

## City Council Regular Meeting

**Regular Meeting**  
**Tuesday, August 2, 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  
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 matter 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 an 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 a Certificate of Recognition to Lynne Gross as Outgoing President of the Oceanographic Teaching Stations, Inc.  
**PRESENT**

[16-0381](#)

#### **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, July 27, 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 SPEAKER 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 during "Public 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): 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. Written Report Regarding Interim Zoning Ordinance ORD 16-0009U [16-0361](#)  
(Community Development Director Lundstedt).  
**ISSUE 10-DAY REPORT**  
**Attachments:** [Government Code Section 65858\(d\) Written Report](#)
  
3. Approve Additional Contingency in an Amount Not-to-Exceed of \$30,000 [16-0365](#)  
to Caltec Corporation's Contract for the Parking Structure Lot #2  
Rehabilitation Project (Interim Public Works Director Saenz).  
**APPROVE**  
**Attachments:** [Budget and Expenditures Summary](#)

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4. Resolution Amending the City of Manhattan Beach Personnel Rules Classified Service List (Human Resources Director Zadroga-Haase). [RES 16-0050](#)  
**ADOPT RESOLUTION 16-0050**

Attachments: [Resolution No. 16-0050](#)  
[Personnel Rules - Attachment C - Classified Service](#)

5. Financial Report: [16-0348](#)  
Schedules of Demands: July 7, 2016 (Finance Director Moe).  
**ACCEPT REPORT AND DEMANDS**

Attachments: [Schedule of Demands for July 7, 2016](#)

6. City Council Minutes: [16-0372](#)

This Item Contains Minutes of the following City Council Meetings:

a) City Council Regular Meeting Minutes of June 21, 2016  
(Continued from the July 19, 2016 City Council Meeting)

**APPROVE**

b) City Council Regular Meeting Minutes of July 5, 2016  
(Continued from the July 19, 2016 City Council Meeting)

**APPROVE**

c) City Council Special Meeting - Closed Session Minutes of July 19, 2016

**APPROVE**

d) City Council Regular Meeting Minutes of July 19, 2016

**APPROVE**

(City Clerk Tamura).

**APPROVE**

Attachments: [City Council Regular Meeting Minutes of June 21, 2016](#)  
[City Council Regular Meeting Minutes of July 5, 2016](#)  
[City Council Special Meeting - Closed Session Minutes of July 19, 2016](#)  
[City Council Regular Meeting Minutes of July 19, 2016](#)

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

## M. OLD BUSINESS

7. 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](#)  
[City Council Regular Meeting Minutes of June 7, 2016 \(Excerpt\)](#)

**N. NEW BUSINESS**

8. Review of Potential Revenue Enhancement Options; Status Report on Fire Station #2, Municipal Pool and Parking Structure/City Hall Feasibility Studies; Report on Water and Wastewater Utility Rate Studies (Finance Director Moe/Public Works Director Saenz). [16-0309](#)

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Staff Report - Storm Water and Street Lighting Funding Options 2013](#)  
[City Council Staff Report from 2015 on Storm Water and Street Lighting Prelim](#)  
[Storm Water Utility Fee Preliminary Study](#)  
[Street Lighting and Landscaping District Assessment Preliminary Study](#)  
[Revenue Measure Survey Results](#)  
[Utility User Tax and Transient Occupancy Tax Comparison Chart](#)  
[Government Finance Officers Association Reserve Risk Assessment](#)  
[KNN Public Finance Analysis/Opinion Memorandum](#)

9. Introduce Ordinance No. 16-0015 to Amend Municipal Code Provisions Regulating the Retail Sale of Tobacco Products to Change the Minimum Smoking Age to 21 to be Consistent with State Law (Interim Public Works Director Saenz). [ORD 16-0015](#)

**INTRODUCE ORDINANCE**

**Attachments:** [Ordinance No. 16-0015](#)  
[Legislative Digest](#)

10. Potential Downtown Maintenance Enhancements (Interim Public Works Director Saenz). [16-0267](#)

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Details on Each Enhancement Option](#)  
[Area 1: Cleaning Practices Enhancement Quick List](#)  
[Area 2: Refuse Management Enhancement Quick List](#)  
[Area 3: Code Enforcement Enhancement Quick List](#)  
[Area 4: Parking Enhancement Quick List](#)  
[Area 5: Outreach Enhancement Quick List](#)  
[Summary of Stakeholder Meetings in 2016](#)  
[Downtown Enhancements PowerPoint Presentation](#)

11. Report on the Potential Impacts of Fire and Medical Services in Manhattan Beach If Hermosa Beach Contracts Fire Services with Los Angeles County Fire Department (Fire Chief Espinosa). [16-0300](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Hermosa LA County Impacts PowerPoint Presentation](#)

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

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

12. Agenda Forecast (City Clerk Tamura). [16-0375](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [July 27, 2016 Agenda Forecast](#)

**Q. INFORMATIONAL ITEMS**

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

**R. CLOSED SESSION**

**S. ADJOURNMENT**

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

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**

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:**

*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*