

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, June 20, 2017

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

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

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

Mayor Lesser led the Pledge of Allegiance.

B. ROLL CALL

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

C. CEREMONIAL CALENDAR

1. Proclamation Declaring the Month of July, 2017 as "Parks and Recreation Month". [17-0230](#)

PRESENT

Parks and Recreation Director Mark Leyman, on behalf of the Parks and Recreation Department, accepted the recognition from the City Council declaring July as Parks and Recreation Month.

2. Presentation of Certificates of Recognition of Mira Costa High School Student Amanda Montag on her Acceptance into the United States Naval Academy. [17-0235](#)

PRESENT

Mayor Lesser, on behalf of the City Council, presented a certificate of recognition to Amanda Montag from Mira Costa High School for her acceptance into the United States Naval Academy. Amanda Montag could not be present at the City Council meeting therefore, Mayor Lesser requested to have the certificate sent to her.

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

A motion was made by Mayor Pro Tem Howorth, seconded by City Councilmember Montgomery, to approve the agenda and waive full reading of ordinances. The motion carried by the following vote:

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

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

Councilmember Montgomery reported that he is the second representative for the Mar Vista discussions and requested that if any residents have questions or comments about the Mar Vista roadway construction to contact Mayor Lesser or him.

Diane Wallace, Environmental Priorities Network representative reported that there would be a solar and green homes tours on Saturday, June 24, 2017.

Melissa McCullom, Manhattan Beach Public Library Manager, announced upcoming events.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Lara Leitner legal representative for 3500 Sepulveda, LLC announced that her client intends to appeal the Planning Commissions decision at the June 14, 2017, meeting regarding modifications to the Manhattan Village renovation project.

Jean Gunthrie spoke in support of keeping the Historic Preservation Commission.

Mark Lipps demonstrated the Manhattan Beach Business Journal for the Summer, military mailer to all the businesses for enrollment in the military discount program and spoke about the map of the City that Chamber of Commerce, along with City staff, are currently working on to provide various information for visitors.

Mike Zislis spoke in support of agenda Item No. 7 regarding Downtown Business Improvement District resolution for fiscal year 2017-2018 and is in support agenda Item No. 11 regarding the Interim Zoning Ordinance (IZO).

Jon Chaykowski spoke about undergrounding.

Bob Perkins spoke about undergrounding.

G. CONSENT CALENDAR (APPROVE)

A motion was made by City Councilmember Montgomery, seconded by City Councilmember Hersman, to approve the Consent Calendar. The motion carried by the following vote:

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

3. City Council Minutes:

[17-0233](#)

This Item Contains Minutes of the following City Council Meeting:

- a) City Council Regular Meeting Minutes of May 16, 2017
 - b) City Council Special Meeting (Closed Session) Minutes of May 30, 2017
 - c) City Council Special Meeting (Closed Session) Minutes of June 5, 2017
- (City Clerk Tamura).

APPROVE

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

4. Financial Report: [17-0181](#)
Schedules of Demands: May 11, 2017 and May 25, 2017 (Finance Director Moe).

ACCEPT REPORT AND DEMANDS

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

5. Extension for Implementation of New Guidance on Federal Award Programs (Finance Director Moe). [17-0266](#)

APPROVE

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

6. Resolution Awarding a Construction Contract to Alfaro Communication Construction Inc. for the Parkview Avenue Sidewalk and Access Ramp Improvements Project for \$157,845.40 (Public Works Director Katsouleas). [RES 17-0070](#)

ADOPT RESOLUTION NO. 17-0070

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

H. ITEMS PULLED FROM THE CONSENT CALENDAR

None.

I. PUBLIC HEARINGS

7. Public Hearing Regarding the Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2017-2018 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 2016-2017 Assessments Collected (Economic Vitality Manager Sywak). [RES 17-0046](#)

**CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 17-0046;
RATIFY BOARD**

Economic Vitality Manager Andy Sywak presented the staff presentation.

Mayor Lesser opened the public hearing.

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

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Montgomery, to adopt Resolution No. 17-0046 overruling protests and providing for the annual levy and collection of assessments for the existing Downtown Manhattan Beach Business Improvement District, pursuant to California Streets and Highways Code Section 36500 ET. SEQ and ratify the board. The motion carried by the following vote:

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

8. Conduct Public Hearing Regarding Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2017-2018 (Finance Director Moe). [RES 17-0051](#)

CONDUCT PUBLIC HEARING, ADOPT RESOLUTION NO. 17-0051

Finance Director Bruce Moe presented the staff presentation.

Mayor Lesser opened the public hearing.

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

A motion was made by Mayor Pro Tem Howorth, seconded by City Councilmember Hersman, adopt Resolution No. 17-0051 confirming a diagram and assessment for the 2017-18 fiscal year, and ordering the improvements in connection with Manhattan Beach landscaping and street lighting maintenance District No. 99 pursuant to the provisions of Part 2 of Division 15 of the Streets and Highways Code. A friendly amendment, accepted by the maker, to direct staff to look at options on how to reduce the costs for the approved items. The motion carried by the following vote:

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

9. Conduct Public Hearing Regarding Resolution No. 17-0086 to Consider the Fiscal Years 2018-2022 Capital Improvement Plan (Public Works Katsouleas).

[RES 17-0086](#)

CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 17-0086

Public Works Director Kasouleas presented the staff presentation.

Public Works Director Katsouleas and City Manager Danaj responded to City Council questions.

Mayor Lesser opened the public hearing.

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

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Montgomery, adopt Resolution No. 17-0086 approving the Capital Improvement Plan for fiscal year 2017-2018 through 2021-2022. The motion carried by the following vote:

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

10. Public Hearing and Adoption of the Fiscal Year 2017-2018 Operating Budget and Gann Appropriation Limit (Finance Director Moe).

[17-0237](#)

CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NOS. 17-0072 AND 17-0073; APPROPRIATE; AUTHORIZE CITY MANAGER TO APPROVE JOB SPECIFICATION AND SALARY

Finance Director Bruce Moe presented the PowerPoint presentation,

Finance Director Moe and City Manager Mark Danaj responded to City Council questions.

Mayor Lesser opened the public hearing.

Seeing no requests to speak, Mayor Lesser closed public hearing.

Councilmember Napolitano and Mayor Lesser requested to agendize a future item and have staff return to City Council with a report regarding the possibility of funding for the Chamber of Commerce and economic development.

A motion was made by City Councilmember Montgomery, seconded by City Councilmember Hersman, to adopt Resolution No. 17-0073 adopting the fiscal year 2017-2018 operating budget. The motion carried by the following vote:

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

A motion was made by City Councilmember Montgomery, seconded by City Councilmember Hersman, to adopt Resolution No. 17-0072 establishing the Gann appropriations limit for fiscal year 2017-2018. The motion carried by the following vote:

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

A motion was made by Mayor Lesser, seconded by Mayor Pro Tem Howorth, to authorize the City Manager to approve job specification and salary for the Building Supervisor position in Community Development. The motion carried by the following vote:

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

A motion was made by Mayor Pro Tem Howorth, seconded by City Councilmember Hersman, to appropriate funds. The motion carried by the following vote:

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

11. Public Hearing to Consider Extending Interim (IZO) Ordinance No. 16-0013-U Requiring a Use Permit for the Following Uses in the Downtown Commercial Zone: (1) Any Business or Professional Office; Bank and Savings & Loan; Catering Service; or Communications Facility Proposed to be Located on the Ground Floor Streetfront; and (2) Any Retail Sales Use Proposed to Have More Than 1,600 Square Feet of Buildable Floor Area; and Imposing Additional Use Permit Findings; and Receive Written Report Regarding IZO Ordinance No. 16-0013-U (Community Development Director McIntosh).

[ORD](#)
[17-0007-U](#)

**CONDUCT PUBLIC HEARING, ISSUE A 10 - DAY REPORT AND
ADOPT ORDINANCE NO. 17-0007-U EXTENDING THE IZO FOR
ONE YEAR**

Community Development Director Anne McIntosh introduced Assistant Planner Ted Fatuos.

Assistant Planner Fatuos presented the staff presentation and responded to City Council questions.

Mayor Lesser opened the public hearing.

The following members of the public spoke in favor of the IZO:

*Karol Wahlberg
Neil Leventhal
Kathy Clark
Kelly Stroman
Maureen McBride
Bill Victor
Lester Silverman*

The following members of the public spoke in opposition to the IZO:

*Phillip Cook
Tony Choueke*

Mayor Lesser closed the public hearing.

Assistant Planner Fatuos, Community Development Director Anne McIntosh and City Attorney Quinn Barrow responded to City Council questions.

Councilmember Montgomery is opposed to moving forward with the IZO due to the lack of acknowledgement of wants and needs of property owners, not recognized by the Downtown Specific Plan.

Mayor Lesser, Mayor Pro Tem Howorth, Councilmember Napolitano and Councilmember Hersman agree that the IZO should move forward and extend the IZO when it is needed and necessary only.

City Attorney Quinn Barrow read the title of the ordinance into the record:

Ordinance No. 17-0007-U AN INTERIM ORDINANCE OF THE CITY OF MANHATTAN BEACH EXTENDING INTERIM ORDINANCE NO. 16-0013-U REQUIRING A USE PERMIT FOR THE FOLLOWING USES IN THE DOWNTOWN COMMERCIAL ZONE: (1) ANY OFFICE, BUSINESS OR PROFESSIONAL; BANKS AND SAVINGS & LOANS; CATERING SERVICES; OR COMMUNICATION FACILITIES, PROPOSED TO BE LOCATED ON THE GROUND FLOOR STREETFRONT; AND (2) ANY RETAIL USE PROPOSED TO HAVE MORE THAN 1,600 SQUARE FEET OF BUILDABLE FLOOR AREA; AND DECLARING THE URGENCY THEREOF.

A motion was made by Mayor Pro Tem Howorth, seconded by City Councilmember Napolitano, to adopt Ordinance No. 17-0007-U extending Interim Ordinance No. 16-0013-U requiring a use permit for the following uses in the Downtown commercial zone: 1) any office, business or professional; banks and savings & loans; catering services; or communication facilities, proposed to be located on the ground floor streetfront and 2) any retail use proposed to have more than 1,600 square feet of buildable floor area; and declaring the urgency thereof. The motion carried by the following vote:

Aye: 4 - Lesser, Howorth, Napolitano and Hersman

Nay: 1 - Montgomery

At 7:52 PM City Council recessed and reconvened at 8:04 PM with all Councilmembers present.

J. GENERAL BUSINESS

12. Second Amendment of Master Agreement with Manhattan Beach Unified School District Regarding Use and Maintenance of School District Fields and Facilities and Authorization for the Mayor to Execute the Agreement (Parks and Recreation Director Leyman and Finance Director Moe).

[RES 17-0090](#)

ADOPT RESOLUTION NO. 17-0090 APPROVING AMENDMENT

Parks and Recreation Director Mark Leyman presented the staff presentation.

City Attorney Quinn Barrow provided brief details on changes.

Parks and Recreation Director Leyman and City Manager Mark Danaj responded to City Council questions.

Mayor Lesser opened the floor for public comments.

Bill Victor inquired if the CPI would be included in the contract.

Mayor Lesser closed the floor for public comments.

Motion by Mayor Pro Tem Howorth to adopt Resolution No. 17-0090 approving the second amendment to the master agreement between the City of Manhattan Beach and Manhattan Beach Unified School District for the provision, use and maintenance of educational, recreational and community facilities and programs and include the CPI. The motion failed for lack of a second.

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Montgomery, to adopt Resolution No. 17-0090 approving the second amendment to the master agreement between the City of Manhattan Beach and Manhattan Beach Unified School District for the provision, use and maintenance of educational, recreational and community facilities and programs as amended. The motion carried by the following vote:

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

13. Discussion of Historic Preservation Commission and Ordinance; Parking and Public Improvements Commission - Possible Name Change and Duties; Board of Building Appeals - Number of Members and Required Qualifications (Community Development Director McIntosh).

[17-0255](#)

DISCUSS AND PROVIDE DIRECTION

Community Development Director Anne McIntosh presented the staff presentation beginning with Historic Preservation.

Mayor Lesser opened the floor to public comments.

Jane Guthrie would prefer to do the entire survey but glad that City Council is asking staff to move forward and spoke in support of the Historic Preservation.

Cheryl Lynn spoke in support of moving forward with the Historic Preservation.

Bill Victor spoke in support of moving forward with the Historic Preservation.

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

Community Development Director McIntosh responded to City Council questions.

A motion was made by Mayor Lesser, seconded by City Councilmember Napolitano, for staff to move forward as recommended by staff with the items listed in the staff report: 1) Assign the duties of the Historic Preservation Commission to the Planning Commission, amend the qualifications requirements as necessary, and reduce the budget by \$1,200 for the recording secretary; 2) Defer the preparation of a Historic Resources survey until the budget discussion for Fiscal Year 2018/2019 and direct staff to prepare or have prepared by a local volunteer or preservation consultant, a Historic Context Statement for the City of Manhattan Beach thereby reducing the budget from \$100,000 to \$20,000 for this purpose; 3) Reduce the \$75,000 for historic preservation consulting to \$10,000, acknowledging that the Community Development Director has the expertise required to implement the program, but that resources may be required for some specific technical expertise related to historic landmark designations and/or Mills Act implementation; 4) Direct staff to prepare necessary forms and documents for historic landmark application, certificate of appropriateness, and the Mills Act, as well as any other forms needed to implement the ordinance; 5) Direct staff to update the City's website with new historic preservation content; 6) Maintain the budget for conferences, training, advertising and printed materials so that staff and commissioners can obtain needed skills to implement the ordinance; and 7) Defer the application for Certified Local Government until more discussion about the merits of the program can be determined. The motion carried by the following vote:

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

Community Development Director Anne McIntosh provided brief staff presentation and responded to City Council questions regarding the Parking and Public Improvements Commission.

Councilmember Napolitano would rather have the name Public Works Commission instead of Traffic and Parking Commission.

Mayor Lesser opened the floor for public comments, seeing none, Mayor Lesser closed the floor to public comments.

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Montgomery, to take no action regarding the Parking and Public Improvement Commission recommendations. The motion carried by the following vote:

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

Community Development Director Anne McIntosh presented brief staff presentation regarding the Board of Building Appeals.

Mayor Lesser opened the floor to public comment.

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

Community Development Director McIntosh, City Clerk Liza Tamura and City Attorney Quinn Barrow responded to City Council questions.

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Montgomery, to take no action regarding the Board of Building Appeals recommendations. The motion carried by the following vote:

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

City Clerk Tamura requested for City Council to provide direction regarding the upcoming seats for the Board of Building Appeals.

14. Consideration of Downtown Maintenance Enhancements (Public Works Director Katsouleas and Community Development Director McIntosh).

[17-0056](#)

DISCUSS AND PROVIDE DIRECTION

Public Works Senior Management Analyst Anna Luke-Jones presented the PowerPoint presentation.

Public Works Senior Management Analyst Luke-Jones and City Manager Mark Danaj responded to City Council questions.

Mayor Lesser opened the floor for public comments.

Craig Cadwallader spoke about policies implemented by the City of Hermosa Beach that the City could maybe do similarly, keeping streets clean and for code enforcement to be stricter.

Mayor Lesser closed the floor for public comments.

Public Works Director Stephanie Katsouleas responded to City Council questions.

A motion was made by Mayor Pro Tem Howorth, seconded by City Councilmember Hersman, for staff move forward with the following direction: 1) increase cleaning requirements, 2) replace the 6 containers (come back to City Council and suggest some artistic touches before deployment), 3) add refuse, 4) move forward with citations, and 5) come back with power washing and code revisions. The motion carried by the following vote:

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

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

15. Discussion of Potential Options City Council can Pursue Regarding the Paris Climate Accord (Mayor Lesser).

[17-0273](#)

DISCUSS AND PROVIDE DIRECTION

Management Analyst George Gabriel presented staff presentation and responded to City Council questions.

Mayor Lesser opened the floor for public comments.

Craig Cadwallader in support of City Council moving forward regarding the Paris Climate Accord.

Mayor Lesser closed the floor for public comments.

A motion was made by Mayor Pro Tem Howorth, seconded by City Councilmember Hersman, to move forward with the following direction: 1) Authorize the Mayor to Sign "Climate Mayor's Statement", 2) Authorize the Mayor to Sign Michael Bloomberg's Pledge, "We Are Still In", 3) Open Letter to the Community, and 4) Prepare a Resolution for the Mayor's signature in support of the Paris Climate Accord. The motion carried by the following vote:

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

B.) Additional Reports

Councilmember Montgomery attended the Independent Cities Association June Conference.

Councilmember Napolitano also attended the Independent Cities Association June Conference, spoke about some concerns the City Council has received regarding leaf blowers and requested to agendize information regarding leaf blowers.

Mayor Pro Tem Howorth and Mayor Lesser concurred with agendizing leaf blowers with a status report only.

Councilmember Napolitano further requested to agendize a report on the Bike Master Plan to be brought to Council in a near future agenda with Mayor Lesser, Mayor Pro Tem Howorth and Councilmember Hersman concurring.

Community Development Director Anne McIntosh responded to City Council questions regarding items coming up for Council.

Councilmember Montgomery asked if City Council can discuss if there should be dark dates when Council can travel and Mayor Pro Tem Howorth and Councilmember Hersman concurred.

Mayor Lesser attended the Torrance Memorial Center along with Little Company of Mary event.

Councilmember Napolitano requested that the number of minutes for the public to speak during General Business be brought back for further discussion with Mayor Lesser and Mayor Pro Tem Howorth concurring.

Mayor Lesser requested that "Future Agenda Items" title be inserted in the agenda layout.

L. CITY MANAGER REPORT

City Manager Mark Danaj announced the "Salute to the Troops" on July 2, 2017, in Polliwog Park.

M. CITY ATTORNEY REPORT

None.

N. INFORMATIONAL ITEMS

16. Commission Minutes: [17-0281](#)
This Item Contains Minutes of the following City Commission Meetings:
a) Planning Commission Action Meeting Minutes of May 24, 2017 (Community Development Director McIntosh).
b) Library Commission Meeting Minutes of March 13, 2017 (Parks and Recreation Director Leyman).
c) Library Commission Meeting Minutes of May 8, 2017 (Parks and Recreation Director Leyman).
INFORMATION ITEM ONLY
17. Recent Planning Commission Quasi-Judicial Decisions [17-0282](#)
1. Use Permit for the Sale of Beer and Wine - Andrews Cheese Shop
2. Master Use Permit Amendment - Manhattan Village Mall Renovation Project
(Community Development Director McIntosh).
INFORMATION ITEM ONLY

O. CLOSED SESSION**P. ADJOURNMENT**

At 10:09 PM Mayor Lesser adjourned the meeting to a Joint Study Session on June 21, 2017, in the Police/Fire Conference Room, in said City.

Martha Alvarez
Recording Secretary

David Lesser
Mayor

ATTEST:

Liza Tamura
City Clerk