

## City Council Regular Meeting

Regular Meeting

Tuesday, July 19, 2016

6:00 PM

City Council Chambers

**REVISED 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 within the subject matter jurisdiction of the City Council, including items on the agenda. In addition, speakers may comment during agenda items and during any public hearing after the public hearing on those items have 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 of Recognition to the 2016 Graduating Class of the Manhattan Beach Community Emergency Response Team (CERT).  
**PRESENT**

[16-0366](#)

**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 Friday, July 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: (a) notify the public of any changes to the agenda; (b) remove items from the consent calendar for individual consideration; or (c) 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 (3 MINUTES PER PERSON FOR ONE ITEM, A MAXIMUM OF 6 MINUTES IF A SPEKER WANTS TO COMMENT ON MORE THAN ONE ITEM)**

*Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. 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. 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 or at the time the agenda item is being considered. This is also the time for speakers to comment on items on the consent calendar that have not been previously removed by the City Council for individual consideration. For public hearings, speakers are encouraged to speak during the public hearing, if they want their comments to be included in the record for the public hearing.*

*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):*

2. 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).  
CONTINUED FROM THE JULY 5, 2016 CITY COUNCIL MEETING  
**BY ORDER OF THE CHAIR, RECEIVE AND FILE**

[16-0338](#)

**Attachments:** [Planning Commission Staff Report and Attachments - June 22, 2016](#)  
[Final Coastal Development Permit CA 15-41](#)  
[Planning Commission Draft Minutes - June 22, 2016](#)  
[Project Plans](#)

**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.*

3. Approve Continued Use of As-Needed Professional Services Agreement with Quantum Quality Consulting, Inc. and SA Associates, Inc. for Utility Design Services (Interim Public Works Director Saenz). [16-0353](#)

**APPROVE**

**Attachments:** [Quantum & SAA Task Order Summary](#)

4. Creation of a Joint Powers Agency to Form the Interoperability Network of the South Bay (Fire Chief Espinosa). [16-0350](#)

**APPROVE**

**Attachments:** [INSB JPA Projected Costs](#)  
[Interoperability Network of the South Bay JPA Agreement](#)

5. Agreement with the Beach Cities Health District for Grant Funding for Paramedic Education and Medical Supplies (Fire Chief Espinosa). [16-0360](#)

**APPROVE**

**Attachments:** [Beach Cities Health District Grant FY 2016-2017](#)

6. Financial Report: [16-0318](#)  
a) Schedule of Demands: June 23, 2016  
b) Investment Portfolio for the Month Ending May 31, 2016  
c) Month End Report for May 31, 2016  
(Finance Director Moe).

**ACCEPT REPORT AND DEMANDS**

**Attachments:** [Schedule of Demands for June 23, 2016](#)  
[Investment Portfolio for the Month Ending May 31, 2016](#)  
[Month End Report for May 31, 2016](#)

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7. City Council Minutes: [16-0351](#)  
This Item Contains Minutes of the following City Council Meeting:  
a) City Council Regular Meeting Minutes of June 21, 2016  
**CONTINUE TO THE AUGUST 2, 2016 CITY COUNCIL MEETING**  
b) City Council Regular Meeting Minutes of July 5, 2016  
**CONTINUE TO THE AUGUST 2, 2016 CITY COUNCIL MEETING**  
c) City Council Adjourned Meeting - Closed Session Minutes of July 7, 2016  
**APPROVE**  
d) City Council Adjourned Meeting - Boards & Commissions Interviews Minutes of July 7, 2016  
**APPROVE**  
(City Clerk Tamura).
- Attachments:** [City Council Regular Meeting Minutes of June 21, 2016](#)  
[City Council Regular Meeting Minutes of July 5, 2016](#)  
[City Council Adjourned Meeting - Boards and Commissions Interviews Minutes of](#)  
[City Council Adjourned Meeting - Closed Sessio Minutes of July 7, 2016](#)

#### L. PUBLIC HEARINGS (3 MINUTES PER PERSON)

8. Adoption of Fiscal Year 2016-17 Through Fiscal Year 2018-2019 Citywide Cost Recovery Fees (Finance Director Moe). [RES 16-0037](#)  
a) **CONDUCT PUBLIC HEARING**  
b) **ADOPT RESOLUTION NO. 16-0037**
- Attachments:** [Resolution No. 16-0037](#)  
[Citywide Cost Recovery Fee Study Update Results Memorandum \(Matrix Consulti](#)  
[Fiscal Years 2017-2019 Cost Recovery Fee Schedule \(Attachment A\)](#)

9. Adoption of Annual Storm Water Service Fee for Fiscal Year 2016-2017 (Finance Director Moe). [RES 16-0025](#)  
a) **CONDUCT PUBLIC HEARING**  
b) **ADOPT RESOLUTION NO. 16-0025**
- Attachments:** [Resolution No. 16-0025](#)

#### M. OLD BUSINESS

10. Cooperative Agreement Between City of Manhattan Beach, Oceanographic Teaching Stations, Inc., and Harrison Greenberg Foundation for Improvements to Roundhouse Aquarium (Interim Public Works Director Saenz). [CON 16-0025](#)  
**APPROVE**
- Attachments:** [Roundhouse Aquarium Cooperative Agreement](#)

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11. 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](#)  
CONTINUED FROM THE JULY 5, 2016 CITY COUNCIL MEETING  
**APPROVE;APPROPRIATE**

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

12. Appointment of Seat No. 5 of the Parks and Recreation Commission (Commissioner Thomas Allard) (City Clerk Tamura). [16-0346](#)  
**APPOINT**

**Attachments:** [Advertisements from The Beach Reporter, Published May 12, 2016 and May 19](#)

13. Consideration of Potential Election Date Change Alternatives to Meet the California Voter Participation Rights Act (California State Senate Bill 415) Requirements for the City of Manhattan Beach Including Introduction of Ordinance No. 16 0014 Changing the City's Election Date and Extending Current Elected Officials Terms by Eight Months (City Clerk Tamura). [ORD 16-0014](#)  
**DISCUSS AND PROVIDE DIRECTION; WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 16-0014**

**Attachments:** [Ordinance No. 16-0014](#)  
[Advertisements in June 23, 2016, June 30, 2016, and July 14, 2016 Editions of th](#)  
[Open City Hall Forum Responses](#)  
[PowerPoint Presentation from June 7, 2016 City Council Meeting](#)  
[Public Comment - Tim Lilligren](#)  
[Public Comment - Jan Dennis](#)

14. Second Reading of Ordinance No. 16-0010 Prohibiting Targeted Residential Picketing (City Attorney Barrow). [ORD 16-0010](#)  
**ADOPT ORDINANCE NO. 16-0010**

**Attachments:** [Ordinance No. 16-0010](#)

## N. NEW BUSINESS

15. Petition to File Late Claim for Refund of Underground Utilities, or, Alternatively, Petition for Reconsideration (City Attorney Barrow). [16-0370](#)  
**CONSIDER REQUEST AND PROVIDE DIRECTION**

**Attachments:** [May 9, 2016 letter from Brian A. Sweeney](#)  
[November 16, 2010 letter from City Attorney Robert V. Wadden, Jr.](#)  
[November 12, 2010 claim](#)  
[Excerpt from City Council minutes of November 21, 2006 Council meeting](#)

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

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

16. Agenda Forecast (City Clerk Tamura). [16-0355](#)  
**DISCUSS AND PROVIDE DIRECTION**

Attachments: [July 13, 2016 Agenda Forecast](#)

**Q. INFORMATIONAL ITEMS**

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

17. Revised City Council Meeting Management Rules (City Clerk Tamura). [RES 16-0049](#)  
**ADOPT RESOLUTION NO. 16-0049**

Attachments: [Legislative Digest Resolution No. 16-0049](#)  
[Draft Resolution No. 16-0049](#)

**R. CLOSED SESSION**

**S. ADJOURNMENT**

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

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**

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:**

*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 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. 23, 2016 - Friday*  
*Dec. 9, 2016 - Friday*  
*Dec. 23, 2016 - Friday*