

City Council Regular Meeting

Regular Meeting
Tuesday, December 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
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

Jettelyn Varner, Robinson Elementary School

B. ROLL CALL

C. CEREMONIAL CALENDAR

1. Annual City Recognition of Longstanding Local Businesses (Finance Director Moe). [16-0476](#)
PRESENT
2. Presentation of Certificates of Recognition to the 2016 Manhattan Beach Hometown Fair Board of Directors. [16-0499](#)
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 30, 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.

3. Second Reading and Adoption of Ordinance Requiring Riders of Skateboards and Other Wheeled Recreational Devices to Wear a Helmet, Elbow Pads, and Knee Pads at the Skate Park, and The Posting of Signs (Parks and Recreation Director Leyman). [ORD 16-0033](#)
ADOPT ORDINANCE NO. 16-0033

Attachments: [Ordinance No. 16-0033](#)
[Health and Safety Code Section 115800](#)
[November 15, 2016 Staff Report \(First Reading\)](#)

-
4. Award of Bid to Huntington Beach Honda for the Purchase of Two Replacement Police Motorcycles in the Amount of \$52,840.68 (Finance Director Moe). [16-0506](#)
APPROVE
Attachments: [Bid #1088-17 Comparison for Police Motorcycles \(2\)](#)
5. Adoption of Annual Investment Policy and Delegation of Responsibility for Investing Funds to the City Treasurer (Finance Director Moe). [16-0529](#)
APPROVE
Attachments: [Investment Policy 2016-2017](#)
6. Award a Construction Management Services Contract to Onward Engineering in the Amount of \$50,000 for the Community Development Block Grant (CDBG) Curb Ramps Construction Project (Public Works Director Katsouleas). [16-0532](#)
APPROVE
Attachments: [Budget and Expenditures Report](#)
[CDBG Curb Ramp Construction Project Location Map](#)
[Professional Services Agreement with Onward Engineering](#)
7. Award a Construction Contract to Kalban, Inc. in the Amount of \$262,745 for the Community Development Block Grant (CDBG) Curb Ramps Construction Project (Public Works Director Katsouleas). [16-0531](#)
APPROVE
Attachments: [Budget and Expenditures](#)
[CDBG Curb Ramps Project Location Map](#)
[Bid Results](#)
[Construction Contract with Kalban, Inc.](#)
8. Financial Report: [16-0515](#)
Schedules of Demands: October 27, 2016 (Finance Director Moe).
ACCEPT REPORT AND DEMANDS
Attachments: [Schedule of Demands for October 27, 2016](#)

9. City Council Minutes: [16-0500](#)

This Item Contains Minutes of the following City Council Meeting:

a) City Council Adjourned Regular Meeting Minutes of November 15, 2016

b) City Council Regular Meeting Minutes of November 15, 2016

c) City Council Adjourned Regular Meeting Minutes of November 17, 2016

(City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of November 15, 2016](#)
[City Council Regular Meeting Minutes of November 15, 2016](#)
[City Council Adjourned Regular Meeting Minutes of November 17, 2016](#)

L. PUBLIC HEARINGS (2 MINUTES PER PERSON)

10. Consideration of the Downtown Specific Plan and Related Amendments, Including Amendments to the Local Coastal Program, as Recommended by the Planning Commission (Community Development Director Lundstedt).

[16-0534](#)

CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO. 16-0075 AND INTRODUCE ORDINANCE NOS. 16-0029, 16-0030, AND 16-0031

Attachments: [City Council Study Session Consensus Items - April 18, 2016](#)
[Final Draft Downtown Specific Plan and Appendices - October 2016](#)
[Planning Commission Staff Reports Excluding Attachments, Approved Minutes](#)
[Planning Commission Clarification Items](#)
[Summary Table of Consensus Items, Planning Commission Clarification Items,](#)
["Redline Strikeout" of Final Draft Downtown Specific Plan \(Chapters 4 and 6\)](#)
[Tenant Frontage Maps](#)
[Nonconforming Tenant Frontage Data](#)
[Retail Sales Floor Area and Buildable Floor Area Data](#)
[Potential Second-Floor Outdoor Dining Map](#)
[Proposed Second-Floor Outdoor Dining Map](#)
[Second-Floor Outdoor Dining Cross-Section](#)
[Live/Work Regulations](#)
[MBMC 18.84.120 - Minor Exceptions](#)
[Minor Exception Flow Chart](#)
[Resolution No. 16-0075](#)
[Ordinance No. 16-0029](#)
[Ordinance No. 16-0030](#)
[Ordinance No. 16-0031](#)
[Interim Zoning Ordinance No. 16-0013-U](#)
[Public Hearing Published and Mailed Notices](#)
[Public Comments](#)
[Final Initial Study/Mitigated Negative Declaration, Mitigation Monitoring and Rep](#)
[PowerPoint Presentation](#)
[City Council Staff Report for Public Hearing](#)

-
11. Height Variance Request to Allow Certain Alterations to Existing Structures Exceed the Height Limit at the Manhattan Village Shopping Center Located at 3200 to 3288 North Sepulveda Boulevard (Community Development Director Lundstedt). [RES 16-0081](#)

CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO. 16-0081 APPROVING PROJECT WITH CONDITIONS

Attachments: [Draft City Council Resolution No. 16-0081](#)
[Call for Review Request - November 15, 2016](#)
[Resolution No. PC 16-10](#)
[Planning Commission Staff Report \(Excluding Attachments\)-November 9, 2016](#)
[Draft Planning Commission Minutes- November 9, 2016](#)
[Vicinity Map](#)
[Project Application](#)
[Project Plans and Drawings](#)
[PowerPoint Presentation](#)

12. Ordinance No. 16-0032 Adopting of the 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, with Local Amendments; Resolution No. 16-0085 Setting Forth Findings for Local Amendments (Community Development Director Lundstedt). [16-0565](#)
- ADOPT ORDINANCE NO. 16-0032 AND ADOPT RESOLUTION NO. 16-0085**

Attachments: [Ordinance No. 16-0032 \(Building Code\)](#)
[Resolution No. 16-0085 \(Findings\)](#)

M. OLD BUSINESS

N. NEW BUSINESS

13. Settlement Agreement with Patricia Schilling (Human Resources Director Zadroga-Haase). [16-0563](#)
- APPROVE AND APPROPRIATE \$105,000**

Attachments: [Draft Settlement Agreement](#)

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

P. FORECAST AGENDA AND FUTURE DISCUSSION ITEMS

14. Agenda Forecast (City Clerk Tamura).
DISCUSS AND PROVIDE DIRECTION

[16-0552](#)

Attachments: [November 30, 2016 Agenda Forecast](#)

Q. INFORMATIONAL ITEMS

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

15. Commission Minutes:[16-0554](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Parking and Public Improvements Commission Minutes of August 27, 2015 (Community Development Director Lundstedt)
- b) Parking and Public Improvements Commission Minutes of September 24, 2015 (Community Development Director Lundstedt)
- c) Parking and Public Improvements Commission Minutes of December 10, 2015 (Community Development Director Lundstedt)
- d) Parking and Public Improvements Commission Minutes of January 28, 2016 (Community Development Director Lundstedt)
- e) Parking and Public Improvements Commission Minutes of April 28, 2016 (Community Development Director Lundstedt)
- f) Parking and Public Improvements Commission Minutes of July 28, 2016 (Community Development Director Lundstedt)
- g) Parking and Public Improvements Commission Minutes of September 22, 2016 (Community Development Director Lundstedt)
- h) Planning Commission Action Minutes of November 9, 2016 (Community Director Lundstedt)
- i) Cultural Arts Commission Minutes of October 11, 2016 (Parks and Recreation Director Leyman)
- j) Parks and Recreation Commission Minutes of October 24, 2016 (Parks and Recreation Director Leyman).

INFORMATION ITEM ONLY

Attachments: [Parking and Public Improvements Commission Minutes of August 27, 2015](#)
[Parking and Public Improvements Commission Minutes of September 24, 2015](#)
[Parking and Public Improvements Commission Minutes of December 10, 2015](#)
[Parking and Public Improvements Commission Minutes of January 28, 2016](#)
[Parking and Public Improvements Commission Minutes of April 28, 2016](#)
[Parking and Public Improvements Commission Minutes of July 28, 2016](#)
[Parking and Public Improvements Commission Minutes of September 22, 2016](#)
[Planning Commission Action Minutes of November 9, 2016](#)
[Cultural Arts Commission Minutes of October 11, 2016](#)
[Parks and Recreation Commission Minutes of October 24, 2016](#)

R. CLOSED SESSION**S. ADJOURNMENT**

T. FUTURE MEETINGS

CITY COUNCIL MEETINGS

December 20, 2016 - Tuesday -- 6:00 PM - City Council Meeting
January 3, 2017 - Tuesday -- 6:00 PM - City Council Meeting
January 17, 2017 - Tuesday -- 6:00 PM - City Council Meeting
February 7, 2017 - Tuesday -- 6:00 PM - City Council Meeting
February 21, 2017 - Tuesday -- 6:00 PM - City Council Meeting
March 8, 2017 - Wednesday -- 6:00 PM - City Council Meeting
March 21, 2017 - Tuesday -- 6:00 PM - City Council Meeting
April 4, 2017 - Tuesday -- 6:00 PM - City Council Meeting
April 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

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

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 22, 2016 - Thursday - 6:30 PM - Parking and Public Improvements Commission
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 23, 2017 - Monday - 6:30 PM - Parks and Recreation Commission Meeting
January 25, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
January 26, 2017 - Thursday - 6:30 PM - Parking and Public Improvements Commission
February 8, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
February 13, 2017 - Monday - 6:30 PM - Library Commission Meeting
February 14, 2017 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting
February 22, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
February 23, 2017 - Thursday - 6:30 PM - Parking and Public Improvements Commission
February 27, 2017 - Monday - 6:30 PM - Parks and Recreation Commission Meeting
March 8, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting (Cancelled Due to City Council Meeting)
March 13, 2017 - Monday - 6:30 PM - Library Commission Meeting
March 14, 2017 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting
March 22, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
March 23, 2017 - Thursday - 6:30 PM - Parking and Public Improvements Commission
March 27, 2017 - Monday - 6:30 PM - Parks and Recreation Commission Meeting

U. CITY OFFICES CLOSED

CITY HOLIDAYS:

December 26, 2016 - Monday - Christmas Day Observed
January 2, 2017 – Monday – New Years Day Observed
January 16, 2017 – Monday – Martin Luther King Day
February 20, 2017 - Monday - Presidents Day
May 29, 2017 – Monday – Memorial Day
Jul. 4, 2017 - Tuesday - Independence Day
September 4, 2017 - Monday - Labor Day
October 9, 2016 – Monday – Columbus Day
November 11, 2017 – Saturday – Veterans Day (Non-Business Day)
November 23-24, 2017 - Thursday & Friday - Thanksgiving Holiday

CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:

December 9, 2016 - Friday
December 23, 2016 - Friday
January 6, 2017 - Friday
January 20, 2017 - Friday
February. 3, 2017 - Friday
February 17, 2017 - Friday
March 3, 2017 - Friday
March 17, 2017 - Friday
March 31, 2017 - Friday
Apr. 14, 2017 - Friday
Apr. 28, 2017 - Friday
May 12, 2017 - Friday
May 26, 2017 - Friday