

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, February 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*

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A. PLEDGE TO THE FLAG

Mark Lipps, Manhattan Beach Chamber of Commerce, led the Pledge of Allegiance.

B. ROLL CALL

Present: 4 - Mayor Howorth, Mayor Pro Tem Napolitano, Councilmember Montgomery and Councilmember Lesser

Absent: 1 - Councilmember Hersman

C. CEREMONIAL CALENDAR

None.

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

Mayor Howorth reported that Councilmember Hersman is ill and not in attendance at the meeting.

Mayor Howorth announced that by a 4-0 vote the City Council has appointed Interim City Manager Bruce Moe as permanent City Manager. Mayor Howorth further added that, after hearing the City Attorney's Closed Session announcement, Councilmember Hersman texted and noted that if she had been in attendance the vote would have been 5-0.

City Manager Moe thanked the City Council for their confidence in him and noted that he is honored and humbled to serve the City Council and the community.

Mayor Howorth requested continuing Item No. 12 (Discussion Regarding Short-Term Rentals) to another meeting so that all Councilmembers could discuss the item. She noted that if any audience member wanted to speak on the item tonight during Public Comment, they would be heard and could also comment again at a future meeting on this item.

Mayor Howorth also requested continuing Item No. 15 (Request by Councilmember Hersman and Councilmember Lesser to report on Proposition 47 Petition for discussion) since Councilmember Hersman is absent.

A motion was made by Councilmember Lesser, seconded by Councilmember Montgomery to approve the agenda as amended, continuing Item No. 12 (Discussion Regarding Short-Term Rentals) and Item No. 15 (Request by Councilmember Hersman and Councilmember Lesser to Report on Proposition 47 Petition for Discussion). The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

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

Mark Lipps, Manhattan Beach Chamber of Commerce, announced that the State of the City will be held at the Joslyn Community Center on February 7, 2018, at 7:30 AM and that the event is free to the public.

Melissa McCollum, Manhattan Beach Librarian, reported on upcoming library events.

Mark Leyman, Parks and Recreation Director, reported that the Parks and Recreation Department was notified by the California Parks & Recreation Society that the Department received three "Awards of Excellence," two for the "MANHAPPENINGS" Brochure and one for the intergenerational program, "Coffee, Technology and You" and the Department will be recognized at the annual conference in March. He further added that in the month of July, in the National Parks & Recreation Association Calendar, the community-based International Surf Festival will feature a picture from the recent Six-Man Volleyball Tournament.

Mayor Howorth announced that the City has an App named, "Reach Manhattan Beach" and has a feature that is the City's "Click-It and Fix-It" solution for service requests.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Steve Packwood congratulated City Manager Moe and spoke of pension plans, priorities in spending money, and funding issues. He requested a status report on those topics.

Mark Lipps, resident and business owner, spoke against the ban on short-term rentals and noted that it's possible that one or two incidents affected the decision.

Connie Ilanos, works on public policy for Air B&B in Southern California, related that short-term rentals create additional sources of revenue and looks forward to being a part of the continuing discussion.

Carol Detrick spoke of short-term rentals and is looking for more clarification on the item.

Thomas Bruck related advantages to his short-term rentals in Texas.

David Kissinger, South Bay Association of Realtors, encouraged taking a new look at the short-term rental issue.

Robert Reyes, Realtor, urged that short-term rentals cater to families.

Chris Cagle, South Bay Workforce Investment Board, presented the Boards 2nd Quarterly Report.

Bill Victor, property owner, remarked that many groups of people, such as property owners, residents, visitors, and City finances are affected by the short-term rental ordinance.

Steven DeWees, Realtor, noted that on rentals over 30 days, the renter has to be evicted.

Robert Schumann requested more notice when the matter is heard.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Montgomery, seconded by Councilmember Lesser, to approve the Consent Calendar Item Nos. 1-10. The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

1. City Council Minutes: [18-0009](#)

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

- a) City Council Special Meeting Minutes (Closed Session) of January 16, 2018
- b) City Council Regular Meeting Minutes of January 16, 2018 (City Clerk Tamura).

APPROVE

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

2. Financial Report: [18-0012](#)

- a) Schedule of Demands: January 4, 2018
- b) Investment Portfolio for the Month Ending December 31, 2017
- c) Month End Report for December 31, 2017 (Acting Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

3. Award of Bid #1147-18 to Wondries Fleet Group for the Purchase of [18-0018](#)

Three Budgeted Replacement Electric Cars for the Community Development Department in the Amount of \$105,967.50; Supplemental Appropriation of \$105,967.50 from the Motor Vehicle Registration Fee Subvention Fund (Acting Finance Director Charelian).

APPROVE AND APPROPRIATE FUNDS

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

4. Award of Bid #1149-18 to Raceway Ford for the Purchase of One [18-0029](#)

Budgeted Replacement Truck for the Public Works Department in the Amount of \$53,810.92 (Acting Finance Director Charelian).

APPROVE

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

5. Resolution Approving Memorandum of Understanding with the Manhattan [RES 18-0020](#)
Beach Mid-Management Employee Association (Human Resources Zadroga-Haase).

ADOPT RESOLUTION NO. 18-0020

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

6. Resolution to Adopt the Exchange of Services Under Automatic Aid and [RES 18-0019](#)

Initial Actions Responses Between the Manhattan Beach Fire Department and the Consolidated Fire District of Los Angeles County Memorandum of Understanding (Fire Chief Espinosa).

ADOPT RESOLUTION NO. 18-0019

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

7. Donation of Two Surplus Ambulances to Manhattan Beach Sister City [18-0023](#)
Santa Rosalia, Baja Sur, Mexico (Fire Chief Espinosa).
APPROVE

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

8. Resolution to Amend Historic Preservation Fees (Community [RES 18-0021](#)
Development Director McIntosh).
ADOPT RESOLUTION NO. 18-0021

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

9. Accept as Complete the 3rd Street Improvement Project by EBS General [18-0034](#)
Engineering Inc.; Authorize Filing a Notice of Completion with the County
Recorder; and Release the Retention amount of \$8,537.00 (Public Works
Director Katsouleas).
APPROVE

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

10. Resolution Awarding RFP No.1142-18 to Barr Commercial Door Repair [RES 18-0003](#)
for a Three-Year Maintenance Services Agreement for \$83,980 (Public
Works Director Katsouleas).
ADOPT RESOLUTION NO. 18-0003

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

I. PUBLIC HEARINGS

None.

J. GENERAL BUSINESS

11. Review of Current Services and Consideration of Future Services to be Included in the City's Upcoming Solid Waste Request for Proposals (RFP); and Consideration of Appointing Two Councilmembers to a Solid Waste Services Review Ad Hoc Subcommittee (Public Works Director Katsouleas). [18-0014](#)

DISCUSS AND PROVIDE DIRECTION

City Manager Bruce Moe introduced the item providing a summary of the contract history and introduced Public Works Director Stephanie Katsouleas who presented information about what Staff is seeking from the City Council within the RFP (Request for Proposal) process.

Public Works Director Katsouleas introduced HF&H Consultants, LLC Senior Vice President, Laith Ezzet who is assisting the City with the procurement process.

Senior Vice President Laith Ezzet and Public Works Senior Management Analyst Anna Luke-Jones presented the PowerPoint presentation and responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Bill Victor had questions about recovery costs.

Craig Cadwallader, spoke as a resident and on behalf of the Surfrider Foundation Southbay Chapter about involvement in environmental issues.

Will Arvizo spoke in favor of taking the lowest bid for the trash contract.

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

City Manager Moe responded to City Council questions.

A motion was made by Councilmember Montgomery, seconded by Mayor Howorth, to move forward with the RFP (Request for Proposals) and provided the following direction: 1. Move forward with seven staff recommendations to enhance and eliminate services in residential and commercial areas; 2. Move forward with five proposed contract considerations to consider in the next waste hauling franchise agreement; and 3. Return to the City Council with best practices other cities are undertaking as it relates to food waste. The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

Mayor Howorth appointed Councilmember Hersman and Councilmember Montgomery to a subcommittee to help facilitate the Solid Waste RFP development, selection and negotiation process.

At 7:50 PM City Council recessed and reconvened at 7:58 PM with all Councilmembers present (Councilmember Hersman absent).

12. Discussion Regarding Short-Term Rentals (Community Development Director McIntosh).

[18-0015](#)

DISCUSS AND PROVIDE DIRECTION

This item was continued to a future meeting.

13. Fiscal Year 2016-2017 Comprehensive Annual Financial Report (Acting Finance Director Charelian).

[18-0062](#)

RECEIVE AND FILE

City Manager Bruce Moe provided the introduction and Acting Finance Director Steve Charelian provided the Staff presentation.

Lance, Soll and Lunghard (LSL) Managing Partner Rich Kikuchi provided the PowerPoint presentation.

LSL Managing Partner Kikuchi and City Manager Moe responded to City Council questions.

Mayor Howorth opened the floor to public comments.

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

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Lesser, that this item be received and filed. The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

14. Discuss and Approve the Design for the City Lapel Pin.
DISCUSS AND APPROVE

[18-0019](#)

Management Analyst George Gabriel provided the Staff presentation and responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Jackie May stated that the City pin should be simple and that the City seal would be a great option.

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 Mayor Howorth, to use the City Seal, with the official colors, to be the new City pin. The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

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

Councilmember Montgomery attended the Independent Cities Association Conference and provided a report in compliance with AB 1234.

Mayor Pro Tem Napolitano also attended the Independent Cities Association Conference and provided a report in compliance with AB 1234.

Mayor Howorth reported on attending the US Mayor's Conference and provided a report in compliance with AB 1234.

**15. Request by Councilmember Hersman and Councilmember Lesser to Report
on Proposition 47 Petition for Discussion.**

This item was continued to a future meeting.

16. Request by Mayor Howorth to Discuss the Environmental Program
Changing "Breathe Free" to "Smoke Free".

[18-0077](#)

DISCUSS AND PROVIDE DIRECTION

Management Analyst George Gabriel provided the Staff presentation.

Mayor Howorth opened the floor to public comment.

Craig Cadwallader spoke in favor of having more direct signage for "smoke-free" and noted that he participated in a similar project with the City of Hermosa Beach.

Jackie May agreed that a stronger message should be made regarding signage.

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 Mayor Howorth, to be more direct about "No Smoking" and install more of the international signs on The Strand and other public places, and to leave the "Breathe Free" signage in place and replace when necessary or appropriate. The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

17. Support for California State Assembly Bill No. 1775 and Senate Bill No. 834 to Prohibit the State Lands Commission and Local Trustees from Entering into Lease Agreements for Exploration or Production of Oil or Natural Gas in State Regulated Coastal Waters; and Adopt a Resolution to Oppose New Leases for Oil and Gas Activities off the Coast of California and Oppose Executive Order 13795 (Community Development Director McIntosh).

[RES 18-0022](#)

APPROVE

Environmental Programs Manager Dana Murray provided the Staff presentation.

Mayor Howorth opened the floor to public comment.

Nancy Hastings, Oceana of Southern California, spoke in favor of supporting the legislation.

Craig Cadwallader, Surfrider Foundation, concurred with supporting the legislation.

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 approve the Staff recommendation to:

- 1. Support California Assembly Bill No. 1775 and Senate Bill No. 834 prohibiting exploration or production of oil or natural gas in State regulated coastal waters up to three miles from the coastline.**
- 2. Authorize the Mayor to sign the letter attached to the subject staff report in support on behalf of the City.**
- 3. Adopt Resolution 18-0022 to oppose new leases for oil and gas activities off the coast of California and to oppose the Presidential Executive Order 13795, "Implementing an America-First Offshore Energy Strategy," which established a policy to encourage energy exploration and production on the outer continental shelf.**
- 4. Consider updating the City's Local Coastal Program (LCP) to include language that does not allow oil and gas drilling infrastructure along the City's coastline, and give direction.**

The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

18. Request by Mayor Howorth and Mayor Pro Tem Napolitano to Send Letter of Opposition Regarding Senate Bill 827, Exempting Certain Housing Projects from Locally Developed and Adopted Height Limitations, Densities, Parking Requirements and Design Review Standards (Community Development Director McIntosh).

[18-0073](#)

AUTHORIZE LETTER

Management Analyst George Gabriel provided the Staff presentation.

Mayor Howorth opened the floor to public comment.

Seeing no 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 authorize sending a letter of opposition regarding Senate Bill 827, which exempts certain housing projects from locally developed and adopted height limitations, densities, parking requirements and design review standards. The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Montgomery and Lesser

Absent: 1 - Hersman

L. FUTURE AGENDA ITEMS

19. Agenda Forecast (City Clerk Tamura).

[18-0032](#)

DISCUSS AND PROVIDE DIRECTION

Councilmember Lesser requested that the fees for restructuring the Manhattan Beach Botanical Gardens at Polliwog Park be agendized and Mayor Howorth concurred.

City Manager Bruce Moe responded to City Council questions.

Mayor Pro Tem Napolitano requested agendizing sending a letter to the Air Resources Board regarding a rule prohibiting the use of MHF at any refinery and Mayor Howorth concurred.

M. CITY MANAGER REPORT

City Manager Bruce Moe announced that Southern California Edison has reported that construction on Rosecrans Avenue and Village Drive will be February 11-16, 2018 and traffic on Rosecrans Avenue will be affected during work hours. The information will be provided on the City's website and will be e-notified.

City Manager Moe reported that the Budget Social was a success and further input can be given at "Open City Hall" on the City's website.

City Manager Moe concluded by announcing that Risk Manager Greg Borboa was appointed to two committees on the City's new Risk Pool as a regular member on the Member Services Committee and as an alternate on the Legislative Committee.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

20. Commission Minutes: [18-0074](#)

This Item Contains Minutes of the following City Commission Meeting:
Planning Commission Action Meeting Minutes of January 24, 2018
(Community Development Director McIntosh).

INFORMATION ITEM ONLY

This item was received and filed by order of the Chair.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 9:25 PM the Regular City Council Meeting was adjourned to the 5:00 PM February 20, 2018, Closed Session in memory of Dr. Lester Silverman.

Martha Alvarez
Recording Secretary

Amy Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk