

AGENDA

1400 Highland Avenue | Manhattan Beach, CA 90266 Phone (310) 802-5000 | Fax (310) 802-5051 | www.citymb.info

City Council Regular Meeting

Regular Meeting
Tuesday, July 5, 2016
6:00 PM
City Council Chambers
AMENDED AGENDA



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 Raul Saenz, Interim 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, 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. Proclamation Declaring the Month of July, 2016 as "Parks and Recreation Month".

PRESENT

Presentation of Certificates of Recognition to the Mira Costa High
 School's Model U.N. Program for Being Ranked as No. 1 in the Nation.

PRESENT

D. MEETING MANAGEMENT

Revised City Council Meeting Management Rules (City Clerk Tamura).
 ADOPT RESOLUTION NO. 16-0049

Attachments: Resolution No. 16-0049

Legislative Digest Resolution No. 16-0049

E. 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 Friday, July 1, 2016, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

F. 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.

G. 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.

H. CITY MANAGER REPORT

I. CITY ATTORNEY REPORT

J. PUBLIC COMMENTS (3 MINUTES PER PERSON PER MATTER, A MAXIMUM OF 6 MINUTES IF A SPEAKER WANTS TO COMMENT ON MORE THAN ONE MATTER)

Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. Each speaker may speak for up to 3 minutes per matter, up to a total of 6 minutes if a speaker wants to comment on more than one matter. With respect to non-public hearing agenda items, speakers may provide their comments at this time or at the time the agenda item is being considered. Please note that for public hearings, speakers are encouraged to speak during the public hearing, if they want their comments to be included in the record of the public hearing. 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.

K. 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 a Variance for a Remodel/Addition to a Nonconforming Home at 2615 N. Valley Drive (Community Development Director Lundstedt).

16-0322

BY ORDER OF THE CHAIR, RECEIVE AND FILE

Attachments: Planning Commission Resolution No. PC 16-03

Planning Commission Staff Report and Attachments - June 22, 2016

<u>Planning Commission Draft Minutes - June 22, 2016</u> <u>Proposed Plans, cover sheet dated October 18, 2015</u>

 Planning Commission Approval of a Coastal Development Permit for the construction of a new single family residence at 128 21st Street, (Community Development Director Lundstedt). 16-0338

BY ORDER OF THE CHAIR, RECEIVE AND FILE

Attachments: Planning Commission Staff Report and Attachments - June 22, 2016

<u>Draft Coastal Development Permit CA 15-41</u> Final Coastal Development Permit CA 15-41

Planning Commission Draft Minutes - June 22, 2016

L. 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.

6. First Reading of Ordinance No. 16-0010 Prohibiting Targeted Residential Picketing (City Attorney Barrow).

ORD 16-0010

WAIVER FURTHER READING; INTRODUCE ORDINANCE NO. 16-0010

Attachments: Draft Ordinance No. 16-0010

7. Contract with AdminSure, Inc., for Third Party Administration Services in Support of the Self-Insured General Liability Program (Human Resources Director Zadroga-Haase).

CON 16-0024

APPROVE AND APPROPRIATE

Attachments: Agreement with AdminSure, Inc.

 Written Report Regarding Interim Zoning Ordinance U 15-0017 (Community Development Director Lundstedt).
 ISSUE 10-DAY REPORT 16-0347

Attachments: Moratorium - Government Code Section 65858(d) Written Report

 Appointment of Seat No. 5 of the Parks and Recreation Commission (Commissioner Thomas Allard) (City Clerk Tamura).
 CONTINUE (DUE TO SCHEDULING CONFLICTS, THIS ITEM IS 16-0277

CONTINUE (DUE TO SCHEDULING CONFLICTS, THIS ITEM IS BEING CONTINUED TO THE JULY 19, 2016, REGULAR CITY COUNCIL MEETING)

Attachments: Advertisements from The Beach Reporter, published May 12, 2016 and May 19

10. Resolution Approving the Agreement with the City of Manhattan Beach Police Management Association modifying Chapter 2, Article 5 Compensation/Salaries of the Memorandum of Understanding (Human Resources Director Zadroga-Haase).

RES 16-0038

ADOPT RESOLUTION NO. 16-0038

Attachments: Resolution No. 16-0038 - Side Letter Agreement

Side Letter Agreement

11. Resolution Approving the Agreement with the City of Manhattan Beach Police Management Association modifying Chapter 3, Article 11 Retirement of the Memorandum of Understanding (Human Resources Director Zadroga-Haase).

RES 16-0039

ADOPT RESOLUTION NO. 16-0039

Attachments: Resolution No. 16-0039 Side Letter Agreement

Side Letter Agreement

12. Resolution Approving the Agreement with the City of Manhattan Beach Police Officers' Association modifying Article 20 Retirement of the Memorandum of Understanding (Human Resources Director Zadroga-Haase)

RES 16-0040

16-0317

ADOPT RESOLUTION NO. 16-0040

Attachments: Resolution 16-0040 - Side Letter Agreement with POA

Side Letter Agreement

13. Financial Report:

Schedules of Demands: June 9, 2016 (Finance Director Moe).

ACCEPT REPORT AND DEMANDS

Attachments: Schedule of Demands for June 9, 2016

14. City Council Minutes:

16-0326

This Item Contains Minutes of the following City Council Meeting:

 a) City Council Adjourned Regular Meeting - City Council Retreat Minutes of April 7, 2016 (Continued from June 7, 2016 City Council Meeting).

APPROVE

b) City Council Regular Meeting Minutes of May 3, 2016 (Continued from June 21, 2016 City Council Meeting).

APPROVE

c) City Council Adjourned Regular Meeting - Closed Session Minutes of May 16, 2016

(Continued from June 7, 2016 City Council Meeting).

APPROVE

- d) City Council Adjourned Regular Meeting Budget Study Session #2
 Minutes of May 23, 2016. APPROVE
- e) City Council Adjourned Regular Meeting Budget Study Session #3 Minutes of May 31, 2016. **APPROVE**
- f) City Council Regular Meeting Minutes of June 7, 2016.
 (Continued from the June 21, 2016 City Council Regular Meeting)
 APPROVE
- g) City Council Adjourned Regular Meeting Budget Study Session #4 Minutes of June 9, 2016. **APPROVE**
- h) City Council Regular Meeting Closed Session Minutes of June 20, 2016

APPROVE

i) City Council Regular Meeting Minutes of June 21, 2016
 CONTINUE TO THE JULY 19, 2016 CITY COUNCIL MEETING

(City Clerk Tamura)

APPROVE

Attachments: City Council Adjourned Regular Meeting - City Council Retreat Minutes of April

City Council Regular Meeting Minutes of May 3, 2016

City Council Adjourned Regular Meeting - Closed Session Minutes of May 16, 2

City Council Adjourned Regular Meeting - Budget Study Session #2 Minutes of I

City Coucnil Adjourned Regular Meeting - Budget Study Session #3 Minutes of I

City Council Regular Meeting Minutes June 7, 2016

City Council Adjourned Regular Meeting - Budget Study Session #4 Minutes Jur

City Council Adjourned Regular Meeting - Closed Session Minutes of June 20, 2

City Council Regular Meeting Minutes of June 21, 2016

M. PUBLIC HEARINGS (3 MINUTES PER PERSON)

15. Public Hearing Regarding the Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2016-2017 Including Authorization to Collect Assessments; Ratification of the District Advisory Board; Authorization to Enter Into an Agreement with the Downtown Manhattan Beach Business and Professional Association; and Authorization to Disburse Fiscal Year 2015-2016 Assessments Collected (Finance Director Moe).

RES 16-0044

CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 16-0044; RATIFY BOARD: APPROVE

Attachments: Resolution No. 16-0044

List of FY 2016-2017 Business Improvement District Advisory Board Member Not Downtown Manhattan Beach Business Improvement District Business Improvement Agreement Between Business Improvement District and Downtown Manhattan I

Boundary Map of the Downtown Business Improvement District

Public Hearing and Adoption of Resolution No. 16-0041 for a Coastal Development Permit to Modify the Downtown Valet Parking Program in the Appealable Coastal Zone (Community Development Director Lundstedt). RES 16-0041

CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO. 16-0041

Attachments: Chronology of Downtown Valet Parking Program

Resolution No. 15-0045

Coastal Commission Appeal No. A-5-MNB-0049

Draft PPIC Minutes April 28, 2016

Existing and Proposed Valet Locations and Sketches

Summary of Existing and Proposed Valet Operation Plans

Coastal Commission Appeal Response

Existing Valet Parking Agreement

CDP and Coastal Act Policies and Findings

Public Hearing Notices

Public Correspondence Received Prior to Publication

Resolution No. 16-0041

17. Public Hearing and Adoption of Resolution No. 16-0042 for a Coastal Development Permit to Modify the Existing Downtown Valet Parking Program in the Non-Appealable Coastal Zone (Community Development Director Lundstedt).

RES 16-0042

CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO. 16-0042

<u>Attachments:</u> Chronology of Downtown Valet Parking Program

Resolution No. 15-0045

Coastal Commission Appeal No. A-5-MNB-0049

Draft PPIC Minutes April 28, 2016

Existing and Proposed Valet Locations and Sketches

Summary of Existing and Proposed Valet Operation Plans

Coastal Commission Appeal Response

Existing Valet Parking Agreement

CDP and Coastal Act Policies and Findings

Public Hearing Notices

Public Correspondence Received Prior to Publication

Resolution No. 16-0042

N. OLD BUSINESS

18. Review Alternative Uses for Site and Draft for Request for Proposal for Hotel Developer at Parkview Site (Finance Director Moe).

<u>16-0284</u>

PROVIDE DIRECTION

Attachments: Parkview Site Aerial View

Request for Qualifications for Parkview Site

Parkview Avenue Site: Older Adults Apartment Analysis

Request for Proposal for Parkview Site

Parkview Site Powerpoint

19. Review of Proposed FY 2017-2019 Cost Recovery Fees (Finance

16-0339

Director Moe).

DISCUSS AND PROVIDE DIRECTION

Attachments: Citywide Cost Recovery Fee Study Update Results Memorandum (Matrix Consu

User Fee Study Update Results Overview

Fiscal Years 2017-2019 Cost Recovery Fee Schedule

20. Update of El Porto Beach Traffic Circulation Study (Community

16-0291

Development Director Lundstedt).

MAINTAIN EXISTING TURN RESTRICTIONS; APPROVE FUNDING APPROPRIATION AND INSTALLATION OF DYNAMIC TURN RESTRICTION SIGNS

Attachments: El Porto Traffic Count Locations

El Porto Traffic Count Comparison Tables

Photographs at 40th Street and Ocean Drive

Proposed Dynamic Turn Restriction Signs Sketch

Public Correspondence Received Prior to Publication

21. Acceptance of Donated Real Property, APN 4138-020-002, by Chevron U.S.A. Inc. to City of Manhattan Beach (Interim Public Works Director

RES 16-0043

Saenz).

APPROVE AND ADOPT RESOLUTION NO. 16-0043

<u>Attachments:</u> Chevron Property Location Map

Resolution No. 16-0043

Chevron Property Grant Deed

22. 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; APPROPRIATE

Attachments: RFP #1053-16 ERP Software Consulting Services Comparison

Professional Services Agreement with NexLevel Information Technology, Inc.

ERP Software Consulting Services Presentation

O. NEW BUSINESS

23. An Interim Ordinance Requiring a Use Permit for the Following Uses in the Downtown Commercial Zone: (1) Any Office, Business or Professional; Banks and Savings & Loans; Catering Services; or Communications Facilities, Proposed to be Located on The Ground Floor Streetfront: (2) Any Use Proposed to Have More Than 35 Feet of Tenant Frontage on Lots More Than 35 Feet In Depth; (3) Any Use Proposed to Have More Than 50 Feet of Tenant Frontage on Lots 35 Feet or Less In Depth; and (4) Any Retail Sales Use Proposed to Have More Than 1,600 Square Feet of Buildable Floor Area. (Community Development Director Lundstedt).

ORD 16-0009U

ADOPT URGENCY ORDINANCE NO. ORD 16-0009U

Proposed Ordinance No 16-0009U Attachments:

24. Discussion of Statement of Intent Process to Address Blight (Community Development Director Lundstedt).

16-0342

PROVIDE DIRECTION

P. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS

Q. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

Agenda Forecast (City Clerk Tamura). 25. **DISCUSS AND PROVIDE DIRECTION** 16-0327

Attachments: Agenda Forecast 06-29-2016

R. INFORMATIONAL ITEMS

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

26. Commission Minutes:

16-0332

This Item Contains Minutes of the following City Commission Meetings:

a.) Library Commission Minutes of May 9, 2016

(Parks and Recreation Director Leyman)

b.) Cultural Arts Commission Minutes of May 10, 2016

(Parks and Recreation Director Leyman)

c.) Finance Subcommittee Draft Action Minutes of June 16, 2016

(Finance Director Moe)

d.) Planning Commission Draft Action Minutes of June 22, 2016

(Community Development Director Lundstedt)

INFORMATION ITEM ONLY

Attachments: Library Commission Minutes of May 9, 2016

Cultural Arts Commission Minutes of May 10, 2016

<u>Finance Subcommittee Draft Action Minutes of June 16, 2016</u>
<u>Planning Commission Draft Action Minutes of June 22, 2016</u>

S. 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))

Sensible Citizens of Manhattan Beach v. City of Manhattan Beach, RREEF AMERICA REIT CORP. BBB II; RREEF AMERICA REIT II CORP. BBB Case No. BS152854

Sensible Citizens of Manhattan Beach v. City of Manhattan Beach Case No. BC570884

After the City Council certified an Environmental Impact Report and approved the Village Mall renovation project, the Sensible Citizens of Manhattan Beach filed two lawsuits to challenge the City Council's actions. Trial is scheduled for October 12, 2016.

II. RECESS INTO CLOSED SESSION

III. RECONVENE INTO OPEN SESSION

IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

T. ADJOURNMENT

U. FUTURE MEETINGS

CITY COUNCIL MEETINGS

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July 7, 2016 - Thursday -- 2:00 PM - Boards and Commissions Interviews
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
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
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BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

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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
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V. CITY OFFICES CLOSED

CITY HOLIDAYS:

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 - Presidents Day
May 29, 2017 - Monday - Memorial Day

July 4, 2017 - Tuesday - Independence Day

CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:

July 8, 2016 - Friday July 22, 2016 - Friday Aug. 5, 2016 - Friday Aug. 19, 2016 - Friday Sep. 2, 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