)
8. Conduct Public Hearing Regarding the Adoption/Approval of Fiscal Year 2016-2017/2017-2018 Operating Budget (Finance Director Moe). [RES 16-0035](#)  
**CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NO. 16-0035**  
*Attachments:* [Resolution No. 16-0035](#)

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9. Conduct Public Hearing to Consider Resolution No. 16-0036 Establishing the Gann Appropriations Limit for the Fiscal Year 2016-2017 (Finance Director Moe). [RES 16-0036](#)  
**CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 16-0036 AS PART OF THE OPERATING BUDGET**  
**Attachments:** [Resolution No. 16-0036 \(Appropriation Limit\)](#)  
[Gann Limit Calculation](#)
10. Conduct Public Hearing to Consider Resolution No. 16-0037 Adopting the Fiscal Year 2016-17 to Fiscal Year 2018-2019 Citywide Cost Recovery Fees (Finance Director Moe). [RES 16-0037](#)  
**CONDUCT PUBLIC HEARING; ADOPT**  
**Attachments:** [Resolution No. 16-0037](#)  
[Citywide Cost Recovery Fee Study Update Results Memorandum \(Matrix Const](#)  
[Fiscal Year 2016-17 through 2018-19 Cost Recovery Fee Schedule](#)
11. Conduct Public Hearing Regarding Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2016-2017 (Finance Director Moe). [RES 16-0019](#)  
**CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NO. 16-0019**  
**Attachments:** [Resolution No. 16-0019](#)  
[Engineer's Report FY 2016-2017](#)
- M. OLD BUSINESS**
12. Appointment of Seat No. 5 of the Parks and Recreation Commission (Commissioner Thomas Allard) (City Clerk Tamura). [16-0277](#)  
**CONTINUE (DUE TO SCHEDULING CONFLICTS, THIS ITEM IS BEING CONTINUED TO THE JULY 5, 2016, REGULAR CITY COUNCIL MEETING)**  
**Attachments:** [Advertisements from The Beach Reporter, published May 12, 2016 and May 19](#)
13. Council Consideration of Meeting Management Rules (Continued from the June 7, 2016 City Council Regular Meeting under "City Council Reports") (Mayor D'Errico). [16-0305](#)  
**DISCUSS AND PROVIDE DIRECTION**  
**Attachments:** [Resolution No. 15-0048](#)
14. Six Month Update on Pedestrian Safety at the Bike Path in the Area of the Pier (Police Chief Irvine). [16-0162](#)  
**RECEIVE UPDATE**

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15. Pilot Sunscreen Dispenser Program Recommended by the Parks and Recreation Commission (Parks and Recreation Director Leyman). [16-0147](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Sunscreen Dispenser Comparison](#)  
[Proposed Sunscreen Dispenser Locations](#)  
[Sunscreen Dispenser Photos](#)  
[Sunscreen Dispenser Sponsorship Wrap](#)

## N. NEW BUSINESS

16. Review Alternative Uses for Site and Draft for Request for Proposal for Hotel Developer at Parkview Site (Finance Director Moe). [16-0284](#)  
**PROVIDE DIRECTION**

**Attachments:** [Parkview Site Aerial View.pdf](#)  
[Request for Qualifications for Parkview Site](#)  
[Parkview Avenue Site : Senior Citizen Apartment Analysis](#)  
[Parkview Site RFP 6.9.16](#)

17. Veterans Parkway Preliminary Design Presentation (Public Works Director Olmos). [16-0172](#)  
**RECEIVE REPORT AND PROVIDE DIRECTION**

**Attachments:** [PowerPoint Presentation](#)

18. Possible Pilot Program for an Ad-Supported Electric Vehicle Shuttle Service within Manhattan Beach (Economic Vitality Manager Sywak). [16-0273](#)  
**PROVIDE DIRECTION**

**Attachments:** [GEM E6 Shuttle](#)  
[Charging Station Location at Metlox](#)  
[Downtowner Proposal for Service in Manhattan Beach](#)  
[The Free Ride Proposal for Service in Manhattan Beach](#)  
[DBPA Letter to Council](#)

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

## P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

19. Agenda Forecast (City Clerk Tamura). [16-0308](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [June 15, 2016 Agenda Forecast](#)

**Q. INFORMATIONAL ITEMS**

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

**R. CLOSED SESSION**

**I. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

**1.) CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)**

**Government Code Section 54956.9(d)(1)**

**Name of Case: City of Manhattan Beach v. Swinerton**

**Los Angeles County Superior Court, Case Number: YC 07056**

**2.) CONFERENCE WITH PROPERTY NEGOTIATORS**

**(Government Code Section 54956.8)**

**Property: 1401 11th Street**

**City Negotiator: City Manager**

**Negotiating Party: Derrick Levy (Property Owner)**

**Under Negotiation: Price and terms of payment**

**II. RECESS INTO CLOSED SESSION**

**III. RECONVENE INTO OPEN SESSION**

**IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION**

**S. ADJOURNMENT**

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

July 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting  
July 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting  
July 26, 2016 - Tuesday - 6:00 PM - City Council Study Session (Fire Department Initiatives)  
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  
Oct. 4, 2016 - Tuesday -- 6:00 PM - City Council Meeting  
Oct. 18, 2016 - Tuesday -- 6:00 PM - City Council Meeting  
Nov. 1, 2016 - Tuesday -- 6:00 PM - City Council Meeting  
Nov. 15, 2016 - Tuesday -- 6:00 PM - City Council Meeting

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

June 22, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
June 23, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting  
June 27, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting  
July 11, 2016 - Monday - 6:30 PM - Library Commission Meeting  
July 12, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting  
July 13, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
July 25, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting  
July 27, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
July 28, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting  
August 8, 2016 - Monday - 6:30 PM - Library Commission Meeting  
August 9, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting  
August 10, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
August 15, 2016 - Thursday - 8:30 AM - Finance Subcommittee Meeting  
August 22, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting  
August 24, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
August 25, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting  
September 12, 2016 - Monday - 6:30 PM - Library Commission Meeting  
September 13, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting  
September 14, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
September 22, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting  
September 26, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting  
September 28, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
October 11, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting  
October 12, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
October 24, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting  
October 26, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
October 27, 2016 - Thursday - 6:30 PM - Parking & Public Improvements Commission Meeting  
November 8, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting  
November 9, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
November 14, 2016 - Monday - 6:30 PM - Library Commission Meeting  
November 23, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting  
November 28, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting



**U. CITY OFFICES CLOSED**

**CITY HOLIDAYS:**

*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 Observed*  
*Jan. 2, 2017 – Monday – New Years Day Observed*  
*Jan. 16, 2017 – Monday – Martin Luther King Day*  
*Feb. 20, 2017 - Monday - Presindets Day*  
*May 29, 2016 – Monday – Memorial Day*

**CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:**

*June 24, 2016 - Friday*  
*July 8, 2016 - Friday*  
*July 22, 2016 - Friday*  
*Aug. 5, 2016 - Friday*  
*Aug. 19, 2016 - Friday*  
*Sep. 2, 2016 - Friday*  
*Sep. 16, 2016 - Friday*  
*Sep. 30, 2016 - Friday*  
*Oct. 14, 2016 - Friday*  
*Oct. 28, 2016 - Friday*  
*Nov. 11, 2016 - Friday*  
*Nov. 25, 2016 - Friday*  
*Dec. 9, 2016 - Friday*  
*Dec. 23, 2016 - Friday*