

City Council Regular Meeting

Regular Meeting

Tuesday, October 17, 2017

6:00 PM

City Council Chambers



Mayor David J. Lesser
Mayor Pro Tem Amy Howorth
Councilmember Steve Napolitano
Councilmember Nancy Hersman
Councilmember Richard Montgomery

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
Anne McIntosh, Community Development Director
Bruce Moe, Finance Director
Liza Tamura, City Clerk
Sanford Taylor, Information Technology Director

MISSION STATEMENT:

**Our mission is to provide excellent municipal services,
preserve our small beach town character, and enhance the quality of life for our
residents, businesses and visitors.**

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.

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.

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, October 11, 2017, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

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 Certificate of Recognition to the Friendship Foundation for Improving the Lives of Children and Young Adults with Special Needs Throughout the South Bay. [17-0429](#)
PRESENT
2. Presentation of a Certificate of Recognition from Assemblymember Al Muratsuchi Awarding Police Chief Eve Irvine as "Woman of Distinction 2017". [17-0430](#)
PRESENT

3. Presentation of a Proclamation Declaring November 2017 as National Family Caregivers Month.

[17-0431](#)

PRESENT

D. 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.

MOTION TO APPROVE AGENDA AND WAIVE FULL READING

E. 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.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

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. 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 during approval of the agenda 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.

G. 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. City Council Minutes: [17-0404](#)

This Item Contains Minutes of the Following City Council Meeting(s):

- a) City Council Special Meeting Minutes (Joint City Council/MBUSD Board of Trustees Meeting) of September 19, 2017
- b) City Council Special Meeting Minutes (Closed Session) of October 3, 2017
- c) City Council Regular Meeting Minutes of October 3, 2017 (City Clerk Tamura).

APPROVE

Attachments: [City Council Special Meeting Minutes \(Joint City Council/MBUSD Board of Trustees Meeting\) of September 19, 2017](#)
[City Council Special Meeting Minutes \(Closed Session\) of October 3, 2017](#)
[City Council Regular Meeting Minutes of October 3, 2017](#)

5. Financial Report: [17-0389](#)

Schedules of Demands: September 14, 2017 (Finance Director Moe).

ACCEPT REPORT AND DEMANDS

Attachments: [Schedules of Demands for September 14, 2017](#)

6. Resolution No. 17-0125 Approving Side Letter Agreement with the [RES 17-0125](#)

Manhattan Beach Mid-Management Employee Association (Human Resources Director Zadroga-Haase).

ADOPT RESOLUTION NO. 17-0125

Attachments: [Resolution No. 17-0125](#)
[Side Letter Regarding Removing Controller Classification](#)

7. Resolution Nos. 17-0110 and 17-0133 Approving Two Three-Year [17-0435](#)

Contracts with Melad & Associates and The Code Group, dba VCA Code for Building Plan Check, Building Inspection, and Fire Plan Check Services (Community Development Director McIntosh).

ADOPT RESOLUTION NOS. 17-0110 AND 17-0133

Attachments: [Bid Comparison](#)
[Resolution No. 17-0110](#)
[Professional Services Agreement with Melad & Associates](#)
[Resolution No. 17-0133](#)
[Professional Services Agreement with The Code Group dba VCA Code](#)

8. Adopt Ordinance No. 17-0021 to Amend Title 9 to Modify the Plan Review and Permit Expiration Sections of the Manhattan Beach Municipal Code and Clarify the Issuance of Permits to Owner-Builders (Community Development Director McIntosh). [ORD 17-0021](#)
ADOPT ORDINANCE NO. 17-0021
Attachments: [Ordinance No. 17-0021](#)
[Excerpt from the Business and Professions Code \(Section 7044\)](#)
[Excerpt from the Health and Safety Code \(Section 19825\)](#)
9. Accept as Complete the Marine Avenue Park Skate Spot Project Constructed by Salix Development Company; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention Amount of \$22,212.95 (Public Works Director Katsouleas). [17-0248](#)
APPROVE
Attachments: [Aerial View of Completed Project](#)
10. Accept as Complete the Highland Avenue at 38th Street and Rosecrans Avenue at Highland Avenue Street Improvement Projects Constructed by Alfaro Communication Construction Inc.; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention Amount of \$16,988.79 (Public Works Director Katsouleas). [17-0420](#)
APPROVE
Attachments: [Location Map - Highland Avenue](#)
[Location Map - Rosecrans Avenue](#)
11. National League of Cities City Summit Conference - November 15-18, 2017 (City Manager Danaj). [17-0439](#)
RECEIVE REPORT AND APPROVE

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

Each speaker may speak for up to 2 minutes on each item removed from the consent calendar.

I. PUBLIC HEARINGS

Each speaker may speak for up to 3 minutes on each public hearing item.

12. Consideration of Amendments to the Municipal Code and the Local Coastal Program to Prohibit All Commercial Cannabis Activity in the City, and to Allow Limited Indoor Cannabis Cultivation Consistent with State Law (Community Development Director McIntosh).

[17-0422](#)

**CONDUCT PUBLIC HEARING AND INTRODUCE ORDINANCE
NOS. 17-0024 AND 17-0025, AND ADOPT URGENCY ORDINANCE
NO. 17-0025-U**

Attachments: [Ordinance No. 17-0024 \(Amendment to Municipal Code, Titles 10 and 4\)](#)
[Ordinance No. 17-0025 \(Amendment to Local Coastal Program, Title A\)](#)
[Urgency Ordinance No. 17-0025-U \(Amendment to Local Coastal Program, Title A\)](#)
[Planning Resolution No. PC 17-07](#)
[Planning Commission Staff Report, Attachments and Draft Minutes](#)

J. GENERAL BUSINESS

Each speaker may speak for up to 2 minutes on each general business item.

13. Update on Telecommunications and Coastal Permits for Four AT&T Telecom Sites in the Public Right of Way on Light Poles in the Appealable Area of the Coastal Zone Located at Manhattan Avenue and 5th Place, Manhattan Avenue and 29th and 36th Streets and Ocean Drive and 18th Street (Community Development Director McIntosh).

[17-0436](#)

RECEIVE UPDATE AND CONTINUE ITEM TO A FUTURE DATE

K. CITY COUNCIL REPORTS AND COMMITTEE REPORTS INCLUDING AB 1234 REPORTS

14. Request by Councilmember Montgomery to Discuss adding Ygrene Energy Fund as an Additional Option for Property Assessed Clean Energy ("PACE") Financing in Manhattan Beach (Community Development Director McIntosh).

[17-0397](#)

ADOPT RESOLUTION NOS. 17-0123 AND 17-0124

Attachments: [Resolution No. 17-0123](#)
[Resolution No. 17-0124](#)

L. FUTURE AGENDA ITEMS

Councilmembers may request that items be placed on a future agenda with the concurrence of one other Councilmember.

M. CITY MANAGER REPORT**N. CITY ATTORNEY REPORT****O. INFORMATIONAL ITEMS**

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

15. Commission and Subcommittee Meeting Minutes: [17-0437](#)

This Item Contains Minutes of the following City Commission and Subcommittee Meetings:

- a) Parking and Public Improvements Commission Meeting Minutes of May 25, 2017 (Community Development Director McIntosh)
- b) Parking and Public Improvements Commission Meeting Minutes of June 22, 2017 (Community Development Director McIntosh)
- c) Parks and Recreation Commission Meeting Minutes of August 28, 2017 (Parks and Recreation Director Leyman)
- d) Finance Subcommittee Meeting Minutes of September 28, 2017 (Finance Director Moe).

INFORMATION ITEM ONLY

Attachments: [Parking and Public Improvements Commission Meeting Minutes of May 25, 2017](#)
[Parking and Public Improvements Commission Meeting Minutes of June 22, 2017](#)
[Parks and Recreation Commission Meeting Minutes of August 28, 2017](#)
[Finance Subcommittee Meeting Minutes of September 28, 2017](#)

P. CLOSED SESSION**Q. ADJOURNMENT**

R. FUTURE MEETINGS

CITY COUNCIL MEETINGS

November 8, 2017 - Wednesday -- 6:00 PM - City Council Meeting (State General Election on November 7, 2017)
November 21, 2017 - Tuesday -- 6:00 PM - City Council Meeting
December 5, 2017 - Tuesday -- 6:00 PM - City Council Meeting
December 19, 2017 - Tuesday -- 6:00 PM - City Council Meeting
January 2, 2018 - Tuesday -- 6:00 PM - City Council Meeting (Tentative)
January 16, 2018 - Tuesday -- 6:00 PM - City Council Meeting
February 6, 2018 - Tuesday -- 6:00 PM - City Council Meeting
February 20, 2018 - Tuesday -- 6:00 PM - City Council Meeting
March 6, 2018 - Tuesday -- 6:00 PM - City Council Meeting
March 20, 2018 - Tuesday -- 6:00 PM - City Council Meeting
April 3, 2018 - Tuesday -- 6:00 PM - City Council Meeting
April 17, 2018 - Tuesday -- 6:00 PM - City Council Meeting
May 1, 2018 - Tuesday -- 6:00 PM - City Council Meeting
May 15, 2018 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

October 23, 2017 - Monday - 6:30 PM - Parks and Recreation Commission Meeting
October 25, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
October 26, 2017 - Thursday - 6:30 PM - Parking and Public Improvements Commission
November 8, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting (Tentative)
November 13, 2017 - Monday - 6:30 PM - Library Commission Meeting
November 14, 2017 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting
November 22, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
November 23, 2017 - Thursday - 6:30 PM - Parking and Public Improvements Commission (Holiday)
November 27, 2017 - Monday - 6:30 PM - Parks and Recreation Commission Meeting
December 7, 2017 - Thursday - 6:30 PM - Parking and Public Improvements Commission
December 11, 2017 - Monday - 6:30 PM - Library Commission Meeting
December 12, 2017 - Tuesday - 6:00 PM - Cultural Arts Commission Meeting
December 13, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting
December 25, 2017 - Monday - 6:30 PM - Parks and Recreation Commission Meeting
December 27, 2017 - Wednesday - 6:30 PM - Planning Commission Meeting

S. CITY OFFICES CLOSED

CITY HOLIDAYS:

November 11, 2017 – Saturday – Veterans Day (Non-Business Day)
November 23-24, 2017 - Thursday & Friday - Thanksgiving Holiday
December 25, 2017 - Monday - Christmas Day Observed
January 1, 2018 – Monday – New Years Day Observed
January 15, 2018 – Monday – Martin Luther King Day
February 19, 2018 - Monday - Presidents Day
May 28, 2018 – Monday – Memorial Day
July 4, 2018 - Wednesday - Independence Day
September 3, 2018 - Monday - Labor Day
October 8, 2018 – Monday – Columbus Day

CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:

October 27, 2017
November 10, 2017
November 24, 2017
December 8, 2017
December 22, 2017
January 12, 2018
January 26, 2018
February 9, 2018
February 23, 2018
March 9, 2018
March 23, 2018
April 6, 2018
April 20, 2018