

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, April 17, 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

Aaron Henschel from Pennekamp Elementary School led the Pledge of Allegiance.

B. ROLL CALL

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

C. CEREMONIAL CALENDAR

1. Presentation of Certificates of Recognition to the Founders of South Bay Cares, Courtney Lingle and Kamala Horwitz. [18-0167](#)

PRESENT

Mayor Howorth, on behalf of the City Council, presented a certificate of recognition to the founders of South Bay Cares, Courtney Lingle and Kamala Horwitz.

2. Presentation of a Proclamation Declaring the Month of April, 2018 as DMV/Donate Life California Month. [18-0168](#)

PRESENT

Mayor Howorth, on behalf of the City Council, presented a proclamation to Kim Miller declaring the month of April as DMV/Donate Life California Month.

3. Presentation of a Proclamation Declaring the Month of April, 2018 as National Poetry Month. [18-0169](#)

PRESENT

Mayor Howorth, on behalf of the City Council, presented a proclamation to Older Adults Supervisor Jan Buike representing the Poetry Circle and declaring April 2018 as National Poetry Month.

4. Presentation of Certificates of Recognition to the Mira Costa High School Students for Receiving the Circle Award for Excellence in Poetry Composition and to Their Teacher Shannon Vaughan for her Support and Partnership with the Manhattan Beach Poetry Circle. [18-0170](#)

PRESENT

Mayor Howorth, on behalf of the City Council and the Parks and Recreation Department, presented certificates of recognition to the following Mira Costa High School Students for receiving the Circle Award for Excellence in Poetry Composition:

*Hailee Burns
Jayla Johnson
Grace Kendall
Jake Nicosis
Cooper Roth*

Mayor Howorth, on behalf of the City Council and the Parks and Recreation Department's Older Adults Program presented Mira Costa High School English Teacher Shannon Vaughan a certificate of recognition for her partnership with the Manhattan Beach Poetry Circle.

5. Presentation of a Proclamation Declaring the Month of April, 2018 as Child Abuse Prevention Month. [18-0189](#)

PRESENT

Mayor Howorth, on behalf of the City Council, presented a proclamation declaring the month of April as Child Abuse Prevention Month to Richstone Family Centers President/CEO Roger Van Remmen.

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 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)

Senior Management Analyst Anna Luke-Jones reported on the free Document Shredding Event on Saturday, April 28, 2018, at Mira Costa High School.

Ben Franz, Shane Grady, and Erin McGinity invited residents to the 65th Annual Pinewood Derby on Memorial Day, May 28, 2018. They also presented the City Council with their own pre-shaped Pinewood Derby Cars. They further added that on May 5, 2018, and May 20, 2018, they are hosting workshops to help build the cars.

Michael Tauber, Chairman Senior and Scout Community Center, thanked the City Council for their continuing support.

Jaden Levin and Ryan White spoke about the Pinewood Derby Car Clinic on May 5, 2018, and May 20, 2018, at the Scout House.

Cort Casady, Chairman of the Library Commission, spoke about the Library Lunch Club on Monday, May 14, 2018, featuring Seth Davis.

Raunda Jones spoke about "National Prescription Drug Take Back Day" on April 28, 2018.

Melissa McCollum, Manhattan Beach Librarian, spoke about upcoming events.

Wayne Powell reported on the upcoming Manhattan Beach CERT (Community Emergency Response Team) classes from May 17-20, 2018.

Yolanda Dunn, Resolve to Rise, a non-profit organization in the City of Torrance, spoke of the event taking place on April 28, 2018.

Councilmember Lesser noted SCE (Southern California Edison) upgrade actions that are underway in the El Porto Area.

Mayor Howorth announced the Spring Musical at Mira Costa High School and the Opioid Presentation on April 30, 2018.

Councilmember Montgomery spoke about the MB CERT Fundraising.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Michele Reniche is opposed to the ALPR (Automated License Plate Reader) Program that is being discussed in Agenda Item No. 14.

Diane Wheatley spoke of street drainage onto her property.

Martha Andreani noted opposition to alcohol on the beach at the Food Bowl.

Stephanie Robins, commented on Agenda Item No. 13 Homelessness.

Wayne Powell announced support for the plastic use proposals, the subsidy for the Manhattan Beach Unified School District and remarked that the letter to Congressman Ted Lieu should include more than noise pollution.

Don McPherson spoke of Coastal Development Permits.

Unknown speaker, representing the Pardon Family, spoke about accessory buildings and requested notification for these types of permits.

Karol Wahlberg spoke against allowing alcohol on the beach and changing the Municipal Code.

Terry Wang, Mira Costa Walkout Program, noted a walkout planned for April 20, 2018, and requested assistance from the Police Department for road closures.

Bill Victor agrees with the noticing of more property owners and stated opposition to alcohol on the beach.

Lila Murphy, Sienna Agens, Carter Clay, Penn Clay and Ethan Crowley spoke about straw usage and the problems that they cause.

Dana Montgomery noted concern for plastic pollution.

Will Arvizo emphasized his opposition to alcohol on the beach.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the Consent Calendar Item Nos. 6-10. (with Councilmember Lesser stating that he would be voting "NO" on Item No. 9 - Second Reading and Adoption of Ordinance No. 18-0013 Authorizing the City Council to Conditionally Issue Special Permits for the Service of Alcohol on the Beach Under Very Limited Circumstances). The motion carried by the following vote:

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

6. City Council Minutes: [18-0048](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Adjourned Regular Meeting Minutes (Works Plan) of March 9, 2018
b) City Council Adjourned Regular Meeting Minutes (Closed Session) of March 20, 2018
c) City Council Adjourned Regular Meeting Minutes (Closed Session) of April 3, 2018
(City Clerk Tamura).

APPROVE

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

7. Financial Report: [18-0103](#)
Schedules of Demands: March 15, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

8. Resolution No. 18-0054 Supporting Safe Storage and Disposal of Prescription Drugs. [RES 18-0054](#)

ADOPT RESOLUTION NO. 18-0054

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

9. Second Reading and Adoption of Ordinance No. 18-0013 Authorizing the City Council to Conditionally Issue Special Permits for the Service of Alcohol on the Beach Under Very Limited Circumstances (Parks and Recreation Director Leyman). [ORD 18-0013](#)

ADOPT ORDINANCE NO. 18-0013

The recommendation for this item was approved on the Consent Calendar.
(Councilmember Lesser voted "NO" on this item.)

10. Formally Accept as Complete the Parkview Avenue Sidewalk and Access Ramp Improvements Project constructed by Alfaro Communications Construction Inc.; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention for \$8,422.97 (Public Works Director Katsouleas). [18-0094](#)

a) ACCEPT IMPROVEMENTS AS COMPLETE

b) AUTHORIZE RELEASE OF RETENTION

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

At 7:35 PM City Council recessed and reconvened at 7:45 PM with all Councilmembers present.

I. PUBLIC HEARINGS

11. Conduct Public Hearing for Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) Related to Residential Condominium Standards (Community Development Director McIntosh).

[18-0123](#)

a) CONDUCT PUBLIC HEARING

b) INTRODUCE ORDINANCE NOS. 18-0007 AND 18-0008

Community Development Director Anne McIntosh provided a brief summary of the item and Assistant Planner Ted Fatorus provided the PowerPoint Presentation.

Assistant Planner Fatorus responded to City Council questions.

Applicant Chris Carey spoke on this issue.

Mayor Howorth opened the public hearing.

Will Arvizo spoke about lot splits.

Bill Victor stated that this change makes things more complicated.

Unknown speaker had questions regarding the difference between the various types of properties.

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

Assistant Planner Fatorus responded to City Council questions.

City Attorney Quinn Barrow read the title of Ordinance No. 18-0007 into the record: AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING MUNICIPAL CODE SECTION 10.52.110, RELATED TO RESIDENTIAL CONDOMINIUM STANDARDS.

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Napolitano, to introduce Ordinance No. 18-0007. The motion carried by the following vote:

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

City Attorney Barrow read the title of Ordinance No. 18-0008 into the record: AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING LOCAL COASTAL PROGRAM SECTION A.52.110, RELATED TO RESIDENTIAL CONDOMINIUM STANDARDS.

A motion was made by Councilmember Montgomery, seconded by Councilmember Lesser, to introduce Ordinance No. 18-0008. The motion carried by the following vote:

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

City Attorney Barrow further added that Ordinance Nos. 18-0007 and 18-0008, along with a resolution to transmit the Coastal Ordinance to the Coastal Commission, will return on the Consent Calendar.

J. GENERAL BUSINESS

12. Consider Directing Staff to Prepare an Ordinance to: (1) Regulate the Distribution and Sale of Single-Use Plastic Straws, Utensils, and Stirrers; (2) Make Disposable Single-Use Straws, Stirrers, and Utensils Available Only Upon Request; and (3) Prohibit the Sale and Distribution of Polystyrene Packing Materials, Polystyrene Raw Food Trays, and Polystyrene Egg Cartons Within the City (Community Development Director McIntosh).

[18-0195](#)

DISCUSS AND PROVIDE DIRECTION

Community Development Director Anne McIntosh introduced Environmental Programs Manager Dana Murray who provided the PowerPoint presentation and responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Allie Bussjaeger commented on the various items that businesses use and how to move forward.

Dolly Gamble supports the City Council moving forward and noted that balloons are affecting the ocean.

Tim James, California Grocers Association, spoke about food packing and food safety.

Spencer Campbell, Surfrider Foundation, supports the City Council moving forward with Staff recommendations.

Craig Cadwallader, resident and representing the Surfrider Foundation Southbay Chapter, provided information regarding the use of polystyrene products and AB2779 which would require the lid to be tethered to the container.

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

Community Development Director McIntosh responded to City Council questions.

City Attorney Barrow clarified that as part of a Business License the Business has to certify that they are not using these products. The ordinance will return to the City Council with Staffs' recommendations, except with regard to raw meat and fish trays. The Environmental Task Force will consider the amendment to the motion concerning cost analysis and enforcement.

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Lesser, to adopt Staff recommendations and prepare an Ordinance to do the following: Prohibiting Plastic Straws, Utensils and Stirrs; Ban Polystyrene Produce Trays and Egg Cartons, and postpone moving forward with the ban on Raw Meat Polystyrene Trays. He further added that other items be discussed in the near future including: plastic cups, plastic lids, mylar balloons and other balloons to go back to the Environmental Task Force. Councilmember Montgomery requested a friendly amendment, accepted by the maker, to include the enforcement issue. The motion carried by the following vote:

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

At 9:06 PM City Council recessed and and reconvened at 9:16 PM.

13. Consideration of the City's Draft Three-Year Plan to End Homelessness (City Manager Moe). [18-0177](#)

DISCUSS AND PROVIDE DIRECTION

City Manager Bruce Moe introduced Management Analyst Kendra Davis who provided the PowerPoint presentation.

Management Analyst Davis, Manhattan Beach Police Lieutenant Ryan Small, Consultants Lois Starr, Abby Arnold & Jenny Swan responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Alicia Solis encouraged the City Council to move forward with a plan for the City and to deal with the homeless.

During the discussion of Agenda Item No. 13, a motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Hersman, to continue the meeting past 11:00 PM. The motion carried by the following vote:

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

Gabrielle Schumaker noted questions about Los Angeles County assistance and what that means in terms of requirements for the City in order to continue receiving funding.

Deanna Short requested more notification for the public so that more residents can be a part of the discussion.

Michele Reniche appreciates Staff taking time to study this subject.

Lee Phillips emphasized more outreach to the community and getting more accurate homeless numbers.

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

Management Analyst Davis and Lieutenant Small responded to City Council questions.

A revised draft will be presented to the City Council at a future meeting.

Because of the late hour, City Manager Bruce Moe suggested continuing Item No. 15 (Review of the City's Food Waste Collection Program) to a future City Council Meeting. Hearing no objections, the City Council concurred.

14. Update on the Automated License Plate Reader (ALPR) Program (Police Chief Abell).

[18-0126](#)

RECEIVE REPORT

Police Chief Derrick Abell provided the Staff presentation and responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Michele Reniche requested that the City look at all the information and data before it is shared with anyone else outside the City.

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

Mayor Howorth requested when Staff returns with an MOU (Memorandum of Understanding) there should be a discussion of specific groups that the City might want to omit from the sharing database.

City Manager Bruce Moe requested continuing Item No. 15 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.

At 11:37 PM City Council recessed and reconvened at 11:43 PM with all Councilmembers present.

- 15. 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 (Oral Presentation by Police Chief Abell).
DISCUSS AND PROVIDE DIRECTION**

This item was continued to the April 23, 2018, Joint City Council/Manhattan Beach Unified School District Meeting at 6:00 PM in the Joslyn Community Center.

- 16. Review of the City's Food Waste Collection Program (Public Works Director Katsouleas).
RECEIVE AND FILE**

[18-0134](#)

This item was continued to a future City Council Meeting.

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

- 17. Request by Councilmember Montgomery to Consider Changing the Annual City Business Recognition Program (Continued from the April 3, 2018 City Council Meeting).
DISCUSS AND PROVIDE DIRECTION**

This item was continued to a future City Council Meeting.

- 18. Request by Mayor Howorth and Councilmember Hersman to Discuss the Possibility of Cancelling or Rescheduling the July 3, 2018 City Council Meeting.
DISCUSS AND PROVIDE DIRECTION**

This item was continued to a future City Council Meeting.

- 19. Request by Councilmember Montgomery to Send a Letter to United States Congressman Ted Lieu Regarding LAX Airport Noise Pollution.
CONSIDER AUTHORIZING LETTER**

[18-0183](#)

Councilmember Montgomery summarized the item and requested City Council support to sign the letter to send to United States Congressman Ted Lieu regarding LAX airport noise pollution.

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 Councilmember Montgomery, seconded by Mayor Pro Tem Napolitano, to send a letter to United States Congressman Ted Lieu regarding LAX Airport Noise Pollution. The motion carried by the following vote:

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

20. Request by Mayor Howorth to Authorize the Mayor to Sign a Pledge in Support of Net Neutrality.

[18-0185](#)

CONSIDER SIGNING PLEDGE

This item was continued to a future City Council Meeting.

L. FUTURE AGENDA ITEMS

21. Agenda Forecast (City Clerk Tamura).

[18-0049](#)

DISCUSS AND PROVIDE DIRECTION

Councilmember Lesser requested that air conditioning units and policy/guidelines in general be agendized and Councilmember Hersman concurred.

Mayor Howorth requested that Accessory Dwelling Units (ADU's) and Zero Lot Lines be agendized.

City Attorney Quinn Barrow clarified that ADU's will be returning because of the Urgency Ordinance.

M. CITY MANAGER REPORT

City Manager Bruce Moe noted that IS Specialist Robert Mendoza won the IT Technologist of the Year Award.

N. CITY ATTORNEY REPORT

None

O. INFORMATIONAL ITEMS

None.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 11:52 PM City Council adjourned in memory of Former First Lady Barbara Bush to the Monday, April 23, 2018, Joint City Council/Manhattan Beach Unified School District Meeting at 6:00 PM in the Joslyn Community Center Auditorium in said City.

Martha Alvarez
Recording Secretary

Amy Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk