

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, July 7, 2020

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

ELECTED OFFICIALS

Mayor Richard Montgomery

Mayor Pro Tem Suzanne Hadley

Councilmember Hildy Stern

Councilmember Steve Napolitano

Councilmember Nancy Hersman

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A. CALL MEETING TO ORDER

At 6:04 PM, Mayor Montgomery called the meeting to order.

B. ROLL CALL

Present: 5 - Mayor Montgomery, Mayor Pro Tem Hadley, Councilmember Stern, Councilmember Napolitano and Councilmember Hersman

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

Mayor Montgomery requested to remove from the Consent Calendar, Agenda Item No. 5 - Agreement with Los Angeles County regarding the State Homeland Security Program.

A motion was made by Mayor Pro Tem Hadley, seconded by Councilmember Hersman, to approve the agenda, waive the full reading of ordinances and remove from the Consent Calendar for individual consideration Agenda Item No. 5. The motion carried by the following vote:

Aye: 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

D. CEREMONIAL CALENDAR

None.

E. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Management Services, Senior Deputy City Clerk Martha Alvarez confirmed that the following public comments were received by the City for the July 7, 2020, City Council Regular Meeting.

<i>Suzanne Lerner</i>	<i>Nomen Nescio</i>	<i>Margie Arnold</i>
<i>Donna Berardo</i>	<i>Elyse Gura Emily</i>	<i>Chris Fuentes</i>
<i>Wayne Powell</i>	<i>Meyer Ray</i>	<i>PJ Miele</i>
<i>Gino Nucci</i>	<i>Joseph Thomas</i>	<i>Julia Adema</i>
<i>Peter Hartshorn</i>	<i>Chang Diane</i>	
<i>Stewart Rembert</i>	<i>Hembacher</i>	
<i>Mary Rymers</i>	<i>Edward Gajdicar</i>	
<i>Gianna Ingram</i>	<i>Nicole Andrews</i>	
<i>Cecilia Allen</i>	<i>Pat Sullivan</i>	
<i>Gary Osterhout</i>	<i>Michael Simkins</i>	
<i>Robert Bush</i>	<i>Gordon Louttit</i>	

Mayor Montgomery opened the floor to public comment.

Kelly Stroman, Manhattan Beach Chamber of Commerce, CEO

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

F. COVID-19**1. City Manager Report on EOC (Emergency Operations Center) and Update on COVID-19 Response.**

City Manager Bruce Moe reported on the EOC (Emergency Operations Center).

Community Development Director Carrie Tai reported on the soft-opening of City Hall for services by appointment only and responded to City Council questions.

2. City Council to Consider Additional Measures to Address COVID-19.

Councilmember Napolitano inquired about enforcement of facial coverings.

City Manager Bruce Moe, Police Chief Derrick Abell and MB Chamber of Commerce, CEO Kelly Stroman responded to City Council questions.

Councilmember Hersman stated for the record that California's Governor sent a letter that state funding is on the line if Cities do not enforce rules as stated.

Councilmember Napolitano inquired about the Ad Hoc Committee to address long term measures for businesses during COVID-19.

City Manager Moe responded to City Council questions.

Mayor Montgomery assigned Councilmember Napolitano and Councilmember Hersman to serve on the Ad Hoc Committee.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Hersman, seconded by Mayor Montgomery, to approve the Consent Calendar, with the exception of Agenda Item No. 5, which was individually considered under Section H - Items Removed from the Consent Calendar.

City Attorney Quinn Barrow read the title of Ordinance No. 20-0017:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH ADDING CHAPTER 9.07 (ELECTRIC VEHICLE CHARGING SYSTEM PERMIT EXPEDITING) TO TITLE 9 (BUILDING REGULATIONS) OF THE MANHATTAN BEACH MUNICIPAL CODE TO PROVIDE AN EXPEDITED STREAMLINED PROCESS FOR ELECTRIC VEHICLE CHARGING SYSTEMS

The motion carried by the following vote:

Aye: 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

3. City Council Minutes: [20-0048](#)

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

a) City Council Adjourned Regular Meeting Minutes of May 14, 2020

b) City Council Regular Meeting Minutes of May 19, 2020

(City Clerk Tamura).

APPROVE

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

4. Financial Report: [20-0224](#)

Schedule of Demands: June 18, 2020 (Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

5. Consider Adopting a Resolution Approving a Sub-Recipient Agreement Between the City and Los Angeles County regarding the State Homeland Security Program and Authorizing Acceptance of a Grant in the Amount of \$70,199 for the Purchase of Equipment to Enhance Regional Communication Capabilities (Police Chief Abell). [20-0198](#)
a) ADOPT RESOLUTION NO. 20-0080
b) APPROPRIATE FUNDS

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

6. Consider Introduction of an Ordinance Establishing an Expedited Permitting Process for Electric Vehicle Charging Stations as Required by California Government Code Section 65850.7 and Making a Determination Under the California Environmental Quality Act (Community Development Director Tai). [20-0200](#)
INTRODUCE ORDINANCE NO. 20-0017

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

7. Formally Accept as Complete the Pedestrian Safety Improvements Along Highland Avenue at 34th, 35th, and 36th Streets and Morningside Drive at Manhattan Beach Boulevard Project Constructed by Elecnor Belco Electric, Inc.; Authorize Filing a Notice of Completion with the County Recorder; and Approve Release of the Retention of \$13,714 (Public Works Director Katsouleas). [20-0215](#)
APPROVE

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

8. Formally Accept as Complete the Highway Safety Improvement Program (HSIP) Cycle 5 Pedestrian Safety Improvements Project Constructed by PTM General Engineering Services, Inc.; Authorize Filing a Notice of Completion with the County Recorder; and Approve Release of the Retention for \$25,695 (Public Works Director Katsouleas). [20-0093](#)
APPROVE

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

9. Formally Accept as Complete the Cycle 3 Federal Safe Routes to School Pedestrian Safety Improvements Project Constructed by Calpromax Engineering Inc.; Authorize Filing a Notice of Completion with the County Recorder; and Approve Release of the Retention for \$27,484 (Public Works Director Katsouleas). [20-0092](#)
APPROVE

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

10. Consider Adopting a Resolution Awarding a Construction Agreement to Express Energy Services, Inc. for the Citywide Street Light LED Retrofit Project for \$246,534 and Authorizing the City Manager to Approve Additional Work, if Necessary, for up to \$24,653 (Public Works Director Katsouleas). [20-0228](#)

ADOPT RESOLUTION NO. 20-0081

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

11. Consider Adopting a Resolution Nunc Pro Tunc Correcting a Clerical Error in Resolution Number 20-0050 Regarding Residential and Commercial Refuse Collection Rates and the City Cost Recovery Fee for the Period of July 1, 2020 through June 30, 2025 (Public Works Director Katsouleas). [20-0231](#)

ADOPT RESOLUTION NUNC PRO TUNC NO. 20-0078

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

5. Consider Adopting a Resolution Approving a Sub-Recipient Agreement Between the City and Los Angeles County regarding the State Homeland Security Program and Authorizing Acceptance of a Grant in the Amount of \$70,199 for the Purchase of Equipment to Enhance Regional Communication Capabilities (Police Chief Abell). [20-0198](#)

a) ADOPT RESOLUTION NO. 20-0080

b) APPROPRIATE FUNDS

Police Chief Derrick Abell responded to City Council questions.

Mayor Montgomery opened the floor to public comment.

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

A motion was made by Mayor Montgomery, seconded by Mayor Pro Tem Hadley, to adopt Resolution No. 20-0080, approving a subrecipient agreement with the County of Los Angeles for financial assistance in connection with the State Homeland Security program and authorizing acceptance of a grant in the amount of \$70,199. The motion carried by the following vote:

Aye: 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

I. PUBLIC HEARINGS

None.

J. GENERAL BUSINESS

12. Consider Introducing Ordinances Amending Manhattan Beach Municipal Code 7.32 - Tree, Shrub and Plant Regulations and 7.36 - Private Use of the Public Right of Way, Approving the City of Manhattan Beach Urban Forest Master Plan and Making a Determination of Exemption Under the California Environmental Quality Act (Public Works Director Katsouleas).

[20-0206](#)

a) INTRODUCE ORDINANCE NOS. 20-0009 AND 20-0010

b) APPROVE URBAN FOREST MASTER PLAN

Public Works Director Stephanie Katsouleas and Public Works Department, Urban Forester Ernest Area provided the PowerPoint presentation.

Public Works Director Katsouleas, Urban Forester Area, City Manager Bruce Moe and Finance Director Steve Charelian responded to City Council questions.

Mayor Montgomery opened the floor to public comments.

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

Public Works Director Katsouleas responded to City Council questions.

A motion was made by Councilmember Hersman, seconded by Councilmember Napolitano, to introduce both Ordinance No. 20-0009, amending Municipal Code Chapter 7.32 of Title 7 regarding tree, shrub and plant regulations and Ordinance No. 20-0010, amending Municipal Code Chapter 7.36 of Title 7 regarding private use of the public right-of-way and approve the Urban Forest Master Plan.

City Attorney Quinn Barrow read the title of Ordinance No. 20-0009:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING MUNICIPAL CODE CHAPTER 7.32 OF TITLE 7 REGARDING TREE, SHRUB AND PLANT REGULATIONS

City Attorney Quinn Barrow read the title of Ordinance No. 20-0010:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING MUNICIPAL CODE CHAPTER 7.36 OF TITLE 7 REGARDING PRIVATE USE OF THE PUBLIC RIGHT-OF-WAY

The motion carried by the following vote:

Aye: 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

13. Consider the Following:[20-0229](#)

- 1) Adopting a Resolution Awarding a Construction Agreement to C.A Rasmussen, Inc. for the Sepulveda Bridge Widening Project for \$8,791,040; Authorizing the City Manager to Approve Additional Work if Necessary, for up to \$879,105; and Approving the Plans and Specifications for the Project;
- 2) Adopting a Resolution Awarding a Construction Management Services Agreement with S2 Engineering, Inc. for the Sepulveda Bridge Widening Project for \$1,689,704;
- 3) Adopting a Resolution Approving Amendment No. 7 to the Professional Design Services Agreement with HDR Engineering, Inc. for the Sepulveda Bridge Widening Project for \$424,546 (Public Works Director Katsouleas).

ADOPT RESOLUTION NOS. 20-0082, 20-0083 AND 20-0084

Public Works Director Stephanie Katsouleas provided the PowerPoint presentation and responded to City Council questions.

Mayor Montgomery opened the floor to public comments.

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

Public Works Director Katsouleas responded to City Council questions.

A motion was made by Councilmember Hersman, seconded by Mayor Montgomery, to adopt the following: Resolution No. 20-0082 awarding a construction agreement to C.A Rasmussen, Inc. for the Sepulveda Bridge Widening Project; authorizing the City Manager to approve additional work, if necessary; and approving the plans and specifications for Sepulveda Bridge Widening Project; Resolution No. 20-0083 approving an agreement with S2 Engineering, Inc. for construction management and inspection services for the Sepulveda Bridge Widening Project; and Resolution No. 20-0084 approving Amendment No. 7 for the design services agreement with HDR Engineering, Inc. for the Sepulveda Widening Project. The motion carried by the following vote:

Aye: 4 - Montgomery, Hadley, Stern and Hersman

Nay: 1 - Napolitano

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

None.

L. FUTURE AGENDA ITEMS

Councilmember Napolitano inquired about the Fiber Master Plan.

City Manager Bruce Moe stated that the Fiber Master Plan will be scheduled for a meeting in August to allow for the new IT Director to review the Fiber Master Plan prior to the City Council Meeting.

Councilmember Stern announced the City Council Special Meeting - Community Forum on Thursday, July 9, 2020, from 6:00 PM - 9:00 PM via Zoom any questions for this Community Forum can be submitted to communityquestions@citymb.info.

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

City Attorney Quinn Barrow reported that Urgency Ordinance No. 20-0015-U, imposes responsibilities on the business owners if they are not enforcing social distancing requirements as imposed by the State or County. The City will be using that as an enforcement tool based on City Council direction earlier in the meeting.

O. INFORMATIONAL ITEMS

14. Recent Planning Commission Quasi-Judicial Decisions: [20-0222](#)
Use Permit for Establishing a Mixed-Use Development, Consisting of a Hotel Facilities (Limited) Use on the First Floor While Maintaining the Second Floor as a Residential Use in an Existing Two-Story, Two-Unit Residential Building in the Downtown Commercial (CD) Zone, Located at 325 12th Place Way (Correa)
(Community Development Director Tai).

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

P. ADJOURNMENT

At 7:54 PM, Mayor Montgomery adjourned the meeting to a 6:00 PM, Adjourned Regular Meeting on Tuesday, July 14, 2020, in the City Council Chambers.

ATTEST:

Liza Tamura
City Clerk

Martha Alvarez
Recording Secretary

Richard Montgomery
Mayor