

City Council Regular Meeting

Regular Meeting
Tuesday, March 20, 2018
6:00 PM
City Council Chambers



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

Executive Team

Bruce Moe, City Manager
Quinn Barrow, City Attorney

Derrick Abell, Police Chief
Steve Charelian, Interim Finance Director
Robert Espinosa, Fire Chief
Stephanie Katsouleas, Public Works Director
Mark Leyman, Parks & Recreation Director

Anne McIntosh, Community Development Director
Liza Tamura, City Clerk
Sanford Taylor, Information Technology Director
Teresia Zadroga-Haase, Human Resources 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.**

March 20, 2018

City Council Meeting Agenda Packet

Agenda Item No.	Starting Page	Ending Page
AGENDA	1	10
1	11	12
2	13	30
3	31	94
4	95	100
5	101	152
6	153	154
7	155	280
8	281	312
9	313	336
10	337	348
11	349	378
12	379	388
13	389	400
14	401	426
15	427	430

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.

Meetings are broadcast live through Manhattan Beach Local Community Cable, Channel 8 (Chapter Spectrum), Channel 35 (Frontier Communications), and live streaming via the City's website.

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, March 14, 2018, 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

Dominique Doumeng, Manhattan Beach Middle School

B. ROLL CALL

C. CEREMONIAL CALENDAR

1. Presentation of a Plaque Congratulating City Controller, Henry Mitzner on his 45 Years of Service with the City of Manhattan Beach.
PRESENT

[18-0027](#)

D. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

This is the time for the City Council 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 items and are enacted by a single motion with the exception of items previously removed by a member of the City Council during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

2. City Council Minutes:

[18-0028](#)

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

- a) City Council Adjourned Regular Meeting Minutes (Closed Session) of March 6, 2018
- b) City Council Regular Meeting Minutes of March 6, 2018 (City Clerk Tamura).

APPROVE

Attachments: [City Council Regular Meeting Minutes of March 6, 2018](#)

[City Council Adjourned Regular Meeting Minutes \(Closed Session\) of March 6, 2018](#)

3. Financial Report:

[18-0071](#)

Schedule of Demands: February 15, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

Attachments: [Schedule of Demands for February 15, 2018](#)

4. Resolution No. 18-0032 Amending the City of Manhattan Beach Personnel Rules Classified Service List (Human Resources Director Zadroga-Haase). [RES 18-0032](#)
ADOPT RESOLUTION NO. 18-0032

Attachments: [Resolution No. 18-0032](#)
[Personnel Rules Attachment "C" – Classified Service](#)

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

Each speaker may speak for up to 2 minutes on each item pulled from the agenda.

I. PUBLIC HEARINGS

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

J. GENERAL BUSINESS

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

5. Request by Mayor Howorth to Discuss Possible Support of the Manhattan Beach Unified School District Parcel Tax Measure. [RES 18-0038](#)
CONSIDER ADOPTING RESOLUTION NO. 18-0038

Attachments: [Resolution No 18-0038](#)
[MBUSD Resolution No. 2018-8 Calling June 5, 2018 Election](#)
[MBUSD Funding Measure Factsheet](#)
[MBUSD February 28, 2018 Staff Report](#)
[PowerPoint Presented to MBUSD Board of Trustees](#)

6. Consideration of Providing Financial Support to the Manhattan Beach Unified School District to Improve School Safety and Security Measures (Interim Finance Director Charelian). [18-0124](#)
a) **DISCUSS AND PROVIDE DIRECTION**
b) **APPROPRIATE**

7. Resolution No. 18-0034 Adopting a Mills Act Program and Consideration of Associated Fees to Provide Reduced Property Taxes for Properties Designated by the City as Historic Resources (Community Development Director McIntosh). [RES 18-0034](#)
a) **DISCUSS AND PROVIDE DIRECTION**
b) **ADOPT RESOLUTION NO. 18-0034**

Attachments: [Resolution No. 18-0034](#)
[Staff Report, Attachments and Resolution \(October 7, 2014\)](#)

8. Consideration of LA Times Food Bowl and Outstanding in the Field Event on Manhattan Beach (Parks and Recreation Director Leyman). [18-0125](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [LA Food Bowl/Outstanding in the Field Presentation](#)
[Event Site Plan](#)
[Event Timetable](#)
[DBPA Letter of Support](#)

9. Citywide Pedestrian Crossing Enhancement Evaluation (Community Development Director McIntosh). [18-0111](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [Excerpts of City Goals and Policies](#)
[Draft Pedestrian Crossing Enhancements Policy](#)
[Recently Completed Crossing Improvements Map](#)
[Planned Grant-Funded Crossing Improvements Map](#)
[Planned CIP Crossing Improvements Map](#)
[Non-Motorized Project Evaluation Form](#)

10. Consideration of the Request from the Manhattan Beach Botanical Garden for Fee Waivers/Refunds for Permitting Fees for the Construction of a Tool Shed (Parks and Recreation Director Leyman). [18-0106](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [Botanical Garden Building Permit](#)
[Botanical Garden Electrical Permit](#)
[Botanical Garden Plumbing Permit](#)
[Botanical Garden Shed Plans](#)

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

11. Request by Mayor Howorth and Mayor Pro Tem Napolitano to Discuss Sending a Letter to the South Coast Air Quality Management District Regarding a Rule Prohibiting Use of Modified Hydrofluoric Acid at the Torrance Refinery (Community Development Director McIntosh). [18-0117](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [U.S. Chemical Safety Board Report on Torrance Refinery Explosion \(Executive Summary\)](#)
[PBF Energy Letter to City of Redondo Beach](#)
[LA County Amended Motion from March 8, 2017 Board Meeting](#)
[PowerPoint Presentation \(AQMD\)](#)

12. Request by Mayor Howorth to Discuss Assembly Bill 1795 Authorizing a Local Emergency Medical Services Agency to Allow Paramedics to Transport People to a Community Care Facility (Fire Chief Espinosa). [18-0110](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [Assembly Bill 1795](#)
[League of California Cities Los Angeles County Division Notice of Support](#)

L. FUTURE AGENDA ITEMS

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

13. Agenda Forecast (City Clerk Tamura). [18-0046](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [March 14, 2018 Agenda Forecast](#)

M. CITY MANAGER REPORT

N. CITY ATTORNEY REPORT

O. INFORMATIONAL ITEMS

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

14. Commission Minutes: [18-0114](#)

This Item Contains Minutes of the following City Commission Meetings:

a) Cultural Arts Commission Meeting Minutes of October 16, 2017 (Parks and Recreation Director Leyman)

b) Cultural Arts Commission Meeting Minutes of November 20, 2017 (Parks and Recreation Director Leyman)

c) Parks and Recreation Commission Meeting Minutes of November 27, 2017 (Parks and Recreation Director Leyman)

d) Library Commission Meeting Minutes of January 8, 2018 (Parks and Recreation Director Leyman)

e) Parks and Recreation Commission Meeting Minutes of January 22, 2018 (Parks and Recreation Director Leyman)

f) Planning Commission Action Meeting Minutes of February 14, 2018 (Community Development Director McIntosh)

g) Planning Commission Action Meeting Minutes of February 28, 2018 (Community Development Director McIntosh).

INFORMATION ITEM ONLY

Attachments: [Cultural Arts Commission Meeting Minutes of October 16, 2017](#)
[Cultural Arts Commission Meeting Minutes of November 20, 2017](#)
[Parks and Recreation Commission Mtg Minutes of November 27, 2017](#)
[Library Commission Meeting Minutes of January 8, 2018](#)
[Parks and Recreation Commission Meeting Minutes of January 22, 2018](#)
[Planning Commission Action Meeting Minutes of February 14, 2018](#)
[Planning Commission Action Meeting Minutes of February 28, 2018](#)

15. Recent Planning Commission Quasi-Judicial Decisions [18-0112](#)

1. Use Permit Amendment - 900 Club

2. Use Permit, Use Permit Amendment and EIR - Skechers (Community Development Director McIntosh).

INFORMATION ITEMS ONLY

P. CLOSED SESSION

Q. ADJOURNMENT

R. FUTURE MEETINGS**CITY COUNCIL MEETINGS**

April 3, 2018 - Tuesday -- 6:00 PM - City Council Meeting
April 16, 2019 - Monday -- 6:00 PM - Fire Operations Study Session
April 17, 2018 - Tuesday -- 6:00 PM - City Council Meeting
April 23, 2018 - Monday -- 6:00 PM - Joint City Council/MBUSD Meeting
April 24, 2018 - Tuesday - TDB - Boards and Commissions Interviews (Tentative)
May 1, 2018 - Tuesday -- 6:00 PM - City Council Meeting
May 8, 2018 - Tuesday -- 6:00 PM - Budget Study Session (Tentative)
May 10, 2018 - Thursday -- 6:00 PM - Budget Study Session (Tentative)
May 15, 2018 - Tuesday -- 6:00 PM - City Council Meeting
May 17, 2018 - Thursday -- 6:00 PM - Budget Study Session (Tentative)
May 22, 2018 - Tuesday -- 6:00 PM - Budget Study Session (Tentative)
June 4, 2018 - Monday -- 6:00 PM - Joint City Council /Parks and Recreation Commission, Library Commission and Cultural Arts Commission Meeting
June 5, 2018 - Tuesday -- 6:00 PM - City Council Meeting
June 19, 2018 - Tuesday -- 6:00 PM - City Council Meeting
June 20, 2018 - Wednesday -- 6:00 PM - Joint City Council/Planning Commission and Parking and Public Improvements Commission Meeting
July 3, 2018 - Tuesday -- 6:00 PM - City Council Meeting
July 17, 2018 - Tuesday -- 6:00 PM - City Council Meeting
August 7, 2018 - Tuesday -- 6:00 PM - City Council Meeting
August 21, 2018 - Tuesday -- 6:00 PM - City Council Meeting
September 4, 2018 - Tuesday -- 6:00 PM - City Council Meeting
September 18, 2018 - Tuesday -- 6:00 PM - City Council Meeting
October 2, 2018 - Tuesday -- 6:00 PM - City Council Meeting
October 16, 2018 - Tuesday -- 6:00 PM - City Council Meeting
November 6, 2018 - Tuesday -- 6:00 PM - City Council Meeting
November 20, 2018 - Tuesday -- 6:00 PM - City Council Meeting
December 4, 2018 - Tuesday -- 6:00 PM - City Council Meeting
December 18, 2018 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

March 22, 2018 - Thursday - 6:00 PM - Parking and Public Improvements Commission
March 26, 2018 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
March 28, 2018 - Wednesday - 6:00 PM - Planning Commission Meeting
April 9, 2018 - Monday - 6:00 PM - Library Commission Meeting
April 11, 2018 - Wednesday - 6:00 PM - Planning Commission Meeting
April 16, 2018 - Monday - 6:00 PM - Cultural Arts Commission Meeting
April 23, 2018 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
April 25, 2018 - Wednesday - 6:00 PM - Planning Commission Meeting
April 26, 2018 - Thursday - 6:00 PM - Parking and Public Improvements Commission
May 9, 2018 - Wednesday - 6:00 PM - Planning Commission Meeting
May 14, 2018 - Monday - 6:00 PM - Library Commission Meeting
May 21, 2018 - Monday - 6:00 PM - Cultural Arts Commission Meeting
May 23, 2018 - Wednesday - 6:00 PM - Planning Commission Meeting
May 24, 2018 - Thursday - 6:00 PM - Parking and Public Improvements Commission
May 28, 2018 - Monday - 6:00 PM - Parks and Recreation Commission Meeting

S. CITY OFFICES CLOSED**CITY HOLIDAYS:**

May 28, 2018 – Monday – Memorial Day

July 4, 2018 - Wednesday - Independence Day

September 3, 2018 - Monday - Labor Day

October 8, 2018 – Monday – Columbus Day

November 12, 2018 – Monday – Veterans Day (Observance of November 11, 2018)

November 22-23, 2018 - Thursday & Friday - Thanksgiving Holiday

December 25, 2018 - Tuesday - Christmas Day Observed

January 1, 2019 – Tuesday – New Years Day Observed

January 14, 2019 – Tuesday – Martin Luther King Day

February 18, 2019 - Monday - Presidents Day

CITY OFFICES CLOSED ON FOLLOWING ALTERNATIVE FRIDAYS:

April 13, 2018

April 27, 2018

May 11, 2018

May 25, 2018

June 8, 2018

June 22, 2018

July 6, 2018

July 20, 2018

August 3, 2018

August 17, 2018

August 31, 2018

September 14, 2018

September 28, 2018

Agenda Date: 3/20/2018

TO:

Members of the City Council

FROM:

Mayor Howorth

SUBJECT:

Presentation of a Plaque Congratulating City Controller, Henry Mitzner on his 45 Years of Service with the City of Manhattan Beach.

PRESENT

**The City Council of the City of Manhattan Beach
Does Hereby Congratulate
Henry Mitzner
45 Years of Service
to the
City of Manhattan Beach**

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Liza Tamura, City Clerk

Martha Alvarez, Senior Deputy City Clerk

SUBJECT:

City Council Minutes:

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

- a) City Council Adjourned Regular Meeting Minutes (Closed Session) of March 6, 2018
- b) City Council Regular Meeting Minutes of March 6, 2018
(City Clerk Tamura).

APPROVE

RECOMMENDATION:

The attached minutes are for City Council approval:

Attachment(s):

- 1. City Council Adjourned Regular Meeting Minutes (Closed Session) of March 6, 2018
- 2. City Council Regular Meeting Minutes of March 6, 2018

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, March 6, 2018

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

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

**PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO:
www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes**

A. PLEDGE TO THE FLAG

Jackson Meugniot, Mira Costa High School, led the Pledge of Allegiance.

Jeremy Buck performed a song he composed titled, "State of the City."

B. ROLL CALL

Present: 5 - Mayor Howorth, Mayor Pro Tem Napolitano, Councilmember Hersman, Councilmember Montgomery and Councilmember Lesser

C. CEREMONIAL CALENDAR

- 1. Presentation of Commendations to the Boy Scouts of Troop 860 That [18-0031](#)
Have Attained the Rank of Eagle Scout.

PRESENT

Mayor Howorth, on behalf of of the City Council, presented commendations to the Boy Scouts of Troop 860 that have attained the rank of Eagle Scout.

D. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the agenda, as amended, removing Item No 4. (Consideration of Resolution No. 18-0028 Amending the City’s Meeting Management Resolution to Clarify the Public Comment Rules During City Council Meetings) from the Consent Calendar and waive full reading of ordinances. The motion carried by the following vote:

Aye: 5 - Howorth, Napolitano, Hersman, Montgomery and Lesser

E. CITY COUNCIL AND COMMUNITY ORGANIZATION ANNOUNCEMENTS OF UPCOMING EVENTS (1 MINUTE PER PERSON)

Jayden Levin and Steve Schumacher announced the Pinewood Derby on May 28, 2018, at the Scout House.

Wayne Powell announced that the P.S. I Love You Foundation "Splash of Love" event will be held on Saturday April 4, 2018 from 6:00 PM - 10:00 PM, the Leadership Manhattan Beach 25th Anniversary Gala will be held on March 24, 2018, at 6:30 PM (tickets can be purchased through the website), and the Senior Advisory Committee sponsors tax assistance for older adults on Wednesdays. Also "Coffee, Technology and You" will be at the Joslyn Community Center on March 10, 2018. He further added that he is in support of agenda Item No. 8, regarding the Leadership Manhattan Beach Project.

Melissa McCollum, Manhattan Beach Librarian, reported on an upcoming library event titled, "Beyond Books" on March 31, 2018 from 11:00 AM - 1:00 PM.

Jan Buike, Older Adults Program Supervisor, echoed the comments earlier announcing the Pinewood Derby Event and the "Coffee, Technology and You". She also announced a monthly program of Karaoke starting Thursday, March 8, 2018, from 6:00 PM to 8:30 PM.

Mayor Howorth announced that the Soroptimist Luna Fest of short films is at the Redondo Beach Performing Arts Center on Sunday, March 11, 2018 from 2:00 PM - 5:00 PM.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Richard Palmer spoke in support of the Manhattan Beach Firefighters.

Rudy Mejia, Firefighter/Paramedic and Fire Association President, spoke about the City Council hiring one of the five interviewed Chiefs as the Interim Fire Chief of the Fire Department.

Tom Desmond, Fire Captain and Boardmember of the Firefighters Association, spoke about the vote of no confidence.

Dave Shenbaum, Fire Captain/Paramedic and Vice-President of the Manhattan Beach Firefighters Association, spoke of the logistics of calls received by the Fire Department and the need for better transport times.

John Dulmage, Engineer/Paramedic and Boardmember of the Firefighters Association, read the Associations' "vote of no confidence" statement.

Tim O'Brien, Captain/Paramedic, and Association Representative, read into the record a list of items that were approved and voted on by the Manhattan Beach Firefighters Association.

City Manager Bruce Moe summarized why Fire Chief Robert Espinosa's stay was extended with the City. Also, in response to previous speakers, he indicated that an independent investigation was conducted and that the report is available in the City Clerk's Office. City Manager Moe further commented on existing mutual aid agreements and reassured all residents that safety is the City Councils' and the City's number one priority.

Mayor Howorth asked for a study session regarding delivery of Fire/Emergency Services comparing Automatic Aid and Mutual Aid. Councilmember Hersman concurred.

Tim Viselli, retired Manhattan Beach Firefighter of 30 years, spoke in favor of the Manhattan Beach Firefighters Association.

Martha Andreani encouraged a call for action to agendize this item more quickly for the Firefighters.

Laurie McDermot remarked on ambulance response time and being billed by a private ambulance company.

Carolyn Chu, Go-Green Commissioner for Robinson Elementary, spoke about Earth Day and requested permission to place a recycling bin for ink cartridges in City Hall and at the Fire Department.

Gerry O'Connor asked that an agendized item on the ban on MHF (Modified Hydrofluoric Acid) use be brought to City Council at the March 20, 2018 City Council Meeting.

Marietta Buzga echoed support for a ban on MHF.

Chandra Shaw spoke in support for the Manhattan Beach Firefighters.

Tom Hess spoke on short-term rentals.

Mindy Geller spoke in opposition of Airbnb.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Montgomery, seconded by Councilmember Lesser, to approve the consent calendar, with the exception of Item No. 4 (Consideration of Resolution No. 18-0028 Amending the City's Meeting Management Resolution to Clarify the Public Comment Rules During City Council Meetings). The motion carried by the following vote:

Aye: 5 - Howorth, Napolitano, Hersman, Montgomery and Lesser

2. City Council Minutes: [18-0026](#)

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

- a) City Council Adjourned Regular Meeting Minutes (Environmental Sustainability Study Session) of January 31, 2018
- b) City Council Adjourned Regular Meeting Minutes (Closed Session) of February 20, 2018
- c) City Council Regular Meeting Minutes of February 20, 2018 (City Clerk Tamura).

APPROVE

The recommendation for this item was approved on the Consent Calendar.

3. Financial Report: [18-0070](#)

- a) Schedule of Demands: February 1, 2018
- b) Investment Portfolio for the Month Ending January 31, 2018
- c) Month End Report for January 31, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

The recommendation for this item was approved on the Consent Calendar.

4. Consideration of Resolution No. 18-0028 Amending the City's Meeting [RES 18-0028](#)

Management Resolution to Clarify the Public Comment Rules During City Council Meetings (City Clerk Tamura).

ADOPT RESOLUTION NO. 18-0028

This item was Removed from the Consent Calendar and heard under Section H - Items removed from the Consent Calendar.

5. Ordinance to Reauthorize Public, Educational, and Governmental (PEG) [ORD 18-0004](#)

Programming Support Fees Pursuant to the Digital Infrastructure and Video Competition Act (DIVCA) (Information Technology Director Taylor).

a) CONDUCT SECOND READING

b) ADOPT ORDINANCE NO. 18-0004

The recommendation for this item was approved on the Consent Calendar.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 4. Consideration of Resolution No. 18-0028 Amending the City’s Meeting Management Resolution to Clarify the Public Comment Rules During City Council Meetings (City Clerk Tamura).

[RES 18-0028](#)

ADOPT RESOLUTION NO. 18-0028

At 7:17 PM Mayor Howorth left the dais.

Management Analyst George Gabriel provided the Staff presentation clarifying the changes in the City’s proposed Meeting Management Resolution.

Mayor Pro Tem Napolitano opened the floor to public comment.

Seeing no requests to speak, Mayor Pro Tem Napolitano closed the floor to public comment.

At 7:20 PM Mayor Howorth returned to the dais.

A motion was made by Councilmember Hersman, seconded by Councilmember Lesser, to adopt Resolution No. 18-0028 amending the City’s Meeting Management Resolution to clarify the public comment rules during City Council Meetings. The motion carried by the following vote:

Aye: 5 - Howorth, Napolitano, Hersman, Montgomery and Lesser

At 7:22 PM City Council recessed and reconvened at 7:29 PM with all Councilmembers present.

I. PUBLIC HEARINGS

6. Discussion Regarding Short-Term Rentals (Continued from the February 6, 2018 City Council Regular Meeting) (Community Development Director McIntosh) [18-0015](#)

DISCUSS AND PROVIDE DIRECTION

Community Development Director Anne McIntosh presented the PowerPoint presentation.

Community Development Director McIntosh and Building Official Ryan Heise responded to City Council questions.

Mayor Howorth opened the public hearing:

The following individuals spoke in favor of short-term rentals:

*Ala Tabatabaci
Robert Reyes
Alex Lughold
Tyler Dare
Laurie McDermont
Mike Lutomski
Hedi Lee
Bill Victor*

The following individuals spoke in opposition to short-term rentals:

*Aaron Klaffer
Carol Detrice
Martha Andreani
Montic Taylor
Erin Nelson
Jim Healy
Karol Wahlberg
Paul Hoffman*

Kirstie Barrett spoke about some consequences of the short-term rental ban.

Seeing no further requests to speak, Mayor Howorth closed the public hearing.

Community Development Director McIntosh, Interim Finance Director Steve Charelian, City Attorney Quinn Barrow and Building Official Heise responded to City Council questions.

City Council directed Staff to return at a future meeting with additional data on a variety of issues including insurance, parking, enforcement, revenue, licensing, inspections, numeric caps, platform agreements, Cities with bans, etc. and schedule a City Council study session when research is completed.

7. Conduct Public Hearing to Consider Resolution No. 18-0001 Regarding a Coastal Development Permit for the 2018 Manhattan Beach Open Volleyball Tournament; Request from AOS GROUP for Special Permit: Limited Alcoholic Beverage Use on Public Property for the Manhattan Beach Open Event, August 16-19 in the Lower South Pier Parking Lot and VIP Bleacher Seating Area in the Stadium Court and Resolution No. 18-0001 (Parks and Recreation Director Leyman).

[RES 18-0001](#)

- a) **CONDUCT PUBLIC HEARING**
- b) **ADOPT RESOLUTION NO. 18-0001**
- c) **APPROVE**

Recreation Services Manager Jessica Vincent presented the Staff presentation.

Recreation Services Manager Vincent and Chief Operating Officer of the Association of Volleyball Professionals (AVP), Al Lau responded to City Council questions.

Mayor Howorth opened the public hearing.

Bill Victor and Fred Manna spoke in opposition to having alcohol at the event.

Seeing no further requests to speak, Mayor Howorth closed the public hearing.

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to adopt Resolution No. 18-0001 and to approve the request from the AOS Group (AVP) for a special permit for limited alcohol beverage use on public property for the Manhattan Beach Open, August 16-19, 2018, in the Lower South Pier Parking Lot and VIP Bleacher Seating Area in the Stadium Court. The motion carried by the following vote:

Aye: 5 - Howorth, Napolitano, Hersman, Montgomery and Lesser

J. GENERAL BUSINESS

8. Formally Accept Leadership Manhattan Beach Class Project Donation of Two Fix-It Bicycle Stations and the Recommended Installation Locations for the Project (Fire Chief Espinosa). [18-0085](#)
- a) **DISCUSS AND PROVIDE DIRECTION**
- b) **APPROVE**

Fire Engineer James Craig presented the Leadership Manhattan Beach presentation and responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Wayne Powell spoke in favor of the project.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to formally accept the Leadership Manhattan Beach Class Project Donation for two Fix-It Bicycle Stations and the recommended installation locations for the project. The motion carried by the following vote:

Aye: 5 - Howorth, Napolitano, Hersman, Montgomery and Lesser

A motion was made by Councilmember Lesser, seconded by Councilmember Hersman, to approve the Rosecrans Avenue beach-access point for the second location of the Bicycle Fix-It Station. The motion carried by the following vote:

Aye: 5 - Howorth, Napolitano, Hersman, Montgomery and Lesser

9. FY 2017-2018 Mid-Year Budget Report and Update on Budget Development for FY 2018-2020 Biennial Budget (Interim Finance Director Charelian). [18-0088](#)
- DISCUSS AND PROVIDE DIRECTION**

Financial Analyst Libby Bretthauer who presented the PowerPoint presentation.

Interim Finance Director Steve Charelian, Financial Analyst Bretthauer and City Manager Bruce Moe responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Seeing no requests to speak, Mayor Howorth closed the floor to public comments.

City Council received the report and provided no further direction.

A motion was made by Councilmember Lesser, seconded by Councilmember Hersman to extend the meeting time past 11:00 PM. The motion carried by the following vote:

Aye: 5 - Howorth, Napolitano, Hersman, Montgomery and Lesser

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

Councilmember Lesser reported that he and Councilmember Hersman attended the South Bay Cities Council of Governments (SBCCOG) 19th Annual General Assembly.

Councilmember Montgomery reported that he attended the League of California Cities Board Meeting in Redondo Beach.

Mayor Howorth attended a Board Meeting for the Power Alliance for Southern California and an "Active Shooter Training" provided by the Chamber of Commerce.

10. Request by Mayor Pro Tem Napolitano to Discuss the Possibility for City Council to Have Long Term Assignments to External Boards and Commissions for City Council Assignments.

Mayor Pro Tem Napolitano requested that this item be continued due to the late hour.

L. FUTURE AGENDA ITEMS

11. Agenda Forecast (City Clerk Tamura). [18-0044](#)
DISCUSS AND PROVIDE DIRECTION

Mayor Howorth, along with Mayor Pro Tem Napolitano, requested that the MHF (Modified Hydrofluoric Acid) item be placed on the next agenda.

Mayor Howorth also requested that Staff bring back a resolution in support of the school district parcel tax. Councilmembers Lesser and Hersman concurred.

Councilmember Montgomery wants to direct Staff to look at moving the election date in March of 2019. City Attorney Quinn Barrow responded that Staff would explore options.

Councilmember Hersman requested that the potential of 3 hour time limits on parking meters instead of 2 hours be discussed at the tentative May 15, 2018, City Council Meeting when the projections on potential parking meter rate increases are agendized.

City Manager Bruce Moe indicated it will come back for discussion and the City will notify the Downtown Business Association and the North End Business Association.

M. CITY MANAGER REPORT

City Manager Bruce Moe reminded City Council of the City Council Work Plan Meeting on March 9, 2018, to be held at the Public Works Yard, 3621 Bell Avenue, in the Training Room.

12. **Request by Mayor Howorth to Receive Report on the Homeless Count Conducted Last Month (Oral Presentation by Mangement Analyst Davis).**

Management Analyst Kendra Davis provided a report on the Homeless Count and responded to City Council questions.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

None.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 10:57 PM the City Council adjourned in memory of Dorothy Higi, Pina Fisher and Evelyn Frey to the 8:30 AM City Council Work Plan Meeting at the Public Works Yard Training Room, 3621 Bell Avenue, in said City.

Martha Alvarez
Recording Secretary

Amy Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, March 6, 2018

5:00 PM

Closed Session

City Manager's Conference Room

City Council Adjourned Regular Meeting

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

**PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO:
www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes**

A. CALL MEETING TO ORDER

Mayor Howorth called the meeting to order.

B. ROLL CALL

Present 5 - Mayor Amy Howorth, Mayor Pro Tem Steve Napolitano, Councilmember Nancy Hersman, Councilmember Richard Montgomery, and Councilmember David Lesser

C. PUBLIC COMMENTS (3 MINUTES PER PERSON)

None.

D. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

City Attorney Quinn Barrow announced the following Closed Session.

**CONFERENCE WITH LEGAL COUNSEL (ANTICIPATED LITIGATION)
(Government Code Section 54956.9(d)(4))**

Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

Number of Cases: 1

E. RECESS INTO CLOSED SESSION

Mayor Howorth announced that City Council would recess into Closed Session.

F. RECONVENE INTO OPEN SESSION

The City Council reconvened into Open Session with all Councilmembers present.

G. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Attorney Quinn Barrow announced that there was no reportable action taken.

H. ADJOURNMENT

At 5:24 PM Mayor Howorth adjourned the meeting.

Martha Alvarez
Recording Secretary

Amy Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Steve S. Charelian, Interim Finance Director

SUBJECT:

Financial Report:

Schedule of Demands: February 15, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

RECOMMENDATION:

Staff recommends that the City Council accept the attached report and demands.

FISCAL IMPLICATIONS:

The financial report included herein is designed to communicate fiscal activity based upon adopted and approved budget appropriations. No further action of a fiscal nature is requested as part of this report.

The total value of the warrant registers for February 15, 2018 is \$2,677,395.87.

BACKGROUND:

Finance staff prepares a variety of financial reports for City Council and the Finance Subcommittee. A brief discussion of the attached report follows.

DISCUSSION:

Schedule of Demands:

Every two weeks staff prepares a comprehensive listing of all disbursements with staff certification that the expenditure transactions listed have been reviewed and are within budgeted appropriations.

PUBLIC OUTREACH/INTEREST:

After analysis, staff determined that public outreach was not required for this issue.

ENVIRONMENTAL REVIEW

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that there is no possibility that the activity may have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachment:

1. Schedule of Demands for February 15, 2018

City of Manhattan Beach



Schedule of Demands February 15, 2018

CITY OF MANHATTAN BEACH
WARRANT REGISTER

WARRANT(S) WR 17A & WR 17B
 DATED: 2/8/2018; 2/15/2018

I HEREBY CERTIFY THAT THE CLAIMS OR DEMANDS COVERED BY THE ABOVE WARRANT(S) IN THE AMOUNT OF \$2,677,395.87 HAVE BEEN REVIEWED AND THAT SAID CLAIMS OR DEMANDS ARE ACCURATE, ARE IN CONFORMANCE WITH THE ADOPTED BUDGET, AND THAT THE FUNDS ARE AVAILABLE THEREOF.



 FINANCE DIRECTOR

THIS 20TH DAY OF MARCH



 CITY MANAGER

WARRANT REGISTER (S)
 WR 17A & WR 17B

WARRANT(S)	17A	363,899.69
	17B	883,012.39
PREPAID WIRES / MANUAL CKS	17A	489,678.45
SUBTOTAL WARRANTS		<u>1,736,590.53</u>
VOIDS		(2,324.93)
PAYROLL PE 2/2/2018	PY	943,130.27
TOTAL WARRANTS		<u><u>2,677,395.87</u></u>

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER:

wr 17a

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
2122018	2/12/2018	T	UNION BANK	F.I.T./MEDICARE/S.I.T.	253,333.12
2132018	2/13/2018	T	PUBLIC EMPLOYEES'	PENSION SAFETY - CLASSIC: PAYMENT	236,345.33
SUBTOTAL					489,678.45
532050	2/8/2018	N	DERRICK ABELL	REIMBURSEMENT-TRAVEL EXPENSE	44.25
532051	2/8/2018	N	ADMINSURE INC	2ND YEAR OF CITY'S SELF-INSURED WORKERS	17,167.00
532052	2/8/2018	N	AMERICAN BUSINESS FORMS INC	2018 CITY CALENDAR MAGNETS	272.00
532053	2/8/2018	N	AT&T MOBILITY	CELLULAR CHARGES	358.04
532054	2/8/2018	N	CA TEAMSTERS LOCAL 911	DUES (MISC): PAYMENT	6,998.00
532055	2/8/2018	N	CA WATER SERVICE COMPANY	WATER SERVICE	185.51
532056	2/8/2018	N	CELLCO PARTNERSHIP	CONTRACT SERVICES	245.83
532057	2/8/2018	N	COMPAREX USA INC	MICROSOFT ENTERPRISE SOFTWARE LICENSIN	73,931.78
532058	2/8/2018	N	DIGITAL EMS SOLUTIONS INC	PRE-HOSPITAL EMERGENCY MEDICAL CARE EI	7,880.65
532059	2/8/2018	N	GWEN ENG	DUES (MGMT CONF): PAYMENT	43.00
532060	2/8/2018	N	FEDERAL EXPRESS CORPORATION	DELIVERY SERVICE	249.87
532061	2/8/2018	N	FRANCHISE TAX BOARD	EARNINGS WITHHOLDING	210.00
532062	2/8/2018	N	FRONTIER CALIFORNIA INC	TELEPHONE SERVICE	11,965.50
532063	2/8/2018	N	FRONTIER CALIFORNIA INC	CABLE SERVICE	243.96
532064	2/8/2018	N	AMY HOWORTH	REIMBURSEMENT-TRAVEL EXPENSE	1,549.01
532065	2/8/2018	N	ICMA RETIREMENT TRUST - 401	LOAN REPAY 401 - 2.5%: PAYMENT	3,142.57
532066	2/8/2018	N	ICMA RETIREMENT TRUST - 457	DEFERRED COMP AND LOAN REPAY 457	85,823.91
532067	2/8/2018	N	ICMA RETIREMENT TRUST 401	LOAN REPAY 401 - 4.5%: PAYMENT	5,776.84
532068	2/8/2018	N	INCONTACT INC	LONG DISTANCE SERVICE	230.32
532069	2/8/2018	N	JENNIFER KALLOK	EARNINGS WITHHOLDING	184.62

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER:

wr 17a

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532070	2/8/2018	N	M B POLICE MGMT ASSC	DUES \$ (POL MGT ASSN): PAYMENT	342.00
532071	2/8/2018	N	M B POLICE OFFICERS ASSOCIA	DUES \$ (POLICE FIXED): PAYMENT	6,681.63
532072	2/8/2018	N	MBPOA RETIREE	MD TRUST (MED TRUST): PAYMENT	2,250.00
532073	2/8/2018	N	NEXTEL OF CALIFORNIA INC	CONTRACT SERVICES	156.21
532074	2/8/2018	N	CARLOS OLIVARES	REFUND ICMA LOAN PAYMENT	243.33
532075	2/8/2018	N	PREPAID LEGAL SERVICES INC	PREPAID LEGAL: PAYMENT	78.75
532076	2/8/2018	N	RICHARDS WATSON & GERSHON	AMENDMENT NO. 1 - LEGAL SERVICES RETAINI	24,000.00
532077	2/8/2018	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	3,104.00
532078	2/8/2018	N	SPRINT SOLUTIONS INC	MOBILE COMMUNICATIONS	37.99
532079	2/8/2018	N	STATE DISBURSEMENT UNIT	EARNINGS WITHHOLDING	859.85
532080	2/8/2018	N	STATE DISBURSEMENT UNIT	EARNINGS WITHHOLDING	230.76
532081	2/8/2018	N	SUPERIOR COURT OF CA-CO OF LA	CITATION SURCHARGE	47,587.70
532082	2/8/2018	N	THE LEW EDWARDS GROUP	ASSESSMENT SERVICES FOR CITY OF MANHAT	35,850.00
532083	2/8/2018	N	THE PITNEY BOWES BANK INC	POSTAGE FUND RESERVE ACCOUNT	8,000.00
532084	2/8/2018	N	TIME WARNER CABLE INC	CABLE SERVICES	122.76
532085	2/8/2018	N	TOTAL ADMINISTRATIVE SVCS CORP	CHILD125 (CHILD 125 PLAN): PAYMENT	9,406.69
532086	2/8/2018	N	U.S. BANK	P/T EMP RETIREMENT CONTRIB: PAYMENT	3,826.41
532087	2/8/2018	N	VANTAGEPOINT TRANSFER AGENTS	RETMNT HLTH SAVINGS CONTRIB: PAYMENT	1,397.89
532088	2/8/2018	N	ROBIN L VARGAS	EARNINGS WITHHOLDING	553.85
532089	2/8/2018	N	XEROX CORPORATION	MULTI MACHINES LEASE & BASE BUSINESS PR	2,667.21
SUBTOTAL					363,899.69

CITY OF MANHATTAN BEACH
WARRANT REGISTER

WARRANT BATCH NUMBER: wr 17a

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
COMBINED TOTAL					853,578.14

PAYMENT LEGEND:
T = Wire Transfers
N = System Printed Checks
H = Hand Written Checks

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER
 CHECKS EQUAL TO OR ABOVE
 \$2,500.00**

WARRANT BATCH NUMBER: **wr 17a**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
2122018	2/12/2018	T	UNION BANK	F.I.T./MEDICARE/S.I.T.	253,333.12
2132018	2/13/2018	T	PUBLIC EMPLOYEES'	PENSION SAFETY - CLASSIC: PAYMENT	236,345.33
SUBTOTAL					489,678.45
532051	2/8/2018	N	ADMINSURE INC	2ND YEAR OF CITY'S SELF-INSURED WORKERS	17,167.00
532054	2/8/2018	N	CA TEAMSTERS LOCAL 911	DUES (MISC): PAYMENT	6,998.00
532057	2/8/2018	N	COMPAREX USA INC	MICROSOFT ENTERPRISE SOFTWARE LICENSIN	73,931.78
532058	2/8/2018	N	DIGITAL EMS SOLUTIONS INC	PRE-HOSPITAL EMERGENCY MEDICAL CARE EI	7,880.65
532062	2/8/2018	N	FRONTIER CALIFORNIA INC	TELEPHONE SERVICE	11,965.50
532065	2/8/2018	N	ICMA RETIREMENT TRUST - 401	LOAN REPAY 401 - 2.5%: PAYMENT	3,142.57
532066	2/8/2018	N	ICMA RETIREMENT TRUST - 457	DEFERRED COMP AND LOAN REPAY 457	85,823.91
532067	2/8/2018	N	ICMA RETIREMENT TRUST 401	LOAN REPAY 401 - 4.5%: PAYMENT	5,776.84
532071	2/8/2018	N	M B POLICE OFFICERS ASSOCIA	DUES \$ (POLICE FIXED): PAYMENT	6,681.63
532076	2/8/2018	N	RICHARDS WATSON & GERSHON	AMENDMENT NO. 1 - LEGAL SERVICES RETAINI	24,000.00
532077	2/8/2018	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	3,104.00
532081	2/8/2018	N	SUPERIOR COURT OF CA-CO OF LA	CITATION SURCHARGE	47,587.70
532082	2/8/2018	N	THE LEW EDWARDS GROUP	ASSESSMENT SERVICES FOR CITY OF MANHAT	35,850.00
532083	2/8/2018	N	THE PITNEY BOWES BANK INC	POSTAGE FUND RESERVE ACCOUNT	8,000.00
532085	2/8/2018	N	TOTAL ADMINISTRATIVE SVCS CORP	CHILD125 (CHILD 125 PLAN): PAYMENT	9,406.69
532086	2/8/2018	N	U.S. BANK	P/T EMP RETIREMENT CONTRIB: PAYMENT	3,826.41
532089	2/8/2018	N	XEROX CORPORATION	MULTI MACHINES LEASE & BASE BUSINESS PR	2,667.21
SUBTOTAL					353,809.89

CITY OF MANHATTAN BEACH
WARRANT REGISTER
CHECKS EQUAL TO OR ABOVE
\$2,500.00

WARRANT BATCH NUMBER: wr 17a

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
COMBINED TOTAL					843,488.34

PAYMENT LEGEND:
T = Wire Transfers
N = System Printed Checks
H = Hand Written Checks

Check History Listing
 CITY OF MANHATTAN BEACH

Bank code: union

Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
528361	03/30/2017	19762 ZUMAR INDUSTRIES INC	V	02/08/2018	19762	02/28/2017	1,824.93	1,824.93
531755	01/04/2018	34951 SOUTH BAY REGIONAL PUBLIC	V	02/08/2018	01-18-18	01/18/2018	228.00	228.00
531979	02/01/2018	34525 CATHEY GRAVES	V	02/08/2018	INV03363677	01/08/2018	272.00	272.00
union Total:								2,324.93
Total Checks:								2,324.93

3 checks in this report

**Report of Warrant Disbursements
 wr 17a**

Fund	Description	Amount
200	General	747,188.14
210	Asset Forfeiture	402.04
401	Capital Improvements	6.21
501	Water	6,420.77
502	Storm	6.56
503	Waste Water	105.83
520	Parking	3,258.52
522	State Pier Lots	48.40
601	Insurance	17,248.27
605	Information Services	74,007.35
615	Building Maintenance	4,886.05
wr 17a		<u>853,578.14</u>
		<u><u>853,578.14</u></u>

CITY OF MANHATTAN BEACH PAYROLL
PAY PERIOD: 01/20/18 TO 02/02/18
PAY DATE: 02/09/18

NET PAY 943,130.27

1/20/2018

2/2/2018

CITY OF MANHATTAN BEACH PAYROLL REPORT

PAYROLL PERIOD ENDING DATE

2/2/2018

FUND

100

General Fund

AMOUNT

1,262,499.02

210

Asset Forfeiture Fund

3,335.83

230

Prop. A Fund

19,539.34

232

AB 2766 Air Quality Fund

1,020.00

501

Water Fund

28,849.66

503

Wastewater Fund

10,462.10

510

Refuse Fund

4,272.45

520

Parking Fund

3,446.86

521

County Parking Lots Fund

942.28

522

State Pier and Parking Lot Fund

942.28

601

Insurance Reserve Fund

13,956.47

605

Information Technology Fund

33,322.71

610

Fleet Management Fund

6,433.89

615

Building Maintenance & Operations Fund

14,258.70

801

Pension Trust Fund

8,854.99

Gross Pay

1,412,136.58

Deductions

469,006.31

Net Pay

943,130.27

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532090	2/15/2018	N	911VEHICLE.COM	BUILDOUT FOR DODGE TRUCK V# 701	49,712.39
532091	2/15/2018	N	ADAMSON POLICE PRODUCTS	LAW ENFORCEMENT SUPPLIES	9,198.60
532092	2/15/2018	N	ADLERHORST INTERNATIONAL INC	OFF-SITE K-9 MONTHLY TRAINING	350.00
532093	2/15/2018	N	ADMINISTRATIVE SERVICES COOP	DIAL A RIDE SUPPLEMENTAL CAB SERVICE	543.89
532094	2/15/2018	N	ALL CITY MANAGEMENT SVCS	CROSSING GUARD SERVICES CONTRACT	8,087.52
532095	2/15/2018	N	NINFA BORTH ALTADONNA	PARKING METER REFUND	0.75
532096	2/15/2018	N	ANDERSONPENNA PARTNERS INC	ROUNDHOUSE AQUARIUM PROJECT - PROFESS	13,296.95
532097	2/15/2018	N	SVETLANA AVERBUKH	ZUMBA INSTRUCTOR	70.40
532098	2/15/2018	N	BARR COMMERCIAL DOOR REPAIR	RFP: 1113-17, 3-YEAR AUTOMATIC DOOR MAIN	6,336.82
532099	2/15/2018	N	FRANKOS DOUGLAS OR EVY BLINK	CITATION REFUND	53.00
532100	2/15/2018	N	BOX HUMAN LANDSCAPERS	2017 B/L REFUND	102.22
532101	2/15/2018	N	CA NEWSPAPER PARTNERSHIP	ADVERTISING	1,515.00
532102	2/15/2018	N	KRISTINA RAYE CATANESE	HOLIDAY ART SALE	512.20
532103	2/15/2018	N	JENNIFER CLARK	CITATION REFUND	53.00
532104	2/15/2018	N	CLEAR INC	MEMBERSHIP & DUES	50.00
532105	2/15/2018	N	LYNNE OR HORACE COCHRAN	CITATION REFUND	338.00
532106	2/15/2018	N	COPWARE INC	COMPUTER CONTRACT SERVICES	1,500.00
532109	2/15/2018	N	CROWN BLDG MAINTENANCE CO INC	JANITORIAL SERVICES	156,967.25
532110	2/15/2018	N	CHRISTOPHER CUTRONEO	HOLIDAY ART SALE	234.00
532111	2/15/2018	N	DAVID VOLZ DESIGN	LANDSCAPE DESIGN SERVICES FOR VETERAN'	23,716.30
532112	2/15/2018	N	DOUGLAS DECASTRO	BANNERS, DECALS, SIGNAGE	388.73
532113	2/15/2018	N	JOE DELIA	PRE-EMPLOYMENT POLYGRAPH SERVICES	1,425.00

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532114	2/15/2018	N	CAROL DEVNEY	PARKING METER REFUND	2.00
532115	2/15/2018	N	LISA DICKSON	HOLIDAY ART SALE	637.65
532116	2/15/2018	N	DOOR AND SPECIALTIES CO	2017 B/L OVERPAYMENT	12.81
532117	2/15/2018	N	DOWNTOWN MB BUS & PROF ASSN	MB FIT INITIATIVE	250.00
532118	2/15/2018	N	DYNTEK SERVICES INC	NETWORK SWITCHES & SUPPORT	9,290.67
532119	2/15/2018	N	ELIZABETA EALY	HOLIDAY ART SALE	536.25
532120	2/15/2018	N	JUNE EDMONDS	ARTIST TALK & WORKSHOP	500.00
532121	2/15/2018	N	EFI GLOBAL INC	ROUNDHOUSE AQUARIUM	2,200.00
532122	2/15/2018	N	MARIA ISABEL FRANCIS	HOLIDAY ART SALE	33.80
532123	2/15/2018	N	GILLIS PANICHAPAN ARCHITECTS	ENGINEERING OFFICES REMODEL DESIGN SER	16,515.00
532124	2/15/2018	N	GROWING GREAT	COOKING INSTRUCTOR	900.00
532125	2/15/2018	N	DIERDRE GURNEY	CITATION REFUND	53.00
532126	2/15/2018	N	GEORGE HABASH	HOLIDAY ART SALE	139.75
532127	2/15/2018	N	JENNIFER HANDZLIK	UB CLOSED ACCOUNT REFUND	225.64
532128	2/15/2018	N	ERIC HARTMAN	PARKING METER REFUND	0.45
532129	2/15/2018	N	HDR ENGINEERING INC	SEPULVEDA BRIDGE WIDENING	21,899.61
532130	2/15/2018	N	NANCY HERSMAN	REIMBURSEMENT-TRAVEL EXPENSE	667.92
532131	2/15/2018	N	JUSTIN HIDALGO	REIMBURSEMENT-TRAVEL EXPENSE	176.25
532132	2/15/2018	N	JENNIFER HOOVER	HOLIDAY ART SALE	295.10
532133	2/15/2018	N	AMY HOWORTH	REIMBURSEMENT-TRAVEL EXPENSE	640.88
532134	2/15/2018	N	HOWROYD WRIGHT EMPLOYMT AGENCY	TEMPORARY EMPLOYEE SERVICES	1,227.20
532135	2/15/2018	N	SHIRELLE HULL	REIMBURSEMENT-TRAVEL EXPENSE	35.00

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532136	2/15/2018	N	STEPHEN ROSS HYDE	BEGG POOL MASTERS SWIM COACH	1,200.00
532137	2/15/2018	N	RUTH IBARAKI	HOLIDAY ART SALE	63.70
532138	2/15/2018	N	INFOSEND INC	NBID HOLIDAY STROLL 2017	116.44
532139	2/15/2018	N	IPS GROUP INC	PARKING METER CREDIT CARD FEES, REPLAC	16,760.50
532140	2/15/2018	N	IRON MOUNTAIN INFO MNGMT INC	RECORDS STORAGE	1,610.94
532141	2/15/2018	N	ITERIS INC	CITY-WIDE TRAFFIC SIGNAL INVENTORY	8,730.00
532142	2/15/2018	N	JOAN STEIN JENKINS	MUNICIPAL CODE PROSECUTION SERVICES	9,587.50
532143	2/15/2018	N	JILL WILLARD	MOTIVATIONAL SPEAKER	625.00
532144	2/15/2018	N	JIZOGAL CERAMICS	HOLIDAY ART SALE	85.80
532145	2/15/2018	N	SUSANA JOHNSON	PARKING METER REFUND	1.50
532146	2/15/2018	N	VICTORIA HELEN JOHNSON	ARTHRITIS INSTRUCTOR	540.00
532147	2/15/2018	N	JPMORGAN CHASE BANK NATL ASSC	MONTHLY LEASE-SEWER TRUCK	6,636.65
532148	2/15/2018	N	TINA KATCHEN GALL	CDBG CONSULTING SERVICES	2,025.00
532149	2/15/2018	N	ALIAS KENNEDY	PARKING METER REFUND	1.50
532150	2/15/2018	N	KOA CORPORATION	CYCLE 5 22 INTERSECTIONS IMPROVEMENTS	362.50
532151	2/15/2018	N	KONICA MINOLTA BUSINESS SOLN	ONBASE ENTERPRISE DOCUMENT MANAGEME	19,738.00
532152	2/15/2018	N	L A COUNTY ASSESSOR	RECORD MAPS	25.00
532153	2/15/2018	N	L A COUNTY MTA	LA METRO DECEMBER 2017 EZ PASS SALES	378.00
532154	2/15/2018	N	L A COUNTY SHERIFFS DEPT	INMATE MEALS FOR JAIL CONTRACT	401.55
532155	2/15/2018	N	LA COUNTY CLERK/RECORDER	CDBG CYCLE 2 CURB RAMP	75.00
532156	2/15/2018	N	LACPCA	REGISTRATION-LACPCA SPRING CONFERENCE	300.00
532157	2/15/2018	N	LEAGUE OF CALIFORNIA CITIES	MEMBERSHIP DUES	12,454.00

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532158	2/15/2018	N	KERRI LEBLANG	CITATION REFUND	53.00
532159	2/15/2018	N	KELLY MANTHEI LEE	DOG LICENSE OVERPAYMENT	35.00
532160	2/15/2018	N	MARK LEYMAN	DEPARTMENT HEAD RETREAT	200.00
532161	2/15/2018	N	KATHLEEN MARY LLORENS	DANCE INSTRUCTOR	761.60
532162	2/15/2018	N	VICTORIA LUCKETT	PARKS & RECREATION REFUND	300.00
532163	2/15/2018	N	LYNN KLEINERS MUSIC RHAP INC	MUSIC INSTRUCTOR	2,930.20
532164	2/15/2018	N	M B WATER DEPARTMENT	MONTHLY WATER CHARGES	31,531.23
532165	2/15/2018	N	MAGELLAN ADVISORS LLC	FIBER MASTER PLAN PROFESSIONAL SERVICES	13,628.10
532166	2/15/2018	N	THEODORE MAIER	CITATION REFUND	53.00
532167	2/15/2018	N	MAIN STREET TOURS INC	TOURS/EVENTS	3,160.00
532168	2/15/2018	N	MARINE RESOURCES INC	TEMPORARY EMPLOYEE SERVICES	3,463.42
532169	2/15/2018	N	DAVID MARLETT	REFUND BOOT FEE	108.00
532170	2/15/2018	N	MBX FOUNDATION INC	SPONSORSHIP	7,500.00
532171	2/15/2018	N	MELAD AND ASSOCIATES INC	PLAN CHECK AND INSPECTION SERVICES	3,274.40
532172	2/15/2018	N	MIHM INC	15-03446C CONTRACT SERVICES	650.00
532173	2/15/2018	N	KENDRA MILLARD	REFUND TREE DEPOSIT	800.00
532174	2/15/2018	N	BRUCE A MOE	REIMBURSEMENT-TRAVEL EXPENSE	171.84
532175	2/15/2018	N	RICHARD MONTGOMERY	REIMBURSEMENT-TRAVEL EXPENSE	166.84
532176	2/15/2018	N	MARC MOULTON	CITATION REFUND	53.00
532177	2/15/2018	N	STEVE NAPOLITANO	REIMBURSEMENT-TRAVEL EXPENSE	181.84
532178	2/15/2018	N	NATALIES CATERING	MEALS FOR SENIOR SERVICES	1,721.34
532179	2/15/2018	N	NET TRANSCRIPTS INC	CONTRACT SERVICES	83.25

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532180	2/15/2018	N	VINCENT O DONNELL	REFUND TREE DEPOSIT	800.00
532181	2/15/2018	N	OCCU-MED LTD	3YR PRE-EMPLOY ANALYSIS & EVALUATION SE	500.00
532182	2/15/2018	N	CARLOS OLIVARES	REFUND OF ICMA LOAN PAYMENT	243.33
532183	2/15/2018	N	ONWARD ENGINEERING	MANHATTAN BCH BLVD @ SEPULVEDA TURN I	2,710.00
532184	2/15/2018	N	VERONICA L PASSALACQUA	CITATION REFUND	53.00
532185	2/15/2018	N	PERCEPTIVE ENTERPRISES INC	PROFESSIONAL CONSULTANT SERVICES FOR D	6,187.50
532186	2/15/2018	N	E BONNIE PODELL	REFUND TREE DEPOSIT	800.00
532187	2/15/2018	N	RELIANT IMMED CARE MED GRP INC	PRE-EMPLOYMENT PHYSICALS AND INMATE E	2,720.05
532188	2/15/2018	N	SEAN RENKLY	REFUND TREE DEPOSIT	565.41
532189	2/15/2018	N	RICHARDS WATSON & GERSHON	PROFESSIONAL LEGAL SERVICES-DEC 2017	42,521.37
532190	2/15/2018	N	BEVERLY RICHARDS	CITATION REFUND	53.00
532191	2/15/2018	N	RONIN MEDIA HOUSE INC	RECRUITMENT VIDEO PROJECT	8,892.50
532192	2/15/2018	N	JULIEN ROSBURGER	CITATION REFUND	53.00
532193	2/15/2018	N	CATHERINE ROTHANS	CITATION REFUND	53.00
532194	2/15/2018	N	MATTHEW SABOSKY	REIMBURSEMENT-TRAVEL EXPENSE	147.25
532195	2/15/2018	N	CYNTHIA SALAZAR	CITATION REFUND	53.00
532196	2/15/2018	N	CATHY LEE SARKIN	HOLIDAY ART SALE	582.40
532197	2/15/2018	N	SBRPCA	COMMUNICATIONS EQUIPMENT	250.00
532198	2/15/2018	N	ROBERT MICHAEL SCHWIEGER	BROADCASTING SERVICES	5,580.00
532199	2/15/2018	N	J DANIEL SCOTT	REFUSE REFUND	1,707.00
532200	2/15/2018	N	SELBERT PERKINS DESIGN INC	COMMUNITY ID & WAYFINDING SIGNAGE PRO	2,450.00
532201	2/15/2018	N	SANDRA SINDA	HOLIDAY ART SALE	211.25

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532202	2/15/2018	N	SO BAY CITIES COUNCIL OF GOV	MONTHLY DUES	80.00
532203	2/15/2018	N	DAVID SOBODOS	CITATION REFUND	53.00
532204	2/15/2018	N	SOUTHERN CALIF AQUATIC ASSN	SCAA SWIM TEAM MEMBERSHIP	310.00
532205	2/15/2018	N	SOUTHERN CALIFORNIA EDISON	STREET LIGHTING CHARGES	24,135.11
532206	2/15/2018	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	47,629.31
532207	2/15/2018	N	SOUTHERN CALIFORNIA GAS CO	MONTHLY GAS CHARGES	7,539.59
532208	2/15/2018	N	SPRINT SOLUTIONS INC	MOBILE CONNECTION	37.99
532209	2/15/2018	N	KYUNG L STANDFILL	HOLIDAY ART SALE	332.80
532210	2/15/2018	N	STANTEC CONSULTING INC	PECK RESERVOIR	47,765.69
532211	2/15/2018	N	STANTEC CONSULTING INC	PECK RESERVOIR	36,521.14
532212	2/15/2018	N	STATE OF CALIFORNIA	DEPARTMENT OF JUSTICE - FINGERPRINTING	1,377.00
532213	2/15/2018	N	STONHARD	2017 B/L OVERPAYMENT	131.63
532214	2/15/2018	N	THE CODE GROUP INC	BUILDING PLAN CHECK & INSPECTIONS AND F	423.94
532215	2/15/2018	N	TILLMAN FORENSIC INVEST LLC	FINGERPRINT IDENTIFICATION SERVICES	520.00
532216	2/15/2018	N	TIME WARNER CABLE INC	CABLE SERVICES	3,961.70
532217	2/15/2018	N	TRANSTECH ENGINEERS INC	ROSECRANS/HIGHLAND BIKE LANE	3,570.00
532218	2/15/2018	N	TRANSTECH ENGINEERS INC	ROSECRANS/SEPULVEDA BIKE LANE NW WIDE	1,840.00
532219	2/15/2018	N	TRANSTECH ENGINEERS INC	ROSECRANS/HIGHLAND BIKE LANE MEDIAN M	778.00
532220	2/15/2018	N	ERIC TRESKI	UB OVERPAYMENT REFUND	88.33
532221	2/15/2018	N	TURBO DATA SYSTEMS INC	PARKING CITATION PROCESSING CONTRACT	13,035.77
532222	2/15/2018	N	UNITED PARCEL SERVICE	DELIVERY SERVICE	124.08
532223	2/15/2018	N	UNITED SITE SVCS OF CA INC	RENTAL SERVICES FOR MB FIREWORKS	8,371.63

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532224	2/15/2018	N	US BANCORP CARD SERVICES INC	D-CARD CHARGES	78,747.55
532225	2/15/2018	N	US BANK NA	FUEL CHARGES-JAN 2018	1,886.22
532226	2/15/2018	N	VAN LINGEN BODY SHOP INC	TOWING AND VEHICLE STORAGE	31.50
532227	2/15/2018	N	VISION TECHNOLOGY SOLUTIONS	CITY WEBSITE REDESIGN	27,343.93
532228	2/15/2018	N	EDWARD WAND	CITATION REFUND	53.00
532229	2/15/2018	N	MICHAEL WARD	CITATION REFUND	53.00
532230	2/15/2018	N	WESTERN WATER WORKS SUPPLY CO	JONES FIRE HYDRANTS	11,786.58
532231	2/15/2018	N	SCOTT WHITMER	CASH KEY REFUND	10.00
532232	2/15/2018	N	JENNIFER WINDHAM	HOLIDAY ART SALE	121.55
532233	2/15/2018	N	XEROX CORPORATION	MULTI MACHINES LEASE & BASE BUSINESS PR	3,983.65
SUBTOTAL					883,012.39
COMBINED TOTAL					883,012.39

PAYMENT LEGEND:
 T = Wire Transfers
 N = System Printed Checks
 H = Hand Written Checks

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER
 CHECKS EQUAL TO OR ABOVE
 \$2,500.00**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532090	2/15/2018	N	911VEHICLE.COM	BUILDOUT FOR DODGE TRUCK V# 701	49,712.39
532091	2/15/2018	N	ADAMSON POLICE PRODUCTS	LAW ENFORCEMENT SUPPLIES	9,198.60
532094	2/15/2018	N	ALL CITY MANAGEMENT SVCS	CROSSING GUARD SERVICES CONTRACT	8,087.52
532096	2/15/2018	N	ANDERSONPENNA PARTNERS INC	ROUNDHOUSE AQUARIUM PROJECT - PROFESS	13,296.95
532098	2/15/2018	N	BARR COMMERCIAL DOOR REPAIR	RFP: 1113-17, 3-YEAR AUTOMATIC DOOR MAIN	6,336.82
532109	2/15/2018	N	CROWN BLDG MAINTENANCE CO INC	JANITORIAL SERVICES	156,967.25
532111	2/15/2018	N	DAVID VOLZ DESIGN	LANDSCAPE DESIGN SERVICES FOR VETERAN'	23,716.30
532118	2/15/2018	N	DYNTEK SERVICES INC	NETWORK SWITCHES & SUPPORT	9,290.67
532123	2/15/2018	N	GILLIS PANICHAPAN ARCHITECTS	ENGINEERING OFFICES REMODEL DESIGN SER	16,515.00
532129	2/15/2018	N	HDR ENGINEERING INC	SEPULVEDA BRIDGE WIDENING	21,899.61
532139	2/15/2018	N	IPS GROUP INC	PARKING METER CREDIT CARD FEES, REPLAC	16,760.50
532141	2/15/2018	N	ITERIS INC	CITY-WIDE TRAFFIC SIGNAL INVENTORY	8,730.00
532142	2/15/2018	N	JOAN STEIN JENKINS	MUNICIPAL CODE PROSECUTION SERVICES	9,587.50
532147	2/15/2018	N	JPMORGAN CHASE BANK NATL ASSC	MONTHLY LEASE-SEWER TRUCK	6,636.65
532151	2/15/2018	N	KONICA MINOLTA BUSINESS SOLN	ONBASE ENTERPRISE DOCUMENT MANAGEME	19,738.00
532157	2/15/2018	N	LEAGUE OF CALIFORNIA CITIES	MEMBERSHIP DUES	12,454.00
532163	2/15/2018	N	LYNN KLEINERS MUSIC RHAP INC	MUSIC INSTRUCTOR	2,930.20
532164	2/15/2018	N	M B WATER DEPARTMENT	MONTHLY WATER CHARGES	31,531.23
532165	2/15/2018	N	MAGELLAN ADVISORS LLC	FIBER MASTER PLAN PROFESSIONAL SERVICES	13,628.10
532167	2/15/2018	N	MAIN STREET TOURS INC	TOURS/EVENTS	3,160.00
532168	2/15/2018	N	MARINE RESOURCES INC	TEMPORARY EMPLOYEE SERVICES	3,463.42
532170	2/15/2018	N	MBX FOUNDATION INC	SPONSORSHIP	7,500.00

**CITY OF MANHATTAN BEACH
 WARRANT REGISTER
 CHECKS EQUAL TO OR ABOVE
 \$2,500.00**

WARRANT BATCH NUMBER: **wr 17b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
532171	2/15/2018	N	MELAD AND ASSOCIATES INC	PLAN CHECK AND INSPECTION SERVICES	3,274.40
532183	2/15/2018	N	ONWARD ENGINEERING	MANHATTAN BCH BLVD @ SEPULVEDA TURN I	2,710.00
532185	2/15/2018	N	PERCEPTIVE ENTERPRISES INC	PROFESSIONAL CONSULTANT SERVICES FOR D	6,187.50
532187	2/15/2018	N	RELIANT IMMED CARE MED GRP INC	PRE-EMPLOYMENT PHYSICALS AND INMATE E	2,720.05
532189	2/15/2018	N	RICHARDS WATSON & GERSHON	PROFESSIONAL LEGAL SERVICES-DEC 2017	42,521.37
532191	2/15/2018	N	RONIN MEDIA HOUSE INC	RECRUITMENT VIDEO PROJECT	8,892.50
532198	2/15/2018	N	ROBERT MICHAEL SCHWIEGER	BROADCASTING SERVICES	5,580.00
532205	2/15/2018	N	SOUTHERN CALIFORNIA EDISON	STREET LIGHTING CHARGES	24,135.11
532206	2/15/2018	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	47,629.31
532207	2/15/2018	N	SOUTHERN CALIFORNIA GAS CO	MONTHLY GAS CHARGES	7,539.59
532210	2/15/2018	N	STANTEC CONSULTING INC	PECK RESERVOIR	47,765.69
532211	2/15/2018	N	STANTEC CONSULTING INC	PECK RESERVOIR	36,521.14
532216	2/15/2018	N	TIME WARNER CABLE INC	CABLE SERVICES	3,961.70
532217	2/15/2018	N	TRANSTECH ENGINEERS INC	ROSECRANS/HIGHLAND BIKE LANE	3,570.00
532221	2/15/2018	N	TURBO DATA SYSTEMS INC	PARKING CITATION PROCESSING CONTRACT	13,035.77
532223	2/15/2018	N	UNITED SITE SVCS OF CA INC	RENTAL SERVICES FOR MB FIREWORKS	8,371.63
532224	2/15/2018	N	US BANCORP CARD SERVICES INC	D-CARD CHARGES	78,747.55
532227	2/15/2018	N	VISION TECHNOLOGY SOLUTIONS	CITY WEBSITE REDESIGN	27,343.93
532230	2/15/2018	N	WESTERN WATER WORKS SUPPLY CO	JONES FIRE HYDRANTS	11,786.58
532233	2/15/2018	N	XEROX CORPORATION	MULTI MACHINES LEASE & BASE BUSINESS PR	3,983.65
SUBTOTAL					837,418.18

CITY OF MANHATTAN BEACH
WARRANT REGISTER
CHECKS EQUAL TO OR ABOVE
\$2,500.00

WARRANT BATCH NUMBER: wr 17b

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
COMBINED TOTAL					837,418.18

PAYMENT LEGEND:
T = Wire Transfers
N = System Printed Checks
H = Hand Written Checks

**Report of Warrant Disbursements
 wr 17b**

Fund	Description	Amount
200	General	358,618.82
201	Street Light	25,748.32
205	Streets & Highways	2,387.50
210	Asset Forfeiture	8,892.50
230	Prop A	921.89
231	Prop C	30,797.11
401	Capital Improvements	71,302.40
501	Water	103,521.60
502	Storm	815.81
503	Waste Water	1,602.52
510	Refuse	1,707.00
520	Parking	18,875.67
521	County Parking Lot	571.30
522	State Pier Lots	49,207.60
601	Insurance	250.00
605	Information Services	65,840.59
610	Vehicle Fleet	61,704.00
615	Building Maintenance	80,247.76
wr 17b		<u>883,012.39</u>
		<u>883,012.39</u>

Report of P-Card Transactions

Account Date	Department Management Services	Amount
100-11-011-5205	Training, Conferences & Meetings	
01/25/2018	ALASKA AIR 0272160912133	476.01
01/25/2018	ALASKA AIR	108.00
01/25/2018	CALIFORNIA (CA)	500.00
01/25/2018	DOUBLETREE FESS PARKER	1,018.74
01/25/2018	DOUBLETREE FESS PARKER	850.29
01/25/2018	HILTON CAPITAL	1,057.32
01/25/2018	LOCAL GOVERNMENT COMMISS	400.00
01/25/2018	PAYPAL *LEAGUECALIF	45.00
01/25/2018	PAYPAL *MANHATTANBE	38.00
01/25/2018	PAYPAL *MANHATTANBE	38.00
01/25/2018	SOUTHWES 5268798281422	312.97
01/25/2018	VIRGIN AMER 9842152804530	298.30
01/25/2018	YNP VALLEY LODGE LODGING	288.55
100-11-011-5205	Training, Conferences & Meetings	<u>5,431.18</u>
100-11-011-5217	Departmental Supplies	
01/25/2018	5905 EL POLLO LOCO	214.58
01/25/2018	BED BATH & BEYOND #383	5.46
01/25/2018	CORNER BAKERY 0206	13.98
01/25/2018	CORNER BAKERY 0206	389.50
01/25/2018	CORNER BAKERY 0206	62.19
01/25/2018	COST PLUS WLD #318	43.32
01/25/2018	CVS/PHARMACY #09496	22.60
01/25/2018	HOMEGOODS #501	15.97
01/25/2018	IL FORNAIO-MNHTN BCH	2,239.70
01/25/2018	MICHAELS STORES 3048	15.08
01/25/2018	PIT FIRE ARTISAN PIZZA	54.20
01/25/2018	RALPHS #0166	12.16
01/25/2018	RALPHS #0166	17.75
01/25/2018	RALPHS #0166	19.63
01/25/2018	SMARTNFINAL52910305290	38.99
01/25/2018	TRADER JOE'S #106 QPS	7.67
01/25/2018	VONS #2110	6.99
100-11-011-5217	Departmental Supplies	<u>3,179.77</u>
100-11-011-5225	Printing	
01/25/2018	THE COPY SHOP	48.94
100-11-011-5225	Printing	<u>48.94</u>
100-11-021-5101	Contract Services	

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Management Services	Amount
01/25/2018	APL* ITUNES.COM/BILL	0.99
01/25/2018	COSTAR GROUP INC	320.00
100-11-021-5101	Contract Services	<u>320.99</u>
100-11-021-5201	Office Supplies	
01/25/2018	OFFICE DEPOT #2141	9.84
01/25/2018	OFFICE DEPOT #5125	11.78
01/25/2018	OFFICE DEPOT #5125	131.21
01/25/2018	OFFICE DEPOT #5125	137.95
01/25/2018	OFFICE DEPOT #5125	2.95
01/25/2018	OFFICE DEPOT #5125	218.90
01/25/2018	OFFICE DEPOT #5125	241.84
01/25/2018	OFFICE DEPOT #5125	43.79
01/25/2018	OFFICE DEPOT #5125	5.00
01/25/2018	OFFICE DEPOT #879	22.98
100-11-021-5201	Office Supplies	<u>826.24</u>
100-11-021-5205	Training, Conferences & Meetings	
01/25/2018	DOUBLETREE FESS PARKER	566.86
01/25/2018	HOTEL CONTESSA - HOTEL	-185.63
100-11-021-5205	Training, Conferences & Meetings	<u>381.23</u>
100-11-021-5217	Departmental Supplies	
01/25/2018	COSTCO WHSE #0671	13.13
01/25/2018	FACEBK XVQ7HESDY2	64.04
01/25/2018	IN *AM-TEC TOTAL SECURITY	2,261.18
01/25/2018	IN *MANHATTAN STITCHING C	120.45
01/25/2018	VARIDESK	1,136.08
01/25/2018	VONS #2275	6.02
100-11-021-5217	Departmental Supplies	<u>3,600.90</u>
100-11-041-5202	Memberships & Dues	
01/25/2018	ARMA INTERNATIONAL	150.00
01/25/2018	INTERNATIONAL INSTITUTE O	100.00
01/25/2018	INTERNATIONAL INSTITUTE O	200.00
100-11-041-5202	Memberships & Dues	<u>450.00</u>
100-11-041-5205	Training, Conferences & Meetings	
01/25/2018	CITY CLERKS ASSOCIATION O	790.00
100-11-041-5205	Training, Conferences & Meetings	<u>790.00</u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Management Services	Amount
100-11-041-5217	Departmental Supplies	
01/25/2018	OFFICE DEPOT #2740	267.74
01/25/2018	OFFICE DEPOT #2740	54.64
01/25/2018	VARIDESK	1,897.10
100-11-041-5217	Departmental Supplies	<u>2,219.48</u>
100-11-051-5217	Departmental Supplies	
01/25/2018	VARIDESK	1,034.79
100-11-051-5217	Departmental Supplies	<u>1,034.79</u>
11	Management Services	<u><u>18,283.52</u></u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Finance	Amount
100-12-011-5201	Office Supplies	
01/25/2018	OFFICE DEPOT #5125	25.72
01/25/2018	OFFICE DEPOT #5125	39.21
01/25/2018	OFFICE DEPOT #5125	-39.95
01/25/2018	OFFICE DEPOT #5125	587.99
01/25/2018	OFFICE DEPOT #5125	59.46
01/25/2018	OFFICE DEPOT #5125	59.94
01/25/2018	OFFICE DEPOT #5125	69.74
100-12-011-5201	Office Supplies	<u>802.11</u>
100-12-011-5202	Memberships & Dues	
01/25/2018	GOVERNMENT FINANCE	250.00
100-12-011-5202	Memberships & Dues	<u>250.00</u>
100-12-011-5205	Training, Conferences & Meetings	
01/25/2018	CALIFORNIA SOCIETY OF MUN	560.00
100-12-011-5205	Training, Conferences & Meetings	<u>560.00</u>
100-12-011-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	28.47
100-12-011-5225	Printing	<u>28.47</u>
100-12-021-5202	Memberships & Dues	
01/25/2018	GOVERNMENT FINANCE	150.00
100-12-021-5202	Memberships & Dues	<u>150.00</u>
100-12-021-5205	Training, Conferences & Meetings	
01/25/2018	CALIFORNIA SOCIETY OF MUN	560.00
100-12-021-5205	Training, Conferences & Meetings	<u>560.00</u>
100-12-031-5203	Reference Books & Periodicals	
01/25/2018	AMAZON SERVICES-KINDLE	6.26
01/25/2018	AMAZON SERVICES-KINDLE	7.99
100-12-031-5203	Reference Books & Periodicals	<u>14.25</u>
100-12-031-5217	Departmental Supplies	
01/25/2018	LANDS END BUS OUTFITTERS	138.52
01/25/2018	VARIDESK	432.53
100-12-031-5217	Departmental Supplies	<u>571.05</u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Finance	Amount
100-12-031-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	56.94
100-12-031-5225	Printing	<u>56.94</u>
100-12-032-5225	Printing	
01/25/2018	RYDIN DECAL- MOTO	263.99
01/25/2018	RYDIN DECAL- MOTO	536.93
01/25/2018	RYDIN DECAL- MOTO	662.25
01/25/2018	SMART SOURCE CALIFORNIA	28.47
100-12-032-5225	Printing	<u>1,491.64</u>
100-12-034-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	28.47
100-12-034-5225	Printing	<u>28.47</u>
100-12-041-5202	Memberships & Dues	
01/25/2018	CALIFORNIA ASSOCIATION OF	130.00
100-12-041-5202	Memberships & Dues	<u>130.00</u>
615-12-042-5101	Contract Services	
01/25/2018	DS SERVICES STANDARD COFF	680.00
01/25/2018	GOURMET COFFEE75413104	1,660.75
01/25/2018	PBI*LEASEEQUIPMENT	902.49
01/25/2018	SUPERIOR PLANT SCAPES	258.00
615-12-042-5101	Contract Services	<u>3,501.24</u>
615-12-042-5211	Automotive Parts	
01/25/2018	COMPLETES PLUS CPL	74.79
01/25/2018	COMPLETES PLUS CPL	88.66
615-12-042-5211	Automotive Parts	<u>163.45</u>
615-12-042-5222	Warehouse Inventory Purchases	
01/25/2018	GOODYEAR TIRE&RUBBER CO	1,052.08
01/25/2018	IBI - SUPPLYWORKS #2251	1,239.80
01/25/2018	IBI - SUPPLYWORKS #2251	71.31
01/25/2018	WAXIE SANITARY SUPPLY	-41.82
01/25/2018	WAXIE SANITARY SUPPLY	41.82
01/25/2018	WW GRAINGER	144.79
615-12-042-5222	Warehouse Inventory Purchases	<u>2,507.98</u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Finance	Amount
12	Finance	<u>10,815.60</u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Human Resources	Amount
100-13-011-5201	Office Supplies	
01/25/2018	OFFICE DEPOT #5125	122.53
100-13-011-5201	Office Supplies	122.53
100-13-011-5202	Memberships & Dues	
01/25/2018	PAYPAL *SCPMA HR	25.00
01/25/2018	PAYPAL *SCPMA HR	50.00
01/25/2018	PAYPAL *SCPMA HR	50.00
01/25/2018	PAYPAL *SCPMA HR	50.00
01/25/2018	PAYPAL *SCPMA HR	50.00
100-13-011-5202	Memberships & Dues	225.00
100-13-011-5205	Training, Conferences & Meetings	
01/25/2018	PAYPAL *SCPLRC	100.00
100-13-011-5205	Training, Conferences & Meetings	100.00
100-13-011-5214	Employee Awards & Events	
01/25/2018	AWARDS NETWORK	150.00
100-13-011-5214	Employee Awards & Events	150.00
100-13-011-5218	Recruitment Costs	
01/25/2018	PIT FIRE ARTISAN PIZZA	2.74
01/25/2018	PITFIRE PIZZA - MANHAT	57.01
01/25/2018	PORAC	180.00
01/25/2018	RALPHS #0132	18.52
01/25/2018	TRADER JOE'S #121 QPS	6.98
100-13-011-5218	Recruitment Costs	265.25
601-13-021-5101	Contract Services	
01/25/2018	TST* SUNLIFE ORGANICS	20.00
601-13-021-5101	Contract Services	20.00
13	Human Resources	882.78

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Recreation	Amount
100-14-011-5207	Advertising	
01/25/2018	FACEBK AKWEEEEJDY2	79.24
100-14-011-5207	Advertising	79.24
100-14-011-5217	Departmental Supplies	
01/25/2018	FACEBK XVQ7HESDY2	179.40
01/25/2018	FACEBK ZVQ7HESDY2	6.56
100-14-011-5217	Departmental Supplies	185.96
14	Recreation	265.20

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account	Department	
Date	Police	Amount
100-15-011-5201	Office Supplies	
01/25/2018	AMAZON.COM AMZN.COM/BILL	36.75
01/25/2018	OFFICE DEPOT #5101	88.53
01/25/2018	OFFICE DEPOT #5125	1,320.59
01/25/2018	OFFICE DEPOT #5125	137.75
01/25/2018	OFFICE DEPOT #5125	151.15
01/25/2018	OFFICE DEPOT #5125	180.09
01/25/2018	OFFICE DEPOT #5125	19.69
01/25/2018	OFFICE DEPOT #5125	20.37
01/25/2018	OFFICE DEPOT #5125	208.94
01/25/2018	OFFICE DEPOT #5125	36.12
01/25/2018	OFFICE DEPOT #5125	50.32
01/25/2018	OFFICE DEPOT #5125	55.17
01/25/2018	OFFICE DEPOT #818	25.17
01/25/2018	OFFICE DEPOT #861	5.46
100-15-011-5201	Office Supplies	<hr/> 2,336.10
100-15-011-5202	Memberships & Dues	
01/25/2018	IACP	150.00
100-15-011-5202	Memberships & Dues	<hr/> 150.00
100-15-011-5217	Departmental Supplies	
01/25/2018	COFFEE BEAN STORE	189.90
01/25/2018	COSTCO WHSE #0671	119.82
01/25/2018	NEW YORK FOOD CO/CWA	314.81
01/25/2018	NOAH'S BAGELS #2546	77.50
01/25/2018	RALPHS #0645	9.98
01/25/2018	SHARKS COVE RESTAURANT &	131.33
01/25/2018	SQ *DOUGH BOY'S DONUTS	27.50
100-15-011-5217	Departmental Supplies	<hr/> 870.84
100-15-021-5101	Contract Services	
01/25/2018	BUBBLES PET SPA 3	65.00
100-15-021-5101	Contract Services	<hr/> 65.00
100-15-021-5202	Memberships & Dues	
01/25/2018	PACKTRACK	100.00
01/25/2018	PACKTRACK	100.00
100-15-021-5202	Memberships & Dues	<hr/> 200.00
100-15-021-5217	Departmental Supplies	

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Police	Amount
01/25/2018	COSTCO WHSE #0671	-21.89
01/25/2018	COSTCO WHSE #0671	52.54
100-15-021-5217	Departmental Supplies	<u>30.65</u>
100-15-031-5202	Memberships & Dues	
01/25/2018	SQ *SCCIAA (SOUTHERN CALI	45.00
100-15-031-5202	Memberships & Dues	<u>45.00</u>
100-15-031-5205	Training, Conferences & Meetings	
01/25/2018	NOAH'S-ONLINE CATERING	57.99
100-15-031-5205	Training, Conferences & Meetings	<u>57.99</u>
100-15-031-5217	Departmental Supplies	
01/25/2018	THOMSON WEST*TCD	172.13
100-15-031-5217	Departmental Supplies	<u>172.13</u>
100-15-041-5101	Contract Services	
01/25/2018	OFFICE DEPOT #5125	1,084.01
01/25/2018	OFFICE DEPOT #5125	1,171.60
100-15-041-5101	Contract Services	<u>2,255.61</u>
100-15-041-5210	Computers, Supplies & Software	
01/25/2018	APL* ITUNES.COM/BILL	0.99
100-15-041-5210	Computers, Supplies & Software	<u>0.99</u>
100-15-041-5217	Departmental Supplies	
01/25/2018	AMAZON MKTPLACE PMTS	530.73
01/25/2018	COSTCO WHSE #0671	12.02
100-15-041-5217	Departmental Supplies	<u>542.75</u>
100-15-041-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	44.90
01/25/2018	SMART SOURCE CALIFORNIA	56.94
100-15-041-5225	Printing	<u>101.84</u>
100-15-051-5217	Departmental Supplies	
01/25/2018	COSTCO WHSE #0671	61.93
01/25/2018	GIULIANOS - REDONDO BEACH	186.86
100-15-051-5217	Departmental Supplies	<u>248.79</u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Police	Amount
100-15-051-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	28.47
100-15-051-5225	Printing	<u>28.47</u>
100-15-061-5217	Departmental Supplies	
01/25/2018	RALPHS #0166	28.53
01/25/2018	THE HOME DEPOT #0620	30.53
100-15-061-5217	Departmental Supplies	<u>59.06</u>
100-15-081-5206	Uniforms/Safety Equipment	
01/25/2018	LA UNIFORMS AND TAILORIN	350.18
100-15-081-5206	Uniforms/Safety Equipment	<u>350.18</u>
15	Police	<u><u>7,515.40</u></u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Fire	Amount
100-16-011-5201	Office Supplies	
01/25/2018	BEST BUY MHT 00010116	128.06
01/25/2018	OFFICE DEPOT #2740	67.64
01/25/2018	OFFICE DEPOT #5125	188.34
01/25/2018	OFFICE DEPOT #5125	69.96
100-16-011-5201	Office Supplies	<hr/> 454.00
100-16-011-5205	Training, Conferences & Meetings	
01/25/2018	CALIF FIRE PREVENTION IN	50.00
100-16-011-5205	Training, Conferences & Meetings	<hr/> 50.00
100-16-021-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	28.47
100-16-021-5225	Printing	<hr/> 28.47
100-16-031-5203	Reference Books & Periodicals	
01/25/2018	CA OFFICE OF EMERGENCY SE	90.82
01/25/2018	HAR*HARVARD BUSNS REV	99.00
100-16-031-5203	Reference Books & Periodicals	<hr/> 189.82
100-16-031-5206	Uniforms/Safety Equipment	
01/25/2018	FIREFIGHTERS SAFETY WEB	508.08
01/25/2018	WWW.SALARMLEATHER.COM	96.75
100-16-031-5206	Uniforms/Safety Equipment	<hr/> 604.83
100-16-031-5217	Departmental Supplies	
01/25/2018	FRY'S ELECTRONICS #5	21.89
01/25/2018	GALLS	43.98
01/25/2018	SHOPPERSCHOICECOM LLC	753.87
01/25/2018	SOUTH BAY APPLIANC	1,623.63
01/25/2018	WEATHERTECH DIRECT LLC	227.90
100-16-031-5217	Departmental Supplies	<hr/> 2,671.27
100-16-031-5221	Automotive Repair Services	
01/25/2018	SOUTH COAST EMERGENCY V	1,122.73
01/25/2018	SOUTH COAST EMERGENCY V	762.83
100-16-031-5221	Automotive Repair Services	<hr/> 1,885.56
100-16-041-5217	Departmental Supplies	
01/25/2018	BOUND TREE MEDICAL LLC	12.47

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Fire	Amount
01/25/2018	BOUND TREE MEDICAL LLC	1,804.60
01/25/2018	BOUND TREE MEDICAL LLC	211.99
01/25/2018	BOUND TREE MEDICAL LLC	262.77
01/25/2018	BOUND TREE MEDICAL LLC	280.96
01/25/2018	BOUND TREE MEDICAL LLC	3,274.99
01/25/2018	BOUND TREE MEDICAL LLC	417.11
01/25/2018	BOUND TREE MEDICAL LLC	65.69
01/25/2018	BOUND TREE MEDICAL LLC	91.06
01/25/2018	MERCK & CO INC ORDER MGM	1,311.68
01/25/2018	MERCK & CO INC ORDER MGM	655.84
100-16-041-5217	Departmental Supplies	<hr/> 8,389.16
16	Fire	<hr/> <hr/> 14,273.11

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Community Development	Amount
100-17-011-5201	Office Supplies	
01/25/2018	CDW GOVT #LGZ9789	459.86
100-17-011-5201	Office Supplies	<u>459.86</u>
100-17-011-5202	Memberships & Dues	
01/25/2018	APA-MEMBERSHIP ONLINE	150.00
100-17-011-5202	Memberships & Dues	<u>150.00</u>
100-17-011-5210	Computers, Supplies & Software	
01/25/2018	CANON SOLUTIONS AMER INC	35.48
100-17-011-5210	Computers, Supplies & Software	<u>35.48</u>
100-17-011-5217	Departmental Supplies	
01/25/2018	OBEX	250.60
100-17-011-5217	Departmental Supplies	<u>250.60</u>
100-17-011-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	28.47
100-17-011-5225	Printing	<u>28.47</u>
100-17-021-5202	Memberships & Dues	
01/25/2018	APA-MEMBERSHIP ONLINE	343.00
01/25/2018	APA-MEMBERSHIP ONLINE	343.00
100-17-021-5202	Memberships & Dues	<u>686.00</u>
100-17-032-5205	Training, Conferences & Meetings	
01/25/2018	ADVANCED TRAINING	500.00
01/25/2018	INT'L CODE COUNCIL INC	202.03
100-17-032-5205	Training, Conferences & Meetings	<u>702.03</u>
100-17-032-5225	Printing	
01/25/2018	PELICAN BANNERS AND SIGNS	1,716.96
100-17-032-5225	Printing	<u>1,716.96</u>
100-17-041-5202	Memberships & Dues	
01/25/2018	CA OF CODE ENFORCEMENT OF	95.00
01/25/2018	CA OF CODE ENFORCEMENT OF	95.00
01/25/2018	CA OF CODE ENFORCEMENT OF	95.00

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Community Development	Amount
100-17-041-5202	Memberships & Dues	<u>285.00</u>
100-17-041-5205	Training, Conferences & Meetings	
01/25/2018	CA OF CODE ENFORCEMENT OF	86.00
100-17-041-5205	Training, Conferences & Meetings	<u>86.00</u>
100-17-041-5225	Printing	
01/25/2018	SMART SOURCE CALIFORNIA	274.95
01/25/2018	SMART SOURCE CALIFORNIA	56.94
100-17-041-5225	Printing	<u>331.89</u>
100-17-051-5205	Training, Conferences & Meetings	
01/25/2018	EB JOINT MEETING WITH	30.00
100-17-051-5205	Training, Conferences & Meetings	<u>30.00</u>
100-17-413-5202	Memberships & Dues	
01/25/2018	MUNICIPAL MANAGEMENT ASSO	85.00
100-17-413-5202	Memberships & Dues	<u>85.00</u>
100-17-413-5205	Training, Conferences & Meetings	
01/25/2018	EB THE PROMISE OF MIC	27.28
100-17-413-5205	Training, Conferences & Meetings	<u>27.28</u>
100-17-413-5207	Advertising	
01/25/2018	EASY READER	700.00
01/25/2018	SOCAL NEWSPAPER GRP ADV	727.00
100-17-413-5207	Advertising	<u>1,427.00</u>
100-17-413-5217	Departmental Supplies	
01/25/2018	AMAZON MKTPLACE PMTS WWW.	12.99
01/25/2018	AMAZON MKTPLACE PMTS WWW.	18.51
01/25/2018	AMAZON MKTPLACE PMTS WWW.	251.84
01/25/2018	AMAZON MKTPLACE PMTS WWW.	303.29
01/25/2018	AMAZON MKTPLACE PMTS WWW.	412.98
100-17-413-5217	Departmental Supplies	<u>999.61</u>
17	Community Development	<u><u>7,301.18</u></u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Public Works	Amount
100-18-011-5201	Office Supplies	
01/25/2018	AMAZON MKTPLACE PMTS WWW.	54.97
01/25/2018	AMAZONPRIME MEMBERSHIP	-12.03
01/25/2018	APL* ITUNES.COM/BILL	2.99
01/25/2018	OFFICE DEPOT #5101	22.43
01/25/2018	OFFICE DEPOT #5125	112.76
01/25/2018	OFFICE DEPOT #5125	15.10
01/25/2018	OFFICE DEPOT #5125	15.10
01/25/2018	OFFICE DEPOT #5125	17.06
01/25/2018	OFFICE DEPOT #5125	27.27
01/25/2018	OFFICE DEPOT #5125	541.23
01/25/2018	OFFICE DEPOT #5125	71.90
100-18-011-5201	Office Supplies	<hr/> 868.78
100-18-011-5217	Departmental Supplies	
01/25/2018	WWW.CVS.COM	36.12
01/25/2018	WWW.CVS.COM	65.63
01/25/2018	WWW.CVS.COM	65.63
01/25/2018	WWW.CVS.COM	65.63
100-18-011-5217	Departmental Supplies	<hr/> 233.01
100-18-021-5203	Reference Books & Periodicals	
01/25/2018	BNP*ENR/AR/NEWS/PS	58.00
100-18-021-5203	Reference Books & Periodicals	<hr/> 58.00
100-18-021-5205	Training, Conferences & Meetings	
01/25/2018	AMERICAN PUBLIC WORKS	-120.00
01/25/2018	AMERICAN PUBLIC WORKS	50.00
100-18-021-5205	Training, Conferences & Meetings	<hr/> -70.00
100-18-021-5217	Departmental Supplies	
01/25/2018	NAMEBADGE.COM	45.83
01/25/2018	SMART SOURCE CALIFORNIA	44.90
100-18-021-5217	Departmental Supplies	<hr/> 90.73
100-18-032-5209	Tools & Minor Equipment	
01/25/2018	THE HOME DEPOT #6611	-10.93
100-18-032-5209	Tools & Minor Equipment	<hr/> -10.93
100-18-032-5217	Departmental Supplies	

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Public Works	Amount
01/25/2018	A AND A READY MIX CONCRET	698.46
01/25/2018	BEST BUY 00015107	-30.64
01/25/2018	BESTBUYCOM805527331698	61.01
01/25/2018	LEARNED LUMBER	432.27
01/25/2018	LOS ANGELES COUNTY SAN	820.14
100-18-032-5217	Departmental Supplies	<hr/> 1,981.24
100-18-034-5217	Departmental Supplies	
01/25/2018	MANERI SIGN COMPANY INC	186.16
01/25/2018	MANERI SIGN COMPANY INC	361.36
01/25/2018	MANERI SIGN COMPANY INC	98.43
01/25/2018	MANERI SIGN COMPANY INC	98.56
01/25/2018	THE HOME DEPOT #0620	65.56
01/25/2018	THE HOME DEPOT #0620	71.02
01/25/2018	ZUMAR IND INC - CA	1,840.32
100-18-034-5217	Departmental Supplies	<hr/> 2,721.41
100-18-042-5217	Departmental Supplies	
01/25/2018	AQUA-FLO SUPPLY INC #107	192.00
01/25/2018	AQUA-FLO SUPPLY INC #107	2,682.20
01/25/2018	AQUA-FLO SUPPLY INC #107	65.83
01/25/2018	CALIFORNIA FENCE & SUPP	1,127.69
01/25/2018	CALIFORNIA FENCE & SUPP	446.48
01/25/2018	CALIFORNIA FENCE & SUPP	955.91
01/25/2018	COLLINS COMPANY	3,336.93
01/25/2018	PCH LOCK AND KEY	9.86
01/25/2018	THE HOME DEPOT #0620	334.61
01/25/2018	THE HOME DEPOT #6611	115.97
01/25/2018	THE HOME DEPOT #6611	245.63
01/25/2018	THE HOME DEPOT #6611	76.72
100-18-042-5217	Departmental Supplies	<hr/> 9,589.83
501-18-231-5217	Departmental Supplies	
01/25/2018	0961 ROYAL	180.95
01/25/2018	0961 ROYAL	370.75
01/25/2018	WW GRAINGER	310.93
501-18-231-5217	Departmental Supplies	<hr/> 862.63
501-18-241-5217	Departmental Supplies	
01/25/2018	WATERLINE TECHNOLOGIES	814.02
501-18-241-5217	Departmental Supplies	<hr/> 814.02

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Public Works	Amount
501-18-251-5101	Contract Services	
01/25/2018	LOMITA MOWER AND SAW SHOP	20.00
501-18-251-5101	Contract Services	20.00
501-18-251-5205	Training, Conferences & Meetings	
01/25/2018	PAYPAL *WATERWISEPR	310.00
501-18-251-5205	Training, Conferences & Meetings	310.00
501-18-251-5209	Tools & Minor Equipment	
01/25/2018	THE HOME DEPOT 620	756.47
501-18-251-5209	Tools & Minor Equipment	756.47
501-18-251-5217	Departmental Supplies	
01/25/2018	FERGUSON ENT #1083	1,550.52
01/25/2018	MATHESON-308	286.50
01/25/2018	TODD PIPE AND SUPPLY HAWT	832.38
501-18-251-5217	Departmental Supplies	2,669.40
503-18-321-5101	Contract Services	
01/25/2018	NIXON EGLI EQUIPMENT	2,233.14
503-18-321-5101	Contract Services	2,233.14
503-18-321-5217	Departmental Supplies	
01/25/2018	ASAP PARTS	657.25
01/25/2018	WW GRAINGER	179.49
503-18-321-5217	Departmental Supplies	836.74
510-18-411-5217	Departmental Supplies	
01/25/2018	AMERICAN SOLUTIONS4 BUS	2,376.37
01/25/2018	THE HOME DEPOT 620	647.05
510-18-411-5217	Departmental Supplies	3,023.42
520-18-511-5217	Departmental Supplies	
01/25/2018	WWW.SUPERBRIGHTLEDS.CO	740.88
520-18-511-5217	Departmental Supplies	740.88
522-18-512-5217	Departmental Supplies	
01/25/2018	GIH*GLOBALINDUSTRIALEQ	218.41
01/25/2018	TODD PIPE AND SUPPLY HAWT	324.80

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Public Works	Amount
522-18-512-5217	Departmental Supplies	<u>543.21</u>
522-18-512-5501	Telephone	
01/25/2018	PACIFIC TELEMANGEME	70.00
522-18-512-5501	Telephone	<u>70.00</u>
610-18-611-5101	Contract Services	
01/25/2018	MARTIN CHEVROLET	723.62
01/25/2018	SOUTH BAY FORD	2,356.73
01/25/2018	SOUTH BAY FORD	380.00
610-18-611-5101	Contract Services	<u>3,460.35</u>
610-18-611-5205	Training, Conferences & Meetings	
01/25/2018	IN *RON TURLEY ASSOCIATES	100.00
610-18-611-5205	Training, Conferences & Meetings	<u>100.00</u>
610-18-611-5217	Departmental Supplies	
01/25/2018	MOMAR, INC	1,198.29
01/25/2018	A Z BUS SALES	637.58
01/25/2018	COMPLETES PLUS CPL	52.11
01/25/2018	COMPLETES PLUS CPL	74.65
01/25/2018	COMPLETES PLUS CPL	79.19
01/25/2018	COMPLETES PLUS CPL	8.83
01/25/2018	COMPLETES PLUS CPL	87.76
01/25/2018	COMPLETES PLUS CPL	90.57
01/25/2018	EDDINGS 0026741	12.03
01/25/2018	EDDINGS 0026741	138.08
01/25/2018	EDDINGS 0026741	140.67
01/25/2018	EDDINGS 0026741	15.97
01/25/2018	EDDINGS 0026741	151.44
01/25/2018	EDDINGS 0026741	19.15
01/25/2018	EDDINGS 0026741	190.71
01/25/2018	EDDINGS 0026741	20.29
01/25/2018	EDDINGS 0026741	26.87
01/25/2018	EDDINGS 0026741	28.91
01/25/2018	EDDINGS 0026741	37.21
01/25/2018	EDDINGS 0026741	40.58
01/25/2018	EDDINGS 0026741	5.00
01/25/2018	EDDINGS 0026741	-54.20
01/25/2018	EDDINGS 0026741	593.28
01/25/2018	EDDINGS 0026741	-60.26
01/25/2018	EDDINGS 0026741	67.24

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Public Works	Amount
01/25/2018	EDDINGS 0026741	8.10
01/25/2018	JACKS SMALL ENGINES & GEN	53.86
01/25/2018	MARTIN CHEVROLET	-24.98
01/25/2018	MARTIN CHEVROLET	300.70
01/25/2018	MARTIN CHEVROLET	444.83
01/25/2018	MARTIN CHEVROLET	8.90
01/25/2018	MARTIN CHEVROLET	98.77
01/25/2018	R AND I HOLDINGS INC	227.10
01/25/2018	S BAY TRUCK CENTER PAR	190.81
01/25/2018	SAFELITE ONLINE PAYMENTS	357.54
01/25/2018	TMS*SOUTHERN CALIFORNI	245.12
01/25/2018	TOOLTOPIA	96.34
01/25/2018	XYL DEWATERING	143.69
01/25/2018	ATD 951 HAWTHORNE	296.04
01/25/2018	COMPLETES PLUS CPL	17.30
01/25/2018	COMPLETES PLUS CPL	17.83
01/25/2018	COMPLETES PLUS CPL	22.39
01/25/2018	COMPLETES PLUS CPL	26.32
01/25/2018	COMPLETES PLUS CPL	-31.40
01/25/2018	COMPLETES PLUS CPL	32.84
01/25/2018	COMPLETES PLUS CPL	4.25
01/25/2018	COMPLETES PLUS CPL	4.42
01/25/2018	COMPLETES PLUS CPL	46.71
01/25/2018	COMPLETES PLUS CPL	5.25
01/25/2018	COMPLETES PLUS CPL	5.25
01/25/2018	COMPLETES PLUS CPL	52.09
610-18-611-5217	Departmental Supplies	<hr/> 6,252.02
615-18-041-5101	Contract Services	
01/25/2018	IN *JLM ENVIRONMENTAL	1,030.00
01/25/2018	SQ *B & M CUSTOM GLASS AN	655.00
615-18-041-5101	Contract Services	<hr/> 1,685.00
615-18-041-5205	Training, Conferences & Meetings	
01/25/2018	FREDPRYOR CAREERTRACK	99.00
615-18-041-5205	Training, Conferences & Meetings	<hr/> 99.00
615-18-041-5206	Uniforms/Safety Equipment	
01/25/2018	SP * ESAFETY SUPPLIES,	185.91
01/25/2018	RED WING SHOE STORE 0	345.76
615-18-041-5206	Uniforms/Safety Equipment	<hr/> 531.67

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Public Works	Amount
615-18-041-5217	Departmental Supplies	
01/25/2018	SQ *STEVE'S LOCK, SAFE AN	16.42
01/25/2018	0961 ROYAL	281.56
01/25/2018	BEAU BUREAUX INTERIORS	887.59
01/25/2018	BUILD-CHARGE.COM	253.20
01/25/2018	HOMEDEPOT.COM	57.95
01/25/2018	KOFFLER SALES CO.	113.63
01/25/2018	MCMASTER-CARR	59.59
01/25/2018	MCMASTER-CARR	88.00
01/25/2018	PRO LINE INDUSTRIAL PRODU	785.56
01/25/2018	REINDERS - ELM GROVE	306.54
01/25/2018	SOUTH BAY APPLIANC	1,750.53
01/25/2018	SUPREME PAINT (MANHATT	138.92
01/25/2018	SUPREME PAINT (MANHATT	353.58
01/25/2018	SUPREME PAINT (MANHATT	66.38
01/25/2018	THE HOME DEPOT #0620	105.05
01/25/2018	THE HOME DEPOT #0620	117.17
01/25/2018	THE HOME DEPOT #0620	178.98
01/25/2018	THE HOME DEPOT #0620	28.14
01/25/2018	THE HOME DEPOT #0620	50.28
01/25/2018	THE HOME DEPOT #0620	65.26
01/25/2018	TODD PIPE AND SUPPLY HAWT	27.58
01/25/2018	VONS #2275	6.01
01/25/2018	WW GRAINGER	123.77
01/25/2018	WW GRAINGER	-548.82
01/25/2018	WW GRAINGER	-57.72
01/25/2018	WW GRAINGER	57.72
615-18-041-5217	Departmental Supplies	5,312.87
18	Public Works	45,782.89

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of P-Card Transactions

Account Date	Department Information Technology	Amount
100-19-052-5104	Computer Contract Services	
01/25/2018	AMAZON WEB SERVICES	470.56
100-19-052-5104	Computer Contract Services	<u>470.56</u>
100-19-052-5217	Departmental Supplies	
01/25/2018	CPC*CAFEPRESS.COM	7.44
100-19-052-5217	Departmental Supplies	<u>7.44</u>
605-19-051-5201	Office Supplies	
01/25/2018	OFFICE DEPOT #5125	13.68
01/25/2018	OFFICE DEPOT #5125	409.51
01/25/2018	OFFICE DEPOT #5125	7.84
605-19-051-5201	Office Supplies	<u>431.03</u>
605-19-051-5203	Reference Books & Periodicals	
01/25/2018	SP * OATMEAL LLC	45.00
605-19-051-5203	Reference Books & Periodicals	<u>45.00</u>
605-19-051-5205	Training, Conferences & Meetings	
01/25/2018	THE HAT 9	87.98
01/25/2018	THE RAGLA GROUP LLC	101.00
605-19-051-5205	Training, Conferences & Meetings	<u>188.98</u>
605-19-051-5210	Computers, Supplies & Software	
01/25/2018	AMAZON MKTPLACE PMTS WWW.	21.89
01/25/2018	DMI* DELL HLTHCR/PTR	247.96
01/25/2018	DMI* DELL HLTHCR/PTR	3,415.76
01/25/2018	DUOCIRCLE	80.00
01/25/2018	DYN*DYN.COM/CHARGE	108.00
01/25/2018	FACEBK *FACEBK K6S45DWW82	339.00
01/25/2018	FRY'S ELECTRONICS #5	684.05
01/25/2018	HEADSETSCOM	325.22
01/25/2018	K&F ASSOCIATES	1,748.00
01/25/2018	NYRIUS.COM	218.99
01/25/2018	NYRIUS.COM	437.98
605-19-051-5210	Computers, Supplies & Software	<u>7,626.85</u>
19	Information Technology	<u><u>8,769.86</u></u>
	Report Totals	<u><u>113,889.54</u></u>

To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 15a, dated 2/1/2018; Check number 532038.

Report of D-Card Transactions

Account Date	Department Management Services	Amount
100-11-021-5205	Training, Conferences & Meetings	
01/10/2018	MENDOCINO FARMS 11	462.53
100-11-021-5205	Training, Conferences & Meetings	<hr/> 462.53
100-11-021-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
100-11-021-5217	Departmental Supplies	<hr/> 131.16
100-11-031-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
100-11-031-5217	Departmental Supplies	<hr/> 131.16
100-11-041-5101	Contract Services	
01/10/2018	FILE KEEPERS	3.75
100-11-041-5101	Contract Services	<hr/> 3.75
11	Management Services	<hr/> <hr/> 728.60

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Finance	Amount
100-12-011-5101	Contract Services	
01/10/2018	FILE KEEPERS	3.75
100-12-011-5101	Contract Services	<u>3.75</u>
100-12-011-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
100-12-011-5217	Departmental Supplies	<u>131.16</u>
12	Finance	<u><u>134.91</u></u>

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Human Resources	Amount
100-13-011-5101	Contract Services	
01/10/2018	FILE KEEPERS	3.75
100-13-011-5101	Contract Services	3.75
100-13-011-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
100-13-011-5217	Departmental Supplies	131.16
13	Human Resources	134.91

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Recreation	Amount
100-14-011-5101	Contract Services	
01/10/2018	ENPLUG, INC.	99.56
01/10/2018	ASCAP LICENSE FEE	348.00
01/10/2018	SESAC INC	833.00
100-14-011-5101	Contract Services	1,280.56
100-14-011-5201	Office Supplies	
01/10/2018	CDW GOVT #LCJ6359	202.26
01/10/2018	CDW GOVT #LCM6228	245.56
01/10/2018	CDW GOVT #LCR4202	202.26
01/10/2018	CDW GOVT #LJD6602	90.13
01/10/2018	OFFICE DEPOT #5125	16.84
01/10/2018	OFFICE DEPOT #5125	188.04
01/10/2018	OFFICE DEPOT #5125	-38.20
01/10/2018	OFFICE DEPOT #5125	58.52
01/10/2018	OFFICE DEPOT #5125	82.37
01/10/2018	OFFICE DEPOT #5125	86.46
01/10/2018	OFFICE DEPOT #886	11.38
01/10/2018	OFFICEMAX/OFFICE DEPOT675	0.50
01/10/2018	OFFICEMAX/OFFICEDEPOT6235	13.02
100-14-011-5201	Office Supplies	1,159.14
100-14-011-5203	Reference Books & Periodicals	
01/10/2018	SURFER SUBSCRIPTION	14.97
100-14-011-5203	Reference Books & Periodicals	14.97
100-14-011-5205	Training, Conferences & Meetings	
01/10/2018	SOUTH COAST BOTANIC GARDE	500.00
01/10/2018	SOUTH COAST BOTANIC GARDE	500.00
100-14-011-5205	Training, Conferences & Meetings	1,000.00
100-14-011-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
01/10/2018	OFFICE DEPOT #5125	115.62
01/10/2018	PAYPAL *STAMPWORLD1	23.20
01/10/2018	SQ *SUMMERS SPORTS	1,006.95
100-14-011-5217	Departmental Supplies	1,276.93
100-14-011-5225	Printing	
01/10/2018	DRI*NEXTDAYFLYERS	55.79
01/10/2018	SMART SOURCE CALIFORNIA	28.47

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Recreation	Amount
100-14-011-5225	Printing	84.26
100-14-021-5217	Departmental Supplies	
01/10/2018	AMAZON MKTPLACE PMTS WWW.	8.96
01/10/2018	AMAZON MKTPLACE PMTS	14.94
01/10/2018	TARGET 00001990	47.46
01/10/2018	THE HOME DEPOT #0620	74.03
100-14-021-5217	Departmental Supplies	145.39
100-14-025-5217	Departmental Supplies	
01/10/2018	LONG BEACH ICE, INC.	148.16
01/10/2018	7842 DOMINOS PIZZA	148.73
01/10/2018	DOLLAR TREE	24.09
01/10/2018	MICHAELS STORES 3048	39.33
01/10/2018	PARTY CITY 0164	64.50
01/10/2018	SMARTNFINAL52910305290	134.10
01/10/2018	SMARTNFINAL52910305290	52.31
01/10/2018	TARGET 00001990	119.97
01/10/2018	TARGET 00001990	239.08
01/10/2018	TARGET 00001990	3.72
01/10/2018	TARGET 00001990	307.56
01/10/2018	TARGET 00001990	49.10
01/10/2018	TARGET 00001990	74.15
01/10/2018	WALMART.COM	34.08
100-14-025-5217	Departmental Supplies	1,438.88
100-14-026-5217	Departmental Supplies	
01/10/2018	7842 DOMINOS PIZZA	104.99
01/10/2018	7842 DOMINOS PIZZA	104.99
01/10/2018	AMIGOS TACOS MANHATTAN BE	204.01
01/10/2018	AMIGOS TACOS MANHATTAN BE	8.21
01/10/2018	SMARTNFINAL52910305290	188.83
01/10/2018	SMARTSIGN	59.24
01/10/2018	TARGET 00001990	130.71
01/10/2018	TARGET 00001990	165.03
01/10/2018	TARGET 00001990	320.78
01/10/2018	TARGET 00001990	88.95
01/10/2018	VONS #1623	124.20
100-14-026-5217	Departmental Supplies	1,499.94
100-14-027-5217	Departmental Supplies	
01/10/2018	BSN*SPORT SUPPLY GROUP	2,467.22

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Recreation	Amount
01/10/2018	COSTCO WHSE #0671	640.41
100-14-027-5217	Departmental Supplies	3,107.63
100-14-028-5101	Contract Services	
01/10/2018	S. CA MUNICIPAL ATHLET	550.00
100-14-028-5101	Contract Services	550.00
100-14-028-5207	Advertising	
01/10/2018	ENPLUG, INC.	99.87
100-14-028-5207	Advertising	99.87
100-14-028-5217	Departmental Supplies	
01/10/2018	AMAZON.COM AMZN.COM/BILL	22.98
01/10/2018	BSN*SPORT SUPPLY GROUP	372.65
01/10/2018	EL SOMBRERO	50.87
01/10/2018	LIFEGUARD STORE - ONLINE	2,931.00
01/10/2018	UNITED SITE SERVICE	1,012.98
01/10/2018	VONS #2275	8.69
100-14-028-5217	Departmental Supplies	4,399.17
100-14-031-5202	Memberships & Dues	
01/10/2018	T4T.ORG	100.00
100-14-031-5202	Memberships & Dues	100.00
100-14-031-5205	Training, Conferences & Meetings	
01/10/2018	AUTO PARK 16 DISNEY HALL	9.00
100-14-031-5205	Training, Conferences & Meetings	9.00
100-14-031-5207	Advertising	
01/10/2018	ENPLUG, INC.	99.57
100-14-031-5207	Advertising	99.57
100-14-031-5217	Departmental Supplies	
01/10/2018	AMAZON MKTPLACE PMTS WWW.	11.85
01/10/2018	BLICK ART 800 447 1892	33.74
01/10/2018	BLICK ART 800 447 1892	34.17
01/10/2018	LOS ANGELES CNTY MUSEUM	71.12
01/10/2018	MICHAELS STORES 3008	13.99
01/10/2018	MICHAELS STORES 3008	21.90
01/10/2018	OFFICE DEPOT #916	30.63

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Recreation	Amount
01/10/2018	TARGET 00001990	131.38
01/10/2018	TARGET 00002006	32.84
01/10/2018	THE HOME DEPOT #0618	32.82
01/10/2018	THE HOME DEPOT #0620	173.33
01/10/2018	THE HOME DEPOT #0620	269.89
01/10/2018	THE HOME DEPOT #0620	-32.82
01/10/2018	THE HOME DEPOT #0620	412.28
01/10/2018	THE HOME DEPOT #0620	421.38
01/10/2018	THE HOME DEPOT #0620	61.21
01/10/2018	THE HOME DEPOT #0620	91.31
01/10/2018	USPS PO 0547180221	6.20
01/10/2018	WAL-MART #5874	23.81
100-14-031-5217	Departmental Supplies	1,841.03
100-14-034-5217	Departmental Supplies	
01/10/2018	360 TRAINING I	12.60
01/10/2018	AARDVARK CLAY & SUPPLIES	20.15
01/10/2018	AARDVARK CLAY & SUPPLIES	2,018.52
01/10/2018	THE HOME DEPOT #0620	200.56
01/10/2018	THE HOME DEPOT #0620	223.40
100-14-034-5217	Departmental Supplies	2,475.23
100-14-041-5202	Memberships & Dues	
01/10/2018	S. CA MUNICIPAL ATHLET	-310.00
01/10/2018	S. CA MUNICIPAL ATHLET	310.00
100-14-041-5202	Memberships & Dues	0.00
100-14-041-5217	Departmental Supplies	
01/10/2018	BSN*SPORT SUPPLY GROUP	62.70
01/10/2018	THE PROMOTIONS DEPT	1,325.25
01/10/2018	THE PROMOTIONS DEPT	398.47
01/10/2018	THE PROMOTIONS DEPT	910.20
100-14-041-5217	Departmental Supplies	2,696.62
100-14-042-5217	Departmental Supplies	
01/10/2018	L2G*LACOUNTY_BEACHES	250.00
100-14-042-5217	Departmental Supplies	250.00
100-14-043-5101	Contract Services	
01/10/2018	DS SERVICES STANDARD COFF	32.00
01/10/2018	IN *SEA-CLEAR POOLS INC	350.00

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Recreation	Amount
01/10/2018	WATERLINE TECHNOLOGIES	345.06
100-14-043-5101	Contract Services	727.06
100-14-043-5202	Memberships & Dues	
01/10/2018	TEAMUNIFY	99.95
100-14-043-5202	Memberships & Dues	99.95
100-14-043-5205	Training, Conferences & Meetings	
01/10/2018	AMERICAN RED CROSS	19.00
01/10/2018	AMERICAN RED CROSS	19.00
01/10/2018	AMERICAN RED CROSS	19.00
01/10/2018	AMERICAN RED CROSS	19.00
01/10/2018	COSTCO WHSE #0671	73.96
100-14-043-5205	Training, Conferences & Meetings	149.96
100-14-043-5217	Departmental Supplies	
01/10/2018	COSTCO WHSE #0671	192.43
01/10/2018	INTELLICORP RECORDS	38.00
01/10/2018	L & L HAWAIIAN BBQ	1,255.25
01/10/2018	LESLIES POOL SPLY #811	334.68
01/10/2018	LIFEGUARD STORE - ONLINE	411.40
01/10/2018	OFFICE DEPOT #2740	71.15
01/10/2018	OVR*O.CO/OVERSTOCK.COM	98.09
01/10/2018	PATTERSON CLEANERS PHOTO	200.00
01/10/2018	ROOM & BOARD CUST CARE	3,555.47
01/10/2018	SMARTNFINAL52910305290	28.56
01/10/2018	SMARTNFINAL52910305290	33.69
01/10/2018	THE HOME DEPOT #0620	189.73
01/10/2018	THE HOME DEPOT #0620	33.42
01/10/2018	THE HOME DEPOT #0620	7.64
100-14-043-5217	Departmental Supplies	6,449.51
100-14-061-5217	Departmental Supplies	
01/10/2018	3744 EL POLLO LOCO	326.39
01/10/2018	COSTCO WHSE #0564	823.38
01/10/2018	COSTCO WHSE #0671	207.72
01/10/2018	JERSEY MIKES STORE 20033	208.06
01/10/2018	LOMELIS ITALIAN RESTARNT	207.83
01/10/2018	LOMELIS ITALIAN RESTARNT	210.02
01/10/2018	LONG BEACH PLAYHOUSE	300.00
01/10/2018	SMARTNFINAL52910305290	31.95
01/10/2018	SMARTNFINAL52910305290	89.11

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Recreation	Amount
01/10/2018	SMARTNFINAL92111209210	46.47
01/10/2018	TRADER JOE'S #034 QPS	13.12
01/10/2018	TRADER JOE'S #106 QPS	78.71
01/10/2018	VONS #2275	10.95
100-14-061-5217	Departmental Supplies	<hr/> 2,553.71
100-14-062-5101	Contract Services	
01/10/2018	NETFLIX.COM	10.99
01/10/2018	NETFLIX.COM	13.13
01/10/2018	TWC*TIME WARNER CABLE	81.66
100-14-062-5101	Contract Services	<hr/> 105.78
100-14-062-5203	Reference Books & Periodicals	
01/10/2018	LA TIMES SUBSCRIPTION	122.31
100-14-062-5203	Reference Books & Periodicals	<hr/> 122.31
100-14-062-5217	Departmental Supplies	
01/10/2018	AMAZON MKTPLACE PMTS	38.99
01/10/2018	APL* ITUNES.COM/BILL	0.99
01/10/2018	APL* ITUNES.COM/BILL	0.99
01/10/2018	MARIE CALLENDERS RESTAURA	350.18
100-14-062-5217	Departmental Supplies	<hr/> 391.15
100-14-062-5225	Printing	
01/10/2018	DRI*NEXTDAYFLYERS	389.25
01/10/2018	DRI*NEXTDAYFLYERS	79.91
100-14-062-5225	Printing	<hr/> 469.16
230-14-091-5225	Printing	
01/10/2018	DRI*NEXTDAYFLYERS	389.24
01/10/2018	DRI*NEXTDAYFLYERS	79.91
230-14-091-5225	Printing	<hr/> 469.15
14	Recreation	<hr/> <hr/> 35,065.93

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Police	Amount
100-15-011-5101	Contract Services	
01/10/2018	DTV*DIRECTV SERVICE	241.97
01/10/2018	METRO EXPRESS LANES	40.00
100-15-011-5101	Contract Services	281.97
100-15-011-5104	Computer Contract Services	
01/10/2018	LOCATEPLUS	104.95
100-15-011-5104	Computer Contract Services	104.95
100-15-011-5109	Background Investigations	
01/10/2018	EXPERIAN EXP PAY CC	78.18
100-15-011-5109	Background Investigations	78.18
100-15-011-5201	Office Supplies	
01/10/2018	FILINGSUPPLIES	14.55
01/10/2018	FILINGSUPPLIES	16.45
01/10/2018	OFFICE DEPOT #2740	29.55
100-15-011-5201	Office Supplies	60.55
100-15-011-5202	Memberships & Dues	
01/10/2018	EB WLLE OF LAC FOUNDI	53.74
01/10/2018	POLICE EXECUTIVE RESEARCH	200.00
01/10/2018	POLICE EXECUTIVE RESEARCH	200.00
100-15-011-5202	Memberships & Dues	453.74
100-15-011-5205	Training, Conferences & Meetings	
01/10/2018	NOAH'S-ONLINE CATERING	110.96
01/10/2018	PAYPAL *POLICEPROMO	125.00
100-15-011-5205	Training, Conferences & Meetings	235.96
100-15-011-5206	Uniforms/Safety Equipment	
01/10/2018	GALLS	62.09
100-15-011-5206	Uniforms/Safety Equipment	62.09
100-15-011-5214	Employee Awards & Events	
01/10/2018	COSTCO WHSE #0671	18.99
100-15-011-5214	Employee Awards & Events	18.99
100-15-011-5217	Departmental Supplies	

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Police	Amount
01/10/2018	2 FOR 1 FRAMESTORE	131.16
01/10/2018	BOTACH	799.50
01/10/2018	SEARS.COM 9300	336.00
01/10/2018	SEARS.COM 9300	468.64
01/10/2018	SEARS.COM 9301	40.44
100-15-011-5217	Departmental Supplies	<hr/> 1,775.74
100-15-011-5220	POST Training	
01/10/2018	CALIFORNIA PEACE OFFICER	282.00
01/10/2018	DOUBLETREE ANAHEIM	121.44
01/10/2018	DOUBLETREE ANAHEIM	262.88
100-15-011-5220	POST Training	<hr/> 666.32
100-15-021-5202	Memberships & Dues	
01/10/2018	EB WLLE OF LAC FOUNDI	53.74
100-15-021-5202	Memberships & Dues	<hr/> 53.74
100-15-021-5205	Training, Conferences & Meetings	
01/10/2018	HAMPTON INN AND SUITES BL	438.90
01/10/2018	PAYPAL *POLICEPROMO	125.00
100-15-021-5205	Training, Conferences & Meetings	<hr/> 563.90
100-15-031-5205	Training, Conferences & Meetings	
01/10/2018	CALIFORNIA SEXUAL ASSAULT	400.00
01/10/2018	LIFELINE TRAINING - CA	159.00
01/10/2018	PAYPAL *POLICEPROMO	250.00
100-15-031-5205	Training, Conferences & Meetings	<hr/> 809.00
100-15-041-5101	Contract Services	
01/10/2018	FILE KEEPERS	37.75
01/10/2018	PODS #49	201.48
100-15-041-5101	Contract Services	<hr/> 239.23
100-15-041-5202	Memberships & Dues	
01/10/2018	PAYPAL *CAPE	45.00
100-15-041-5202	Memberships & Dues	<hr/> 45.00
100-15-041-5206	Uniforms/Safety Equipment	
01/10/2018	LA UNIFORMS AND TAILORIN	585.27
01/10/2018	MR. UNIFORMS	39.25

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Police	Amount
100-15-041-5206	Uniforms/Safety Equipment	624.52
100-15-041-5217	Departmental Supplies	
01/10/2018	AMAZON MKTPLACE PMTS	21.44
01/10/2018	AMAZON.COM AMZN.COM/BILL	148.88
01/10/2018	COSTCO WHSE #0671	35.02
01/10/2018	HITT MARKING DEVICES	57.80
01/10/2018	PARTY CITY	87.21
01/10/2018	SMARTNFINAL92111209210	51.96
100-15-041-5217	Departmental Supplies	402.31
100-15-051-5217	Departmental Supplies	
01/10/2018	SMARTNFINAL52910305290	126.07
100-15-051-5217	Departmental Supplies	126.07
100-15-061-5205	Training, Conferences & Meetings	
01/10/2018	PAYPAL *POLICEPROMO	250.00
100-15-061-5205	Training, Conferences & Meetings	250.00
100-15-061-5206	Uniforms/Safety Equipment	
01/10/2018	LA UNIFORMS AND TAILORIN	20.00
100-15-061-5206	Uniforms/Safety Equipment	20.00
100-15-071-5101	Contract Services	
01/10/2018	MISSION LINEN	409.36
100-15-071-5101	Contract Services	409.36
100-15-081-5205	Training, Conferences & Meetings	
01/10/2018	PAYPAL *POLICEPROMO	125.00
100-15-081-5205	Training, Conferences & Meetings	125.00
100-15-081-5206	Uniforms/Safety Equipment	
01/10/2018	LA UNIFORMS AND TAILORIN	25.00
01/10/2018	LA UNIFORMS AND TAILORIN	797.76
100-15-081-5206	Uniforms/Safety Equipment	822.76
100-15-081-5225	Printing	
01/10/2018	ADVANTAGE GRAPHICS AND PR	2,423.44
100-15-081-5225	Printing	2,423.44

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Police	Amount
211-15-302-5217	Departmental Supplies	
01/10/2018	POLYMATH INTERSCIENCE	2,113.47
211-15-302-5217	Departmental Supplies	<u>2,113.47</u>
15	Police	<u>12,766.29</u>

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Fire	Amount
100-16-011-5101	Contract Services	
01/10/2018	DIRECTV*NOW	140.00
01/10/2018	FILE KEEPERS	5.00
100-16-011-5101	Contract Services	145.00
100-16-011-5202	Memberships & Dues	
01/10/2018	INT'L ASSOC OF FIRE CH	279.00
100-16-011-5202	Memberships & Dues	279.00
100-16-011-5217	Departmental Supplies	
01/10/2018	AMAZON.COM AMZN.COM/BILL	10.92
100-16-011-5217	Departmental Supplies	10.92
100-16-031-5205	Training, Conferences & Meetings	
01/10/2018	PAYPAL *CORONAFIREF	618.00
100-16-031-5205	Training, Conferences & Meetings	618.00
100-16-031-5206	Uniforms/Safety Equipment	
01/10/2018	OPTICSPLANET, INC.	140.07
01/10/2018	OPTICSPLANET, INC.	220.90
01/10/2018	OPTICSPLANET, INC.	230.39
100-16-031-5206	Uniforms/Safety Equipment	591.36
100-16-031-5217	Departmental Supplies	
01/10/2018	AIR EXCHANGE INC	168.00
01/10/2018	COMPLETES PLUS CPL	13.30
01/10/2018	COMPLETES PLUS CPL	23.96
01/10/2018	COMPLETES PLUS CPL	23.96
01/10/2018	COMPLETES PLUS CPL	26.61
01/10/2018	COMPLETES PLUS CPL	59.90
100-16-031-5217	Departmental Supplies	315.73
100-16-041-5101	Contract Services	
01/10/2018	STERICYCLE	115.58
100-16-041-5101	Contract Services	115.58
100-16-041-5217	Departmental Supplies	
01/10/2018	AIR SOURCE INDUSTRIES	188.85
100-16-041-5217	Departmental Supplies	188.85

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Fire	Amount
100-16-052-5217	Departmental Supplies	
01/10/2018	TARGET 00001990	6.19
100-16-052-5217	Departmental Supplies	<u>6.19</u>
100-16-054-5217	Departmental Supplies	
01/10/2018	DES STATE PRINTER	-14.24
100-16-054-5217	Departmental Supplies	<u>-14.24</u>
16	Fire	<u>2,256.39</u>

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Community Development	Amount
100-17-011-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
100-17-011-5217	Departmental Supplies	<hr/> 131.16
17	Community Development	<hr/> <hr/> 131.16

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Public Works	Amount
100-18-011-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
100-18-011-5217	Departmental Supplies	<u>131.16</u>
100-18-021-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
100-18-021-5217	Departmental Supplies	<u>131.16</u>
100-18-042-5209	Tools & Minor Equipment	
01/10/2018	BISHOP COMPANY	149.70
01/10/2018	BISHOP COMPANY	30.35
01/10/2018	BISHOP COMPANY	4.49
100-18-042-5209	Tools & Minor Equipment	<u>184.54</u>
18	Public Works	<u><u>446.86</u></u>

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Report of D-Card Transactions

Account Date	Department Information Technology	Amount
605-19-051-5217	Departmental Supplies	
01/10/2018	2 FOR 1 FRAMESTORE	131.16
605-19-051-5217	Departmental Supplies	<u>131.16</u>
19	Information Technology	<u>131.16</u>
	Report Totals	<u><u>51,796.21</u></u>

To enable prompt payment, these DCard expenditures were paid to US Bancorp on Warrant Register wr 16b, dated 1/18/2018; Check number 531905.

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Teresa Zadroga-Haase, Human Resources Director

SUBJECT:

Resolution No. 18-0032 Amending the City of Manhattan Beach Personnel Rules Classified Service List (Human Resources Director Zadroga-Haase).

ADOPT RESOLUTION NO. 18-0032

RECOMMENDATION:

Staff recommends that City Council adopt by Resolution the amendment to the Personnel Rules Classified Service List (Attachment 2). The City Council adoption will authorize the City Manager to take appropriate actions necessary to amend Attachment "C" of the Personnel Rules.

FISCAL IMPLICATIONS:

There are currently nine (9) unrepresented employees in classified positions. The total annualized cost of the deferred compensation benefit provided to at-will employees will range from between zero and \$14,500, depending upon how many of the nine (9) unrepresented, classified employees elect to become at-will.

On February 6, 2018, City Council adopted the Memorandum of Understanding (MOU) between the City and the Manhattan Beach Mid-Management Employees' Association (MBMEA), which provided for currently classified employees to become at-will, and for future employees in currently classified positions to be hired as at-will. A more detailed discussion on fiscal impacts for this group can be found in the staff report from the [February 6, 2018 City Council Meeting](https://manhattanbeach.legistar.com/LegislationDetail.aspx?ID=3331534&GUID=05ADE507-6AA4-4A9C-8F05-0AA7F891199D&FullText=1) <<https://manhattanbeach.legistar.com/LegislationDetail.aspx?ID=3331534&GUID=05ADE507-6AA4-4A9C-8F05-0AA7F891199D&FullText=1>>. The proposed updates to the Classified Service List reflect the actions taken by City Council on [February 6, 2018](http://manhattanbeach.granicus.com/MediaPlayer.php?view_id=4&clip_id=2906) <http://manhattanbeach.granicus.com/MediaPlayer.php?view_id=4&clip_id=2906>.

BACKGROUND:

California’s Labor Code contains a presumption that employees are employed at will, which means that either the employer or the employee may terminate employment at any time, with or without cause or prior notice. One of the exceptions to the “at will” status are public-sector employees who are covered by civil service laws (usually adopted by the legislative body). In our case, Municipal Code Chapter 2.08 defines our Civil Service System.

Exemption from at will employment status under the Municipal Code is defined as “Classified” status. Classified employees may not be terminated without the employee being provided due process, which consists of prior notice, a hearing and the employee’s right to appeal a termination. The City bears the burden of proof of misconduct or “just cause.”

Typically, management or confidential level positions where an incumbent exercises authority or influences policy development and/or collective bargaining are designated as at will.

DISCUSSION:

Subsequent to the negotiations and adoption of the MOU with MBMEA on February 6, 2018, members of the confidential group of employees who are currently unrepresented and, therefore, have no collective bargaining agreement with the City, requested the opportunity to elect to change their employment status from classified to at will. Employees designated as at will receive a benefit of 2% of their base pay contributed to a deferred compensation account. This benefit is in lieu of the due process rights afforded classified employees.

PUBLIC OUTREACH/INTEREST:

After analysis, staff determined that public outreach was not required for this issue.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Resolution No. 18-0032
2. Personnel Rules Attachment “C” - Classified Service

RESOLUTION NO. 18-0032

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL
AMENDING THE PERSONNEL RULES ATTACHMENT C – CLASSIFIED
SERVICE

WHEREAS, Personnel Rule Attachment C – Classified Service states in relevant part, “The City Council shall designate other full-time positions at-will and amend Attachment C of the Personnel Rules as appropriate.”

WHEREAS, the City Manager recommends designating additional full-time positions to at-will status.

NOW THEREFORE, THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES:

SECTION 1. The City Council hereby approves and adopts:

- A. Designating all classified positions represented by the Manhattan Beach Mid-Management Employees’ Association hired on or after January 1, 2018 or for which incumbents hired before January 1, 2018 voluntarily elect to change status as at will positions in Attachment 2 (Personnel Rules Attachment C).
- B. Designating all unrepresented classified positions hired on or after March 21, 2018 or for which incumbents hired before March 21, 2018 voluntarily elect to change status as at will positions in Attachment 2 (Personnel Rules Attachment C).

SECTION 2. Each and every provision of the Personnel Rules and related resolutions which is not superseded by or inconsistent with the foregoing shall remain in full force and effect.

SECTION 3. The City Manager or his designee shall amend Attachment C as approved.

SECTION 4. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 20th day of March, 2018.

Ayes:
Noes:
Abstain:
Absent:

Amy Howorth
Mayor City of Manhattan Beach

ATTEST:

Liza Tamura, City Clerk

City of Manhattan Beach
Personnel Rules
ATTACHMENT C

Classified Service

The following are designated to be in the Classified Service and therefore placed under the civil service system of the City. The City Council shall designate other full-time positions at-will and amend Attachment C of the Personnel Rules as appropriate.

- A. All full-time employees of the Police Department except the Chief of Police;
- B. All full-time employees of the Fire Department except the Fire Chief;
- C. All full-time employees of the Department of Community Development, except the Director of Community Development, Building Official, [Environmental Programs Manager](#), Senior Management Analyst and Traffic Engineer;
- D. All full-time employees of the Public Works Department, except the Director of Public Works, City Engineer, Utility Manager, Maintenance Manager, ~~Environmental Programs Manager~~ and Senior Management Analyst;
- E. All full-time employees of the Finance Department, except the Director of Finance, and Revenue Services Manager;
- F. All full-time employees of the Information Technology Department; except the Director of Information Technology and the Information Systems Manager;
- G. All full-time employees of the Management Services Department; except the Executive Assistant, City Clerk, Economic Development Manager, Communication/Civic Engagement Manager, Senior Management Analyst, and Legal Secretary;
- H. All full-time employees of the Parks and Recreation Department, except the Director of Parks and Recreation, Cultural Arts Manager, and Older Adult Program Supervisor;
- I. All full-time employees of the Human Resources Department except the Director of Human Resources, Executive Assistant, Human Resources [Manager](#), Risk Manager and Senior Human Resources Analyst.

Effective January 1, 2018, all new employees appointed to classified positions covered under the Manhattan Beach Mid-Management Employees' Association (MBMEA) Memorandum of Understanding (MOU) will be appointed at-will. Existing employees in classified positions covered under the MBMEA MOU as of January 1, 2018 have until March 8, 2018 to elect to convert from classified to at-will status or remain in classified status.

Effective March 21, 2018, all new employees appointed to full-time unrepresented classified positions will be appointed at-will. Existing employees in unrepresented classified positions as of March 20, 2018 will have until April 19, 2018 to elect to convert from classified to at-will status or remain in classified status.

(§ 2, Ord. 1419, eff. July 3, 1975, as amended by §1, Ord. 1597, eff. March 5, 1981, § 4, Ord. 1955, eff. October 3, 1996, § 1, Ord. 2008, eff. November 18, 1999, and § 1, Ord. 2010, eff. February 17, 2000, June 5, 2007 Reso. #6097, June 3, 2008 Reso. #6148, October 7, 2014 Reso. #14-0066, August 2, 2016 Reso #16-0050, [March 20, 2018 Reso #18-0032](#))

Revised: [March 20, 2018](#)~~[August 2, 2016](#)~~

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

George Gabriel, Management Analyst

SUBJECT:

Request by Mayor Howorth to Discuss Possible Support of the Manhattan Beach Unified School District Parcel Tax Measure.

CONSIDER ADOPTING RESOLUTION NO. 18-0038

RECOMMENDATION:

At the request of Mayor Howorth, staff recommends that City Council consider adopting Resolution No. 18-0038 supporting the Manhattan Beach Unified School District (MBUSD) Parcel Tax Measure on the upcoming June 5, 2018 Statewide Direct Primary Election.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

At the Manhattan Beach Unified School District (MBUSD) Board meeting on February 28, 2018, the Board of Trustees adopted Resolution No. 2018-8 (Attachment 2), which calls an election, establishes specifications of the election order and requests consolidation with other elections occurring on June 5, 2018.

The resolution adopted by the MBUSD Board of Trustees indicates their intent to enact a parcel tax measure in an effort to continue providing locally-controlled funding to MBUSD.

At the March 6, 2018 City Council meeting, Mayor Howorth requested a discussion be placed on the March 20, 2018 agenda to consider a resolution in support of the MBUSD Parcel Tax Measure.

DISCUSSION:

On September 19, 2017, the MBUSD Board of Trustees held a discussion regarding the impacts of the California education budget on the School District. Shortly thereafter, MBUSD released a factsheet on a potential ballot measure for voter consideration (Attachment 3). The factsheet stated that:

“Manhattan Beach schools rely on the State for virtually all of our operating funds; however, the State has proven to be an unreliable partner, making the District vulnerable to budget cuts. In order to maintain quality education and keep our schools among California’s best, the District is considering placing a local funding measure in the form of a parcel tax on an upcoming ballot.”

After many Board of Trustee meetings, subcommittee meetings, community surveys, and feasibility studies, the Board of Trustees directed District Staff to move forward in preparing to place a parcel measure on the June 5, 2018 ballot.

In adopting Resolution No. 2018-8 on February 28, 2018, the MBUSD Board of Trustees presented the official ballot text for the measure, which states:

“To maintain quality education, keep Manhattan Beach schools among California's best, offset severe state funding shortfalls and provide \$2,650,000 annually the state cannot take away, to:

- Attract and retain high-quality teachers
- Maintain manageable class sizes
- Protect quality math, science, reading, art/music programs,

shall Manhattan Beach Unified School District levy \$225 per parcel annually, expiring in six years, with senior exemptions, independent oversight/audits, no money for administrators, and all funds staying local?”

Staff has drafted Resolution No. 18-0038 (Attachment 1), if City Council decides to support MBUSD’s Parcel Tax Measure. Upon adoption and if directed, staff will send a letter to the Manhattan Beach Unified School District indicating the City’s position on the ballot measure.

PUBLIC OUTREACH/INTEREST:

After analysis, staff determined that public outreach was not required for this issue.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Resolution No.18-0038
2. MBUSD Resolution No. 2018-8 Calling June 5, 2018 Election
3. MBUSD Funding Measure Factsheet

4. MBUSD February 28, 2018 Staff Report
5. PowerPoint Presented to MBUSD Board of Trustees

RESOLUTION NO. 18-0038

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL IN SUPPORT OF THE MANHATTAN BEACH UNIFIED SCHOOL DISTRICT PARCEL TAX MEASURE APPEARING ON THE JUNE 5, 2018 STATEWIDE DIRECT PRIMARY ELECTION

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby supports and endorses the ballot measure appearing on the June 5, 2018 Statewide Direct Primary Election titled, "Manhattan Beach Unified School District Academics and Teacher Protection Measure" levying a \$225 parcel tax on Manhattan Beach residents to attract and retain high quality teachers, maintain manageable class sizes, and protect quality math, science, reading, and art/music programs.

SECTION 2. The City Clerk shall certify to the passage and adoption of this resolution.

ADOPTED on MARCH 20, 2018.

AYES:
NOES:
ABSENT:
ABSTAIN:

AMY HOWORTH
Mayor

ATTEST:

LIZA TAMURA
City Clerk

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 2018-8

**RESOLUTION OF THE GOVERNING BOARD OF THE
MANHATTAN BEACH UNIFIED SCHOOL DISTRICT CALLING AN ELECTION,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER AND
REQUESTING CONSOLIDATION WITH OTHER ELECTIONS
OCCURRING ON JUNE 5, 2018**

WHEREAS, the Manhattan Beach Unified School District (“District”) is committed to offering a high-quality educational program to all students within the District and securing adequate funding to meet that purpose; and

WHEREAS, the District believes that all local students deserve a high-quality, well-rounded education and is committed to remaining one of the top districts in the nation in student achievement; and

WHEREAS, as our strong local schools continue to improve, they contribute to the quality of life that makes Manhattan Beach a desirable place to live and help protect property values; and

WHEREAS, the District is determined to continue to attract and retain highly qualified teachers, keep manageable class sizes, and protect effective programs in math, science, technology, engineering, reading, writing, language, social studies and the arts, preparing students for top colleges and careers; and

WHEREAS, although the District relies on the State for the vast majority of its operating budget, the District receives the second lowest amount of State funds among all California unified school districts; and

WHEREAS, other similar high-performing districts in LA County and statewide depend on dedicated parcel taxes to maintain high quality schools; and

WHEREAS, the District requires stable local funding to offset severe State funding shortfalls and keep our schools among the very best; and

WHEREAS, without local education parcel tax funding, our local schools would suffer deep cuts to teaching and educational programs, which would lead to class size increases and significant reductions in teacher positions and specialized academic programs; and

WHEREAS, an adequately funded and well-developed public education program provides numerous benefits and advantages to all residents of the community, including supporting strong local property values; and

WHEREAS, the District wishes to enact a parcel tax measure, whose purpose is to continue to provide locally-controlled funding to the District; and

WHEREAS, a parcel tax measure would require fiscal accountability provisions, including an independent Citizens' Oversight Committee, annual audits and safeguards to ensure all funding would stay local in Manhattan Beach Unified School District schools and could not be taken by the State or used for other purposes; and

WHEREAS, property owners aged 65 and older and certain owners receiving SSI or SSDI would be eligible for an optional exemption from the cost of the measure; and

WHEREAS, Section 4 of Article XIII A and Section 2 of Article XIII C of the California Constitution and sections 50075, 50076, 50077, 50079 and 53722 *et seq.* of the California Government Code authorize a school district, upon approval of two-thirds (2/3) of the electorate voting on the measure, to levy a qualified special tax for specified purposes following notice and a public hearing; and

WHEREAS, in the judgment of this Governing Board ("Board"), following public hearings and comment, it is advisable to request that the Los Angeles County Registrar-Recorder/County Clerk ("Elections Office") call an election and submit to the voters of the District the question of whether the District shall levy a special tax within the District for the purpose of raising additional revenue for the District; and

WHEREAS, pursuant to Education Code section 5342 and Elections Code sections 10400, 10402 and 10403 such election may be completely or partially consolidated with any other election held on the same day and in the same territory or portion of territory that is the same; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Resolution Constitutes Order of Election. This resolution shall constitute an order of election pursuant to Education Code section 5320 *et seq.*

2. Date and Purpose of Measure. Date and Purpose of Measure. Pursuant to Section 4 of Article XIII A of the California Constitution and Government Code section 50077, a special election shall be held within the boundaries of the District on Tuesday, June 5, 2018, for the purpose of voting on a measure ("Measure") which will be presented to voters in substantially the form attached hereto as Exhibit A, containing the question of whether the District shall impose a special tax for the educational purposes stated therein. In addition, the full text of the Measure ("Full Ballot Text") shall appear in the ballot pamphlet in substantially the form attached hereto as Exhibit B.

3. Amount of Tax. The qualified special tax shall be in the amounts and manner set forth in Exhibit B attached hereto.

4. Senior Exemption From Special Tax. An exemption from payment of the special tax may be granted on any parcel owned by one or more persons 65 years of age or over who

occupies parcel as a principal residence, upon application for exemption ("Senior Citizen Exemption"). New applications for such exemptions must be made and delivered to the District no later than July 6, 2018, to be exempt during the first levy of the tax and on or before May 15 (or the next regular business day thereafter) of each subsequent year the parcel tax is levied in accordance with the process established by the District and as described in the attached Ballot Measure (Exhibit B hereto). The District shall annually provide to the County Treasurer-Tax Collector or other appropriate County tax official a list of parcels that the District has approved for a Senior Citizen Exemption. ~~Persons that have previously filed and obtained an exemption under Measure S will not be required to file a new application for exemption for this special tax.~~ MM

5. Supplemental Security Income (SSI) Recipient Exemption From Special Tax. An exemption from payment of the special tax may be granted on any single family parcel owned by one or more persons receiving Supplemental Security Income ("SSI") for disability, regardless of age, who occupies the parcel as a principal residence, upon application for exemption ("SSI Recipient Exemption"). New applications for such exemptions must be made and delivered to the District no later than July 6, 2018, to be exempt during the first levy of the tax and on or before May 15 (or the next regular business day thereafter) of each subsequent year the parcel tax is levied in accordance with the process established by the District and as described in the attached Ballot Measure (Exhibit B hereto). The District shall annually provide to the County Treasurer-Tax Collector or other appropriate County tax official a list of parcels that the District has approved for an SSI Recipient Exemption. ~~Persons that have previously filed and obtained an exemption under Measure S will not be required to file a new application for exemption for this special tax.~~ MM

6. Social Security Disability Insurance Benefit Recipient Exemption From Special Tax. An exemption from payment of the special tax may be granted on any single family parcel owned by one or more persons receiving Social Security Disability Insurance Benefits ("SSDI") regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services. New applications for such exemptions must be made and delivered to the District no later than July 6, 2018, to be exempt during the first levy of the tax and on or before May 15 (or the next regular business day thereafter) of each subsequent year the parcel tax is levied in accordance with the process established by the District and as described in the attached Ballot Measure (Exhibit B hereto). The District shall annually provide to the County Treasurer-Tax Collector or other appropriate County tax official a list of parcels that the District has approved for an SSDI Recipient Exemption. ~~Persons that have previously filed and obtained an exemption under Measure S will not be required to file a new application for exemption for this special tax.~~ MM

7. Collection of the Tax. The special tax shall be collected by the County Tax Collector of the County of Los Angeles ("County Tax Collector"), as applicable based on parcel location, at the same time, in the same manner, and subject to the same penalties as *ad valorem* property taxes collected by the County Tax Collector. Unpaid special taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid.

The special tax shall be levied on all parcels of taxable real property in the District. The District shall hold a public hearing concerning imposition of the tax each year during which

the tax is in effect. "Parcel of Taxable Real Property" shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector's Office. All property that is otherwise exempt from or upon which *ad valorem* property taxes are not levied in any year shall also be exempt from the special tax in such year. With respect to all general property tax matters within its jurisdiction, the County Tax Collector shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including the classification of property for purposes of calculating the tax, the decisions of a District administrative review panel shall be final and binding.

8. Authority for Ordering Election. The authority for ordering the election is contained in section 50075 *et seq.* of the Government Code and Section 4 of Article XIII A of the California Constitution.

9. Authority for Specifications. The authority for the specification of this election order is contained in section 5322 of the Education Code.

10. Resolution to County Registrar and County Board. The Clerk of the Governing Board is hereby directed to immediately send a copy of this Resolution to the County Registrar, as the officer conducting the election, the Los Angeles County Superintendent of Schools ("County Superintendent"), and to the Los Angeles County Clerk of the Board of Supervisors ("County Board"). The Board requests that the County Superintendent deliver a copy of all published notices to the Clerk of this Board.

11. Formal Notice. The County Superintendent is hereby requested to prepare and execute a formal Notice of Parcel Tax Election and Consolidation ("Notice") and to call the election by causing the Notice to be posted in accordance with section 5362 of the Education Code no later than March 7, 2018, or otherwise cause the Notice to be published as permitted by law.

12. Conduct of Election.

(a) *Request to County Registrar.* Pursuant to section 5303 of the Education Code, the County Registrar is requested to take all steps to hold the election in accordance with law and these specifications. The Board requests that the Registrar of Voters deliver a copy of all published notices to the Clerk of this Board pursuant to section 12113 of the Elections Code.

(b) *Voter Pamphlet.* The County Registrar is hereby requested to reprint the Full Ballot Text in substantially the form attached hereto as Exhibit B in the voter information pamphlet to be distributed to voters pursuant to section 13307 of the Elections Code. In the event the Full Ballot Text will not be reprinted in the voter information pamphlet in its entirety, the County Registrar is hereby requested to print, immediately below the impartial analysis of the Measure, in no less than 10-point boldface type, a legend substantially as follows:

The above statement is an impartial analysis of this measure. If you desire a copy of the resolution for this measure, please call the Los

Angeles Registrar of Voters at (562) 466-1310, and a copy will be mailed at no cost to you. The full text of the Measure may also be viewed online at www.lavote.net.

(c) *Consolidation.* Pursuant to Education Code section 5342 and Elections Code section 10402.5, the County Registrar and the County Board are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on June 5, 2018, within the District.

(d) *Cost of Election.* The District agrees to reimburse the County of Los Angeles for the cost of such election.

(e) *Canvass of Results.* The County Board is authorized to canvass the returns of the election pursuant to section 10411 of the Elections Code.

13. Appropriations Limit. The Board shall provide in each year for an increase in the District's appropriations limit as shall be necessary to ensure that the proceeds of the special tax may be spent for its authorized purposes.

14. Full Ballot Text. The Board hereby determines to include within the ballot pamphlet the Full Ballot Text in substantially the form attached hereto as Exhibit B, which is hereby approved and adopted by the Board, and the County Registrar is hereby directed to include the Full Ballot Text in the ballot pamphlet.

15. Ballot Arguments. The President of the Board and/or her designees are hereby authorized to prepare and file with the County Registrar any ballot argument prepared in connection with the election, including a rebuttal argument, each within the time established by the County Registrar, which shall be considered the official ballot arguments of the Governing Board as sponsor of the Measure.

16. Official Actions. The District Superintendent, President of the Board, or their designees, are hereby authorized and directed to execute any other document and to perform all acts necessary to place the Measure on the ballot, including making any changes to the text of the measure described in this Resolution, or to the abbreviated form of the measure, or to the text of this Resolution, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law.


17. Accountability Measures. The members of the Board, the Superintendent of the District, and officers of the District are hereby requested and directed, individually and collectively, to provide accountability measures pursuant to Government Code section 50075.1 that include, but are not limited to, all of the following: (a) A statement indicating the specific purposes of the qualified special tax, (b) a requirement that the proceeds be applied only to the specific purposes identified pursuant to subsection (a), (c) the creation of an account into which the proceeds shall be deposited, and (d) an annual report pursuant to section 50075.3 of the Government Code, as provided in Section 18 below. In addition to the accountability measures

required by law, if any, the District will establish an oversight committee to provide oversight as to the expenditure of education parcel tax revenues.

18. Annual Report. Pursuant to section 50075.3 of the Government Code, the Board directs that the chief fiscal officer of the District file a report with the Board no later than January 1, 2020, and at least once a year thereafter. The annual report shall contain both of the following: (a) The amount of funds collected and expended, and (b) the status of any project required or authorized to be funded by the special tax.

ADOPTED, SIGNED, and APPROVED by the Governing Board of the Manhattan Beach Unified School District on February 28, 2018, by the following vote:

AYES:	<u>7</u>
NOES:	<u>0</u>
ABSTENTIONS:	<u>0</u>
ABSENT:	<u>0</u>



President of the Governing Board of the
Manhattan Beach Unified School District

STATE OF CALIFORNIA)
)
LOS ANGELES COUNTY)

I, Michael D. Matthews, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2018-8, which was duly adopted by the Board of Trustees of the Manhattan Beach Unified School District at meeting thereof held on February 28, 2018, and that it was so adopted by the following vote:

AYES: 7
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

By 
Secretary of the Board of Trustees

EXHIBIT A

ABBREVIATED TEXT OF MEASURE

**MANHATTAN BEACH UNIFIED SCHOOL DISTRICT
ACADEMICS AND TEACHER PROTECTION MEASURE**

To maintain quality education, keep Manhattan Beach schools among California's best, offset severe state funding shortfalls and provide \$2,650,000 annually the state cannot take away, to:

- Attract and retain high-quality teachers
- Maintain manageable class sizes
- Protect quality math, science, reading, art/music programs,

shall Manhattan Beach Unified School District levy \$225 per parcel annually, expiring in six years, with senior exemptions, independent oversight/audits, no money for administrators, and all funds staying local?

EXHIBIT B

FULL BALLOT TEXT

The full text of the ballot measure shall read as follows:

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT ACADEMICS AND TEACHER PROTECTION MEASURE

INTRODUCTION AND PURPOSE

To provide funding for core programs in math, science, reading, writing, language, social studies, technology, engineering, art and music, and athletics, provide local reliable funding for local schools that cannot be taken by the State, attract and retain highly qualified teachers, with no proceeds used for administrators' salaries, benefits and pensions, the Manhattan Beach Unified School District ("District") proposes an education parcel tax for a period of six years starting on July 1, 2018, at a rate of \$225 per parcel per year, with an exemption available for senior citizens and certain disabled persons, and to implement accountability measures, including citizen oversight, to ensure the funds are used to help:

- Maintain quality education
- Keep Manhattan Beach schools among California's best
- Attract and retain high-quality teachers;
- Maintain manageable class sizes;
- Protect quality academic and arts programs including, math, science, reading, writing, language, social studies, art and music

The proceeds of the education parcel tax shall be deposited into a separate account created by the District.

Basis of Tax

The tax shall be levied on all Parcels of Taxable Real Property in the District, as defined below, on the following basis:

Type of Parcel

All Parcels

Rate of Annual Tax

Not to exceed Two Hundred Twenty Five Dollars (\$225.00) per parcel.

DEFINITION OF "PARCEL"

For purposes of the education parcel tax, the term "Parcel" means any parcel of land which lies wholly or partially within the boundaries of the Manhattan Beach Unified School District, that receives a separate tax bill for *ad valorem* property taxes from the Los Angeles County Assessor/Tax Collector, as applicable. All property that is otherwise exempt from or

upon which are levied no *ad valorem* property taxes in any year shall also be exempt from the education parcel tax in such year.

EXEMPTION FOR SENIORS AND RECIPIENTS OF SSI AND SSDI

Pursuant to California Government Code Section 50079 (b)(1), any owner of a Parcel used solely for owner-occupied, single-family residential purposes and who are either (a) 65 years of age or older on or before June 30 of the fiscal year immediately preceding the year in which the tax would apply, or (b) persons receiving Supplemental Security Income for a disability, regardless of age, or (c) receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services, may obtain an exemption from the parcel tax by submitting an application therefore, by June 15 of any year, to the District.

Those persons who believe that they are eligible for an exemption from the education parcel tax, must file an application for exemption by July 6, 2018 in order to be exempt for the 2018-19 fiscal year.

All persons who expect to receive an exemption shall have applied for such by May 15, 2019 for the levy of the 2019-2020 and each subsequent fiscal year's parcel tax.

With respect to all general property tax matters within its jurisdiction, the Los Angeles County Treasurer and Tax Collector or other appropriate county tax officials, shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the education parcel tax, including any exemptions and the classification of property for purposes of calculating the tax, the decisions of the District shall be final and binding.

CLAIM PROCEDURES

With respect to all general property tax issues and billing matters within its jurisdiction, the Los Angeles County Tax Assessor or other appropriate County tax official shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including determination of Senior Citizen Exemption or Disability Exemption, however, the decisions of the District shall be final and binding. In the latter case, a claim for a refund of the special tax shall comply with the following and any additional procedures as established by the Board:

(a) All claims shall be filed with the Superintendent of the District no later than one year after the date the tax was paid. The claimant shall file the claim within this time period and the claim shall be finally acted upon the Board as a prerequisite to bringing suit thereon.

(b) Pursuant to Government Code section 935 (b) the claim shall be subject to the provisions of Government Code sections 945.6 and 946.

(c) The Board shall act on a timely claim within the time period required by Government Code section 912.4.

(d) The procedure described herein, and any additional procedures established by the Board, shall be the exclusive claims procedure for claimants seeking a refund, reduction, or re-computation of the special tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County, as necessary.

APPROPRIATIONS LIMIT

Pursuant to California Constitution article XIIIB and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

ACCOUNTABILITY MEASURES

In accordance with the requirements of California Government Code Sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the education parcel tax: (a) the specific purposes of the education parcel tax shall be those purposes identified above; (b) the proceeds of the education parcel tax shall be applied only to those specific purposes identified above; (c) a separate, special account shall be created into which the proceeds of the education parcel tax must be deposited; and (d) an annual written report shall be made to the Board of Trustees of the District showing (i) the amount of funds collected and expended from the proceeds of the education parcel tax and (ii) the status of any projects or programs required or authorized to be funded from the proceeds of the education parcel tax, as identified above. In addition to the accountability measures required by law, if any, the District will establish an oversight committee to provide oversight as to the expenditure of education parcel tax revenues.

ANNUAL PLAN

An expenditure plan (the "Proposed Annual Plan") shall be developed annually, on or before June 30, 2019, for the succeeding fiscal year by the District staff in consultation with the independent Citizens' Oversight Committee. The Proposed Annual Plan will recommend expenditures of the tax proceeds that are consistent with the intent of the Funding Measure. The assumptions associated with the recommended expenditures shall be included in the Proposed Annual Plan. The Proposed Annual Plan shall be presented for Board action each fiscal year in conjunction with the District's annual budget adoption process for the subsequent fiscal year. To facilitate public discussion, the Proposed Annual Plan shall be made available for public review.

SEVERABILITY

The Board hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part of the measure or taxing formula be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the measure or taxing formula hereof shall remain in full force and effect to the fullest extent allowed by law.

REDUCTION IN TAX IF RESULT IS LESS OTHER GOVERNMENT SUPPORT

The collection of the education parcel tax is not intended to decrease or offset any increase in local, state or federal government revenue sources that would otherwise be available to the District during the period of the education parcel tax. In the event that the levy and collection does have such an effect, the District may cease the levy or shall reduce the education parcel tax to the extent that such action would restore the amount of the decrease or offset in other revenues.

End of Full Ballot Text of Measure

EXHIBIT C

FORMAL NOTICE OF PARCEL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Manhattan Beach Unified School District that in accordance with the provisions of the Government Code of the State of California, an election will be held on June 5, 2018, at which election the following proposition shall be submitted to the qualified electors of the District and voted upon:

**“MANHATTAN BEACH UNIFIED SCHOOL DISTRICT
ACADEMICS AND TEACHER PROTECTION MEASURE**

To maintain quality education, keep Manhattan Beach schools among California's best, offset severe state funding shortfalls and provide \$2,650,000 annually the state cannot take away, to: Attract and retain high-quality teachers; Maintain manageable class sizes; Protect quality math, science, reading, art/music programs, shall Manhattan Beach Unified School District levy \$225 per parcel annually, expiring in six years, with senior exemptions, independent oversight/audits, no money for administrators, and all funds staying local?”

The Los Angeles County Superintendent of Schools, by this Notice of Election, has called the election pursuant to a Resolution of the Board of Trustees of the Manhattan Beach Unified School District, adopted on February 28, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand this ____day of _____
2018.

Los Angeles County Superintendent of Schools

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

Maintaining Quality Education in MBUSD Schools



Commitment to Continuing District Achievement and Success

Manhattan Beach Unified School District is committed to maintaining the quality education our students and community need and deserve. With standardized test scores ranking in the top 1% in the State, many families choose to live in Manhattan Beach because of our local schools. Our outstanding teachers and rigorous academics prepare MBUSD students for the top colleges and competitive careers.

Our strong local schools continue to improve, contributing to the quality of life that makes Manhattan Beach such a desirable place to live and helps protect property values.



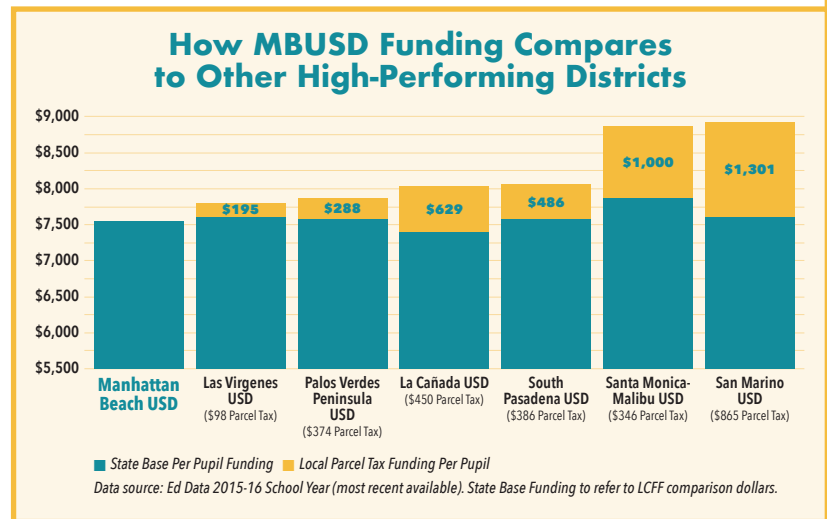
Potential Funding Measure to Keep MBUSD Schools Among the Best into the Future

Manhattan Beach schools rely on the State for virtually all of our operating funds; however, the State has proven to be an unreliable partner, making the District vulnerable to budget cuts. In order to maintain quality education and keep our schools among California's best, the District is considering placing a local funding measure in the form of a parcel tax on an upcoming ballot.

Manhattan Beach USD is one of the only top-ranking school districts in California without dedicated locally-controlled funding, meaning our available funding is as much as \$5,000 less per student, per year than other high-achieving districts, including Palo Alto USD, Palos Verdes Peninsula USD, San Marino USD and La Cañada USD, all with annual parcel tax revenue.

The amount and term of a proposed measure has not yet been determined. If approved by 66.7% of Manhattan Beach voters, a local measure would provide stable, reliable revenue for our schools to:

- ▲ Attract and retain high-quality teachers and maintain manageable class sizes
- ▲ Protect quality math, science, reading, art/music
- ▲ Protect advanced programs in science, technology, engineering, and math (STEM)
- ▲ Continue to prepare students for top colleges and careers
- ▲ Provide adequate instructional materials and classroom supplies



Locally Controlled, Dedicated Funding with Citizens Oversight


A local funding measure would provide Manhattan Beach Unified schools with necessary revenues to protect quality education in our schools.

- ▲ Every dollar would stay in Manhattan Beach and be used to support our local schools; none of the funds could be taken away by the State or used for administrator salaries
- ▲ Independent oversight and audits would be required to ensure funds are spent as promised

We welcome your feedback. Your opinions and involvement are valuable, and we hope that you share your comments and questions with us. Please feel free to contact Superintendent Michael Matthews at (310) 318-7345 x5900.



Agenda Item Details

Meeting	Feb 28, 2018 - Regular Board Meeting, 6:00 PM - District Office, 325 S. Peck Ave., Manhattan Beach, CA 90266
Category	C. ACTION ITEMS
Subject	6. Approve Resolution 2018-8 Calling an Election to Impose a Parcel Tax. (Dr. Murakawa-Leopard)
Type	Action
Preferred Date	Feb 28, 2018
Absolute Date	Feb 28, 2018
Fiscal Impact	Yes
Recommended Action	Approval is recommended
Goals	 Board Goal #2 - Budget and Infrastructure

BACKGROUND

At the September 19 Board meeting MBEF presented the Board with information about the California education budget demonstrating that MBUSD is one of the lowest funded districts in California and that, among similar high-achieving districts, MBUSD is not only one of the lowest funded districts, but it is also one of the very few districts where the budget is not supplemented by a local parcel tax. The Board directed Dr. Matthews to take steps to get more information about a parcel tax, its viability, and its potential impact on the District. On October 4, Dr. Matthews and Dr. Murakawa-Leopard provided the Board with that information, and the Board appointed a subcommittee to move forward with this effort. On November 14, the Board engaged Charles Heath of Terris Barnes Walters Boigon Heath, Inc. (TBWB), to provide assistance in determining the feasibility of a parcel tax measure, and TBWB worked with John Fairbanks and Sharon Pinkerton of the firm of Fairbank, Maslin, Maullin, Metz & Associates (FM3) to conduct a community survey and analyze the resulting data, the results of which were presented to the Board on February 7. At that time, the Board directed staff to move forward in preparing to place a parcel tax measure on the June 2018 ballot.

At this time, the Board is asked to approve a resolution to constitute an order of election pursuant to Education Code section 5320 et seq., with ballot language proposed as follows:

To maintain quality education, keep Manhattan Beach schools among California's best, offset severe state funding shortfalls and provide \$2,650,000 annually the state cannot take away, to:

- Attract and retain high-quality teachers
- Maintain manageable class sizes
- Protect quality math, science, reading, art/music programs

shall the Manhattan Beach Unified School District levy \$225 per parcel annually, expiring in six years, with senior exemptions, independent oversight/audits, no money for administrators, and all funds staying local?

FINANCIAL IMPACT

It is estimated that election costs related to the proposed ballot measure will be \$56,045.47. Costs will be paid out of the general fund.

 [2018-8 - MBUSD Parcel Tax Resolution.pdf \(166 KB\)](#)

Motion & Voting

Motion to approve Resolution 2018-8 Calling an Election to Impose a Parcel Tax with the amendment to strike ", as adjusted by annual increases of 3%" from Exhibit B

Motion by Ellen Rosenberg, second by Bill S Fournell.

Final Resolution: Motion Carries

Aye: Jennifer P Cochran, Christine Cronin-Hurst, Bill S Fournell, Karen A Komatinsky, Ellen Rosenberg, Keeli Hartley, Rebecca Rawson



Planning For a Successful Parcel Tax Measure

Manhattan Beach Unified School District

February 7, 2018

Charles Heath, Partner

TBWB Strategies

Parcel Taxes in High Performing Districts

San Marino USD

\$865 per parcel plus 3% COLA for 6 years
\$330 per parcel plus CPI COLA for 6 years
Current combined rate: \$1,290 per parcel

Arcadia USD

\$288 per parcel for 18 years

La Canada USD

\$450 per parcel for 7 years

Palos Verdes Peninsula USD

\$374 per parcel plus CPI COLA and no expiration
Current rate: \$446 per parcel

South Pasadena USD

\$386 per parcel for 7 years
(2/28/18 special election to renew for 7 years with CPI COLA)

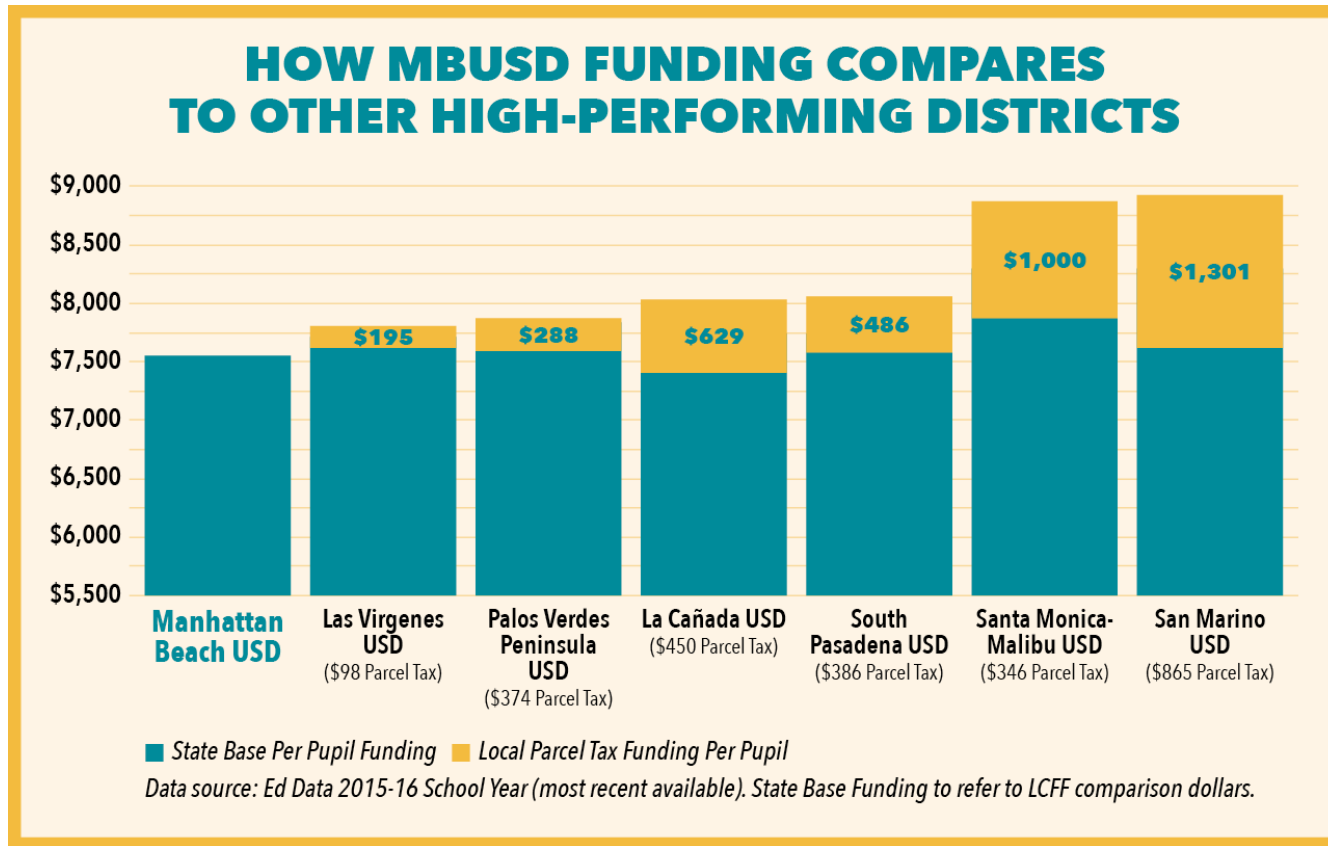
Santa Monica-Malibu USD

\$346 per parcel tax plus CPI COLA and no expiration
Current combined rate: \$396 per parcel

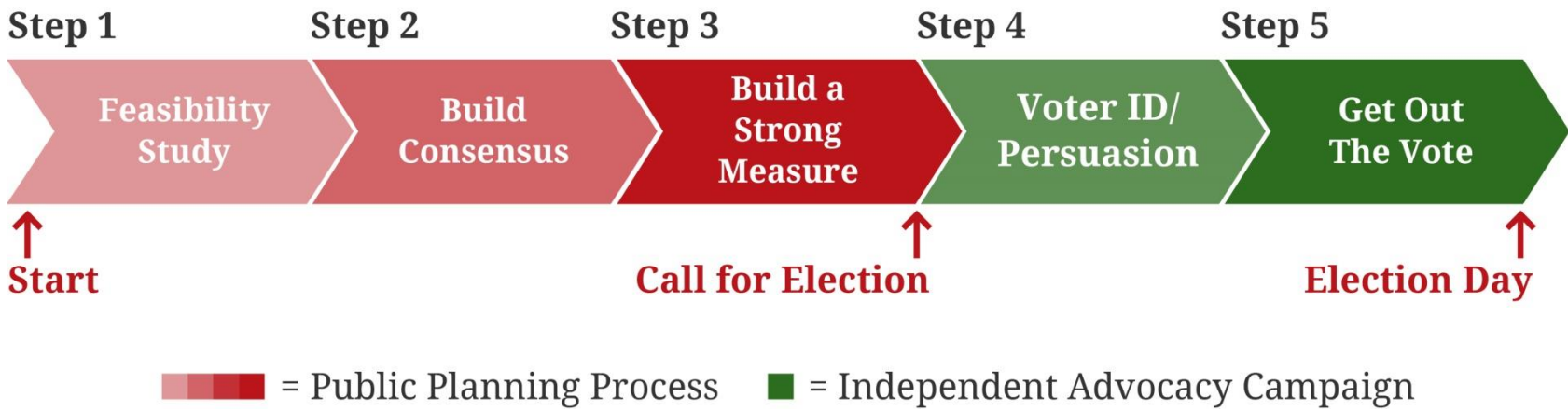
Las Virgenes USD

\$98 per parcel for 12 years

Local Funding Augments School Budgets



The Parcel Tax Process





Grand View Elementary



Pennekamp Elementary



Meadows Elementary



Robinson Elementary



Pacific Elementary



Manhattan Beach Middle School



Mira Costa High School



Manhattan Beach Unified School District

Parcel Tax Measure Study

Survey Conducted
December 11-19, 2017

CONSULTANT EXECUTION DRAFT. NOT FOR PUBLICATION.
CA GOVT CODE 6254.

Fairbank, Maslin, Maullin, Metz & Associates – FM3

PUBLIC OPINION RESEARCH & STRATEGY

Methodology

- Conducted December 11 through 19, 2017
- Dual-mode survey administered by telephone (landlines and cell phones) and online
- Interviewed 657 MBUSD likely November 2018 voters and 550 likely June voters
- The Margin of Error for the full sample is +/- 4.4 percentage points. The Margin of Error for the June 2018 electorate sample is 5.2 percent. The Margin of Error for questions asked of subsets of the sample will be larger.
- Some percentages may not add up to 100% due to rounding

Key Findings

- The parcel tax measure receives support from 61% of November voters and 62% from June voters in the initial vote. This suggests the measure would be similarly received in either election.
- After learning more about the need for additional funds, support inches up to 64% among November voters and 65% among June voters.
- Based on the equally strong support in either November or June, the District should consider a June election to generate needed funds as quickly as possible.

Key Findings

- Nearly 8 in 10 voters have a positive impression of MBUSD—with high proportions of those with and without a child in the school district giving this response.
- Respondents clearly value protecting and maintaining the District’s high-quality education—with the top ranked features being attracting/retaining high-quality teachers, protecting STEM classes, preparing students for top colleges and careers, maintaining manageable class sizes, and maintaining advanced classes.
- Support is particularly strong with MBUSD parents.



Grand View
Elementary



Pennekamp
Elementary



Meadows
Elementary



Robinson
Elementary



Pacific
Elementary



Manhattan Beach
Middle School



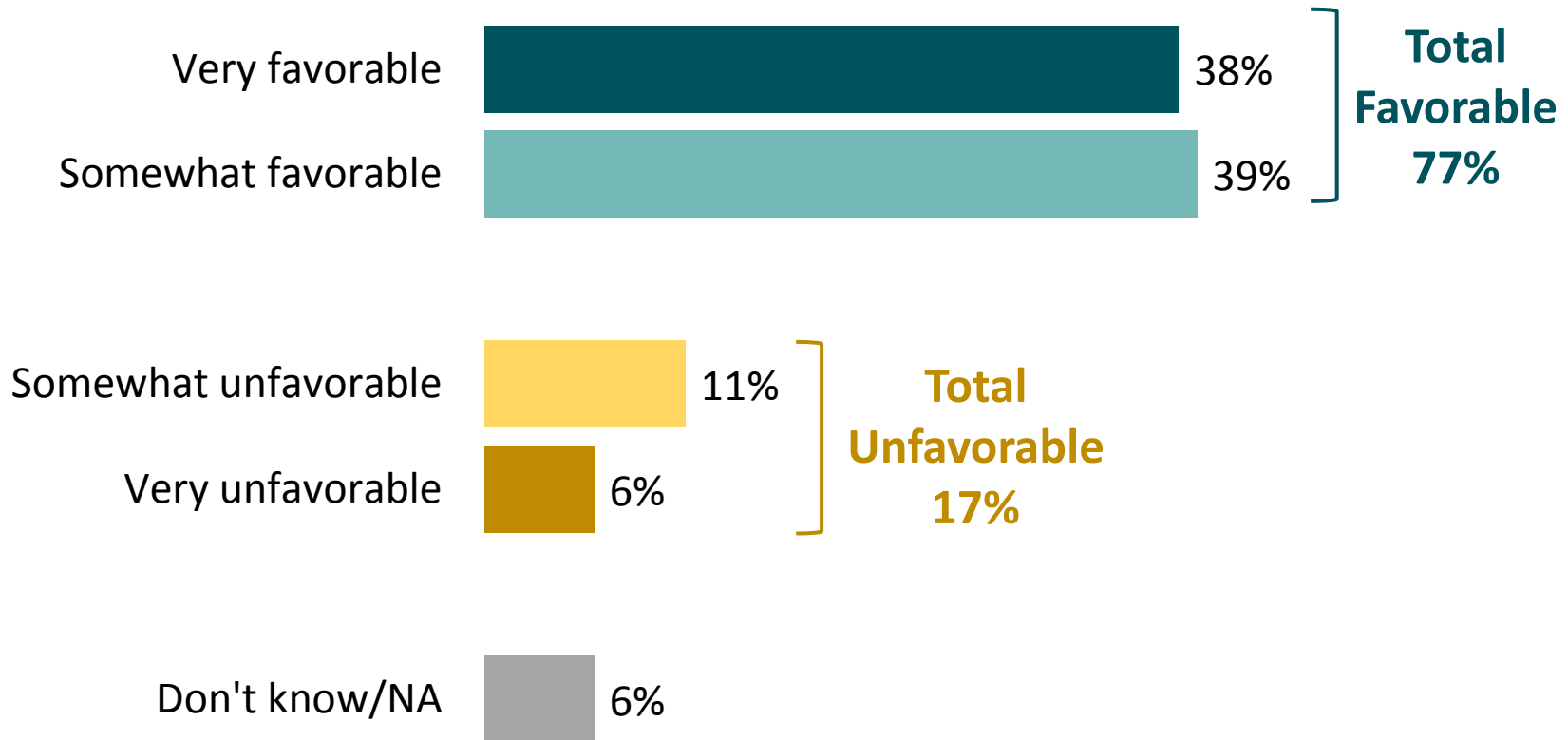
Mira Costa
High School

The Mood of the Electorate

Residents have a positive impression of MBUSD

5th Council Meeting
March 20, 2018

In general, would you say that you have a favorable or unfavorable opinion of the Manhattan Beach Unified School District?

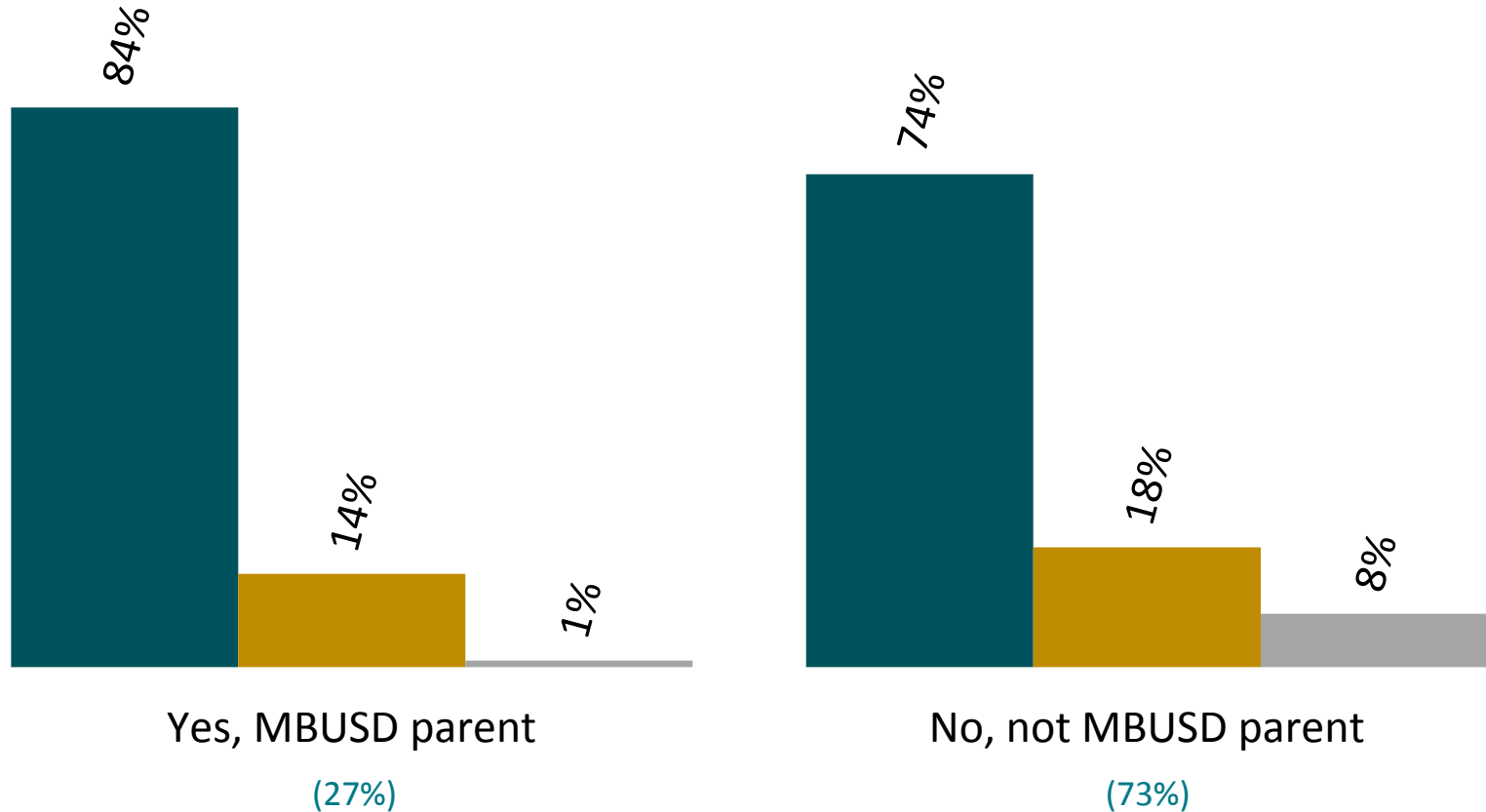


Page 130 of 430

Residents have a positive impression of the District regardless of having a child in it

Opinion of Manhattan Beach USD by MBUSD Parents

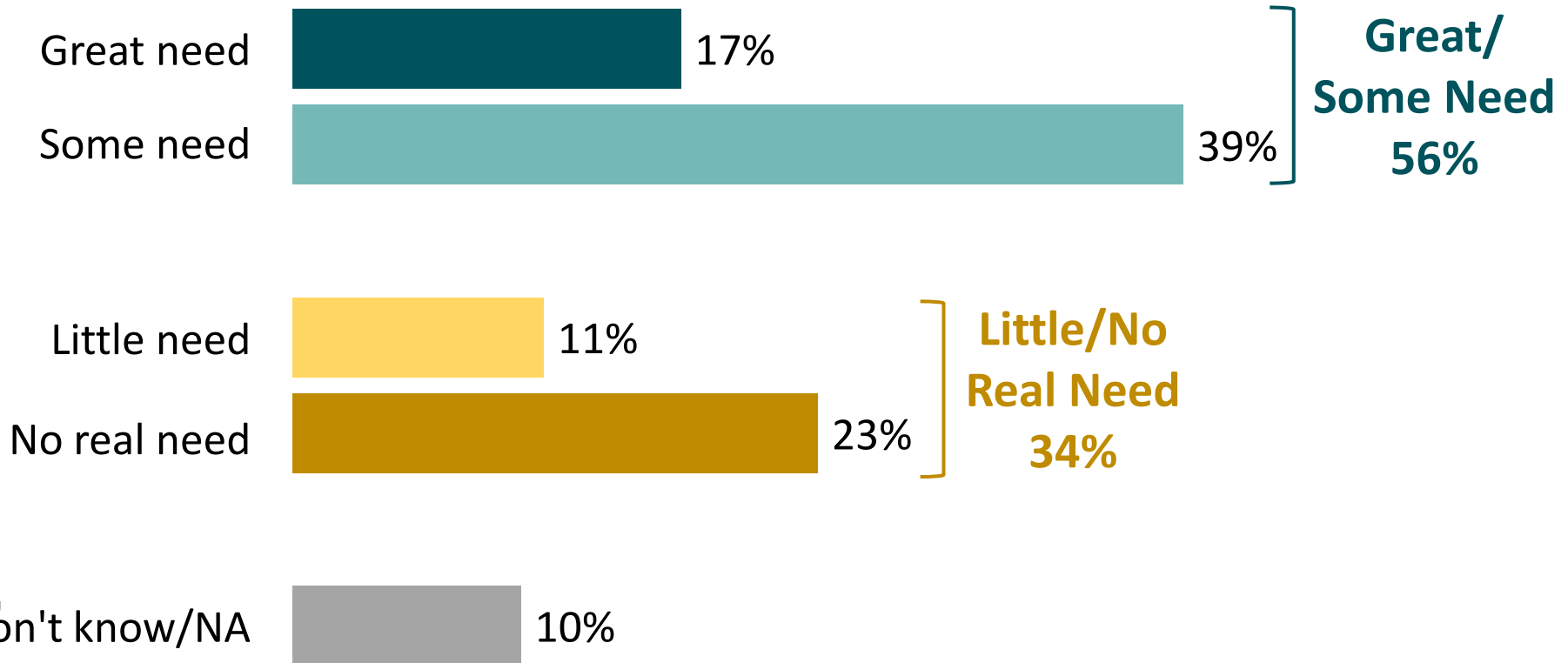
■ Total Favorable ■ Total Unfavorable ■ Don't Know/NA



There is only a modest perception of need for more funding

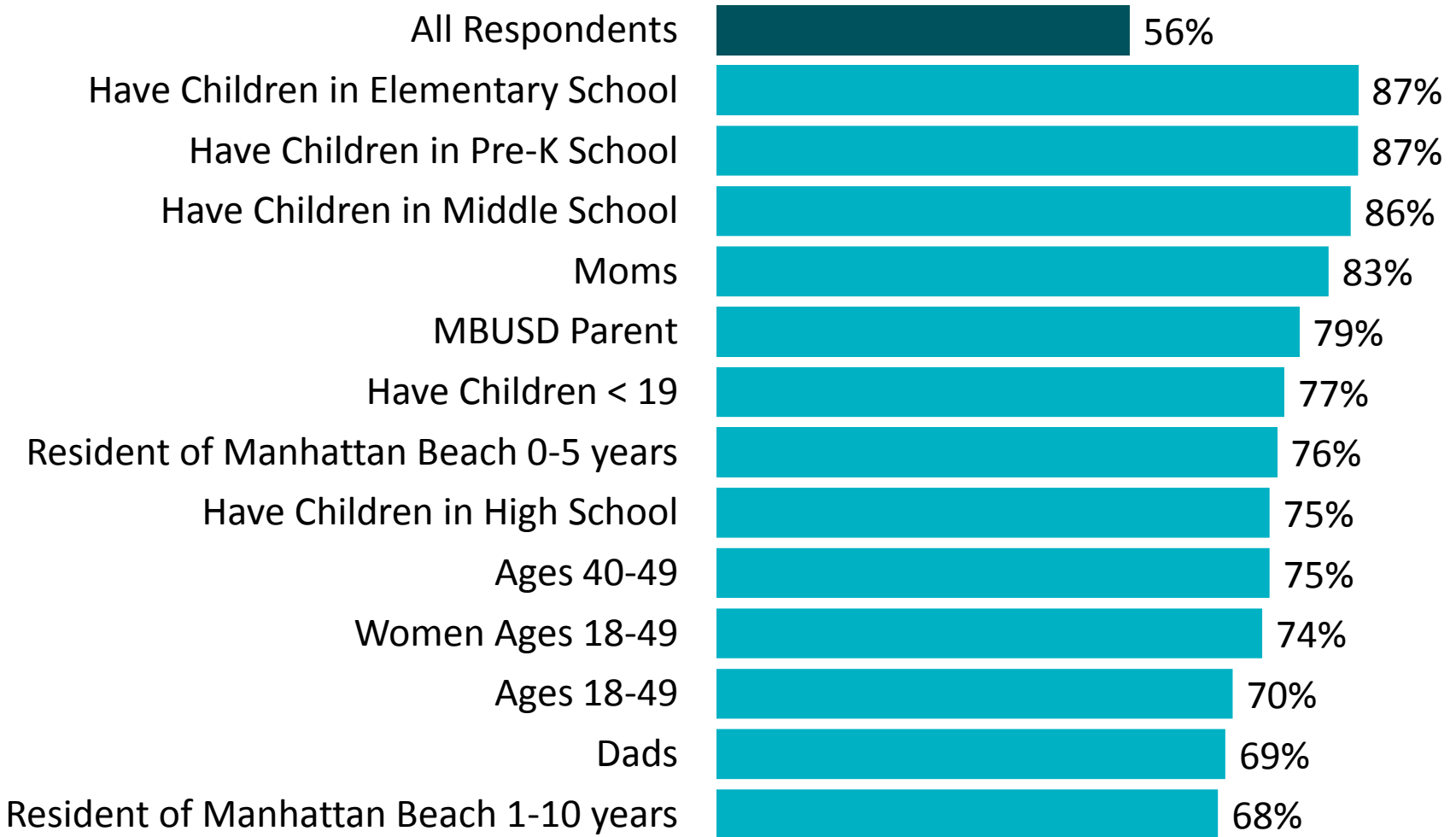
City Council Meeting
March 20, 2018

Generally speaking, would you say that the Manhattan Beach Unified School District has a great need for additional funding, some need, a little need, or no real need for additional funding?



Page 132 of 430

Those more familiar with MBUSD are more likely to say there is a need for more funding



Q3. Generally speaking, would you say that the Manhattan Beach Unified School District has a great need for additional funding, some need, a little need, or no real need for additional funding? Split Sample



Grand View
Elementary



Pennekamp
Elementary



Meadows
Elementary



Robinson
Elementary



Pacific
Elementary



Manhattan Beach
Middle School



Mira Costa
High School

The Ballot Measure

Ballot Language

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT ACADEMICS AND TEACHER PROTECTION MEASURE

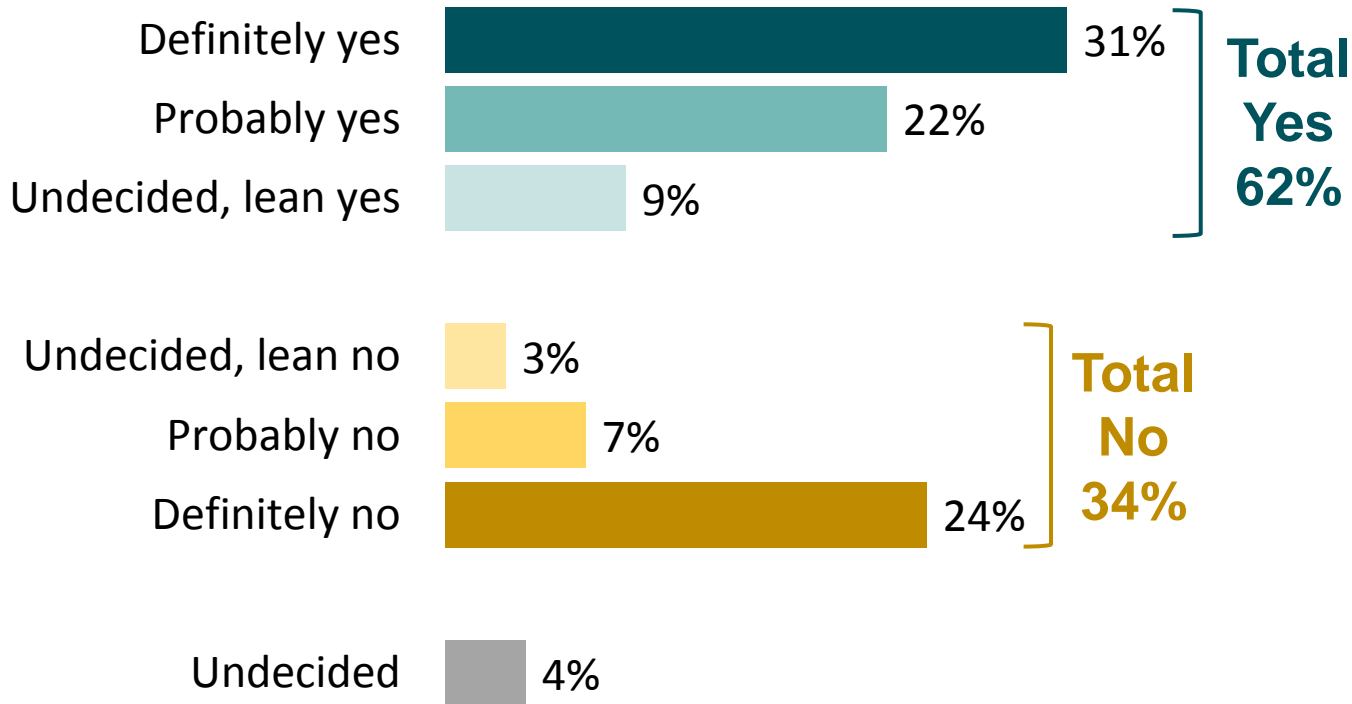
To maintain quality education, keep Manhattan Beach schools among California's best, offset severe state funding shortfalls and provide \$2,650,000 annually the state cannot take away, to:

- Attract and retain high-quality teachers
- Maintain manageable class sizes
- Protect quality math, science, reading, art/music programs

shall the Manhattan Beach Unified School District levy \$225 per parcel annually, expiring in six years, with senior exemptions, independent oversight/audits, no money for administrators, and all funds stay local?

Six in 10 support the parcel tax measure before hearing any information about it other than the ballot language

Likely June 2018 Voters





Grand View
Elementary



Pennekamp
Elementary



Meadows
Elementary



Robinson
Elementary



Pacific
Elementary



Manhattan Beach
Middle School



Mira Costa
High School

Provisions of a Potential Ballot Measure

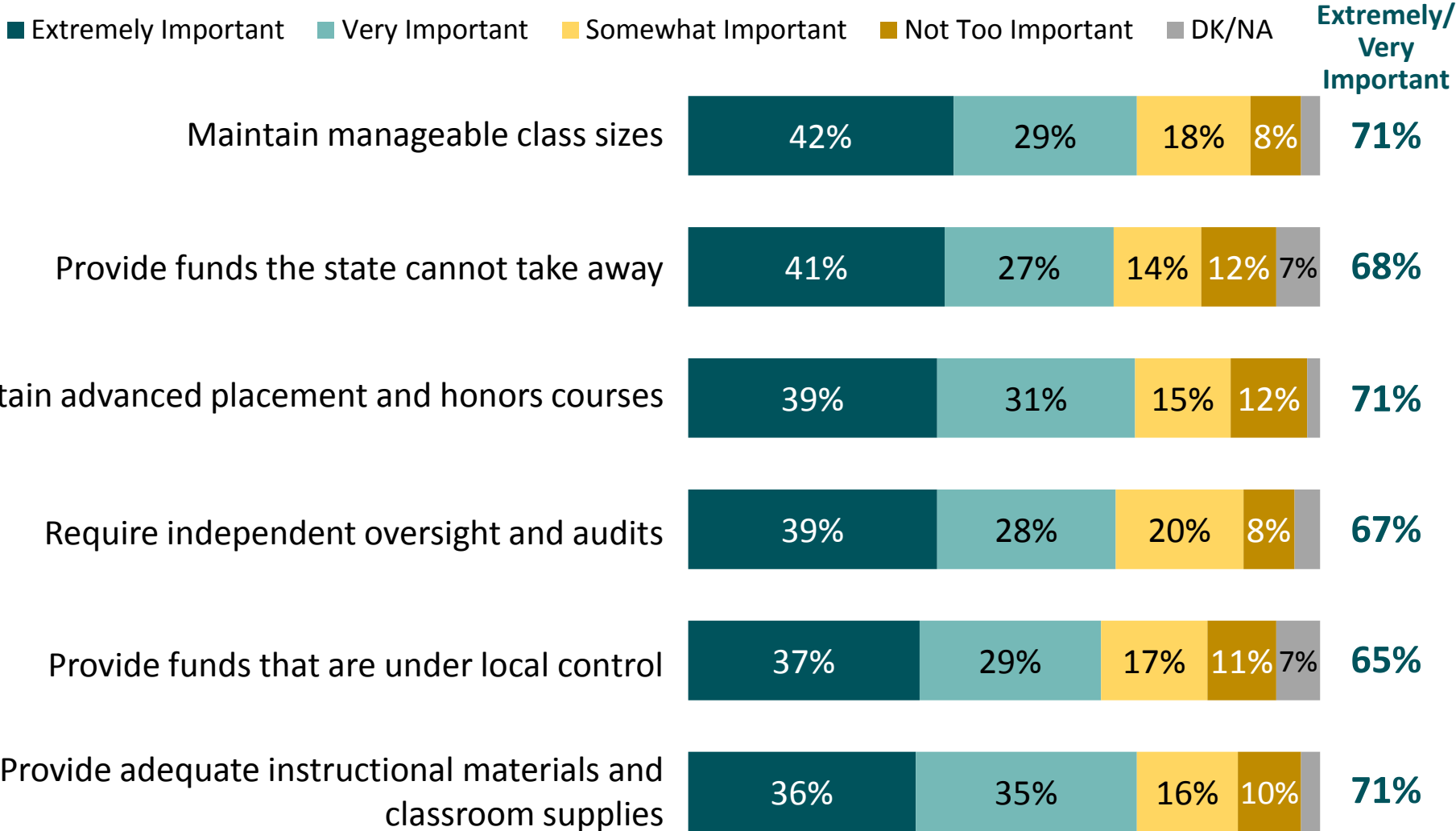
The strongest provisions focus on protecting or maintaining MBUSD's high quality education

■ Extremely Important
 ■ Very Important
 ■ Somewhat Important
 ■ Not Too Important
 ■ DK/NA
Extremely/Very Important



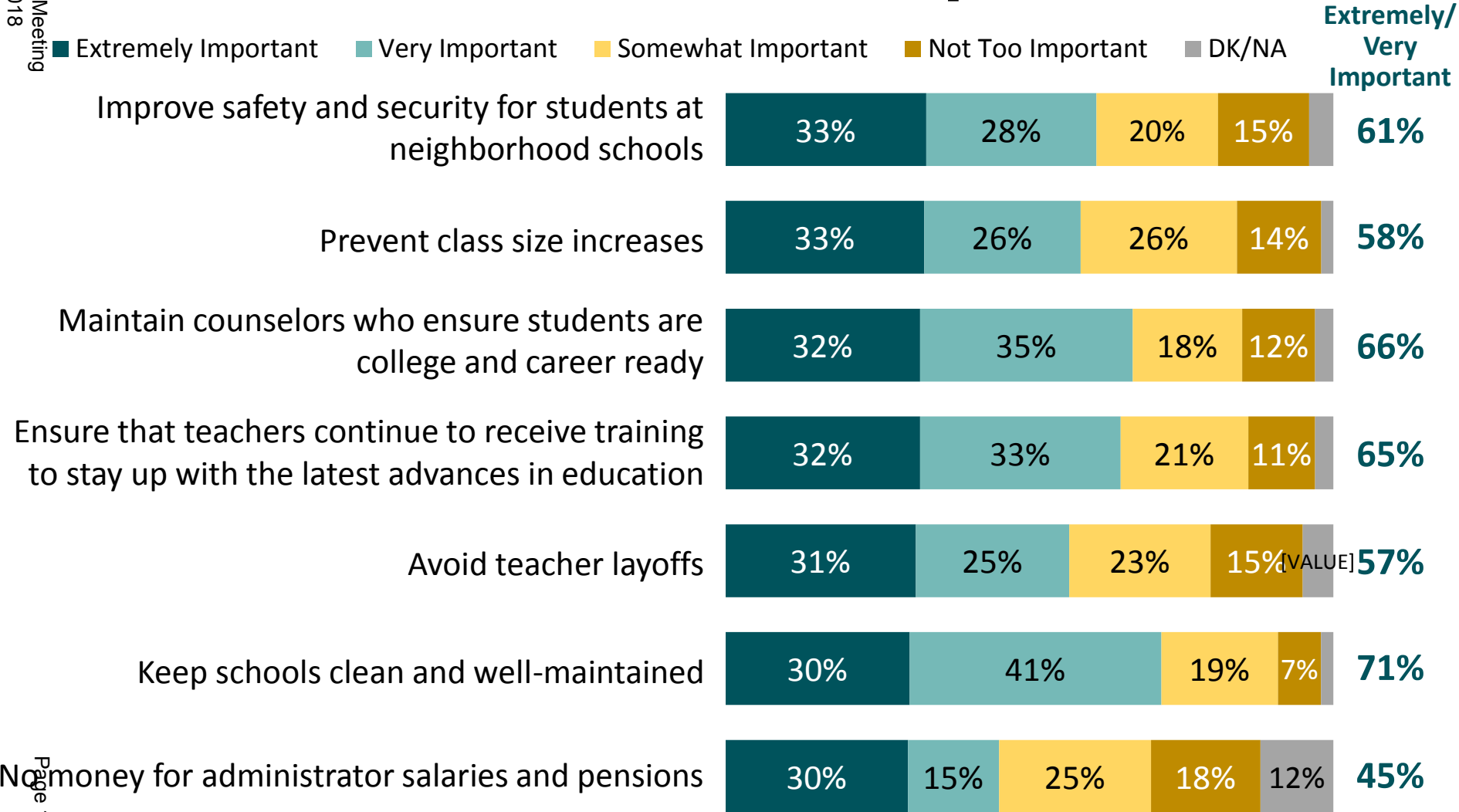
Q9 b, f, i, q, s, u. I am now going to mention some possible provisions and ways that funds from the MANHATTAN BEACH UNIFIED SCHOOL DISTRICT ACADEMICS AND TEACHER PROTECTION MEASURE I mentioned earlier could be spent. Regardless of your opinion of the measure, please tell me how important it is to you that the provision or use of funds be included: Is it extremely important to you, very important, somewhat important, or not too important? Split Sample

Accountability and local control are also top tier features



Q9 c, h, l, r, t, z. I am now going to mention some possible provisions and ways that funds from the MANHATTAN BEACH UNIFIED SCHOOL DISTRICT ACADEMICS AND TEACHER PROTECTION MEASURE I mentioned earlier could be spent. Regardless of your opinion of the measure, please tell me how important it is to you that the provision or use of funds be included: Is it extremely important to you, very important, somewhat important, or not too important? Split Sample

Other quality protections and accountability features are second-tier provisions



Q9 d, e, j, k, o, w, x. I am now going to mention some possible provisions and ways that funds from the MANHATTAN BEACH UNIFIED SCHOOL DISTRICT ACADEMICS AND TEACHER PROTECTION MEASURE I mentioned earlier could be spent. Regardless of your opinion of the measure, please tell me how important it is to you that the provision or use of funds be included: Is it extremely important to you, very important, somewhat important, or not too important? Split Sample



Grand View
Elementary



Pennekamp
Elementary



Meadows
Elementary



Robinson
Elementary



Pacific
Elementary



Manhattan Beach
Middle School



Mira Costa
High School

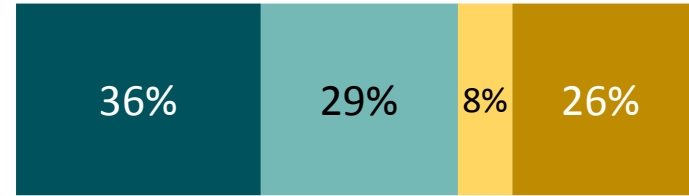
Educational Statements

Voters respond most to statements focused on quality, accountability, local control

■ Very Convincing
 ■ Somewhat Convincing
 ■ Don't Believe
 ■ Not Convincing/No Effect/DK/NA

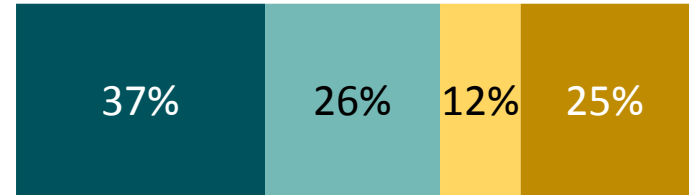
Very/
Smwt.
Convincing

(TOP QUALITY SCHOOLS) Ninety-five percent of students who graduate from Manhattan Beach schools go to college or other post-secondary training, and Manhattan Beach schools are ranked among the top schools in California and the nation. If we want to maintain this high level of excellence, we need to protect our schools from inadequate state funding.



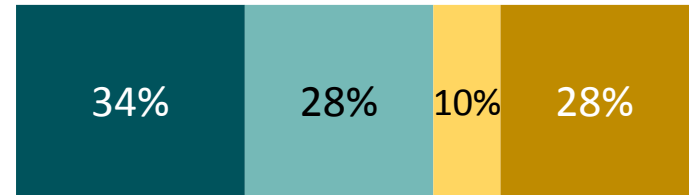
65%

(FISCAL ACCOUNTABILITY) This measure will require strict accountability protections including a citizens' oversight committee and independent annual audits that ensure no funds go toward District administrators' salaries and pensions. Additionally, by law, all funds will stay local and cannot be taken by Sacramento.



63%

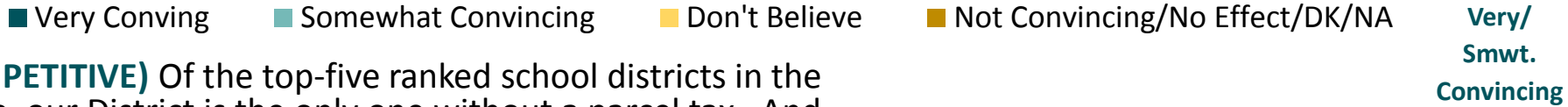
***(LOCAL CONTROL)** We know we can't count on Sacramento to adequately fund our schools, which makes the locally controlled funds from this measure so critical. This measure will provide predictable and stable local school funding to support teachers and instructional programs from kindergarten through high school-funds that legally cannot be taken by the state.



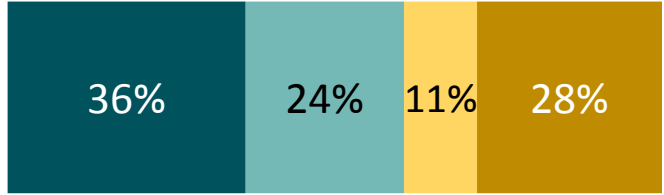
62%

Q11 a, b, e. I'm going to read some statements from supporters of the MANHATTAN BEACH UNIFIED SCHOOL DISTRICT ACADEMICS AND TEACHER PROTECTION MEASURE. Please tell me whether you find it a very convincing, somewhat convincing, or not a convincing reason to support this measure. *Split Sample

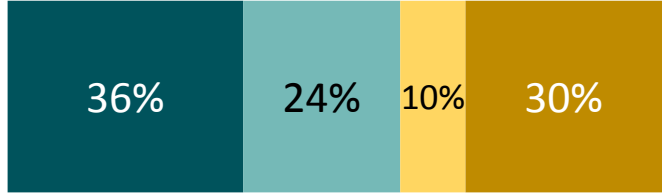
Other communications with quality and local control themes are equally well-received



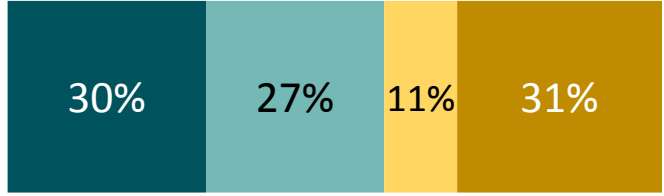
(COMPETITIVE) Of the top-five ranked school districts in the state, our District is the only one without a parcel tax. And other similar communities, such as Palo Alto, Palos Verdes, San Marino, La Cañada, and Santa Monica-Malibu, all have passed parcel taxes to support their schools. As a result, our available funding is as much as \$5,000 less per student, per year, than these communities. Our schools will simply not be able to keep up without additional funding.



(STATE FUNDING/LOCAL CONTROL) Out of all 344 Kindergarten through 12th grade school districts in California, Manhattan Beach schools receive the second lowest amount of state funding. In fact, our schools receive nearly \$2,000 less per student annually than the state average. This measure will give us local control by providing stable funding for our schools-funds that legally cannot be taken by the state.



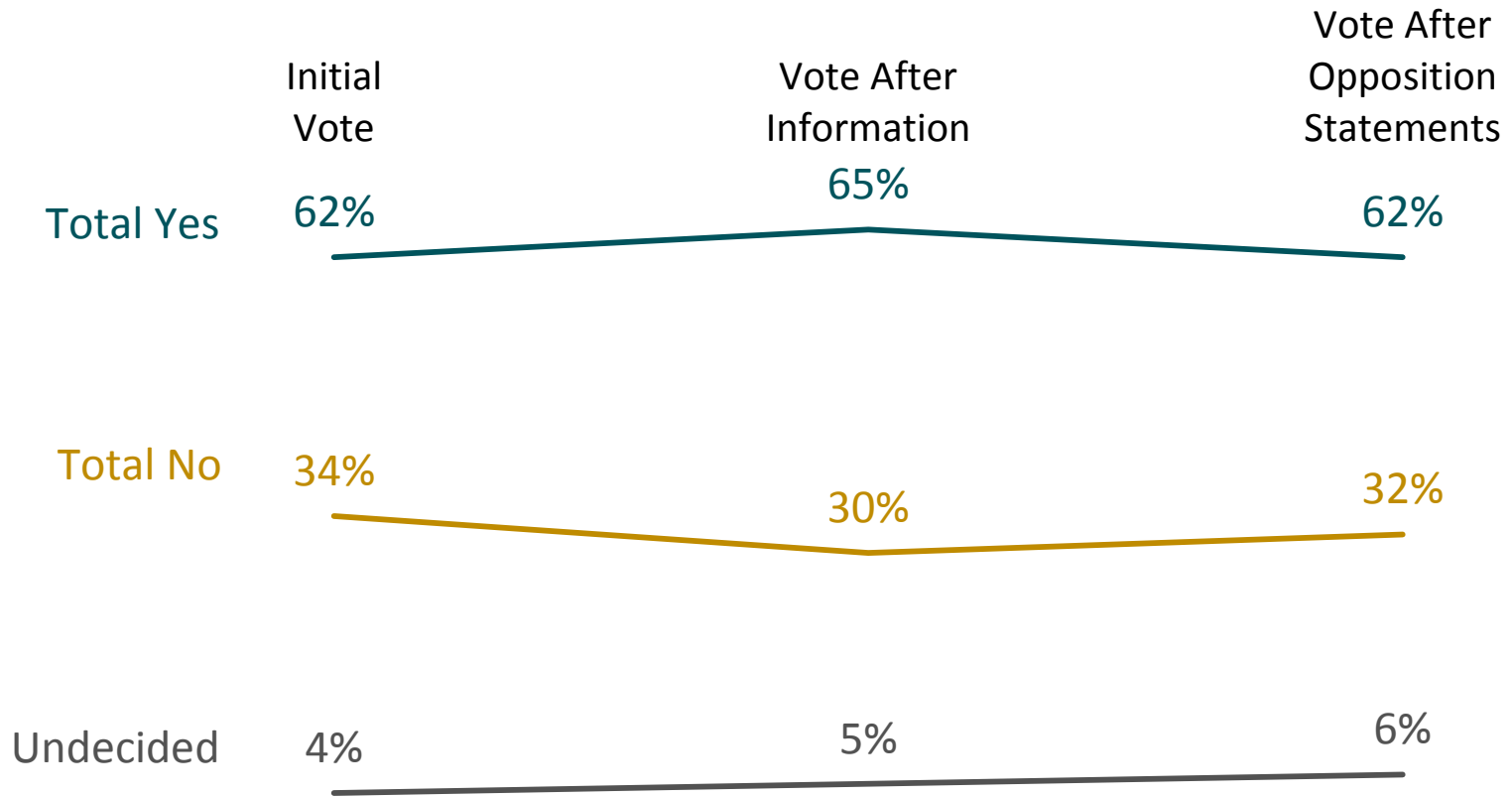
(PAYS FOR ITSELF) A home in Manhattan Beach is often worth hundreds of thousands of dollars more than an identical home in nearby communities because of our outstanding schools. This measure is a very modest investment that pays for itself by protecting the premium home values in Manhattan Beach, created by our world class schools.



Q11 f, h, i. I'm going to read some statements from supporters of the MANHATTAN BEACH UNIFIED SCHOOL DISTRICT ACADEMICS AND TEACHER PROTECTION MEASURE. Please tell me whether you find it a very convincing, somewhat convincing, or not a convincing reason to support this measure. Split Sample

Support reaches 65% after educational statements

Likely June 2018 Voters



The Parcel Tax Process



- Poll
- Election timing
- Tax rate
- Programs

- Political landscape
- Competing issues
- Potential controversy

Recommendations

- Proceed with preparing a parcel tax measure for the June 5, 2018 ballot based on the public priorities and sensitivities identified in the measure
- Leverage the strong community confidence in the District and desire to maintain high quality education
- Quickly implement an aggressive public information and outreach effort to raise community awareness of MBUSD's budget challenges and funding proposal
- Transition to an independent advocacy effort aiming to secure the votes needed for success

Next Steps: Build Consensus



- Inform and engage internal school community
 - Parents
 - Staff
 - Students
 - PTAs and Boosters

- Inform and engage external community
 - Elected leaders
 - Business leaders
 - Ethnic leaders
 - Neighborhood leaders

Next Steps: Build a Strong Measure



- Resolution calling election
- Ballot question
- Rate/Duration/Exemptions
- Uses of Funds
- Board vote

Next Steps: Independent Advocacy Campaign



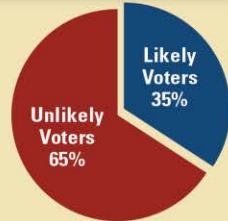
- Private fundraising
- Lawn signs
- Direct mail
- Endorsements
- Phone banks
- Precinct walks
- Social/Digital strategies

Next Steps: Independent Advocacy Campaign



- Ensure strong parent participation
- Ensure strong supporter participation
- Remind supporters to vote
- Track votes to a win

June 2018 Parcel Tax Timeline



MBUSD Registered Voters: 25,705
Likely June Voters: 8,964 (35%)
Votes Needed to Win: 5,979 (66.7%)



February 28
Board Meeting



- Poll
- Election timing
- Tax rate/ amount
- Political landscape
- Competing issues
- Potential controversy

- Write resolution
- Ballot question
- Non-advocacy communication
- Consensus building

- Private fundraising
- Direct mail
- Digital media
- Website
- Endorsements
- Phone banks
- Lawn signs
- GOTV

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Steve S. Charelian, Interim Finance Director
Kendra Davis, Management Analyst

SUBJECT:

Consideration of Providing Financial Support to the Manhattan Beach Unified School District to Improve School Safety and Security Measures (Interim Finance Director Charelian).

- a) **DISCUSS AND PROVIDE DIRECTION**
 - b) **APPROPRIATE**
-

RECOMMENDATION:

Staff recommends that City Council: a) discuss and provide direction on providing financial support to the Manhattan Beach Unified School District (MBUSD) to improve school safety and security, and b) appropriate any funds dedicated to this purpose from the unreserved General Fund.

FISCAL IMPLICATIONS:

At the end of last Fiscal Year (2016-2017), the General Fund had an unreserved fund balance of \$5.5 million. These are funds that have not been otherwise designated by the City Council, but may be used for one-time purposes such as City capital improvements. The City Council may consider using a portion of these funds for improvements to MBUSD safety and security measures. Any funds designated for this purpose must be appropriated from unreserved fund balance in the General Fund.

BACKGROUND:

At the City Council/Manhattan Beach Unified School District Ad Hoc Subcommittee meeting on Thursday, March 8, 2018, it was suggested that the City Council discuss providing financial support to MBUSD for necessary school safety and security measures. The amounts and purposes are subject to City Council review and approval.

DISCUSSION:

The City Council recognizes that school safety is not solely a school issue; rather, it is a community concern. Considering the recent violent tragedies that have occurred at schools across the country, this is an emergent concern that requires immediate attention and action. While the school district has some funding which may be used for safety and security, additional funds from the City will assist in accelerating and enhancing needed safety and security measures, creating the safest environment possible for students, teachers and anyone else entering MBUSD facilities.

The following are potential measures identified by the School District for which funding may be applied:

- Security assessments
- Perimeter fencing and gating
- Emergency training for teachers and staff
- Communications equipment
- First aid kits
- Classroom door barricade devices
- Security cameras
- AED replacements

While the actual list of desired improvements and associated costs is under development, staff recommends that the City Council determine the amount to be reserved for the stated purpose and appropriate the funds. Staff will work with the City Council/Manhattan Beach Unified School District Ad Hoc Subcommittee to create the list of desired projects and a process through which the funds may be utilized. That process will be presented to City Council at a future meeting.

PUBLIC OUTREACH/INTEREST:

There has been no specific outreach conducted for this item at this time.

ENVIRONMENTAL REVIEW

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Anne McIntosh, Community Development Director
Laurie Jester, Planning Manager
Angelica Ochoa, Associate Planner

SUBJECT:

Resolution No. 18-0034 Adopting a Mills Act Program and Consideration of Associated Fees to Provide Reduced Property Taxes for Properties Designated by the City as Historic Resources (Community Development Director McIntosh).

- a) **DISCUSS AND PROVIDE DIRECTION**
 - b) **ADOPT RESOLUTION NO. 18-0034**
-

RECOMMENDATION:

Staff recommends that the City Council consider the attached Resolution No. 18-0034 to establish a Mills Act Program and consider associated application fees.

FISCAL IMPLICATIONS:

Adoption of the Mills Act Program will require additional staff time and resources. A reduction in property tax revenue is anticipated with the implementation of a Mills Act Program as described in the staff report from October 2014 (Attachment 1).

BACKGROUND:

On June 17, 2014, the City Council discussed the implementation of a Mills Act Pilot Program to provide tax incentives to property owners to preserve, maintain and restore designated historic properties in the City. On October 7, 2014, the City Council approved the Mills Act Pilot Program Resolution (Attachment 2). The Pilot Program expired on October 7, 2016. Since no applications were received, City Council did not establish a permanent Mills Act Program.

On August 1, 2017 the City adopted a new Historic Preservation Ordinance to conserve historical landmarks throughout the City. A provision regarding Mills Act contracts is included in

the Historic Preservation Ordinance as a preservation incentive to property owners.

DISCUSSION:

As part of the Mills Act Program, the City has the option of limiting annual revenue loss from property tax revenues, the maximum number of Mills Act contracts approved per year, the maximum assessed property value, the type of property, and the timing for submittal of applications.

The 2014 Pilot Program had the following limitations:

- 1) Property type limited to private property, residential and commercial zoning
- 2) Maximum assessed property value limited to \$3 million for each historic property
- 3) Maximum annual City revenue reduction limited to \$50,000
- 4) Maximum number of agreements per year limited to three (3)
- 5) No requirements for when applications needed to be submitted
- 6) No flat fee was established- consultant costs would be paid by the applicant

Since many properties in the City exceed a property value of \$3 million dollars, many properties in the City would not qualify. The \$50,000 annual revenue loss could also limit the number of properties. Limiting application submittals to the same time as a Historic Designation application is submitted, or to 2 or 3 times a year, would allow a more comprehensive approach to review.

Staff is recommending that the City Council adopt the attached Resolution No. 18-0034 to establish the Mills Act Program. The maximum property value will be increased to \$5 million dollars so that more properties can qualify for the program. A new provision for application deadlines will be twice a year, April 1 and October 1 of each year. This will allow the City to evaluate the economic impacts more comprehensively and process applications more efficiently. All other limitations originally approved in the 2014 Pilot Program will remain the same.

On February 6, 2018, the City Council reduced the fees for Historic Preservation applications to zero and Certificates of Appropriateness to \$1,500. These fees do not fully cover the City's cost of providing the service, but the City Council felt reducing the fees would encourage residents to submit applications to designate their properties.

Staff anticipates only 2 or 3 Mills Act applications for Historic properties per year will be submitted. If the Mills Act Program Resolution is adopted, staff will return to City Council with data that indicates the anticipated staff hours and associated costs for processing Mills Act applications. A Fee Resolution for City Council adoption will be provided at that time.

ENVIRONMENTAL REVIEW

Per the requirements of the California Environmental Quality Act (CEQA) the establishment of the Program is exempt from the CEQA environmental review requirements pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. Further, the Mills Act Program would be categorically exempt from environmental review pursuant to section 15331 of the CEQA Guidelines, which exempts projects limited to maintenance, repair, stabilization,

rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings in that it is a program that results in the preservation and maintenance of historic resources in exchange for property tax reductions. In addition, the Program is categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15308 because it is an action by a regulatory agency (the City) to maintain, restore and protect the environment through protection of historical resources in the community.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Resolution No. 18-0034
2. Staff Report, Attachments and Resolution (October 7, 2014)

RESOLUTION NO. 18-0034

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL RE-ESTABLISHING A MILLS ACT PROGRAM INCLUDING DEVELOPMENT OF AN APPLICATION PROCESS, REVIEW PROCEDURES, AND REQUIRED CONTRACT PROVISIONS FOR IMPLEMENTATION OF THE ACT IN THE CITY

THE MANHATTAN BEACH CITY COUNCIL HEREBY FINDS AND RESOLVES AS FOLLOWS:

Section 1. On October 7, 2014, the City Council adopted Resolution No. 14-. 0062 implementing a Mills Act Pilot Program for the City to incentivize the preservation, maintenance, and rehabilitation of historic properties through property tax reductions. The Program expired on October 7, 2016. No Mills Act applications were received during the Program.

Section 2. On March 20, 2018, the City Council discussed and considered a new Mills Act Program. The City Council considered written and oral reports by City staff, and comments from the public.

Section 3. A Mills Act Program would provide property tax reductions to property owners who agree to invest in the preservation and rehabilitation of qualifying historic properties. Pursuant to Government Code Section 50280 et seq. (“the Mills Act”), the City Council may establish a program and enter into a historical property preservation agreements (“Preservation Agreement”) with owners of a historic properties for the purposes of preservation, rehabilitation, and maintenance of a designated historic resource in accordance with the United States Secretary of the Interior’s Standards for Rehabilitation, the State Historical Building Code, and applicable City codes (“Mills Act Program”). The Preservation Agreement allows the owner to receive a reduction in property taxes in exchange for the property owner’s commitment to repair, restore, rehabilitate, and/or maintain the historic property.

Section 4. The preservation and rehabilitation of historic properties would enhance the character of Manhattan Beach by retaining the City's sense of place and continuity with the community's past. As a matter of public policy, the identification, designation, preservation, enhancement, perpetuation and use of improvements, buildings and structures within the City that reflect special elements of the City's cultural, historical, agricultural, architectural, artistic, educational, or economic heritage is in the interest of the health, economic prosperity, cultural enrichment and general welfare of the people. Preservation of historic resources is an important aspect of tourism. By encouraging property owners to maintain and restore historic buildings and landscapes, the City is preserving its history and supporting the local economy. Preservation Agreements would benefit residential neighborhoods, businesses, community pride, and regional image.

Section 5. The Mills Act Program is consistent with the General Plan because the City's General Plan Land Use Element includes policies related to preserving resources that represent the City's history and culture or contribute to the City's special character and unique identity. Specifically, General Plan Policies LU-1.1, LU-2:3, LU-4.4, LU-4.5, and LU-4.6, focus on protecting and preserving the City's significant historic character of homes and residential neighborhoods.

Section 6. The Manhattan Beach Municipal Code has established procedures for identifying and designating historic resources. The Historic Preservation Code (Manhattan Beach Municipal Code Chapter 10.86) is intended to identify buildings, structures, and sites that are of particular historic or cultural significance and define the City's heritage and historic development. The Planning Commission ("Commission") is designated to serve in an advisory capacity to the City Council on the preservation of historic and cultural landmarks. In this capacity, the Commission, Historical Preservation Consultant and the Community Development Department, which is the department that supports the Commission and Historical Consultant, are positioned to administer City programs for rehabilitating, restoring, maintaining and preserving historic structures, including a Mills Act Program.

Section 7. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City environmentally evaluated the establishment of a Mills Act Program. The Mills

Act Program establishes a property tax reduction for property owners that rehabilitate, restore, maintain, and preserve properties that are determined to be of historic significance. The establishment of a Mills Act Program does not authorize any new development or construction of buildings, nor does it authorize any new land uses. The program encourages the continued use of existing structures and the continuance of existing land uses. For these reasons it can be seen with certainty that the Mills Act Program will not result in any significant adverse impact on the environment. Thus, the establishment of the Program is exempt from the CEQA environmental review requirements pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations (“CEQA Guidelines”). Further, the Mills Act Program is categorically exempt from environmental review pursuant to section 15331 of the CEQA Guidelines, which exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings in that it is a program that encourage the preservation and maintenance of historic resources in exchange for property tax reductions. In addition, the Program is categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15308 because it is an action by a regulatory agency (the City) to maintain, restore and protect the environment through protection of historical resources in the community and does not authorize construction or relaxed standards that would degrade the environment.

Section 8. A “qualified historic property” for the purposes of the Manhattan Beach Mills Act Program shall be defined as:

- a. A single-family residential property, a multi-family residential property or a commercial property with a tax assessed value not exceeding \$5 million dollars, unless exempted from the maximum tax assessed value through exceptional circumstances;
- b. Located entirely within the City of Manhattan Beach;
- c. Privately owned;
- d. Not exempt from property taxation; and
- e. Individually listed by the City of Manhattan Beach as an official Historic Resource.

Section 9. To limit any fiscal impact of the Mills Act Program, the City's annual loss of property tax revenues resulting from the Program shall not exceed \$50,000 each year. To further limit any fiscal impact, the City of Manhattan Beach shall not enter into or execute more than three preservation agreements per calendar year. To further limit unanticipated potential losses to property tax revenue, contracts executed under the Mills Act Program shall specify that the City has full right to cancel the contract, on an annual basis, the first year and every year thereafter, pursuant to Government Code Section 50280. To encourage participation by various property owners, the City may establish a means of accepting applications to the Mills Act Program that ensures that both commercial and residential property owners have an opportunity to participate.

Section 10. The City Council may consider increases to the cap on tax assessed value in Section 8(a) of this Resolution and the limit on annual property tax revenue loss in Section 9 of this Resolution, including based upon the Consumer Price Index.

Section 11. The City Council hereby delegates to the Director of Community Development or his or her designee, with review by the City Attorney, the authority and responsibility to develop, maintain, and amend, as necessary, an application, administrative guidelines, and forms of Preservation Agreements for properties seeking qualification and participation in the Mills Act Program. The Director of Community Development or his or her designee shall, as necessary, establish priority consideration criteria whereby such criteria shall be used to rank applications in terms of the preservation and rehabilitation needs of each property and prioritize selection of applications. The Director of Community Development or his or her designee shall also report on an annual basis to the City Council the number of Mills Act preservation agreements executed and the effectiveness of the Mills Act Program. The terms of the Preservation Agreement shall comply with Government Code Section 50280 et seq. The

maintenance, repair, rehabilitation, and/or restoration standards applicable to the subject property shall be set forth in the Preservation Agreement. In consideration of abiding with the terms of the Preservation Agreement, the owner of the subject property shall be entitled to qualify for a reassessment of the historic property pursuant to State Revenue and Taxation Code Section 439 et seq.

Section 12. The City Council hereby delegates to the Planning Commission the authority and responsibility to review and make recommendations to the City Council on applications submitted pursuant to the Mills Act Program. The City Council shall be the final authority on the authorization and approval of Preservation Agreements pursuant to the Mills Act Program.

Section 13. Preservation Agreements will have a minimum contract term of 10 years, with automatic one-year renewals, to be recorded against title to the property and running with the land. Owners shall maintain the regulated characteristics of historical significance of the historic property in accordance with the rules and regulations of the State Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, the State Historical Building Code, and any applicable local codes and policies. Owners must allow reasonable periodic examination of the interior and exterior of the premises if a request is made by representatives of the County Assessor, State Office of Historic Preservation Department of Parks and Recreation, the State Board of Equalization, and/or the City's Community Development Director or his or her designee to determine the owner's compliance with the Preservation Agreement. No Preservation Agreement may be cancelled without compliance with Government Code Section 50280 et seq.

Section 14. The City Council shall establish fees for the processing of applications for Preservation Agreements and other matters required by the Mills Act Program, as legally permissible by State and local law.

Section 15. The record of proceedings for establishment of the City's Mills Act Program is maintained by the City as part of the official records of the Community Development Department at 1400 Highland Avenue, Manhattan Beach, California, 90266.

Section 16. A Mills Act Program is hereby established based on the parameters included in this resolution to implement the State of California Mills Act in the City.

Section 17. The City Clerk shall certify to the adoption of the Resolution.

ADOPTED on March 20, 2018

AMY HOWORTH
Mayor

ATTEST:

LIZA TAMURA
City Clerk

Agenda Date: 10/7/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Richard Thompson, Community Development Director
Laurie Jester, Planning Manager
Angelica Ochoa, Associate Planner

SUBJECT:

Presentation of Mills Act Pilot Program to Provide Incentives for Preserving Historical Resources and Sample Resolution (Community Development Director Thompson).

PROVIDE DIRECTION AND APPROPRIATE \$50,000 FROM UNRESERVED FUNDS TO HIRE A HISTORIC PRESERVATION CONSULTANT

RECOMMENDATION:

Staff recommends that the City Council consider the information in this report, including the attached sample Resolution (Attachment 1) for a two-year Mills Act Pilot Program, and provide direction. If the Council is supportive then staff will initiate the public input process to obtain comments from community stakeholders, such as the School District, County, Library and residents, and initiate the Request for Proposal process to retain the services of a historic preservation consultant. Staff will then return at a future date with this information, and the Council can then determine the direction to take with the Mills Act, which could include: 1) continued services from the historic preservation consultant, 2) options for additional Planning staff support and funding, 3) a fee resolution to establish a Culturally Significant Landmark application fee and Mills Act application fee, and 4) amendments to the Culturally Significant Landmark Ordinance, Chapter 10.86 of the MBMC.

FISCAL IMPLICATIONS:

Adoption of a Mills Act Pilot Program will require additional staff time and resources, as well as the services of a historic preservation consultant. We estimate that administration of the program will require one half-time Planner plus support staff, which is estimated to cost up to \$60,000 annually. Additionally, the services of a qualified historic preservation consultant are projected to cost approximately \$50,000 annually.

If the City Council provides direction to further pursue a Mills Act Pilot Program, staff will return at a future date with a number of items, including a Resolution establishing Landmark Designation and Mills Act application fees. Staff is requesting that the Council consider authorization of an appropriation of \$50,000 from unreserved General Fund balances to retain the services of a historic preservation consultant with specialized knowledge to assist staff.

In addition to staff and consultant costs, the implementation of a Mills Act Program will result in a reduction in property tax revenue for the City, the School District, the County and a number of other agencies. Anticipated impacts to property tax revenue are discussed in further detail below.

BACKGROUND:

On June 17, 2014, staff provided the City Council with a report on the Mills Act. At that time, the City Council directed staff to research the feasibility of implementing a Mills Act program to provide tax incentives to property owners to preserve, maintain, and rehabilitate historic properties in the City (Attachment 2). The Council also requested that staff provide additional information on the fiscal impacts of establishing a Mills Act program. Finally, the City Council requested that staff coordinate with the Manhattan Beach Cultural Heritage Conservancy (MBCHC).

Since September 2006, the Culturally Significant Landmark ordinance has been in effect pursuant to Title 10, Chapter 10.86 of the Manhattan Beach Municipal Code (Attachment 3). A local task force comprised of voluntary members from the community was formed in 2006 to increase public awareness and community appreciation of Manhattan Beach's unique heritage. The MBCHC is headed by Jan Dennis, a local historian. This group has been an invaluable resource, actively researching potential historic properties throughout the City to designate as Cultural Significant Landmarks, coordinating with the property owners and presenting these properties to the City Council for local designation. To date, the City has designated 18 properties as Landmarks through the efforts of the MBCHC. Of these 18 properties, two have been accepted by the State Historic Preservation Office to be listed in the California Register of Historical Resources.

In June 2011, the City Council reviewed amendments to the Landmark Ordinance to remove the need for a required public hearing for designating properties as culturally significant; a City Council public meeting is now all that is required. The current Ordinance is very limited and only acknowledges and designates properties of historical and/or cultural significance, but does not prevent the ability to alter or demolish a designated property. Properties may only be nominated by the property owner and the designation is voluntary in nature. The criteria for determining designation includes architectural significance, association with local significant events, association with a significant designer and unique locations which are associated with the City.

DISCUSSION:

The intent of this report and discussion is for the Council and the community to understand the implications of a Mills Act program. The Program provides the unique opportunity to preserve our community's local history, and encourage investment in the continued upgrade of those resources that enhance our environment. There are many complexities involved with the

adoption of a Program and staff is requesting further direction on a number of items as discussed within this report.

Mills Act Program

The Mills Act, enacted by the State of California in 1972, grants participating local governments the authority to enter into contracts with owners of qualified historical properties to receive property tax relief. In exchange, property owners must actively participate in the preservation, maintenance, and rehabilitation of their historical properties. In order to qualify, the privately owned property must be listed in the National Register of Historic Places, located in a national historic district, or listed in a State or city register of historical or architecturally significant sites, places, or landmarks. In short, property owners enjoy financial benefits under the Mills Act, while the community enjoys the preservation and maintenance of historic resources.

Under the Mills Act, contracts are entered into by the local government and the property owners for a minimum of 10 years. The contracts renew automatically every year, so the contract is always a 10-year contract, unless the property owner or City decides not to renew. There are penalties to the property owner for early termination of the contract, as well as for failing to maintain the property. Each local government establishes its own contracts and determines how many contracts are allowed in the particular jurisdiction, and the details of the contract.

Staff met with two members of the MBCHC to discuss the potential adoption of a Mills Act program and its relationship to the City's Landmark Ordinance. The MBCHC reviewed the City of Beverly Hills Landmark regulations (Attachment 4) and suggested that City of Manhattan Beach adopt their criteria with the revisions described below.

- *Age threshold incorporation:* Establish a local landmark age eligibility requirement of 45 years. Properties less than 45 years may still be considered if they are found to have exceptional historical significance which shall be determined at the discretion of the advisory body/consultant and City Council.
- *Creation of potential historic district:* A geographic area may be designated a historic district if the proposed district is found to meet certain criteria.
- *Hold period for certain permits:* This process would protect potential future historically/culturally significant properties that may be threatened with alteration or demolition by allowing the City to hold off the issuance of permits in order to examine the structure and consider if the property is a potential candidate for landmark designation.

Staff also reviewed the Redondo Beach and Brea regulations (Attachments 5 and 6). If the City Council provides direction to pursue the Mills Act further, staff will work with the historic preservation consultant and the MBCHC, taking the best and most applicable elements of these and other ordinances and provide customized future amendments to the Manhattan Beach Landmark ordinance. Amendments to the Landmark ordinance would then be considered by the City Council at a future date.

Surrounding Cities

Many cities in Southern California have established Mills Act programs, including the cities of Beverly Hills and Redondo Beach. Staff contacted these cities to obtain information regarding program implementation, required staff time, fiscal impacts, and general management of their Mills Act programs.

Beverly Hills

Beverly Hills originally adopted a Mills Act Pilot Program in 2011. Earlier this year, the City extended the program until 2016. In order to minimize the fiscal impact of the program, the City of Beverly Hills limited the annual revenue loss from property tax revenues to \$50,000 each year, and limited the program to three contracts during the first year. As part of the program extension earlier this year, Beverly Hills increased the annual revenue loss to \$100,000, while continuing to limit contracts to a maximum of three per year. The City's Architectural Commission serves as an advisory body to the City Council, making recommendations on Mills Act applications.

To date, Beverly Hills has entered into a total of two agreements and staff is currently processing two additional requests. The City has an Urban Designer, an Associate Planner, and a historic preservation consultant who work on the Mills Act program. Approximately one-half of the Urban Designer's time is devoted to historic preservation and Mills Act activities, while the entirety of the Associate Planner's time is currently devoted to the Mills Act program. The cost for the historic preservation consultant's services is approximately \$25,000 annually.

Redondo Beach

Redondo Beach has had a Mills Act program since 1992. Redondo Beach does not limit revenue loss from reduced property taxes, nor does it limit the allowable number of annual Mills Act contracts. Like in Beverly Hills, the City has an Architectural Commission that serves as an advisory body to the City Council. Since 1992, Redondo Beach has entered into a total of 93 agreements and staff is currently processing two additional requests. Given the longevity of the program, the City does not need to devote significant staff time to administering the program. As such, the City has one Associate Planner who spends approximately half of his time processing Mills Act requests.

Anticipated Impact on Property Tax Revenue

Mills Act contracts generally result in a reduction of property taxes for each assessed property. The impact of the Mills Act on a property's assessment will vary depending on how recently the property was purchased and the purchase price. In general, more recently purchased properties that tend to have higher assessed values, would receive greater reductions, and properties that have been held by the same owner for many years may potentially receive no reduction.

A property's value under the Mills Act is not the same as market value. The Mills Act requires the County Tax Assessor to re-evaluate the property using a capitalization method rather than being based on market value. Accordingly, the Assessor determines the value of the historic property based upon its current potential net operating income, rather than the traditional assessed valuation method. The Assessor determines the assumed rental income and deducts expenses and capitalization rates as shown in the estimates prepared by staff in the attached examples (Attachment 8). The result is a substantial reduction in property taxes. In exchange for

the reduction in property tax payments, property owners must maintain, and if necessary restore and rehabilitate the property to conform to the rules and regulations of the California Office of Historic Preservation, the U.S. Department of Interior's Standards for Rehabilitation, and the California Historical Building Code (Attachment 7). Essentially, the property owners must provide for long-term maintenance, restoration, and preservation of the qualified historical property.

Based on the example in Attachment 8, it is estimated that for a property with an assessed value of \$2 million dollars (\$5,000/month rent assumption), participation in the Mills Act program could reduce the owner's total property tax from \$20,000 to approximately \$3,500 annually. Without the Mills Act contract, the City's share of the total property tax revenue, at approximately 15 percent of the total property tax collected, would be approximately \$3,000 annually. With a Mills Act contract in place, the City's share would be reduced to approximately \$600 annually. Based on the same estimation, loss in revenue to the Manhattan Beach Unified School District could be approximately \$6,400, or 39 percent (MBUSD 16 percent and Educational Augmentation Funds 23 percent). This would be an annual revenue loss, initially for 10 years and would continue on a yearly basis, unless the City or property owner canceled the contract. The County would have about a 31 percent reduction and the balance of the reduction, 15 percent, would be spread across other agencies, such as the County Library, Beach Cities Health District, Vector Control, etc. The City receives about \$24 million in property tax revenue annually, which accounts for about 40 percent of the General Fund budget.

For a property with the same assessed value of \$2 million and a \$10,000 per month rent assumption, it is estimated that participation in the Mills Act program could reduce the total property tax from \$20,000 to approximately \$7,467. The City's revenue share would be reduced from \$3,000 to approximately \$1,200.

The City has the option of limiting the annual revenue loss from property tax revenues each year, as well as limiting the maximum number of agreements approved per year, similar to Beverly Hills. The number of contracts allowed on a yearly basis will have a direct impact on staffing and resources.

Staffing and Resources

Adoption of the Mills Act Program will require additional staff time and resources. Administration of the ordinance would involve the following: identifying eligible properties, processing of applications including Commission and/or Consultant review, then City Council action, preparing and enforcing each contract with each property owner, reviewing and approving any proposed alterations to the eligible properties during the term of the contract, and monitoring the property and the completion of the preservation plan to assure that the property is maintained to the standards of the contract and State requirements (Attachment 7).

Mills Act Process

Mills Act agreement requests involve a two-step approval process. First, the property must be listed on one of the requisite registers or be located in a nationally registered historic district. If the property is not listed on the California or federal registers, the first step would be to obtain the local culturally significant landmark designation. An advisory body (Landmark Commission and/or historic preservation consultant) would review the project and provide comments and a

recommendation, and the City Council would take action on the application. In either case, it is anticipated that the MBCHC would provide review and comments throughout the process. All properties interested in entering into the Mills Act program would be required to obtain the Landmark designation either prior to submitting for the Mills Act program or concurrently. The historic preservation consultant would assist staff in reviewing the current 18 local Landmark properties to determine if they would qualify for the Mills Act. The two properties with State designation would be eligible for Mills Act property tax reduction if a Program is approved.

Second, the property owners must apply to have the City Council approve a Mills Act contract. Overall, staff anticipates that requests to participate in the Mills Act program would include the following steps:

1. *Pre-Application Meeting:* Prior to the submittal of the application, the property owner would have a pre-application review meeting with City staff and a historic preservation consultant. The purpose of the pre-application review meeting is to confirm that the property qualifies for the program and to ensure that the application submittal requirements, and the mandatory terms of the Mills Act Contract, are understood. The Pre-Application Meeting would include a site visit.
2. *Application Submittal:* The application would include information on the proposed Rehabilitation, Restoration, and Maintenance Plan; drawings; samples; cost estimates; photographs; and any other materials or studies needed.
3. *Application Review:* City staff and the historic preservation consultant would review the submitted materials and determine if the application is complete and may schedule a meeting with the applicant to discuss details of the proposal. The application would be scheduled for review before the advisory body or the historical preservation consultant.
4. *Commission or Historical Consultant Recommendation:* The Mills Act Application would be considered by the advisory body or the historic preservation consultant, which would make a recommendation to the City Council.
5. *City Council Action:* The City Council would make the final decision on the application.
6. *Contract Execution and Recordation:* If approved by the City Council, the City would execute the contract and forward it to the County Recorder's office for recordation. The recorded copy will be returned to the City for submission to the County Tax Assessor's office for implementation. The Los Angeles County Assessor is responsible for calculating property tax reductions. The County Assessor reassesses Mills Act properties once a year.

The City has the option of limiting the annual revenue loss from property tax revenues each year as well as limiting the maximum number of agreements approved per year similar to Beverly Hills. The number of contracts allowed on a yearly basis will also have a direct impact on staffing and resources.

CONCLUSION:

Next Steps

The intent of this report and discussion is for the Council and the community to understand the implications of a Mills Act program. The Program provides the opportunity to preserve our community's local history, and encourage investment in the continued upgrade of those resources that enhance our environment. If the City Council would like to further pursue a Mills Act Pilot Program, direct staff to proceed with the next steps as follows:

- Initiate public input process in order to obtain comments from community stakeholders, such as the School District, County, Library and residents.
- Prepare and issue Request for Proposals to retain the services of a historic preservation consultant to prepare Code Amendments, initially administer the program and provide training to City staff.

Staff will bring this public input, and the Request for Proposals to the City Council then proceed further with the Mills Act Program, as directed by Council as follows:

- Provide options for additional Planning staff support and funding.
- Prepare for Council consideration a fee resolution to establish a Culturally Significant Landmark application fee and Mills Act application fee.
- Prepare amendments to the Culturally Significant Landmark Ordinance, Chapter 10.86 of the MBMC, per the MBCHC's recommendations.

If the City Council adopts the Resolution establishing the Mills Act Pilot Program, it would not become effective until staff and the historic preservation consultant finalize the specifics of the program guidelines, application materials, and review criteria and procedures, Landmark Code Amendments, fees, the associated outreach materials, and any other required information. Throughout the duration of the Pilot Program, staff will assess the effectiveness and efficiency of the Mills Act application process, reviewing procedures and criteria, and the overall viability of the program. Staff would also provide periodic updates on the Pilot Program to the City Council.

ATTACHMENTS

- 1- Sample Resolution Establishing a Mills Act Pilot Program
- 2- City Council report and minutes-June 17, 2014
- 3- Chapter 10.86- Culturally Significant Landmarks
- 4- City of Beverly Hills - Municipal Code Article 32- Historic Preservation with MBCHC comments and recommendations)
- 5- City of Redondo Beach Historic Preservation regulations
- 6- City of Brea Historic Preservation regulations
- 7- Office of Historic Preservation website information
- 8- Examples of Property Tax Calculations under the Mills Act- ESTIMATES ONLY

RESOLUTION NO. 14-0062

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL ESTABLISHING A MILLS ACT **PILOT** PROGRAM INCLUDING DEVELOPMENT OF AN APPLICATION PROCESS, REVIEW PROCEDURES, AND REQUIRED CONTRACT PROVISIONS FOR IMPLEMENTATION OF THE ACT IN THE CITY

Section 1. On June 17, 2014 the City Council directed City Staff to review and present for future Council consideration a Mills Act Program for the City of Manhattan Beach to incentivize the preservation, maintenance, and rehabilitation of historic properties.

Section 2. A Mills Act Program would provide property tax reductions to property owners who agree to invest in the preservation and rehabilitation of qualifying historic properties. Pursuant to Government Code Section 50280 et seq. (“the Mills Act”), the City Council may establish a program pursuant to which the City may enter a historical property preservation agreement (“Preservation Agreement”) with an owner of a historic property for the purposes of preservation, rehabilitation, and maintenance of a designated historic resource in accordance with the United States Secretary of the Interior’s Standards for Rehabilitation, the State Historical Building Code, and applicable City codes (“Mills Act Program”). The Preservation Agreement allows the owner to receive a reduction in property taxes in exchange for the property owner’s commitment to repair, restore, rehabilitate, and/or maintain the historic property.

Section 3. The preservation and rehabilitation of historic properties would enhance the character of Manhattan Beach by retaining the City’s sense of place and continuity with the community’s past. As a matter of public policy, the identification, designation,

preservation, enhancement, perpetuation and use of improvements, buildings and structures within the City that reflect special elements of the City's cultural, historical, agricultural, architectural, artistic, educational, or economic heritage is in the interest of the health, economic prosperity, cultural enrichment and general welfare of the people. Preservation of historic resources is an important aspect of tourism. By encouraging property owners to maintain and restore historic buildings and landscapes, the City is preserving its history and supporting the local economy. Preservation Agreements would benefit residential neighborhoods, businesses, community pride, and regional image.

Section 4. The City's General Plan Land Use Element includes policies related to preserving resources that represent the City's history and culture or contribute to the City's special character and unique identity. Specifically, General Plan Policies LU-1.1, LU-2:3, LU-4.4, LU-4.5, and LU-4.6, focus on protecting and preserving the City's significant historic character of homes and residential neighborhoods.

Section 5. The City of Manhattan Beach Municipal Code has established procedures for identifying and designating historic resources. Culturally Significant Landmarks Code (City of Manhattan Beach Municipal Code, Title 10, Chapter 10.86) is intended to identify buildings, structures, and sites that are of particular historic or cultural significance and define the City's heritage and historic development. The **Landmark Commission and/or Historical Consultant and City staff** are designated to serve as an advisory capacity to the City Council on the preservation of historic and cultural landmarks. In this capacity, the Landmark Commission and/or Historical Consultant and the Community Development Department, which is the department that supports the Landmark Commission and/or Historical Consultant, are positioned

to administer programs the City establishes for rehabilitating, restoring, maintaining and preserving historic structures, including a Mills Act Program.

Section 6. On October 7, 2014 the City Council considered the draft Mills Act Pilot Program. Prior to taking action on the proposed program, the City Council considered written and oral reports by City staff, and public testimony.

Section 7. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City evaluated the action of establishing a Mills Act Pilot Program. The Mills Act Pilot Program establishes a property tax reduction for property owners that rehabilitate, restore, maintain, and preserve properties that are determined to be of historic significance. The establishment of a Mills Act Pilot Program does not authorize any new development or construction of buildings, nor does it authorize any new land uses. The program encourages the continued use of existing structures and the continuance of existing land uses. For these reasons it can be seen with certainty that the Mills Act Pilot Program will not result in any significant adverse impact on the environment. Thus, the establishment of the Program is exempt from the CEQA environmental review requirements pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. Further, the Mills Act Pilot Program would be categorically exempt from environmental review pursuant to section 15331 of the CEQA Guidelines, which exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer, 1995) in that it is a program that results in the preservation and

maintenance of historic resources in exchange for property tax reductions. In addition, the Program is categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15308 because it is an action by a regulatory agency (the City) to maintain, restore and protect the environment through protection of historical resources in the community.

Section 8. The City of Manhattan Beach Mills Act Pilot Program (Mills Act Program) shall go into effect at midnight on _____, and shall continue in effect, for two (2) years, until 11:59 p.m. on _____. To allow adequate processing time, new applications for preservation agreements shall be accepted from _____ of each calendar year the Pilot Program is in effect. No new applications will be accepted into the program after _____, unless a permanent Mills Act Program is established to supersede the Mills Act Pilot Program. If a permanent Mills Act Program is not established, preservation agreements adopted prior to _____, shall continue in effect, unless terminated or cancelled in accordance with the Mills Act.

Section 9. A “qualified historic property” for the purposes of the Manhattan Beach Mills Act Pilot Program shall be defined as:

- a. A single-family residential property, a multi-family residential property or a commercial property with a tax assessed value not exceeding **\$7.5 million dollars**, unless exempted from the maximum tax assessed value through exceptional circumstances;
- b. Located entirely within the City of Manhattan Beach;
- c. Privately owned;
- d. Not exempt from property taxation; and

- e. Individually listed in the City of Manhattan Beach as an official Culturally Significant Landmark.

Section 10. To limit any fiscal impact of the Mills Act Pilot Program, the City of Manhattan Beach shall limit annual revenue loss from property tax revenues to **\$50,000** each year. To further limit any fiscal impact, the City of Manhattan Beach shall not enter into or execute more than **three (3)** preservation agreements per calendar year during the term of the Mills Act Pilot Program. If less than **three (3)** preservation agreements are executed during the first calendar year, the remainder may be rolled over to the second calendar year for a total of **six (6)** preservation agreements for the two-year term of the Mills Act Pilot Program. No more than **six (6)** preservation agreements shall be entered into during the term of the Mills Act Pilot Program. To further limit unanticipated potential losses to property tax revenue, contracts executed under the Mills Act Pilot Program shall specify that the City has full right to cancel the contract, on an annual basis, the first year and every year thereafter, pursuant to Government Code Section 50280. To encourage participation by various property owners, the City may establish a means of accepting applications to the Mills Act Pilot Program that ensures that both commercial and residential property owners have an opportunity to participate.

Section 11. The City Council hereby delegates to the Director of Community Development or his or her designee, with review by the City Attorney, the authority and responsibility to develop, maintain, and amend, as necessary, an application, administrative guidelines, and forms of Preservation Agreements for properties seeking qualification and participation in the Mills Act Pilot Program. The Director of Community Development or his or her designee shall, as necessary, establish priority consideration criteria whereby such criteria

shall be used to rank applications in terms of the preservation and rehabilitation needs of each property and prioritize selection of applications. The Director of Community Development or his or her designee shall also report on an annual basis to the City Council the number of Mills Act preservation agreements executed and the effectiveness of the Mills Act Pilot Program. The terms of the Preservation Agreement shall comply with Government Code Section 50280 et seq. The maintenance, repair, rehabilitation, and/or restoration standards applicable to the subject property shall be set forth in the Preservation Agreement. In consideration of abiding with the terms of the Preservation Agreement, the owner of the subject property shall be entitled to qualify for a reassessment of the historic property pursuant to State Revenue and Taxation Code Section 439 et seq.

Section 12. The City Council hereby delegates to the **Landmark Commission and/or Historical Consultant and City staff** the authority and responsibility to review and make recommendations to the City Council on applications submitted pursuant to the Mills Act Program. The City Council shall be the final authority on the authorization and approval of Preservation Agreements pursuant to the Mills Act Pilot Program.

Section 13. Preservation Agreements will have a minimum contract term of 10 years, with automatic renewal on an annual basis, to be recorded against title to the property and running with the land. Owners shall maintain the regulated characteristics of historical significance of the historic property in accordance with the rules and regulations of the State Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, the State Historical Building Code, and any applicable local codes and policies. Owners must allow reasonable periodic examination of

the interior and exterior of the premises, if a request is made by representatives of the County Assessor, State Office of Historic Preservation Department of Parks and Recreation, the State Board of Equalization, and/or the City's Community Development Director or his or her designee to determine the owner's compliance with the Preservation Agreement. No Preservation Agreement may be cancelled without compliance with Government Code Section 50280 et seq.

Section 14. The City Council shall establish fees for the processing of applications for Preservation Agreements and other matters required by the Mills Act Pilot Program, as legally permissible by State and local law.

Section 15. The record of proceedings for establishment of the City's Mills Act Pilot Program is maintained by the City as part of the official records of the Community Development Department at 1400 Highland Avenue, Manhattan Beach, California, 90266.

Section 16. A Mills Act Pilot Program is hereby established based on the parameters included in this resolution to implement the State of California Mills Act in the City of Manhattan Beach on a trial basis.

Section 17. The City Clerk shall certify to the adoption of the Resolution and shall cause the Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

WAYNE POWELL
Mayor of the City of
Manhattan Beach, California

ATTEST:

LIZA TAMURA
City Clerk

(SEAL)

DRAFT

Agenda Date: 6/17/2014

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, Acting City Manager

FROM:

Richard Thompson, Community Development Director
Laurie Jester, Planning Manager
Angelica Ochoa, Assistant Planner

SUBJECT:

Status Report on the Mills Act - A Preservation Program for Historic Properties (Community Development Director Thompson).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Staff recommends that the City Council receive the status report on the Mills Act Program, discuss and provide further direction.

FISCAL IMPLICATIONS:

Adoption of the Mills Act Program will require additional staff time and resources from the Community Development Department, and impact work load in the Department. Administration of the ordinance would involve the following: completing an inventory of eligible properties, processing of applications including Commission review, preparing and enforcing each contract with each property owner and reviewing and approving any proposed alterations to the eligible properties during the term of the contract.

BACKGROUND:

Since September 2006, the Culturally Significant Landmark ordinance has been in effect under Title 10 Chapter 10.86 of the Manhattan Beach Municipal Code regarding the designation of culturally significant landmarks. A local task force comprised of voluntary members from the community was formed in 2006 to increase public awareness and community appreciation of Manhattan Beach's unique heritage. The task force, named the Manhattan Beach Cultural Heritage Conservancy is headed by Jan Dennis, a local historian. This group has been actively researching potential historic properties throughout the City to designate as Cultural Significant Landmarks. To date, the City of Manhattan Beach has designated 18 properties as Culturally Significant Landmarks through the efforts of the

Manhattan Beach Cultural Heritage Conservancy. Two properties have been accepted by the State Historic Preservation Office to be listed in the California Register of Historical Resources.

On July 12, 2006, the Planning Commission considered the proposed Cultural Significant Landmark ordinance and adopted Resolution No. PC 06-08 recommending the City Council adopt it. The City Council held public hearings on August 15, 2006 and September 5, 2006 and adopted Ordinance No. 2089 to recognize Culturally Significant Landmark properties in the City of Manhattan Beach. At that time, the Mills Act costs and benefits were discussed by the Planning Commission and City Council. The benefits to the property owners are the financial incentives since the Mills Act provides a reduction in property taxes. The benefit to the City is the preservation of a historic structure. The staff report and minutes are attached as Attachment A.

On May 17th, 2011 and June 7, 2011 (Attachment A), the City Council reviewed amendments to the Culturally Significant Landmark Ordinance to remove the need for a required public hearing for designating properties cultural significance. The current Culturally Significant Landmark Ordinance No. 2143 (Attachment B) only acknowledges and designates properties of historical and/or cultural significance but does not prevent the ability to alter or demolish a designated property. Properties may only be nominated by the property owner. The criteria on determining designation include architectural significance, association with local significant events, association with a significant designer and unique locations which are associated with the City.

DISCUSSION:

The following is a discussion on the introduction of the Mills Act Program, how it will impact properties and the future of preserving historical properties in the City of Manhattan Beach.

Mills Act Program

State law provides for voluntary restrictions on historically significant properties in exchange for reduced property tax. The legislation known as the "Mills Act" (Government Code section 50280 et seq.) requires that local governments adopt a local ordinance establishing historical criteria (or adopting State or Federal standards) and authorizes the City to enter into contracts with property owners meeting those criteria. The contracts would limit an owners' ability to replace or alter the appearance of the property during the term of the contract which must be for a minimum of 10 years. The contract must be binding on the future owners and heirs of the property and must be recorded. The agreement would entitle the property owner to a lower valuation for property tax purposes during the term of the agreement. Participation from the property owner to enter into a contract through the Mills Act is strictly voluntary.

Other Cities (Attachment C)

Other Southern California cities, including the City of Redondo Beach, Hermosa Beach and Pasadena have adopted historic preservation ordinance such as the Mills Act Program. The City of Redondo Beach adopted the Mills Act Program in 1992 and the Program is regulated under the City's Preservation Commission. The Preservation Commission's goal is to promote awareness and use of the Mills Act as an incentive for the preservation of local

historic buildings. One Planner spends 25 to 35% of their time handling historic preservation, plus additional staff and other resources are required for the Preservation Commission, additional Planning Commission review and other related responsibilities.

The City of Hermosa Beach established their historic preservation program in 1998. The program is voluntary and encourages property owners to voluntarily apply for landmark status. The City Council must approve the alteration of a designated landmark or potential landmark through a Certificate of Appropriateness on the list of historic resources established by City Council. An outside consultant reviews the modification to ensure changes meet the historical guidelines. The City Council has designated 28 properties in the City of Hermosa Beach. Three commercial buildings, since 2009, have been designated and protected under the City's Historic Resources Preservation Ordinance.

The City of Pasadena established a historical ordinance in 1992 under the Mills Act Program. Property owners enter into contracts with the City and any alterations to the historic property must follow the Secretary of the Interior's Standards. The City approves up to six contracts per year for multi-family or commercial/industrial properties and up to twenty contracts per year for single family residential properties for historic designation. The program is administered through the Planning and Community Development Department under the Design and Historic Preservation Section.

Manhattan Beach Cultural Heritage Conservancy (Attachment D)

The Manhattan Beach Cultural Heritage Conservancy is requesting that the City Council consider adopting the Mills Act in the City. They feel that the current program does not protect or preserve potential historic properties and that the City of Manhattan Beach is losing its history and not maintaining the original character of the community. They will be making a presentation this evening on the Mills Act along with the Los Angeles Conservancy organization.

CONCLUSION:

Staff is requesting that the City Council provide direction on the further study of the Mills Act Program and the possible adoption of an ordinance in the future.

Attachments:

Attachment A- City Council Staff Reports and Minutes from August 15, 2006, September 5, 2006, May 17th, 2011, and June 7, 2011

Attachment B- Culturally Significant Landmark Ordinance No. 2143

Attachment C- Other Cities Historic Documentation

Attachment D- Manhattan Beach Cultural Heritage Conservancy Documentation

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Final

Tuesday, June 17, 2014

6:00 PM

Regular Meeting

City Council Chambers

5:00 PM Adjourned Regular Meeting - Closed Session

City Council

Mayor Amy Howorth
Mayor Pro Tem Wayne Powell
Councilmember Mark Burton
Councilmember Tony D'Errico
Councilmember David J. Lesser

PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS, AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, PLEASE GO TO www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes

A. PLEDGE TO THE FLAG

Curran Hedges, Mayor for the Day, led the Pledge of Allegiance.

B. ROLL CALL

Present: 5 - Mayor Howorth, Mayor Pro Tem Powell, Councilmember Burton, Councilmember D'Errico and Councilmember Lesser

C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

City Clerk Liza Tamura confirmed that the meeting was properly posted.

D. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

A motion was made by Councilmember Burton, seconded by Mayor Pro Tem Powell, to approve the agenda and waive full freading of ordinances.. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

E. CEREMONIAL CALENDAR

- 1. Recognition of Curran Hedges as Mayor for the Day. **14-0289**
PRESENT

Mayor Howorth, on behalf of the City Council, recognized Curren Hedges as the Mayor for the Day and presented him with a certificate and a City pin.

- 2. Presentation of a Certificate of Recognition to Jeff Nicosia for his Services to the Beach Cities Sports (BCS) Youth Flag Football Program. **14-0270**
PRESENT

Mayor Howorth introduced Parks and Recreation Director Mark Leyman to recognize Mr. Jeff Nicosia for his accomplishments in Beach Cities Sports (BCS) Youth Flag Football.

Mayor Howorth, on behalf of the City Council, presented Mr. Nicosia with a certificate and a City pin.

3. Presentation of a Certificate by Southern California Edison and the South Bay Cities Council of Governments to Recognize the City of Manhattan Beach's Achievement of Rising to the Energy Leader Platinum Level, Representing Significant Electricity Savings in Energy and Energy Efficiency Education for the Community. **14-0278**

PRESENT

Mayor Howorth introduced Marilyn Lyon from SBCCOG who presented a commendation to the City for reaching the highest level of the Energy Leader Program. Ron Garcia of Southern California Edison congratulated the City Council for achieving the Platinum Level for conserving energy, being one of only four cities that Southern California Edison services, that has attained this level..

4. Presentation of a Commendation to the Mira Costa High School Music Department for Being Recognized as a GRAMMY Signature School by the GRAMMY Foundation. **14-0133**

PRESENT

This item was delayed until after the City Council Announcements awaiting the arrival of members of the Mira Costa Choir.

F. CITY MANAGER REPORT

Acting City Manager Bruce Moe gave a brief report regarding the Downtown Specific Plan, 900 Club, and Shade Hotel.

Councilmember Burton commended Acting City Manager Moe for his hard work and encouraged him to apply for Assistant City Manager, should the job be created.

Acting City Manager Moe commented on the LA Kings Parade occurring the following day.

G. CITY ATTORNEY REPORT

None.

H. CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Mayor Howorth spoke of the passing of a member of the community, David Wachtfogel, and requested those present to participate in a moment of silence to honor him.

Mayor Pro Tem Powell announced the Dine and Discover lunch for the older community occurring later in the week.

Councilmember D'Errico reminded the audience of the downtown sidewalk sale occurring later in the month.

Councilmember Lesser announced a "map your neighborhood" program, which helps residents prepare for disasters.

Mayor Pro Tem Powell commended the Kings on their Stanley Cup Championship.

4. Presentation of a Commendation to the Mira Costa High School Music Department for Being Recognized as a GRAMMY Signature School by the GRAMMY Foundation. **14-0133**

PRESENT

Mayor Howorth, on behalf of the City Council, recognized the Mira Costa High School Music Department for being one of three high schools in the country to win the Grammy Signature Gold Award.

The Mira Costa Vocal Ensemble sang the Star Spangled Banner.

City Council commended the choir.

I. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS

Tom Allard, representing the Senior Advisory Community and the Older Adult Program, invited the City Council to the ribbon cutting ceremony for the new petanque court.

Viet Ngo announced a meeting for the Anti-Corruption Advocacy group the following day, and remarked that the Kings should pay for the parade, not taxpayers.

Julliane Catts, President of the South Bay Bicycle Coalition, shared information on a bike friendly business program.

Don Gould, Manhattan Beach Library, spoke regarding summer reading and announced that an opera singer will be at an event at the Lawndale Library on June 21, 2014, at 2:00 PM.

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

Nate Hubbard provided an update on negotiations between residents and the Shade Hotel.

Avigal Horrow, from 1736 Family Crisis Center, started to speak regarding budgetary allocations, but was told to wait until this agenda item was discussed.

David Denelle spoke regarding a program called Car2Go and expressed concern for cars being "dropped off" in his neighborhood.

Viet Ngo spoke of alleged conspiracy and misappropriation of public funds.

Robert Bush spoke about the LA Kings playoff performances, and spoke out against Deutsche Bank.

Katie David is disappointed seeing more office spaces constructed at the expense of the local businesses and wants to keep business local.

Paul Gross spoke in favor of the mall and asked that the City Council not block the project based on a vocal minority of residents who do not want change.

Gerry O'Connor spoke in favor of summary minutes.

K. CONSENT CALENDAR

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to approve the Consent Calendar with the exception of 5, 8, 9, and 12. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

- 6.** Award of Bid to the Armored Group, LLC for the Budgeted Purchase of One Law Enforcement Tactical Vehicle in the Amount of \$184,000 (Acting City Manager Moe). **14-0244**

APPROVE; APPROPRIATE

The recommendation for this item was approved on the Consent Calendar.

- 7.** Award of Bid to Verde Inc. for the Budgeted Purchase of One Replacement DUI (Driving Under the Influence) Checkpoint Trailer in the Amount of \$27,617.55 (Acting City Manager Moe). **14-0245**

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 10.** Agreement for Additional Services Not-to-Exceed \$5,000 with Messina and Associates for Team Building, Career Counseling, and Succession Planning Development (Fire Chief Espinosa). **14-0285**

APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 11.** Revised Salary Ranges for the Part-Time Recreation Leader I and Recreation Leader II Positions Due to a Mandated Increase in the State of California's Minimum Wage (Human Resources Director Hanson). **14-0280**

APPROVE

The recommendation for this item was approved on the Consent Calendar.

L. PUBLIC HEARINGS

- 13.** Fiscal Year 2014-2015 Operating Budget (Acting City Manager Moe). **RES 14-0038**
CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NO. 14-0038

Acting City Manager Bruce Moe requested items 13 and 14 be considered together and gave a presentation regarding this item.

Discussion followed between the City Council and Acting City Manager Moe as he responded to questions regarding the adoption of Fiscal Year 2014-2015 Operating Budget.

Mayor Howorth opened the floor for public comment.

Fyllis Kramer spoke in support of the consolidation of part-time Dial-A-Ride drivers to a single full-time driver.

Avigal Horrow, from 1736 Family Crisis Center, spoke regarding the removal of budgetary allocation for the 1736 Family Crisis Center, and outlined her case for funding from the City of Manhattan Beach, providing examples of the assistance the 1736 Family Crisis Center provides.

Viet Ngo alleged misappropriation of federal funds, and alleged criminal activity.

City Council followed up with Acting City Manager Moe about allegations brought by Mr. Ngo.

Gary McAully, Manhattan Beach Historical Society, spoke regarding digitalization of historic newspaper archive.

Bill Victor spoke in support of finding funds for 1736 Family Crisis Center and questioned the addition to the budget to compensate for the \$9 minimum wage when it will not affect any employees.

Gerry O'Connor expressed concern over the escalation of salary costs and suggested annual performance reviews of staff.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

Further discussion continued and Acting City Manager Moe responded to Councilmembers questions, and the role of the budget in planning.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to adopt Resolution 14-0038, approving Fiscal Year 2014-2015 Operating Budget with the following adjustments:

Full-time Traffic Engineer position and the Dial-A-Ride full-time driver, but freezing these position until such a time as the City Manager has time to review them.

Remove \$37,000 for Legislative Advocacy, the \$48,000 allocated for the Term-Limit Election, and the line-item for staff raises, subject to City Council approval.

At the request of Acting City Manager Moe, clarification of the motion was given.

The City Council asked for clarification regarding the raises provided for in the budget, and discussed the issue of raises and process of approving, and the location of funds, if this item is removed.

Mayor Pro Tem Powell amended his original motion, seconded by Mayor Howorth, to adopt Resolution 14-0038, approving Fiscal Year 2014-2015 Operating Budget with the following adjustments:

Adding back the Full-time Traffic Engineer, the Dial-A-Ride full-time driver, and Graphic Design Artist, but frozen until such a time as the new City Manager has time to review them.

Remove \$37,000 for Legislative Advocacy, and the \$48,000 allocated for the Term-Limit Election.

Keeping the line-item for staff raises, subject to City Council approval.

Discussion arose surrounding the change in the motion.

A motion was made by Mayor Pro Tem Powell, seconded by Mayor Howorth, to adopt Resolution 14-0038, approving Fiscal Year 2014-2015 Operating Budget with the following adjustments:

Adding back in the full-time Traffic Engineer, the Dial-A-Ride full-time driver, and Graphic Design Artist, but frozen until such a time as the new City Manager has time to review them.

Remove \$37,000 for Legislative Advocacy, and the \$48,000 allocated for the Term-Limit Election.

Keeping the line-item for staff raises, subject to City Council approval.

A friendly amendment was proposed by Councilmember Burton to remove the \$48,000 allocated for the term-limit election contingent upon a decision to change the election from November to March, and was accepted by Mayor Pro Tem Powell.

And a further friendly amendment that the allocation for staff raises is frozen until such time as the City Manager briefs City Council on a comprehensive pay plan.

Further discussion arose surrounding the allocation for staff raises.

A further amendment was proposed by Councilmember Burton to freeze the allocation for staff raises until the City Manager briefs the City Council conceptually on a comprehensive pay plan.

A motion was made by Mayor Pro Tem Powell, seconded by Mayor Howorth, to adopt resolution 14-0038, approving Fiscal Year 2014-2015 Operating Budget with the following adjustments:

Add full-time Traffic Engineer, the Dial-A-Ride full-time driver, and Graphic Design Artist, but frozen until such a time as the new City Manager has time to review them.

Remove \$37,000 for Legislative Advocacy, and the \$48,000 allocated for the Term-Limit Election.

Keeping the line-item for staff raises, subject to City Council approval.

Removal of the \$48,000 allocated for the Term-Limit Election contingent upon a decision to change the election from November to March.

Allocation for staff raises is frozen until such time as the City Manager briefs City Council on a comprehensive pay plan.

The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

14. Public Hearing and Adoption of Fiscal Year 2014-2015 Operating Budget: Appropriation (Gann) Limit (Acting City Manager Moe).

RES 14-0037

**CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 14-0037
AS PART OF THE OPERATING BUDGET**

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to adopt Resolution 14-0037 establishing an appropriation (Gann) limit for Fiscal Year 2014-2015 as part of the Operating Budget. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

Acting City Manager Moe thanked his staff for all their work on the Operating Budget, especially Controller Henry Mitzner and Budget Analyst Eden Serina.

At 8:30 PM the City Council recessed and reconvened at 8:41 PM with all Councilmembers present.

15. Consideration of the Fiscal Year 2015-2019 Capital Improvement Plan (Public Works Director Olmos). **RES 14-0039**

CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 14-0039

Public Works Director Tony Olmos gave a staff presentation following up on specific items regarding the Capital Improvement Plan. Public Works Director Olmos and Traffic Engineer Eric Zandvliet responded to Councilmember questions.

Mayor Howorth opened the floor for public comment.

Denni Smith spoke against putting a signal at Highland Avenue and 38th Street.

Craig Cadwallader spoke in favor of doggie potties to keep the beach clean.

Gerry O'Connor does not see the need for the flashing lights at the pier and would also like to see some improvement done to the "Welcome to Manhattan Beach" sign near the proposed Manhattan Beach Boulevard median.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

Discussion continued and Public Works Director Olmos and Traffic Engineer Zandvliet responded to Councilmembers questions.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to adopt Resolution 14-0039 approving the Fiscal Year 2015-2019 Capital Improvement Plan with adjustment that one project be renamed from "Install Traffic Signal" to "Investigate and Potentially Install Crossing Devices". The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

Public Works Director Olmos thanked all the departments who helped assemble the Capital Improvements Plan.

M. GENERAL BUSINESS

17. Approve Pedestrian Enhancements at the Intersection of Ardmore Avenue and Flornoy Road as Recommended by the Parking and Public Improvements Commission *(Continued from June 3, 2014, City* **14-0247**

Council Meeting) (Community Development Director Thompson).

APPROVE

This item was heard after Item 15.

Acting City Manager Bruce Moe introduced City Traffic Engineer Erik Zandvleit who provided a PowerPoint presentation and then responded to Councilmembers questions.

Mayor Howorth opened the public comment.

Emmee Sarmiento, co-petitioner to this item, voiced her concerns and the need for pedestrian improvements at this intersection.

Gary McAully voiced his opinion regarding this item, thinks the onus is on both the pedestrians and drivers.

Joe Galliani cited fatality rates at various speeds.

Gerry O'Connor thinks that the fatality rate being represented by vehicle speed is grossly oversimplified.

Amy Brantley, co-petitioner to this item, spoke regarding slowing the speed limit on Ardmore Avenue.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

The City Council deliberated the merits of this item.

A motion was made by Councilmember Burton to install a stop sign at the intersection of Ardmore and Flournoy.

The motion failed for lack of a second.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell, to explore further calming measures on Ardmore to slow traffic down.

Councilmember D'Errico proposed a friendly amendment to have a date certain to review the impact of the traffic calming measure, and then make a decision whether to proceed with different measures.

City Council posed questions to Traffic Engineer Zandvleit regarding the feasibility and timetable relating to Councilmember D'Errico's friendly amendment.

Mayor Pro Tem Powell proposed a friendly amendment to the friendly amendment to have a program to see if these measures work. After, have an evaluation to determine whether the speed can be lowered, or the stop sign needs to be installed.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Burton, to continue this item, and retain jurisdiction over this matter and to void any appeal fees. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

- 18.** Status Report on the Mills Act - A Preservation Program for Historic Properties (Community Development Director Thompson).

14-0267

DISCUSS AND PROVIDE DIRECTION

Acting City Manager Bruce Moe introduced Assistant Planner Angelica Ochoa, who provided a staff PowerPoint presentation on the Mills Act.

Jan Dennis spoke briefly regarding the Mills Act and urged its passing.

Jane Guthrie further explained the Mills Act and how it works.

Jan Ostashay, Historic Preservation Consultant, also contributed information regarding the Mills Act.

Mayor Howorth opened the floor for public comment.

Gary McAully urged City Council to preserve the small beach town character of Manhattan Beach.

Gerry O'Connor stands behind approving a Mills Act Ordinance.

Jan Ostashay, Historic Preservation Consultant, spoke about the local control over this program, and benefits other cities have seen.

Martha Andreani sees the need for historic preservation in Manhattan Beach.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

Discussion followed between members of the City Council regarding this item, the shortcomings of the present system, and the costs to the city that would be incurred.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell, to direct the City Attorney to return with a draft Mills Ordinance along with a staff report that quantifies with real numbers how much staff time would be involved, how the data that has already been collected by the Manhattan Beach Cultural Heritage Conservancy could be utilized, save staff time, and provide the full picture.

Mayor Pro Tem Powell offered a friendly amendment that there be a date certain as to when it returns to the City Council. Councilmember Burton proposed 90 days.

Questioned by City Council over the timing viability, City Attorney Barrow indicated his firm had just finished this process with the City of Beverly Hills, and he indicated this would not take very long. However, the staff costs calculations he would defer to Community Development Director Thompson.

A friendly amendment was offered by Councilmember Burton that this motion should amend the existing ordinance, which was accepted by Councilmember Lesser.

The motion made by Councilmember Lesser, seconded by Mayor Pro Tem Powell, to direct the City Attorney to return with a draft Mills Ordinance along with a staff report that quantifies with real numbers how much staff time would be involved, how the data that has already been collected by the Manhattan Beach Cultural Heritage Conservancy could be utilized to save staff time, and provide the full picture to be returned to City Council within a specific time limit, and also amending the existing ordinance. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

At 10:59 PM the meeting was recessed and reconvened at 11:05 PM with all Councilmembers present.

- 16.** Presentation on the Draft Mobility Plan (Community Development Director Thompson). **14-0177**

DISCUSS AND PROVIDE DIRECTION

The City Council deliberated timing constraints related to discussing this item at this time.

This item was continued to a soon-to-be-decided off-Tuesday Special City Council Meeting.

- 19.** Approve Contract with Partners in Policy Governance for Assistance in Implementing the Policy Governance Model in an Amount to Exceed \$98,000 (Strategic Planning and Policy Governance Subcommittee) **CON 14-0028**
APPROVE; APPROPRIATE \$98,000 FROM COUNCIL CONTINGENCY

Acting City Manager Bruce Moe introduced the item, which was presented by Councilmember D'Errico, who stated that the policy governance issue is solely a City Council matter, discussed management, styles and theories of governance, and the reason for the creation of policy governance.

Councilmember D'Errico introduced the RFP, the reasons for choosing one consulting firm over others, what is being committed to through this RFP, and the benefits that could be gained through this consulting.

Discussion ensued and Councilmember D'Errico responded to City Council questions.

Mayor Howorth opened the floor for public comment.

Martha Andreani believes policy is in place through ordinances, direction is in place through agendas, and doesn't understand the purpose of this proposal.

Scott King posed a question whether the amount includes expenses, which it does.

Viet Ngo alleged violations of laws by the City by not holding a competitive bid.

Gerry O'Connor spoke about the importance of implementing policy governance, wants City Council to focus more on policy, and leave day-to-day operations to staff.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

Discussion continued with all Councilmembers regarding the need to approve the contract at this time.

Mayor Pro Tem Powell clarified that the RFP was competitively bid and there were no

Brown Act violations.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to freeze any action, wait for the new City manager to come on board.

Discussion continued among the Councilmembers.

Mayor Pro Tem Powell made a motion to table.

A friendly amendment was made by councilmember Burton that 60 days after meeting with the City Manager to discuss the issue, City Manager Danaj return to City Council with a status report on where he is and what he thinks.

Councilmember Burton withdrew his friendly amendment.

City Attorney Quinn Barrow asked that the motion be clarified and make it a motion to continue.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, that this item be continued until a later time. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

**20. Home Loan for New City Manager 14-0286
APPROVE; APPROPRIATE**

Acting City Manager Bruce Moe gave a presentation outlining this item.

Mayor Howorth opened the floor for public comment.

Gerry O'Connor voiced his concern that he does not understand what the collateral of the loan is, and wants to know which house has been purchased with this loan.

Acting City Manager Moe responded to questions.

Viet Ngo alleged misappropriation of public funds by the City Council by providing this loan.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to approve and appropriate per the recommendation in the staff report.

Councilmember Lesser inquired about requirements about which records regarding this loan would become public documents, and City Attorney Barrow responded.

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to approve and appropriate per the recommendation in the staff report. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

**21. Consideration of a Resolution Approving an Amending to a Legal RES 14-0043
Services Agreement with Richards, Watson & Gershon for City
Attorney Services to Designate Quinn M. Barrow as City Attorney and
to Increase the Monthly Rate for General Services to \$24,000 (Acting
City Manager Moe).**

ADOPT RESOLUTION; APPROVE AGREEMENT

Acting City Manager Bruce Moe provided the staff presentation.

Discussion arose between the City Council and City Attorney Barrow regarding this item, and the difference between having an in-house and contracted-for City Attorney.

Mayor Howorth opened the floor for public comment.

Craig Cadwalder commended the City Attorney and his firm for their outstanding work.

Viet Ngo alleged conspiracy and corruption on the part of the City Council and City Attorney Barrow.

Diane Wallace agrees with Mr. Cadwalder for the outstanding job the Legal Department has provided to the city.

Gerry O'Connor would like a better measurement on the success of using outside contracted legal services.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to adopt the resolution and approve the agreement per the staff report.

Members of the City Council stressed the need for specialized knowledge that a firm offers, and commended City Attorney Barrow for his work.

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to adopt the resolution and approve the agreement per the staff report. The motion passes by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

N. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 5.** Contract Amendment #1 with Iteris, Inc. and Appropriate a **CON 14-0030**
 Not-to-Exceed amount of \$21,000 from the General Fund for
 Additional Services to Complete the Mobility Plan Update (Community
 Development Director Thompson).
APPROVE AND APPROPRIATE

Acting City Manager Bruce Moe stated that, since the Mobility Plan has been continued, this item should be continued as well.

Gerry O'Connor had pulled the item and remarked that his complaint dealing with this item is contract management. Contracts should not be overspent and the City Council should not continue to approve additional expenditures on already negotiated contracts.

Members of the City Council discussed the merits of expanding a contract, and the practice of providing additional funding to contract where the original scope has been exceeded.

A motion was made by Councilmember Burton, seconded by Councilmember Lesser, to continue this item. The motion passed by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

8. Ordinance No. 14-0008 Prohibiting Smoking in Public Places and Regulating Electronic Cigarettes (Public Works Director Olmos). **ORD 14-0008**
ADOPT ORDINANCE NO. 14-0008

This item was pulled by Viet Ngo.

Viet Ngo alleges that this ordinance is passed based on lobbying by private interests, and that the City Council has no authority to regulate E-cigarettes.

Mayor Howorth opened the floor for public comment.

Bill Victor remarked that the City Council should provide coffee at the minimum to those in attendance to help them stay awake, especially since important measures are discussed late at night.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, that Ordinance 14-0008 Prohibiting Smmoking in Public Places and Regulating Electronic Cigarettes be adopted.

Councilmember D'Errico expressed disappointment that the City Council did not discuss this measure with the business community in detail, and asked regarding hardship petitions.

Discussion followed regarding enforcement, and business related hardships being created.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, that Ordinance 14-0008 Prohibiting Smmoking in Public Places and Regulating Electronic Cigarettes be adopted. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

9. Award of Contract to Teri Black & Company for Community Development Director Recruitment Services; Appropriation of \$24,750 from the General Fund Available Fund Balance (Acting City Manager Moe). **CON 14-0029**
APPROVE AND APPROPRIATE

This item was pulled by Viet Ngo, who later decided he no longer wished to discuss this item.

Mayor Howorth opened the floor for public comment.

Seeing no requests to speak, Mayor Howorth clod the floor to public comment.

A motion was made by Councilmember Lesser, seconded by Councilmember Burton, to award the contract to Terri Black & Company and appropriate the money for the Community Development Director Recruitment Services. The motion carried by the following vote:

Councilmember Lesser stated for public record that the incoming City Manager wanted this recruitment, and has addressed his concerns regarding costs.

A motion was made by Councilmember Lesser, seconded by Councilmember Burton, to award the contract to Terri Black & Company for the Community Development Director recruitment services. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

12. Minutes:

14-0273

This item contains action minutes of City Council meetings which are presented for approval. Staff recommends that the City Council, by motion, take action to approve the action minutes of the:

- a) City Council Adjourned Regular Meeting-Budget Study Session No. 1 of May 8, 2014
- b) City Council Adjourned Regular Meeting-Closed Session of May 12, 2014
- c) City Council Adjourned Regular Meeting-Budget Study Session No. 2 of May 12, 2014
- d) City Council Adjourned Regular Meeting-Budget Study Session No. 3 of May 21, 2014
- e) City Council Adjourned Regular Meeting-Closed Session of May 29, 2014
- f) City Council Adjourned Regular Meeting-Budget Study Session No. 4 of May 29, 2014
- g) City Council Special City Council Meeting-Closed Session of June 10, 2014
(City Clerk Tamura).

APPROVE

This item was pulled from the Consent Calendar by Gerry O'Connor.

Gerry O'Connor contended that bundling the minutes together is counter-productive.

Mayor Howorth opened the floor for public comment.

Bill Victor commented on the quality of the minutes.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Powell to accept the minutes. The motion passed by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

O. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

P. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS, FUTURE DISCUSSION ITEMS

Mayor Howorth announced that the following weekend she will be attending the US Conference of Mayors, and will report back after the event.

A motion was made by Councilmember Burton, seconded by Mayor Pro Tem Powell, to place an item on the July 1, 2014 Agenda to discuss the Resolution regarding term limits and changing the election from November to March, and requesting that the City Clerk keep the time for submitting arguments on this issue open until after July 1st, as well as extending the time period for the impartial analysis to be submitted.

The matter was placed on the next agenda.

No vote was taken.

- 22. Take a Position in Opposition to AB 2145 (Bradford) - Electricity: 14-0293
Community Choice Aggregation (Acting City Manager Moe).
OPPOSE**

Acting City Manager Bruce Moe provided the staff presentation regarding this item and states staff recommended position in opposition to the bill.

Discussion arose between members of the City Council and Environmental Programs Manager Sona Coffee regarding this agenda item.

Mayor Howorth opened the floor for public comment.

Joe Galliani, explained the confusion between the status quo and the changes that would occur if AB 2145 passed.

Dempsey Nelson spoke in support of opposition to this bill.

Bill Victor supports the staff recommended position in opposition to AB 2145.

Craig Cadwalder referred to an application created by Southern California Edison showing, in real time, all outages in their service area. Encourages the city write in opposition to AB 2145.

Diane Wallace spoke in support of opposing AB 2145.

Scott King spoke in favor of opposing AB 2145, and the positive effects it could have.

Jackie May remarked hearing similar arguments regarding telephone deregulation.

Gerry O'Connor brought up concerns regarding process and stated that he is in support of opposing AB 2145.

Seeing no further requests to speak, Mayor Howorth closed the floor to public comment.

Members of the City Council further discussed their positions and confusion regarding what is being asked of them tonight.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to accept the recommendation to oppose AB 2145.

Discussion arose between members of the City Council regarding what classifies a direct financial impact to the City's residents, and concerns held by Councilmembers.

A motion was made by Mayor Pro Tem Powell, seconded by Councilmember Lesser, to accept the recommendation to oppose AB 2145. The motion carried by the following vote:

Aye: 5 - Howorth, Powell, Burton, D'Errico and Lesser

Q. RECEIVE AND FILE ITEMS

Mayor Pro Tem Powell made a motion, seconded by Councilmember Lesser, that Item Nos. 23 and 24 be Received and Filed.

- 23.** Financial Reports: **14-0262**
Schedule of Demands: June 5, 2014 (Acting City Manager Moe).

RECEIVE AND FILE

- 24.** Commission Minutes: **14-0272**

This item contains minutes of City Council subcommittees and other City commissions and committees which are presented to be Received and Filed by the City Council. Staff recommends that the City Council, by motion, take action to Receive and File the minutes of the:

- a) Planning Commission Meeting of May 28, 2014
(Community Development Director Thompson)
- b) Cultural Arts Commission Meeting of May 13, 2014
(Parks and Recreation Director Leyman)

RECEIVE AND FILE

R. ADJOURNMENT

At 1:40 AM, the June 17, 2014, Regular City Council Meeting adjourned to the 4:30 PM Adjourned Regular Meeting (Closed Session) on July 1, 2014, in the City Council Chambers at Manhattan Beach City Hall.

Matthew Cuevas
Recording Secretary

Amy Thomas Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk

Chapter 10.86 - CULTURALLY SIGNIFICANT LANDMARKS

Sections:

10.86.010 - Purpose.

It is the intent and purpose of the Manhattan Beach City Council in passing this chapter to:

- A. Safeguard the City's heritage by encouraging the recognition and voluntary protection of landmarks representing significant elements of the City's history and culture;
- B. Foster civic and neighborhood pride and a sense of identity based on appreciation of the City's past;
- C. Strengthen the economy of the City by identifying and recognizing historical and cultural landmarks which may be of interest to both residents and visitors.

(§ 2 (part), Ord. 2089, eff. October 5, 2006)

10.86.020 - Definitions.

As used in this chapter:

"Architectural appearance" means the architectural character and general composition of the structure, including, but not limited to, the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

"Architectural significance" means any structure which embodies a particular architectural style or is a distinctive example of a particular school of architectural design or represents the work of an important architect.

"Community" means the City of Manhattan Beach and surrounding environs.

"Council" means the City Council of the City of Manhattan Beach.

"Demolition" means any act or process that destroys in part or in whole a landmark, proposed landmark, monument or point of interest.

"Landmark" means a property or structure designated as a "landmark" by resolution of the City Council, pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City.

"Owner of record" means the person, corporation, or other legal entity listed as owner on the records of the County Recorder of Deeds.

"Point of interest" means the site of a building, structure, or object which no longer exists but which was associated with historic events or important persons or embodied a distinctive character or architectural style; or has historic significance but has been altered to the extent that the integrity of the original workmanship, materials, or style has been substantially compromised; or is the site of a historic event which has no distinguishable characteristic other than that a historic event occurred there, and the site is not of sufficient historic significance to justify the establishment of a historic landmark.

"Publicly owned" shall mean a property which is owned by any governmental entity including, but not limited to, the City, School District, County, State, United States Government or any special district.

"Site" shall mean a location or place with or without associated structures or landscaping.

"Structure" means anything constructed or erected, the use of which requires permanent or temporary location on or in the ground.

(§ 2 (part), Ord. 2089, eff. October 5, 2006)

10.86.030 - Designation of culturally significant landmarks.

At the request of the owner of record the City Council of the City of Manhattan Beach may designate any privately owned property in the City as a culturally significant landmark pursuant to the criteria set forth in this chapter and issue a Certificate of Cultural Significance with regard to said property in recognition of its unique status in the community. Any Manhattan Beach resident may nominate a publicly owned property as a culturally significant landmark which shall then be reviewed according to the same procedure and criteria set forth in this chapter for privately owned properties.

(§ 2 (part), Ord. 2089, eff. October 5, 2006)

10.86.040 - Procedure for designation of culturally significant landmark.

The owner of record of any property (or, with regard to publicly owned properties, any Manhattan Beach resident) within City boundaries may apply to the Director of Community Development or his or her designee for that property to be designated as a culturally significant landmark on a form developed by the Community Development Department for the purpose. The application shall identify the property, shall contain a brief description of the site, building structure or significant horticultural development, the reasons why the site is considered culturally significant and a discussion of any request for signage memorializing the designation. A copy of any such application shall be forwarded to the Manhattan Beach Historical Society and Manhattan Beach Cultural Heritage Conservancy, or the current local historical group recognized by the City, which shall be invited to formally comment on the application. Within ninety (90) days of receipt of the application City staff shall schedule a public meeting by the City Council to consider any such application. The decision of the City Council shall be final with regard to any such application.

(§ 2 (part), Ord. 2089, eff. October 5, 2006, as amended by § 2, Ord. 2143, eff. July 7, 2011)

10.86.050 - Criteria for designation of a culturally significant landmark.

A. The City Council shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, site, structure, or area meets one (1) or more of the following criteria:

1. Its character, interest, or value as part of the development, heritage, or cultural characterization of the community;
2. Its identification with a person or persons who significantly contributed to the development of the community;
3. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
4. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community;
- 5.

- Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
6. Its embodiment of design elements that make it structurally or architecturally innovative;
 7. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
 8. Its suitability for preservation or restoration. Any structure, property, or area that meets one (1) or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration;
 9. It shall have historic, aesthetic, or special character or interest for the general public and not be limited in interest to a special group or person;
 10. Its designation shall not infringe upon the rights of a private owner thereof to make any and all reasonable uses thereof which are not in conflict with the purposes of this chapter;
 11. It has been previously designated in the National Register at the State-wide or federal level of significance (including National Historic Landmarks) and is historic resource that is significant at a City, regional, State, or federal level, and is an exemplary representation of a particular type of historic resource.
- B. A culturally significant landmark designation may include significant public or semi-public interior spaces and features which otherwise meet the criteria set forth above.
- C. A culturally significant landmark may be a tree or other landscaping which shall qualify to be of historic or cultural significance and of importance to the community if it meets any one (1) of the following criteria:
1. It is one (1) of the largest or oldest trees of the species located in the City;
 2. It has historical significance due to an association with a historic event, person, site, street, or structure;
or
 3. It is a defining landmark or significant outstanding feature of a neighborhood.

(§ 2 (part), Ord. 2089, eff. October 5, 2006)

10.86.060 - Signage for culturally significant landmarks.

At the time the City Council approves the designation of a property or site as a culturally significant landmark, it may, at the owner's request approve signage for the site which memorialized its designation under this chapter. The size, presentation, content and location of any such sign shall be presented to the City Council at the time it considers designation of the property or site.

(§ 2 (part), Ord. 2089, eff. October 5, 2006)

10.86.070 - Effect of designation as a culturally significant landmark.

The designation of a property or site as a culturally significant landmark is an honorary designation only. Such designation shall have no effect upon the property rights of the owner of such property nor curtail alteration, development or demolition of such property.

(§ 2 (part), Ord. 2089, eff. October 5, 2006)

10.86.080 - Removal of designation as a culturally significant landmark.

The owner of a designated culturally significant site may, at any time, apply to have the designation removed. The property owner shall file a written statement with the Director of Community Development or his or her designee setting forth the reasons for the request for removal. Any such removal shall require an action by the City Council at a public meeting.

(§ 2 (part), Ord. 2089, eff. October 5, 2006, as amended by § 2, Ord. 2143, eff. July 7, 2011)

10.86.090 - Establishment of "Landmark Task Force."

The City Council may appoint a "Landmark Task Force" to advise on ways to preserve, celebrate and enhance the City's culturally significant landmarks. The Task Force's mission shall include, but not be limited to:

- A. Researching the availability of historical materials related to Manhattan Beach and creating an inventory list of possible sites, districts and structures;
- B. Researching funding sources for large and small scale historic preservation, restoration, renovation and identification projects;
- C. Providing educational opportunities to increase public awareness and appreciation of Manhattan Beach's unique heritage;
- D. Reviewing and commenting on proposed application for designation under this chapter.

Members of the Task Force shall be appointed by the City Council and must be electors of the City. The City Council shall establish the term and other criteria for appointment of said "Task Force."

(§ 2 (part), Ord. 2089, eff. October 5, 2006)

10.86.100 - Environmental impacts.

The purpose of the program established hereunder is to honor and recognize locally significant landmarks. However, the designation provided for in this chapter shall not be construed, by itself, to confer a level of significance sufficient that alteration or demolition of a designated property or site can be inferred to be a significant impact on the environment.

(§ 2 (part), Ord. 2089, eff. October 5, 2006)



Here are our notes to accompany Beverly Hill's Cultural Heritage Ordinance.

We have five main points to address, representing areas where BH's ordinance was tailored for that city and we don't recommend adopting those adaptations. There are annotations marks in the document that relate to the issues discussed in 1-5.

We also highlighted the BH name wherever it appears and any arbitrary dates that have no relevance in MB's ordinance.

1. Master architect list

BH decided to compile a master architect list, able to be updated (through their historic preservation consultant, Jan Ostashay). This list is referred to in particular for a review process that BH set up as a way to flag potentially significant properties and decide whether they merit protection through city-initiated landmark designation rather than being lost by inappropriate alteration or demolition.

A permit request for either is what triggers this review process. A review process set up to filter proposed alterations or demolitions is a very strong element to an ordinance, but tying it to a master architect list could be very limiting outside of a city like BH.

Additionally, the caveat is that, when you have a list, it has the unintended consequence of making things not on the list be treated as less than significant, even if that is not the case (for example, the Scott house—no master architect there, but still highly significant for MB).

We don't think a master architect list is necessary or a good thing for MB. And there is a better way to filter properties for review (the method in use by Santa Monica, based on local survey inventory, that we'll discuss in section 5).

2. Local landmark designation age eligibility

In 10-3-3212: BH decided to set an age threshold of 45, instead of 50 years, or older (though exceptional significance can be demonstrated if less than 45 years). We like this as it allows the nomination structures, including those from the postwar period and the entire decade of the 70's to qualify. And MB does have several important postwar resources. Plus that is about the time mansionization began in MB.

Of course, the Cultural Heritage Commission, with their recommendation vote, and City Council, with their final declaration, will be the final arbiters.

3. Local landmark designation criteria

The original MB ordinance as written in 2006 has a list of criteria that we still like and would like to keep.

“Criteria for designation of a culturally significant landmark.

A. The City Council shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, site, structure, or area meets one (1) or more of the following criteria:

1. It’s character, interest, or value as part of the development, heritage, or cultural characterization of the community;
2. It’s identification with a person or persons who significantly contributed to the development of the community;
3. It’s embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
4. It’s identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community;
5. It’s embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
6. It’s embodiment of design elements that make it structurally or architecturally innovative;
7. It’s unique location or singular physical characteristics that make it an established or familiar visual feature;
8. It’s suitability for preservation or restoration. Any structure, property, or area that meets one (1) or more of the above criteria shall also have sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration;
9. It shall have historic, aesthetic, or special character or interest for the general public and not be limited in interest to a special group or person;
10. It has been previously designated in the National Register at the Statewide or Federal level of significance (including National Historic Landmarks) and is a historic resource that is significant at a City, regional, State, or Federal level, and is an exemplary representation of a particular type or historic resource.

B. A culturally significant landmark may include significant public or semi-public interior spaces and features which otherwise meet the criteria set forth above.

C. A culturally significant landmark may be a tree or other landscaping which shall qualify to be of historic or cultural significance and of importance to the community if it meets any one (1) of the following criteria:

1. It is one (1) of the largest of oldest trees of the species located in the City;
2. It has historical significance due to an association with historic events, person, site, street, or structure; or
3. It is a defining landmark or significant outstanding feature or a neighborhood.”

4. Historic District designation

In 10-3-3213 A-1: the 70% threshold was tailored for BH and set a little higher. The standard is 60%. The higher the percentage/concentration of contributing structures for a proposed historic district, the harder it will be to achieve a potential district to submit for consideration. "Given MB's history of teardowns, we would recommend the 50% plus 1." (a quote attributed to the LA Conservancy.)

In 10-3-3213 A-2: the BH historic district designation criteria (like those for individual landmarks) have been adjusted to create 6 criteria and require that at least 2 be met.

We recommend amended Manhattan Beach's HP ordinance on historic district designation, satisfy one (1) or more of the criteria picked up from our previous ordinance.

10-1-930: CRITERIA FOR DESIGNATION OF HISTORIC DISTRICTS:

"Prior to any area being approved as a Historic District, the City Council shall find that a minimum of 50% plus 1 of the parcels of land in the proposed Historic District satisfy one (1) or more of the same criteria listed below, which criteria form the basis for designation of the proposed Historic District (picked up from the previous MB ordinance):

1. It's character, interest, or value as part of the development, heritage, or cultural characterization of the community;
2. It's identification with a person or persons who significantly contributed to the development of the community;
3. It's embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
4. It's identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community;
5. It's embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
6. It's embodiment of design elements that make it structurally or architecturally innovative;
7. It's unique location or singular physical characteristics that make it an established or familiar visual feature;
8. It's suitability for preservation or restoration. Any structure, property, or area that meets one (1) or more of the above criteria shall also have sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration;
9. It shall have historic, aesthetic, or special character or interest for the general public and not be limited in interest to a special group or person;
10. It has been previously designated in the National Register at the Statewide or Federal level of significance (including National Historic Landmarks) and is a historic resource that is significant at a City, regional, State, or Federal level, and is an exemplary representation of a particular type or historic resource."

5. Hold period for permits to alter or demolish

In 10-3-3218, this is the filter/review process I referenced in section 1 of our notes. The basis for this review is very strong, and enables the city to protect architecturally and/or culturally significant buildings even if they are not yet landmarked. Essentially, this process is a way for significant yet unprotected structures threatened with inappropriate alteration or demolition to be flagged by the city before any permits are given, and allows the city the chance to examine the merits of the building in depth and decide whether the structure warrants protection through local landmark designation that would be initiated by the city.

BH has created a filter that includes properties 45 years of age or older that ALSO were designed by an architect or designer on the city's master architect list (referenced in section 1 of my notes).

A more universal filter that we recommend, such as that in use by Santa Monica, sets an age threshold of 40 years of age or older and ties that to structures that have been identified as potentially eligible for local listing in the city's historic resource inventory (something that MB does not yet have—an official citywide survey).

(SM's ordinance language for their analogous filter/review may actually exist outside of their HP ordinance and be in a section dealing with general review process for application to demolish structures—we are trying to track that down for you).

Article 32. Historic Preservation

10-3-3201: TITLE:

This article shall be known as the HISTORIC PRESERVATION ORDINANCE OF THE CITY OF BEVERLY HILLS. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3202: DEFINITIONS:

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

ADDITION: Any expansion or increase in floor area or height of a building or structure.

ALTERATION: Any physical modification or change to a building, structure, site, or object that may have a negative effect on character defining features of a historic resource. Alterations shall also include construction of additions but shall not include ordinary maintenance and repair.

ARCHAEOLOGICAL SITE: An area where remains of man or man's activities prior to keeping of history are still evident.

BUILDING: A structure that is created principally to house any form of human activity, such as a house, barn, church, hotel, or similar construction, including accessory structures, such as guesthouses, detached garages and sheds. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail, or a house and barn.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): Collectively, Public Resources Code section 21000 et seq., and the state of California CEQA guidelines, 14 California Code Of Regulations 15000 et seq., as may be amended from time to time.

CALIFORNIA REGISTER OF HISTORICAL RESOURCES: The authoritative and comprehensive listing and guide to California's significant historical resources as defined in California Public Resources Code section 5020.1, as may be amended. Also referred to as the California register.

CERTIFICATE OF APPROPRIATENESS: A certificate issued to approve alteration, restoration, construction, removal, relocation in whole or in part, or demolition of a designated landmark or property within a historic district.

CERTIFICATE OF ECONOMIC HARDSHIP: A certificate authorizing work described in an accompanying certificate of appropriateness because of extreme financial privation or adversity and in accordance with the procedures and findings of this article.

CERTIFIED LOCAL GOVERNMENT: A local government that participates in the program authorized by the national historic preservation act of 1966 (16 USC section 470 et seq.) and the subsequent participatory agreement between the city and the state of California office of historic preservation.

CHARACTER DEFINING FEATURE: A prominent or distinctive aspect, quality, detail, or characteristic of a historic resource that contributes significantly to its physical character and historical significance. Such features may include, but are not limited to, landscaping, setbacks, massing, distinguishing aspects, roof attributes, architectural details, materials, moldings, sculptures, fountains, light fixtures, windows, doors, and monuments.

CITY OF BEVERLY HILLS REGISTER: A register containing those properties and geographical areas formally designated by the city council as landmarks or historic districts pursuant to the provisions of this article. The register also includes contributing properties within historic districts. Also referred to as the local register.

COMMISSION: The cultural heritage commission as defined in section 10-3-3207 of this chapter.

CONTRIBUTING PROPERTY: A property, including all buildings, structures, objects, and character defining features located on it that adds or contributes to the significance of a historic district under criteria set forth in this article.

DEMOLITION OR DEMOLISH: Any act or process that destroys in part or in whole an individual historic resource such that the historic character and character defining features of the property are completely removed and cannot be repaired or replaced. The terms demolition or demolish shall include, but are not limited to, the act of pulling down, destroying, removing, or razing a property, or commencing work thereof with the intent of completing the same.

DIRECTOR: The city's director of community development, or her/his designee.

DISTRICT: See definition of Historic District Or District.

ECONOMIC HARDSHIP: The facts and circumstances which establish that there are no feasible measures that can be taken which will enable the property owner to make a reasonable beneficial use of the property or derive a reasonable economic return from the property in its current form.

EXCEPTIONAL SIGNIFICANCE: A property having extraordinary importance under applicable evaluation criteria and context as defined in: "Criteria Consideration G: Properties That Have Achieved Significance Within The Last Fifty Years" in the "National Register Bulletin: How To Apply The National Register Criteria For Evaluation".

HISTORIC DISTRICT OR DISTRICT: A geographic area having a significant concentration, linkage, or continuity of sites, buildings, structures, objects, or character defining features united historically or aesthetically by plan or physical development that has been designated pursuant to this article.

HISTORIC RESOURCE: Historic property. A property determined to be a historic resource

under CEQA, NEPA, section 106 of the national historic preservation act of 1966, as amended; or any other provision of California law; or a property listed, nominated, or eligible for listing in the local register, including landmarks, historic districts, and contributing properties.

HISTORIC RESOURCES INVENTORY OR LOCAL INVENTORY: A list maintained by the city, which contains all properties surveyed for historical or architectural significance determined to be eligible historic resources and all properties within neighborhoods or areas determined to be eligible historic districts. In creating and maintaining the inventory, surveys, either of individual properties or of several properties at once, shall be conducted, and the information obtained shall be compiled in accordance with professional standards. Surveys may be conducted and the resulting information compiled: a) by or on behalf of the city; or b) by a qualified historic preservation consultant for a specific property, in which case the individual survey shall be submitted to, and deemed sufficient by, the director. The director shall determine whether an individual survey merits inclusion of the specific property on the local inventory.

INTEGRITY: The ability of a landmark or contributing property to convey its historical significance, with consideration of the following aspects that constitute integrity: location, design, setting, materials, workmanship, feeling, and association.

LANDMARK: Any property, including any building, structure, object, place, landscape, or natural feature located in it that is listed on the local register as approved by the city council pursuant to this article.

LIST OF LOCAL MASTER ARCHITECTS: A list maintained by the city that includes master architects as defined in this article who have designed properties in the city, and architects, designers and builders who may not be of recognized greatness, but who have designed or built properties in the city and are of local importance as determined by the city council on recommendation from the cultural heritage commission.

LOCAL REGISTER OF HISTORIC PROPERTIES: See definition of City Of Beverly Hills Register.

MAINTENANCE AND REPAIR: See definition of Ordinary Maintenance And Repair.

MASTER ARCHITECT: An architect of recognized greatness in the field of architecture who is included on the list of such architects compiled by the cultural heritage commission, and updated from time to time. See definition of List Of Local Master Architects.

MILLS ACT: The California Government Code sections 50280 et seq., as it may be amended from time to time.

NATIONAL REGISTER OF HISTORIC PLACES: The official list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, and/or culture which is maintained by the secretary of the interior under the authority of the historic sites act of 1935 and the national historic preservation act of 1966, as amended (16 USC 470 et seq., 36 CFR sections 60, 63).

NATURAL FEATURE: Any naturally occurring tree, plant, plant community or geographical or geological site or feature.

NOMINATED RESOURCE: A property included in the local inventory that has been nominated as a landmark or a contributing property of a historic district for listing on the local register as provided for in this article.

NONCONTRIBUTING PROPERTY: A property within a historic district that is not a "contributing property", as previously defined.

OBJECT: The term "object" is used to distinguish from buildings and structures those constructs that are primarily artistic in nature or are relatively small in scale and of simple construction. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment. Fountains and sculpture are examples of objects.

ORDINARY MAINTENANCE AND REPAIR: Any work that meets the criteria established in subsection 10-3-3219B of this chapter.

OWNER: Any person(s), association, partnership, firm, corporation, or public entity identified as the holder of title on any property. For purposes of this article, the term owner shall also refer to an appointed representative of an association, partnership, firm, corporation, or public entity which is a recorded owner. Absent contrary evidence, the owner shown on the latest assessment roll of the county of Los Angeles shall be presumed to be the owner.

PERIOD OF SIGNIFICANCE: The span of time that a property or geographic area was associated with important events, activities, or persons, or attained the character defining features that qualify it for designation as a landmark or historic district.

PRESERVATION: The act or process of applying measures necessary to sustain the existing form, integrity, and/or materials of a historic resource.

PROPERTY: The entirety of a site, including the buildings, structures, landscaping, objects, and other physical aspects of the location, regardless of historic designation.

PROPERTY WITHIN A HISTORIC DISTRICT: Refers to both the definitions of contributing properties and noncontributing properties. For the definition of "contributing properties in historic districts" see definition of Contributing Property.

QUALIFIED HISTORIC PRESERVATION CONSULTANT: A consultant that meets the secretary of the interior's professional qualifications standards, as defined in 36 CFR 61, or its successor.

RECONSTRUCTION: The act or process of reproducing by new construction the exact form and detail of a building, structure, object, landscape, or a part thereof, as it appeared at a specified period of time prior to alteration or demolition.

REGISTER OF HISTORIC PROPERTIES (REGISTER): See definition of City Of Beverly Hills Register.

REHABILITATION: Any act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or character defining features which convey its historical, cultural, or architectural values.

RELOCATION: The act or process of moving all or part of a historic resource from one site to another site, or to a different location on the same site.

RESOURCE: See definition of Historic Resource.

RESTORATION: The act or process of accurately refurbishing the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

SECRETARY OF THE INTERIOR'S STANDARDS: The "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings" found at 36 CFR 68.3, as it may be amended from time to time.

SIGNIFICANT PERSONS: Refers to individuals associated with Beverly Hills, in the past, whose activities, achievements, and contributions are demonstrably important within the city, state, or nation and directly associated with a property. The property must be associated with the person during the period that the person's significant achievements and contributions occurred. A person would not be considered historically significant by virtue of position/title, affiliation, race, gender, ethnicity, or religion.

SITE: The location of a significant event, a prehistoric or historic occupation or activity, or a building, structure, or object, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing construction.

STABILIZATION: The act or process of applying measures designed to reestablish a weather resistant enclosure or the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

STATE HISTORICAL BUILDING CODE: Part 2.7 of the California Health And Safety Code, commencing with section 18950, and the regulations promulgated there under, as they may be amended from time to time¹.

STRUCTURE: The term "structure" includes both buildings and other generally functional constructions made for purposes other than housing human activity, such as reservoirs and retaining walls.

SUBSTANTIAL ALTERATION: Any destruction, relocation, or alteration activities that would materially change a historic resource's character defining features or impair its historical significance.

SURVEY: A systematic and standardized process for identifying and gathering data on the city's potential historic resources by which properties are documented and evaluated for inclusion on the local inventory and potential eligibility for listing on the city's register, the California register, or the national register. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3203: INTENT, PURPOSE, AND AUTHORIZATION:

The intent and purpose of this article is to provide the ability to acknowledge, honor, and encourage the continued maintenance and preservation of those select properties in the city that, through exceptional architecture, contribute to the city's cultural history. The standards and requirements in this article are intended to be flexible taking into account financial feasibility on the part of a property owner to meet the article's provisions. Further, it is the intent and purpose of this article to promote the public health, safety, and general welfare by providing for the identification, recognition, designation, protection, enhancement, perpetuation, and use of historic resources that reflect associations important in the city's history, and to:

- A. Safeguard the character and history of the city which is reflected in its unique architectural, historical, and cultural heritage;
- B. Foster civic and neighborhood pride and a sense of identity based on the recognition of the city's past accomplishments as reflected through its buildings, structures, objects, landscaping, natural features, infrastructure, and engineering;
- C. Promote public education and awareness by preserving and encouraging interest in Beverly Hills' cultural, social, and architectural history;
- D. Strengthen the city's economy by protecting and enhancing the city's attractions to residents, tourists, visitors, and others, thereby serving as a stimulus and support to local business and industry;
- E. Enhance property values, stabilize neighborhoods, and render city landmarks and contributing properties in historic districts eligible for financial benefits and incentives;
- F. Acknowledge the critical role served by owners of city landmarks and contributing properties in historic districts in furthering the goal of historic preservation pursuant to the city's general plan;
- G. Encourage preservation and adaptive reuse of landmarks and contributing properties in historic districts by allowing changes to historic properties to accommodate new functions, and not to "freeze" historic properties in time;

H. Identify financial and other incentives that are intended to encourage owners to designate, maintain, reuse, rehabilitate, and improve landmarks and contributing properties in historic districts. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3204: ADMINISTRATIVE GUIDELINES:

The director is authorized to develop and make publicly available guidelines for the designation and preservation of historic resources and other support documents as necessary or desirable to implement this article. These administrative guidelines shall serve as baseline standards for evaluation and designation of historic resources, and processing certificates of appropriateness pursuant to this article.

The administrative guidelines shall include a process for the director to determine that a property is, at a certain time, ineligible for designation, which determination shall remain valid for a five (5) year period. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3205: PERMIT REQUIRED:

No permit shall be issued for any activity regulated by this article unless and until the proposed activity has been granted final approval or conditional approval pursuant to the provisions of this article, and then the permit shall be issued in conformity with such approval or conditional approval. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3206: MINIMUM MAINTENANCE REQUIREMENTS:

Every owner of and every person in possession or control of a landmark property or contributing property, to the maximum extent practicable, shall maintain and keep the property in good repair, as defined in sections [5-7-3](#) and [5-7-4](#) of this code. In the case that a property constitutes a public nuisance or is subject to vandalism, the city may issue any order it deems appropriate to prevent further vandalism or public nuisance pursuant to sections 1-3-101 and [5-7-6](#) of this code. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3207: CULTURAL HERITAGE COMMISSION:

A. Establishment Of Commission: There is hereby established the cultural heritage

commission. The commission shall have and exercise the powers and perform the duties set forth in this article with respect to historic preservation.

- B. Appointment And Qualifications: The commission shall be composed of five (5) members appointed by the city council, all of whom shall be residents of the city. Members of the commission shall have the duties and functions set forth in this article.

The commissioners shall have a demonstrated interest in, competence in, or knowledge of historic preservation. To the extent feasible and legally permissible, at least two (2) of the commissioners should be professionals who meet the qualifications for certain professional disciplines, including those outlined by the U.S. secretary of the interior, code of federal regulations, 36 CFR part 61. These professional disciplines include history, architecture, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or related disciplines such as urban planning, American studies, American civilization, or cultural geography, to the extent that these professionals are available in the community. Of the five (5) members, at least one should be a registered architect, licensed contractor, or a California real estate licensee.

- C. Term: The term of office for each commissioner shall begin with March 1, and shall be an initial term of two (2) years, except that three (3) of the initially appointed commissioners shall be appointed for an initial term of four (4) years. Each commissioner shall thereafter have the opportunity for reappointment to an additional four (4) year term. An appointment to fill a vacancy on the commission shall be for the period of the unexpired term.

- D. Rules And Orders: The city council shall appoint the first chair and vice chair of the commission. Thereafter, the commission shall elect officers and establish its own rules and regulations, which shall be consistent with the cultural heritage commission bylaws and this code. Copies of the commission's bylaws shall be kept on file in the office of the city clerk. The commission shall keep a record of its resolutions, proceedings, and transactions, and the city clerk shall be the repository for all such records.

- E. Secretary Of The Commission: The director shall assign an employee of the community development department, other than the director, to be the secretary of the commission, and assign duties to the employee which shall be in addition to the duties regularly prescribed for that employee.

The secretary shall attend commission meetings and keep a record of the proceedings and transactions of the commission, specifying the names of the commissioners in attendance at each meeting and the ayes and noes upon all roll calls. The secretary shall, among other duties, post and publish all orders, resolutions, and notices which the commission shall order to be posted and published.

- F. **Scheduled Meetings:** The commission shall meet at least four (4) times per year. In the event the commission has more than one regular meeting per quarter, the term "regular meeting" shall mean the first such meeting in any given quarter. The commission shall establish a time and place for regular meetings to be held. Each meeting shall be noticed and held in accordance with the Ralph M. Brown act². The commission chairperson shall have the authority to call and notice special meetings in a manner specified in the Ralph M. Brown act.
- G. **Quorum And Actions Of The Commission:** A majority of the members of the commission must be present at any meeting to constitute a quorum. The powers conferred upon the commission shall be exercised by resolution or motion and adopted by a majority vote of the members present and recorded in the minutes with the ayes and noes. The action shall be attested to by the signature of the secretary of the commission.
- H. **Commission Authority In Development Review:** When this article is applicable in the review of a project consisting of a development entitlement pursuant to other articles of this title, the cultural heritage commission shall be authorized to review all development entitlement applications for the project in its entirety unless any part of the development entitlement would require approval of the planning commission, in which case the planning commission shall be the commission authorized to review all development entitlement applications for the project in its entirety, including application of this article. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3208: POWERS AND DUTIES OF THE COMMISSION:

Unless otherwise specified herein, the duties of the cultural heritage commission shall be as follows:

- A. Exercise the authority set forth in this article and as otherwise provided in this code;
- B. Inspect, investigate, and recommend for designation by the city council landmarks and historic districts, and make any preliminary or supplemental determinations or conclusions in order to implement this article;
- C. Review a citywide survey of historic resources, which is periodically updated, and other surveys on a case by case basis, and recommend adoption of the survey conclusions by the

city council;

- D. Compile or cause to be compiled and maintained a local register listing and describing all designated landmarks, historic districts, and contributing properties within the city;
- E. Compile or cause to be compiled and maintained a "list of local master architects" as defined by this article;
- F. Conduct studies and evaluations of applications or proposals seeking the designation of potential landmarks and historic districts, make determinations and recommendations as appropriate for consideration of such applications, and make any preliminary or supplemental determinations or conclusions, in order to implement this article;
- G. Develop designs for suitable signs, plaques, or other markers that may be placed, at private expense, on or near a designated landmark, historic district, or contributing property indicating that the resource has been designated as such;
- H. Review and approve applications for certificate of appropriateness and certificates of hardship, as applicable;
- I. Recommend, promulgate, and amend, from time to time, such rules and regulations as it may deem necessary to implement the purposes of this article;
- J. Assume the responsibilities and duties that may be assigned to the commission by the city under the certified local government provisions of the national historic preservation act of 1966, as amended, including, but not limited to, compliance with the national environmental protection act (NEPA) and the California environmental quality act with regard to historic resources;
- K. Review and make recommendations to the city council on Mills act contracts;
- L. Upon request, advise the city council, city departments, and city commissions on the significance of historic resources as defined by CEQA and recommend to the city council, city departments, and city commissions appropriate action in compliance with the city's

adopted CEQA procedures;

- M. Provide recommendations to the city council regarding the utilization and promotion of incentives and grants from federal and state agencies, private groups, and individuals, and regarding budgetary appropriations to advance the preservation of historic resources in the city;
- N. Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to historic resources, and provide public participation in all aspects of the city's historic preservation program;
- O. Coordinate with other local, county, state, and federal governments in the pursuit of the city's historic preservation goals;
- P. Upon request, review and make recommendations to the planning commission on zoning and general plan amendments related to preserving historic resources;
- Q. Develop a program to celebrate historic resources, and recognize outstanding maintenance, rehabilitation, and preservation of landmarks, historic districts, and contributing properties;
- R. Require that each commissioner attend at least one informational or educational meeting, seminar, workshop, or conference per year in accordance with the requirements of the certified local government program;
- S. Perform any other functions that may be designated by resolution or motion of the city council (ord. C-6961 section 1 (part), 1992). (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3209: PRESERVATION INCENTIVES:

The city council may by resolution establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve city landmarks, historic districts, and contributing properties. Preservation incentives shall be made available to owners of landmarks and contributing properties. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3210: ESTABLISHMENT OF A LOCAL INVENTORY OF HISTORIC RESOURCES:

The commission, acting with the administrative support of the director or his or her designee, shall maintain a local inventory of eligible historic resources and all properties within areas identified to be eligible historic districts within the city as such is defined and provided for in the CEQA guidelines section 15064.5(a)(2), and shall periodically review, amend, and update the local inventory. Resources listed on the city's historic resources inventory, or individually assessed and identified as potentially eligible, are eligible for nomination to the city's local register of historic properties. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3211: ESTABLISHMENT OF A LOCAL REGISTER OF HISTORIC PROPERTIES:

A local register of historic resources is hereby created. The purpose of the local register is to provide a means to preserve, protect, and enhance the most significant historic resources within the community. Properties listed on the local register may be identified on site with an exterior marker or plaque displaying pertinent information about the resource. A record of properties on the local register shall be kept by the city, and shall be provided to the regional information center of the state office of historic preservation and other agencies as required. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3212: LANDMARK DESIGNATION CRITERIA:

A nominated property may be designated as a landmark if it is more than forty five (45) years of age and satisfies the requirements set forth below.

Properties that are less than forty five (45) years of age can be designated, but in addition to meeting the criteria below, they must also exhibit "exceptional significance" as defined in this article.

For the purposes of this section, any interior space or spaces open to the general public, including, but not limited to, a lobby area, may be included in the landmark designation of a property if the city council finds that the public space(s) satisfies the following criteria:

To be designated as a landmark, a property must satisfy the following criteria:

A. The property meets at least two (2) of the following criteria:

1. Is identified with important events in the main currents of national, state, or local history,

- or directly exemplifies or manifests significant contributions to the broad social, political, cultural, economic, recreational, or architectural history of the nation, state, city, or community;
2. Is directly associated with the lives of significant persons important to national, state, city or local history;
 3. Embodies the distinctive characteristics of a style, type, period, or method of construction;
 4. Represents a notable work of a person included on the city's list of master architects or possesses high artistic or aesthetic value;
 5. Has yielded or has the potential to yield, information important in the prehistory or history of the nation, state, city, or community;
 6. Is listed or has been formally determined eligible by the national park service for listing on the national register of historic places, or is listed or has been determined eligible by the state historical resources commission for listing on the California register of historical resources.
- B. The property retains integrity from its period of significance. The proposed landmark retains integrity of location, design, setting, materials, workmanship, and association. Integrity shall be judged with reference to the particular criteria specified in subsection A of this section. A proposed landmark's deferred maintenance, dilapidated condition, or illegal alterations shall not, on their own, be construed to equate to a loss of integrity.
- C. The property has historic value. The proposed landmark is of significant architectural value to the community, beyond its simple market value, and its designation as a landmark is reasonable, appropriate, and necessary to promote, protect, and further the goals and purposes of this article. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3213: HISTORIC DISTRICT DESIGNATION CRITERIA:

- A. Historic District Designation Criteria: A geographic area may be designated a historic district if the proposed district is found to meet the following criteria:
1. At least seventy percent (70%) of the properties in the proposed district have been identified as contributing properties.
 2. The district meets at least two (2) of the following criteria:
 - a. Is identified with important events in the main currents of national, state, or local history, or directly exemplifies or manifests significant contributions to the broad social,

political, cultural, economic, recreational, or architectural history of the nation, state, city, or community;

- b. Is directly associated with the lives of significant persons important to national, state, city or local history;
- c. Embodies the distinctive characteristics of a style, type, period, or method of construction;
- d. Represents a notable work of a person included on the city's list of master architects or possesses high artistic or aesthetic value;
- e. Has yielded or has the potential to yield, information important in the prehistory or history of the nation, state, city, or community;
- f. Is listed or has been formally determined eligible by the national park service for listing on the national register of historic places, or is listed or has been formally determined eligible by the state historic preservation office for listing on the California register of historical resources.

3. The proposed district retains integrity of location, design, setting, materials, workmanship, and association. Integrity shall be judged with reference to the particular criteria specified in this subsection A. A proposed contributing property's or district's deferred maintenance, dilapidated condition, or illegal alterations shall not, on their own, be construed to equate to a loss of integrity.
4. The nominated district is of significant architectural value to the community, beyond its simple market value, and its designation as a district is reasonable, appropriate, and necessary to promote, protect, and further the goals and purposes of this article.
5. The district is a contiguous or noncontiguous grouping of thematically related properties, or a definable area possessing a concentration of historic, scenic, or thematic sites, which contribute to each other and are unified aesthetically by plan, physical development, or architectural quality.
6. The district reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning.
7. The proposed designation is in conformance with the purpose of the city's historic preservation provisions set forth in this article and the city's general plan.

B. Consideration Factors: In determining whether a geographic area meets the criteria in subsection A of this section, the following factors shall be considered:

1. The historic district should have integrity of design, setting, materials, workmanship, and association.
2. The collective historic value of the properties in a historic district taken together may be greater than the historic value of each individual property. (Ord. 12-O-2617, eff. 2-24-

2012)

10-3-3214: STREET IMPROVEMENTS IN HISTORIC DISTRICTS:

Whenever streetscape improvements are proposed by the city in areas that are designated districts, the city shall consider the use of materials, landscaping, light standards, and signage that are compatible with the area's historic and architectural character. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3215: LANDMARK OR HISTORIC DISTRICT DESIGNATION PROCEDURES:

A property, or properties, included in the local inventory may be designated as a landmark or historic district, respectively, and added to the city's local register in accordance with the procedures set forth in this section.

- A. City Council Or Commission Initiation Of Nomination Proceedings: Any property, or properties, may be nominated for designation as a city landmark or historic district, respectively, by the city council or cultural heritage commission. Initiation by the city council or the commission shall be by majority vote. The city council or the commission shall forward the initiation to the director for a report and recommendation.
- B. Application For Nomination By A Property Owner Or Property Owners: If proposed by the property owner, an application for the proposed designation shall be completed on a form provided by the department, and shall include all information required, payment of required fee, and filing of the application with the department. In the event that owners wish to nominate an area for designation as a local historic district, the owners of more than fifty percent (50%) of property in the proposed district must demonstrate support for the application. The director shall conduct an evaluation of the proposed designation and shall make a recommendation to the commission as to whether the application warrants formal consideration.
- C. Initial Notification To The Property Owner: Within ten (10) days of a decision by the city council or commission to initiate nomination proceedings, or of the filing of a designation application, the owner(s), designated agent or agents, and tenants of the subject property(ies), if applicable, shall be notified by mail of the intent to have the commission consider the preliminary evaluation of the property(ies). Once completed, the owner(s) or designated agent or agents shall receive a copy of the evaluation assessment report.

- D. Preliminary Consideration Of The Property Owner Application By The Commission: When nomination procedures are initiated by an owner(s), a hearing to determine whether the property(ies) warrant formal consideration by the commission shall be scheduled within sixty (60) days of filing of an application. If, based on the criteria set forth in section 10-3-3212 or 10-3-3213 of this chapter the commission determines that the application warrants formal consideration, it shall schedule a public hearing within forty five (45) days of such determination. A decision that an application does not warrant formal consideration shall be a final action of the commission, which is appealable pursuant to title 1, chapter 4, article 2 of this code. Any determination of the commission regarding whether an application warrants formal consideration shall be in writing, shall be filed by the commission secretary with the director, and shall be provided to the owner(s).
- E. Notice Of Public Hearing: Notice of public hearing shall be completed in accordance with article 2.5 of this chapter and the city's public notice guidelines.
- F. Interim Protection Measures: Upon initiation by the city council or commission, or upon determination that the application submitted by an owner(s) warrants formal consideration by the commission, any alteration, restoration, construction, removal, relocation, or demolition, in whole or in part, of a nominated property or property located in a nominated district is prohibited, and no permits shall be issued by any city department, board, or commission, including, but not limited to, a conditional use permit, a tentative tract map or tentative parcel map permit, a development review permit, any administrative approval, design review approval, or architectural review approval. No building permit authorizing any alteration, restoration, construction, removal, relocation, or demolition shall be granted while a nominated property or property within a nominated district is under consideration or any appeal related thereto is pending. Pending permit applications may be processed, but no final action shall be taken until after the conclusion of the nominating process. Permits may be issued to mitigate an immediate threat to the public health, safety, and welfare.
- G. Findings: At the conclusion of a public hearing, or any continuation thereof, but in no case more than forty five (45) days from the date set for the initial public hearing, the commission shall recommend approval, in whole or in part, or disapprove the application for the designation of the nominated property or district. The decision of the commission shall be in writing and shall state the findings of fact and reasons relied upon to reach the decision, and such decision shall be filed with the director. If the commission fails to take action on the application for the nominated resource within the forty five (45) day time period, the application for such designation shall be deemed disapproved, and it shall be the duty of the director to certify such disapproval. Upon the commission's rendering of a decision regarding nomination of a property or district, the director shall give written notification to the owner(s) of the subject property or owners of properties in the proposed district.

H. Recommendation Or Action By Commission: The commission shall base its action or recommendation on the criteria, considerations and assessment of integrity and significance outlined in this article. If it recommends listing the nominated property or district on the local register as a landmark, the commission shall specify the significant elements or character defining features of the nominated historic resource. In the case of a recommendation for listing of a historic district on the local register, the commission shall identify all properties that contribute to the area's designation as a district (contributing properties) along with the buildings, structures, and objects located on each, and all character defining features. Properties, buildings, structures, objects, features and other resources that happen to be located within the district, but that have no relevance to the area's identified period of significance, significant physical features, or identifying historic characteristics, shall be deemed noncontributing properties.

Decisions of the commission to disapprove nominations shall be in writing setting forth the basis for rejection. Only an owner of property subject to the designation proceedings shall have the authority to appeal. The city council shall have the authority to call such decisions for review pursuant to the provisions of title 1, chapter 4, article 2 of this code.

I. Hearing And Decision By The City Council: The city council shall consider the matter as soon as practicable after receiving the commission's recommendation or after receiving a timely appeal of a commission decision rejecting the proposed nomination. The city council by written resolution may approve, reject, or give modified approval to an application for the designation of a nominated property or district. The city clerk shall then notify the owner(s) of the property or the owners of property in the district of the city council's action.

J. Historic Resource Resolution: The resolution designating a landmark, historic district, or contributing property within a historic district shall include:

1. A description of the particular characteristics that justify the designation and which should therefore be preserved;
2. The reasons for designation;
3. A set of general guidelines to establish standards for future proposed changes; and
4. Delineation of the location and boundaries of the designated resource or resources.

K. Recordation Of Resolution: A certified copy of such resolution shall be recorded in the office of the county recorder of the county of Los Angeles by the city clerk immediately following its effective date. The city clerk shall also send a copy of said resolution to the director, the director of public works services, the building official, the owner(s), and the occupant(s) of the property or properties. The document to be recorded shall contain:

1. A legal description of the property or properties;
2. The date and substance of the designation;

3. A statement explaining that demolition, alteration, or relocation of the property is restricted; and
 4. A reference to this section authorizing the recordation.
- L. Disapproval Of Nominated Resource: Whenever an application for designation of a property or properties as a landmark or district, respectively, has been rejected by the commission or by the city council, no application that contains the same or substantially the same information as the one disapproved shall be resubmitted to or reconsidered by the commission within a period of five (5) years from the effective date of the final action on the prior application. However, if significant new information is made available and provided by and at the expense of the owner(s), the director may waive the time limit and permit a new application to be filed.
- M. Disapproval Of Deletion Of A Listed Resource: Where an application for repeal of a listed historic resource from the local register has been denied, no new application to delete the same listed resource may be filed or submitted for a period of one year from the effective date of the denial.
- N. Effect Of Designation: Upon designation, and thereafter, the provisions of this article shall apply to the designated property, historic district, and properties within the historic district. From and after the adoption by the city council of a resolution designating the property(ies) a local landmark or historic district, any removal or demolition, exterior construction, alteration or remodeling, or landscaping of the property, or of contributing properties within historic districts, is subject to the provisions of this article. The owner(s) of such property(ies) shall maintain and preserve the historic resource at such a level that it does not become a safety hazard to the occupants or to the public. (Ord. 12-O-2617, eff. 2-24-2012; amd. Ord. 14-O-2661, eff. 6-20-2014; Ord. 14-O-2662, eff. 6-20-2014)

10-3-3216: AMENDMENT OR RESCISSION OF LANDMARK OR HISTORIC DISTRICT DESIGNATION:

Once a landmark or historic district designation is made, it shall not be repealed by the city council unless it is determined at any time that:

- A. The evidence used to establish the designation was erroneous, or that material procedural errors were made during the designation process; or

- B. The landmark or historic district no longer meets the criteria for designation under section 10-3-3212 or 10-3-3213 of this chapter, respectively, due to damage caused by natural disaster (e.g., flood, earthquake, etc.) or reasons otherwise outside of the control of the owner.

Changes of use, differences of opinion of subsequent city councils, desires of property owners, or financial considerations are not sufficient reasons to repeal a designation. The repeal of a landmark or historic district may be initiated by the commission, the city council, or an owner. The city council must consider an application for repeal of a previously designated landmark or historic district utilizing the same procedures for designation as provided by this article. If the determination of landmark or historic district status is repealed, the city's register of historic properties shall be updated accordingly. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3217: PENDING DEMOLITION, ALTERATION OR RELOCATION; TEMPORARY PROTECTIONS PENDING DESIGNATION:

Upon the determination by the director that an owner's application for landmark or historic district designation is substantively complete, or upon initiation by the city council or the commission, no permit shall be issued and no work shall be performed on the property or properties pursuant to subsection 10-3-3215F, "Interim Protection Measures", of this chapter pending final determination on whether the property or properties, respectively, shall be designated as a landmark or a historic district. No building or demolition permit shall be issued for a proposed landmark or for any eligible contributing property identified in a proposed historic district, until a final determination has been made regarding designation.

The commission shall deny or recommend designation, and the city council shall act on any recommended designation. If, after the expiration of the final period of time to act, the city council has not taken an action on the application or initiation to designate, then any pending permit(s) may be issued and demolition, alteration, or relocation of the property may proceed.

If the commission or city council determines, in a final decision, that the property or properties proposed to be designated does not or do not meet the evaluation criteria for landmark or historic district designation set forth in section 10-3-3212 or 10-3-3213 of this chapter, then the temporary prohibition on the issuance of a permit to demolish, alter, or relocate the nominated property or nominated contributing property within a nominated historic district shall terminate. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3218: HOLD PERIOD FOR PERMITS TO ALTER CERTAIN BUILDINGS, STRUCTURES AND OBJECTS FORTY FIVE YEARS OF AGE AND OLDER:

Any work involving a change in design, material, or appearance proposed on a property forty five (45) years or older and designed by a person listed on the city's list of master architects,

shall be subject to a thirty (30) day holding period prior to the issuance of permits. Permit applications may be processed, but no final action shall be taken until after the thirty (30) day period has ended. The director may waive the thirty (30) day holding period if the director determines that the property is not eligible for listing on the local register, or that the proposed work would not alter any character defining features, or that the work would comply with the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings". Work proposed on locally designated landmarks, historic districts, and properties within a historic district is subject to the provisions of this article and may require a certificate of appropriateness. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3219: CERTIFICATE OF APPROPRIATENESS:

- A. Certificate Of Appropriateness Required; Designated Landmarks And Contributing Properties: No person, owner, or other entity shall restore, rehabilitate, alter, develop, construct, demolish, remove, or change the exterior appearance of a designated landmark or contributing property within a designated local historic district without first having applied for and been granted a certificate of appropriateness or certificate of economic hardship exemption, unless the work proposed qualifies as "ordinary maintenance and repair" as defined in this article. Further, a certificate of appropriateness or certificate of economic hardship exemption may be required for alterations, demolition, new construction, and exterior changes in appearance of noncontributing properties in a historic district, as provided below.
- B. Ordinary Maintenance And Repair Exemption: A certificate of appropriateness shall not be required for ordinary maintenance and repair of a designated landmark or property within a historic district. Ordinary maintenance and repair shall mean work on a landmark property or property within a historic district that meets the following conditions:
1. Does not, by law, require issuance of a permit; and
 2. Involves regular, customary, or usual care of an existing building, structure, object, or site, for the purposes of preserving said property and maintaining it in a safe and sanitary condition; and
 3. Does not involve a change of design, material, or appearance of the property.
- C. Standards For Review Of Noncontributing Properties In A Historic District: Any construction or demolition work proposed on noncontributing properties shall be reviewed to assure that the work is undertaken in a manner that does not impair the essential form and integrity of the historic character of the district.

1. Unless otherwise exempt pursuant to this article, a certificate of appropriateness shall be

required prior to issuance of a permit for the following activities involving noncontributing properties:

- a. Demolition of any building, structure, or object;
- b. New construction, including new buildings, structures, and objects, and new ancillary features such as fences, gates and walls; and
- c. Remodeling and additions, including increases in the number of stories.

A certificate of appropriateness for work proposed on a noncontributing property shall be reviewed in the same manner as a certificate of appropriateness for work proposed on a landmark or contributing property.

D. Administrative Review: A certificate of appropriateness may be issued by the director or his or her designee for work described in this subsection that meets the following conditions:

1. Requires a permit, and
2. Does not involve a change of design, material, appearance, or a change in visibility of the character defining features or overall significance of a designated landmark or property within a historic district.

All proposed work on a landmark or contributing property shall comply with the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings". All proposed work on a noncontributing property shall comply with the standards set forth in subsection C of this section.

If the director determines that the proposed work would not result in a change of design, material, appearance or visibility of the property's character defining features and overall historical significance, and does not have the potential for a discrepancy between the proposed work and the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings", the director shall approve the certificate of appropriateness.

If the director determines that the proposed work may result in a change of design, material, appearance or visibility of the property's character defining features and overall historical significance, or has the potential for a discrepancy between the proposed work and the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings", the director shall refer the certificate of appropriateness to the commission for review.

If the director determines that the proposed work would result in a change of design, material, appearance or visibility of the property's character defining features and overall historical significance, or would create a discrepancy between the proposed work and the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With

Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings", the director may deny the certificate of appropriateness or refer the certificate of appropriateness to the commission for review.

A certificate of appropriateness shall be acted upon by the director within twenty one (21) days of receipt of a complete application.

Work that may be approved pursuant to administrative review includes, but is not limited to, the following:

In-kind replacement of historically accurate architectural features or building elements that are deteriorated, damaged beyond repair, or previously removed, including windows, doors, exterior siding, porches, cornices, balustrades, and stairs.

In-kind replacement of historically correct built or cultivated site or landscape features that are deteriorated, damaged beyond repair, or previously removed, including gates, fences, walls, hedges, pergolas, gazebos, walkways, and planting beds.

Replacement or repair of roof covering materials, gutters, and downspouts, with no change in appearance.

Foundation work and repainting of bricks on the exterior of a structure, with no change in appearance.

Addition of new fences and walls.

Addition or replacement of awnings and building mounted signs.

Landscape alterations, or removal or installation of tree and plant material not specifically designated or listed as character defining features to the designated resource.

New paving for driveways, walkways, and/or patios.

Repainting of exterior surfaces that were originally intended to be painted. No surfaces that were not intended to be painted shall be painted including unpainted brick, concrete, or stone surfaces.

Installation of new exterior lighting.

Removal of additions intended to restore the original appearance of a building, structure, or object.

Electrical, plumbing, utility work, and other permits for mechanical and other building systems, including rooftop appurtenances not visible from a public street or any property at street level which result in no change in appearance to the property.

One-story residential additions, excluding attached garages, that are no more than fifteen percent (15%) of the size of the existing main residence and have limited or no visibility to public rights of way and adjacent properties.

Other minor rehabilitation work as determined by the director.

- E. Commission Review: When a certificate of appropriateness application is referred to the commission for review, a complete application shall be one that includes a report from a qualified historic preservation consultant detailing the project's compliance with, and potential deviation from the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings".

When a certificate of appropriateness is requested for demolition or relocation of a landmark or contributing property, additional supporting materials and justification shall be required as specified in the city's administrative guidelines.

Upon receipt of a complete application, the commission shall act on the certificate of appropriateness within seventy five (75) days. The time limits in this section shall be extended by the director when necessary to comply with the provisions of CEQA or with the written consent of the owner. A public hearing shall be scheduled and notice provided in accordance with article 2.5 of this chapter and CEQA where applicable. Notice to the owner or the owner's representative shall be sent via certified mail, return receipt requested.

The applicant for a certificate of appropriateness may make submissions to the community development department of any or all relevant information. Based on this and any other relevant information, the commission shall take into consideration the reasonable economic, environmental, and technical feasibility of the work in determining whether to issue a certificate of appropriateness.

The commission shall issue a certificate of appropriateness if it finds that the work:

1. Complies with the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings"; or
2. Does not demonstrate strict compliance with the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings", but nonetheless protects and preserves the historic and architectural qualities and the character defining features that make the property a landmark or contributing property; or
3. Meets the criteria established for demolition, alteration, or relocation of a resource in the city's administrative guidelines. (Ord. 12-O-2617, eff. 2-24-2012; amd. Ord. 14-O-2661, eff. 6-20-2014)

10-3-3220: CERTIFICATE OF APPROPRIATENESS TERM, EXTENSION, MODIFICATION:

A. Term:

1. General: A certificate of appropriateness shall lapse and become void twenty four (24) months from the date of issuance, unless a building permit (if required) has been issued and the rights granted by the permit or certificate have been exercised and are being pursued to completion. For purposes of this subsection, the term "exercised" means substantial expenditures in good faith reliance upon the permit or certificate. The burden of proof in showing substantial expenditures in good faith reliance upon the permit or certificate shall be placed upon the permit or certificate holder.
2. Certificate Of Appropriateness For Demolition: A certificate of appropriateness for the demolition of a property shall expire at the end of one hundred eighty (180) days from the date of issuance of the certificate of appropriateness, unless a demolition permit or a building permit for the demolition work has been obtained and the rights of the permit or certificate are being exercised and pursued to completion. For purposes of this subsection, the term "exercised" means substantial expenditures in good faith reliance upon the permit or certificate. The burden of proof in showing substantial expenditures in good faith reliance upon the permit or certificate shall be placed upon the permit or certificate holder.

B. Extensions:

1. General: Except as provided below for certificates of appropriateness authorizing demolition, so long as the approved plans have not been modified, a certificate of appropriateness may be extended for a period of up to an additional twelve (12) months upon request by the owner and submittal of an appropriate application and payment of applicable fees. The director may approve, conditionally approve, or deny any request for a time extension, or may refer the request to the commission, which may approve, conditionally approve, or deny any request for a time extension based upon criteria established in the city's administrative guidelines.
2. Demolition: A certificate of appropriateness for the demolition of a property may be extended for a period of up to an additional forty five (45) days upon request by the owner and submittal of an appropriate application and payment of applicable fees no later than thirty (30) days prior to expiration. The director may approve, conditionally approve, or deny any request for a time extension, or may refer the request to the commission, which may approve, conditionally approve, or deny any request for a time extension based upon criteria established in the city's administrative guidelines.

- C. Modifications: An application to modify an issued certificate of appropriateness, or a condition of approval imposed thereon, shall be heard and considered in the same manner and by the same body as the original review application unless otherwise determined by the director. Payment of applicable fees is required upon submitting an application. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3221: CERTIFICATE OF ECONOMIC HARDSHIP:

- A. Issuance: The commission may issue a certificate of economic hardship to allow alteration, demolition, or relocation of a landmark or property within a historic district when it has been demonstrated that denial of a certificate of appropriateness would create an undue hardship upon the owner.
- B. Applications: An application for a certificate of economic hardship shall be made on the prescribed form and shall be accompanied by the following information as requested by the director:
1. The estimated market value of the property in its current condition.
 2. The estimated market value of the property after completion of the proposed alteration or demolition.
 3. Estimates of the costs of the proposed alteration or demolition.
 4. In the case of demolition, the estimated market value of the property after rehabilitation of the existing property for continued use and an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional with experience in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structures on the property.
 5. A rehabilitation report from a licensed engineer or architect with expertise in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.
 6. For income producing properties, information on annual gross income, operating and maintenance expenses, tax deductions for depreciation, and annual cash flow after debt service, current property value appraisals, assessed property valuations, and real estate taxes.
 7. The remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years.
 8. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
 9. The amount paid for the property if purchased within the previous thirty six (36) months, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.
 10. Any listing of the property for sale or rent, and prices asked, and offers received, if any within the previous two (2) years.
 11. Any other information the director may reasonably require in order to determine whether

or not the property does or may yield a reasonable return to the owner.

- C. **Public Hearing:** The commission shall hold a public hearing on all applications for a certificate of economic hardship; after which it may approve, conditionally approve, or deny the application. Such hearing may be held concurrently with any related application for a certificate of appropriateness.
- D. **Findings:** The commission shall not approve any certificate of economic hardship unless it makes all of the following findings:
1. Denial of the application would decrease the value of the subject property so as to leave no substantial value.
 2. Sale or rental of the property is not financially feasible, when looking at the cost of holding such property for uses permitted in the applicable zone.
 3. Adaptive reuse of the property for lawful purposes is prohibited or impractical.
 4. Denial of the application would damage the owner of the property unreasonably in comparison to the benefit conferred on the community.
- E. **Copies Of Certificate:** Upon approval, copies of the certificate of economic hardship shall be forwarded to the applicant, the building official, the director, and any other department or agency upon request.
- F. **Effectiveness Of Certificate:** No certificate of economic hardship shall become effective until the time to appeal its approval has expired. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3222: APPEALS; FINALITY OF DECISIONS FOR CERTIFICATES OF APPROPRIATENESS AND CERTIFICATES OF ECONOMIC HARDSHIP:

- A. **Authority To Appeal Decisions:** Only the owner of the property subject to a certificate of appropriateness or certificate of economic hardship, or an owner of property within a historic district in which the property subject to a certificate of appropriateness or certificate of hardship is located, shall be entitled to file an appeal of a decision on the certificate. The city council shall have the authority to call such decisions for review pursuant to the provisions of title 1, chapter 4, article 2 of this code.

- B. Finality Of Director Or Commission Decision: Any decision of the director or commission on a certificate of appropriateness or certificate of economic hardship under this article shall become final if no appeal is submitted within the applicable appeal period and the decision is not called for review by the city council pursuant to the provisions of title 1, chapter 4, article 2 of this code.
- C. Appeal Of Director Actions: Appeals of a final decision by the director pursuant to this article may be appealed to the commission within fifteen (15) days from the date of the decision pursuant to the procedures set forth in [title 1](#), article 4, [chapter 2](#) of this code.
- D. Appeal Of Commission Actions: Appeals of a final decision by the commission may be appealed to the city council within fifteen (15) days from the date of the decision pursuant to the procedures set forth in title 1, chapter 4, article 2 of this code, or may be called for city council review pursuant to the provisions of title 1, chapter 4, article 2 of this code. The city council shall act within ninety (90) days after expiration of the appeal period, or within any additional period agreed to by the property owner or owners. Failure to act within the permitted time period shall be deemed a denial of the application. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3223: HISTORIC RESOURCE DISCLOSURE:

- A. For purposes of this section, the following terms shall have the meanings set forth below:

BUYER: A transferee in a real property transaction, and includes a person who executes an offer to purchase real property from a seller through an agent, or who seeks the services of an agent with the object of entering into a real property transaction. "Buyer" includes vendee or lessee.

OFFER TO PURCHASE: A written contract executed by a buyer acting through a selling agent which becomes the contract for the sale of the real property upon acceptance by the seller.

OWNER: Any person, copartnership, association, corporation, or fiduciary having legal or equitable title or any interest in real property.

REAL PROPERTY TRANSACTION: A transaction for the sale of real property in which an agent is employed by one or more of the principals to act in that transaction, and includes a listing or an offer to purchase.

SALE: A transaction for the transfer of real property from the seller to the buyer, and includes exchanges of real property between the seller and buyer, transactions for the creation of a real property sales contract within the meaning of California Civil Code section

2985, and transactions for the creation of a leasehold exceeding one year's duration.

SELLING AGENT: A listing agent who acts alone, or an agent who acts in cooperation with a listing agent, and who sells or finds and obtains a buyer for the real property, or an agent who locates property for a buyer or who finds a buyer for a property for which no listing exists and presents an offer to purchase to the seller.

- B. If real property has been designated by the city of Beverly Hills as a landmark, a property within a historic district, or has been identified in the local inventory or any update thereto, the owner or the selling agent of the property shall, in any real property transaction, provide the buyer of the property with notice informing the buyer of the property's historic status. The owner or the selling agent shall provide the notice to the buyer before expiration of any inspection contingency period, and in any event before transfer of title.
- C. Any person who violates the provisions of this section shall be subject to the penalties and remedies specified in [title 1, chapter 3](#) of this code. In addition, a buyer who does not receive the notice required by subsection B of this section may bring a civil action for damages.
- D. The disclosure requirements of this section shall not apply to real estate transactions subject to Civil Code section 1102.2 or any successor or amended section. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3224: LIMITED APPLICABILITY TO RENOVATIONS OF PROPERTIES REQUIRED TO COMPLY WITH SECRETARY OF INTERIOR STANDARDS:

Notwithstanding anything else set forth in this article, any property that is designated a landmark on the local register and the renovation of which is required by legislative enactment by the city of Beverly Hills adopted prior to the adoption of this article to comply with the secretary of interior's standards for rehabilitation pursuant to 36 CFR 68.3(b) and related guidelines for rehabilitating historic buildings shall be exempt from the provisions in subsection 10-3-3215F and sections 10-3-3217, 10-3-3218, 10-3-3219, 10-3-3220, 10-3-3221 and 10-3-3222 of this chapter; provided, however, that any such property shall be subject to all provisions of this article for demolition, and for off site relocation of significant structures or significant landscaping.

Regardless of the contents of a historic resource resolution, as set forth in subsection 10-3-3215J of this chapter, the provisions of the legislative enactment imposed on any property that is subject to this section shall control with respect to characteristics to be preserved and standards for future proposed changes. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3225: ENFORCEMENT AND PENALTIES:

- A. Any person who violates a requirement of this article or fails to obey an order issued by the commission and/or director, or fails to comply with a condition of approval of any certificate or permit issued under this chapter, shall be subject to enforcement actions as set forth in [title 1, chapter 3](#) of this code.
- B. In addition to all other remedies available to the city, any alteration or demolition of a historic resource in violation of this article is expressly declared to be a nuisance and may be abated as deemed appropriate by the city.
- C. In addition to all other remedies, the city shall have the authority to impose a temporary moratorium on the development of a property for a period not to exceed sixty (60) months from the date the city becomes aware of any alteration or demolition in violation of this article, unless the owner obtains permits to restore or reconstruct the property to its original condition prior to the violation and the work is consistent with the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings". The purpose of the moratorium is to provide the city an opportunity to study and determine appropriate mitigation measures for the alteration and/or removal of the historic resource, and to ensure measures are incorporated into any future development plans and approvals for the subject property. Mitigation measures which may be determined by the commission and/or director shall be imposed as a condition of any subsequent permit for development of the subject property.
- D. The city attorney may maintain an action for injunctive relief to restrain a violation or cause, where possible, the complete or partial restoration, reconstruction, or replacement of any historic resource demolished, partially demolished, altered, or partially altered in violation of this chapter.
- E. Any person who constructs, alters, removes, or demolishes a designated landmark or property in a designated historic district without the approval and issuance of a certificate or permit issued pursuant to this article may be required to restore the property to its appearance prior to the violation to the extent such restoration is physically possible, under the guidance of the director. This civil remedy shall be in addition to, and not in lieu of, any criminal penalties available.
- F. In addition to any other remedies provided herein, any violation of this article may be enforced by civil action brought by the city. Remedies under this article are in addition to and do not supersede or limit any and all other remedies or penalties, whether civil or

criminal. The remedies provided herein are cumulative and not exclusive. In any such action, the city may seek as appropriate, one or both of the following remedies:

1. A temporary or permanent injunction, or both;
2. Assessment of the violator for the costs of any investigation, inspection, or monitoring survey that led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3226: PREEXISTING ENTITLEMENTS AND BUILDING PERMITS:

This article does not apply to construction, alteration, moving, or demolition of a property, building, structure, or object pursuant to valid entitlements granted by the city prior to the effective date hereof, or started under a valid building permit issued prior to the effective date hereof, as such entitlements or permits may be extended pursuant to provisions of this code and state laws. Once the work authorized by any such entitlement or building permit has been completed the provisions of this article apply. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3227: FEES:

The city council may, by resolution, establish the fee(s) for submission of a nomination, and all other applications and submissions made pursuant to this chapter. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3228: CITY OWNED PROPERTIES; SCHOOL DISTRICT PROPERTIES:

- A. The provisions of this article do not apply to city owned properties; however the city council may, in its discretion, add a city owned property to the local register provided the property meets the criteria set forth in either section 10-3-3212 or 10-3-3213 of this chapter following any process it deems appropriate.
- B. The provisions of this article shall not apply to properties owned by a public school district, unless a school district files an application requesting landmark or historic district designation of its property and the city designates the facility or facilities as a landmark or historic district. (Ord. 12-O-2617, eff. 2-24-2012)

10-3-3229: DANGEROUS AND IMMEDIATELY DANGEROUS PROPERTIES:

Nothing in this article shall prevent the construction, alteration, repair, restoration, stabilization, rehabilitation, or demolition of a property, regardless of designation, if the building official determines the property creates an unsafe or dangerous condition that presents an imminent threat to the public of bodily harm or of damage to adjacent property. The building official shall notify the director in writing of a finding that the proposed action is necessary in order to mitigate the unsafe or dangerous condition. In such event, no certificate of appropriateness or permit referral shall be required. However, the building official shall make all reasonable efforts to consult the director, or his or her designated representative to determine if there are feasible alternatives to the proposed action that will adequately protect the public health and safety. (Ord. 12-O-2617, eff. 2-24-2012)

Examples of Property Tax Calculations Under Mills Act- ESTIMATES ONLY

Current Assessed Valuation	\$2,000,000	
Current Taxes	\$20,000	1% of Val.

Recalculating Using Mills Act Assessment Method

Gross Income	\$60,000	\$5,000 /Month
Less Expenses	\$8,000	\$667 /Month (insurance, maintenance, utilities)
Net Income	\$52,000	
Capitalization Rate	15.00%	
Mortgage Rate	5.00%	
Risk Component	4.00%	
Tax Rate	1.00%	
Amortization	5.00%	
New Valuation	\$346,667	(\$52,000/15.00%)
New Taxes	\$3,467	(\$346,667 X 0.01)
TOTAL SAVINGS	\$16,533	(\$20,000-\$3,467)

Loss of Revenue (by Agency)		Approx. %
Los Angeles County	\$5,147	31%
Educational Augmentation Funds	\$3,841	23%
MBUSD	\$2,571	16%
Tax District #1 (City)	\$2,417	15%
Other Agencies	\$2,558	16%

Examples of Property Tax Calculations Under Mills Act- ESTIMATES ONLY

Current Assessed Valuation	\$2,000,000	
Current Taxes	\$20,000	1% of Val.

Recalculating Using Mills Act Assessment Method

Gross Income	\$120,000	\$10,000 /Month
Less Expenses	\$8,000	\$667 /Month (insurance, maintenance, utilities)
Net Income	\$112,000	
Capitalization Rate	15.00%	
Mortgage Rate	5.00%	
Risk Component	4.00%	
Tax Rate	1.00%	
Amortization	5.00%	
New Valuation	\$746,667	(\$112,000/15.00%)
New Taxes	\$7,467	(\$746,667 X 0.01)
TOTAL SAVINGS	\$12,533	(\$20,000-\$7,467)

Loss of Revenue (by Agency)		Approx. %
Los Angeles County	\$3,902	31%
Educational Augmentation Funds	\$2,911	23%
MBUSD	\$1,949	16%
Tax District #1 (City)	\$1,832	15%
Other Agencies	\$1,939	16%

Examples of Property Tax Calculations Under Mills Act- ESTIMATES ONLY

Current Assessed Valuation	\$500,000	
Current Taxes	\$5,000	1% of Val.

Recalculating Using Mills Act Assessment Method

Gross Income	\$60,000	\$5,000 /Month
Less Expenses	\$8,000	\$667 /Month (insurance, maintenance, utilities)
Net Income	\$52,000	
Capitalization Rate	15.00%	
Mortgage Rate	5.00%	
Risk Component	4.00%	
Tax Rate	1.00%	
Amortization	5.00%	
New Valuation	\$346,667	(\$52,000/15.00%)
New Taxes	\$3,467	(\$346,667 X 0.01)
TOTAL SAVINGS	\$1,533	(\$5,000-\$3,467)

Loss of Revenue (by Agency)		Approx. %
Los Angeles County	\$477	31%
Educational Augmentation Funds	\$356	23%
MBUSD	\$238	16%
Tax District #1 (City)	\$224	15%
Other Agencies	\$237	16%



Office of Historic
Preservation

(/)

(/?

page_id=23110)

Mills Act Property Tax Abatement Program

READ THIS FIRST!

The Mills Act Program is administered and implemented by local governments. Mills Act contracts are between the property owner and the local government granting the tax abatement. OHP is **not** a signatory to Mills Act contracts.

Each local government establishes their own criteria and determines how many contracts they will allow in their jurisdiction. For answers to specific questions such as local eligibility criteria, application procedures, and contract terms, contact the city or county official for your jurisdiction.

<http://www.calpin.ca.gov/directory/county.asp>

GENERAL MILLS ACT QUESTIONS and ANSWERS

Q: *My property or a property I am considering buying is already under a Mills Act contract. What does that mean to me as a property owner?*

A: Mills Act contracts are for 10 years initially with automatic yearly extensions and stay with the property when transferred. Subsequent owners are bound by the contract and have the same rights and obligations as the original owner who entered into the contract. Because the local government and the property owner negotiate other specific terms of the contract, you need to contact your local government to determine the rights and obligations a Mills Act contract creates.

[Mills Act Contacts \(../pages/1074/files/Mills Act Contacts.pdf\)](#)

Q: How are tax assessments determined for properties under the Mills Act?

A: The State Board of Equalization has provided guidelines for county assessors for use in assessing properties under the Mills Act.

Board of Equalization Guidelines

(<http://www.boe.ca.gov/proptaxes/pdf/Ita05035.pdf>)

Q: Does my property qualify for the Mills Act Program?

A: First, find out if your local government participates in the program. Use the [Mills Act Contacts](/pages/1074/files/millsactcontacts.pdf) (</pages/1074/files/millsactcontacts.pdf>) list to find out if your local government participates in the Mills Act Program, what the local criteria are, and what the process is for applying.

Q: No, my local government does not currently participate. Now what do I do?

A: Contact the Planning Department or Community Development Department of your local government and ask them to consider adopting the Mills Act Program.

California Cities Contact Information (<http://www.calpin.ca.gov/directory/city.php>)

California Counties Contact Information (<http://www.calpin.ca.gov/directory/county.php>)

Q: What is the Mills Act Program?

A: Economic incentives foster the preservation of residential neighborhoods and the revitalization of downtown commercial districts. The Mills Act is the single most important economic incentive program in California for the restoration and preservation of qualified historic buildings by private property owners. Enacted in 1972, the Mills Act legislation grants participating local governments (cities and counties) the authority to enter into contracts with owners of qualified historic properties who actively participate in the

restoration and maintenance of their historic properties while receiving property tax relief. California State Codes Relating to the Mills Act include the following:

California Government Code, Article 12, Sections 50280 - 50290

(<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=50001-51000&file=50280-50290>)

California Revenue and Taxation Code, Article 1.9, Sections 439 - 439.4 ([../pages/1074/files/crtc.pdf](http://leginfo.ca.gov/pub/1074/files/crtc.pdf))

Q: How does the Mills Act benefit Local Governments?

A: The Mills Act allows local governments to design preservation programs to accommodate specific community needs and priorities for rehabilitating entire neighborhoods, encouraging seismic safety programs, contributing to affordable housing, promoting heritage tourism, or fostering pride of ownership. Local governments have adopted the Mills Act because they recognize the economic benefits of conserving resources and reinvestment as well as the important role historic preservation can play in revitalizing older areas, creating cultural tourism, building civic pride, and retaining the sense of place and continuity with the community's past.

A formal agreement, generally known as a Mills Act or Historical Property Contract, is executed between the local government and the property owner for a minimum ten-year term. Contracts are automatically renewed each year and are transferred to new owners when the property is sold. Property owners agree to restore, maintain, and protect the property in accordance with specific historic preservation standards and conditions identified in the contract. Periodic inspections by city or county officials ensure proper maintenance of the property. Local authorities may impose penalties for breach of contract or failure to protect the historic property. The contract is binding to all owners during the contract period.

Q: How does the Mills Act benefit Owners of Historical Properties?

A: Owners of historic buildings *may* qualify for property tax relief if they pledge to rehabilitate and maintain the historical and architectural character of their properties for at least a ten-year period. The Mills Act program is especially beneficial for recent buyers of historic properties and for current owners of historic buildings who have made major improvements to their properties.

Mills Act participants *may* realize substantial property tax savings of between 40% and 60% each year for newly improved or purchased older properties because valuations of Mills Act properties are determined by the Income Approach to Value rather than by the standard Market Approach to Value. The income approach, divided by a capitalization rate, determines the assessed value of the property. In general, the

income of an owner-occupied property is based on comparable rents for similar properties in the area, while the income amount on a commercial property is based on actual rent received. Because rental values vary from area to area, actual property savings vary from county to county. In addition, as County Assessors are required to assess all properties annually, Mills Act properties may realize slight increases in property taxes each year.

Q: What is a Qualified Historic Property?

A: A qualified historic property is a property listed on any federal, state, county, or city register, including the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, State Points of Historical Interest, and locally designated landmarks. Owner-occupied family residences and income-producing commercial properties may qualify for the Mills Act program, subject to local regulations.

Q: What is OHP's role in the Mills Act program?

A: OHP provides Mills Act information to local governments and uses information provided by local governments to maintain a list of communities participating in the Mills Act program as well as copies of Mills Act ordinances, resolutions, and contracts that have been adopted. OHP does not participate in the contract negotiations, is not a signatory to the contract and has no authority over the administration of the Mills Act program.

Q: Where can I get more information?

A: Contact your local government for answers to specific questions about the program in your community. Additional information is available from the **Board of Equalization** (<http://www.boe.ca.gov/proptaxes/pdf/lta05035.pdf>) and **California Government Code, Article 12, Sections 50280 - 50290** (<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=50001-51000&file=50280-50290>).

RELATED PAGES

[Architectural Review \(?page_id=1074\)](#)

[Certified California Tax Incentive Projects \(?page_id=21746\)](#)

[Certified Districts \(?page_id=27283\)](#)

[Federal Historic Preservation Tax Credit Program \(?page_id=25007\)](#)

[Federal Tax Deductions - Easements \(?page_id=21411\)](#)

[Historic State Tax Credits \(?page_id=27495\)](#)

[State Historical Building Code \(SHBC\) \(?page_id=21410\)](#)

Mills Act Staff Contact


Shannon Lauchner (<mailto:shannon.lauchner@parks.ca.gov>)

Mills Act/CLG Coordinator

State Historian II

916-445-7013

Contact Us

 **Address:** 1725 23rd Street, Suite 100, Sacramento, CA 95816

 **Public Information Inquiries:** (916) 445-7000

 **Email:** calshpo@parks.ca.gov (<mailto:calshpo@parks.ca.gov>)

Follow Us



Latest Tweet

@calshpo (<http://www.twitter.com/calshpo>)

 Thank you to everyone who help put this awesome event together! <http://t.co/fsuNHr4r2r> (<http://t.co/fsuNHr4r2r>)

For more info n the quilts: <http://t.co/Fcl4zQP3yd> (<http://t.co/Fcl4zQP3yd>)
[3h \(https://twitter.com/CAStateParks/status/511960313487691777\)](https://twitter.com/CAStateParks/status/511960313487691777)



(/)

Copyright © 2014 State of California

[Customer Care and Privacy \(/?page_id=22794\)](#) | [Conditions of Use \(/?page_id=26420\)](#)
| [Privacy Policy \(http://www.ca.gov/privacy.html\)](http://www.ca.gov/privacy.html) | [Site Map \(/?page_id=23162\)](#)



STATE BOARD OF EQUALIZATION
PROPERTY AND SPECIAL TAXES DEPARTMENT
450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0084
916 445-4982 • FAX 916 323-8765
www.boe.ca.gov

BETTY T. YEE
Acting Member
First District, San Francisco

BILL LEONARD
Second District, Sacramento/Ontario

CLAUDE PARRISH
Third District, Long Beach

JOHN CHIANG
Fourth District, Los Angeles

STEVE WESTLY
State Controller, Sacramento

RAMON J. HIRSIG
Executive Director

June 2, 2005

No. 2005/035

TO COUNTY ASSESSORS AND INTERESTED PARTIES:

NOTICE OF BOARD ACTION

GUIDELINES FOR THE ASSESSMENT OF ENFORCEABLY RESTRICTED HISTORICAL PROPERTY

On May 25, 2005, the Board of Equalization approved the following guidelines pertaining to the assessment of enforceably restricted historical property. These guidelines supersede Letter To Assessors No. 77/174 (dated December 19, 1977).

On June 8, 1976, the voters of California approved Proposition 7 which amended section 8 of article XIII of the California Constitution. This amendment requires that enforceably restricted historical property be valued on a basis that is consistent with its restrictions and uses. Sections 439 through 439.4 were added to the Revenue and Taxation Code to implement Proposition 7. These statutes, in particular section 439.2, prohibit a valuation of enforceably restricted historical property based on sales data and instead require that such property be valued by a prescribed income capitalization method.

Staff drafted these guidelines in consultation with interested parties and, after discussions, no issues remained unresolved. The guidelines discuss the enforceably restricted historical property requirements, the income to be capitalized, the capitalization rate, the effect of Proposition 13 upon enforceably restricted historical properties that undergo change in ownership or new construction, and the valuation of property under notice of nonrenewal.

The guidelines are posted on the Board's website at www.boe.ca.gov/proptaxes/guideproc.htm. We hope this information proves useful and promotes uniformity of assessment for these properties. If you have any questions, please contact our Real Property Technical Services Unit at 916-445-4982.

Sincerely,

/s/ David J. Gau

David J. Gau
Deputy Director
Property and Special Taxes Department

DJG:grs
Enclosure

GUIDELINES FOR THE ASSESSMENT OF ENFORCEABLY RESTRICTED HISTORICAL PROPERTY

HISTORY

Effective March 7, 1973, Chapter 1442 of the Statutes of 1972 (also known as the Mills Act) added sections 50280 through 50289 to the Government Code to allow an owner of qualified historical property to enter into a preservation contract with local government. When property is placed under such a contract, the owner agrees to restore the property if necessary, maintain its historic character, and use it in a manner compatible with its historic characteristics.

Prior to the passage of Proposition 7 in 1976, these agreements (i.e., Mills Act contracts) constituted enforceable restrictions on the use of land within the meaning of Revenue and Taxation Code section 402.1¹ (Property Tax Rule 60, repealed January 10, 1978). However, Proposition 7 added the second paragraph to section 8 of article XIII of the California Constitution:

To promote the preservation of property of historical significance, the Legislature may define such property and shall provide that when it is enforceably restricted, in a manner specified by the Legislature, it shall be valued for property tax purposes only on a basis that is consistent with its restrictions and uses.

To implement Proposition 7, Chapter 1040 of the Statutes of 1977 (Senate Bill 380) added sections 439 through 439.4 to the Revenue and Taxation Code. These statutes, in particular section 439.2, prohibit a valuation of enforceably restricted historical property based on sales data and instead require that such property be valued by a prescribed income capitalization method.

ENFORCEABLY RESTRICTED HISTORICAL PROPERTY

Under section 439, historical property is "enforceably restricted" if it meets the definition of a "qualified historical property" as defined in Government Code section 50280.1 and is subject to a historical property contract executed pursuant to Government Code section 50280 and following. A qualified historical property includes qualified historical improvements and the land on which the improvements are situated, as specified in the historical property contract. If the contract does not specify the land to be included, the qualified historical property includes only a land area of reasonable size to situate the improvements.

A qualified historical property is privately-owned property that is not exempt from property taxation and that also meets either of the following criteria:

- The property is listed in the National Register of Historic Places, or is located within a registered historic district; or

¹ Unless otherwise noted, all statutory references are to the Revenue and Taxation Code.

- The property is listed in any official state, county, city, or city and county official register of historical or architecturally significant sites, places or landmarks, including the California Register of Historical Resources, California Historical Landmarks, State Points of Historical Interest, local landmarks, and local survey listings of historical properties.

The historical property contract must have a minimum term of ten years, and, as applicable, must contain certain other elements, including the following:

- A provision relating to the preservation of the qualified historical property and, when necessary, the restoration and rehabilitation of the property in conformance with state historic preservation guidelines;
- A requirement for the periodic examination of the property to ensure compliance with the agreement;
- A requirement that the historical property agreement be binding upon successor owners of the qualified historical property; and
- A provision for an automatic one-year extension of the contract, with an additional year added to the initial contract term on each anniversary of the contract, unless either party provides notice of nonrenewal. If a notice of nonrenewal is given, the contract runs for its remaining term.

Once a contract is signed, accepted, and recorded, the property subject to the contract must be assessed under section 439.2 on the ensuing lien date. For example, if a contract were recorded in August 2004, the property should have been valued pursuant to section 439.2 for lien date January 1, 2005.

Local authorities may cancel a historical property agreement for breach of contract or failure to protect the historical property. Alternatively, the local entity may take legal action to enforce the contract.

ASSESSMENT

The assessment of an enforceably restricted historical property involves the following aspects: (1) valuing the restricted historical property; (2) properly applying certain assessment provisions relating to article XIII A of the California Constitution (Prop 13); (3) valuing the restricted historical property following a notice of nonrenewal; and (4) valuing the restricted historical property following cancellation of the contract.

Valuing the Restricted Historical Property

Section 439.2 prohibits the assessor from using sales data relating to similar properties, whether or not enforceably restricted, to value an enforceably restricted historical property. Instead, the assessor must annually value a restricted historical property using an income approach that

follows the specific provisions of section 439.2. These provisions explicitly address (1) the determination of the income to be capitalized, (2) the development of the capitalization rate, (3) the capitalization technique to be used, and (4) the determination of the restricted historical property's taxable value on each lien date.

Income to be Capitalized

As provided in section 439.2(a), the income to be capitalized when valuing a restricted historical property is the property's fair rent less allowed expenditures, or allowed expenses. In general, section 439.2(a) follows Property Tax Rule 8(c), with fair rent in section 439.2 corresponding to gross return in Rule 8(c); allowed expenditures, or allowed expenses, in section 439.2 corresponding to gross outgo in Rule 8(c); and the income to be capitalized in section 439.2 corresponding to net return in Rule 8(c). In addition, for the purposes here, "gross income" is synonymous with fair rent, and "net operating income" is synonymous with the income to be capitalized.

The parties to a historical property agreement may stipulate a minimum annual income to be capitalized, in which case the income to be capitalized may not be less than the stipulated amount.

Fair rent, or gross income. The gross income of a restricted historical property is the fair rent for the property considering the restrictions on the property's use. When establishing the fair rent for a restricted historical property, the appraiser should consider the actual rent and typical rents in the area for similar properties in similar use, where the owner pays the property taxes.

The actual rent received by the owner of the subject restricted historical property is relevant to an estimate of fair market rent only if the actual rent is the same rent that would be expected if the existing lease were renegotiated in light of current market conditions, including the subject property's enforceable restrictions on use. With respect to rents from similar, or comparable, properties, if such rents are from properties outside the geographic or market area of the subject property, or from properties that are otherwise dissimilar to the subject property, the rents may not be relevant to an estimate of the subject property's fair rent.

Comparable rental data for single-family residences can be obtained from real estate brokers, rental agencies, and newspaper ads. Many assessors offices maintain rental data for commercial properties, and this data may be helpful when establishing the fair rent for restricted historical property when the contract allows a commercial use. Rental data for commercial property also can be obtained from commercial real estate brokers. For the purpose of estimating anticipated market fair rent and expenditures for use in calculating the subject property's value, rental and expense data for existing restricted historical properties, including the subject historical property, can be obtained through an annual questionnaire sent to property owners.

If sufficient rental data are not available, or such data are unreliable, the appraiser must impute a gross income for the subject restricted historical property. The imputed income should be based on what an informed investor would reasonably expect the property to yield under prudent management, given the provisions under which the property is enforceably restricted.

Allowed expenditures. Section 439.2(a)(3) defines allowed expenditures, or allowed expenses, as expenses necessary for the maintenance of the property's income. Allowed expenses are the same as those permitted in Property Tax Rule 8(c).

Typical expenses include the cost of utilities, maintenance and repair, insurance and property management. Allowed expenses also may include amounts owing for special assessments and special taxes. Expenses related to debt service, general property taxes, and depreciation should not be deducted.

In general, to arrive at the net income to be capitalized, allowed expenses are subtracted from the estimated rental income. However, in order to properly process the income, the appraiser must be aware of the structure of the lease with regard to how expenses are shared between the landlord-owner and the tenant.

The proper perspective from which to view the processing of income and expenses is that of the landlord-owner. The objective is to estimate the net income to the landlord-owner—this is the amount that should be capitalized—and the correct question to ask is the following: What, if any, allowed expenses must the landlord-owner pay out of the rental income that he or she receives?

In a gross lease, almost all of the allowed expenses must be paid out of the gross rent and, therefore, must be subtracted from the gross rent to arrive at the net income to be capitalized. In a net lease, relatively few allowed expenses must be paid by the landlord-owner out of the net rent (because the tenant pays most expenses) and only these expenses should be subtracted from the net rent to arrive at the net income to be capitalized. Frequently, there is a hybrid arrangement—some expenses are paid by the landlord-owner and some by the tenant. How expenses are shared often depends upon the property type together with local conventions.

Income to be capitalized, or net operating income. The income to be capitalized, or net operating income, is simply the fair rent, or gross income, described above less the allowed expenditures described above.

Capitalization Rate

The method of developing the capitalization rate to be used when valuing restricted historical property is prescribed by statute; a capitalization rate derived from sales data or the band of investment is not permitted.

Section 439.2 prescribes two types of capitalization rates for restricted historical property: (1) a capitalization rate to be used when valuing restricted historical property that is an owner-occupied single-family residence and (2) a capitalization rate to be used when valuing all other restricted historical property. Both types of capitalization rates include components for interest (i.e., yield), risk, property taxes, and amortization of improvements; in fact, the two rates are identical except for the amount of the risk component. The capitalization rate contains the following components:

- An interest component annually determined by the State Board of Equalization and based on the effective rate on conventional mortgages as determined by the Federal Housing Finance Board. The interest component is announced annually, in a Letter To Assessors, by October 1 of the preceding assessment year.
- A historical property risk component determined by property type. For owner-occupied single-family residences, the rate is 4 percent; for all other types of restricted historical property, the rate is 2 percent.
- An amortization component for improvements defined as a percentage equal to the reciprocal of the remaining life of the improvements (e.g., if the remaining economic life of the improvements were 20 years, the amortization component would be 5 percent). Since the amortization component applies only to improvements, not to land, which is a non-depreciating asset, it is necessary to adjust the amortization component described in the statute. We recommend the following method of adjustment:
 1. Based upon market data, estimate the percentage of total property value attributable to improvements.
 2. Multiply this percentage by the amortization component described in the statute (i.e., by the reciprocal of the remaining life of the improvements). For example, if the remaining life of the improvements was 20 years, yielding a reciprocal percentage of 5 percent, and if 70 percent of the total property value was attributable to the improvements, the adjusted amortization factor would be 3.5 percent ($0.05 \times 0.70 = 0.035$).
 3. Add the adjusted amortization component to the other capitalization rate components to arrive at the total capitalization rate.
- A property taxes component equal to the percentage of the estimated total tax rate applicable to the property for the assessment year multiplied by the assessment ratio. Typically, the property tax component includes the basic tax rate of 1 percent plus an additional ad valorem rate related to any bonded indebtedness pertaining to the tax rate area in which the property is located. Special district assessments and special taxes are not included in the property tax component. As noted above, they should be treated as allowed expenses.

Capitalization Technique

The capitalization technique to be used when valuing a restricted historical property is prescribed by statute and is formulaic. Section 439.2(e) provides that the restricted value shall be the income to be capitalized, or net operating income, developed as prescribed by statute, divided by one of the two types of capitalization rates prescribed by statute. In other words, the restricted value is the simple quotient of the prescribed income to be capitalized and the prescribed capitalization rate.

Determination of Taxable Value on Each Lien Date

Section 439.2(d) provides that a historical property's restricted value may not be enrolled if it exceeds either (1) the value of the subject property as determined under section 110 (i.e., current market value) or (2) the value of the subject property as determined under section 110.1 (i.e., factored base year value). In other words, section 439.2 states that the taxable value of a restricted historical property on each lien date shall be the lowest of its restricted value, current market value, or factored base year value. The factored base year value for an enforceably restricted historical property is the value that was established for the 1975 lien date² or as of the date of the most recent change in ownership, whichever is later, adjusted by the annual inflation factor.

Article XIII A (Prop 13) Considerations

This section discusses how three important elements relating to implementation of article XIII A—change in ownership, new construction, and supplemental assessment—relate to the assessment of restricted historical property. Also discussed is the case in which only a portion of a property is subject to the historical property agreement—that is, the case in which a single property unit contains both restricted and unrestricted portions.

Change in Ownership

When a property subject to a historical property contract undergoes a change in ownership, a new base year value should be established for the property as of the date of change in ownership, as provided in section 110.1. Typically, a restricted historical property's base year value will be greater than its restricted value determined under section 439.2 and hence will not be enrolled as the property's taxable value. However, the establishment of a new base year value enables the assessor to perform the three-way value comparison prescribed by section 439.2(d) and described above. The establishment of a base year value is also necessary in order to calculate the assessed values of historical property should the historical property agreement enter nonrenewal status.

New Construction

Section IV of National Register Bulletin #15 defines a "building" as follows:

A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

Section IV further specifies that "[b]uildings eligible for the National Register must include all of their basic structural elements. Parts of buildings, such as interiors, facades, or wings, are not eligible independent of the rest of the existing building. The whole building must be considered,

² Sections 110.1(d) and 405.5 do not apply to historical properties under contract as of lien date 1975 because the constitutional amendment which placed the valuation of historical property under article XIII rather than article XIII A had not yet been passed and, thus, was not in effect for the 1975 lien date.

and its significant features must be identified." Thus, eligibility for the National Register is determined by the extent to which the basic structural elements of an existing building are intact. In general, a newly constructed building would not be eligible because it is not an existing building with basic structural elements.³

Also, a newly constructed building is not a historic resource, and, thus, is not a qualified historical property within the meaning of Government Code section 50280.1. For example, a newly constructed detached garage (assuming it is not a reconstruction of a historical garage) clearly would not be eligible because it has no significance in American history or architecture, nor does it meet any of the other requisite criteria.

Bulletin 15, however, does list one type of newly constructed property that may be eligible for inclusion under the Mills Act. A reconstructed historic building is eligible for the National Register if the reconstruction is "accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived."

The historical property contract typically specifies the scope and type of any work to be performed on the historical improvements. Improvements existing as of the date of the contract would be subject to the provisions of section 439.2 unless specifically excluded by the contract. Any new construction made to the historical structure after the issuing date of the contract would not be subject to the provisions of section 439.2 unless specifically included in the contract or an amendment to the contract. Any questions regarding new construction to enforceably restricted historical structures should be directed to the counsel of the legislative body of the city, county, or city and county that contracted with the property owner.

Assuming that the newly constructed property is subject to the historical property contract, a base year value should be established for the newly constructed portion and this value added to the factored base year value of the existing restricted property.

In some cases, an existing historical property may include a portion that is restricted (i.e., subject to a historical property contract) and a portion that is unrestricted. In this case, separate factored base year values should be maintained for the restricted and unrestricted portions and the base year value of any newly constructed property added to the appropriate portion. The assessment treatment of this type of property is discussed further below.

Supplemental Assessment

Although the assessor is required to establish a new base year value upon a change in ownership or completed new construction involving restricted historical property, such property is not subject to supplemental assessment. As provided in Revenue and Taxation Code section 75.14:

Supplemental assessment; limitation. A supplemental assessment pursuant to this chapter shall not be made for any property not subject to the assessment

³ National Register Bulletin 15, "How to Apply the National Register Criteria for Evaluation," U.S. Department of the Interior, National Park Service (www.cr.nps.gov/nr/publications/).

limitations of Article XIII A of the California Constitution. All property subject to the assessment limitations of Article XIII A of the California Constitution shall be subject to the provisions of this chapter, except as otherwise provided in this article.

As discussed above, the assessment of enforceably restricted historical property is subject to the provisions of article XIII, section 8 of the California Constitution, not article XIII A. Thus, section 75.14 precludes the assessor from enrolling supplemental assessments for enforceably restricted historical property.

Historical property not yet under contract that undergoes a change in ownership or new construction is subject to supplemental assessment, even if the property owner later executes a historical property contract in the same fiscal year. Also, any new construction involving a historical property that does not come under the existing historical property contract (e.g., a detached garage added to a restricted historical property) would be subject to supplemental assessment.

When a Property Contains Both Restricted and Unrestricted Portions

When only a portion of a property that would normally be considered a single appraisal unit is restricted by a historical property contract, the assessed value should be determined by making a comparison of three values, determined as follows. First, the portion under contract should be valued using the capitalization method prescribed by section 439.2. Added to this figure should be the lower of the unrestricted portion's fair market value or factored base year value. The resulting sum should be compared to both the fair market value and the factored base year value of the entire property (i.e., both restricted and unrestricted portions) and the lowest of the three figures should be enrolled.

Valuing Property Under Notice of Nonrenewal

As provided in Government Code section 50282, either the owner of a restricted historical property or the local government entity may serve notice that it does not intend to renew the historical property contract. If such notice is not given, another year is automatically added to the term of the initial contract, thus creating a "rolling" contract term that is always equal to the initial contract term.

Section 439.3 prescribes the valuation method for a restricted historical property in nonrenewal status; this valuation method applies until the end of the restricted period (i.e., until the existing contract expires). In essence, the method results in a restricted value that gradually approaches the historical property's factored base year value as the remaining term under the contract decreases. For a property in nonrenewal status, the assessor must annually value the property as follows:

1. Determine the full cash value (i.e., factored base year value) of the property in accordance with section 110.1. (Alternatively, if the property will not be subject to section 110.1 when the historical property agreement expires, determine its fair market value in accordance with

section 110, as if the property were free of the agreement's restrictions; or, if the property will be subject to another type of restricted value standard when the historical property agreement expires, determine the property's value as if it were subject to the new restrictions.)

2. Determine the restricted value of the property by the capitalization of income method provided in section 439.2.
3. Subtract the restricted value determined in Step 2 from the factored base year (or other) value determined in Step 1.
4. Using the amount for the interest rate component (section 439.2(b)(1)) announced by the Board, discount the amount obtained in Step 3 for the number of years remaining until the termination of the contract.
5. Determine the restricted value of the property in nonrenewal status by adding the value determined in Step 2 to the amount obtained in Step 4.

The historical property's restricted value in nonrenewal status—that is, the value determined above, in accordance with section 439.3—should be compared with the historical property's factor base year and current market values, and the lowest of these three values should be enrolled as the property's taxable value.

Cancellation of Contract

The government entity party to a historical property contract may cancel the contract, after notice and a public hearing, if it determines that either the owner has breached the agreement or the property has deteriorated to the extent that it no longer meets the standards of a historical property. If the contract is cancelled, the property owner must pay a cancellation fee equal to 12½ percent of the property's current fair market value as though free of the contractual restriction, such value to be determined by the county assessor. After a contract is cancelled, the lower of the property's factored base year value or current market value should be enrolled for the ensuing lien date.

SUMMARY

The key points contained in these guidelines can be summarized as follows:

1. An owner of qualified historical property may enter into a preservation contract with local government. When property is placed under such a contract, the owner agrees to restore the property if necessary, maintain its historic character, and use it in a manner compatible with its historic characteristics. Such property receives the special valuation treatment prescribed under Revenue and Taxation Code sections 439 through 439.4.
2. Enforceably restricted historical property is to be annually valued by the income capitalization method prescribed in section 439.2, which contains specific instructions with

regard to the income to be capitalized, the capitalization rate, and the capitalization technique to be used. The restricted value must be compared to the property's current market value and factored base year value, with the lowest of these three values enrolled as the property's taxable value.

3. When assessing restricted historical property, the appraiser should consider how three important elements of article XIII A—change in ownership, new construction, and supplemental assessment—relate to the assessment. The appraiser should consider how a property should be assessed when only a portion of it is subject to a historical property agreement.
4. Restricted historical property under a notice of nonrenewal should be valued in accordance with section 439.3.
5. The government entity party to a historical property contract may cancel the contract. The cancellation fee is 12½ percent of the property's current fair market value as though free of the contractual restriction, with such value to be determined by the local assessor.

Additional information about Mills Act contracts may be obtained from the state Office of Historic Preservation, either by telephone at 916-653-6624, or from their website (www.ohp.parks.ca.gov).

(Note: Please see the assessment examples following.)

EXAMPLE 1 (OWNER-OCCUPIED SINGLE-FAMILY RESIDENCE)

Subject Restricted Historical Property

Restored, 105-year-old, Victorian single-family residence. Excellent condition. Under Mills Act contract since 1985 and not in nonrenewal status. Owner-occupied.

Determination of Restricted Value (current lien date)

Gross income (Fair rent)		
\$1,500 per month x 12 months =		\$18,000
Less: Anticipated vacancy and collection loss		
\$18,000 x 5%		<u>- 900</u>
Effective gross income		\$17,100
Less: Anticipated operating expenses		
Grounds maintenance	\$600	
Fire insurance	400	
Management Fee	360	
Water and garbage	240	
Building maintenance	+ 500	<u>- 2,100</u>
Net Operating Income		\$15,000

Restricted Capitalization Rate

Rate Components:		
Interest rate	.080	
Risk (owner-occupied SFR)	.040	
Property tax (ad valorem)	.015	
Amortization (50-year remaining life; improvements constitute 70% of total property market value; 0.02 x 0.70 - 0.014)	+ .014	<u>.149</u>

Restricted Value
 \$15,000 ÷ .149 = \$100,671

Taxable Value—Three-Way Value Comparison

Restricted value	\$100,671
Factored base year value (based on prior change in ownership)	\$357,000
Current market value (based on comparable sales)	\$450,000

The lowest of the three possible values is the restricted value. Thus, the net taxable value would be \$93,671 (\$100,671 restricted value less the homeowners' exemption of \$7,000).

Note 1: If this property had been a non-owner-occupied SFR, the only difference in the determination of the restricted value would have been the use of a risk rate component of 2% rather than 4% in the capitalization rate.

Note 2: In this and the following examples, the gross income, or fair rent, is presented on a gross rent basis, that is, under the assumption that the landlord-owner pays all operating expenses out of the gross income.

EXAMPLE 2 (OFFICE USE)

Subject Restricted Historical Property

Multi-tenant, restored historical office building in a downtown commercial district. Under Mills Act contract since 1985 and not in nonrenewal status.

Determination of Restricted Value (current lien date)

Gross Income (Fair rent):		
Offices	140,000 sf @ \$1.75/sf = <u>\$245,000</u>	
	x 12 months	= \$2,940,000
Less: Anticipated vacancy and collection loss		
	\$2,940,000 x 5%	<u>- 147,000</u>
Effective gross income		\$2,793,000
Less: Anticipated operating expenses		
Management	\$290,000	
Maintenance	95,000	
Insurance	75,000	
Utilities	360,000	
Janitorial	+ 140,000	<u>- 960,000</u>
Net Operating Income		\$1,833,000

Restricted Capitalization Rate

Rate Components:		
Interest component	.08	
Risk	.02	
Property tax (ad valorem)	.011	
Amortization (50-year remaining life; improvements constitute 75% of total property market value)		
0.02 x 0.75 = 0.015	+ .015	<u>.126</u>

Restricted Value
 (\$1,833,000 ÷ .126) = \$14,547,619

Taxable Value—Three-Way Value Comparison

Restricted value	\$14,547,619
Factored base year value (based on prior change in ownership)	\$18,191,077
Current market value (based on comparable sales)	\$21,000,000

The lowest of the three possible values is the restricted value. Thus, the taxable value would be \$14,547,619

EXAMPLE 3 (MIXED USE—RESIDENTIAL AND OFFICE)

Subject Restricted Historical Property

Two-story, restored historical property in a downtown district. Upper level is residential unit occupied by owner. Lower level contains three office spaces subject to short-term rental agreements. The income stream for the upstairs unit must be calculated separately from the downstairs unit because the risk rate is different for the owner-occupied unit.

Determination of Restricted Value

Separate restricted values for the upper-level residence and the lower-level office space must be determined, because the risk components are different for the two types of use. The total restricted value is sum of these two values.

Upper-Level Unit

Gross income (Fair rent) based upon comparable rent data		
\$975 per month x 12 months =		\$11,700
Less: Anticipated vacancy and collection loss		
\$11,700 x 5%		- 585
Effective gross income		\$11,115
Less: Anticipated operating expenses		
Grounds maintenance	\$300	
Fire insurance	200	
Management Fee	180	
Water and garbage	120	
Building maintenance	+ 250	- 1,050
Upper-Level Net Operating Income		\$10,065

Restricted Capitalization Rate (owner-occupied SFR)

Rate components:		
Interest rate	.080	
Risk	.040	
Property tax	.010	
Amortization (50-year remaining life; improvements constitute 70% of total property market value; 0.02 x 0.70 = 0.014)	+ .014	.144
Upper-level Restricted Value (\$10,065 + .144)		= \$69,895

Lower-Level Offices

Gross income (Fair rent)		
1000 sf @ \$1.60/sf = \$1,600 x 12 months		\$19,200
Less: Anticipated vacancy and collection loss		
\$19,200 x 5%		- 960
Effective gross income		\$18,240

Less: Anticipated operating expenses		
Grounds maintenance	\$300	
Fire insurance	200	
Management Fee	180	
Water and garbage	120	
Building maintenance	+ 250	- 1,050
Lower-Level Net Operating Income		\$17,190

Restricted Capitalization Rate		
Rate components:		
Interest component	.080	
Risk	.020	
Property tax	.010	
Amortization (50-year remaining life; improvements constitute 70% of total property market value; $0.02 \times 0.70 = 0.014$)	+ .014	.124
Lower Level Restricted Value ($\$17,190 \div .124$)		\$138,629
Add: Upper Level Restricted Value		+ \$69,895
Total Restricted Value		\$208,524

Taxable Value—Three-Way Value Comparison

Restricted Value	\$208,524
Factored base year value (based upon prior change in ownership)	\$364,140
Current market value (based upon comparable sales data)	\$400,000

The lowest of the three possible values is the restricted value. Thus, the net taxable value would be \$201,524 (\$208,524 less the homeowners' exemption of \$7,000).

EXAMPLE 4 (MIXED VALUATION—PART RESTRICTED AND PART UNRESTRICTED)

Description of Subject Property (Comprises Both Restricted and Unrestricted Portions)

The subject property is a 10-acre parcel with a farmhouse and barn situated on 2 acres; the remaining 8 acres are farmland. The farmhouse and barn are used as an owner-occupied single-family residence; this portion of the property is restricted under a Mills Act contract. The remaining 8 acres of farmland are unrestricted.

Value of Restricted Portion (current lien date)

Gross income (Fair rent) for farmhouse and barn		
\$2,000 per month x 12 months =		\$24,000
Less: Anticipated vacancy and collection loss		
\$24,000 x 5%		- 1,200
Effective gross income		\$22,800
Less: Anticipated operating expenses		
Grounds maintenance	\$600	
Fire insurance	400	
Management Fee	360	
Water and garbage	240	
Building maintenance	+ 500	- 2,100
Net Operating Income		= \$20,700

Restricted Capitalization Rate

Rate components:		
Interest component	.080	
Risk (owner-occupied)	.040	
Property tax (ad valorem)	.010	
Amortization (50-year remaining life; improvements constitute 70% of total property market value 0.02 x 0.70 = 0.014)	+ .014	.144
Restricted Value (\$20,700 ÷ .144)		= \$143,750

Taxable Value—Three-Way Comparison

Total Property Restricted Value (sum of restricted value above and lower of FBV or current market value of unrestricted portion)

Restricted Value (portion under contract)	\$143,750
FBV (unrestricted portion)	+ \$102,000
Restricted Value (total property)	\$245,750

Factored base year values (based upon a prior change in ownership of the entire property, allocated between restricted and unrestricted portions):

Farmhouse, barn, and 2 acres (restricted portion)	\$204,000
8 acres (unrestricted portion)	+ \$102,000
Total FBV (total property)	\$306,000

Current market values (based upon comparable sales data):

Farmhouse, barn, and 2 acres (restricted portion)	\$230,000
8 acres (unrestricted portion)	+ <u>\$120,000</u>
Total Current Market Value (total property)	\$350,000

The lowest of the three values is the Restricted Value (total property), \$245,750. Thus, the net taxable value would be \$238,750 (\$245,750 less \$7,000 homeowners' exemption).

EXAMPLE 5 (PROPERTY IN NONRENEWAL STATUS)

Description of Subject Restricted Historical Property

The same property as in Example 2, except the property owner has served notice of renewal. The Mills Act contract covering the property was originally executed in September 1995, and the owner served notice of nonrenewal in June 2004. Value the property for the 2005 lien date, reflecting its nonrenewal status. Assume that the property's restricted, current market, and factored base year values from Example 2, provided below, also refer to January 1, 2005.

Restricted value	\$14,547,619
Current market value	\$21,000,000
Factored base year value	\$18,191,077

Restricted Value in Nonrenewal Status

Value as if unrestricted (factored base year value)	\$18,191,077
Restricted value	- 14,547,619
Difference	\$ 3,643,458
Present worth of difference	
PW1 @ 6.00 %, 9 years (interest component for lien date 2005)	<u>x .591898</u>
	= \$ 2,156,555
Plus restricted value	+ \$14,547,619
Restricted value in nonrenewal status—lien date January 1, 2005	\$16,704,174

Taxable Value

Since the restricted value in nonrenewal status, \$16,704,174, is less than either the property's current market value or its factored base year value, this is the taxable value.

GOVERNMENT CODE

SECTION 50280-50290

50280. Upon the application of an owner or the agent of an owner of any qualified historical property, as defined in Section 50280.1, the legislative body of a city, county, or city and county may contract with the owner or agent to restrict the use of the property in a manner which the legislative body deems reasonable to carry out the purposes of this article and of Article 1.9 (commencing with Section 439) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code. The contract shall meet the requirements of Sections 50281 and 50282.

50280.1. "Qualified historical property" for purposes of this article, means privately owned property which is not exempt from property taxation and which meets either of the following:

(a) Listed in the National Register of Historic Places or located in a registered historic district, as defined in Section 1.191-2(b) of Title 26 of the Code of Federal Regulations.

(b) Listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks.

50281. Any contract entered into under this article shall contain the following provisions:

(a) The term of the contract shall be for a minimum period of 10 years.

(b) Where applicable, the contract shall provide the following:

(1) For the preservation of the qualified historical property and, when necessary, to restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code.

(2) For an inspection of the interior and exterior of the premises by the city, county, or city and county, prior to a new agreement, and every five years thereafter, to determine the owner's compliance with the contract.

(3) For it to be binding upon, and inure to the benefit of, all successors in interest of the owner. A successor in interest shall have the same rights and obligations under the contract as the original owner who entered into the contract.

50281.1. The legislative body entering into a contract described in this article may require that the property owner, as a condition to entering into the contract, pay a fee that shall not exceed the reasonable cost of providing the service pursuant to this article for which the fee is charged.

50282. (a) Each contract shall provide that on the anniversary date of the contract or such other annual date as is specified in the contract, a year shall be added automatically to the initial term of the contract unless notice of nonrenewal is given as provided in this section. Each contract shall also provide that after five years, and every five years thereafter, the city, county, or city and county shall inspect the interior and exterior of the premises to determine the owner's continued compliance with the contract. If the property owner or the legislative body desires in any year not to renew the contract, that party shall serve written notice of nonrenewal of the contract on the other party in advance of the annual renewal date of the contract. Unless the notice is served by the owner at least 90 days prior to the renewal date or by the legislative body at least 60 days prior to the renewal date, one year shall automatically be added to the term of the contract.

(b) Upon receipt by the owner of a notice from the legislative body of nonrenewal, the owner may make a written protest of the notice of nonrenewal. The legislative body may, at any time prior to the renewal date, withdraw the notice of nonrenewal.

(c) If the legislative body or the owner serves notice of intent in any year not to renew the contract, the existing contract shall remain in effect for the balance of the period remaining since the original execution or the last renewal of the contract, as the case may be.

(d) The owner shall furnish the legislative body with any information the legislative body shall require in order to enable it to determine the eligibility of the property involved.

(e) No later than 20 days after a city or county enters into a contract with an owner pursuant to this article, the clerk of the legislative body shall record with the county recorder a copy of the contract, which shall describe the property subject thereto. From and after the time of the recordation, this contract shall impart a notice thereof to all persons as is afforded by the recording laws of this state.

50284. If the legislative body determines that the owner has breached any of the conditions of the contract provided for in this article or has allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historical property, the legislative body shall do one of the following:

(a) Cancel the contract by following the procedures specified in Sections 50285 and 50286.

(b) Bring any action in court necessary to enforce a contract, including, but not limited to, an action to enforce the contract by specific performance or injunction.

50285. No contract shall be canceled under Section 50284 until after the legislative body has given notice of, and has held, a public hearing on the matter. Notice of the hearing shall be mailed to the last known address of each owner of property within the historic zone and shall be published pursuant to Section 6061.

50286. (a) If a contract is canceled under Section 50284, the owner

shall pay a cancellation fee equal to 12 1/2 percent of the current fair market value of the property, as determined by the county assessor as though the property were free of the contractual restriction.

(b) The cancellation fee shall be paid to the county auditor, at the time and in the manner that the county auditor shall prescribe, and shall be allocated by the county auditor to each jurisdiction in the tax rate area in which the property is located in the same manner as the auditor allocates the annual tax increment in that tax rate area in that fiscal year.

(c) Notwithstanding any other law, revenue received by a school district pursuant to this section shall be considered property tax revenue for the purposes of Section 42238.02 of the Education Code, as implemented pursuant to Section 42238.03 of the Education Code, and revenue received by a county superintendent of schools pursuant to this section shall be considered property tax revenue for purposes of Article 4 (commencing with Section 2570) of Chapter 12 of Part 2 of Division 1 of Title 1 of the Education Code.

50287. As an alternative to cancellation of the contract for breach of any condition, a landowner that is a party to the contract may bring any action in court necessary to enforce a contract, including, but not limited to, an action to enforce the contract by specific performance or injunction.

50288. In the event that property subject to contract under this article is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the legislative body to frustrate the purpose of the contract, such contract shall be canceled and no fee shall be imposed under Section 50286. Such contract shall be deemed null and void for all purposes of determining the value of the property so acquired.

50289. In the event that property restricted by a contract with a county under this article is annexed to a city, the city shall succeed to all rights, duties, and powers of the county under such contract.

50290. Local agencies and owners of qualified historical properties may consult with the State Historical Resources Commission for its advice and counsel on matters relevant to historical property contracts.

California Revenue and Taxation Code, Article 1.9, Sections 439 – 439.4

439. Historical Property Restrictions; enforceably restricted property.

For the purposes of this article and within the meaning of Section 8 of Article XIII of the Constitution, property is "enforceably restricted" if it is subject to an historical property contract executed pursuant to Article 12 (commencing with Section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code.

439.1. Historical Property; definitions.

For purposes of this article "restricted historical property" means qualified historical property, as defined in Section 50280.1 of the Government Code, that is subject to a historical property contract executed pursuant to Article 12 (commencing with Section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code. For purposes of this section, "qualified historical property" includes qualified historical improvements and any land on which the qualified historical improvements are situated, as specified in the historical property contract. If the historical property contract does not specify the land that is to be included, "qualified historical property" includes only that area of reasonable size that is used as a site for the historical improvements.

439.2. Historical Property; valuation.

When valuing enforceably restricted historical property, the county assessor shall not consider sales data on similar property, whether or not enforceably restricted, and shall value that restricted historical property by the capitalization of income method in the following manner:

(a) The annual income to be capitalized shall be determined as follows:

(1) Where sufficient rental information is available, the income shall be the fair rent that can be imputed to the restricted historical property being valued based upon rent actually received for the property by the owner and upon typical rentals received in the area for similar property in similar use where the owner pays the property tax. When the restricted historical property being valued is actually encumbered by a lease, any cash rent or its equivalent considered in determining the fair rent of the property shall be the amount for which the property would be expected to rent were the rental payment to be renegotiated in the light of current conditions, including applicable provisions under which the property is enforceably restricted.

(2) Where sufficient rental information is not available, the income shall be that which the restricted historical property being valued reasonably can be expected to yield under prudent management and subject to applicable provisions under which the property is enforceably restricted.

(3) If the parties to an instrument that enforceably restricts the property stipulate therein an amount that constitutes the minimum annual income to be capitalized, then the income to be capitalized shall not be less than the amount so stipulated. For purposes of this section, income shall be determined in accordance with rules and regulations issued by the board and with this section and shall be the difference between revenue and expenditures. Revenue shall be the amount of money or money's worth, including any cash rent or its equivalent, that the property can be expected to

yield to an owner-operator annually on the average from any use of the property permitted under the terms by which the property is enforceably restricted. Expenditures shall be any outlay or average annual allocation of money or money's worth that can be fairly charged against the revenue expected to be received during the period used in computing the revenue. Those expenditures to be charged against revenue shall be only those which are ordinary and necessary in the production and maintenance of the revenue for that period. Expenditures shall not include depletion charges, debt retirement, interest on funds invested in the property, property taxes, corporation income taxes, or corporation franchise taxes based on income.

(b) The capitalization rate to be used in valuing owner-occupied single family dwellings pursuant to this article shall not be derived from sales data and shall be the sum of the following components:

(1) An interest component to be determined by the board and announced no later than September 1 of the year preceding the assessment year and that was the yield rate equal to the effective rate on conventional mortgages as determined by the Federal Housing Finance Board, rounded to the nearest 1/4 percent.

(2) A historical property risk component of 4 percent.

(3) A component for property taxes that shall be a percentage equal to the estimated total tax rate applicable to the property for the assessment year times the assessment ratio.

(4) A component for amortization of the improvements that shall be a percentage equivalent to the reciprocal of the remaining life.

(c) The capitalization rate to be used in valuing all other restricted historical property pursuant to this article shall not be derived from sales data and shall be the sum of the following components:

(1) An interest component to be determined by the board and announced no later than September 1 of the year preceding the assessment year and that was the yield rate equal to the effective rate on conventional mortgages as determined by the Federal Housing Finance Board, rounded to the nearest 1/4 percent.

(2) A historical property risk component of 2 percent.

(3) A component for property taxes that shall be a percentage equal to the estimated total tax rate applicable to the property for the assessment year times the assessment ratio.

(4) A component for amortization of the improvements that shall be a percentage equivalent to the reciprocal of the remaining life.

(d) Unless a party to an instrument that creates an enforceable restriction expressly prohibits the valuation, the valuation resulting from the capitalization of income method described in this section shall not exceed the lesser of either the valuation that would have resulted by calculation under Section 110, or the valuation that would have resulted by calculation under Section 110.1, as though the property was not subject to an enforceable restriction in the base year.

(e) The value of the restricted historical property shall be the quotient of the income determined as provided in subdivision (a) divided by the capitalization rate determined as provided in subdivision (b) or (c).

(f) The ratio prescribed in Section 401 shall be applied to the value of the property determined in subdivision (d) to obtain its assessed value.

439.3. Historical Property; notice of nonrenewal.

Notwithstanding any provision of Section 439.2 to the contrary, if either the county or city or the owner of restricted historical property subject to contract has served notice of nonrenewal as provided in Section 50282 of the Government Code, the county assessor shall value that restricted historical property as provided in this section.

(a) Following the hearing conducted pursuant to Section 50285 of the Government Code, subdivision (b) shall apply until the termination of the period for which the restricted historical property is enforceably restricted.

(b) The board or assessor in each year until the termination of the period for which the property is enforceably restricted shall do all of the following:

(1) Determine the full cash value of the property pursuant to Section 110.1. If the property is not subject to Section 110.1 when the restriction expires, the value shall be determined pursuant to Section 110 as if the property were free of contractual restriction. If the property will be subject to a use for which this chapter provides a special restricted assessment, the value of the property shall be determined as if it were subject to the new restriction.

(2) Determine the value of the property by the capitalization of income method as provided in Section 439.2 and without regard to the fact that a notice of nonrenewal or cancellation has occurred.

(3) Subtract the value determined in paragraph (2) of this subdivision by capitalization of income from the full cash value determined in paragraph (1).

(4) Using the rate announced by the board pursuant to paragraph (1) of subdivision (b) of Section 439.2, discount the amount obtained in paragraph (3) for the number of years remaining until the termination of the period for which the property is enforceably restricted.

(5) Determine the value of the property by adding the value determined by the capitalization of income method as provided in paragraph (2) and the value obtained in paragraph (4).

(6) Apply the ratios prescribed in Section 401 to the value of the property determined in paragraph (5) to obtain its assessed value.

439.4. Historical Property; recordation.

No property shall be valued pursuant to this article unless an enforceable restriction meeting the requirements of Section 439 is signed, accepted and recorded on or before the lien date for the fiscal year in which the valuation would apply.

RESOLUTION NO. 14-0062

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL ESTABLISHING A MILLS ACT PILOT PROGRAM INCLUDING DEVELOPMENT OF AN APPLICATION PROCESS, REVIEW PROCEDURES, AND REQUIRED CONTRACT PROVISIONS FOR IMPLEMENTATION OF THE ACT IN THE CITY

Section 1. On June 17, 2014 the City Council directed City Staff to review and present for future Council consideration a Mills Act Program for the City of Manhattan Beach to incentivize the preservation, maintenance, and rehabilitation of historic properties.

Section 2. A Mills Act Program would provide property tax reductions to property owners who agree to invest in the preservation and rehabilitation of qualifying historic properties. Pursuant to Government Code Section 50280 et seq. ("the Mills Act"), the City Council may establish a program pursuant to which the City may enter a historical property preservation agreement ("Preservation Agreement") with an owner of a historic property for the purposes of preservation, rehabilitation, and maintenance of a designated historic resource in accordance with the United States Secretary of the Interior's Standards for Rehabilitation, the State Historical Building Code, and applicable City codes ("Mills Act Program"). The Preservation Agreement allows the owner to receive a reduction in property taxes in exchange for the property owner's commitment to repair, restore, rehabilitate, and/or maintain the historic property.

Section 3. The preservation and rehabilitation of historic properties would enhance the character of Manhattan Beach by retaining the City's sense of place and continuity with the community's past. As a matter of public policy, the identification, designation,

preservation, enhancement, perpetuation and use of improvements, buildings and structures within the City that reflect special elements of the City's cultural, historical, agricultural, architectural, artistic, educational, or economic heritage is in the interest of the health, economic prosperity, cultural enrichment and general welfare of the people. Preservation of historic resources is an important aspect of tourism. By encouraging property owners to maintain and restore historic buildings and landscapes, the City is preserving its history and supporting the local economy. Preservation Agreements would benefit residential neighborhoods, businesses, community pride, and regional image.

Section 4. The City's General Plan Land Use Element includes policies related to preserving resources that represent the City's history and culture or contribute to the City's special character and unique identity. Specifically, General Plan Policies LU-1.1, LU-2:3, LU-4.4, LU-4.5, and LU-4.6, focus on protecting and preserving the City's significant historic character of homes and residential neighborhoods.

Section 5. The City of Manhattan Beach Municipal Code has established procedures for identifying and designating historic resources. Culturally Significant Landmarks Code (City of Manhattan Beach Municipal Code, Title 10, Chapter 10.86) is intended to identify buildings, structures, and sites that are of particular historic or cultural significance and define the City's heritage and historic development. The Historic Preservation Commission ("Commission") is designated to serve in an advisory capacity to the City Council on the preservation of historic and cultural landmarks. In this capacity, the Commission, Historical Preservation Consultant and the Community Development Department, which is the department that supports the Commission and Historical Consultant, are positioned to administer programs

the City establishes for rehabilitating, restoring, maintaining and preserving historic structures, including a Mills Act Program.

Section 6. On October 7, 2014 the City Council considered the draft Mills Act Pilot Program. Prior to taking action on the proposed program, the City Council considered written and oral reports by City staff, and public testimony.

Section 7. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City evaluated the action of establishing a Mills Act Pilot Program. The Mills Act Pilot Program establishes a property tax reduction for property owners that rehabilitate, restore, maintain, and preserve properties that are determined to be of historic significance. The establishment of a Mills Act Pilot Program does not authorize any new development or construction of buildings, nor does it authorize any new land uses. The program encourages the continued use of existing structures and the continuance of existing land uses. For these reasons it can be seen with certainty that the Mills Act Pilot Program will not result in any significant adverse impact on the environment. Thus, the establishment of the Program is exempt from the CEQA environmental review requirements pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. Further, the Mills Act Pilot Program would be categorically exempt from environmental review pursuant to section 15331 of the CEQA Guidelines, which exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer, 1995) in that it is a program that results in the preservation and

maintenance of historic resources in exchange for property tax reductions. In addition, the Program is categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15308 because it is an action by a regulatory agency (the City) to maintain, restore and protect the environment through protection of historical resources in the community.

Section 8. The City of Manhattan Beach Mills Act Pilot Program (Mills Act Program) shall go into effect at midnight on October 7, 2014, and shall continue in effect, for two (2) years, until 11:59 p.m. on October 7, 2016. To allow adequate processing time, new applications for preservation agreements shall be accepted from April 1, 2016 of each calendar year the Pilot Program is in effect. No new applications will be accepted into the program after May 31, 2016, unless a permanent Mills Act Program is established to supersede the Mills Act Pilot Program. If a permanent Mills Act Program is not established, preservation agreements adopted prior to October 7, 2016, shall continue in effect, unless terminated or cancelled in accordance with the Mills Act.

Section 9. A “qualified historic property” for the purposes of the Manhattan Beach Mills Act Pilot Program shall be defined as:

- a. A single-family residential property, a multi-family residential property or a commercial property with a tax assessed value not exceeding \$3 million dollars, unless exempted from the maximum tax assessed value through exceptional circumstances;
- b. Located entirely within the City of Manhattan Beach;
- c. Privately owned;
- d. Not exempt from property taxation; and

- e. Individually listed in the City of Manhattan Beach as an official Culturally Significant Landmark.

Section 10. To limit any fiscal impact of the Mills Act Pilot Program, the City of Manhattan Beach shall limit annual revenue loss from property tax revenues to \$50,000 each year. To further limit any fiscal impact, the City of Manhattan Beach shall not enter into or execute more than three (3) preservation agreements per calendar year during the term of the Mills Act Pilot Program. If less than three (3) preservation agreements are executed during the first calendar year, the remainder may be rolled over to the second calendar year for a total of six (6) preservation agreements for the two-year term of the Mills Act Pilot Program. No more than six (6) preservation agreements shall be entered into during the term of the Mills Act Pilot Program. To further limit unanticipated potential losses to property tax revenue, contracts executed under the Mills Act Pilot Program shall specify that the City has full right to cancel the contract, on an annual basis, the first year and every year thereafter, pursuant to Government Code Section 50280. To encourage participation by various property owners, the City may establish a means of accepting applications to the Mills Act Pilot Program that ensures that both commercial and residential property owners have an opportunity to participate.

Section 11. In the event that the City Council decides to extend the Mills Act Pilot Program, the Council will consider increases to the cap on tax assessed value in Section 9 of this Resolution and the limit on annual property tax revenue loss in Section 10 of this Resolution, perhaps based upon the Consumer Price Index.

Section 12. The City Council hereby delegates to the Director of Community Development or his or her designee, with review by the City Attorney, the authority and responsibility to develop, maintain, and amend, as necessary, an application, administrative guidelines, and forms of Preservation Agreements for properties seeking qualification and participation in the Mills Act Pilot Program. The Director of Community Development or his or her designee shall, as necessary, establish priority consideration criteria whereby such criteria shall be used to rank applications in terms of the preservation and rehabilitation needs of each property and prioritize selection of applications. The Director of Community Development or his or her designee shall also report on an annual basis to the City Council the number of Mills Act preservation agreements executed and the effectiveness of the Mills Act Pilot Program. The terms of the Preservation Agreement shall comply with Government Code Section 50280 et seq. The maintenance, repair, rehabilitation, and/or restoration standards applicable to the subject property shall be set forth in the Preservation Agreement. In consideration of abiding with the terms of the Preservation Agreement, the owner of the subject property shall be entitled to qualify for a reassessment of the historic property pursuant to State Revenue and Taxation Code Section 439 et seq.

Section 13. The City Council hereby delegates to the Commission the authority and responsibility to review and make recommendations to the City Council on applications submitted pursuant to the Mills Act Program. The City Council shall be the final authority on the authorization and approval of Preservation Agreements pursuant to the Mills Act Pilot Program.

Section 14. Preservation Agreements will have a minimum contract term of 10 years, with automatic renewal on an annual basis, to be recorded against title to the property and running with the land. Owners shall maintain the regulated characteristics of historical significance of the historic property in accordance with the rules and regulations of the State Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, the State Historical Building Code, and any applicable local codes and policies. Owners must allow reasonable periodic examination of the interior and exterior of the premises, if a request is made by representatives of the County Assessor, State Office of Historic Preservation Department of Parks and Recreation, the State Board of Equalization, and/or the City's Community Development Director or his or her designee to determine the owner's compliance with the Preservation Agreement. No Preservation Agreement may be cancelled without compliance with Government Code Section 50280 et seq.

Section 15. The City Council shall establish fees for the processing of applications for Preservation Agreements and other matters required by the Mills Act Pilot Program, as legally permissible by State and local law.

Section 16. The record of proceedings for establishment of the City's Mills Act Pilot Program is maintained by the City as part of the official records of the Community Development Department at 1400 Highland Avenue, Manhattan Beach, California, 90266.

Section 17. A Mills Act Pilot Program is hereby established based on the parameters included in this resolution to implement the State of California Mills Act in the City of Manhattan Beach on a trial basis.

Section 18. The City Clerk shall certify to the adoption of the Resolution and shall cause the Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

PASSED, APPROVED AND ADOPTED this 7th day of October, 2014

Ayes: Howorth, Lesser, D'Errico, Burton, and Mayor Powell

Noes: None

Absent: None

Abstain: None



WAYNE POWELL
Mayor of the City of
Manhattan Beach, California

ATTEST:



LIZA TAMURA
City Clerk

(SEAL)

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) SS.
)
CITY OF MANHATTAN BEACH)

I, LIZA TAMURA, City Clerk of the City of Manhattan Beach, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing resolution, being Resolution No. 14-0062 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 7th day of October, 2014, and that the same was so passed and adopted by the following vote, to wit:

Ayes: Howorth, Lesser, D’Errico, Burton, and Mayor Powell.
Noes: None
Absent: None
Abstain: None.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 8th day of October 2014.



City Clerk of the City of
Manhattan Beach, California

(SEAL)

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Mark Leyman, Parks and Recreation Director
Linda Robb, Management Analyst

SUBJECT:

Consideration of LA Times Food Bowl and Outstanding in the Field Event on Manhattan Beach (Parks and Recreation Director Leyman).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Staff recommends that City Council discuss and provide direction on the proposal from Los Angeles Times and Outstanding in the Field to host a “long table dinner” in the sand north of the Manhattan Beach Pier on May 24th, 2018 as part of the LA Times Food Bowl.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the event. However, if the event is approved and services of city staff are required in the execution of the event, organizers will pay fully burdened rates for those services.

BACKGROUND:

Staff received an inquiry from Outstanding in the Field, an event coordination agency, in conjunction with the Los Angeles Times (LA Times) event team, about holding a sustainable seafood event or “long table dinner” on the Manhattan Beach Pier (Attachment 1).

The dinner would be part of the LA Times Food Bowl, a month-long food festival held in May, in locations across Los Angeles. It would be hosted in partnership with Outstanding in the Field, a group that produces outdoor dining events with the mission to re-connect diners to the land and origins of their food. The Manhattan Beach dinner will focus on educating attendees on the issue of sustainable seafood, as well as feature chefs from Manhattan Beach restaurants.

After a site visit on the Manhattan Beach Pier with City staff on February 13, 2018, Outstanding in the Field submitted a special event application. As per standard procedure, all departments received the application for review. Based on reports from several departments regarding legal requirements, necessary outside agency approvals and restrictive timeline, the City denied the original application to hold the event on the Pier.

Representatives from Outstanding in the Field and the LA Times had also been working with Kelly Stroman, Executive Director of the Manhattan Beach Downtown Business and Professionals Association (DBPA), to hold this event in Manhattan Beach. She requested that City staff consider alternative locations for the dinner. After evaluating the available options, event organizers requested that the event be held on the beach, north of the Pier, which is under the jurisdiction of Los Angeles County Beaches and Harbors.

DISCUSSION:

Outstanding in the Field has submitted an application to Los Angeles County Beaches and Harbors for a permit to hold the event on the sand to the north of the Pier (Attachment 2). LA County Beaches and Harbors required the applicant to secure approval from the Manhattan Beach City Council prior to LA County approvals.

The event would occupy the area north of the Pier between the first and second life guard towers to the west and the volleyball courts to the east. The area between the pier and the first lifeguard tower would remain clear for pedestrian access and emergency response.

The table, kitchen, reception area and service station would be north of the pier between the first two sets of volleyball nets. The 300 ft. table will be set in one long line down the beach and the kitchen will be at the north of the table, about 50 ft. to the east. The service/wine/water/dish station will be set directly behind the kitchen to the north.

The event itself will last from 4:00 to 9:00 p.m. (Attachment 3) and will provide a reception with alcohol, educational speakers regarding the sustainable fishing industry, and a 4-course dinner serving about 300 guests. The timeline attached to this report was provided during the application process to hold the event on the Pier, so any details pertaining to that location should be disregarded. The event will also feature sand art by artist and Outstanding in the Field owner, Jim Denevan. There will be no amplified sound and no extra lighting.

As this event involves food preparation and delivery, it may require the use of charcoal grills, propane burners or other heating elements. However, most of the food is typically prepared off-site and delivered ready-to-eat, which necessitates minimal on-site cooking. The organizer will work with the Fire Department to obtain necessary permits. Safety stations, including fire extinguishers and hand-washing stations, will be established at multiple locations.

To address concerns regarding parking and traffic control for the bike path, the Police Department recommends additional staffing on hand during set-up and tear-down of the event, particularly surrounding the bike path. Due to the presence of alcohol, they also recommend staff stationed along the Pier and at key locations to assist with security, along with an on-duty LA County Lifeguard. The Fire Department also requires one Fire Safety Officer on-site.

The City Traffic Engineer recommends a shuttle to bring attendees and staff in/out of the area from a private parking location outside of the Downtown to address parking concerns. Closing Manhattan Beach Boulevard west of Ocean Drive is also recommended to prevent confusion and potential incidents.

PUBLIC OUTREACH/INTEREST:

This item was discussed with the Downtown Business and Professionals Association. The event has the full support of the DBPA (Attachment 4).

ENVIRONMENTAL REVIEW

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

LEGAL REVIEW:

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. LA Food Bowl/Outstanding in the Field Presentation
2. Event Site Plan
3. Event Timeline
4. DBPA Letter of Support



RECEIVED FEB 20 2018

City of Manhattan Beach Special Event Application Rules and Regulations

Applications and other required documents must be submitted to:
City of Manhattan Beach Parks and Recreation Department
1400 Highland Avenue, Manhattan Beach, CA 90266
Office Phone: 310.802.5403 • Email: lrobb@citymb.info • Fax: 310.802.5401

ONLY COMPLETED APPLICATIONS WITH PAYMENT WILL BE ACCEPTED

Application, application fee and all required documents **must** be submitted to the Parks and Recreation Department at least 90 days prior to the event. *Please make sure all sections of the application are completed and legible for review.* You will be notified by City staff if your application was **not** accepted for review.

Applications may require review by the Parks and Recreation Commission and approval by the City Council. You, or your representative, may be required to attend the meeting at which your event will be considered. If the Commission recommends your event for approval, you or your representative may be required to additionally attend a City Council meeting.

YOU MUST SUBMIT THE FOLLOWING: *To avoid processing delays, do not leave any blanks. Indicate items that do not apply with an N/A. Attach additional sheets to the application if more space is required for descriptions.*

- Completed Application, including**
 - Public Relations Form**
 - Green Matrix**
- Application Fee**—Submit non-refundable \$793 application fee or \$397 for pass-throughs events, payable to the City of Manhattan Beach. **Applications received without the application fee will not be processed.** *(sent in separately from our Santa Cruz office)*
- Event Date(s)** - On your application, you are required to submit a requested date/s and an alternate date/s, set up and break down dates included. Requested dates are subject to approval. The date/s you request may not be available for your event. Staff will contact you if an alternate date/s assignment is necessary.
- Site Plan**—Include location of stages, tents, portable toilets, dumpsters, registration areas, fencing, barricades, bleachers, generators, lighting, sound, pyrotechnics and all other items for your event. Facilities, equipment placement, parking needs, loading and unloading areas, ingress and egress routes and street closure requests must also be included. The City may require a certified Traffic Control Plan (TCP).
- Event Schedule**—Hourly event schedule including schedule for set up and break down
- Insurance and Indemnification Hold Harmless Agreement**— due 30 days before the event

Please be aware of the following policies and procedures. You will be required to abide by the following, but not limited to, rules and regulations throughout the event approval process:

1. Application Review

- Special event plans may require review by each City Department, the Parks and Recreation Commission and/or City Council. Need for review is based on size, scope and impact of event.
- Separate permits and fees may be required from Building and Safety, including but not limited to building, electrical, plumbing, mechanical and right-of-way permits.
- Separate approvals, permits and fees may be required from the State ABC and County Health Departments, LA County Beaches and Harbors and the Coastal Commission.

2. Certificate of Insurance

The City requires submission of an insurance certificate a *minimum* of 30 days prior to your event date. The City requires \$2 million in general liability and the "City of Manhattan Beach, its agents, officers and employees" must be named as additionally insured.

3. Fees

The application fee is non-refundable and is to be submitted with the application. An estimate of event related fees will be provided to you upon approval. Any event changes requested after approval may require additional review by City staff and may result in additional fees. Actual fees will be invoiced within 30 days of your event.

4. Portable Restrooms

Depending upon the duration or size of your event and the availability of public restrooms, you may be required to rent portable chemical toilets to accommodate participants and spectators. The City recommends availability of seven toilets for every 500 people, or portion thereof. The figure is based on the maximum number at your peak event time. The total number of toilets you need to provide will be determined on a case-by-case basis. All portable restrooms must meet State codes and City standards and are subject to Building Division approval.

5. Marketing of Event

You must receive approval for your event prior to promoting or marketing your event. Submission of your application does not automatically constitute a guarantee of the date, location or automatic approval of your event. Copies of marketing material for the event must be submitted to the Parks and Recreation Department for approval 30 days prior to distribution.

6. Clean Up

All debris and trash must be removed from your event site immediately after the event. Failure to do so will require the City to call upon the Public Works Department to complete the clean up and additional fees will be assessed. All expenses will be the responsibility of the event applicant. The applicant is required to arrange for recyclable receptacles at the event.

7. Damage Deposit

The City may require a damage deposit depending upon the size and scope of the event.

AGREEMENT AND SIGNATURE: I, the undersigned representative, have read the rules and regulations with reference to this application and am duly authorized by the organization to submit this application on its behalf. The information contained herein is complete and accurate.

Name (printed) Anna Gelb	Signature: Anna Gelb
Title Director of Events, Outstanding in the Field	Date: 2/14/18



City of Manhattan Beach
Parks and Recreation Department

PERMIT NUMBER:
EVENT DATE:

DATE STAMP	STAFF INITIALS
------------	----------------

SPECIAL EVENT PERMIT APPLICATION

1400 Highland Ave • Manhattan Beach, CA 90266 • 310.802.5403 • Fax: 310.802.5401

- APPLICATIONS **MUST** BE SUBMITTED AT LEAST 90 DAYS PRIOR TO YOUR EVENT.
- \$793 Non-Refundable Application FEE **required with application.**
- \$397 Non-Refundable Application FEE for Pass-through Events, **required with application.**

Requested Event Date: (1st Choice**): May 24, 2018
 2nd Choice** *(Required): May 25, 2018

****Date choice is not guaranteed until final calendar has been determined by City Staff**

ORGANIZATION INFORMATION

EVENT TITLE: Outstanding in the Field x LA Food Bowl
 Applicant Name: Anna Gelb Birthdate 7/30/87
 Organization Name: Outstanding in the Field and LA Food Bowl
 Non-Profit? YES NO Non-Profit I.D. or Tax Exempt #: _____
 Address: PO Box 2413
Santa Cruz California 95063
 City State Zip
 Phone: 206-321-2270 Cell: 206-321-2270
 Email Address: Anna@OutstandingintheField.com Fax: N/A

CONTACT INFORMATION (IF DIFFERENT FROM ABOVE)

Applicant Name: (same) Birthdate: _____
 Address: _____

 City State Zip
 Phone: _____ Cell: _____
 Email Address: _____ Fax: _____

REQUIRED: CONTACT PERSON ON THE DAY OF THE EVENT

Name: Anna Gelb Cell: 206-321-2270

EVENT INFORMATION

Event Type (please select all that apply)

- | | | |
|--|--|------------------------------------|
| <input type="checkbox"/> Race (run, walk, bike, etc.) | <input type="checkbox"/> Tournament | Type: _____ |
| <input type="checkbox"/> Parade | <input type="checkbox"/> Pass-Through | |
| <input type="checkbox"/> Street Fair/Festival | <input checked="" type="checkbox"/> Fundraiser | Benefitting: <u>The Roundhouse</u> |
| <input type="checkbox"/> Concert | <input type="checkbox"/> Swim Event | <u>Charity</u> |
| <input checked="" type="checkbox"/> Other <u>long table dinner</u> | <input type="checkbox"/> Sidewalk Sale | |

Entrance or registration fee: \$ 230

Event Start Time: <u>4PM</u>	Event End Time: <u>9PM</u>
Set-up Date: <u>5/24/18</u>	Set-up Time: <u>10AM</u>
Break Down Date: <u>5/24/18</u>	Break Down Time: <u>11:30PM</u>
Event Location: <u>Manhattan Beach Pier</u>	
# of participants: <u>300 30</u>	Age of Participants: <u>21+</u>
# of Spectators: _____	Total Attendance: <u>300</u>

Overall Event Description—Briefly explain event and activities

Outstanding in the Field is a traveling company that sets up long table community feasts on farms, beaches and piers around the world. The goal is to bring people together to honor the local food community. For this event, we are partnering with the LA Food Bowl to present a meal cooked by celebrated Manhattan Beach & LA chefs, using ingredients from farms & waters in the immediate area.

Street Closure Information—For parades, races, walk/runs, etc. taking place on City streets.

Names of Streets to be closed (please include additional sheets if necessary):

N/A between _____ and _____ to _____

_____ between _____ and _____ to _____

_____ between _____ and _____ to _____

_____ between _____ and _____ to _____

_____ between _____ and _____ to _____

Event Route—Official map must be submitted with application for review by the City Traffic Engineer and Public Safety Staff.

Assembly Area/Event Start: Manhattan Beach Pier

Disbanding Area/Event End: Manhattan Beach Pier

Sponsors—List ALL proposed/anticipated sponsors. (attach separate sheet if necessary)

N/A

Parking—Metered spaces must be reimbursed at \$.75-\$1.50 per hour depending on location.

Reserved spaces must be noticed 72 hours prior . Please contact Public Works at 310-802-5313 to obtain signage and arrange for noticing. Please contact the Finance Department at 310-802-5561 to pay for parking.

Will you need reserved parking spaces? YES If yes, indicate number below NO

(all spots in lot across from pier)

Event organizer	# of spaces	27	Date:	5/24/18	From:	10AM	to	10PM
Event participants	# of spaces	_____	Date:	_____	From:	_____	to	_____
Other	# of spaces	_____	Date:	_____	From:	_____	to	_____

Will there be vendors selling merchandise at the event? All vendors are required to have a City of Manhattan Beach Business License. Please contact the Finance Department at 310-802-5557 for assistance. YES NO

Does your event involve the sale or consumption of alcoholic beverages? YES NO
If YES, an ABC license is required and must be approved by the Chief of Police. Please contact the Police Department at 310-802-5100 for assistance.

Will the event have amplified sound? (live music, PA, number/size of speakers, microphone, bullhorn, etc.) If YES, an amplified sound permit will be required. Please contact the Police Department at 310-802-5100 for assistance. YES NO

Amplified sound hours of use: (ANY exceptions require City Council approval)

8:00 a.m.—8:00 p.m. Monday—Thursday 10:00 a.m.—11:00 p.m. Saturday
8:00 a.m.—11:00 p.m. Friday 10:00 a.m.—8:00 p.m. Sunday and City specified holidays.

Amplified sound requires an onsite contact person.

Sound company name: N/A

Onsite contact name: _____ Cell: _____

Is this a fundraising event? If YES, please describe. YES NO
A \$10,000 donation will be made to The Roundhouse Charity

Will there be any fenced areas? If YES, please describe. YES NO
The City of Manhattan Beach may require fencing for your event. We would like to fence the area near the aquarium for the reception of the event.

Will there be construction of stages or structures, including any tents larger than 10X10, canopies or awnings? If YES, Building Division and Fire Department approval may be required. Please allow two weeks for review. YES NO
Please contact the Building Division at 310-802-5505 and the Fire Department at 310-802-5203 for assistance.

Please describe:

Will public facilities be used for the event? (i.e. meeting rooms, restrooms, park, public plaza, electricity, water, etc.) YES NO
If YES, please describe. We'd like access to the restrooms by the pier. We also plan to rent portable restrooms as well.

Post-event Clean-up plan—vendors must meet City standards and possess a City of Manhattan Beach business license. If the Public Works Department is called upon to complete the clean up, additional fees will be assessed.

We will have a team of 20 people to clean up the event. Most of the equipment we will use belongs to OITF, and is loaded back into our trailers at the end of the night. We will take the trash with us as well as the rented items.

Will you be requesting street banners? YES NO

Will you be filming or having television coverage? YES NO

SAFETY / SECURITY / VOLUNTEERS

Have you hired a security company to handle security arrangements for this event? YES NO
Vendor must meet City standards and possess a City of Manhattan Beach business license.

If YES, please include the following information:

Company name: Contemporary Services Corporation ~~Contemporary Security~~ Phone: 818-885-5150 # of guards 2

Guard Schedule: 3PM - 10PM

Do you plan on utilizing volunteers? If YES, please describe: YES NO
Volunteers must be easily identifiable by their attire and must wear traffic vests if working in the street.

Please indicate if and where a first aid station or personnel will be stationed.

Three first aid stations: One in the kitchen, one at the service/wine station, one at reception.

Please describe your procedures for both crowd control and internal security: Crowd control plan must be reviewed by the Police Department.

We will have two security guards on site to monitor crowd control. One will be stationed by the kitchen, to monitor traffic between the kitchen and the pier where the table will be set. The other will be stationed by the table.

EVENT PROMOTION INFORMATION

Please describe marketing and promotional efforts for this event. *Copies of marketing material for the event must be submitted to the Parks and Recreation Department for approval 30 days prior to the event.*

LA Food Bowl will start marketing the event on March 31, when the full program of events is released. The event will be listed both online & in print program that gets distributed within the LA Times on April 8th. It is a 6 million dollar marketing campaign across all of Food Bowl.

EQUIPMENT INFORMATION (ATTACH SITE PLAN)

A DIAGRAM OF YOUR SITE PLAN THAT INCLUDES ALL FACILITIES, EXACT PLACEMENT OF ALL EQUIPMENT, STREET CLOSURES, INGRESS AND EGRESS ROUTES, SHUTTLE ROUTES, FENCING, ACCESSIBILITY PLAN, AND PARKING MUST BE ATTACHED TO THE APPLICATION.

YOUR APPLICATION WILL NOT BE PROCESSED WITHOUT A SITE PLAN

Please check all the boxes that apply to the equipment/areas that will be on site for your event and specify the number and size of each (if applicable).

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Cars | _____ | <input type="checkbox"/> Dance Floor | _____ |
| <input type="checkbox"/> Semi-trucks | _____ | <input checked="" type="checkbox"/> Alcohol sales and consumption area(s) | Beer & wine = part of ticket price, not for sale at event |
| <input type="checkbox"/> Vans (Size) | _____ | <input checked="" type="checkbox"/> Generator (Size/Type) | one small generator in the kitchen |
| <input type="checkbox"/> Motor Homes (Size) | _____ | <input type="checkbox"/> Sound Equipment | _____ |
| <input checked="" type="checkbox"/> Trailer (Size) | 2 20ft trailer for setup breakdown; won't be present during event. | <input type="checkbox"/> Lighting | _____ |
| <input type="checkbox"/> Enclosed Tents | _____ | <input type="checkbox"/> Signs | _____ |
| <input checked="" type="checkbox"/> Canopies | 2 10x10 pop up canopies over the kitchen | <input checked="" type="checkbox"/> Porta Potties | 5 luxury units |
| <input type="checkbox"/> Stage (Measurements) | _____ | <input checked="" type="checkbox"/> Cooking Equipment | All propane-powered or induction burners |
| <input type="checkbox"/> Live music—band area | _____ | <input type="checkbox"/> Live animals | _____ |
| <input type="checkbox"/> Other (please attach list) | _____ | | |

ACCESSIBILITY PLAN

It is the applicant's responsibility to comply with all City, County, State and Federal disability access requirements applicable to the event, including the American with Disabilities Act (ADA). All indoor and outdoor sites, activities and programs must be accessible to persons with disabilities.

Please submit your accessibility plans to the Building Division for review and approval.

INSURANCE

Applicant agrees to furnish the City of Manhattan Beach evidence of \$2 million comprehensive general liability insurance in the form of a certificate, including endorsement, covering the entire period of this permit, naming the City of Manhattan Beach, its officers, agents and employees as additionally insured. Permittee waives claims against the City of Manhattan Beach, its officers, agents and employees, for fees or damages caused, arising out of or in any way connected with the exercise of this permit. Insurance certificates for vendors providing services (security, staging, etc.) are also required.

**APPLICANT AGREES TO COMPLY WITH ALL APPLICABLE LAWS AND AGREES TO MAINTAIN PREMISES IN GOOD
CONDITION AND RETURN IN THE SAME CONDITION AS BEFORE SAID USE.**

I hereby certify that all statements made in this application are true and complete to the best of my knowledge. I understand that any misstatement, omission or misrepresentation of material facts may be grounds for revocation of an approved City Special Event permit. I have full knowledge of, and will comply with, the provisions of the Manhattan Beach Municipal Code relating to Parades and Special Events. I affirm that I am authorized to apply for this permit on behalf of the listed event organizer sponsor.

I have read and agree to comply with the City of Manhattan Beach Sustainability Measures. I understand and acknowledge that if any City services over and above that which is normally provided by the City shall be required for the Special Event, the event organizer/sponsor agrees to reimburse the City, upon receipt of an invoice from the City, the actual costs for providing such services.

The event organizer/sponsor agrees to indemnify, defend and hold harmless, the City of Manhattan Beach, its officers, agents and employees, from and against any liability and expense, including attorneys fees and court costs and claims for damages of any nature whatsoever, including, but not limited to, bodily or personal injury, death or property damage arising from any negligent or intentional act or omission by permittee or event organizer/sponsor, its subcontractors, officers, agents, employees and authorized street vendors, in the conduct of the Special Event.

Anna Gelb, Outstanding in the Field
 Name/Company Representative
Director of Public Events
 Title

Anna Gelb
 Signature
2/14/18
 Date

DO NOT WRITE BELOW—CITY USE ONLY

EVENT TITLE: _____ **DATE(S) OF EVENT:** _____

Organization Name: _____

ONSITE CONTACT: Name: _____ Cell: _____

ONSITE SOUND COMPANY CONTACT: Name: _____ Cell: _____

Company: _____ Phone: _____

CLEARANCES			
DEPARTMENT	REQ	CLEARED BY	DATE
Alcoholic Beverage Control			
Building & Safety			
Community Development			
Fire Department			
Police Department			
Public Works			
Risk Management			

REQUIRED INSPECTIONS			
INSPECTION TYPE	REQ	CLEARED BY	DATE
Electrical			
Building/Structural			
Occupancy			

**POST IN CONSPICUOUS PLACE
FOR DURATION OF THE EVENT**



APPROVAL TO OPERATE SPECIAL EVENT: YES NO

 Parks and Recreation Director Signature Date



City Hall 1400 Highland Avenue Manhattan Beach, CA 90266-4795
Telephone (310) 802-5000 FAX (310) 802-5001 TDD (310) 546-3501

Revised January 2011 - HR/RM

City of Manhattan Beach INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

This agreement is issued in consideration of the City approval of the sponsor's application. The applicant must still provide a Certificate of Insurance, naming the City as an additional insured and meet the City's required minimum limits of insurance. An additional insured endorsement shall also be provided and signed by the insurance carrier.

The applicant hereby agrees to the following:

1. Indemnification. The applicant agrees to indemnify, defend, and hold harmless the City of Manhattan Beach and its elective or appointive boards, officers, agents, attorneys and employees from any and all claims, liabilities, expenses, or damages of any nature, including attorneys' fees arising out of, or in any way connected with performance of, the Agreement by applicant, applicant's agents, officers, employees, subcontractors, or independent contractor(s) hired by applicant. This indemnity shall apply to all claims and liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by applicant. List activity location and date(s) of event to include set-up and clean-up dates: May 24, 2018
Manhattan Beach Pier, 10AM - 11:30PM

2. Investigation and Defense Costs. Said hold harmless assumption on the part of the applicant shall include all reasonable costs necessary to defend a lawsuit including attorney fees, investigators, filing fees, transcripts, court reporters and other reasonable costs of investigation and defense.

This agreement is effective May 24, 2018 at 12:01 a.m.

Named Insured: Outstanding in the Field, Inc.

I, Annz Gelb (print/type name), warrant that I have authority to bind the above listed sponsor and by my signature hereon do so bind this sponsor.

By Ann Gelb Signature of Authorized Representative Date 2/14/18

Approved _____ City of Manhattan Beach Risk Manager Date

Fire Department Address: 400 15TH Street, Manhattan Beach, CA 90266 FAX (310) 802-5201

Police Department Address: 420 15TH Street, Manhattan Beach, CA 90266 FAX (310) 802-5101

Public Works Department Address: 3621 Bell Avenue, Manhattan Beach, CA 90266 FAX (310) 802-5301

Visit the City of Manhattan Beach Web Site at www.citymb.info



GREEN MATRIX (Environmental Protection Plan)

(Required for all event applications)

Events in Manhattan Beach are expected to implement measures to reduce impacts and costs to the environment, the city, and the community. Please note that the use of single-use plastic bags, polystyrene foam and plastic #6 is prohibited in the City of Manhattan Beach. (per MBMC)

Specify how you will comply with applicable measures (or mark not applicable).

Event Name: Outstanding in the Field x LA FOOD BOWL Expected Attendance: 300

MEASURE	APPLIES TO:	HOW WILL YOU COMPLY? (use additional sheets if needed)
Recycling and Waste Reduction		
1. Reduce waste and single-use items		
<ul style="list-style-type: none"> Limit single-use paper, plastics, packaging, and décor items. <i>Note: Single-use plastic bags cannot be used in the City, please use alternative materials</i> 	All events	No paper/plastic items at event → all rented plastic reusable glass / plateware
<ul style="list-style-type: none"> Reduce size/bulk of plates, containers, cups 	All events	See above
<ul style="list-style-type: none"> Use products with high recycled content 	All events	Collect recycling, take with us & recycle when leave
<ul style="list-style-type: none"> Avoid sale or give-away of single-use plastic bottled drinking water 	All events	No plastic bottles on site
<ul style="list-style-type: none"> Provide free drinking water in large dispensers (people can refill their own bottles, or use paper cups) 	500 or more	Guests will have rented reusable plastic cups, we will refill water with pitchers
<ul style="list-style-type: none"> At 'beer or drink gardens' recycle cups (provide dump station for liquids) <i>Note: Plastic #6 and foam (polystyrene) cups cannot be used in the City, please use alternative plastic or other materials</i> 	2000 or more	N/A
<ul style="list-style-type: none"> Recycle fry-grease for bio-diesel fuels 	2000 or more	N/A
<ul style="list-style-type: none"> Limit and reduce size of handouts, flyers and give-aways (print several per page, double-side, do not use dark color inks) 	500 or more	N/A
2. Recycling containers:		
<ul style="list-style-type: none"> Place well-marked recycle containers adjacent to every trash container 	500 or more	N/A
<ul style="list-style-type: none"> Provide onsite 'monitors' directing people to recycling at prime locations, or provide secondary trash sorters 	2000 or more	N/A
3. Staging		
<ul style="list-style-type: none"> Recycle or reuse event construction materials 	2000 or more	N/A
<ul style="list-style-type: none"> Use 'no emission/no VOC' paints/sealants 	500 or more	N/A
<ul style="list-style-type: none"> No dumping/disposing of water, ice, grease, etc. on to streets, plants or down any drain 	All events	Will rent greywater tank for liquid disposal

4. Transportation		
▪ No-idling policy for all vehicles	All events	All vehicles will be parked off-site during event
▪ Sponsor free shuttle or low cost bus passes	2000 or more	N/A
▪ Use hybrid, electric or CNG vehicles	2000 or more	N/A
▪ Offer bike parking or bike valet for attendees	2000 or more	N/A
5. Energy		
▪ Use energy-efficient lighting	All events	No lighting. Event ends at sunset.
▪ Turn lighting and devices off when not in use	All events	N/A
▪ Turn off generators when not in use for significant period of time	All events	only one generator rented for kitchen → will only be on for 2 courses of meal
▪ Using alternative energy (solar, wind, fuel cell) to supply some power	2000 or more	N/A
▪ Use alternative fuel generators (CNG, fuel cell, biodiesel) (biodiesel- minimum B20 (20% blend); B99 is preferred)	2000 or more	N/A
6. Marine environment		
▪ Use of single-use plastic bags is NOT allowed.	All events	No plastic bags on site
▪ Use of polystyrene or plastic #6 cups or containers is NOT allowed.	All events	None of this on site
▪ No hosing of surfaces unless specifically allowed by city	All events	will not have a hose
▪ Full containment of all wastes	All events	Greywater tank rented
▪ Full containment of all six-pack plastic rings.	All events	None of this on site
▪ Provide recycling containers and litter control	All events	We will have 5 recycling cans.
▪ Beach and street cleaning required	500 or more	N/A
7. Education		
▪ Event and vendors to make reducing waste and recycling a prominent theme	500 or more	N/A
▪ Advertise green measures and rules in all event advertising and on website	500 or more	N/A
▪ Demonstrate that vendors and service providers will comply with green measures	500 or more	N/A
▪ Provide one booth, kiosk or space for green education sponsored by city or designee	2000 or more	N/A
8. Monitoring		
▪ Report on compliance with above applicable measures	500 or more	N/A



PUBLIC RELATIONS INFORMATION

Please provide the following information to be given out to the general public, if requested:

Name of Event: Outstanding in the Field x LA FOOD BOWL

Name of Organization: Outstanding in the Field

Event Dates and Times:

Date	5/24/18				
Times	4PM - 9PM				

Event Website: www.outstandinginthefield.com

Social Media Channels: Instagram: out_inthefield, Facebook: Outstanding in the Field

Public Relations Contact: Jennifer Betts, Jenna@innovative-pr.com, 323-207-7882

Day Phone: 323-207-7882 Evening Phone: same

Email: Jenna@innovative-pr.com

Please provide a brief description of your event. Please include any information that would be helpful for someone looking for more information.

Outstanding in the Field is a traveling organization that goes all over the world holding long table, family-style dinners on farms, beaches and piers. They bring in celebrated local chefs to prepare a meal using local ingredients. This year, they are collaborating with LA FOOD BOWL, 31 days of events celebrating LA's amazing food & drink scene.

OITF/FOOD BOWL will be placing a long table for 300 guests on the Manhattan Beach pier. The dinner will be cooked by celebrated Manhattan Beach & LA chefs, and will also promote the local seafood & sustainable fishing community. A portion of proceeds from ticket sales will benefit The Randhouse charity.

North the Strand

portable restrooms

Roped off service station where wine, water, trash, first aid station kept throughout dinner. Only OITF serves interact with station

check-in Kitchen. 2 10x10 pop up tents, propane-powered & electric induction burners, generator, 2 trash cans & recycling cans, first aid station

grey water tank

300-ft table down center of pier

Security guard

Load in: vehicles will pull into parking lot to unload, then park off-site during the event.

Roped off reception area on far side of aquarium, pouring beverages & passing appetizers

Manhattan Beach Pier

Manhattan Beach Pier

Roundhouse Aquarium

Outstanding in the Field x LA FOOD BOWL on Manhattan Beach Pier Event Proposal

Date: May 24, 2018

Outstanding in the Field is a nomadic organization based in Santa Cruz, California that travels around the world, holding long table, family-style dinners on farms, beaches, piers and cliffs. Every event features celebrated local chefs who come together to create a 4-course meal highlighting the bounty of the region. The events involve local farmers, fishermen, and artisans. There is always an educational component to the events, in addition to a delicious meal.

LA FOOD BOWL is a festival put on by the LA Times, celebrating the Los Angeles food and drink scene. The festival raises awareness and funds to fight food waste, hunger, food insecurity and promote sustainability and waste reduction through charity partners and participating events. Spanning the entire month of May, FOOD BOWL features over 250 events with many of the chefs and restaurants that have put Los Angeles on the map as one of the world's great food cities alongside internationally renowned chefs in rare local appearances. The extensive lineup of dining events, panel discussions, chef collaborations, volunteer projects, and other food and drink-inspired happenings will be announced March 31 at lafoodbowl.com.

The proposed Manhattan Beach Pier event is a collaboration between Outstanding in the Field and FOOD BOWL, and aims to highlight the food scene of Manhattan Beach and the sustainable seafood community of the region. There will be speakers at the event including a representative from Dock to Dish (an international network of fishermen, marine biologists and seafood advocates working to make low-impact wild seafood more accessible), Mark Gold, an environmental advocate and scientist, and Stephanie Mutz, a sea urchin diver based in Santa Barbara.

Guests purchase tickets for the event which will span 5 hours. The first hour is a reception featuring local wine, beer and passed appetizers. The second hour is speeches by event participants. The final three hours comprise a four-course, family-style meal at the long table. The dinner will be cooked by a collaboration of celebrated Manhattan Beach and Los Angeles chefs, and a charitable donation will be made in conjunction with the event to The Roundhouse Charity.

**Hourly Event Schedule for Outstanding in the Field x LA FOOD BOWL on
Manhattan Beach Pier, May 24, 2018**

- 10AM
 - Outstanding in the Field staff arrives on site
 - Rentals delivered to pier (plastic/reusable glassware, linens, silverware, plateware, cooking equipment, etc.)
 - Portable restrooms delivered to pier
- 10AM-3PM : Event Set-Up
 - Table set up on pier, dressed and set.
 - Kitchen set up in adjacent parking lot
 - Service station set up in adjacent parking lot
 - Reception area set up near aquarium, roped/fenced off
- Noon
 - Kitchen crews arrive, unload equipment and food to kitchen area, prep for event
- 3PM
 - Everything is ready to go for event
 - Security guards arrive
- 4PM
 - Guests arrive
- 4-5PM
 - Reception on the pier in roped off area near aquarium. Beer, wine and passed appetizers.
- 5PM
 - Welcome speeches and speeches by local fishermen regarding the sustainable fishing industry in the Manhattan Beach area
- 6PM
 - Guests sit at the long table for dinner
- 9PM
 - Dinner ends and guests exit the pier
- 9PM-10:30PM
 - Event Breakdown: Rentals are broken down and stacked neatly in the parking lot where the kitchen was set up, OITF trailers pull around and load equipment, trash/recycling is loaded into trucks and taken away
- 10PM
 - Security guards vacate
- 1030PM
 - Rentals and portable restrooms are picked up
 - OITF crew vacates



PREMIER PARTNER 

PRESS CONTACT
Innovative PR: Jennifer Betts
jen@innovative-pr.com | (323) 207-7882

Los Angeles Times FOOD BOWL returns with a diverse program this May
#31DaysofFood
A NEW KIND OF FOOD FESTIVAL

The city's adventurous new food festival will feature hundreds of events all over Los Angeles with a mix of local favorites and world-renowned chefs

LOS ANGELES – Feb. 6, 2018 – The Los Angeles Times is proud to announce the return of **FOOD BOWL**, 31 days of events celebrating L.A.'s amazing food and drink scene. The festival will continue to raise awareness and funds to fight food waste, hunger, food insecurity and promote sustainability and waste reduction through charity partners and participating events. Spanning the entire month of May, **FOOD BOWL** will feature over 250 events with many of the chefs and restaurants that have put Los Angeles on the map as one of the world's great food cities alongside internationally renowned chefs in rare local appearances. The extensive lineup of dining events, panel discussions, chef collaborations, volunteer projects, and other food and drink-inspired happenings will be announced March 31 at lafoodbowl.com.

Food Bowl highlights include:

- **Things in a Bowl:** the official launch party taking place at Rossoblu will feature an all-star lineup of L.A. chefs creating "Things in a bowl" and the announcements of Restaurant of the Year and the Gold Award. Last year's Restaurant of the Year award went to Locol (Roy Choi and Daniel Patterson) and the Gold Award was presented to Wolfgang Puck. This event will be open to the public for the first time.
- **Changing the World Through the Power of Food:** a conversation and more with **José Andrés** (The Bazaar by José Andrés), and special guests supporting L.A. Kitchen. Chef Andrés has been on the ground assisting disaster relief efforts, feeding the workers and victims of the recent California wildfires and Hurricane Maria in Puerto Rico.
- **Night Market:** a bustling street market featuring 50 food vendors, outdoor dining areas and entertainment in Grand Park, May 16-20. Over 45,000 attended last year's Night Market events.
- **A Tribute to the late Chef Tui Sungkamee (Jitlada):** a night celebrating the life of the much loved and respected chef with Jazz Singsanong (Jitlada).

- **Outstanding in the Field:** a series of long-table feasts in spectacular locations. Sustainable seafood on an iconic pier, Grand Park in downtown L.A., Malibu and a dinner in the desert with **Virgilio Martinez** (Peru), Weiser Family Farms, and **Jim Denevan**.
- **Scienceandfood:** a discussion about food in space at UCLA.
- **Charity Bake Sale:** a showcase of L.A.'s leading pastry chefs and the return of our beloved Beast Feast and Fried Chicken Party.
- **New Kids on the Block Party** featuring L.A.'s rising chefs and mixologists.
- **Chef Showcase:** a one-day event featuring leading chefs. Moderated panels, demonstrations, tastings, and more.
- **A Sichuan Summit:** acclaimed food writer **Fuchsia Dunlop** (Sichuan Cookery) and Chinese Chef **Yu Bo** will be featured, along with L.A.'s favorite Sichuan restaurants and special guests.
- **Food Tours of L.A.'s tastiest neighborhoods.**
- **L.A. Cocktail Week:** bartenders from across the city will be invited to create a cocktail that represents Los Angeles. The L.A.-inspired cocktails will be featured throughout the week.
- **Gold Film Festival:** a mini film festival curated by Jonathan Gold with screenings hosted in various neighborhoods around the city.
- **Satoyama Exhibition** in association with Japan House Los Angeles: Japanese chef **Yoshihiro Narisawa** (Narisawa in Tokyo is the Number 18 Restaurant in the World's 50 Best list) is internationally known for his dedication to sustainability and representing the natural environment in his dishes by using indigenous Japanese ingredients.
- A conversation with **Diana Kennedy** (UK / Mexico), the godmother of Mexican cuisine: a panel discussion about Kennedy's career and a sneak peek at the documentary currently in production, "Nothing Fancy: Diana Kennedy."
- Chef **Ben Shewry** (NZ / Australia) from acclaimed Melbourne restaurant, Attica (Number 32 Restaurant in the World's 50 Best list) will collaborate on a series of unique events with Everson Royce Bar and Hollyhock House.

Los Angeles Times Food Bowl 2018 charitable partners are L.A. Kitchen, Food Forward and Midnight Mission. Festival sponsors include Citi®, Nissan Leaf, OpenTable, Peru Tourism. For a list of the program categories and additional information visit lafoodbowl.com and connect on [Facebook](#), [Twitter](#) and [Instagram](#) @LAfoodbowl (#LAfoodbowl #31DAYSOFFOOD)

###

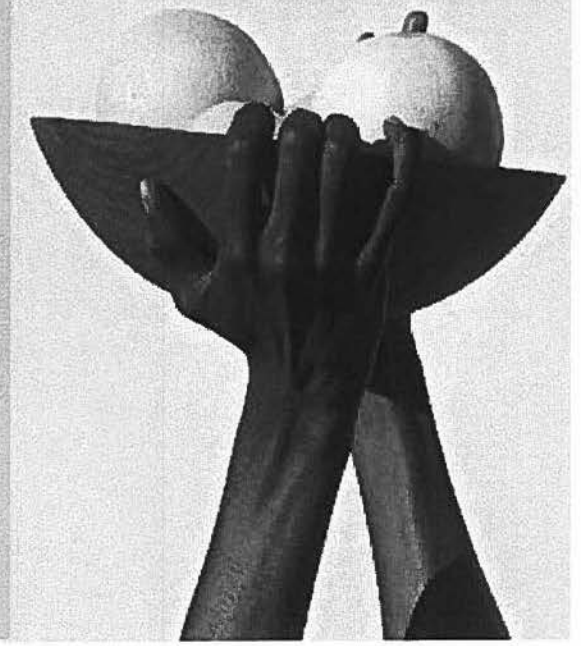
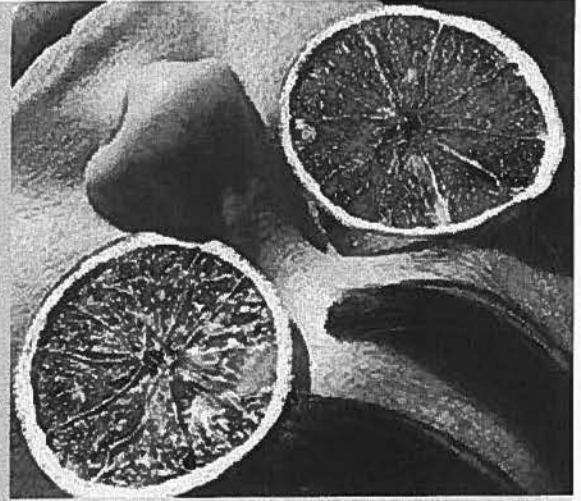


Los Angeles Times

FOOD BOWL

May 1—31

A NEW KIND OF FOOD FESTIVAL



“ *I’m not sure what you’ve been doing this month. I’ve been spending most of my evenings at the first edition of Food Bowl, The Times’ month of food events that’s been a welter of special dinners, film screenings, art displays, farmers market events, visiting chefs from some of the best restaurants in the world, panel discussions on everything from Filipino cooking to sustainable seafood to the problem of food waste, and a vast night market in the glow of City Hall. I’ve mourned dozens of dinners and events I was unable to attend.*

And I’ve eaten really well. ”

Jonathan Gold

Pulitzer Prize Winning
Los Angeles Times Food Critic



LOS ANGELES AMERICA'S NEW FOOD CAPITAL.

"What's turned Los Angeles into a culinary boomtown? The best food city in America."

The Daily Beast

"Food scene in L.A. is booming!"

Huffington Post

"The Los Angeles food scene is better than New York's."

Munchies VICE

"Sorry, New York: Los Angeles is the New Food Capital."

YAHOO!



"Los Angeles is about to get its first truly massive, multi-day food festival, thanks to the Los Angeles Times. Dubbed the Food Bowl, the month-long event weaves speaking engagements and live demonstrations together with lots and lots of eating"

EATER



**Top
Restaurants**



**Famous
Food Trucks**



**Star
Chefs**



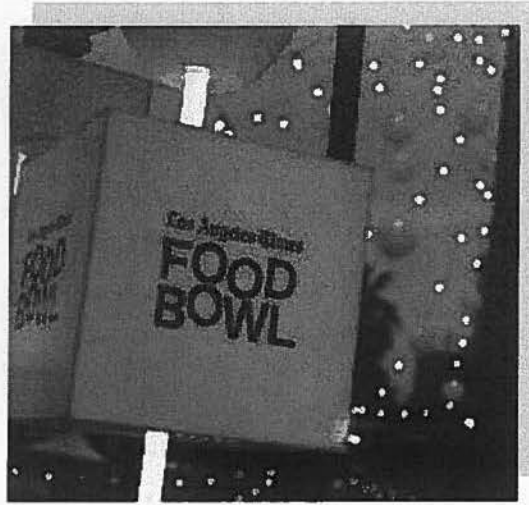
**Unmatched
SoCal Produce**



**Farmers
Markets**



May 1—31



FOOD BOWL

- A month-long festival celebrating L.A.'s dynamic food scene.
- Experiences with top chefs and mixologists within top restaurants, bars, cafes, hotels, markets and pop-ups.
- 250+ events
- Night Markets
- Panel discussions
- Special collaborations
- Charity projects
- Art, film, food and music
- One of a kind chef experiences and parties
- Covering all 4,000 square miles of L.A.

FEATURED EVENTS



Night Market

A bustling outdoor food market with 50 of the most diverse food booths catering to 45,000 + visitors while they enjoy art installations, themed bars and pop-ups experiences.



Beast Feast

Long feasting tables under the stars and lights amidst the smoky ambience of spit roasts and hosted by the most incredible line up of chefs ever to come together for a celebration of meat.



The Gold Award

The Gold Award is to be given to a California chef annually, with the idea of honoring culinary excellence and celebrating true icons in the industry. Wolfgang Puck was the winner in 2017.



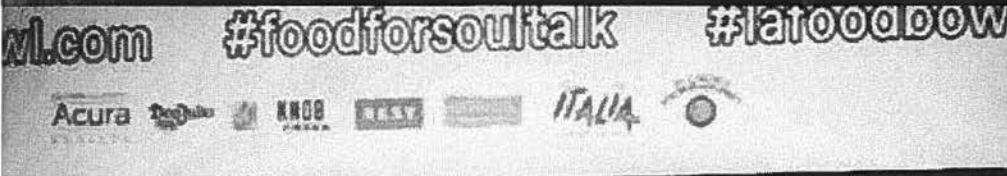
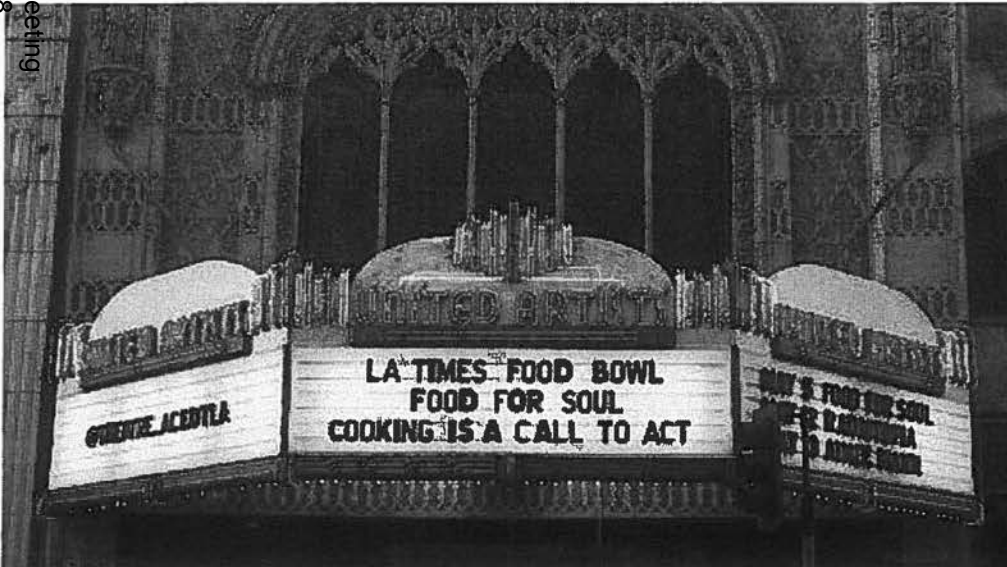
Food Talks & Panels

We'll invite some of the world's most renowned chefs to present their unique visions on key topics. Food For Soul tackled food waste and fighting hunger. Filipino food to Chef's Fable celebrating film and food.



Launch Party

The launch event announcing the annual culinary celebration of LA. We honor the LA Times Restaurant of the Year, which was given to Roy Choi's Local in 2017.



WHO ATTENDS

- Upscale, dynamic and passionate foodies
- Top L.A. chefs, restaurants and culinary influencers
- Celebrities and international culinary icons
- Age Ranges: 30% are 21-35
 - 50% are 36-44
 - 20% are 45+
- 60% female, 40% male
- Average HHI \$150,000. 20% at \$200,000+
- Multi-cultural: 45% Caucasian
 - 20% Asian
 - 15% African American
 - 15% Latino



POWERFUL PARTNERSHIP

\$6 million

media campaign through paid, owned and earned media

Multichannel

Influencers, TV, digital, social, outdoor, radio and print

350 million

media impressions

lafoodbowl.com

Integration
in our featured events

**Alignment with
worlds best chefs**
Create custom content within featured events of Food Bowl

Early access
offer early access tickets to your VIPs and Loyalists

Own-able Content
create a live stream and develop custom content to share via key outlets such as Social Media.

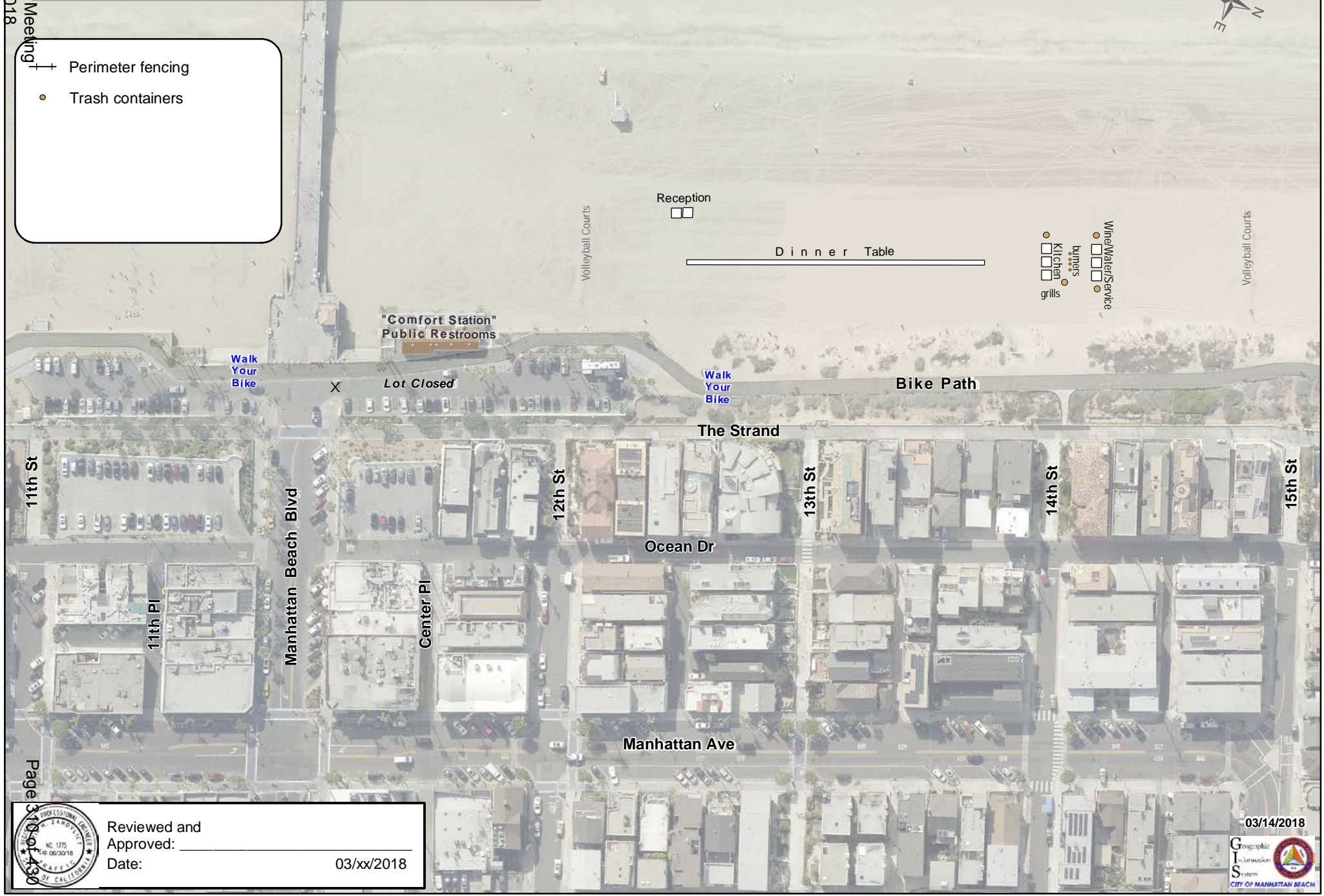
Los Angeles Times

- Top 5 U.S. news and information site
- 55 million unique visitors every month
- 170 million monthly page views
- #1 local media platform
- Content that's shared 7 times per minute
- Production of over 90 events every year

Outstanding In The Field



- ⊕ Perimeter fencing
- Trash containers



Reviewed and Approved: _____
 Date: _____ 03/xx/2018

03/14/2018



**Hourly Event Schedule for Outstanding in the Field x LA FOOD BOWL on
Manhattan Beach Pier, May 24, 2018**

- 10AM
 - Outstanding in the Field staff arrives on site
 - Rentals delivered to pier (plastic/reusable glassware, linens, silverware, plateware, cooking equipment, etc.)
 - Portable restrooms delivered to pier
- 10AM-3PM : Event Set-Up
 - Table set up on pier, dressed and set.
 - Kitchen set up in adjacent parking lot
 - Service station set up in adjacent parking lot
 - Reception area set up near aquarium, roped/fenced off
- Noon
 - Kitchen crews arrive, unload equipment and food to kitchen area, prep for event
- 3PM
 - Everything is ready to go for event
 - Security guards arrive
- 4PM
 - Guests arrive
- 4-5PM
 - Reception on the pier in roped off area near aquarium. Beer, wine and passed appetizers.
- 5PM
 - Welcome speeches and speeches by local fishermen regarding the sustainable fishing industry in the Manhattan Beach area
- 6PM
 - Guests sit at the long table for dinner
- 9PM
 - Dinner ends and guests exit the pier
- 9PM-10:30PM
 - Event Breakdown: Rentals are broken down and stacked neatly in the parking lot where the kitchen was set up, OITF trailers pull around and load equipment, trash/recycling is loaded into trucks and taken away
- 10PM
 - Security guards vacate
- 1030PM
 - Rentals and portable restrooms are picked up
 - OITF crew vacates



Mayor Amy Howorth
March 12, 2018
City of Manhattan Beach
1400 Highland Ave.
Manhattan Beach, CA 90266

Dear Mayor Howorth:

On behalf of the Downtown Manhattan Beach Business & Professional Association (DBPA) we would like to ask that you consider approving the LA Food Bowl/Outstanding in the Field Culinary Experience proposed for May 24, 2018. This is an “outstanding” opportunity for the City and we are fortunate that LA Times/LA Food Bowl and Outstanding in the Field have chosen Manhattan Beach for this extraordinary occasion. Of all the beautiful coastal options in Southern California, they chose Manhattan Beach. They chose Manhattan Beach for its beauty, composition, vibrant culinary scene, and for being extraordinary environmental stewards, all are key elements of the evening.

The DBPA has worked closely with both the Executive Producer of the LA Food Bowl, Angus Dillon, and the owner of Outstanding in the Field, Jim Denevan to bring an integrative and educational culinary experience to Manhattan Beach. Three of our local celebrity chefs (David LeFevre, Austin Cobb, Michael Fiorelli) will be paired with the other event celebrity chefs to make this unique to Manhattan Beach and to teach the guests about sustainable seafood and the importance of environmentally sound practices with regards to local culinary production. This is a very natural, organically produced experience celebrating our land. Think simple and naturally gorgeous.

In addition, we will be fortunate enough to reap the artistic benefits of an original sand design by Jim Denevan. Having grown up in Santa Cruz, Mr. Denevan is a native Californian with a passion for the ocean, sand, art, and local cuisine. On May 24th, those elements will be carefully crafted and blended, producing a one-of-a-kind experience that will be talked about for years to come. There is no doubt that this beautiful experience will garner attention and curiosity from near and far. Having produced hundreds of similar events in California, the United States and even international locations, their professional, execution and respect for the local land is unparalleled. Whether at a private farm, State beach, State park, National park and beyond, their reputation is flawless.

This evening will produce phenomenal experiential story-telling content for all to share and enjoy. We appreciate your consideration and attention to this incredible opportunity.

Sincerely,

Kelly Stroman
Executive Director, DBPA

CC: City Council:
Mayor Pro-Tem Steve Napolitano
Nancy Hersman
Richard Montgomery
David Lesser
City Manager Bruce Moe
Director Mark Leyman

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Anne McIntosh, Community Development Director
Erik Zandvliet, T.E., City Traffic Engineer

SUBJECT:

Citywide Pedestrian Crossing Enhancement Evaluation (Community Development Director McIntosh).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Staff recommends that City Council discuss and provide direction on the Citywide Crosswalk Enhancement Evaluation.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

The City Council has made pedestrian safety and crossing enhancements a high priority in its overall Work Plan. During the May 3, 2017 City Council retreat, a Plan Zero Pedestrian Improvement Plan was proposed. Plan Zero would review existing policy documents, such as the Downtown Specific Plan and Mobility Plan, and conduct a citywide pedestrian safety study to determine which locations should be prioritized to reduce the potential for collisions.

At the May 30, 2017, Capital Improvement Plan (CIP)/Budget workshop, the City Council gave staff direction to explore various crosswalk enhancement opportunities that could be incorporated into planned CIP projects.

At the January 16, 2018 City Council meeting, several Councilmembers spoke on the need to improve the condition of our existing crosswalks and enhance many others with flashing beacons, in-roadway warning lights and special signal timing. The City Council also

emphasized the need to come up with a crosswalk policy and funding, and complete high priority locations immediately.

This staff report is intended to provide an overall summary of the City's pedestrian related policies, as well as an update of current and planned pedestrian improvements throughout the City. Finally, this report will offer a method to prioritize pedestrian safety measures going forward.

DISCUSSION:

Pedestrian safety and crossings are identified in several policy-level documents previously approved by the City Council or currently being studied by the City, including the City's overall Work Plan. Some of the primary guiding documents and the related goals or policies (Attachment 1) are summarized below:

City General Plan Circulation Element: The Infrastructure Element of the General Plan was adopted in 2003. While it was a primarily a vehicle-oriented plan, some of the pedestrian-related goals and policies emphasize multi-modal transportation needs and pedestrian safety.

Downtown Specific Plan: The Downtown Specific Plan was approved by City Council on February 21, 2017. The Plan contains many goals and concepts for improved pedestrian circulation and non-motorized use of the public realm as highlighted in Chapters 5 and 7.

Mobility Plan: The Draft Mobility Plan evaluates the existing condition of the City's various transportation modes and proposes a vision of "Complete Streets," which seek to provide a balanced transportation network for all user needs, including pedestrians, bicyclists, transit users, motorists and those with special needs. There are a number of goals and policies that emphasize the pursuit of projects and programs that will improve pedestrian conditions, support Safe Routes to School, develop pedestrian-oriented design and enhance walkstreets and crossings to encourage walking.

The Mobility Plan includes an appendix that proposes a "Pedestrian Crossing Enhancements Policy" (Attachment 2). This draft document contains a toolbox of potential crossing treatments that would be appropriate for various conditions, such as uncontrolled, stop-controlled, and signal-controlled crossings.

Capital Improvement Plan (CIP): The CIP includes a project to conduct a Veterans Parkway Pedestrian Access Master Plan. This Plan would identify appropriate connections between the Veterans Parkway path and the adjacent neighborhoods and propose consistent crossing protection measures on Valley Drive and Ardmore Avenue. This plan has not been initiated yet.

It should also be noted that Neighborhood Traffic Management Program (NTMP) and School Area Safety studies include many measures that enhance crossing safety, including stop signs, new crosswalks, pedestrian warning signs, etc.

Existing Pedestrian Conditions

The City is comprised of several distinct neighborhoods, some of which have traditional

sidewalks and others where sidewalks are not provided or are incomplete. For example, in the Tree Section, there are wide public rights-of-way, but the areas alongside the vehicle lanes are improved with a variety of landscaping, private encroachments and parking pads. Many streets in El Porto and along the beach are very narrow, and pedestrians have to share the public right-of-way with vehicles. The Sand Section features many walkstreets, which are public walkways for the exclusive use of pedestrians. Because of this varied fabric of street types, a single pedestrian crossing style or solution will not apply everywhere.

The City does have a standard crosswalk design standard, which is called the Continental, or “ladder” style crosswalk. This type of crosswalk has been proven to have the highest visibility and driver awareness.

In order to develop a crossing policy and prioritize where crossing improvements should be made, it is important to know what improvements have already been completed, and where crossing projects are currently planned.

Recently Completed Crossing Improvements

In the last three years, the City has completed a number of enhanced crossings across the City (Attachment 3). These locations include the following:

- Pier Flashing Beacons
- Manhattan Beach Bl. at Highland Ave. - leading pedestrian signal phase (when pedestrian crossing signals precede the green light to increase visibility)
- Manhattan Beach Bl. at Manhattan Ave. - leading pedestrian signal phase
- Ardmore Ave. at Flournoy Rd. - crossing signs and speed awareness sign
- Highland Ave. at 38th St. - flashing beacons and in-pavement lights
- Manhattan Beach Bl. from Sepulveda Blvd. to Aviation Blvd. - high-visibility crosswalks
- Manhattan Beach Bl. at Target driveway - new pedestrian signalized crosswalk
- Manhattan Ave. from 15th Street to Rosecrans Ave. - high visibility crosswalks and signs
- Aviation Blvd. at Marine Ave. - 2 high-visibility crosswalks
- Ocean Drive at 26th St. - new crosswalk
- Oak Ave. at Valley Dr. - 2 new crosswalks
- Redondo Ave. at 10th St. - 4 new crosswalks
- Curtis Ave. at Rowell Ave. - new crosswalk

Planned Crossing Improvements

The City has been awarded several federal and state grants to construct a variety of crossing enhancements throughout the City, such as flashing beacons, flashing stop signs, corner curb bulb-outs, high visibility crosswalks, and countdown pedestrian signals (Attachment 4). The grants received by the City include the following:

- Federal Cycle 3 Safe Routes to School (SRTS)
- State Cycle 10 Safe Routes to School (SR2S)
- Highway Safety Improvement Program (HSIP) - 22 Locations

In addition, the City has several planned CIP and Neighborhood Traffic Management Program

projects that will incorporate enhanced crossing treatments and pedestrian access (Attachment 5). They will be at the following locations throughout the City:

- Manhattan Ave at 34th St.-36th St. - flashing beacons and in-pavement lights
- Manhattan Ave. from 1st St. to 8th St.- high visibility crosswalks and signs at walkstreets
- Highland Ave. from Homer St to 8th St.- high visibility crosswalks and signs at walkstreets
- Parkview Ave Sidewalk and Crosswalks
- Marine Avenue from Sepulveda Blvd. to Aviation Blvd. - high visibility crosswalks and ramps
- Marine Ave. from Grandview Ave. to 25th St - new edgeline for pedestrian path
- Marine Ave. at Flournoy Rd. and Blanche Rd. - new crosswalk and signs
- 21st St., Bell Ave, Flournoy Rd. and 25th St. at Valley Drive - new crosswalks
- Laurel Ave. at 14th St. - new crosswalk

Proposed Pedestrian Enhancements Policy

As part of the Mobility Plan Update, a guide has been created to determine the appropriate crossing treatments, called the Pedestrian Crossing Enhancements Policy. The selection criteria include the type of crossing control, traffic volume, speeds, number of lanes, and geometrics. This Policy is based on the best practices throughout the nation, which have been shown to reduce collisions.

The proposed Pedestrian Crossing Enhancements Policy does not, however, consider other factors, such as proximity to schools, collision history, pedestrian path continuity, visibility of pedestrians and availability of outside funding. These factors can be used to help prioritize which locations should be funded and completed first. The City has already established an evaluation criteria to prioritize Non-Motorized Transportation funding that can be used as a basis for prioritizing pedestrian crossing locations (Attachment 6).

Funding

In FY 2012-13, the City Council appropriated funds in the CIP towards Non-Motorized Transportation projects, which are dedicated to constructing various pedestrian and bicycle infrastructure projects. \$100,000 per year is reserved in this fund to be used for the City Council's highest priority projects that are not included in other projects or funded through regional, state or federal funds. Some of the recently completed and planned crossing improvements mentioned in this report have been funded this way.

Other funding sources include competitive federal, state and regional grants, as well as regional and sub-regional discretionary funds, including Measure R, SB-1, Gas Tax, Measure M, Active Transportation Plan (ATP), etc.

PUBLIC OUTREACH/INTEREST:

The public has been informed of this agenda item through direct email invitation to those who have expressed prior interest in this subject and through general noticing via public bulletin boards, the City's website, and social media.

ENVIRONMENTAL REVIEW

The City has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 1 categorical exemption pursuant to Section 15301 Existing Facilities of the State CEQA Guidelines since any crosswalk improvements would be considered a minor alteration to an existing facility. Thus, no further environmental review is necessary.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Excerpts of City Goals and Policies
2. Draft Pedestrian Crossing Enhancements Policy
3. Recently Completed Crossing Improvements Map
4. Planned Grant-Funded Crossing Improvements Map
5. Planned CIP Crossing Improvements Map
6. Non-Motorized Project Evaluation Form

ATTACHMENT 1

Citywide Pedestrian Enhancement Evaluation

Related City Goals and Policies

City General Plan-Infrastructure Element

Goal I-1: Provide a balanced transportation system that allows the safe and efficient movement of people, goods and services throughout the City.

Policy I-5.2: Work with the school district and private schools to improve pedestrian and bicycle safety around schools.

Goal I-6: Create well-marked pedestrian and bicycle networks that facilitate these modes of circulation.

Policy I-6.1: Implement those components of the Downtown Design Guidelines that will enhance the pedestrian-oriented environment.

Policy I-6.2: Protect the walkstreets as important pedestrian access to the beach.

Policy I-6.3: Monitor City standards regarding the use of public walkstreets for private purposes.

Policy I-6.4: Consider and protect the character of residential neighborhoods in the design of pedestrian access.

Policy I-6.5: Develop standards to encourage pedestrian-oriented design in the North End.

Policy I-6.6: Incorporate bikeways and pedestrian ways as part of the City's circulation system where safe and appropriate to do so.

Local Coastal Plan

Policy I.A.3: The City shall preserve pedestrian access systems including the Spider Web park concept (Spider Web park concept: a linear park system linking the Santa Fe railroad right-of-way jogging trail to the beach with a network of walkstreets and public open spaces. (See Figure NR-1 of the General Plan).

Policy I.A.4: The City shall maintain the use of commercial alleys as secondary pedestrian accessways.

Policy I.A.5: The City shall preserve its walk-street resources, shall prohibit non-complying walk-street encroachments, including decks, shall enforce measures to eliminate walk-street noncompliance with existing guidelines and shall provide expedited appeal procedures related thereto.

Policy I.B.3: The City shall encourage pedestrian and bicycle modes as a transportation means to the beach.

Policy I.B.4: The City shall maintain the use of the Santa Fe right-of-way as a non-automobile transportation corridor between the northern city boundary and the intersection of Valley-Ardmore and Manhattan Beach Boulevard, as the closest link to the commercial business district and beach use.

Policy I.B.5: The City shall maintain a pathway to facilitate jogging and pedestrian usage along the Santa Fe right-of-way.

Policy I.B.6: The Strand shall be maintained for non-vehicular beach access.

Downtown Specific Plan

Vision Goal 1: Preserve and enhance the project area's small town character.

Vision Goal 2: Enhance pedestrian and bicycle access to the project area.

Vision Goal 3: Improve access to parking and alternative transportation options.

Circulation Goal 1: Provide a balanced transportation system to support vehicular movement and parking while still providing safe use of roads for bicyclists, pedestrians and transit users.

Circulation Goal 2: Prioritize the safety of all street users over vehicle capacity or speeds.

Circulation Goal 3: Provide for changes in development patterns where origins and destinations are situated close together, i.e., within walking, biking, or a short driving distance.

Circulation Goal 4: Increase mobility options so an individual can choose a variety of travel modes from driving to walking, biking or taking transit, even if individuals still complete most of their trip by vehicle.

Circulation Goal 5: Encourage Manhattan Beach residents to arrive by alternate means by adding pedestrian and bike improvements that connect to surrounding neighborhoods, since most are within walking or biking distances of Downtown.

Circulation Goal 7: Incorporate universal access treatments in conformance with federal and state legislation to serve the large percentage of the public that has physical challenges, both as an essential need and good business practice.

Circulation Goal 8: Improve public access and facilities at local transit stops as transit service improves in the region.

Public Realm Goal 2: Make a walking environment that is safe, well lit, protected from the street, and universally accessible.

Public Realm Goal 3: Make a social environment that is comfortable to walk on and sit along, and that encourages social interaction that in turn supports local businesses by making the district a positive place to visit.

Draft Mobility Element

Goal I-1: Provide a balanced, safe, and efficient multi-modal transportation system that serves the mobility needs of all community members, including children, seniors, and the disabled.

Policy I-1.2: Improve street signage citywide, to enhance safety, visibility, and wayfinding especially at pedestrian crossings, and ensure street signs are not obscured by vegetation or structures.

Policy I-1.6: Require property owners, at the time of new construction or substantial remodeling to dedicate land for roadway or other public improvements such as wider sidewalks and/or bicycle lanes, as appropriate and warranted by the project.

Policy I-1.7: Improve multi-modal connections to transit facilities, including bike-to-transit and walk-to-transit options, especially to the Metro Green Line stations.

Policy I-1.8: Seek ways to improve connections between the portions of the City east and west of Sepulveda Boulevard via transit, bicycling and walking.

Policy I-1.11: Allow for flexible use of public rights-of-way to accommodate all users of the street system, while maintaining safety standards.

Policy I-1.12: Integrate the financing, design and construction of pedestrian facilities and improvements with street projects where feasible at the same time as improvements for vehicular circulation.

Policy I-2.1: Utilize the Neighborhood Traffic Management Program (NTMP) tools to mitigate neighborhood intrusion by cut-through traffic, and improve conditions for pedestrians and bicyclists.

Policy I-2.2: Monitor all major intersections and arterial streets and pursue capital projects as needed to minimize traffic diversion into local streets, improve pedestrian and bicycle conditions to keep traffic moving efficiently.

Policy I-2.3: Minimize vehicular access for new developments on local residential streets, and in locations with high pedestrian and bicycle activity, and design access and egress to avoid traffic intrusion on local streets to the maximum extent possible.

Policy I-3.9: Work with the school district and private schools to improve pedestrian and bicycle routing and safety around schools. Focus pedestrian access to the elementary schools and bicycle and pedestrian access to the middle and high schools.

Policy I-3.12: Continue to support and enhance Safe Routes to School programs such as Walking School Bus, walk audits, classroom safety instruction and promotional events.

Goal I-4: Create well-marked pedestrian and bicycle networks to facilitate these modes of circulation.

Policy I-4.2: Protect and enhance the walkstreets as important pedestrian access corridors to the beach. Implement enhanced/improved crossings where the walkstreets connect to the street system.

Policy I-4.3: Consider and protect the character of residential neighborhoods in the design of pedestrian access.

Policy I-4.4: Develop and implement standards to encourage pedestrian-oriented design for commercial properties.

Policy I-4.5: Incorporate bikeways and pedestrian ways as part of the City's circulation system where safe and appropriate.

Policy I-4.10: Identify and analyze locations with higher number of pedestrian and/or bicycle involved collisions and implement appropriate engineering, education, enforcement and other countermeasures at these locations.

Policy I-4.11: In areas with no sidewalks, review parking and other potential obstacles (such as patios and landscaping) into the public right-of-way that interferes with pedestrian ways and bikeways and develop solutions to reduce and minimize those impacts on walking and biking in these areas.

Policy I-4.12: Improve auto-oriented streets so pedestrians using the adjacent businesses or services can walk comfortably and feel safer navigating the thoroughfare.

DRAFT

Manhattan Beach Mobility Plan Pedestrian Crossing Enhancements Policy



Prepared by:



POTENTIAL STRIPING ENHANCEMENTS

TREATMENT

IMPLEMENTATION GUIDANCE

HIGH-VISIBILITY MARKED CROSSWALK/TEXTURED CROSSWALK

[Striping]

High-visibility markings include a family of crosswalk striping styles such as the "ladder" and the "triple-four," as well as decorative or textured crosswalk markings. These marking provide greater crosswalk visibility to motorists.



ADVANCE YIELD LIMIT LINE (MULTI-LANE ROADWAYS)

[Striping]

Yield limit lines (also referred to as "sharks' teeth") are placed in advance of marked, uncontrolled crosswalks to indicate to motorists where they should stop when a pedestrian is in a crosswalk.

City of Pasadena



Implemented together as package of improvements at all locations that meet the flow chart test justifying a marked crossing.

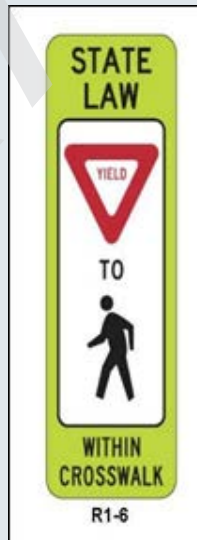
ADVANCE WARNING SIGNS/CROSSWALK SIGN ASSEMBLY

[Signage]

High-visibility fluorescent yellow green signs posted in advance of and at crossings increase the visibility of a pedestrian crossing. Requirements for the design and placement of these signs may be found in the California Manual on Uniform Traffic Control Devices (MUTCD). Additionally, in street pedestrian signs may be added.





pedbikeimages.org


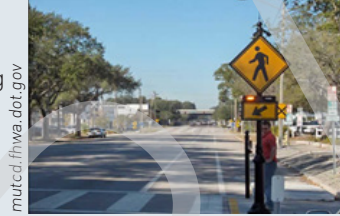



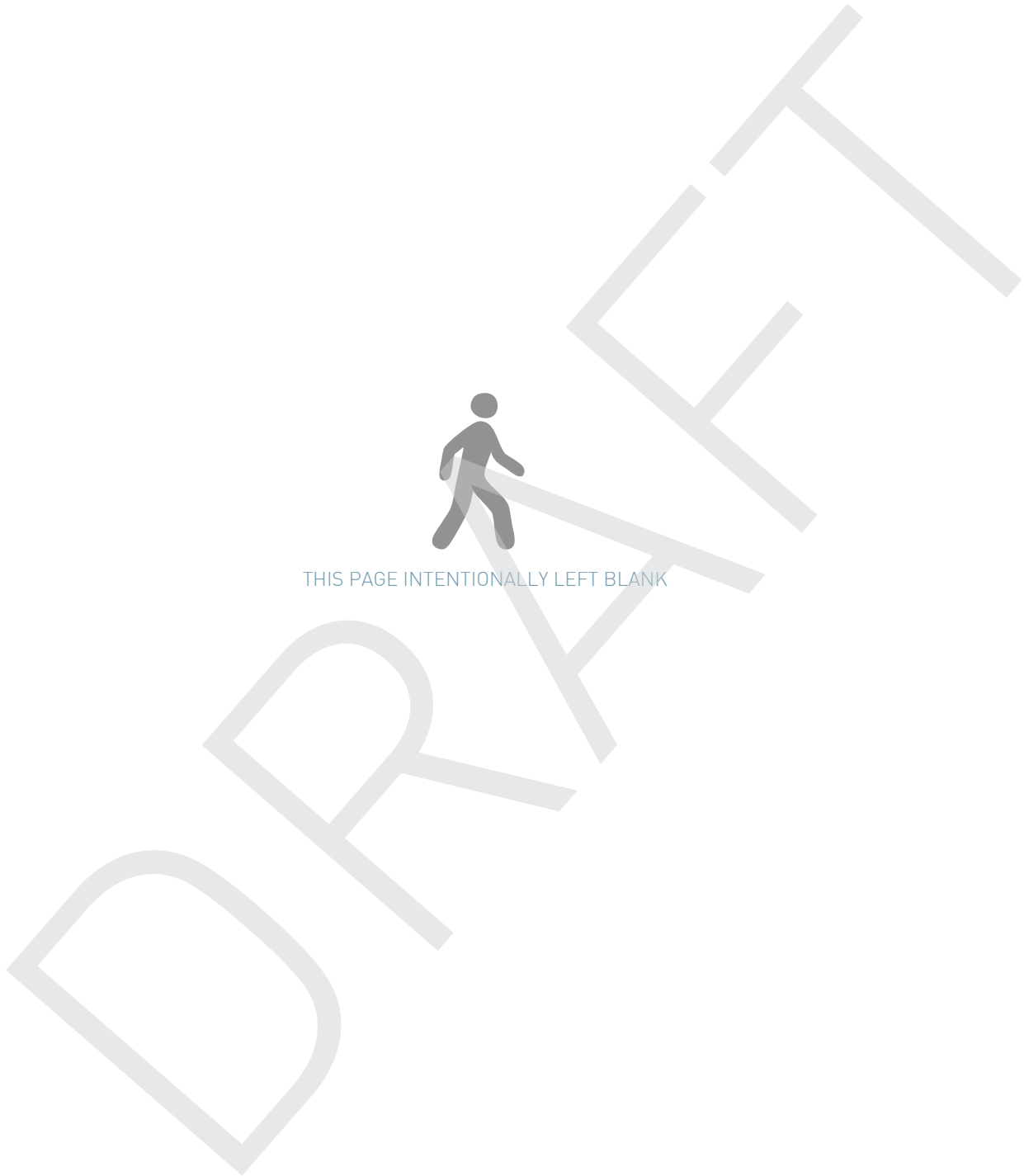
Additional enhancements to this package may be needed depending upon width of street, posted speed limit, sight distance and average daily traffic volumes. See guidance under which conditions additional enhancements are needed.

POTENTIAL GEOMETRIC ENHANCEMENTS

TREATMENT	IMPLEMENTATION GUIDANCE		
	SPEED LIMIT		
	30MPH OR LOWER	35 MPH	40 MPH+
<p>CURB EXTENSIONS</p> <p>[Geometrics]</p> <p>Also known as a pedestrian bulb-out, this traffic-calming measure is meant to slow traffic and increase driver awareness of pedestrians. It consists of an extension of the curb into the street, making the pedestrian space (sidewalk) wider and the crosswalk narrower. It improves driver visibility of pedestrians waiting to enter the crosswalk</p> 	<p>One geometric enhancement is recommended under the following conditions:</p>	<p>One geometric enhancement is recommended under the following conditions:</p>	
<p>REFUGE ISLANDS</p> <p>[Geometrics]</p> <p>Raised islands are placed in the center of the roadway, separating opposing lanes of traffic with cutouts or ramps for accessibility along the pedestrian path. Median refuge islands are recommended where right-of-way allows and conditions warrant. Refuge medians can also be designed as a split pedestrian crossover where crosswalks in the roadway are staggered such that a pedestrian crosses half the street and then walks toward traffic to reach the second half of the crosswalk. This measure must be designed for accessibility to direct sight-impaired pedestrians along the path of travel.</p> 	<ul style="list-style-type: none"> • 3 lane street with ADT of 12,000+ • 4+ lane street (no raised median) with ADT of 9,000+ • 4+ lane street (with raised median) with ADT of 12,000+ <p>Locations where pedestrian actuated signals are installed may not require these enhancements</p>	<ul style="list-style-type: none"> • 2 lane street with ADT of 15,000+ • 3 lane street with ADT of 9,000 • 4+ lane street (no raised median) with ADT of 9,000 or less • 4+ lane street (with raised median) with ADT of 12,000+ <p>Locations where pedestrian actuated signals are installed may not require these additional enhancements</p>	<p>One geometric enhancement is recommended at all crossings with a speed limit of 40 mph or greater regardless of lane width and ADT.</p>
<p>RAISED CROSSWALK</p> <p>[Geometrics]</p> <p>This traffic calming measure provides a crosswalk with a surface elevated above the travel lanes (typically at curb height), attracting drivers' attention, encouraging lower speeds at the pedestrian crossing point, and improving the visibility of pedestrians in the crosswalk.</p> 	<p>Locations where pedestrian actuated signals are installed may not require these enhancements</p>	<p>Locations where pedestrian actuated signals are installed may not require these enhancements</p>	

POTENTIAL SIGNAL ENHANCEMENTS

TREATMENT	IMPLEMENTATION GUIDANCE		
	SPEED LIMIT		
	30MPH OR LOWER	35 MPH	40 MPH+
<p>OVERHEAD FLASHING BEACON</p> <p>[Signal Treatment] Flashing amber lights are installed on overhead signal arms in advance of the crosswalk or at the entrance to the crosswalk. Typically overhead beacons are pedestrian push button actuated and are most appropriate on multi-lane, signalized streets.</p>  <p><small>tti.tamu.edu</small></p>	<p>Instead of, or in addition to a geometric enhancement, install an overhead beacon or RRFB under the following conditions:</p> <ul style="list-style-type: none"> • 3+ lane street with ADT of 12,000+ 	<p>Instead of, or in addition to a geometric enhancement, install an overhead beacon or RRFB under the following conditions:</p> <ul style="list-style-type: none"> • 2 lane street with ADT of 15,000+ • 3+ lane street with ADT of 9,000+ <p>Beacons should not be installed at locations of pedestrian actuated signals.</p>	<p>A geometric and/or an overhead beacon or RRFB is recommended at all crossings with a speed limit of 40 mph or greater regardless of lane width and ADT.</p> <p>Beacons should not be installed at locations of pedestrian actuated signals.</p>
<p>RECTANGULAR RAPID FLASHING BEACON (RRFB)</p> <p>[Signal Treatment] RRFB is a flashing beacon that is enhanced by replacing the traditional slow flashing incandescent lamps with rapid flashing LED lamps. The beacons may be push-button activated or activated with pedestrian detection. Research indicated the greatest response from RRFBs.</p>  <p><small>mutcd.fhwa.dot.gov</small></p>	<p>Beacons should not be installed at locations of pedestrian actuated signals.</p>	<p>Beacons should not be installed at locations of pedestrian actuated signals.</p>	<p>Beacons should not be installed at locations of pedestrian actuated signals.</p>
<p>PEDESTRIAN ACTUATED SIGNAL</p> <p>[Signal Treatment] This is a conventional traffic control device with warrants for use based on the MUTCD. Signal remains on green until a pedestrian push button activation. Signal operates with a flashing red until completion of pedestrian phase.</p>  <p><small>City of Pasadena</small></p>	<p>Recommended on 4+ lane streets with ADT of 15,000+.</p> <p>If pedestrian actuated signal is installed, geometric enhancements may not be necessary.</p>	<p>Recommended on 3+ lane street with ADT of 15,000+</p> <p>If pedestrian actuated signal is installed, geometric enhancements may not be necessary.</p>	<p>Recommend on 2 lane street with ADT of 15,000 + or 3+ lane street with ADT of 9,000+</p> <p>If pedestrian actuated signal is installed, geometric enhancements may not be necessary.</p>



THIS PAGE INTENTIONALLY LEFT BLANK

TABLE B \ \ STOP-CONTROLLED LOCATION TOOLBOX

City of Pasadena



REFUGE ISLAND

[Geometrics]

Raised islands are placed in the center of the roadway, separating opposing lanes of traffic with cutouts or ramps for accessibility along the pedestrian path.



CURB EXTENSION/BUS BULBS/SHORT RIGHT-TURN LANE ELIMINATION

[Geometrics]

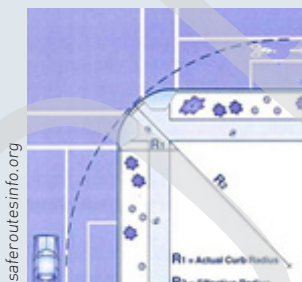
Also known as a pedestrian bulb-out, this traffic-calming measure is meant to slow traffic and increase driver awareness of pedestrians. It consists of an extension of the curb into the street, making the pedestrian space (sidewalk) wider.



IMPROVED RIGHT-TURN SLIP-LANE DESIGN/PORK CHOP REDESIGN

[Geometrics]

Right-turn slip lanes (aka channelized right-turn lanes) are separated from the rest of the travel lanes by a pork chop-shaped striped or raised median area. This measure separates right-turning traffic and streamlines right turning movements. Improved right-turn slip lanes provide pedestrian crossing islands within the intersection and are designed to optimize the right-turning motorist's view of the pedestrian and of vehicles to his or her left.



REDUCED TURNING RADIUS AS DETERMINED BY DESIGN VEHICLE

[Geometrics]

The size of the curb radius determines the speed at which approaching vehicles can navigate a turn. Reduced turn radii force approaching vehicles to slow down when turning, while still efficiently accommodating the largest vehicle commonly expected at the intersection.



www.ci.mil.wi.us

PEDESTRIAN-SCALE LIGHTING

[Streetscape]

Pedestrian-scale lighting improves motorist sight of pedestrians.

walkinginfo.org/pedsafe/



STANDARD CROSSWALK FOR STOP-CONTROLLED APPROACHES, LADDER OR TRIPLE FOUR AT UNCONTROLLED APPROACHES

[Striping]

High-visibility markings include a family of crosswalk striping styles such as the "ladder" and the "triple-four." Stop bars should be striped in advance of the crosswalk on approaches controlled by a stop sign.

City of Pasadena

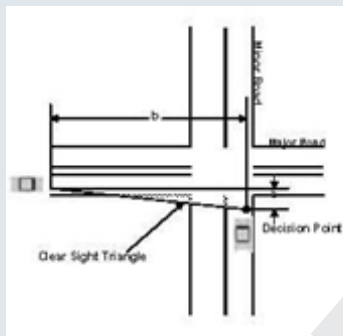


DIRECTIONAL CURB RAMP WITH TRUNCATED DOMES

[Geometrics/ADA Treatments]

Where right-of-way is available, directional curb ramps are installed at two per corner and guide pedestrians in to the crosswalk they would utilize to cross the street. Truncated domes provide a tactile signal to the visually impaired that they are leaving the sidewalk area. Exceptions for directional curb ramps may be allowed when physical considerations such as existing drainage or required turn radius deem infeasible. Selecting directional curb ramps as a preferred treatment does not call for retrofit of existing curb ramps, rather installation will be done oppurtunistically in scenarios such as grant funding, development review, new construction, and

Nazir Lalani



REMOVAL OF SIGHT DISTANCE OBSTRUCTIONS

[Geometrics]

If objects impede sight distance, it may result in an unsafe condition when motorists and pedestrians are unable to see each other. Items such as parked cars, signage, landscaping, fencing, and street furniture should be placed in a location that will not obstruct sight distance.

danpink.com

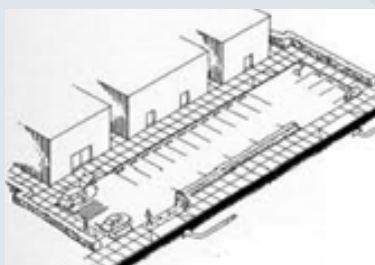


LIMITED SIGNAGE/SIGN CLUTTER EVALUATION

[Signage]

Road signs and street signs at intersections may distract motorists from the road. Unnecessary signage should be removed and relocated to present motorists only with signage relevant to the operation of the intersection.

mjsc.org



DRIVEWAY ACCESS MANAGEMENT

[Geometrics]

Access management strategies can reduce the number of driveway crossings pedestrians encounter and result in a wider sidewalk through more efficient allocation of space.

**TABLE C \\
SIGNAL-CONTROLLED LOCATION TOOLBOX**

 <p>walkinginfo.org/pedsafe/</p>	<p>MARKED CROSSWALK [Striping]</p> <p>Marked crosswalks should be installed to provide designated pedestrian crossings at signalized locations, on all feasible approaches. Exceptions for striping crosswalks on all four legs of a signalized intersection may be allowed due to operational and physical considerations</p>
	<p>ADVANCE LIMIT LINE [Striping]</p> <p>Standard advance limit (white stop) lines are placed four feet in advance of marked crosswalks</p>
 <p>www.saferoutesinfo.org Mike Cynedi</p>	<p>COUNTDOWN SIGNAL [Signal Treatment]</p> <p>Displays a "countdown" of the number of seconds remaining for the pedestrian crossing interval.</p>
 <p>www.livablestreets.com</p>	<p>SLOWER WALKING SPEED [Signal Treatment]</p> <p>The California MUTCD requires that signal timings be changed to reflect 3.5 feet per second walk times rather than 4.0 feet per second. In locations adjacent to schools, senior centers, etc., a slower walk speed should be considered in signal timings.</p>
 <p>www.saferoutesinfo.org Mike Cane</p>	<p>PEDESTRIAN RECALL IN HIGH ACTIVITY PEDESTRIAN AREAS [Signal Treatment]</p> <p>Pedestrian Recall provides a guaranteed walk phase for each crossing at the signal during periods of peak pedestrian activity regardless of whether the pedestrian push button has been activated. This ensures ample time is provided for pedestrian crossings when pedestrians are typically present (even if a pedestrian fails to push the button).</p>

City of Pasadena

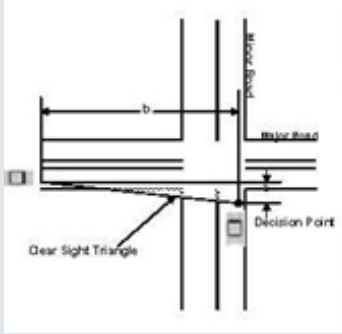


DIRECTIONAL CURB RAMP WITH TRUNCATED DOMES & SEPARATED PEDESTRIAN PUSH BUTTONS (PPB)

[Geometrics/ADA Treatments]

When right-of-way is available, directional curb ramps are installed two per corner and guide pedestrians into the crosswalk. Truncated domes provide a tactile signal to the visually impaired that they are leaving the sidewalk area. Separated push buttons are placed within five feet of each curb ramp, one per crosswalk. Exceptions for directional curb ramps may be allowed when physical considerations such as existing drainage or required turn radius deem infeasible.

Nazir Lalani



REMOVAL OF SIGHT DISTANCE OBSTRUCTIONS

[Geometrics]

If objects impede sight distance, this may result in an unsafe condition where motorists and pedestrians are unable to see each other. Items such as parked cars, signage, landscaping, fencing, and street furniture should be placed in a location that will not obstruct sight distance.

www.ci.milwauis



PEDESTRIAN-SCALE LIGHTING

[Streetscape]

Pedestrian-scale lighting improves motorists' visibility of pedestrians.



HIGH-VISIBILITY CROSSWALK

[Striping]

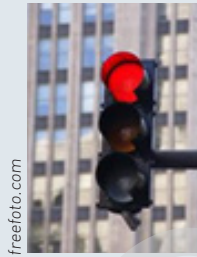
High-visibility markings include a family of crosswalk striping styles such as the "ladder" and the "continental." High-visibility striping should be provided for crosswalks with heavy pedestrian volumes, with frequent pedestrian-vehicle conflicts (such as with permissive left turns), or at skewed intersections. One style of high-visibility striping should be selected as the City's preferred style.



ACCESSIBLE PEDESTRIAN SIGNALS

[ADA Treatments]

Accessible pedestrian signals communicate information about pedestrian crossings in non-visual format such as audible tones, verbal messages, and/or vibrating surfaces, providing access to the pedestrian signals for the visually impaired. Locations for accessible pedestrian signals are coordinated with the Accessibility Disability Commission.



ALL RED CLEARANCE

[Signal Treatment]

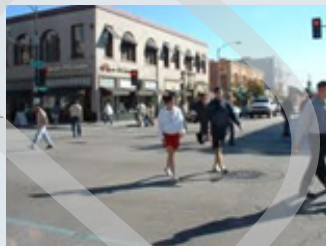
Provides a phase (1-2 seconds) where all vehicle indicators hold the red at an intersection.



LEADING PEDESTRIAN INTERVAL (LPI)

[Signal Treatment]

Provides pedestrians with a walk indicator while all vehicle indicators hold the red ball. This allows pedestrians to get a head start crossing the street before vehicles get the green indication.



SCRAMBLE PHASE

[Signal Treatment]

Provides an all-red phase for vehicles while providing pedestrians with a walk indication. Pedestrians may cross the street orthogonally or diagonally.



PROTECTED LEFTS

[Signal Treatment]

Protected left turns give vehicles that are turning left an exclusive phase that does not coincide with the pedestrian walk phase. This eliminates the pedestrian-vehicle conflict between permissive lefts and pedestrians in a crosswalk.

lincoln.ne.gob



FULL-TIME RECALL/FIXED TIME PEDESTRIAN INTERVALS

[Signal Treatment]

Pre-timed signals give pedestrians the walk signal without requiring push button actuation.

lumi.net

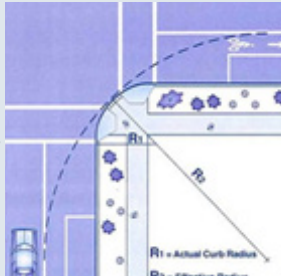


PROHIBITED RIGHT TURN ON RED

[Signal Treatment]

Prohibits vehicles from turning right when the signal has a red indication.

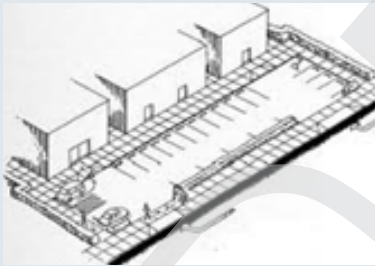
saferoutesinfo.org



REDUCED TURNING RADIUS AS DETERMINED BY DESIGN VEHICLE

[Geometries]

The size of the curb radius determines the speed at which approaching vehicles can navigate a turn. Reduced turn radii force approaching vehicles to slow down when turning, while still accommodating emergency vehicles and the largest vehicle expected to typically navigate the intersection (i.e., the design vehicle).



DRIVEWAY ACCESS MANAGEMENT

[Geometries]

Access management strategies can reduce the number of driveway crossings pedestrians encounter and result in a wider sidewalk through more efficient allocation of space.

City of Pasadena



REFUGE ISLAND

[Geometries]

Raised islands are placed in the center of the roadway, separating opposing lanes of traffic with cutouts or ramps for accessibility along the pedestrian path.



CURB EXTENSION/BUS BULBS/SHORT RIGHT-TURN LANE ELIMINATION

[Geometrics]

Also known as a pedestrian bulb-out, this traffic-calming measure is meant to slow traffic and increase driver awareness of pedestrians. It consists of an extension of the curb into the street, making the pedestrian space (sidewalk) wider.



IMPROVED RIGHT-TURN SLIP-LANE DESIGN/PORK CHOP REDESIGN

[Geometrics]

Right-turn slip lanes (aka channelized right-turn lanes) are separated from the rest of the travel lanes by a pork chop-shaped striped or raised median area. This measure separates right-turning traffic and streamlines right turning movements. Improved right-turn slip lanes provide pedestrian crossing islands within the intersection and are designed to optimize the right-turning motorist's view of the pedestrian and of vehicles to his or her left.



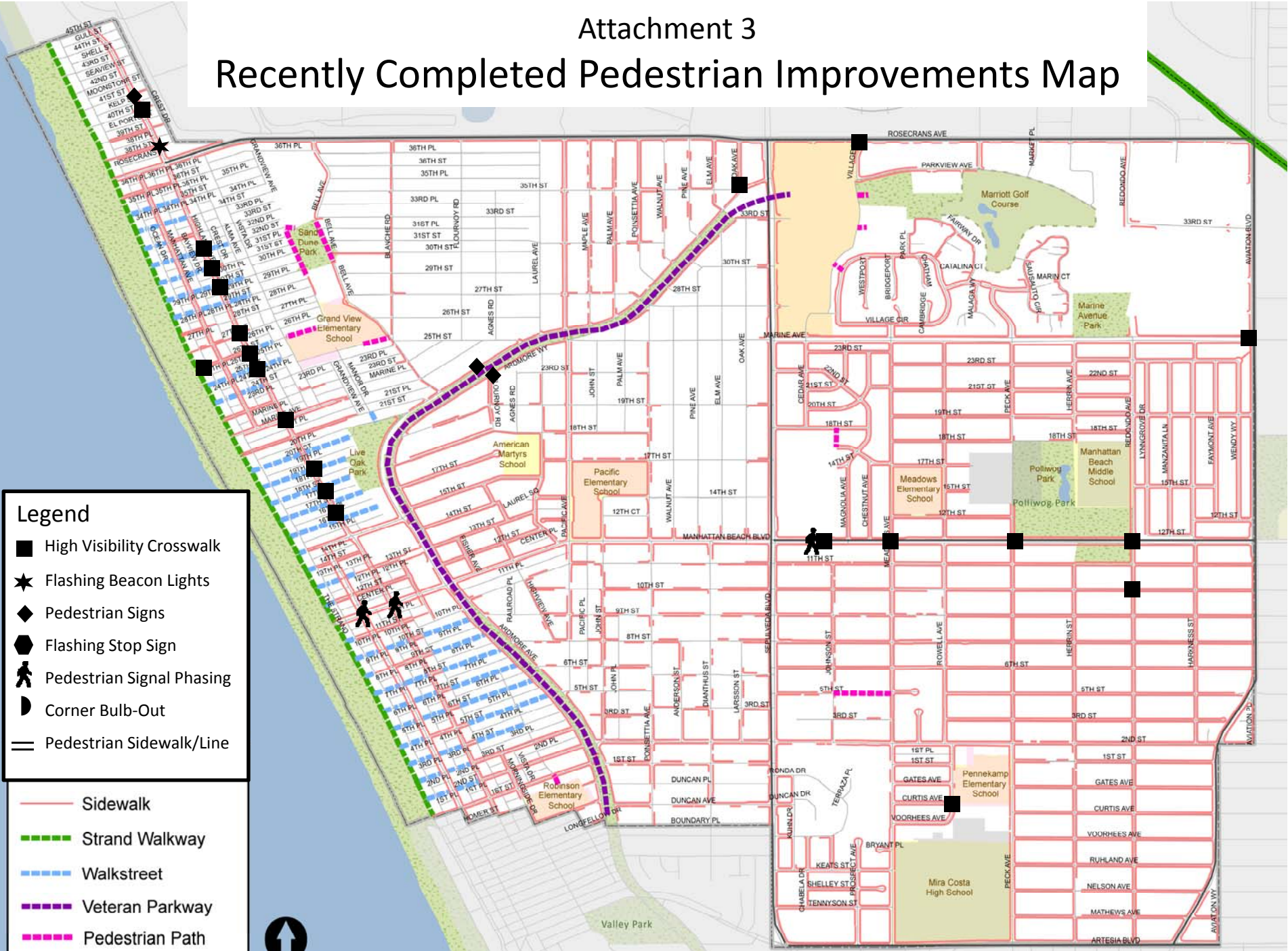
TWO-STAGE CROSSING

[Geometrics]

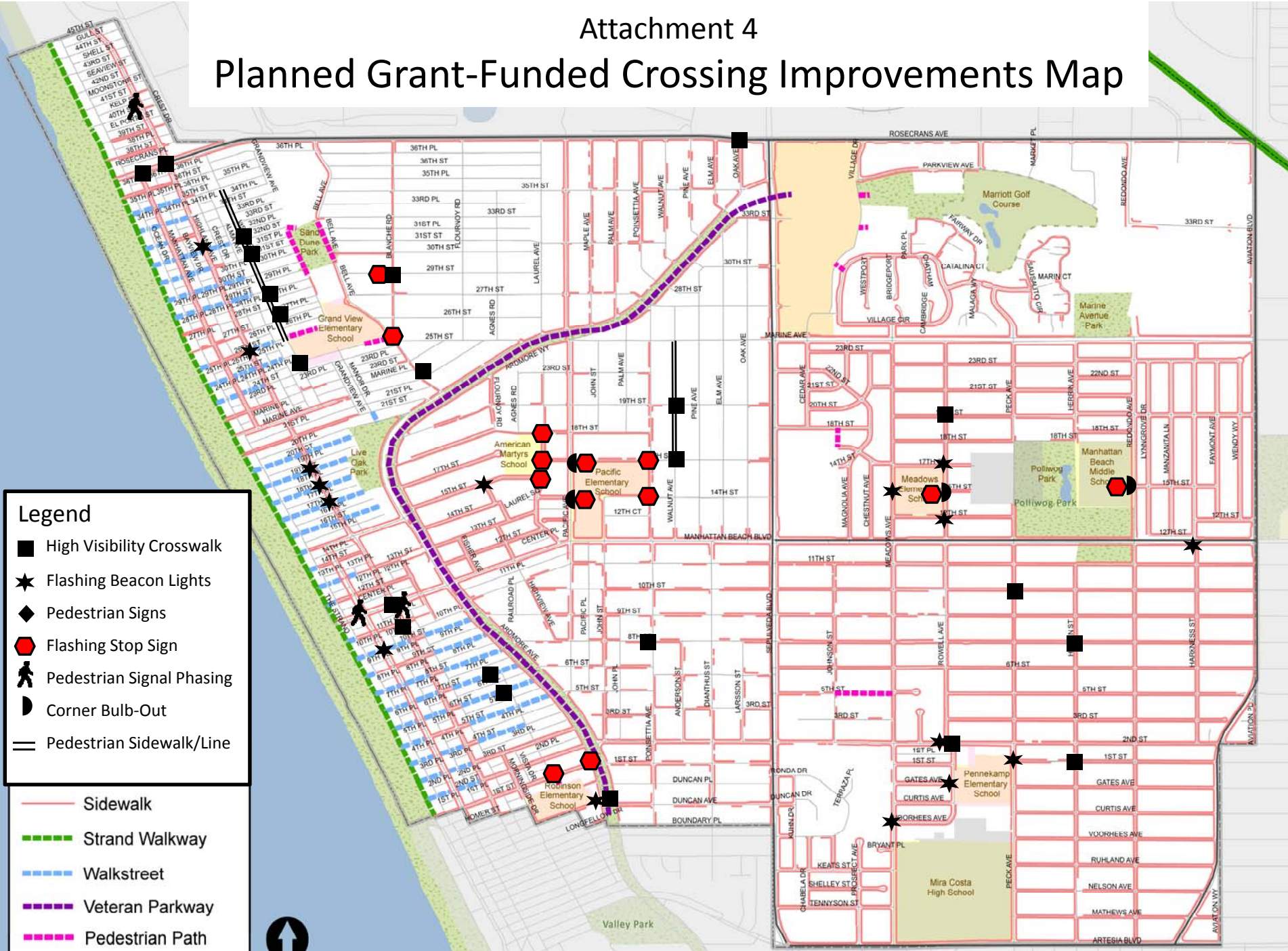
This measure is similar to traditional median refuge islands except that the crosswalk is staggered such that a pedestrian crosses half the street and then must walk towards traffic to reach the second half of the crosswalk. This measure must be designed for accessibility by including rails and truncated domes to direct sight-impaired pedestrians along the path of travel.

tfhrc.gov

Attachment 3 Recently Completed Pedestrian Improvements Map



Attachment 4 Planned Grant-Funded Crossing Improvements Map

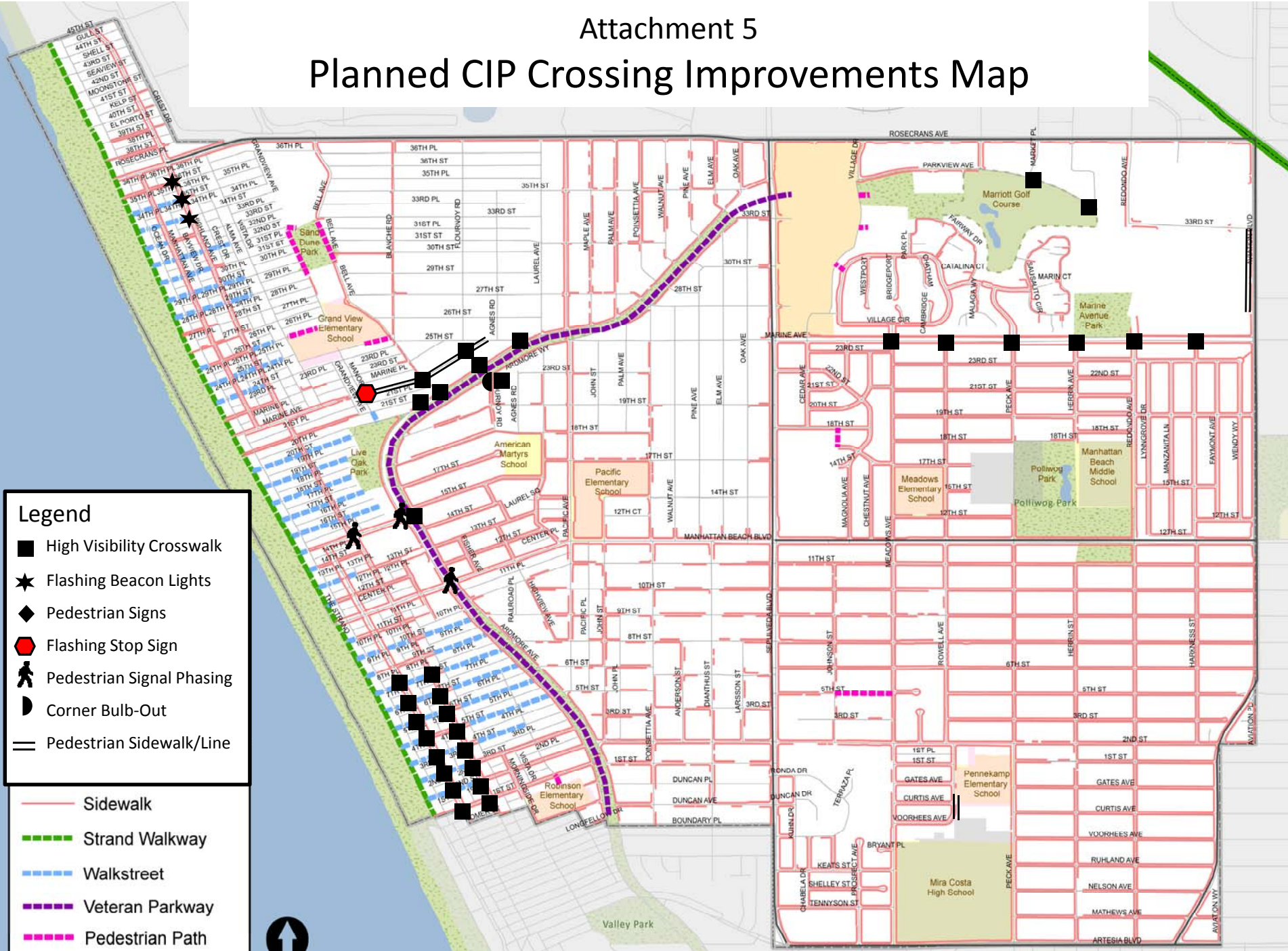


- Legend**
- High Visibility Crosswalk
 - ★ Flashing Beacon Lights
 - ◆ Pedestrian Signs
 - ⬡ Flashing Stop Sign
 - 🚶 Pedestrian Signal Phasing
 - ◐ Corner Bulb-Out
 - ══ Pedestrian Sidewalk/Line

- Sidewalk
- Strand Walkway
- Walkstreet
- Veteran Parkway
- Pedestrian Path



Attachment 5 Planned CIP Crossing Improvements Map



Legend

- High Visibility Crosswalk
- ★ Flashing Beacon Lights
- ◆ Pedestrian Signs
- ⬡ Flashing Stop Sign
- 🚶 Pedestrian Signal Phasing
- ◐ Corner Bulb-Out
- ═ Pedestrian Sidewalk/Line

- Sidewalk
- Strand Walkway
- Walkstreet
- Veteran Parkway
- Pedestrian Path



ATTACHMENT 6
 City of Manhattan Beach
 Non-Motorized Project Evaluation Form

LOCATION:

CATEGORY	SCORING CRITERIA	SCORE
1.1 Safety (20%)		
	No notable improvement	0
	Safety improved for one mode of travel	10
	Safety improved for two or more modes of travel	20
		Enter Score <input style="width: 50px;" type="text"/>
1.2 Accessibility (20%)		
ADA (10%)	Does not meet ADA requirements	0
	Meets ADA Requirements	10
		Enter Score <input style="width: 50px;" type="text"/>
Destinations (10%)	No destination served	0
	Some destinations served (1-10)	(1-10)
	Many destinations served (more than 10)	10
		Enter Score <input style="width: 50px;" type="text"/>
1.3 Connectivity (15%)		
Fills Gaps (5%)	Does not connect to existing facilities	0
	Connects on one end to existing facility	3
	Connects on both ends to existing facility	5
		Enter Score <input style="width: 50px;" type="text"/>
Transit Access (5%)	No existing transit route/stop	0
	Direct access on an existing transit route	5
		Enter Score <input style="width: 50px;" type="text"/>
School Route (5%)	No Improvement	0
	Improved access on a school route	5
		Enter Score <input style="width: 50px;" type="text"/>
1.4 Multi-Modal (15%)		
	No improvement (AUTOMATICALLY DISQUALIFIES PROJECT)	0
	Improved access for one non-vehicular mode of travel	7
	Improved access for two or more non-vehicular modes of travel	15
		Enter Score <input style="width: 50px;" type="text"/>
1.5 Fiscal (15 %)		
	100% City funded (no non-City funds)	0
	Less than 50% non-City funds used to pay for project	7
	50%-100% non-City funds used to pay for project	15
		Enter Score <input style="width: 50px;" type="text"/>
1.6 Plan Consistency (10%)		
	Project is inconsistent	0
	Project lacks consistency	5
	Project is generated from an existing approved/adopted plan	10
		Enter Score <input style="width: 50px;" type="text"/>
1.7 Neighborhood Compatibility (5%)		
	Not supported or creates neighborhood impacts	0
	Balanced support/opposition and does not create impacts	3
	Wide support and does not create neighborhood impacts	5
		Enter Score <input style="width: 50px;" type="text"/>
		Total Score
		0

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Mark Leyman, Parks and Recreation Director
Eve Kelso, Recreation Services Manager

SUBJECT:

Consideration of the Request from the Manhattan Beach Botanical Garden for Fee Waivers/Refunds for Permitting Fees for the Construction of a Tool Shed (Parks and Recreation Director Leyman).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Staff recommends that City Council discuss and provide direction on the request from the Manhattan Beach Botanical Garden for fee waivers/refunds for permitting fees for the construction of a tool shed.

FISCAL IMPLICATIONS:

The Manhattan Beach Botanical Garden is requesting refunds from the City in the amount of \$1,928.55 for previous payment of the following permits (Attachments 1-3):

- Building Permit: \$1,679.65
- Electrical Permit: \$ 124.45
- Plumbing Permit: \$ 124.45
- Total amount paid: \$1,928.55

BACKGROUND:

The Manhattan Beach Botanical Garden (MBBG) is a nonprofit public education organization dedicated to promoting Earth-friendly gardening techniques, encouraging the use of drought-tolerant and native plants, and conserving our natural resources. Their mission is to promote environmentally conscious gardening for the conservation of water, wildlife and the well-being of our community. MBBG has maintained the 2/3 acre parcel of land on the west end

of Polliwog Park since 1992.

The MBBG has funded improvements over the years, including the addition of a water feature, informational signs, amphitheater area, drinking fountain, and sitting areas. Permits were not required for these projects, only approval by the Parks and Recreation Department Head and a review of the plans by the Community Development Department.

The MBBG also provides ongoing services to the community, including free classes on sustainable landscaping, composting, trees and container gardening.

The MBBG has a seven-year agreement with the City of Manhattan Beach, which expires January 31, 2019. The property for the Botanical Gardens in Polliwog Park is owned by the Manhattan Beach School District and leased to the City.

DISCUSSION:

As the Manhattan Beach Botanical Garden is a non-profit, volunteer organization, providing free programs to the Community, they are asking that the permitting fees be waived retroactively for the development of a new tool shed at the garden. Only City Council has the authority to waive fees.

A new tool shed (Attachment 4) is being built to provide expanded space for tool storage in addition to a number of demonstration areas for the public. There will be areas for demonstrations on composting toilets, rainwater harvesting, graywater and solar resources. The number of attendees who visit the garden and attend free classes provided by the MBBG continues to increase each year.

The tool shed project was initiated by the MBBG in September 2014, plans were submitted to the City in May 2016, and, after a period of review and revision, the City approved the plan in May 2017. The permit fees to be reimbursed have already been paid by MBBG to the City.

As the project is on School District property, the School District has been notified about the shed project and will be notified of any future projects by the Manhattan Beach Botanical Garden.

As part of the construction, Botanical Garden representatives will need to make arrangements to have a licensed contractor (approved by the City) relocate an existing 6-inch recycled water line because it is in conflict with the planned building's footings.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachment/Attachments:

1. Botanical Garden Building Permit
2. Botanical Garden Electrical Permit
3. Botanical Garden Plumbing Permit
4. Botanical Garden Shed Plans

ELECTRICAL PERMIT
CITY OF MANHATTAN BEACH

JOB ADDRESS:	1601 MANHATTAN BEACH BLVD MANB	PERMIT NO:	17-02512
LOCATION:		STATUS:	ISSUED
PARCEL NO:		APPLIED:	09/13/2017
		DATE ISSUED:	09/14/2017
		TO EXPIRE:	03/13/2018
		FINAL:	

APPLICANT:	J D F BUILDERS	PHONE NO:	310-913-9944
OWNER:		PHONE NO:	
CONTRACTOR:	J D F BUILDERS	PHONE NO:	310-913-9944
ADDRESS:	214 MAIN ST #538	LIC #:	27251
CITY, STATE, ZIP:	EL SEGUNDO, CA 90245		

DESCRIPTION: SUB-TRADES RELATED TO PERMIT 16-01530

VALUATION:	\$500.00	CONST. TYPE:	COMM
------------	----------	--------------	------

Outlets	:	0	New Service	:	0
			Service size:		
Fixtures	:	0	Temp Pwr Pole	:	0
to 1HP	:	0	Appliances	:	0
to 3HP	:	0	Garbage Disposal	:	0
to 5HP	:	0	Range	:	0
to 15HP	:	0	Oven	:	0
to 50HP	:	0	Heater	:	0
to 100HP	:	0	Smoke Detector	:	0
over 100HP	:	0	Piggy-back	:	0
Imaging Sml	:	1	Imaging Lrg	:	0

TOTAL CALCULATED FEE	:	\$124.45
PAYMENTS	:	\$124.45
BALANCE DUE	:	\$0.00

**PLUMBING PERMIT
CITY OF MANHATTAN BEACH**

JOB ADDRESS:	1601 MANHATTAN BEACH BLVD MANB	PERMIT NO:	17-02513
LOCATION:		STATUS:	ISSUED
PARCEL NO:		APPLIED:	09/14/2017
		DATE ISSUED:	09/14/2017
		TO EXPIRE:	03/13/2018
		FINAL:	

APPLICANT:	J D F BUILDERS	PHONE NO:	310-913-9944
OWNER:		PHONE NO:	
CONTRACTOR:	J D F BUILDERS	PHONE NO:	310-913-9944
ADDRESS:	214 MAIN ST #538	LIC #:	27251
CITY, STATE, ZIP:	EL SEGUNDO, CA		90245

DESCRIPTION: SUB-TRADES RELATED TO PERMIT 16-01530

VALUATION:	\$250.00	CONST. TYPE:	NRES
Repipe :	0	Wtr Heater/Vent :	0
Fixtures/Trap :	0	Building Drains :	0
Sewer Rpr/Rpl : 0		Gas Pipe Outlets :	0
Water System :	0	Vacuum Breakers :	0
Lawn Sprinklers :	0	Rainwater System :	0
Sewer Connect :	0	Fir Drn/Mop Snk :	0
Imaging Sml :	1	Imaging Lrg :	0

TOTAL CALUCLATED FEE	:	\$124.45
PAYMENTS	:	\$124.45
BALANCE DUE	:	\$0.00

Manhattan Beach Botanical Garden is a non-profit public education organization dedicated to promoting Earth-friendly gardening techniques, encouraging the use of drought-tolerant plants including California natives, and conserving our natural resources.

MBBG mission statement:
We promote Earth-friendly gardening for the conservation of water, wildlife and the well-being of our community.

9/27/14 - What should the shed look like? ...representative of MBBG's mission...

- public education
- promote earth-friendly gardening techniques
- conserve natural resources

PROGRAM

OFFICE / CHECK-IN / ARCHIVE

TOOLS

BUCKETS

COMPOSTING TOILET DEMONSTRATION

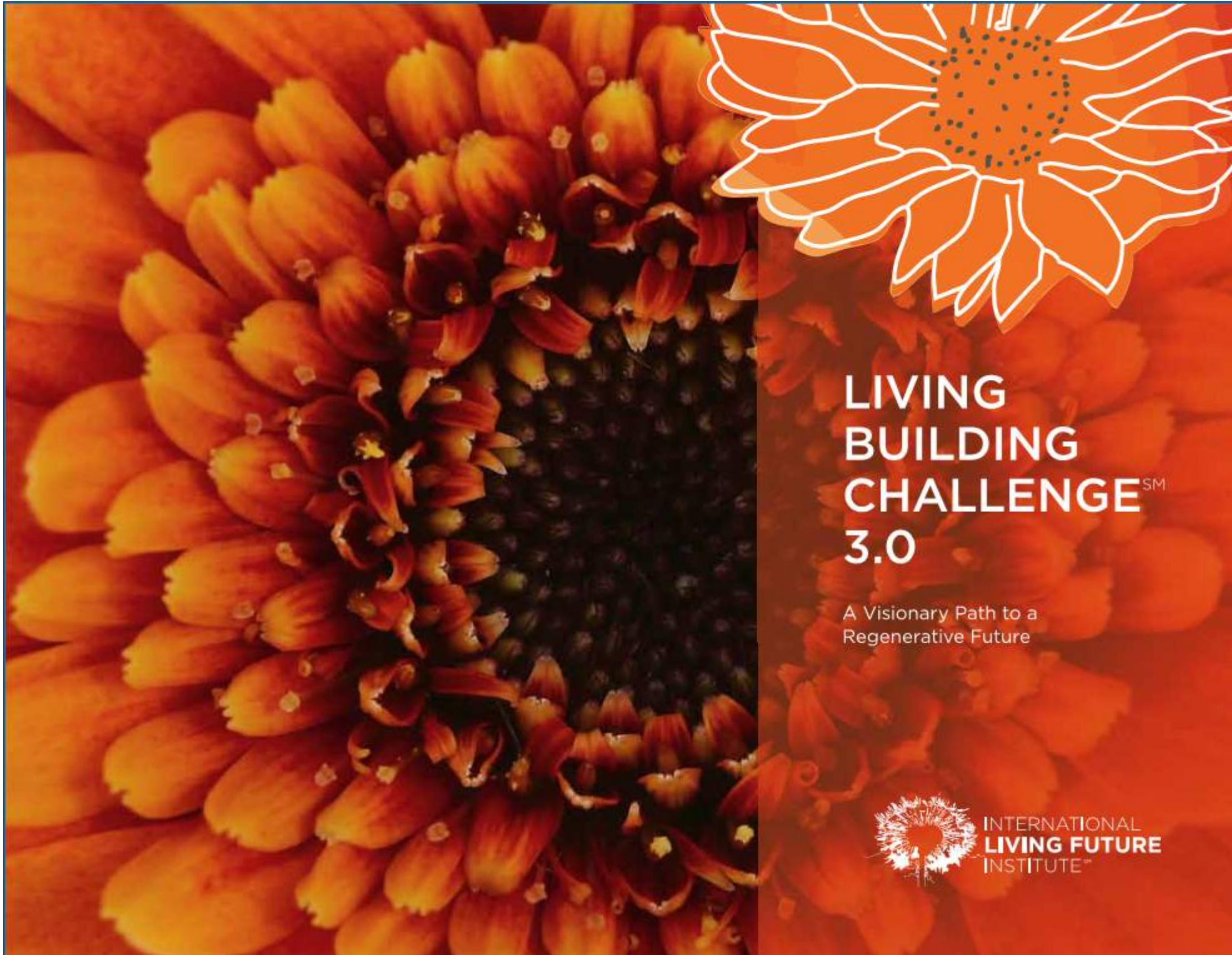
RAINWATER HARVESTING DEMONSTRATION

GRAYWATER DEMONSTRATION (SINK)

SOLAR DEMONSTRATION

CUBBIES FOR BACKPACKS





IMPERATIVE	PRELIMINARY AUDIT	FINAL AUDIT
01: Limits to Growth	X	
02: Urban Agriculture		X
03: Habitat Exchange	X	
04: Human Powered Living	X	
05: Net Positive Water		X
06: Net Positive Energy		X
07: Civilized Environment	X	
08: Healthy Interior Environment		X
09: Biophilic Environment	X	
10: Red List	X	
11: Embodied Carbon Footprint	X	
12: Responsible Industry	X	
13: Living Economy Sourcing	X	
14: Net Positive Waste		X
15: Human Scale + Humane Places		X
16: Universal Access to Nature and Place	X	
17: Equitable Investment		X
18: Just Organizations	X	
19: Beauty + Spirit		X
20: Inspiration + Education	X	

continued ➔

BEYOND LEED AND BEING LESS BAD - TOWARD REGENERATIVE / RESTORATIVE DESIGN
FLOWER PETAL ANALOGY
USE THE PRINCIPLES THAT ARE APPLICABLE TO GUIDE DESIGN DECISIONS

IMAGINE a building designed and constructed to function as elegantly and efficiently as a flower: a building informed by its bioregion’s characteristics, that generates all of its own energy with renewable resources, captures and treats all of its water, and that operates efficiently and for maximum beauty.

IMAGINE a city block or a college campus sharing resources from building to building, growing food, and functioning without a dependency on fossil fuel-based transportation.

IMAGINE true sustainability in our homes, workplaces, neighborhoods, villages, towns and cities—Socially Just, Culturally Rich and Ecologically RestorativeSM.

<http://living-future.org/lbc/about>

The International Living Future Institute issues a challenge:

TO ALL DESIGN PROFESSIONALS, CONTRACTORS AND BUILDING OWNERS to create the foundation for a sustainable future in the fabric of our communities.

TO POLITICIANS AND GOVERNMENT OFFICIALS to remove barriers to systemic change, and to realign incentives and market signals that truly protect the health, safety and welfare of people and all beings.

TO ALL OF HUMANITY to reconcile the built environment with the natural environment, into a civilization that creates greater biodiversity, resilience and opportunities for life with each adaptation and development.

INSTEAD OF A WORLD THAT IS MERELY A LESS BAD VERSION OF THE ONE WE CURRENTLY HAVE—WE ASK A SIMPLE AND PROFOUND QUESTION—WHAT DOES GOOD LOOK LIKE?



WATER POTENTIAL

SANTA MONICA PIER, CALIFORNIA (047953)

Period of Record Monthly Climate Summary

Period of Record : 1/ 1/1937 to 3/31/2013

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	64.1	63.7	63.4	64.5	65.4	68.1	71.0	72.1	72.1	70.4	68.0	64.8	67.3
Average Min. Temperature (F)	49.2	49.9	50.9	52.9	55.6	58.4	61.2	62.2	61.4	58.2	53.6	49.7	55.3
Average Total Precipitation (in.)	2.69	3.01	2.03	0.73	0.17	0.03	0.02	0.08	0.15	0.33	1.36	2.04	12.62
Average Total SnowFall (in.)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Percent of possible observations for period of record.

Max. Temp.: 93.1% Min. Temp.: 93.1% Precipitation: 94.3% Snowfall: 94.6% Snow Depth: 94.3%

Check [Station Metadata](#) or [Metadata graphics](#) for more detail about data completeness.

Western Regional Climate Center, wrcc@dri.edu

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Tool Shed	2.69	3.01	2.03	0.73	0.17	0.03	0.02	0.08	0.15	0.33	1.36	2.04	12.64
16' x 16' in inches	36,864	36,864	36,864	36,864	36,864	36,864	36,864	36,864	36,864	36,864	36,864	36,864	36,864
90266 rainfall in cubic inches	99,164	110,961	74,834	26,911	6,267	1,106	737	2,949	5,530	12,165	50,135	75,203	465,961
Cubic Inch to Gallon conversion 0.004329004	429.28	480.35	323.96	116.50	27.13	4.79	3.19	12.77	23.94	52.66	217.03	325.55	2,017.15

(4) PANEL PV ARRAY ON AN 8' X 16' ROOF AREA
 65" x 40" EA.
 200-250 WATTS EA. = 800-1000 WATTS

LOADS:

- IRRIGATION CONTROL
- SMALL REFRIGERATOR FOR SEEDS
- SITE LIGHTING
- WATER FEATURE PUMP

ORIGINAL SHED:

8' x 14' = 112 SQ. FT.

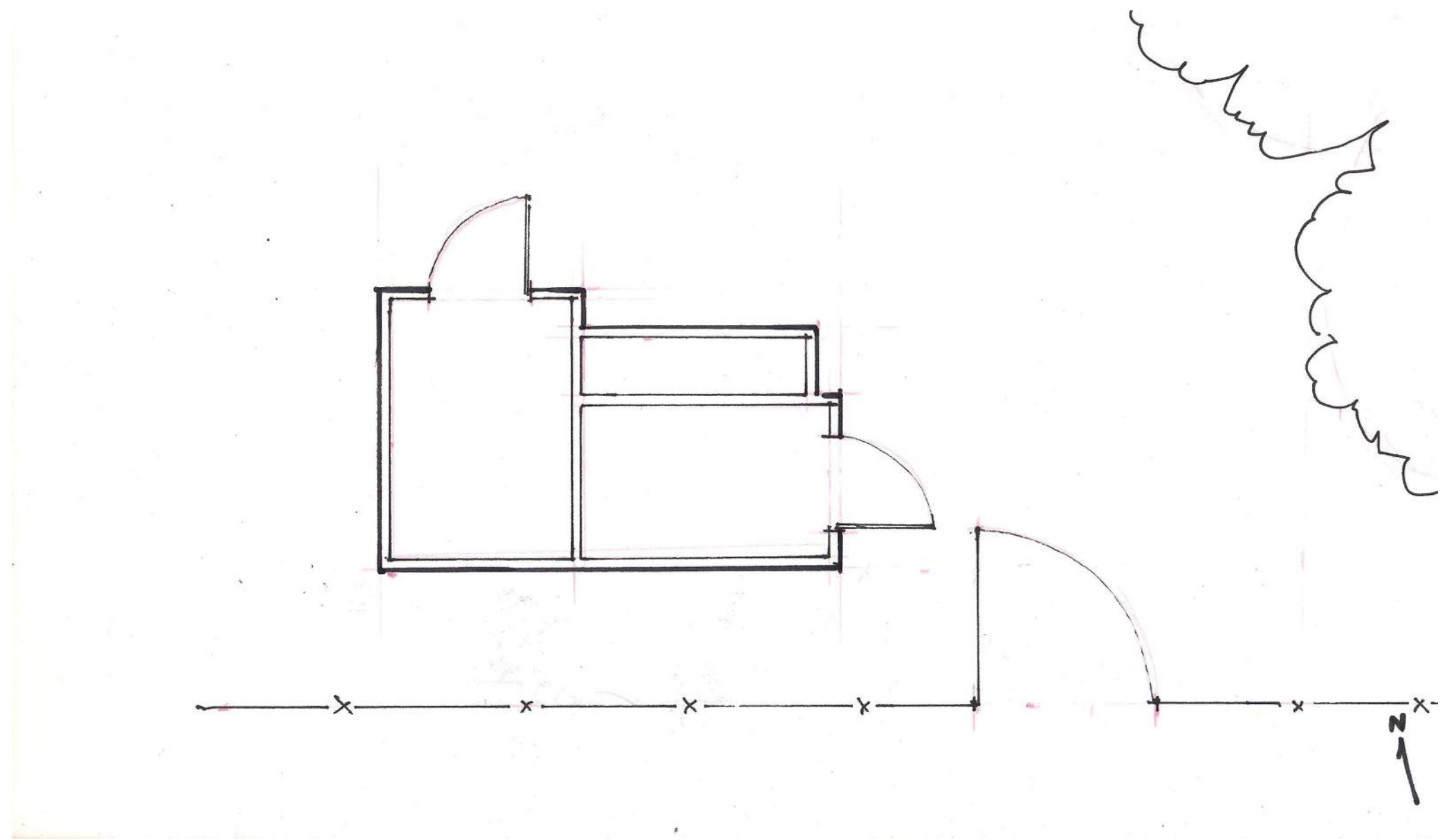
ENERGY

NET POSITIVE ENERGY



One hundred and five percent of the project's energy needs must be supplied by on-site renewable energy on a net annual basis, without the use of on-site combustion.¹³ Projects must provide on-site energy storage for resiliency.¹⁴

13 Refer to the Energy Petal Handbook for a list of renewable energy systems, clarifications and exceptions.
 14 Projects must demonstrate that sufficient back-up battery power be installed for emergency lighting (at least 10 percent of lighting load) and refrigeration use for up to one week for greater resiliency.

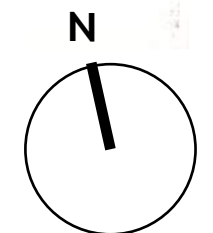
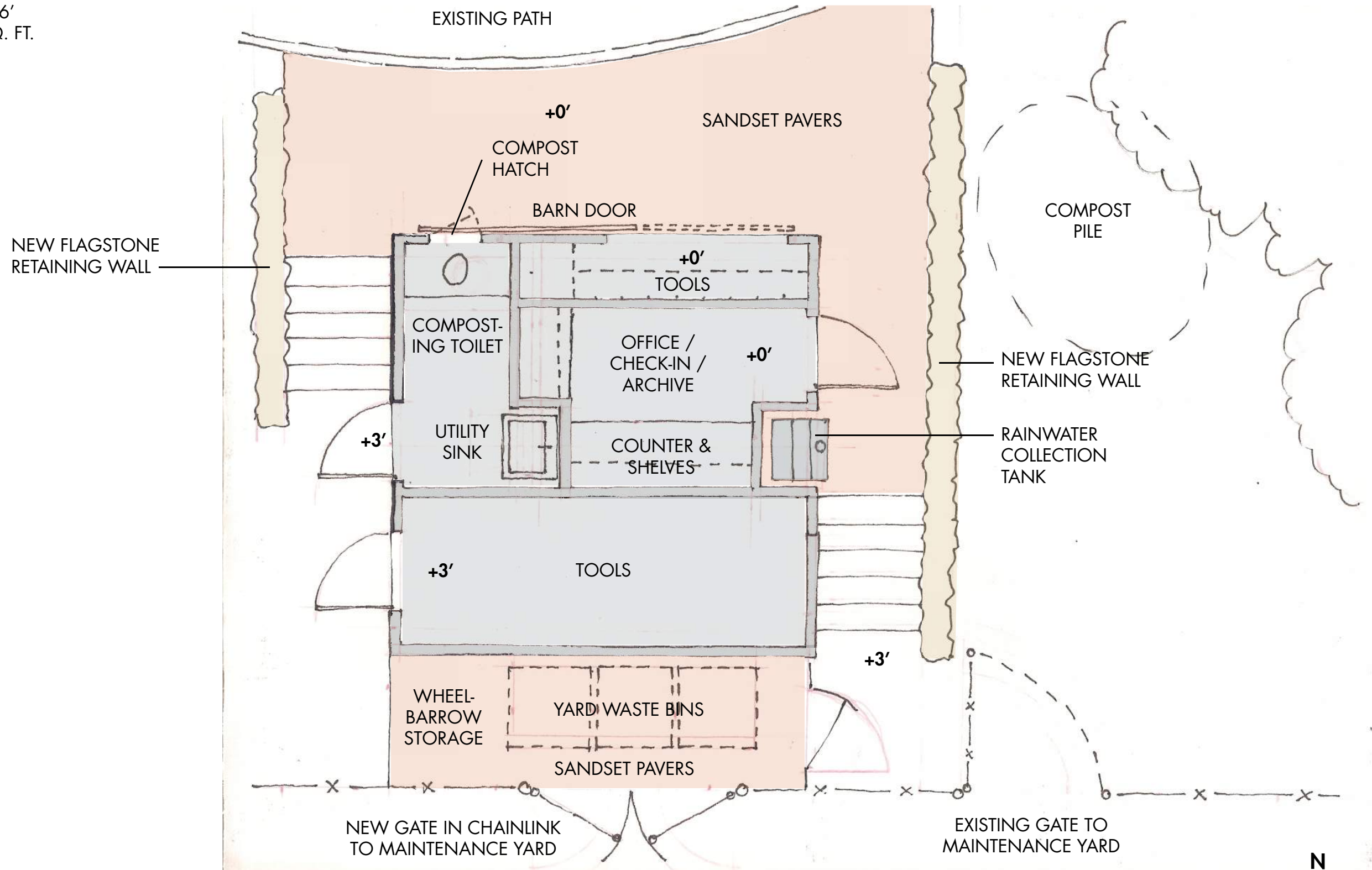


TOOL SHED

SITE PLAN

2014.10.25

16' X 16'
 256 SQ. FT.

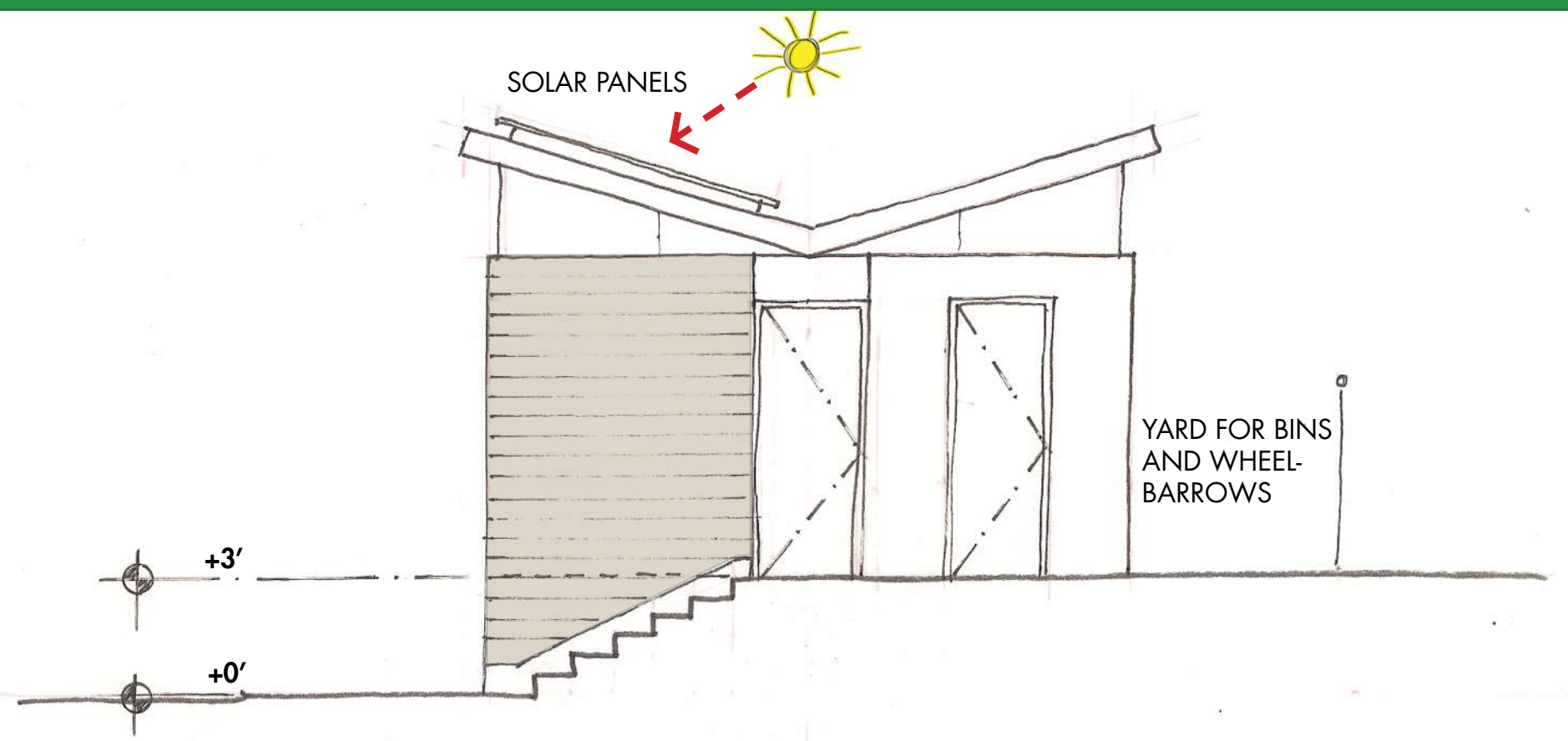
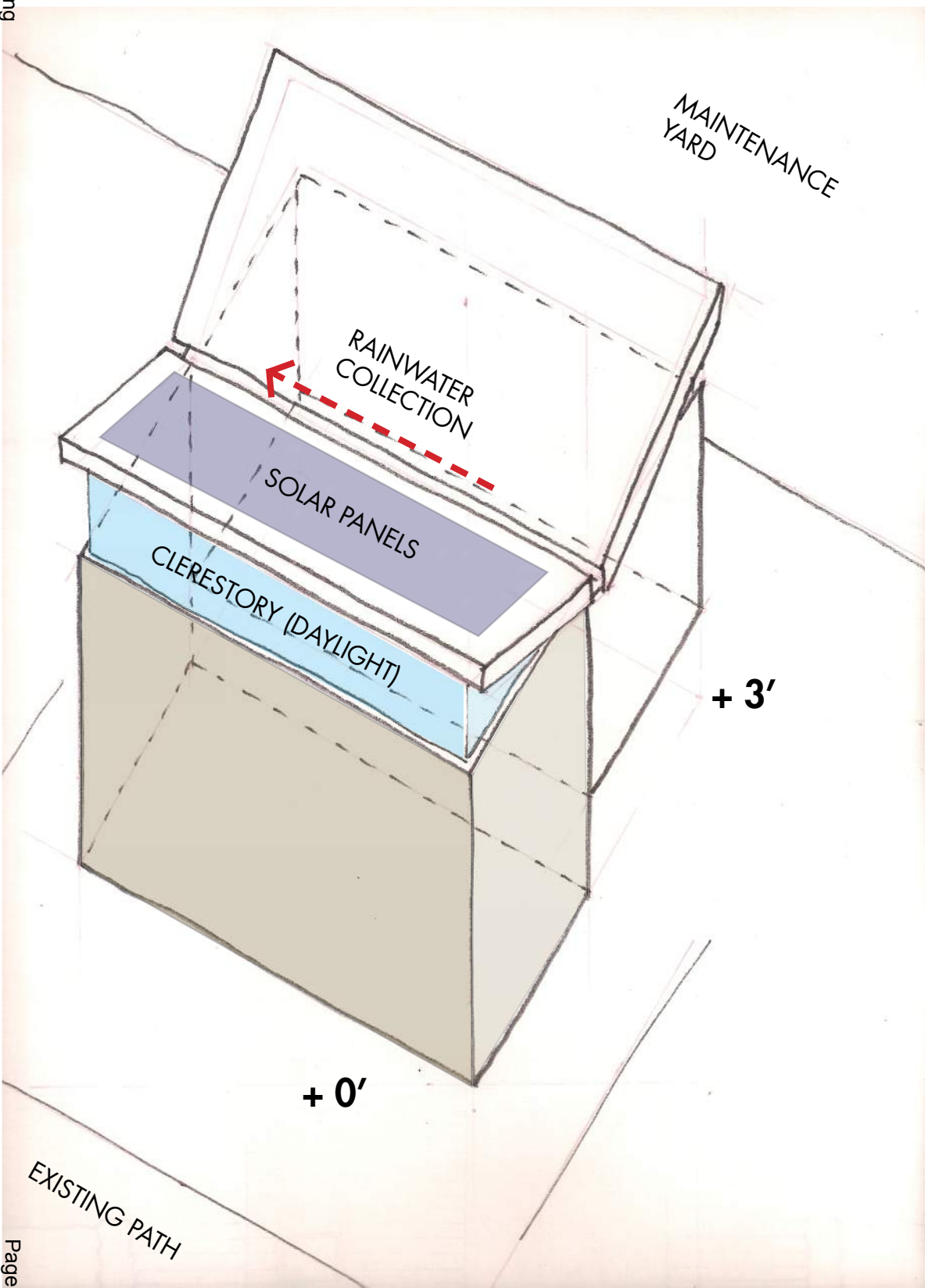


1/4" = 1'-0"

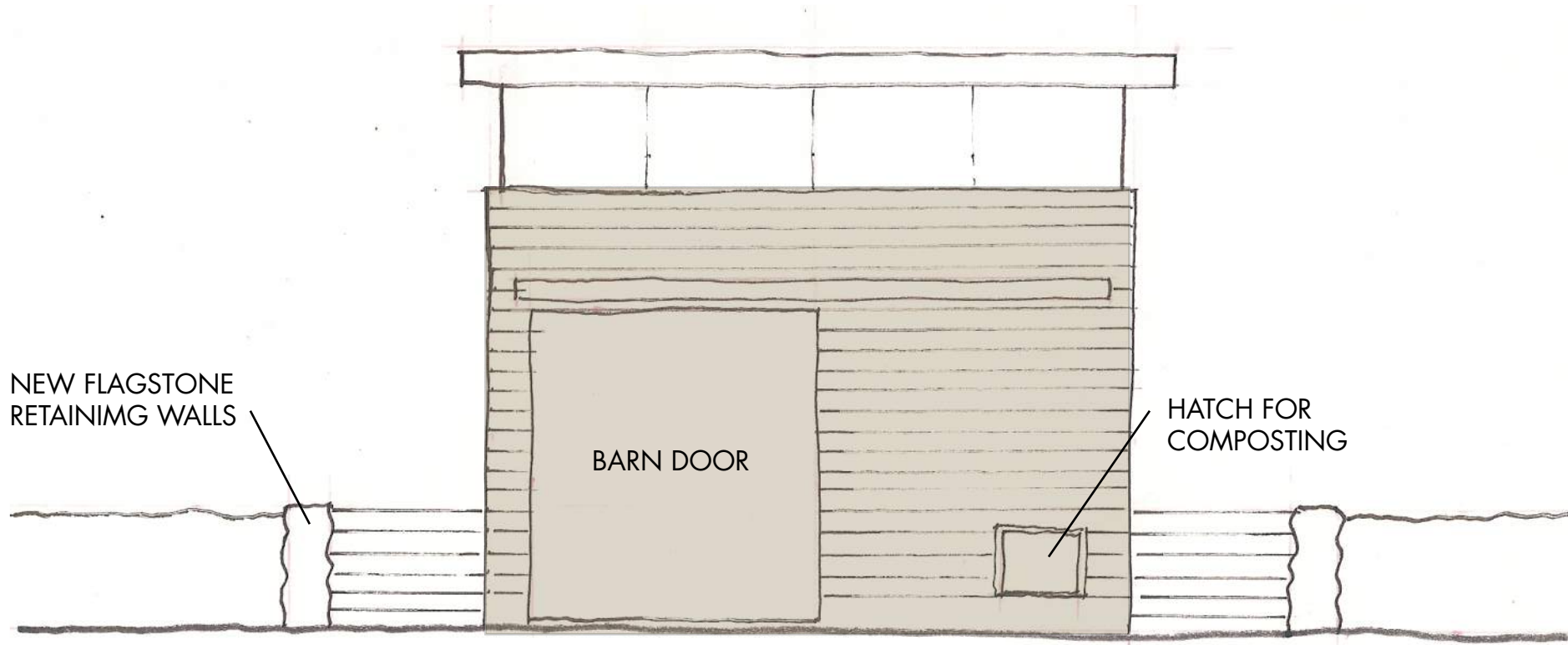
TOOL SHED

ELEVATIONS

2014.10.25



WEST ELEVATION



NORTH ELEVATION

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Anne McIntosh, Community Development Director
Dana Murray, Environmental Programs Manager
George Gabriel, Management Analyst

SUBJECT:

Request by Mayor Howorth and Mayor Pro Tem Napolitano to Discuss Sending a Letter to the South Coast Air Quality Management District Regarding a Rule Prohibiting Use of Modified Hydrofluoric Acid at the Torrance Refinery (Community Development Director McIntosh).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Staff recommends that City Council discuss and provide direction on sending a letter to the South Coast Air Quality Management District regarding a rule prohibiting use of modified hydrofluoric acid (MHF) at the Torrance Refinery.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

The Torrance Refinery has been in operation under various ownership groups since 1907. The Torrance Refinery covers 750 acres in North Torrance and is located 2.46 miles away from the City of Manhattan Beach. The Refinery is in close proximity to residential and large commercial areas.

The Refinery was recently purchased in July 2016 by PBF Energy (PBF). Prior to that, it was owned by ExxonMobil for 16 years. PBF's website states that, "[PBF] is one of the largest independent petroleum refiners and suppliers of unbranded transportation fuels, heating oil, petrochemical feedstocks, lubricants and other petroleum products in the United States." PBF has more than 600 employees and another 400-500 contractors working on-site daily. The

refinery produces approximately 149,000 barrels of crude oil per day. Modified hydrofluoric acid (MHF) is used at the Torrance Refinery as an alkalizing agent in the oil refining process.

Following an explosion at the Refinery in 2015, the U.S. Chemical Safety Board released a report stating:

“As a result of this incident, a near miss event occurred in the modified hydrofluoric acid (MHF) alkylation unit when explosion debris nearly hit tanks in close proximity to the ESP, each containing hydrofluoric acid (HF), water, hydrocarbons, and a chemical additive intended to reduce the amount of HF vaporized during a loss of containment event. HF is a highly toxic chemical that can seriously injure or cause death at a concentration of 30 parts per million (ppm).”

At the May 16, 2017 City Council meeting, Mayor Howorth requested placing an item on the future agenda items list for discussion regarding State Assemblymember Al Muratsuchi's proposed bill (Assembly Bill 1645) to phase out the use of MHF at the Torrance Refinery. Following the request, staff researched the matter and discovered that legislation was pending a decision by the existing regulatory authority, the Southern California Air Quality Management District (AQMD). The matter was placed on the agenda forecast on an uncertain date pending AQMD's deliberation upon a proposed rule (PR1410), “Hydrogen Fluoride Storage and Use at Petroleum Refineries.”

At the AQMD's meeting on January 20, 2018, the AQMD Refinery Committee with assistance from the California Occupational Safety and Health Administration (CALOSHA), began considering operational changes to increase the level of safety at the Torrance Refinery. Part of the deliberation is to either consider an eight-year phase out of MHF or a non-phase out option by providing added levels of safety to the Refinery's operations.

At the February 6, 2018 City Council meeting, Mayor Pro Tem Napolitano requested to agendaize a discussion on sending a letter to the South Coast Air Quality Management District regarding the proposed rule prohibiting use of MHF at the Torrance Refinery.

DISCUSSION:

Following the U.S. Chemical Safety Board report on the 2015 explosion, members of the community have advocated for the removal of MHF from use at the Torrance Refinery and urged the City of Manhattan Beach to weigh in on the issue.

Thus far, the Los Angeles County Board of Supervisors has taken a position supporting a variety of safety reforms for the Refinery and sent a letter to AQMD supporting a ban on the use of MHF. On March 6, 2018, the Redondo Beach City Council approved sending a letter to the AQMD requesting that the use of MHF be banned. In a letter to the City of Redondo Beach on February 28, 2018 (Attachment 1), PBF Energy stated:

“The Torrance Refining Company is confident that the many layers of protection safety systems and mitigation measures built into our MHF alkylation unit allows the Refinery to operate safely, reliably, and in an environmentally responsible manner. MHF is the newest, most advanced alkylation catalyst technology available today and the Torrance

Refinery's MHF alkylation unit with its current safety systems is the best and safest alkylation process for Torrance Refinery...we encourage the City to not adopt a Resolution or Letter of Support that would support a phase-out of MHF. However, if the City feels that it must take some action, we ask the City to take a position similar to the City of Torrance and support the AQMD's PR 1410 rulemaking."

Existing law authorizes the State Air Resources Board or the air district, AQMD in this instance, to require the owner or the operator of an air pollution emission source to take any action that the State Board or the air district determines to be reasonable for the determination of the amount of air pollution emissions from that source. Therefore AQMD is continuing discussions on the proposed rule, PR 1410, and has tentatively scheduled their meeting for April 28, 2018.

Should the Manhattan Beach City Council decide to take a position on the issue, City Council may authorize the Mayor to sign a letter stating the City Council's position and work with staff on developing the letter to the AQMD prior to the tentatively scheduled meeting on April 28, 2018.

PUBLIC OUTREACH/INTEREST:

After analysis, staff determined that public outreach was not required for this issue.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. U.S. Chemical Safety Board Report on Torrance Refinery Explosion (Executive Summary)
2. PBF Energy Letter to City of Redondo Beach
3. LA County Amended Motion from March 8, 2017 Board Meeting
4. PowerPoint Presentation (AQMD)

1.0 EXECUTIVE SUMMARY

On Wednesday, February 18, 2015, an explosion occurred in the ExxonMobil Torrance, California refinery's Electrostatic Precipitator (ESP), a pollution control device in the fluid catalytic cracking (FCC) unit that removes catalyst particles using charged plates that produce sparks—potential ignition sources—during normal operation. The incident occurred when ExxonMobil was attempting to isolate equipment for maintenance while the unit was in an idled mode of operation; preparations for the maintenance activity caused a pressure deviation that allowed hydrocarbons to backflow through the process and ignite in the ESP.

The CSB found that this incident occurred due to weaknesses in the ExxonMobil Torrance refinery's process safety management system. These weaknesses led to operation of the FCC unit without pre-established safe operating limits and criteria for unit shutdown, reliance on safeguards that could not be verified, the degradation of a safety-critical safeguard, and the re-use of a previous procedure deviation without a sufficient hazard analysis that confirmed that the assumed process conditions were still valid.

This report discusses the key factors that caused this incident, which include:

1. ExxonMobil did not establish the safe operating limits for operating the FCC unit in Safe Park—a standby mode of operation—or determine process conditions that required unit shutdown. As a result, the FCC unit was unknowingly placed in an unsafe condition when a critical safeguard—pressure induced by steam flow—was reduced below a safe level;
2. ExxonMobil re-used a procedure developed for a similar maintenance operation in 2012 that allowed deviation from typical refinery safety requirements. ExxonMobil did not, however, perform a sufficient hazard analysis to determine if the unit conditions specified in the 2012 procedure were valid for the 2015 operation. The safeguards specified in the 2012 procedure were not sufficient for the 2015 operation, and they failed to prevent hydrocarbons from backflowing through the process and into the ESP;
3. ExxonMobil operated FCC unit equipment beyond its predicted safe operating life.¹ The failure of the equipment allowed hydrocarbons to reach the ESP;
4. ExxonMobil lacked safety instrumentation to detect flammable hydrocarbons flowing through the equipment and into the ESP. The inability to detect hydrocarbons flowing to the ESP appears to be an industry-wide problem; and
5. ExxonMobil refinery management permitted opening process equipment without conforming to refinery standards.

As a result of this incident, a near miss event occurred in the modified hydrofluoric acid (MHF) alkylation unit when explosion debris nearly hit tanks in close proximity to the ESP, each containing hydrofluoric acid (HF), water, hydrocarbons, and a chemical additive intended to reduce the amount of HF vaporized during a loss of containment event.² HF is a highly toxic chemical that can seriously injure or cause death at a concentration of 30

¹ ExxonMobil does not define a piece of equipment's safe operating life, but the company's equipment strategy documentation does set forth inspection and maintenance intervals.

² The CSB was not provided with documentation quantifying the resulting effect of the chemical additive on a potential HF release, and as such the CSB cannot comment on the effectiveness of this additive.

parts per million (ppm).³ ExxonMobil resisted CSB requests for safety information pertaining to the potential release of HF in the event the tanks were struck by explosion debris. ExxonMobil continues to refuse to provide the CSB with information detailing safeguards to prevent or mitigate a release of HF. The CSB has issued subpoenas for this information, and is pursuing enforcement in US Federal district court.⁴

As a result of the investigation findings of the February 18, 2015 incident, the CSB issues recommendations to ExxonMobil, Torrance Refining Company (the current operator of the refinery), and American Fuel and Petrochemical Manufacturers (AFPM). These recommendations aim to:

- Ensure all ExxonMobil and Torrance refinery safety-critical equipment can effectively perform its safety-critical function;
- Ensure ExxonMobil procedure deviations are analyzed for safety by a diverse, experienced team prior to their approval and implementation;
- Ensure ExxonMobil and Torrance refinery ESPs are assessed for potential siting risks and are designed with safeguards to prevent major consequences of an ESP explosion; and
- Ensure the lessons from this incident are learned broadly throughout the refining industry.

³ The National Institute for Occupational Safety and Health (NIOSH), "NIOSH Pocket Guide to Chemical Hazards, Hydrogen fluoride," 11 April 2016. [Online]. Available: <https://www.cdc.gov/niosh/npg/npgd0334.html>. [Accessed 27 February 2017].

⁴ ExxonMobil has not provided this information to the CSB because they have stated that the requested documents are not within the CSB's jurisdiction in investigating the causes of the February 18, 2015 incident.



Torrance Refining
Company LLC
3700 W. 190th Street
Torrance, CA 90504
www.pbfenergy.com

VIA HAND DELIVERY

February 28, 2018

Ted Semaan
Public Works Director
City of Redondo Beach
531 N Gertruda Avenue
Redondo Beach, CA 90277

Re: *Information About Modified Hydrofluoric Acid*

Mr. Semaan,

The Torrance Refinery has been advised that the City of Redondo Beach ("City") may be considering whether to adopt a Resolution or approve a Letter of Support to encourage the South Coast Air Quality Management District ("AQMD"), as part of its Proposed Rule 1410 - Hydrogen Fluoride Storage and Use at Petroleum Refineries ("PR 1410") rulemaking to include a phase-out of Modified Hydrofluoric Acid ("MHF") as an alkylation technology, as early as four years from rule adoption.

For all the reasons below, including the supporting documents attached to this letter, we respectfully request that City officials allow the rulemaking process to be completed, rather than consider a Resolution or Letter of Support advocating an MHF phase-out. However, if City officials feel they must take action, we urge them to take a position similar to the City of Torrance supporting the AQMD's PR 1410 rulemaking process.

Setting the Record Straight About MHF

Such a phase-out would only impact two of five Southern California refineries: Torrance Refinery and Valero Energy Corporation's Wilmington Refinery, which supply approximately 30% of Southern California's gasoline demand. We are concerned because the City's consideration of a Resolution or Letter of Support appears to be based on mis- and disinformation being spread about the safe use of MHF at the Torrance Refinery. Particularly, misinformation is being distributed about what might happen if a release of hydrogen fluoride ("HF") were to occur, referring to the potential area impacted as a "circle of death" or "death zone," which is creating fear in South Bay residents, regulators, and elected officials. There is no such circle or zone, and both refineries phased out HF in 1997 (Torrance) and 2007 (Wilmington).

Regrettably, such misinformation purposefully misrepresents the U.S. Environmental Protection Agency's ("EPA") Risk Management Program ("RMP") regulations by referring to Torrance Refinery's ultraconservative emergency "planning circle" as such a zone or circle. The EPA has cautioned that "... planning circles are not intended to represent a 'public danger zone'." This graphic misrepresentation of EPA's planning tool is purposefully misleading and presented out of context -- the equivalent to recklessly yelling "fire" in a crowded theater.

A cursory review of the EPA RMP program would show that many other industries still use unmodified HF in the region, including aerospace companies. This is the same chemical both refineries phased out long ago. Even if the refineries are forced to shut down their MHF alkylation units, there would still be many other facilities using ammonia, chlorine, and other chemicals that have emergency "planning circles" across the South Bay. Like the Torrance Refinery, these facilities are permitted to operate because they properly manage risk and operate safely. In fact, the EPA produced a report on HF in 1993 that stated there was no need for further legislation to regulate the use of the chemical.

Everyone working at the Torrance Refinery recognizes we have to earn the right to operate in the South Bay community. We are committed to safe, reliable, and environmentally responsible operations, and being active in the communities that host us. We have been communicating with public officials and community groups well before taking ownership of the Torrance Refinery on July 1, 2016. We operate with oversight from dozens of agencies at every level of government, in the state with the most stringent refinery safety regulations in the nation and world.

Alkylation produces a key gasoline ingredient – alkylate, which is required to be blended into every gallon of California gasoline. Our Refinery's alkylation unit was built in 1966 using HF as the catalyst, which the Refinery phased out in 1997. Since then, the Torrance Refinery has used a safer, "modified" version of HF, or MHF, which was thoroughly tested by qualified scientists who are technical experts in their fields.

Various safety experts and a Los Angeles Superior Court judge reviewed and approved these test results that showed MHF is a safe technology. In 1997, the AQMD approved an operating permit to use MHF in the Torrance Refinery's alkylation unit, which in 50+ years of operation has never had an offsite HF release, including 20 years using MHF.

In fact, alkylation experts have publicly stated they consider the Torrance Refinery's alkylation unit's redundant safety systems, including the use of MHF, to be among the most advanced in the world. The Torrance Refinery also follows specific, global industry practices for safely and reliably managing this process.

Wilmington Refinery's alkylation unit has a similar record, using HF from 1969 until 2007, when they phased out HF and began using MHF in an agreement with the AQMD, which included the changeover as one of the AQMD's "environmental justice initiatives" in 2003. That refinery has never had an offsite release. Combined, the two facilities have operated for 100 years without an offsite release.

The AQMD issued permits to Torrance Refinery for its MHF alkylation unit in 1997 and Valero's Wilmington Refinery in 2004, after thoroughly reviewing the efficacy of MHF catalyst technology. As noted in these excerpts from a February 2003 AQMD news release announcing that they entered into an agreement with Valero that required Wilmington Refinery to phase-out and replace HF with MHF technology, the AQMD unequivocally supports and endorses the use of MHF to enhance public safety:

"Once this refinery stops using concentrated hydrogen fluoride, we will have virtually eliminated the potential for a catastrophic accidental release of this compound in our region," said Barry Wallerstein, executive officer of the South Coast Air Quality Management District."

"The agreement fulfills one of the 23 Environmental Justice goals adopted by AQMD's Governing Board last fall."

"Switching to modified HF will minimize the possibility of a catastrophic accidental release not only at the refinery, but along Southland transportation corridors, as the additive is added to the chemical before shipping."

The Torrance and Wilmington MHF alkylation units have been operating without any offsite release since the AQMD originally issued permits to use MHF. The MHF technology is unequivocally the same today as when the AQMD originally permitted its use in both refineries. However, the safety systems, training, and knowledge of the MHF alkylation process and equipment have improved. Consequently, these MHF alkylation units are even safer today than when the AQMD issued the first operating permits to Torrance 20 years ago.

Despite these facts and safety records, those who want to phase-out MHF advocate for Sulfuric Acid alkylation because they believe the latter technology is safer than MHF and could be installed in four years. However, again they misrepresent the facts.

A Sulfuric Acid alkylation unit is not any safer than the Torrance Refinery's MHF alkylation unit. In 1995, after an extensive technical review of the MHF technology by and recommendation of the Court-appointed Safety Advisor, a well-respected Los Angeles Superior Court Judge approved and required the use of the MHF technology at the Torrance Refinery under the City of Torrance Consent Decree, finding "... that the modified HF catalyst (including mitigation) as safe or safer than a sulfuric acid alkylation plant producing a comparable amount of alkylate."

In addition, Sulfuric Acid alkylation units are three times larger than HF/MHF units. They would effectively increase air pollution - primary air emission concerns are "criteria pollutants" including sulfur oxides; greenhouse gases ("GHG"); and fugitive emissions. These units also consume more energy and have a larger GHG footprint than HF/MHF units. Moreover, these units require a significant amount of acid each month; approximately 1,440 truck shipments per month or about 50 trucks per day if the sulfuric acid is renewed offsite. HF/MHF alkylation units regenerate the acid within the process and only require four to six trucks per month.

After considering these negative environmental impacts, the highly regarded California Energy Commission (“CEC”) pointed to the uncertainty of operating permits ever being granted for new Sulfuric Acid alkylation units at Torrance and Wilmington. Plus, even if all the required permits were granted, designing, permitting, and constructing new “grassroots units” would take many years and each refinery would face unique challenges.

Finally, a Sulfuric Acid alkylation unit at Torrance would be cost-prohibitive. A report from Burns & McDonnell’s (“B&McD”) concludes that the total installed cost to build an equivalent capacity Sulfuric Acid alkylation unit for Torrance would be approximately \$600MM, excluding the cost of spent sulfuric acid regeneration. An industry consultant told us a new grassroots, spent acid regeneration plant of sufficient capacity to serve a sulfuric acid alkylation unit at Torrance, or upgrading an existing third-party spent acid regeneration facility, could cost another \$300MM, inflating the total estimate to approximately \$900MM.

Regarding other emerging alkylation technologies, we have been evaluating alternative alkylation technologies since announcing the acquisition of the Torrance Refinery in September 2015. For example, to explore alternatives to alkylation, we have met separately with experts from Honeywell/UOP, Stratco/DuPont, B&McD, KBR, and CB&I, as well as independent alkylation experts, to explore emergent alternatives. Each of these technology licensors has also provided background information to the AQMD PR 1410 Working Group associated with the rulemaking.

Each licensor has publicly acknowledged their respective alkylation technologies are not commercially viable or cost-effective, especially at the production rates required to replace existing units at Torrance and Wilmington. They have also stated there is no safer alternative alkylation technology than MHF, which is still the most recent advance in alkylation catalyst, while also noting these technologies:

- Are many years away from being commercially proven, safe/reliable, and available;
- Have environmental impacts and process safety operations that are unknown, and
- Will cost as much as, and perhaps more than, a conventional, new grassroots Sulfuric Acid alkylation unit.

Because of the cost and uncertainties of alternative alkylation technologies, a phase out of MHF would jeopardize the viability of the Torrance Refinery because it would no longer be able to produce the cleaner burning CARB gasoline required by law in California. This could result in the loss of approximately 30 percent of southern California’s gasoline supply, 30 percent of jet fuel sent to LAX and 65 to 85 percent of the low sulfur Emissions Control Area bunker fuel at the ports. According to the CEC, the closure of the Torrance and Wilmington Refineries could create a 26 cent per gallon or more, increase in the costs of gasoline in the region.

If the Torrance Refinery were to close, not only could there be market impacts as noted by the CEC above, such a closure could impact the Refinery’s 570 employees and 300 daily Building Trades and other contractors who rely upon their steady, highly-paid jobs provided by the Refinery to support their families. Additionally, when considering the Refinery’s economic multiplier effect, for every Refinery job lost, 15 other jobs throughout Southern California and the state would be eliminated.

Moreover, such a closure would eliminate the support the Refinery provides to 45 community groups and non-profits, City of Torrance programs, and school district initiatives. The taxes and fees that the Refinery pays to fund valuable services that community members rely upon, including police and fire services, parks and recreation programs, just to name a few, would also be reduced or eliminated if the Refinery closes.

Before Taking Action

Accordingly, the Management of Torrance Refinery, on behalf of our employees, contractors, and local vendors, urge that the City listen to both sides of the story and consider all the facts and evidence before taking action on any Resolution or Letter of Support. We invite the City Council and City staff to visit the Torrance Refinery for a tour of our MHF alkylation unit. They can meet the people who run the unit and learn first-hand about the many redundant safety systems we employ that keep Refinery personnel and the community safe. We are confident the combination of MHF and redundant safety systems will contain any potential MHF release onsite, as we have seen since the unit began operating more than fifty years ago.

To further assist in your review of the facts and evidence related to the Torrance Refinery and its safe use of MHF we have prepared the attached binder of documents that include the following:

- Tab 1:** Alkylation Study Estimate and Reports, Burns & McDonnell, July 2017
- Tab 2:** Economic Impact of the Torrance Refining Company LLC Torrance Refinery, Capital Matrix Consulting, August 2017
- Tab 3:** Letter to the Carson Community: USW Members Committed to Safety at Torrance Refinery, November 19, 2017
- Tab 4:** Potential Transportation Fuel Supply and Price Impacts of HF Ban, California Energy Commission, September 2017
- Tab 5:** Proposed SCAQMD rule will kill high-paying jobs, hike gas prices: Blanca Rubio, February 20, 2018
- Tab 6:** Torrance Refinery Alkylation Overview Presentation, 2017
- Tab 7:** Torrance Refinery MHF Fact Sheet, 2018
- Tab 8:** Torrance Refinery Myth vs. Fact, Fact Sheet, 2018
- Tab 9:** Torrance Refinery Overview Presentation, 2017
- Tab 10:** Torrance Fire Department MHF Presentation
- Tab 11:** State Building and Construction Trades Council letter to The Honorable William Burke, dated January 17, 2018
- Tab 12:** Press Release “Highly Toxic Chemical to be Phased Out at Valero Refinery: District, February 7, 2003
- Tab 13:** City of Torrance Resolution, approved March 29, 2017

In addition, with this letter you will be receiving a spiral bound presentation from the Torrance Refining Company called “*Setting the Record Straight, The Truth About Torrance Refinery MHF,*” which takes Torrance Refinery Action Alliance (“TRAA”) presentations and provides the facts behind their myths about MHF. Our report presents the facts based on testing, modeling, and research by qualified experts,

correcting misinformation in the presentations by TRAA (“The Case Against MHF, -ARF-SRI-and Barriers-” (January 4, 2017) and TRAA’s feedback to Torrance Fire Department (February 28, 2017).

* * *

In closing, the Torrance Refining Company is confident that the many layers of protection, safety systems and mitigation measures built into our MHF alkylation unit allows the Refinery to operate, safely, reliably, and in an environmentally responsible manner. MHF is the newest, most advanced alkylation catalyst technology available today and the Torrance Refinery’s MHF alkylation unit with its current safety systems is the best and safest alkylation process for Torrance Refinery.

No emerging alkylation technology has reached the mature state of technological, economic, or commercial viability achieved by MHF or sulfuric acid alkylation. Until a newer technology is proven to be inherently safer than MHF alkylation, feasible, cost-effective, commercially viable on a similarly-sized commercial unit, and consistent with the California’s environmental goals, the **only viable option for the Torrance Refinery at this time is MHF**, which we are required to use under the terms of the Refinery’s Consent Decree with the City of Torrance.

We are continuously looking for opportunities to further improve Refinery operations. To this end, we are in discussion with the AQMD and other agencies about additional enhancements we can make to the Torrance Refinery’s MHF alkylation unit to further enhance its already redundant safety systems.

For all these reasons, we encourage the City to not adopt a Resolution or Letter of Support that would support a phase-out of MHF. However, if the City feels that it must take some action, we ask the City to take a position similar to the City of Torrance and support the AQMD’s PR 1410 rulemaking.

If you have any questions concerning this letter or attachments, or would like to visit the Refinery for a tour of the MHF alkylation unit, please contact Betsy Brien, External Relations Manager, at (562) 227-0012 or me at (310) 212-4500.

Sincerely,



Steve Steach
Refinery Manager

Attachments (2)

cc: Betsy Brien, PBF Energy
David Ingram, Torrance Refining Company
Barbara Graham, Torrance Refining Company
Darren W. Stroud, Torrance Refining Company

MOTION BY SUPERVISORS JANICE HAHN AND SHEILA KUEHL

March 8, 2017

For over two decades, the residents of Torrance have lived in constant fear for their health and safety. This is because the Torrance Refinery located within the city has experienced fires, explosions, leaks, and releases of chemicals. ~~due to the use of hydrofluoric acid.~~ **The potential that those incidents could have been further exacerbated should the storage units of hydrofluoric acid had been disrupted are very concerning to residents.**

Hydrofluoric acid is used to produce gasoline in the oil refining process. According to the U.S. Chemical Safety Board, the independent federal agency responsible for investigating chemical accidents, "Hydrofluoric acid can pose a severe hazard to the population and environment if a release occurs. After hydrofluoric acid vaporizes it condenses into small droplets that form a dense low-lying cloud that will travel along the ground for several miles and can cause severe damage to the respiratory system, skin, and bones of those who are exposed, potentially resulting in death."

-MORE-

MOTION

SOLIS _____

KUEHL _____

HAHN _____

BARGER _____

RIDLEY-THOMAS _____

Despite the risks the use of hydrofluoric acid pose to surrounding communities, two refineries in California, PBF Energy's refinery in Torrance, and Valero's refinery in Wilmington, continue to use it.

The use of hydrofluoric acid is regulated by the South Coast Air Quality Management District (SCAQMD). The SCAQMD is undertaking a rulemaking process that could result in the outright ban of hydrofluoric acid. We should support the SCAQMD's efforts to ban this toxic substance and encourage the SCAQMD to expedite its rulemaking process.

Additionally, Assemblyman Al Muratsuchi has introduced a series of bills (AB 1645-49) he is referring to as his "Torrance Refinery Safety Plan" to help address some of these issues.

AB 1645 would restrict the use of hydrofluoric acids in refineries in California.

AB 1646 would require petroleum refineries to post their risk management plans on their websites and provide an alarm system and automatic notifications to residents within a five- mile radius in case of emergencies.

AB 1647 would require the owner or operator of a petroleum refinery to install fence-line and community air monitoring systems.

AB 1648 would require the Division of Occupational Safety and Health (Cal/OSHA) to increase the number of inspectors for its refinery inspector program.

AB 1649 would create an Interagency Task Force on Refinery Safety to examine ways to improve public and worker safety through enhanced oversight of refineries, and to strengthen emergency preparedness in anticipation of any future refinery incident.

The time to better enforce safety at our refineries is now.

WE, THEREFORE, MOVE that the Board that the Board of Supervisors direct the Chief Executive Office to:

1. Send a five-signature letter in support of the Torrance Refinery Safety Plan (AB 1645, AB 1646, AB 1647, AB 1648, and AB 1649) to the Los Angeles County State Legislative Delegation and to Governor Edmund G. Brown, Jr. and;
2. Send a five-signature letter to the SCAQMD expressing Los Angeles County's support of the proposed rule banning the use of modified hydrofluoric acid and encouraging the SCAQMD to expedite this rulemaking process.

#

JH:SK:jro:ky

Status Update on PR1410 – Hydrogen Fluoride Storage and Use at Petroleum Refineries



SCAQMD REFINERY COMMITTEE

January 20, 2018
Torrance, California

PUBLIC PROCESS

- Six working group meetings conducted since April 2017
- Presentations provided:
 - ❑ Refineries' Current Mitigations
 - ❑ CEC's Potential Transportation Fuel Supply and Price Impacts of HF Ban
 - ❑ API RP 751 Safe Operation of Hydrofluoric Acid (HF) Alkylation Units
 - ❑ Alternative Alkylation Technologies (DuPont/CB&I/Chevron)
 - ❑ Cal-OSHA Process Safety Management Regulation
 - ❑ TRAA's Modified HF (MHF)/HF Alkylation Dangers
 - ❑ SCAQMD's Proposed Rule Concepts
- Five technical discussion meetings with Torrance Refining Company (TORC)
- Two refinery site visits & Torrance refinery community/neighborhood tour
- Interagency meeting with US EPA and Cal-OSHA

GENESIS OF PR1410 RULEMAKING

- “Near-miss” accident at Torrance refinery on February 18, 2015
- Community concerns on the alkylation unit safety, potential HF release and corresponding risk
- Hazards and human health risk due to exposure to HF are greater than those of sulfuric acid
- Additional information made available
 - ❑ More studies and documentation on MHF
 - ❑ Viable alternative technologies have matured and are being implemented
- SCAQMD staff conducted independent assessment

HF

Sulfuric Acid

Appearance

Colorless, fuming liquid/gas

Colorless, oily liquid

Vapor Density

0.7 (relative to air)

3.4 (relative to air)

Boiling Point

67 °F

554 °F

Hazards

Severe skin and deep tissue burns, changing the bone structure

Severe irritation and skin burn, carcinogenic

Rate of Onset

Immediate & delayed

Immediate

Isolating Distance*

At least 330 ft.

At least 150 ft.

* Isolate leak area in all directions as an immediate precautionary measure (source: <https://cameochemicals.noaa.gov>)

“NEAR-MISS” ACCIDENT



*Each settler tank contains
47,000 lb of MHF*

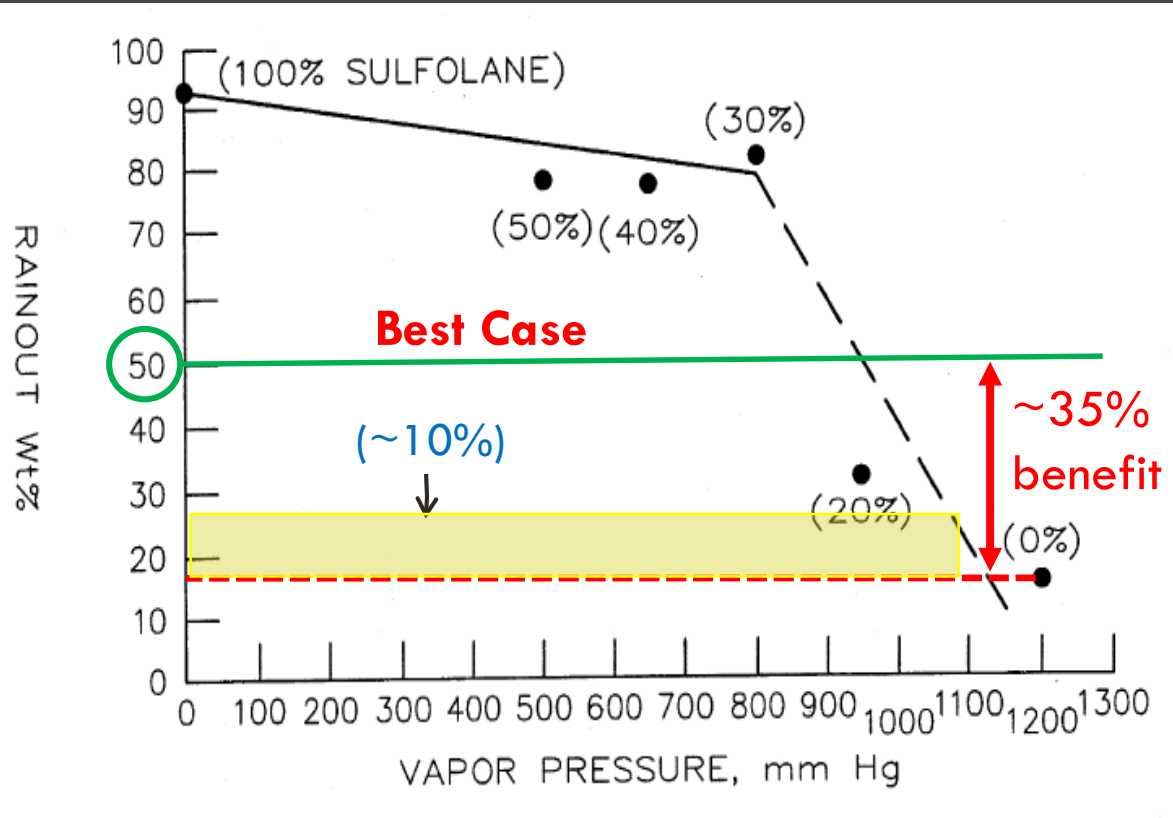
(Courtesy of the US Chemical Safety Board)

ASSESSMENT OF MHF TECHNOLOGY

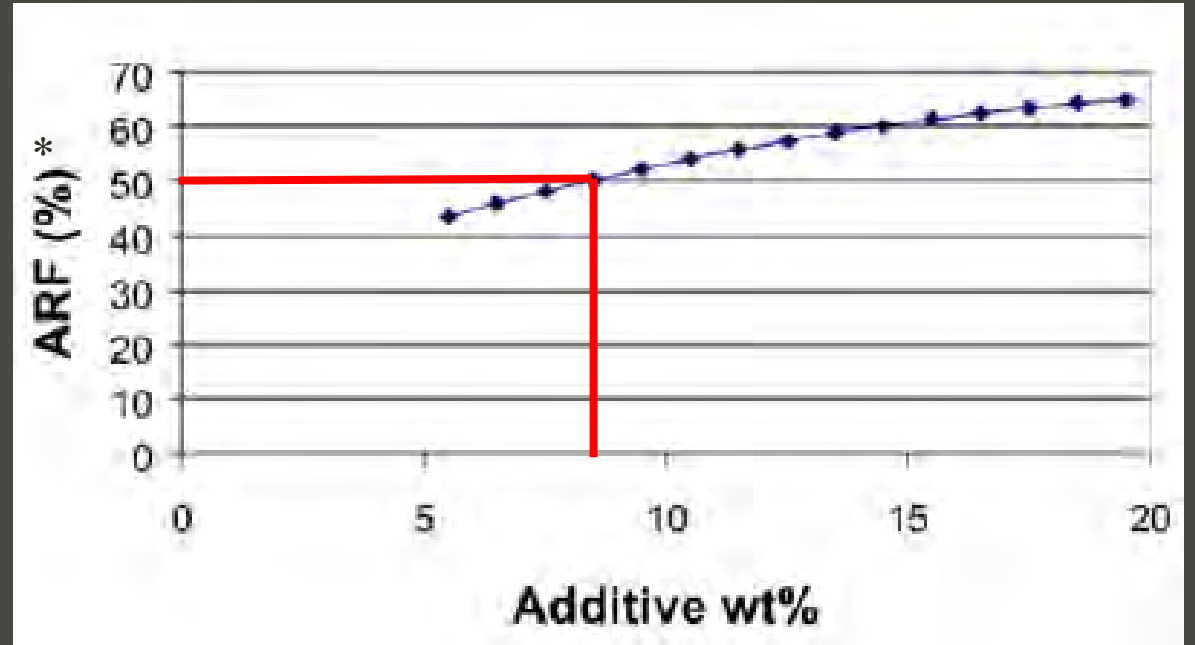
- Staff has assessed the scientific information provided by TORC on MHF
- Assessing the safety of MHF technology is very complex and uncertainty still exists
- Summary results of MHF assessment:
 - ❑ Some, but uncertain, HF mitigation benefits offered by MHF (< 35%)
 - ❑ Ability to prevent formation of vapor/aerosol cloud is uncertain
 - ✓ Conditions of testing are different from current operating conditions
 - ✓ Large hole sizes were not considered
 - ❑ Ignoring all the uncertainties, best case scenario with all existing mitigation measures added at TORC, HF reduction is 89% leaving 11% released
- In case of breach in one settler tank at TORC, potential release of 5,200 lb HF assuming all passive mitigation functioning properly

HF REDUCTION BENEFITS OFFERED BY MHF

Lab Tests and Modeling



Modeling Only (TORC)



(SCAQMD Meeting MHF Technology Discussion with TORC, May 4, 2017)

* Airborne Reduction Factor

(Phillips Petroleum Company 1995, US Patent 5,534,657)

INITIAL RULE CONCEPTS

- HF mitigation tiered at three different levels and with different timeline
 - Tier I Mitigation – Require existing mitigation with some enhancements
 - Tier II Mitigation – Above and beyond Tier I Mitigation (API recommendations)
 - Tier III Mitigation – Greatly enhanced protection (failsafe systems)
- Option to change to alternative technologies in lieu of Tier II and/or Tier III Mitigation

TIER I MITIGATION

- HF point sensors
- Alarm set points
- Open path monitors – 4 sided

(TORC and/or Valero would need to install)

- Video cameras + monitor screens in remote control room
- HF sensitive paint
- Water mitigation

(TORC would need to install water curtain)

- Acid evacuation system

- Emergency isolation block valves
- Backup power
- Baffles

(TORC would need to install)

- Acid settler pans
- Flange shrouds

(Valero would need to install)

- Pump barriers
- Safety audits

✓ **Cost Range: \$2.5 – \$6 MM (for mitigation not yet installed)**

TIER II MITIGATION

- Automated systems (water mitigation, emergency block valves) at alarm set points of HF sensors & open path monitors
- State-of-the-art high definition cameras (increase number of cameras & monitors)
- More HF sensors to compensate for non-operating sensors
- More comprehensive barriers (e.g., enclosure around acid settler tanks)
- ✓ **Cost Range: \$50 – \$100 MM**

TIER III MITIGATION (POTENTIAL APPROACHES)

- Complete, full enclosure of alkylation unit with roll-up doors, comprehensive water spray (worker safety), sensors & drainage capabilities
 - ❑ Possibly build whole new containment system parallel to existing unit to reduce downtime
 - ❑ Need to address potential “unintended secondary consequences” (e.g., flammable gases)
- Negatively pressured enclosure venting to scrubber with drainage
- Fully automated systems including acid evacuation at alarm set points
- Underground storage (acid dump tank, fresh storage, etc.)
- ✓ **Cost Range: \$50 – \$150 MM** (based on chlorine gas containment and handling facility)



TORRANCE REFINING COMPANY

Approx. footprint
270 ft x 290 ft

ESP

Blast Wall

Settler Tanks

Torrance
Wholesale Nursery

VALERO WILMINGTON REFINERY

Approx. footprint
130 ft x 220 ft

Settler

MHF Unloading Area
Water Curtain



(Source: Google Maps)

COMPARISON OF ALTERNATIVES TO HF

Catalyst Type	Sulfuric Acid		Solid Acid	Ionic Liquid
Technology Name (Manufacturer)	CDAlky® (CB&I)	ConvEx SM (DuPont/STRATCO)	AlkyClean® (CB&I)	ISOALKY™ (Chevron & UOP)
Cost	Less than conventional sulfuric acid unit (30–50% less acid consumption)	~40–60% less than a grassroots sulfuric acid unit	Information not available	Information not available
Associated Hazards	Sulfuric acid	Sulfuric acid	No known hazards	No known hazards
Commercial Applications/Status	One US Gulf Coast refinery start-up in 2020 at comparable capacity (23,000 b/d) and 13 refineries worldwide	None, new technology	Petrochemical plant in China at lower capacity (2,700 b/d)	Chevron Salt Lake City HF alkylation retrofit, with planned start-up in 2020 at lower capacity (5,000 b/d)

EXISTING COST ANALYSIS OF TECHNOLOGY CONVERSION

Conversion to sulfuric acid

Cost Range	Conditions	Reference
\$100 – \$200 MM	US Gulf Coast cost; Alkylation unit only	Norton Engineering (2016)
\$210 – \$330 MM	US Gulf Coast & Midwest costs; Alkylation unit (~23,000 b/d) and acid regeneration	DuPont (2018)
\$600 – \$900 MM	TORC cost; Alkylation unit and acid regeneration	Burns & McDonnell (2017)

POTENTIAL TIMING FOR IMPLEMENTATION

- 2018 – Rule adoption
- 6-12 months after adoption – Require Tier I Mitigation measures
- 2-3 years after adoption – Require Tier II Mitigation or alternative technology
- 2021 – Alternative technology assessment completed
- 8 years after adoption – Require Tier III Mitigation or alternative technology

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Robert Espinosa, Fire Chief
George Gabriel, Management Analyst

SUBJECT:

Request by Mayor Howorth to Discuss Assembly Bill 1795 Authorizing a Local Emergency Medical Services Agency to Allow Paramedics to Transport People to a Community Care Facility (Fire Chief Espinosa).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

At the request of Mayor Howorth, staff recommends that City Council discuss and provide direction on submitting a letter to support, oppose, or take no position on Assembly Bill (AB) 1795 (Gipson).

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

AB 1795 was introduced to the California State Legislature on January 9, 2018 by California Assemblymember Mike A. Gipson (D-Carson).

AB 1795 authorizes local emergency medical services agencies to allow paramedics to transport people to a community care facility, such as a mental health urgent care center or sobering facility. The bill also authorizes local medical services agencies to add community paramedicine to its scope of practice activities necessary for the assessment, treatment, and transport of a patient to a community care facility upon receiving approval from the State Emergency Medical Services Authority.

Under current California State law, only law enforcement personnel are allowed to transport

intoxicated patients or patients experiencing mental health episodes to sobering centers or mental health urgent care centers. However, paramedics and Emergency Medical Technicians are barred from doing so by the California Health and Safety Code and must transport intoxicated patients or patients experiencing mental health care episodes to county approved emergency departments.

Proponents of the legislation contend that a patient who is transported to an emergency department could be treated more appropriately if transported directly to a mental health urgent care center or to a sobering center where medically-trained personnel, including nurses and psychiatrists, can provide specialized intensive crisis services and treatment. Additionally, it can reduce the burden on local health care systems that may suffer from hospital overcrowding. AB 1795 allows paramedics to function outside their traditional emergency response and transport roles to help facilitate more appropriate use of emergency department resources.

Currently, AB 1795 has been referred to the Assembly Health Committee and will be heard at a future committee meeting. Thus far, the bill has been supported by the Los Angeles County Division of the League of California Cities, Los Angeles County (co-sponsor), the California Hospital Association (co-sponsor), the California Ambulance Association, the Emergency Medical Services Administrator's Association of California, and the EMS Medical Directors Association of California.

DISCUSSION:

The City of Manhattan Beach's Fire Department provides paramedic services. The City's paramedic services currently operate under Los Angeles County's Emergency Medical Services (EMS) program. Therefore, if AB 1795 were to be passed by the California State Legislature, Los Angeles County would likely revise the current Emergency Medical Services program allowing paramedics to transport patients that meet specific criteria established by the Los Angeles Emergency Medical Services Agency to a mental health urgent care center or sobering center. At this time it is uncertain what parameters the revised EMS program would create to determine what would make a patient eligible for transportation to a community care facility.

The City's Fire Department regularly tracks data on the paramedics' primary impression of a patient's presentation. In 2017, paramedics determined that 36 patients presented themselves as affected by alcohol, 61 patients presented themselves as in behavioral/psychological crisis, and 64 patients were suspected to have alcohol use.

Depending on the criteria established in the revised EMS program, some patients may be eligible to be taken to a sobering center or mental health care facility. Under current law, patients are taken to emergency rooms where paramedic services await an emergency room nurse to accept the patient. If AB 1795 passes, the City's paramedic services will be offered an alternative location to transport patients. In the case of emergency room overcrowding, this flexibility offered to paramedics is paramount to ensure efficiency and productivity.

AB 1795 would allow paramedics to transport patients to five mental health urgent care centers and one sobering center in Los Angeles County. The mental health urgent care center closest to the City of Manhattan Beach is the Exodus Urgent Care Center (Westside) at 11444 W.

Washington Blvd, Los Angeles, CA. The sobering center closest to the City of Manhattan Beach is Exodus Recovery, Inc. Sobering Center at 640 Maple Avenue, Los Angeles, CA.

While these two locations may require further travel from the City of Manhattan Beach to transport patients, staff believes that the potential wait time in an overcrowded emergency room could be greater than the potential transportation time to one of these care facilities.

Consistent with precedent, City Council may provide a letter of support or opposition on legislation that effects Manhattan Beach residents. If the City Council provides direction to support or oppose legislation, staff will prepare the respective letter for the Mayor's signature and send it to the Governor, the Assembly Committee on Health, the League of California Cities and California Assemblymember Mike A. Gipson.

PUBLIC OUTREACH/INTEREST:

After analysis, staff determined that public outreach was not required for this issue.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Assembly Bill 1795
2. League of California Cities Los Angeles County Division Notice of Support

ASSEMBLY BILL

No. 1795

Introduced by Assembly Member Gipson

January 9, 2018

An act to amend Sections 1797.52, 1797.172, and 1797.218 of, and to add Sections 1797.98 and 1797.260 to, the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1795, as introduced, Gipson. Emergency medical services: community care facilities.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Among other duties, the authority is required to develop planning and implementation guidelines for emergency medical services systems, provide technical assistance to existing agencies, counties, and cities for the purpose of developing the components of emergency medical services systems, and receive plans for the implementation of emergency medical services and trauma care systems from local EMS agencies.

The act also authorizes each county to develop an emergency medical services program and requires local EMS agencies to plan, implement, and evaluate an emergency medical services system. Existing law requires local EMS agencies to be responsible for the implementation of advanced life support systems, limited advanced life support systems, and for the monitoring of specified training programs for emergency personnel. Existing law defines advanced life support as special services

designed to provide definitive prehospital emergency medical care, as specified, at the scene of an emergency, during transport to an acute care hospital, during interfacility transfer, and while in the emergency department of an acute care hospital until responsibility is assumed by that hospital.

This bill would authorize a local emergency medical services agency to submit, as part of its emergency services plan, a plan to transport specified patients to a community care facility, as defined, in lieu of transportation to a general acute care hospital. The bill would make conforming changes to the definition of advanced life support to include prehospital emergency care provided before and during, transport to a community care facility, as specified. The bill would also direct the Emergency Medical Services Authority to authorize a local EMS agency to add to its scope of practice for specified emergency personnel those activities necessary for the assessment, treatment, and transport of a patient to a community care facility.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1797.52 of the Health and Safety Code
2 is amended to read:
3 1797.52. "Advanced life support" means special services
4 designed to provide definitive prehospital emergency medical care,
5 including, but not limited to, cardiopulmonary resuscitation, cardiac
6 monitoring, cardiac defibrillation, advanced airway management,
7 intravenous therapy, administration of specified drugs and other
8 medicinal preparations, and other specified techniques and
9 procedures administered by authorized personnel under the direct
10 supervision of a base hospital as part of a local EMS system at the
11 scene of an emergency, during transport to an acute care hospital,
12 during interfacility transfer, ~~and~~ while in the emergency department
13 of an acute care hospital until responsibility is assumed by the
14 emergency or other medical staff of that ~~hospital~~. *hospital, at the*
15 *scene of an emergency for the purpose of determining transport*
16 *to a community care facility or an acute care hospital, and during*
17 *transport to a community care facility as part of an approved local*
18 *EMS agency emergency medical services plan.*

1 SEC. 2. Section 1797.98 is added to the Health and Safety
2 Code, to read:

3 1797.98. “Community care facility” means a mental health
4 urgent care center or sobering center staffed with medical personnel
5 that is designated by a local EMS agency, as part of an approved
6 local emergency medical services plan.

7 SEC. 3. Section 1797.172 of the Health and Safety Code is
8 amended to read:

9 1797.172. (a) The authority shall develop and, after approval
10 by the commission pursuant to Section 1799.50, adopt minimum
11 standards for the training and scope of practice for EMT-P.

12 (b) The approval of the director, in consultation with a
13 committee of local EMS medical directors named by the EMS
14 Medical Directors Association of California, is required prior to
15 implementation of any addition to a local optional scope of practice
16 for EMT-Ps proposed by the medical director of a local EMS
17 agency.

18 (c) Notwithstanding any other ~~provision of~~ law, the authority
19 shall be the agency solely responsible for licensure and licensure
20 renewal of EMT-Ps who meet the standards and are not precluded
21 from licensure because of any of the reasons listed in subdivision
22 (d) of Section 1798.200. Each application for licensure or licensure
23 renewal shall require the applicant’s social security number in
24 order to establish the identity of the applicant. The information
25 obtained as a result of a state and federal level criminal offender
26 record information search shall be used in accordance with Section
27 11105 of the Penal Code, and to determine whether the applicant
28 is subject to denial of licensure or licensure renewal pursuant to
29 this division. Submission of fingerprint images to the Department
30 of Justice may not be required for licensure renewal upon
31 determination by the authority that fingerprint images have
32 previously been submitted to the Department of Justice during
33 initial licensure, or a previous licensure renewal, provided that the
34 license has not lapsed and the applicant has resided continuously
35 in the state since the initial licensure.

36 (d) The authority shall charge fees for the licensure and licensure
37 renewal of EMT-Ps in an amount sufficient to support the
38 authority’s licensure program at a level that ensures the
39 qualifications of the individuals licensed to provide quality care.
40 The basic fee for licensure or licensure renewal of an EMT-P shall

1 not exceed one hundred twenty-five dollars (\$125) until the
2 adoption of regulations that specify a different amount that does
3 not exceed the authority's EMT-P licensure, license renewal, and
4 enforcement programs. The authority shall annually evaluate fees
5 to determine if the fee is sufficient to fund the actual costs of the
6 authority's licensure, licensure renewal, and enforcement programs.
7 If the evaluation shows that the fees are excessive or are insufficient
8 to fund the actual costs of the authority's EMT-P licensure,
9 licensure renewal, and enforcement programs, then the fees shall
10 be adjusted accordingly through the rulemaking process described
11 in the Administrative Procedure Act (Chapter 3.5 (commencing
12 with Section 11340) of Part 1 of Division 3 of Title 2 of the
13 Government Code). Separate additional fees may be charged, at
14 the option of the authority, for services that are not shared by all
15 applicants for licensure and licensure renewal, including, but not
16 limited to, any of the following services:

- 17 (1) Initial application for licensure as an EMT-P.
- 18 (2) Competency testing, the fee for which shall not exceed thirty
19 dollars (\$30), except that an additional fee may be charged for the
20 cost of any services that provide enhanced availability of the exam
21 for the convenience of the EMT-P, such as on-demand electronic
22 testing.
- 23 (3) Fingerprint and criminal record check. The applicant shall,
24 if applicable according to subdivision (c), submit fingerprint images
25 and related information for criminal offender record information
26 searches with the Department of Justice and the Federal Bureau
27 of Investigation.
- 28 (4) Out-of-state training equivalency determination.
- 29 (5) Verification of continuing education for a lapse in licensure.
- 30 (6) Replacement of a lost licensure card. The fees charged for
31 individual services shall be set so that the total fees charged to
32 EMT-Ps shall not exceed the authority's actual total cost for the
33 EMT-P licensure program.
- 34 (e) The authority may provide nonconfidential, nonpersonal
35 information relating to EMS programs to interested persons upon
36 request, and may establish and assess fees for the provision of this
37 information. These fees shall not exceed the costs of providing the
38 information.
- 39 (f) At the option of the authority, fees may be collected for the
40 authority by an entity that contracts with the authority to provide

1 any of the services associated with the EMT-P program. All fees
2 collected for the authority in a calendar month by any entity
3 designated by the authority pursuant to this section to collect fees
4 for the authority shall be transmitted to the authority for deposit
5 into the Emergency Medical Services Personnel Fund within 30
6 calendar days following the last day of the calendar month in which
7 the fees were received by the designated entity, unless the contract
8 between the entity and the authority specifies a different timeframe.

9 *(g) Upon approval of a plan to transport patients to a community
10 care facility submitted pursuant to Section 1797.260, the authority
11 shall authorize a local EMS agency to add to its scope of practice
12 for an EMT-P those activities necessary for the assessment,
13 treatment, and transport of a patient to a community care facility.*

14 SEC. 4. Section 1797.218 of the Health and Safety Code is
15 amended to read:

16 1797.218. Any local EMS agency may authorize an advanced
17 life support or limited advanced life support program which
18 provides services utilizing EMT-II or EMT-P, or both, for the
19 delivery of emergency medical care to the sick and injured at the
20 scene of an emergency, during transport to a general acute care
21 hospital, during interfacility transfer, while in the emergency
22 department of a general acute care hospital until care responsibility
23 is assumed by the regular staff of that hospital, ~~and during training
24 within the facilities of a participating general acute care hospital.~~
25 *hospital, at the scene of an emergency for the purpose of
26 determining transport to a community care facility or an acute
27 care hospital, and during transport to a community care facility
28 as part of an approved local EMS agency emergency medical
29 services plan.*

30 SEC. 5. Section 1797.260 is added to the Health and Safety
31 Code, to read:

32 1797.260. A local EMS agency may submit, as part of its
33 emergency services plan, a plan to transport patients to a
34 community care facility that is not a general acute care hospital
35 based on a determination that there is no need for emergency health
36 care. This plan shall include, without limitation, all of the
37 following:

38 (a) Criteria for designating a facility as a community care
39 facility, including appropriate medical staffing and administrative
40 medical oversight such as a medical director.

- 1 (b) One or more policies for prompt evaluation and treatment
- 2 of patients within a facility.
- 3 (c) A communication plan between prehospital medical
- 4 personnel.
- 5 (d) A secondary transport plan to include criteria for contacting
- 6 the jurisdictional prehospital provider for transport to an emergency
- 7 department of an acute care hospital.
- 8 (e) Medical equipment and monitoring protocols.
- 9 (f) Required submission of a quality improvement plan and
- 10 patient outcome data to the local EMS agency.
- 11 (g) Additional education requirements for paramedics.
- 12 (h) Protocols for handling patient destination considerations
- 13 including requests by patients.

O



February 22, 2018

The Honorable Mike Gipson
California State Assembly
State Capitol Building, Room 3173
Sacramento, CA 95814
VIA FAX: 916-651-2164

RE: AB 1795 (Gipson) Emergency Medical Services: community care facilities Notice of Support

Dear Assemblymember Gipson:

The Los Angeles County Division of the League of California Cities® (Division), supports your AB 1795 which would give local emergency medical services agencies the authority to create community paramedicine plans to allow well-trained paramedics to transport people to specified mental health urgent care centers or to sobering centers, if available. These alternate destination community paramedicine programs allow patients to have more direct access to appropriate care.

In 2016, emergency departments statewide received over 14.5 million visits, resulting in an increased volume of recipients that has resulted in overcrowding and high wait times. In Los Angeles County, a third of all 911 calls for medical emergencies are estimated to be non-emergent and over 30,000 of these patients could be more appropriately cared for at a mental health urgent care center or sobering center which are well-equipped to connect to patients to specialized care and supportive services.

Providing local emergency medical services agencies with the authority to craft their own innovative plans for emergency care is a necessary action not only to improve patient safety and health care outcomes but to alleviate overcrowded emergency departments.

For these reasons, the Los Angeles County Division supports AB 1795.

Sincerely,

Miguel Canales
President, Los Angeles County Division
League of California Cities®

cc: Los Angeles County Legislative Delegation
Los Angeles County Supervisor Janice Hahn

2017-18 OFFICERS AND BOARD OF DIRECTORS

PRESIDENT
MIGUEL CANALES
ARTESIA

VICE PRESIDENT
JENNIFER KING
PALOS VERDES ESTATES

SECRETARY/TREASURER
JUAN GARZA
BELLFLOWER

STATE LEAGUE DIRECTOR
JORGE MORALES
SOUTH GATE

IMMEDIATE PAST PRESIDENT
JESS A. TALAMANTES
BURBANK

REGIONAL DIRECTORS

ARROYO VERDUGO JPA
MARINA KHUBESRIAN
SOUTH PASADENA

GATEWAY CITIES COG
LARRY FORESTER
SIGNAL HILL

LAS VIRGENES-MALIBU COG
BRAD HALPERN
WESTLAKE VILLAGE

SAN FERNANDO VALLEY COG
EMILY GABEL-LUDDY
BURBANK

SAN GABRIEL VALLEY COG
SAM PEDROZA
CLAREMONT

SOUTH BAY CITIES COG
BEA DIERINGER
ROLLING HILLS

WESTSIDE CITIES COG
LINDSEY HORVATH
WEST HOLLYWOOD

CITY OF LOS ANGELES
JOHN WICKHAM
LOS ANGELES

EXECUTIVE DIRECTOR
JENNIFER QUAN

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Liza Tamura, City Clerk

Martha Alvarez, Senior Deputy City Clerk

Patricia Matson, Administrative Clerk II

SUBJECT:

Agenda Forecast (City Clerk Tamura).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Attached is the most recent Agenda Forecast for City Council Review

March 14, 2018 Agenda Forecast

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL


CONSENT

PUBLIC HEARING

GENERAL BUSINESS

CITY COUNCIL

INFORMATIONAL

4/3/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. Presentation of a Commendation to Hannah Bergin for Obtaining the Girl Scout Gold Award (Ceremonial)
	2. City Council Minutes (City Clerk Tamura) (Consent)
	3. Financial Report: Schedules of Demands: March 1, 2018 (Interim Finance Director Charelian) (Consent)
	4. Resolution No. 18-0033 Ordering Plans, Specifications, Cost Estimates and Engineer’s Report for Annual Street Lighting and Landscaping Assessments (Interim Finance Director Charelian) (Consent)
	5. Downtown Manhattan Beach Post Office Ten-Year Lease Agreement Renewal (Interim Finance Director Charelian) (Consent)
	6. Conduct Public Hearing to Consider an Appeal of the Planning Commission Approval of an Application for a Master Use Permit Amendment Modifying Existing Uses Located at 451 Manhattan Beach Boulevard (Metlox, LLC) (Community Development Director McIntosh) (Public Hearing)
	7. Conduct Public Hearing for an Ordinance Regarding Zoning Code and Text Amendments to Zoning Code Standards (Community Development Director McIntosh) (Public Hearing)
	8. Approve the Acceptance of the Long Term Loan by Resident Warren Lichtenstein of Robert Indiana’s “LOVE” Sculpture to be Placed Near the Pier in the South Parking Lot Area (Parks and Recreation Director Leyman) (Continued from the February 20, 2018 City Council Regular Meeting) (General Business)
	9. Status Update on Public Art Trust Fund Projects and Approval of an RFQ for a City Hall Mural (Parks and Recreation Director Leyman) (General Business)
	10. Approve Formation and Launch the City’s Sustainability Task Force 2018-2019 (Community Development Director McIntosh) (General Business)
	11. Request by Councilmember Montgomery to Consider Changing the Annual City Recognition of Longstanding Local Business from December to January and Recognize in June Businesses on their 25 th Anniversary (City Council)
	12. Agenda Forecast (Informational)

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL



CONSENT

PUBLIC HEARING

GENERAL BUSINESS

CITY COUNCIL




INFORMATIONAL

4/17/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge – Pennekamp Elementary School
	1. South Bay Care a Recognition (Ceremonial)
	2. Presentation of a Proclamation Declaring the Month of April, 2018 as National Donate Life Month (Ceremonial)
	3. Presentation of a Proclamation Declaring the Month of April, 2018 as National Poetry Month (Ceremonial)
	4. Presentation of Certificates of Recognition to Mira Costa High School Students for Earning the Circle Award for Excellence in Poetry Composition (Ceremonial)
	5. City Council Minutes (City Clerk Tamura) (Consent)
	6. Financial Report: Schedules of Demands: March 15, 2018 (Interim Finance Director Charelian) (Consent)
	7. Five-Year Lease/Purchase Agreement with --- in an Amount Not-to-Exceed \$1,200,000 to Finance the Previously Approved Purchase of One E-One Paramedic Fire Engine (Interim Finance Director Charelian) (Consent)
	8. AT&T City Hall Site Five-Year Lease Agreement Renewal (Interim Finance Director Charelian) (Consent)
	9. Second Reading for an Ordinance Regarding Zoning Code and Text Amendments to Zoning Code Standards (Community Development Director McIntosh) (Consent)
	10. Resolution No. 18-0030 Awarding RFP No. --- to Tyler Technologies for Munis Enterprise Resources Planning Solution for a Three-Year Agreement Contract with \$--- Estimated Total and Adopt Resolution No. 18-0031 Awarding RFP No. --- to Tyler Technologies for EnerGov Permitting Platform for a Three-Year Agreement with \$--- Estimated Total (Information Technology Director Taylor) (Consent)
	11. Accept as Completed the Parkview Project by ---; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention in the Amount of \$--- (Public Works Director Katsouleas) (Consent)
WORK PLAN 	12. Update on Homelessness Plan (City Manager Moe) (General Business)
	13. Update on the Police Department License Plate Reader (LPR) (Police Chief Abell) (General Business)
WORK PLAN 	14. Request by the City Council/Manhattan Beach Unified School District Ad Hoc Subcommittee to Focus on Potential Safety Concerns and/or Improvements for School Safety Prevention (Police Chief Abell) (General Business)
	15. Approval of a Citywide Policy Regarding the Use of Straws and Utensils (Community Development Department McIntosh) (General Business)
	16. Review and Discussion of Solid Waste Programs (Public Works Director Katsouleas) (General Business)
	17. On-Bill Financing (Public Works Director Katsouleas) (General Business)
	18. Agenda Forecast (Informational)
4/24/2018	<i>Boards and Commissions Interviews – 6:00 PM Tuesday (Tentative)</i>
	1. Interviews

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL	CONSENT	PUBLIC HEARING	GENERAL BUSINESS	CITY COUNCIL	INFORMATIONAL
------------	---------	----------------	------------------	--------------	---------------

5/1/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge – Grand View Elementary School
	1. Proclamations for the Month of May: (Ceremonial) a) Declaring May 12, 2018 as National Fire Services Day b) Declaring May 15, 2018 as National Peace Officers Memorial Day c) Declaring May 6-12, 2018 as National Municipal Clerks Week d) Declaring May 13-19, 2018 as National Police Week d) Declaring May 20-26, 2018 as Public Works Week f) Declaring May, 2018 as Older Americans Month
	2. City Council Minutes (City Clerk Tamura) (Consent)
	3. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	4. Resolution No. --- Awarding a Construction Contract to --- for the Manhattan Village Synthetic Turf Replacement Project in the Amount of \$---; Resolution No. --- Awarding a Construction Contract to --- for the Manhattan Village Fencing and Netting Improvements Project in the Amount of \$---; Resolution No. --- Awarding a Design Services Agreement to ABC for Inspection Services for the Manhattan Village Park Improvements Projects in the Amount Not-to-Exceed \$---; Resolution No. --- Approving Amendment No. 1 to the \$49,500 Design Services Agreement with David Volz Design Landscape Architects Inc. (DVD) for an Additional \$18,800; Resolution No. --- Authorizing the Appropriation of \$1,342,287 from the Unappropriated General Fund CIP Fund Balance (Public Works Director Katsouleas) (Consent)
	5. Conduct Public Hearing Regarding the Six-Month Trial Basis Assessment of the Measures for West Marine Avenue Neighborhood Traffic Management Plan (Community Development Director McIntosh) (Public Hearing)
	6. Annual Appointment of Boardmembers and Commissioners (City Clerk Tamura) (General Business)
	7. Update on SCE Power Reliability (Public Works Director Katsouleas) (General Business)
	8. City Council Sponsorship Policy (City Manager Moe) (General Business)
	9. FY 2018-2020 Proposed Budget (Interim Finance Director Charelian) (General Business)
	10. Discussion of City Donation Program (Parks and Recreation Director Leyman) (General Business)
	11. Updated Field and Use Policy and Field Revenue Options (Parks and Recreation Director Leyman) (General Business)
	12. Resolution No. 18-0039 Awarding a Professional Services Agreement to --- for Design and Construction Support Services for the new Fire Station no. 2 Project in the Amount Not-to-Exceed \$--- and Appropriate \$--- (Public Works Director Katsouleas) (General Business)
	13. Discussion of Sepulveda Bridge, Tin Roof and Resolution of Necessity (Public Works Director Katsouleas) (General Business)
	14. Agenda Forecast (Informational)
5/8/2018	<i>Budget Study Session – 6:00 PM Tuesday (Tentative)</i>
	Pledge –
5/10/2018	<i>Budget Study Session – 6:00 PM Thursday (Tentative)</i>
	Pledge –

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL

CONSENT

PUBLIC HEARING

GENERAL BUSINESS

CITY COUNCIL

INFORMATIONAL

5/15/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge – Manhattan Academy
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: April 12, 2018 (Interim Finance Director Charelian) (Consent)
	3. Annual Street Lighting and Landscaping Assessments (Phase 2A) (Interim Finance Director Charelian)
	4. Annual Street Lighting and Landscaping Assessments (Phase 2B – Set Public Hearing Date) (Interim Finance Director Charelian) (Consent)
	5. Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2018-2019 Including Authorization to Collect Assessments; Ratification of the District Advisory Board; Authorization to Enter Into an Agreement with the Downtown Manhattan Beach Business and Professional Association; and Authorization to Disburse Fiscal Year 2017-2018 Assessments Collected (Interim Finance Director Charelian) (Consent)
	6. Update on Mobility Plan (Community Development Director McIntosh) (Public Hearing)
	7. Annual Appointment of Boardmembers and Commissioners (Tentative) (City Clerk Tamura) (General Business)
	8. Projections on Potential Parking Meter Rate Increase; Discuss Holiday Free Parking and Adding an Additional Hour Starting at 6:00 PM (Interim Finance Director Charelian) (General Business)
WORK PLAN →	9. Parking Management (Parking Meter Solution) (Public Works Director Katsouleas) (General Business)
WORK PLAN →	10. Approve the Recommendation and Provide Direction from the Library Commission Regarding the Use of Manhattan Beach County Library Surplus Funds (Parks and Recreation Director Leyman) (General Business)
	11. Update City of Manhattan Beach Special Event Policy (Parks and Recreation Director Leyman) (General Business)
WORK PLAN →	12. Explore Pedestrian Safety Measures (Bollards) (Public Works Director Katsouleas and Police Chief Abell) (General Business)
	13. Trash RFP Proposal (Public Works Director Katsouleas) (General Business)
	14. Agenda Forecast (Informational)
5/17/2018	<i>Budget Study Session – 6:00 PM Thursday (Tentative)</i>
	Pledge –
5/22/2018	<i>Budget Study Session – 6:00 PM Tuesday (Tentative)</i>
	Pledge –

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL



CONSENT

PUBLIC HEARING

GENERAL BUSINESS

CITY COUNCIL

INFORMATIONAL

6/5/2018	Regular Meeting – 6:00 PM Tuesday
	Pledge – Pacific Elementary School
	1. Public Safety Recognition: (Ceremonial) <ul style="list-style-type: none"> a) Police Officer of the Year b) Firefighter of the Year c) Medal of Valor Recipients
	2. City Council Minutes (City Clerk Tamura) (Consent)
	3. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	4. Walkabout Events Proposals (Parks and Recreation Director Leyman) (General Business)
	5. Discussion of Merchandising and Licensing Branding for the City (Parks and Recreation Director Leyman) (General Business)
	6. Update on Report Received from SCE Regarding Manhattan Beach’s Inventory Analysis (Public Works Director Katsouleas) (General Business)
	7. Report on Possible Funding Opportunities from Metro and City Projects Relating to Public Transportation and Measure M (Public Works Director Katsouleas) (General Business)
	8. Wayfinding Draft Masterplan (Public Works Director Katsouleas) (General Business)
	9. Agenda Forecast (Informational)
6/19/2018	Regular Meeting – 6:00 PM Tuesday
	Pledge –
	1. Proclamations for the Month of July: (Ceremonial) <ul style="list-style-type: none"> a) Declaring July, 2018 as Parks and Recreation Month b) Declaring July 1, 2018 as Salute to the Troops Day
	2. City Council Minutes (City Clerk Tamura) (Consent)
	3. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	4. Conduct Public Hearing Regarding the Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2018-2019 Including Authorization to Collect Assessments; Ratification of the District Advisory Board; Authorization to Enter Into an Agreement with the Downtown Manhattan Beach Business and Professional Association; and Authorization to Disburse Fiscal Year 2017-2018 Assessments Collected (Interim Finance Director Charelian) (Public Hearing)
	5. Conduct Public Hearing to Consider the Fiscal Years Capital Improvement Plan (Public Works Director Katsouleas) (Public Hearing)
	6. Conduct Public Hearing Regarding Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2018-2019 (Interim Finance Director Charelian)
	7. Conduct Public Hearing Regarding the Adoption/Approval of Fiscal Year 2018-2019 Operating Budget and Establishing an Appropriation Limit (Interim Finance Director Charelian) (Public Hearing)
	8. Agenda Forecast (Informational)
7/3/2018	Regular Meeting – 6:00 PM Tuesday
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	3. Agenda Forecast (Informational)

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL

CONSENT

PUBLIC HEARING

GENERAL BUSINESS

CITY COUNCIL

INFORMATIONAL

7/17/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
WORK PLAN →	3. Update on Revenue Enhancements (Interim Finance Director Charelian) (General Business)
WORK PLAN →	4. Update on Stormwater Fund (Interim Finance Director Charelian) (General Business)
WORK PLAN →	5. Update on Streetlighting (Interim Finance Director Charelian) (General Business)
WORK PLAN →	6. Update on Pensions (Interim Finance Director Charelian) (General Business)
WORK PLAN →	7. Establish Policy Regarding City Council Communications (City Manager Moe) (General Business)
	8. Agenda Forecast (Informational)
8/7/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	3. Annual Investment Policy (Interim Finance Director Charelian) (Consent)
	4. Agenda Forecast (Informational)
8/21/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
WORK PLAN →	3. Approval of Downtown Streetscape Enhancements (Community Development Director McIntosh and Public Works Director Katsouleas) (General Business)
	4. Agenda Forecast (Informational)
9/4/2018	<i>Regular Meeting – 6:00 PM Tuesday – City Council Reorganization Mayor Napolitano/Mayor Pro Tem Hersman</i>
	Pledge –
	1. City Council Reorganization (City Clerk Tamura)
	2. City Council Minutes (City Clerk Tamura) (Consent)
	3. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	4. Resolution Adopting the 2019 Conflict of Interest Code for the City of Manhattan Beach (City Clerk Tamura) (Consent)
	5. Capital Improvements Corporation (Interim Finance Director Charelian) (CIC)
	6. Agenda Forecast (Informational)
9/18/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
WORK PLAN →	3. City Hall Security (Infrastructure Upgrades and City Staff Training) (Police Chief Abell) (General Business)
	4. Agenda Forecast (Informational)
10/2/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	3. Agenda Forecast (Informational)

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL

CONSENT

PUBLIC HEARING

GENERAL BUSINESS

CITY COUNCIL

INFORMATIONAL

10/16/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	3. Agenda Forecast (Informational)
11/6/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. Presentation of a Proclamation Declaring November 2018 as National Caregivers Month (Ceremonial)
	2. City Council Minutes (City Clerk Tamura) (Consent)
	3. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	4. Agenda Forecast (Informational)
11/20/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. Presentation of Certificates of Recognition to the Winners of the 2018 Fire Department Annual “Home Escape Plan” Contest (Ceremonial)
	2. City Council Minutes (City Clerk Tamura) (Consent)
	3. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	4. Update and Discuss of Annual Meeting with County Library Staff (Parks and Recreation Director Leyman) (General Business)
	5. Agenda Forecast (Informational)
12/4/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	3. Agenda Forecast (Informational)
12/18/2018	<i>Regular Meeting – 6:00 PM Tuesday</i>
	Pledge –
	1. City Council Minutes (City Clerk Tamura) (Consent)
	2. Financial Report: Schedules of Demands: (Date) (Interim Finance Director Charelian) (Consent)
	3. Facility Strategic Plan as Related to the Parks Master Plan (Parks and Recreation Director Leyman) (General Business)
	4. Agenda Forecast (Informational)

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

CEREMONIAL

CONSENT

PUBLIC HEARING

GENERAL BUSINESS

CITY COUNCIL

INFORMATIONAL

INFORMATIONAL MEMOS

Date Requested	Councilmember/ Staff Requested	Responsible Department	Memo	Anticipated Date
4/18/17	Napolitano	PW	Report on the Future Plans and Grant Funding Opportunities Regarding National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Requirements	Q2 2018
4/18/17	Lesser	PW	Report on Possible Funding Opportunities from Metro and City Projects Relating to Public Transportation and Measure M	Q2 2018 (6/5/18)
6/20/17	Napolitano	PW	Report on Street Lighting Fund Cost Reduction Assessments	TBD
3/9/18	Taylor	IT	Update on Portable Recording Equipment	TBD

WORK PLAN

















CITY COUNCIL REQUESTS

Date Requested	Councilmember/ Staff Requested	Responsible Department	Memo	Anticipated Date
5/30/17	Napolitano	PR	Policy Discussion of City Sponsorship of Community Events	5/1/18
9/19/17	City Council	PR	Report on Mural Program Using the Public Art Trust Fund	4/3/18
5/30/17	City Council	CC	Discussion of Potential Additional City Services: Passport Services and City Store	TBD
11/7/17	Howorth	FD	Discussion of City's Emergency/Information Communication Dissemination to the Public	4/16/18
11/7/17	Napolitano Hersman	FN	Projections on Potential Parking Meter Rate Increase (Holiday Free Parking) and Adding an Additional Hour Starting at 6:00 PM	5/15/18
11/21/17	Howorth	PR	Update and Discussion of Annual Meeting with County Library Staff (County of Los Angeles – Library Commission Meeting November 19, 2018)	11/20/18
11/21/17	Howorth	IT	Discussion of a Working Group on Technology Focusing on Residents Interface with Technology	TBD
2/6/18	City Council	PW	Update on Best Practices Regarding Residential Food Waste in the Surrounding Cities and Residential Service Data	TBD
2/20/18	Howorth	PD	Report on Automated License Plate Readers (Vigilant)	4/17/18
2/20/18	Napolitano Howorth	PD	Discussion of School Ad Hoc Committee Meeting to Focus on Potential Safety Concerns and/or Improvements for School Safety Prevention	4/17/18
3/6/18	Montgomery	MS	Discussion of New Changes to SB 415 Regarding Consolidated Elections with the Los Angeles County and the Possibility of Changing March 5, 2019 Election	5/15/18
3/9/18	McIntosh	CD	Update on State Housing Laws	January 2019


WORK PLAN

TENTATIVE DRAFT – SUBJECT TO CHANGE

**FORECAST OF UPCOMING CITY COUNCIL MEETING ITEMS,
INFORMATIONAL MEMOS, & FUTURE AGENDA ITEMS**

	CEREMONIAL	CONSENT	PUBLIC HEARING	GENERAL BUSINESS	CITY COUNCIL	INFORMATIONAL
	Date Requested	Councilmember/ Staff Requested	Responsible Department	Memo	Anticipated Date	
	3/9/18	Lesser Montgomery Howorth	PW CD	Discussion of Downtown Business Employees Overflow Parking	March 2019	
	3/9/18	City Council	CD IT CA	Discussion of Telecom Facilities with an Updated Ordinance	Summer 2018	
	3/9/18	Montgomery	CD	Assessment Regarding Pending Projects for the Traffic Engineer	TBD	
	3/9/18	Hersman	FD HR	Update on Recruitment of Fire Management Open Executive Positions	6/30/18	
	3/9/18	Montgomery Howorth Hersman	IT	Update on City Website	Fall 2018	
	3/9/18	City Council	IT	Update on New City URL (.gov)	Summer 2018	
	3/9/18	Howorth Hersman	CD	Update on Manhattan Beach Boulevard and Sepulveda Boulevard Property (Rite Aid)	TBD	
	3/9/18	Napolitano	CD	Infrastructural Aesthetics/Design Initiative for Public Projects	TBD	
	3/9/18	Lesser Napolitano Hersman	FD	Emergency Preparedness (Internal and External Training)	December 2018	
	3/9/18	Zadroga-Haase	HR	Collective Bargaining Negotiations with 6 Labor Groups	January 2019	
	3/9/18	Zadroga-Haase	HR	Employee Handbook	March 2019	
	3/9/18	Abell Espinosa	PD FD	Police and Fire Software Updates and Solutions (Dispatch, Database, CAD and Emergency Notification System)	June 2019	
	3/9/18	Taylor	IT	Update on IT Master Plan	June 2019	
	3/9/18	Tamura Taylor	CC IT	Centralized Citywide Contract Management Systems (Part of IT Master Plan)	June 2019	
	3/9/18	Espinosa	FD	Interoperability Network of the South Bay	4/16/18	
	3/9/18	Charelian	FN	Update on User Fee Cost Allocation Study	October 2019	

FUTURE MEETINGS TO BE SCHEDULED

	Date Requested	Councilmember/ Staff Requested	Responsible Department	Memo	Anticipated Date
			MS	Joint City Council/Beach Cities Health District Meeting	TBD
			MS	Joint City Council/Manhattan Beach Unified School District Meeting	4/13/18
	1/31/17	Taylor	IT	Fiber Master Plan Study Session	TBD
	3/6/18	City Council	FD	Fire Operations Study Session	4/16/18
	3/6/18	City Council	CD	Short-Term Rentals Study Session	TBD

**Please note that all items with this arrow indicate that the item was
added at the March 9, 2018 City Council – Work Plan Meeting**

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Mark Leyman, Parks and Recreation Director
Anne McIntosh, Community Development Director

SUBJECT:

Commission Minutes:

This Item Contains Minutes of the following City Commission Meetings:

- a) Cultural Arts Commission Meeting Minutes of October 16, 2017 (Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting Minutes of November 20, 2017 (Parks and Recreation Director Leyman)
- c) Parks and Recreation Commission Meeting Minutes of November 27, 2017 (Parks and Recreation Director Leyman)
- d) Library Commission Meeting Minutes of January 8, 2018 (Parks and Recreation Director Leyman)
- e) Parks and Recreation Commission Meeting Minutes of January 22, 2018 (Parks and Recreation Director Leyman)
- f) Planning Commission Action Meeting Minutes of February 14, 2018 (Community Development Director McIntosh)
- g) Planning Commission Action Meeting Minutes of February 28, 2018 (Community Development Director McIntosh).

INFORMATION ITEM ONLY

The attached minutes are for information only:

- 1. Cultural Arts Commission Meeting Minutes of October 16, 2017
- 2. Cultural Arts Commission Meeting Minutes of November 20, 2017
- 3. Parks and Recreation Commission Meeting Minutes of November 27, 2017
- 4. Library Commission Meeting Minutes of January 8, 2018
- 5. Parks and Recreation Commission Meeting Minutes of January 22, 2018

6. Planning Commission Action Meeting Minutes of February 14, 2018
7. Planning Commission Action Meeting Minutes of February 28, 2018

**CITY OF MANHATTAN BEACH
MINUTES OF THE CULTURAL ARTS COMMISSION**

October 16, 2017

Manhattan Beach City Hall, City Council Chambers
1400 Highland Avenue
Manhattan Beach, CA 90266

A. CALL TO ORDER

Chairperson Gill called the meeting to order at 6:03 PM.

B. ROLL CALL

Present: May, Manna, Chase, Rubino, Chairperson Gill.

Absent: Prigozhin

Others present: Cultural Arts Manager Martin Betz, Ceramics Supervisor Eilen Stewart, Cultural Arts Supervisor Andrew Berk, Recording Secretary Rosemary Lackow.

C. APPROVAL OF MINUTES – September 18, 2017

It was moved and seconded (Manna/ May) to approve the August, 2017 minutes as submitted. The motion carried 4-0-1 with a voice vote - ayes by Manna, May, Chase, Rubino, Chair Gill and 1 absence (Chase).

D. CEREMONIAL – None

E. AUDIENCE PARTICIPATION (3-Minute Limit) - None

F. STAFF ITEMS

Cultural Arts Division Update

Cultural Arts Manager Betz reported:

1. Late Night at Library October (Jose Lozano exhibit discussion); about 60 attendees mixed 80/20 residents/non-resident visitors; everyone had a good time. This will not be done for every exhibit and the next will be in January.
2. Andrew Berg, new supervisor working in cultural arts division was introduced. Andrew grew up in Manhattan Beach, and has been a City employee since 2005 handling the teen program and event coordination (the Skate Spot is his program). This staff change is a result of reorganization in that now events that are cultural arts oriented will be in the Cultural Arts Division and Mr. Berg will head up those. Most likely this will result in an increase in participation by the Cultural Arts Commission. The Commission welcomed Andrew.
3. Upcoming Exhibition (coming Wednesday) entitled “Unidentified Space” by internationally celebrated artist Cosimo Cavallaro. This is a Time4art production by Homeira Goldstein. Ms. Stewart gave a slide presentation, noting that the point of Cavallero’s work, which includes new very large sculptures beyond human scale, that explore elements and spaces that push boundaries beyond what is familiar. The materials used include acrylic vinyl and being melodramatic and hyper emotional, depict the space between life and death. He ventures into uncomfortable feelings and is controversial. Ms. Stewart noted his controversial “Chocolate Jesus”, ketchup and cheese rooms, Twiggy covered in cheese performance art, jelly bean

inflated sculptures and chair made of hard candy. The current City exhibit features work of inflated airbags which have many variations in terms of shapes and some are transparent.

G. COMMISSION ITEMS

1. Commissioner May noted that the September North End art walk in September was again very successful and this will be done again. She is not sure if this will become a regular event, and it's on a "see how it goes" basis currently. Commissioner Manna noted that he has talked to participating artists and they are pleased and excited and feel that not having an entry fee made a difference and it was reported that the North End businesses were busier than usual. Chair Gill noted it was suggested that there be a shuttle to address parking issues; Manager Betz noted that starting a shuttle should be an effort led by the business district (BID) and should not create a large staff burden. A proposal could be made to the CAC. Commissioner May stated that additional committed helpers are needed and Chair Gill suggested that the participating artists could form a committee. Manager Betz agreed and added that if they can't form a committee perhaps the BID should hire a consultant to form a proposal. Commissioner Rubino noted she enjoyed the art walk for the second time; there was a nice variety of art and it seemed to have expanded. Commissioner Chase agreed that there was a good variety and the day was beautiful.

2. Discussion of Arts Festival proposal- Commissioner Rubino

Commissioner Rubino stated her purpose tonight is to gauge interest by the Commission in starting a conversation about the arts programs involving more of the performing arts as well as visual arts. She wants to see whether there could be a melding of minds on the topic before too much time is invested in this; and also recognizes that the discussion needs to consider the budget. Commissioner Rubino envisions, as a first idea, a grass roots organized event that would include all of the arts. Where does the Commission stand on that? This would entail forming an organized group involving schools, parents and the Cultural Arts Commission. She feels that the visibility of the Commission would be enhanced if this could be funded jointly between the City and educational foundation. She asked for Commission input.

In response to Commissioner Chase, Comm. Rubino stated she is thinking currently of just one festival in partnership with the schools (two other ideas have come forward of a smaller scale) but she would like to judge Commission reception before moving on to other ideas. The target audience is the whole community.

Input from the Commission:

Commissioner Manna: He likes this idea and his main concern is, if this were to become a regular occurring event, would this become a burden on the event organizers? He recognizes that over time the membership of such special committees change and producing the event can become a substantial burden.

Commissioner Rubino recognizes this concern but believes that, with a partnership with schools, the burden would be joint.

Commissioner Manna likes going in a performing arts direction but raised the issue as to how this would fit in with the Commission's Work Plan, and would this be taking on too much – or perhaps this could become clearer as the Commission starts implementing the Plan.

Manager Betz noted that currently the Work Plan is 100% visual arts and a transitional plan would be needed as to how the festival would go forward and noted that a good model is the Hometown Fair (core volunteer with minimal city involvement). Commissioner Rubino stated that Torrance has a good model. She emphasized that tonight as a beginning, she is looking for feedback as she feels that with no backing this would be a waste of time.

In response to Commissioner May, Commissioner Rubino stated that a festival location has not been established, options may include at a school (Mira Costa or MB Middle School outdoor spaces).

Commissioner Rubino acknowledged she thought it's a good idea to meet with folks in Torrance, but also noted that she has professional experience in putting on festivals with schools.

Chair Gill summed up the Commission's input - that it is generally supportive but there is concern that this is a large concept and there are many aspects that need to be worked out including funding and who's going to do all the work. It may be a good idea to create a "501c3" organization.

Chair Gill invited public input.

Gary McAulay, Historical Society, commented that he is concerned in that the CAC with the approved Work Plan, has a lot of work to do, and perhaps this should be something that is led by some organization with initiative and not inaugurated by the City. He believes that this may be beyond the scope of the CAC. Personally he'd like to see the Commission focus on what they are already committed to do.

Commissioner Rubino reiterated that she envisions a combination of groups would take initiative and this would not be a burden on the CAC as a group. The Commission would have a hand in guiding but not taking on the entire burden. As to timing, she estimates this could come together within two years.

The Commission had further discussion. The question arose as to what inroads have already been taken; Commissioner Rubino explained that for now this discussion is a "crumb" of a bigger idea. The "festival" or event would be a celebration of the arts. A major benefit is that it would spur community participation on many levels and get the word out that the Commission exists which is active and dedicated to having a place for the arts in the City.

Manager Betz added that staff envisions a week long package of events, occurring separately but marketed as a single event. Staff doesn't want to do a typical thing where items are just sold. The Art Center provides a venue for visual arts but staff is trying to branch out with some performance art at other venues (e.g. jazz at the Joslyn Center). He encourages interested persons to form a group to identify various venues in a single package, with events on an evening here and an evening there.

Chair Gill confirmed he is supportive but encouraged Commissioner Rubino to meet with Martin Betz, formulate a plan and then bring the more developed concept/plan back to the Commission.

Chair Gill asked if there was any other Commission business.

3. Pumpkin races October 28 Marine Avenue Park. Cultural Arts Supervisor invited the Commission to attend this special event and he explained important details and RSVP to him.

H. GENERAL BUSINESS

16/1108.1 Discussion of City Council approved Work Plan and Review

Manager Betz noted first that the CAC meetings may be televised and then recapped the recent Council adoption of the CAC Work Plan. It's a multi-year plan, with a few adjustments by the City Council. At the next CAC meeting, staff will come back with specific time lines and plans for each program. He reviewed each item as prioritized:

Item 1: Sculpture Garden: \$36k budgeted; changes now there will be 3 artists doing \$12k projects; still looking at other programs. Staff is looking into available programs (e.g. CAFÉ) to help staff facilitate the competition. Mr. Betz noted that there will not be a community group that will be involved in selecting the participating artists. There is a City cost, but feels it will be worth it. An RFP will be ready before the end of this week. He will report back to the Commission. This will be a 2-year commitment.

Item 2: Conservation Assessment: \$20k budgeted, to be done in-house. Budget is reasonable based on small number of art pieces involved and a lot of work has already been done. Andrew Berg will manage. A report will be provided at the November meeting.

Item 3: Utility box local competition; \$30k budgeted, Eilen Stewart will manage. City Council would like to see range of artists expanded beyond the city; staff currently looking for specific utility boxes to be painted or wrapped; there is an opportunity for community involvement. A small discussion followed with inquiries from the Commission as to whether residents or business owners who are adjacent to a box will have any input and who would decide the winning artists. Manager Betz acknowledged these are good questions and will look into.

Item 4: CAC Fund Re-Grant Program: \$50k budgeted; may be the way to fund community programs authorized by City Council. Manager Betz believes this is a high priority in terms of assisting city staff; wants to start ASAP and clarified: there are programs that have come forward; some programs go to schools and some to the City; all still need Council approval to implement; there will be a time limit in which to use the budgeted funds. Chair Gill noted that it is critical to impress the City Council and if the Council is pleased, it's a better chance that more will be funded.

Item 5: Augmented reality/sculpture collaboration with Cal Institute of Architecture: The Council did not fund at this time; they would like a more detailed or developed proposal.

Item 6: Develop an exhibit of the works of A.C. Connor; will take at least one year to do; to be done after the conservation of art is completed.

Item 7: Mural contest: \$150k budgeted; need to come up with about 5 locations including Sepulveda, North End etc. He is not sure how this will be facilitated yet.

Concluding, Mr. Betz noted the City Council's priorities were: the art works assessment, Sculpture Garden, utility boxes, murals, and the grant program. As to a permanent art piece: the Council is interested in that but some existing art needs repair including piece hidden in City Hall lobby.

The Commission asked about the Art Center, and expressed interest in having an improvement plan for the Art Center especially to make it more **visible**, such as a permanent art work (Rubino); a sign that "pops" to visitors (electronic but artistic); banners visible to people driving by (Betz); and perhaps a topiary as a part of overall landscaping improvements (Manna).

Chair Gill invited public comment.

Gary McAulay noted that he had attended the City Council meeting and heard its discussion of the Plan, but had a lot of difficulty following the discussion and wasn't sure what was actually approved. Betz clarified that the Sculpture Program was approved to 3 pieces, not 6 but will double check. He expressed that anything that will be permanent has to be very good art. Buying art is a long term process and the public should be allowed to weigh in, not just go buy a bunch of stuff.

Chair Gill invited the Commission to make final comments held discussion with staff on the Work Plan as the City Council approved and discussed.

Commissioner May agrees with Gary's points and looks for the Cultural Arts Manager's guidance.

Commissioner Manna agrees with a lot of what Gary said and knows they have to spend money within a set time frame. Right now the notion is to get the ball rolling, but the city should be careful what art is selected and where installed with input from the public. There is time to formulate policy, but should perhaps start utilizing money from the grants program. He mentioned the success of Chicago's "B" installation which was controversial.

Commissioner Rubino noted her pleasure in seeing that staff got so much approved and that the Council is on board. She likes the Trust Fund Grant being useful in enhancing community outreach and getting new ideas.

Commissioner Chase stated she is very excited about the murals especially and also agrees with Gary's points and is excited for the future.

Chair Gill emphasized that the City has an opportunity here and recognizes it's up to staff to bring items to the CAC and he encouraged staff to get info to the group in advance. Manager Betz stated this is in line with city wide direction with Commissions and Arts Supervisor Stewart added

that there has been discussion suggesting that all PowerPoints should be attached to minutes forwarded to the Council.

Chair Gill closed the discussion with appreciation of all the hard work by staff.

Commissioner Rubino requested that staff give an update to the CAC as to all the projects in writing and Mr. Betz will follow up on that with Finance. Or, if the document can be made into a template which can be sent to the Commission along with the agenda.

Manager Betz will look at this.

Chair Gill reported on the City Council's review of the Wayfinding proposal that had been reviewed by the CAC, and noted that it doesn't seem that there is real interest in an overall Sign program and the obelisk signs in particular seemed to be shot down.

ADJOURNMENT

At 7:33 P.M, Chairperson Gill adjourned to the regular meeting at 6:00 P.M. on November 20, 2017 in the Council Chambers at City Hall, 1400 Highland Avenue; and there being no objections, it was so ordered.

CITY OF MANHATTAN BEACH
MINUTES OF THE CULTURAL ARTS COMMISSION

November 20, 2017

Manhattan Beach City Hall, City Council Chambers
1400 Highland Avenue
Manhattan Beach, CA 90266

A. CALL TO ORDER

Vice Chair Prigozhin called the meeting to order at 6:03 PM.

B. ROLL CALL

Present: May, Manna, Prigozhin, and Rubino.

Absent: Chase, Chairperson Gill

Others present: Ceramics Supervisor Eilen Stewart, Recording Secretary Rosemary Lackow.

C. APPROVAL OF MINUTES – October 16, 2017

It was moved and seconded (Manna/ Rubino) to approve the October 16, 2017 minutes with correction of a typo on page 4, second paragraph from bottom (change “or” to “of” as: ...Cal Institute of Architecture). The motion carried 4-0-2 with a voice vote – ayes: Manna, May, Rubino, Prigozhin; noes: 0; abstain: 1: Gill; absent: 1: Chase

D. CEREMONIAL – None

E. AUDIENCE PARTICIPATION (3-Minute Limit) - None

F. STAFF ITEMS

Cultural Arts Division Update

Eilen Stewart, Ceramics Supervisor, reported:

- Staffing changes: Andrew Berg, who was introduced at the last meeting has accepted a position in another city. Ms. Stewart noted that his position will be dissolved and replaced by more positions of lower salaries because more basic staff resources are needed. Currently the Art Center is staffing up with 8 part time and 1 full time positions.
- Events: The open mic and costume figure drawing events are continuing, the next being on November 20 and December 7th; on Dec. 9th there will be 3 events: an Art Sale of works by City art class students, instructors or city staff; a gingerbread house workshop, and a craft night at Manhattan Heights; Holiday Fireworks will be December 10th.

Commissioner Prigozhin proposed changing the agenda order, so that Commission Items will follow not precede General Business; there being no objection, the next item called up was General Business.

G. GENERAL BUSINESS

Discussion of Sculpture Garden

Ceramics Supervisor Stewart distributed copies of the draft Sculpture Garden brochure and explained the program timeline: the brochure to be sent out by end of week with a submittal deadline in February, 2018. The Commission will select three finalists at their April meeting and this will be forwarded to the City Council for a final approval.

The Commission discussed and provided input: that a 4th artist should be chosen to fill in for one of three finalists should one drop out; it seems there are some typos in the brochure (e.g. capitalization in city job titles) (Prigozhin); since the greenbelt location is not included, there was discussion about alternate locations and process for determining (e.g. CAC might forward a recommendation to the Council who would have approval authority) (May and Manna).

H. COMMISSION ITEMS

Commissioner May noted there will be a North End MB Holiday Stroll on December 7 featuring the work of 23 artists, and there will be free food, liquid refreshments and music.

Commissioner Manna reminded of upcoming events including a Leadership Manhattan mock council meeting exercise prior to the next CAC meeting and a Beach Cities Health District Blue Zones Project public street design workshop in early December.

Commissioner Rubino inquired as to the quality of the yellow in the draft sculpture brochure; Eilen Stewart noted that she will check as to whether this is a printing error.

Commissioner Rubino initiated discussion that a group of people want to put on concerts at the Library and noted that the Library Commission has indicated an interest in hosting an event on their patio on a Saturday afternoon in conjunction with CAC. Janet Jones has contacted Commissioner Rubino who suggested that a proposal be prepared and brought before the CAC for discussion. The intent is to not conflict with summer concerts and to start with a trial event. If successful, perhaps would do a few times a year. An amphitheater setting is possible. LA County is interested and the proposal will be joint with them and the Library Commission.

Eilen Stewart noted that staff already works with the Library on joint events. The Commission had a brief discussion about the size of a committee, start date (could be before April, 2018 if start now), scope (only music but explore something innovative) and magnitude. Caution was encouraged due to the size of crowd possibly drawn. Commissioner Rubino noted that she would discuss this with Cultural Arts Manager Betz as to putting this topic on a future agenda. Ms. Stewart indicated that Manager Betz would be out of the office over the next 2 weeks.

Commissioner Prigozhin commented on a music concerts held every Friday, Saturday and Sunday at LACMA.

I. ADJOURNMENT

At 6:57 P.M, Vice Chair Prigozhin adjourned the meeting to the regular meeting at 6:00 P.M. on December 18, 2017 in the Council Chambers at City Hall, 1400 Highland Avenue (or an alternate meeting room, as to be determined); and there being no objections, it was so ordered.

CITY OF MANHATTAN BEACH
MINUTES OF THE PARKS AND RECREATION COMMISSION
Manhattan Beach City Hall
1400 Highland Ave.
Manhattan Beach, CA 90266
November 27, 2017
6:00 PM

CONTENTS

A. CALL TO ORDER

The meeting was called to order at 6:03 PM.

B. PLEDGE TO THE FLAG

C. ROLL CALL

Present: Commissioners Turkmany, Allen, Allard, Weiner, Greenberg, Tuffli

Absent: Commissioner Karger

D. APPROVAL OF MINUTES

Commissioner Allard moved to approve the October 23, 2017 minutes as written.

Commissioner Weiner seconded the motion. The motion passed.

Ayes: Commissioners Turkmany, Allen, Allard, Weiner, Greenberg, Tuffli

Noes: None

Abstain: None

Absent: Commissioner Karger

E. CEREMONIAL

None

F. AUDIENCE PARTICIPATION (3-Minute Limit)

Commissioner Turkmany opened the floor to audience participation.

Seeing none, the floor was closed to public comment.

G. GENERAL BUSINESS –

Salute to the Troops – Commissioner Weiner reported that he had met with Commissioner Karger to review the history of the event. He distributed and reviewed a draft calendar for planning. The following items were discussed:

- Band – if there could be a soloist, perhaps that would be a draw to the event. Commissioner Allard stated that if we can establish contact with the band far enough in advance, Dennis McNeil could perform more songs.
- Commissioner Weiner mentioned that the sound could be improved with speakers angled differently.
- Volunteers – no need for additional outreach for military volunteers
- Challenge coins – need to consider quantity and method of distribution
- Boy Scouts – 10-20 should be sufficient
- Flyover – Commissioner Weiner is reaching out to a group of classic flyers out of Torrance airport
- Certificate – if appropriate for special guest
- Booth participation – more outreach necessary

- Budget - Commissioner Allen confirmed that the concert is part of the Summer Concert series but anything that is unique to the event should be covered by sponsorship obtained by the commission.
- Added activities – interactive displays, inflatables
- Fill in dead air with music.

Director Leyman shared that Commissioner Karger reached out to Dan Mischella who has a contact with the Navy SEALs who might be approached to speak at the event. Mr. Mischella shared opportunities for advertising. He mentioned reaching out to Gold Star Families network and inviting them as VIPs. They spoke about how to get more people to come and making it more desirable to families. Hot dogs or cake, games, etc. may make it more appealing for families. The recommendation is to make the event as inclusive as possible but it may be difficult to get service members from out of the area to come all the way here. Director Leyman stated that if food will be offered to the public, it will be contracted out.

The commission decided not to have a raffle.

Commissioner Allard spoke with a Navy service man at the Veterans Day event and brainstormed how to get the word out. He recommended contacting the Naval Operations Service Corps located in Bell. Commissioner Allard will reach out.

Commissioner Weiner attended a Chargers game where 12 veterans were honored and it was very moving. He will reach out to his contact with the Charger to see if those honored are local residents.

Commissioner Allard suggested setting up a booth for letters of gratitude. Commissioner Tuffli mentioned a club at school that writes letters to soldiers. She will contact and see if the club would like to run a booth. Commissioner Greenberg mentioned that Grand View Elementary has a year-long campaign teaching children about gratitude.

Director Leyman will look into Salute specific sponsorship opportunities such as drinking water sponsorship. Commissioner Greenberg mentioned the green aspect of offering bottled water. After much discussion, it was decided that bottled water would not be provided.

Commissioner Greenberg suggested an ad-hoc committee focused on the Salute to the Troops event. He feels that a smaller committee might be more effective and efficient if there is a smaller group working the details. Commissioner Weiner added that an updated schedule and list would be available at the next meeting. At that time, smaller planning groups will be more effective for assigning responsibilities.

The Commission decided that there would be no free food provided at the event.

Special Event Policy discussion – Director Leyman asked the commissioners for specific feedback.

Commissioner Turkmany would like to define the word substantial. Linda Robb stated that a request was made to the traffic engineer to define “substantial traffic”. City resources, clarify City owned to read City-owned or leased, City –owned or operated. Commissioner Turkmany asked if 90 days advance application was long enough for Level II events. Director Leyman mentioned that the Downtown Manhattan Beach Professionals Association (DTMBPA) will be forming an ad hoc committee to discuss the policy. We’ll be keeping it on the agenda at least through January.

Commissioner Weiner inquired about the Holiday Open House and the DTMBPA’s opinion of it and how large it has become. Director Leyman stated that Kelly Stroman, Executive Director of the DTMBPA, could speak better to that point. Different businesses have different experiences with the event.

H. **COMMISSION ITEMS –**

Commissioner Allard moved to cancel the December meeting. Commissioner Allen seconded the motion. The motion passed.

Ayes: Commissioners Turkmany, Allen, Allard, Weiner, Greenberg, Tuffli
Noes: None
Abstain: None
Absent: Commissioner Karger

I. **STAFF ITEMS –** Director Leyman gave the following program and event updates:

12/9 Family Crafts Night 5-7, Art Sale, Gingerbread House workshop

12/10 Fireworks

Winter Registration for residents begins 12/4; non-resident registration begins 12/18.

Commissioner Allard thanked Commissioner Greenberg for helping with the pumpkin for the pumpkin race.

Veterans Day event had a good crowd with the reception at Joslyn Center. Commissioner Turkmany praised the speaker at the Veterans Day event. Staff member Bob Woods created a light show for the reception concert.

Department reorg – One position may go to council through the budget process. Recreation Supervisor, Andrew Berg, left and went to Rancho Palos Verdes. The Facility reservations clerk position is currently vacant. Hoping by the Spring to backfill at least 2 of the positions.

Director Leyman distributed and reviewed the preliminary Park Master Plan timeline.

Community workshops will be scheduled from 6:00-7:00 pm and will gather input on community priorities for park amenities and recreational space. An activity will also ask what residents would do if they were given incremental funds. Follow up meetings will be held at all locations. Each separate meeting will deal with all parks as a whole as well as the individual location of the meeting.

Commissioner Greenberg mentioned that some of the meetings may be combined and some may have too many included, also that Bruce's Beach should be added. Director Leyman confirmed that Bruce's Beach will be added to the schedule.

Friday, December 15th, Director Leyman invited the commissioners to the Employee holiday party at Summers.

J. **ADJOURNMENT**

Commissioner Weiner moved to adjourn. Commissioner Tuffli seconded the motion. The motion passed. The meeting was adjourned at 7:24 pm.

Ayes: Commissioners Turkmany, Allen, Allard, Weiner, Tuffli
Noes: None
Abstain: None
Absent: Commissioner Karger, Greenberg (left meeting at 7:22)

**CITY OF MANHATTAN BEACH
MINUTES OF THE LIBRARY COMMISSION**

January 8, 2018
6:00 p.m.
City Council Chambers

CONTENTS

A. CALL TO ORDER

The meeting was called to order at 6:00 PM.

B. PLEDGE TO THE FLAG

C. ROLL CALL

Present: Commissioners Casady, Kunkee, Schreiner, Windes, Elasowich*

Absent: Commissioner Scalabrini

*Commissioner Elasowich arrived at 6:24

D. APPROVAL OF MINUTES

Commissioner Schreiner moved to approve the December 11, 2017 minutes as written.

Commissioner Windes seconded the motion. The motion passed.

Ayes: Commissioners Casady, Kunkee, Schreiner, Windes

Nays: None

Abstain: None

Absent: Commissioner Elasowich and Scalabrini

E. CEREMONIAL

None

F. AUDIENCE PARTICIPATION

Librarian's Report – Melissa McCollum, Library Manager

Ms. McCollum the following updates on programs and events:

She stated she is grateful that the City Council recognized the Manhattan Beach Library Bookmark Winners at the December meeting. The local winners go on to a county-wide competition. Next year she would love to have the commission's input.

The Manhattan Beach librarians were pleased to participate in the judging of the PTA reflections contest for the 33rd District applicants (literature entries for middle school and high school).

Library Book Club selections are as

Ms. McCollum shared January calendar. 17 teens showed up for a public speaking workshop on a holiday week.

The Library is partnering with Pages for an author event on January 18th celebrating children's picture book, *Love* by author Matt de la Peña and illustrator Loren Long.

Native American Tribal Dance and Culture is scheduled using special funding for cultural programming. January 24th

Regional Administrator Don Rowe will join Ms. McCollum at the next Library Commission to present some statistics and resources. She is looking forward to feedback about the information that will be presented.

Toyetic exhibition opens Friday at the MB Art Center and the related Library Event will be February 9th from 8:00-10:00.

G. GENERAL BUSINESS

Work plan discussion – Commissioner Casady reported that he had met with Kelly Stroman of the Downtown Manhattan Beach Business and Professional Association (DTMBBPA) and she likes the idea of the library lunch. The Library Lunch Club came up as a name for the series. He invited her to come to the February meeting. Her feedback:

- Very positive
- There is a distinct possibility that the members of the DTMBBPA will be interested
- She feels strongly about finding a high profile author – reach high and people will come.
- She suggested considering 3 events per year instead of 4. January, September and April/early May
- Ticketing should go through Pages as the books need to be paid for through the bookstore. The Chamber of Commerce may not have the staffing resources to handle it.
- She thought commission was in the right ballpark as far as ticket price

Commissioner Windes reported that Chief Irvine and Al Muratsuchi held a free event that was well publicized and only 13 people showed up. She feels that the commission should be very careful about assuming that people will come. If Kelly could talk to her people for feedback, that would be great. She thought that maybe the idea should not be “if we have it they will come” but perhaps the other way, “if they want it, we will have it.”

Commissioner Schreiner stated that she trusts Pages and what they post on their social media and that Pages is very important to the process.

Commissioner Casady will approach Margot Farris, owner of Pages, about running the tickets through the store

Commissioner Casady recommended the commissioners to review the author list, especially those available in the May timeframe.

Commissioner Kunkee mentioned that with the internet, there is a large amount of information available at all times. That being the case, when she goes to an event, it is also for a social experience and not just for content. She added that it might be wise to invite some clubs and service organizations (ex. Rotary) to publicize the event to their members to get groups of people to come. Commissioner Casady agreed that the networking aspect is very important to the event. Commissioner Windes stated that many people may not be able to take off work in the middle of the day to attend. Commissioner Kunkee asked how many people are members of the Chamber of Commerce because it is important to know how many members would consider coming

between the Chamber and the DTMBBPA. Commissioner Casady will reach out to the Chamber and DTMBPPA to find out how the size of membership in both groups.

The Commission discussed the name of the series and ultimately agreed on the name Library Lunch Club.

H. COMMISSION ITEMS

Commissioner Windes asked Ms. McCollum about having a Valentines Day display at the library. Ms. McCollum stated that Commissioners Windes and Schreiner could do a pop-up on Valentines Day and greet customers for a couple of hours and then have a small passive display all month long. Ms. McCollum added that the Teen Librarian is planning an Anti-Valentines Day event, for teens to who may not want to celebrate the holiday in the traditional way to come and spend time together. Commissioner Windes expressed her concerns with the event being titled “Anti-Valentines Day.”

I. STAFF ITEMS

Manager Kelso had no updates.

J. ADJOURNMENT

Commissioner Casady moved to adjourn the meeting. Commissioner Windes seconded the motion. The motion passed.

Ayes: Commissioners Casady, Elasowich, Kunkee, Schreiner, Windes

Nays: None

Abstain: None

Absent: Commissioner Scalabrini

The meeting was adjourned at 6:39 PM.

CITY OF MANHATTAN BEACH
MINUTES OF THE PARKS AND RECREATION COMMISSION
Manhattan Beach City Hall
1400 Highland Ave.
Manhattan Beach, CA 90266
January 22, 2018
6:00 PM

CONTENTS

A. CALL TO ORDER

The meeting was called to order at 6:02 PM.

B. PLEDGE TO THE FLAG

C. ROLL CALL

Present: Commissioners Karger, Turkmany, Allen, Allard, Weiner, Greenberg, Tuffli

Absent: None

D. APPROVAL OF MINUTES

Commissioner Karger moved to approve the November 27, 2017 minutes as written.

Commissioner Weiner seconded the motion. The motion passed.

Ayes: Commissioners Karger, Turkmany, Allen, Allard, Weiner, Greenberg, Tuffli

Noes: None

Abstain: None

Absent: None

E. CEREMONIAL

None

F. AUDIENCE PARTICIPATION (3-Minute Limit)

Commissioner Karger opened the floor to audience participation.

Seeing none, the floor was closed.

**G. GENERAL BUSINESS –
Special Event Policy discussion**

Commissioner Weiner asked about events falling into 2 or more categories. Management Analyst, Linda Robb replied that if an event falls into multiple categories, the highest qualifying impact level would apply.

Commissioner Greenberg expressed concern about limiting the number of annual events. He would not like to create a policy that says we are at capacity. The policy should leave it open for discussion. Director Leyman stated that the reality is that we are at capacity for larger events, especially in the Downtown area and City Council still has the option to approve any new event and allocate additional resources. We can change the language to read that any new event would need to be considered and approved by City Council. Commissioner Greenberg stated that there are many events that do not occur in the downtown area so it is reasonable to assume that events can be requested in other areas and that there may be opportunities to be creative and bring in outside resources. He is concerned that the policy with an event cap is not welcoming and may discourage an excellent event from applying. Director Leyman stated that the cap of 15 only applies to current established annual events. The policy still leaves it open for additional one-off events. Commissioner Greenberg countered that usually if the event is

successful, the organizers will want to do it again. Ms. Robb stated that those events would need to go through the process every year and may be approved if they can be supported. Commissioner Allen requested that the language regarding the limit be altered. Director Leyman stated that the language can be changed to reflect that approval of events will be based upon availability of city resources, and City Council approval allocating additional resources, if necessary.

Commissioner Weiner asked about the definition of a Manhattan Beach Resident organization, for event prioritization the required percentage of Manhattan Beach residents in an organization to qualify as a resident organization. Director Leyman confirmed that the percentage should be consistent with the Field use policy. The percentage for Manhattan Beach residents is to be determined by the Field policy ad-hoc committee and will be carried forward to the special events policy.

Commissioner Turkmany moved to approve and recommend the special event policy to the City Council with stated changes. Commissioner Allard seconded the motion. The motion passed unanimously.

H. **Salute to the Troops** –

Commissioner Weiner reported that he reached out to the Tiger Squadron, a 3-plane formation flyover group to cue the National Anthem and then circle around 90 seconds later. The cost would be \$250 per plane. The group sends an invoice afterwards, there is no contract prior to the event. Ms. Robb requested contact details to prepare a contract.

Commissioner Karger stated that there is a discount on challenge coins if ordered by 2/15/18. There is no charge for design change with current quantity of 500. Staff will request that graphic artist, Kristin Yamauchi develop new designs for approval. Director Leyman asked the commission for creative input. After some discussion, the Commission decided to order 400 coins with the year and numbering.

Commissioner Tuffli reported that she had spoken with a high school club called Any Soldier. They could have a booth at the event for people to write letters to troops stationed overseas. A booth will be reserved for Any Soldier.

Commissioner Weiner stressed the importance of making sure the booths are in order. The event needs better preparation for booth participants. Commissioner Allard stated that the USO will definitely be there with a booth.

Commissioner Turkmany asked if there is an R.O.T.C. group at Mira Costa High School. Commissioner Tuffli will check and report back.

Commissioner Karger will research the Gold Star Families Network Foundation.

I. **COMMISSION ITEMS** –

Commissioner Greenberg reported that he spoke with some councilmembers regarding the 2028 Summer Olympics and volleyball in Manhattan Beach and they were generally supportive.

Commissioner Greenberg reported that he and Commissioner Tuffli had updated the School Board on Commission work plan activities and he had given an update on the Field use and allocation Policy ad-hoc committee meetings. MBUSD expressed interest in further coverage for field policy (pools, tennis courts, etc.) and asked that the ad-hoc committee meet with MBX and the general community as well as the user groups.

Commissioner Allen asked about a flag at one of the fields that was flying after dark. He asked if that was an oversight. Director Leyman stated that the flags should be removed at dusk if not lit.

- J. **STAFF ITEMS** – Director Leyman gave the following program and event updates:
Community Budget meeting, January 30th, Joslyn Community Center-will highlight how money is spent within the departments.

Media Kit – Michele Stoll in the Cultural Arts program area has brought this project forward and has done a great job increasing sponsorships. OneWest Bank has committed to Presenting Sponsor for Concerts in the Park again this year.

California Parks and Recreation Society (CPRS) – the department submitted 5 entries for CPRS awards and has won three so far for Social Media, Manhappenings, and Coffee, Technology and you. The Banquet will be in Long Beach on Friday, March 16th.

In March, a donation policy will be presented to the commission for review. Director Leyman requested Commissioners to share if they see policies from other municipalities. Both the Strand Alcove and Tree and Bench donation programs have been placed on hold. Director Leyman asked the Commission to focus on alternatives to the tree and bench donation program. The policy is due to go to the City Council on the first meeting in April.

Park Master Plan – Park tour will take about three hours and will be done on a Dial a Ride bus. Director Leyman will send out a request via Doodle for availability.

Park Master Plan Timeline – The City recently did a community-wide phone survey. Unfortunately, the department was not able to include any questions regarding the Park Master Plan with the tight timeline. The good news is that we can put together survey questions and hopefully have a vendor on board by April to help refine the survey. They would present at a Commission meeting and help us refine the survey questions.

K. **ADJOURNMENT**

Commissioner Greenberg moved to adjourn. Commissioner Allen seconded the motion. The motion passed. The meeting was adjourned at 7:08 pm.

Ayes: Commissioners Karger, Turkmany, Allen, Allard, Weiner, Greenberg and Tuffli
Noes: None
Abstain: None
Absent: None

**CITY OF MANHATTAN BEACH
PLANNING COMMISSION MEETING ACTION MINUTES**

February 14, 2018 at 6:00PM

City Hall Council Chambers – 1400 Highland Avenue, Manhattan Beach, CA 90266

1. CALL MEETING TO ORDER **6:00 p.m.**
2. PLEDGE TO FLAG
3. ROLL CALL **Morton, Fournier, Seville-Jones, Burkhalter, Chair Apostol**
4. APPOINTMENT OF VICE-CHAIRPERSON
Motion to follow Boards and Commissions Handbook guidelines and appoint in order of seniority [Seville-Jones] (Approved 5:0)
5. AUDIENCE PARTICIPATION **(3-minute Limitation) None**
6. APPROVAL OF MINUTES

02/14/18-1. Regular Meeting – January 24, 2018 **Approved with no changes (5:0)**
7. GENERAL BUSINESS

02/14/18-2. Adoption of a Resolution Documenting the Decision of Approval for a Master Use Permit Amendment to Modify the Existing Uses Located at 451 Manhattan Beach Boulevard, Metlox (Metlox, LLC)
Discussed resolution and received public comments. Motion to adopt Resolution; Approved. (3:2), Seville-Jones and Burkhalter voted NO

****Commissioners Apostol and Seville-Jones recused themselves from the next item and left the room. Commissioner Burkhalter proceeded as Chairperson for the next item****
8. PUBLIC HEARING

02/14/18-3. Consideration of Use Permit Applications to Construct a New Office Building and an Office Building Addition and Consideration of a Final Environmental Impact Report Pursuant to the California Quality Act for Projects at 305 and 330 South Sepulveda Boulevard (Skechers USA)
Conducted the public hearing, discussed, and motioned to support Resolutions 1 and 2; Approved. (3:0) Commission re-opened and continued Public Hearing to March 14, 2018 and directed Staff to meet with applicant and provide alternatives to Resolution 3. (3:0)

****Commissioners Apostol and Seville-Jones did not return to dais****
9. DIRECTOR'S ITEMS **None**

(Continued on next page)

Page 1 of 2

- 10. PLANNING COMMISSION ITEMS **None**
- 11. TENTATIVE AGENDA February 28, 2018
a. Condominium Code Amendments – Public Hearing
- 12. ADJOURNMENT TO February 28, 2018 **Meeting adjourned at 8:23 p.m.**
February 28, 2018 March 14, 2018 March 28, 2018 April 11, 2018 April 25, 2018

Meetings are broadcast live through Manhattan Beach Local Community Cable Channels (Time Warner Channel 8 and Verizon Channel 35), and Live Webcast via the City's website. Most meetings are rebroadcast at 12:00 PM and 8:00 PM on the Friday and Sunday following the Wednesday meeting on the Community Cable Channels and Live Webcast. If a City Council meeting falls in the same week as a Planning Commission meeting, the Commission meeting will be replayed the next week on Thursday at Noon. Meetings are archived at www.citymb.info.

**CITY OF MANHATTAN BEACH
PLANNING COMMISSION MEETING ACTION MINUTES**

February 28, 2018 at 6:00PM

City Hall Council Chambers – 1400 Highland Avenue, Manhattan Beach, CA 90266

1. CALL MEETING TO ORDER **6:00 p.m.**
2. PLEDGE TO FLAG
3. ROLL CALL **Morton, Fournier, Seville-Jones, Burkhalter, Chair Apostol**
4. AUDIENCE PARTICIPATION **(3-minute Limitation) None**
5. APPROVAL OF MINUTES
02/28/18-1. Approval of February 14, 2018 minutes will be moved to March 14, 2018 meeting
Approval of February 14, 2018 minutes continued to March 14, 2018 meeting
6. PUBLIC HEARING
02/28/18-2. Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) Related to Residential Condominium Standards
Conducted the public hearing and adopted the Resolution, recommending approval to the City Council. (5:0)
02/28/18-3. Proposed Amendments to the Use Permit for the 900 Club for a Change in Hours of Operation and Changes to the Entertainment Permit Requirements, for an Existing Restaurant/Bar at 900 Manhattan Avenue (900 Club and Downstairs Bar) *Continued Public Hearing from January 24, 2018*
Conducted the closed public hearing, accepted additional testimony, directed Staff to prepare a Resolution for March 14, 2018 meeting to approve with additional conditions. (5:0)
7. DIRECTOR'S ITEMS **None**
8. PLANNING COMMISSION ITEMS
a) Consumer trends away from retail to entertainment and services; changing parking discussed
b) Sepulveda Initiatives information to be provided to Planning Commission

(Continued on next page)

9. TENTATIVE AGENDA March 14, 2018
a. Skechers continued public hearing
b. Mobility Plan Update public hearing
c. 900 Club Resolution

10. ADJOURNMENT TO March 14, 2018 **9:20 p.m.**
March 28, 2018 April 11, 2018 April 25, 2018 May 9, 2018 May 23, 2018

Meetings are broadcast live through Manhattan Beach Local Community Cable Channels (Time Warner Channel 8 and Verizon Channel 35), and Live Webcast via the City's website. Most meetings are rebroadcast at 12:00 PM and 8:00 PM on the Friday and Sunday following the Wednesday meeting on the Community Cable Channels and Live Webcast. If a City Council meeting falls in the same week as a Planning Commission meeting, the Commission meeting will be replayed the next week on Thursday at Noon. Meetings are archived at www.cityymb.info.

Agenda Date: 3/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Anne McIntosh, Community Development Director

SUBJECT:

Recent Planning Commission Quasi-Judicial Decisions

1. Use Permit Amendment - 900 Club
2. Use Permit, Use Permit Amendment and EIR - Skechers
(Community Development Director McIntosh).

INFORMATION ITEMS ONLY

On March 14, 2018 (after the posting of the March 20, 2018 City Council agenda), the Planning Commission considered the items described below. **In the event the Commission takes action on either item, staff will inform the City Council of the decision no later than March 16, 2018.**

STAFF'S RECOMMENDATION: APPROVE RESOLUTIONS WITH CONDITIONS

1. Consideration of a Resolution Approving a Use Permit Amendment for the 900 Club and Downstairs Bar for operational changes and changes to the Entertainment Permit requirements, for an Existing Restaurant/Bar at 900 Manhattan Avenue (900 Club and Downstairs Bar)

On August 17, 2017, the owner the 900 Club and Downstairs Bar filed an application for a Use Permit Amendment to increase the hours of operation by one hour on Thursday-Saturday, increase the number of annual Entertainment Events from 18 to 24, and modify the Event notification to not require notice to the neighbors. The City's Zoning Code requires approval of a Use Permit amendment to modify an existing restaurant/bar's operations.

The Planning Commission held public hearings on January 24 and February 28, 2018 and received abundant public input. On February 28th the Commission directed staff, by a 5:0 vote,

to prepare a Resolution of approval with conditions to allow removing the “last call” requirement but with no increase in hours of operation, allowing up to 24 Entertainment Events per year, continuing neighbor notification and additional conditions to address noise concerns from the Downstairs Bar. The public hearing was closed and staff was directed to schedule the item on March 14, 2018 for consideration of the draft Resolution.

Link to the January 24, 2018, Planning Commission staff report:

http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2018/20180124/20180124-4.pdf

Link to the February 28, 2018, Planning Commission staff report:

http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2018/20180228/20180228-3.pdf

Link to the March 14, 2018, Planning Commission staff report:

http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2018/20180314/20180314-3.pdf

2. Consideration of Resolutions Approving Use Permit Applications to Construct a New Office Building and an Office Building Addition and Certification of a Final Environmental Impact Report Pursuant to the California Quality Act for Projects at 305 and 330 South Sepulveda Boulevard (Skechers USA)

On August 19, 2015, applications were received for a Use Permit, Use Permit Amendment, and related EIR certification to accommodate a new 37,000 square-foot office building (305 S. Sepulveda), and a 20,000 square-foot addition to an existing 55,000 square-foot office building (330 S. Sepulveda). The City’s Zoning Code permits general office use in the Commercial General Zone, but requires Use Permit approval for commercial development with more than 5,000 square feet of floor area, or 10,000 square feet of site area.

At the Planning Commission public hearing on February 14, 2018 the Commission directed staff, by a 3:0:2 vote, to work with the applicant on the 305 S Sepulveda building to develop alternatives for the Boundary Place loading dock and deliveries to address concerns and to bring back three Resolutions, two for approval of the two projects with conditions and one CEQA Resolution for both projects. The public hearing was continued to March 14, 2018 for consideration of the draft Resolutions.

Link to the February 14, 2018, Planning Commission staff report:

http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2018/20180214/20180214-3.pdf

Link to the March 14, 2018, Planning Commission staff report:

http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2018/20180314/20180314-4.pdf

STAFF’S RECOMMENDATION: APPROVE RESOLUTION WITH CONDITIONS

In the event the Planning Commission takes action on these Resolutions, staff will inform City Council of the decision no later than March 16, 2018.

Planning Commission quasi-judicial decisions can be called up for review by two Councilmembers or appealed by any member of the public within 15 days of the decision. For all requests for review, it shall be presumed that the reason for the request is that the decision may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have Citywide importance warranting review and determination by City's elected officials. Bias shall not be presumed or inferred due to a request for review.

