

City Council Regular Meeting

Regular Meeting

Tuesday, November 15, 2016

6:00 PM

City Council Chambers

and

Teleconference by Mark Burton

1216 2nd Street, Manhattan Beach, CA. 90266



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

Stephanie Katsouleas, Public Works Director

Mark Leyman, Parks & Recreation Director

Nadine Nader, Assistant City Manager

Marisa Lundstedt, Community Development Director

Bruce Moe, Finance Director

Liza Tamura, City Clerk

Sanford Taylor, Information Technology 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 the Winners of the 2016 Manhattan Beach Public Library Bookmark Contest. [16-0472](#)
PRESENT
2. Presentation of a Proclamation Declaring November 26, 2016 as Small Business Saturday. [16-0543](#)
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, November 9, 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):

3. Planning Commission Action on a Height Variance Application for the Renovation of the Existing Enclosed Mall within the Manhattan Village Shopping Center located at 3200 to 3288 North Sepulveda Boulevard. (Community Development Director, Lundstedt).

[16-0545](#)

BY ORDER OF THE CHAIR, RECEIVE AND FILE

Attachments: [Planning Commission Staff Report and Attachments - November 9, 2016](#)

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. First Reading and Introduction of Ordinance Requiring Riders of Skateboards and Other Wheeled Recreational Devices to Wear a Helmet, Elbow Pads, and Knee Pads at the Skate Park (Parks and Recreation Director Leyman). [ORD 16-0033](#)

INTRODUCE ORDINANCE NO. 16-0033

Attachments: [Ordinance No. 16-0033](#)
[Health and Safety Code Section 115800](#)

5. Approve Agreement with Martin & Chapman in the Amount Not-to-Exceed \$76,000 for Election Services Related to the Tuesday, March 7, 2017 General Municipal Election (City Clerk Tamura). [CON 16-0035](#)

APPROVE

Attachments: [Agreement with Martin & Chapman for Election Services](#)

6. Second Reading of Ordinance to Authorize an Amendment to the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City of Manhattan Beach to Allow Police Officers and Fire Fighters to Share the Cost of Employer Contributions on a Pre-Tax Basis. (Human Resources Director Zadroga-Haase). [ORD 16-0006](#)

ADOPT ORDINANCE NO. 16-0006

Attachments: [Ordinance No. 16-0006 \(Final\)](#)
[Resolution No. 16-0052 Adopted on September 20, 2016](#)
[Certification of Governing Body's Action](#)
[Certification of Compliance with Government Code Section 20516](#)
[Certification of Compliance with Government Code 7507](#)
[Certification of Employee Election](#)
[October 18, 2016 Staff Report Introducing the Ordinance to Amend the CalPER](#)

7. Approve Contract Amendment No.1 for Additional Services Not-to-Exceed \$10,000 with Messina and Associates for Team Building, Career Counseling, and Succession Planning Development (Fire Chief Espinosa). [16-0507](#)

APPROVE

Attachments: [Messina Amendment Professional Services Agreement](#)
[Agreement for Professional Services \(October 7, 2014\)](#)
[Agreement for Services \(June 5, 2012\)](#)

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8. Settlement Agreement with Swinerton Builders, Tri State Inc dba Journey Electrical Technologies (Journey), and Golden Eagle Insurance Company (Kumar) (Public Works Director Katsouleas). [16-0542](#)
APPROVE
Attachments: [Settlement Agreement](#)
9. Consideration of Ordinance to Amend Titles 5, and 9 and to Adopt the Most Recent California Building Standards Code and City Amendments to the following Codes: 2016 California Building Code, 2016 California Residential Code, 2016 California Electrical code, 2016 California Plumbing Code, 2016 California Green Building Standards Code, 2016 California Energy Code, 2016 California Mechanical Code, 2016 California Existing Building Code and City Amendments (Community Development Director Lundstedt). [ORD 16-0032](#)
INTRODUCE ORDINANCE NO. 16-0032 AND SET THE PUBLIC HEARING
10. Financial Report: [16-0475](#)
a) Schedule of Demands: October 13, 2016
b) Investment Portfolio for the Month Ending September 30, 2016
c) Month End Report for September 30, 2016
(Finance Director Moe).
ACCEPT REPORT AND DEMANDS
Attachments: [Schedule of Demands for October 13, 2016](#)
[Investment Portfolio for the Month Ending August 31, 2016](#)
[Month End Report for September 30, 2016](#)
11. City Council Minutes: [16-0473](#)
This Item Contains Minutes of the following City Council Meeting:
a) City Council Regular Meeting Minutes of October 18, 2016 (Continued from the November 1, 2016 City Council Meeting)
b) City Council Adjourned Regular Meeting - Closed Session Minutes of October 27, 2016
c) City Council Regular Meeting Minutes of November 1, 2016
(City Clerk Tamura).
APPROVE
Attachments: [City Council Regular Meeting Minutes of October 18, 2016](#)
[City Council Adjourned Regular Meeting - Closed Session Minutes of October 27, 2016](#)
[City Council Regular Meeting Minutes of November 1, 2016](#)

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

12. Second Reading of Ordinance Adopting the 2016 California Fire Code with Certain Local Amendments, Deletions and Additions; Resolution Setting Forth Findings for Local Amendments (Fire Chief Espinosa). [ORD 16-0021](#)
ADOPT ORDINANCE NO. 16-0021 AND ADOPT RESOLUTION NO. 16-0076

Attachments: [Ordinance No. 16-0021 \(Final\)](#)
[Resolution No. 16-0076](#)

M. OLD BUSINESS**N. NEW BUSINESS**

13. Fiscal Year 2016-2017 First Quarter Budget Status Report (Finance Director Moe). [16-0497](#)
RECEIVE REPORT

Attachments: [First Quarter Fiscal Performance Report](#)
[PowerPoint Presentation](#)

14. Food Waste Recycling Program Update (Public Works Director Katsouleas). [16-0486](#)
RECEIVE AND FILE

Attachments: [Food Waste Public Outreach](#)
[Samples of Select Outreach](#)
[EPA Food Recovery Hierarchy Model](#)

O. CITY COUNCIL REPORTS, OTHER COUNCIL BUSINESS, AND COMMITTEE AND TRAVEL REPORTS**P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS**

15. Agenda Forecast (City Clerk Tamura). [16-0519](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [November 9, 2016 Agenda Forecast](#)

Q. INFORMATIONAL ITEMS

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

16. Commission Minutes:[16-0520](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Parks and Recreation Commission Meeting Minutes of July 25, 2016 (Parks and Recreation Director Leyman)
- b) Finance Subcommittee Meeting Minutes of September 15, 2016 (Finance Director Moe)
- c) Parks and Recreation Commission Meeting Minutes of September 19, 2016 (Parks and Recreation Director Leyman)
- d) Planning Commission Meeting Action Minutes of October 26, 2016 (Community Development Director Lundstedt)
- e) Finance Subcommittee Meeting Minutes of November 4, 2016 (Finance Director Moe)

INFORMATION ITEM ONLY

Attachments: [Parks and Recreation Commission Minutes of July 25, 2016](#)
[Finance Subcommittee Meeting Minutes of September 15, 2016](#)
[Parks and Recreation Commission Minutes of September 19, 2016](#)
[Planning Commission Action Minutes of October 26, 2016](#)
[Finance Subcommittee Meeting Minutes of November 4, 2016](#)

R. CLOSED SESSION**S. ADJOURNMENT**

T. FUTURE MEETINGS

CITY COUNCIL MEETINGS

Nov. 17, 2016 - Thursday - 1:00 PM - Closed Session
Dec. 1, 2016 - Thursday - TBD - Closed Session
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 - Wednesday -- 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 12, 2017 - Friday - TDB - Council Retreat
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

November 23, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting
November 28, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting
December 12, 2016 - Monday - 6:30 PM - Library Commission Meeting
December 13, 2016 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting
December 14, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting
December 26, 2016 - Monday - 6:30 PM - Parks and Recreation Commission Meeting
December 28, 2016 - Wednesday - 6:30 PM - Planning Commission Meeting
January 9, 2017 - Monday - 6:30 PM - Library Commission Meeting
January 10, 2017 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting
January 11, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
January 25, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
February 8, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
February 22, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
March 8, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
March 22, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
April 12, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
April 26, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting

U. CITY OFFICES CLOSED

CITY HOLIDAYS:

- 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*
- Jul. 4, 2017 - Tuesday - Independence Day*
- Sep. 4, 2017 - Monday - Labor Day*
- Oct. 9, 2017 – Monday – Columbus Day*
- Nov. 11, 2017 – Saturday – Veterans Day (Non-Business 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*