

City Council Regular Meeting

Regular Meeting

Tuesday, September 6, 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, 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 Patti Panucci for the Grand Opening of Beach Braces in Manhattan Beach. [16-0402](#)
PRESENT
2. Presentation of Certificates of Recognition to Shannon Ryan as Incoming President of the Manhattan Beach Rotary Club. [16-0403](#)
PRESENT
3. Presentation of Resolution of Adjournment to Casey Matranga and Recognition of the Police and Fire Departments for their Exceptional Service to the Community. [16-0407](#)
PRESENT

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, August 31, 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.

4. Renewal of Crossing Guard Services Agreement with All City Management Services for an Estimated Annual Cost of \$242,500 (Police Chief Irvine). [CON 16-0029](#)
APPROVE
Attachments: [All City Management Contract Amendment #2](#)

5. Second Reading of Ordinance No. 16-0018 Establishing an Administrative Citation Process and Resolution No. 16-0057 Setting Forth the Fine and Penalties for Administrative Citations (Director Lundstedt). [16-0421](#)
ADOPT ORDINANCE NO. 16-0018 AND RESOLUTION NO. 16-0057
Attachments: [Ordinance No. 16-0018](#)
[Resolution No. 16-0057](#)

6. Second Reading Regarding Statement of Intent Process to Address Blight (City Attorney Quinn Barrow). [ORD 16-0017](#)
WAIVE SECOND READING OF ABANDONED PROPERTY
ORDINANCE NO. 16-0017 AND ADOPT ORDINANCE NO. 16-0017
Attachments: [Draft Ordinance No. 16-0017](#)

7. Award a Construction Contract to Taylor Tennis Court, Inc. for the Live Oak Park, Mira Costa High School and Marine Avenue Park Tennis and Basketball Courts Resurfacing and Restriping Project in an Amount Not-to-Exceed \$35,499 (Interim Public Works Director Saenz). [CON 16-0031](#)
APPROVE
Attachments: [Budget and Expenditures](#)
[Bid Results](#)
[Agreement \(Taylor Tennis Court, Inc.\)](#)

8. Financial Report: [16-0368](#)
Schedules of Demands: August 4, 2016 (Finance Director Moe).
ACCEPT REPORT AND DEMANDS
Attachments: [Schedule of Demands for August 4, 2016](#)

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9. City Council Minutes: [16-0405](#)
This Item Contains Minutes of the following City Council Meetings:
a) City Council Regular Meeting Minutes of August 2, 2016
CONTINUED FROM THE AUGUST 16, 2016 CITY COUNCIL MEETING
b) City Council Regular Meeting Minutes of August 16, 2016
(City Clerk Tamura).
APPROVE

Attachments: [City Council Meeting Minutes of August 2, 2016](#)
[City Council Meeting Minutes of August 16, 2016](#)

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

10. Authorization of Community Development Block Grant Funds for the Fiscal Year 2016-2017 (Interim Public Works Director Saenz). [RES 16-0054](#)
a) **CONDUCT PUBLIC HEARING**
b) **ADOPT RESOLUTION NO. 16-0054**

Attachments: [Resolution No. 16-0054](#)
[CDBG Project Location Map](#)

M. OLD BUSINESS

11. Fiscal Year 2015-2016 Fourth Quarter Budget and Capital Improvement Plan Status Reports (Finance Director Moe/Interim Public Works Director Saenz). [16-0312](#)
RECEIVE REPORTS

Attachments: [FY 15-16 Budget Report Fourth Quarter](#)
[FY 15-16 CIP Project Status List Fourth Quarter](#)
[PowerPoint Presentation](#)

12. Discussion of City Council Retreat (City Clerk Tamura). [16-0412](#)
DISCUSS AND PROVIDE DIRECTION

13. Report on Southern California Gas Company's Capital Improvement Program (Interim Public Works Director Saenz). [16-0298](#)
CONTINUED FROM THE AUGUST 16, 2016 CITY COUNCIL MEETING
RECEIVE REPORT

Attachments: [Southern California Gas Company PowerPoint Presentation](#)

N. NEW BUSINESS

14. Ordinance No. 16-0016 Amending Speed Limits on Ardmore Avenue (Community Development Director Lundstedt). [ORD 16-0016](#)
INTRODUCE ORDINANCE NO. 16-0016
Attachments: [2016 Engineering and Traffic Survey Report](#)
[Ordinance No. 16-0016](#)
15. One-Year Cost-Sharing Agreement Not-to-Exceed \$16,845 for Beach Cities Transit Line 109 for Fiscal Year 2016-2017 with the Cities of Redondo Beach, Hermosa Beach and El Segundo (Community Development Director Lundstedt). [CON 16-0021](#)
APPROVE
Attachments: [Attachment 1 - Cost Sharing Table](#)
[Attachment 2 - Background Information on Beach Cities Transit Line 109](#)
[Attachment 3 - Beach Cities Transit Line 109 Business Plan](#)
[Attachment 4 - FY 2016-2017 Beach Cities Transit Line 109 Cost Sharing Propc](#)
[Attachment 5 - FY 2016-2017 Beach Cities Transit Line 109 Agreement](#)
[Attachment 6 - PowerPoint Presentation](#)
16. Consider Request by Operator of Shade Hotel for Hearing on Amount of Delinquent Transient Occupancy Tax Assessed by the Tax Administrator (City Attorney Barrow). [16-0422](#)
CONSIDER REQUEST
Attachments: [Letters of June 6 and June 22, 2016, from Finance Department to Zislis Group](#)
[Letter of July 18, 2016 from Michael Zislis](#)

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

17. Metro's Half-Cent Sales Tax (Measure M) (Economic Vitality Manager Sywak). [16-0408](#)
RECEIVE REPORT, PROVIDE DIRECTION
Attachments: [Metro Measure M Information Guide](#)
[SBCCOG Letter to Metro - July 1, 2016](#)
[SBCCOG Letter to Metro - Aug. 29, 2016](#)
[Local Return Allocation by Subregion](#)

P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

18. Agenda Forecast (City Clerk Tamura). [16-0404](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [August 31, 2016 Agenda Forecast](#)

Q. INFORMATIONAL ITEMS

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

19. Commission Minutes: [16-0406](#)
This Item Contains Minutes of the following City Commission Meetings:
a) Library Commission Minutes of June 13, 2016 (Parks and Recreation Director Leyman)
b) Parks and Recreation Commission Minutes of July 25, 2016 (Parks and Recreation Director Leyman)
c) Cultural Arts Commission Minutes of August 9, 2016 (Parks and Recreation Director Leyman)
d) Planning Commission Meeting Action Minutes of August 10, 2016 (Community Development Director Lundstedt)
INFORMATION ITEM ONLY

Attachments: [Library Commission Minutes of June 13, 2016](#)
[Parks and Recreation Commission Minutes of July 25, 2016](#)
[Cultural Arts Commission Minutes of August 9, 2016](#)
[Planning Commission Meeting Action Minutes of August 10, 2016](#)

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 070562**

The City filed a lawsuit against Swinerton Builders, the general contractor for the Fire and Police Facility project, alleging that there are defects in the electrical work done by a subcontractor. The parties engaged in mediation in August.

**2) CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9 (d)(1))**

**Name of Cases: Sensible Citizens of Manhattan Beach v.
City of Manhattan Beach
Los Angeles County Superior Court
RREEF AMERICA REIT CORP. BBB II
Case Numbers. BC 570884 and BS 152854**

The Sensible Citizens of Manhattan Beach filed two lawsuits challenging the City Council's approval of the Mall renovation project. Trial is scheduled for October 12, 2016. The attorney for Sensible Citizens has requested a new date due to Yom Kippur.

**3) CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6)**

**Agency Negotiator: Mark Danaj, City Manager
Employee Group: Management Confidential (Fire Battalion Chiefs)**

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**

Sep. 13, 2016 - Tuesday -- 6:00 PM - Special 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
Dec. 6, 2016 - Tuesday -- 6:00 PM - City Council Meeting
Dec. 20, 2016 - Tuesday -- 6:00 PM - City Council Meeting
Jan. 3, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Jan. 17, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Feb. 7, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Feb. 21, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Mar. 8, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Mar. 21, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Apr. 4, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Apr. 18, 2017 - Tuesday -- 6:00 PM - City Council Meeting
May 2, 2017 - Tuesday -- 6:00 PM - City Council Meeting
May 16, 2017 - Tuesday -- 6:00 PM - City Council Meeting
June 6, 2017 - Tuesday -- 6:00 PM - City Council Meeting
June 20, 2017 - Tuesday -- 6:00 PM - City Council Meeting
July 5, 2017 - Tuesday -- 6:00 PM - City Council Meeting
July 18, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Aug. 1, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Aug. 15, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Sept. 5, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Sept. 19, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Oct. 3, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Oct. 17, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Nov. 7, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Nov. 21, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Dec. 5, 2017 - Tuesday -- 6:00 PM - City Council Meeting
Dec. 19, 2017 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

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:**

*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
Sep. 4, 2017 - Monday - Labor Day*

CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:

*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
Jan. 6, 2017 - Friday
Jan. 20, 2017 - Friday
Feb. 3, 2017 - Friday
Feb. 17, 2017 - Friday
Mar. 3, 2017 - Friday
Mar. 17, 2017 - Friday
Mar. 31, 2017 - Friday
Apr. 14, 2017 - Friday
Apr. 28, 2017 - Friday*