

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Wednesday, March 6, 2019

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

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

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/departments/city-clerk/city-council-meetings-agendas-and-minutes

A. PLEDGE TO THE FLAG

Mayor Napolitano called the meeting to order and presented a certificate of recognition to Parker Lynch, Mira Costa High School, for leading the Pledge of Allegiance.

B. ROLL CALL

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

C. CEREMONIAL CALENDAR

1. Presentation of Certificates to the Winners of the 2018 Fire Department Annual "Home Escape Plan" Contest. [19-0034](#)
PRESENT

Mayor Napolitano, on behalf of the City Council, presented certificates of recognition to the Winners of the 2018 Fire Department Annual "Home Escape Plan" Contest. The following students were recognized:

*Ellie Stetson, American Martyrs Catholic School
Dylan Black, Grand View Elementary School
Melia Tsai, Meadows Elementary School
Sydney Weitz, Pacific Elementary School
Adelaide Barber, Pennekamp Elementary School
Conner Saxena, Robinson Elementary School*

2. Presentation of the "Lifesaving Award" to Barry Cottle, Gareth Dulai and Erik Svensson for Assisting and Administering CPR to a Cardiac Arrest Victim. [19-0100](#)
PRESENT

Mayor Napolitano, on behalf of the City Council, presented the "Lifesaving Award" to Barry Cottle, Gareth Dulai, and Erik Svensson for assisting and administering CPR to Erik Jackson.

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

Mayor Pro Tem Hersman requested to remove from the Consent Calendar, Agenda Item No. 7 -- Consider Approving a Comprehensive Citywide Salary Schedule for all City Positions and Adjustments to Salary Ranges.

Mayor Pro Tem Hersman requested to remove from the Consent Calendar, Agenda Item No. 8 -- Consider Adopting Resolution No. 19-0024 Establishing the Manhattan Beach City Logo and Authorizing and Directing Staff to Take All Related Actions to Implement and Trademark the City Logo.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Hersman, to approve the agenda and waive full reading of ordinances, and remove Agenda Item Nos. 7 and 8 from the Consent Calendar for individual consideration. The motion carried by the following vote:

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

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

Kelly Stroman announced the Gelson's Gives Back event on Saturday, March 9, 2019, benefitting the Manhattan Beach Education Foundation.

Izzy, Sammy, Emma, students from Mira Costa High School, announced the Mira Costa High School Beautification Day on March 9, 2019, from 9:00 AM to 1:30 PM.

Councilmember Montgomery announced that Manhattan Beach Community Church has a new reverend, Matthew Baugh.

Councilmember Howorth requested that if community members see campaign signs, that they remove them now that the election is over.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

The following individuals spoke:

*Randy Schnack
Lissen Schnack
John Eapen
Will Arvizo
Hal Croft
Esther Hutchison
Nicole Shepley
Allie Bussjaeger
Sydney Huber
Kathy Clark
Sara Shehan
Coda Christoferson
Suzanne Lerner
Michelle Murphy
Ray Joseph
Dr. Cotton
Karen Komatinsky
Mike Matthews
Madeline Komatinsky
Jon Chaykowski
Karen Grenier
Steve Packwood
Elyse Gura
Bridget Hawkins
Nirmal Patel
Erin Purdy
Unknown speaker
Bill Victor
Cheryll Lynn
Unknown speaker
Erin Rezner*

G. CONSENT CALENDAR (APPROVE)

Mayor Napolitano asked when the trash contract is going to be ready for public viewing, and City Attorney Quinn Barrow stated that it should be done in the next two weeks.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Howorth, to approve the Consent Calendar with the exception of Items Nos. 7 and 8 to be heard under Section H. The motion carried by the following vote:

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

3. City Council Minutes: [19-0101](#)

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

a) City Council Adjourned Regular Meeting Minutes (Closed Session) of February 19, 2019

b) City Council Regular Meeting Minutes of February 19, 2019 (City Clerk Tamura).

APPROVE

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

4. Financial Reports: [19-0095](#)

a) Schedule of Demands January 31, 2019

b) Investment Portfolio for the Month Ending January 31, 2019

c) Month End Report for January 31, 2019

(Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

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

5. Consider Second Reading and Adoption of Ordinance No. 19-0006 to [19-0124](#)

Prohibit Shared Mobility Devices from Being Placed or Operated in Any Public Right-of-Way or on Public Property, or Offered for Use Anywhere in the City (City Manager Moe).

ADOPT ORDINANCE NO. 19-0006

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

6. Consider Approving a Memorandum of Understanding Between the City [19-0126](#)

of Manhattan Beach and California Teamsters Local 911 (Human Resources Director Jenkins).

ADOPT RESOLUTION NO. 19-0025

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

7. Consider Approving a Comprehensive Citywide Salary Schedule for all [19-0127](#)

City Positions and Adjustments to Salary Ranges (Human Resources Director Jenkins).

ADOPT RESOLUTION NO. 19-0026

This item was removed from the Consent Calendar and subsequently continued to a later City Council Meeting.

8. Consider Adopting Resolution No. 19-00024 Establishing the Manhattan Beach City Logo and Authorizing and Directing Staff to Take All Related Actions to Implement and Trademark the City Logo (Parks and Recreation Director Leyman). [19-0133](#)

ADOPT RESOLUTION NO. 19-0024

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

9. Consider Second Reading and Adoption of Ordinance No. 19-0003 to Reduce Single-Use Plastic and Balloon Pollution (Community Development Director McIntosh). [19-0117](#)

ADOPT ORDINANCE NO. 19-0003

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

10. Approve the Selection of the New City Website Domain Name: manhattanbeach.gov (Information Technology Director Taylor). [19-0094](#)

APPROVE

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

7. Consider Approving a Comprehensive Citywide Salary Schedule for all City Positions and Adjustments to Salary Ranges (Human Resources Director Jenkins). [19-0127](#)

ADOPT RESOLUTION NO. 19-0026

City Manager Bruce Moe stated that subsequent to the agenda packet going out, staff discovered changes to the item that need to be made.

Mayor Pro Tem Hersman stated that there are a number of positions listed on the salary schedule which are not currently filled, and directed staff to remove the Assistant City Manager and Economic Vitality Manager positions from the Citywide Salary Schedule.

Mayor Napolitano opened the floor for public comments. The following individuals spoke:

*Steve Packwood
Bill Victor*

Seeing no further requests to speak, Mayor Napolitano closed the floor for public comments.

By order of the Chair, this item was continued to a future City Council meeting.

8. Consider Adopting Resolution No. 19-00024 Establishing the Manhattan Beach City Logo and Authorizing and Directing Staff to Take All Related Actions to Implement and Trademark the City Logo (Parks and Recreation Director Leyman).

[19-0133](#)

ADOPT RESOLUTION NO. 19-0024

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

Mayor Napolitano opened the floor for public comments.

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

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Hersman, to adopt Resolution No. 19-0024 establishing the Manhattan Beach City logo and authorizing and directing staff to take all related actions to implement and trademark the City logo. The motion carried by the following vote:

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

At 7:38 PM, City Council recessed and reconvened at 7:45 PM with all City Councilmembers present.

I. PUBLIC HEARINGS

11. Consider Introduction of Ordinance Nos. 19-0007 and 19-0008 Amending the Zoning Code and Local Coastal Program to Reinforce the Prohibition on Renting Residential Property for Less Than 30 Days, Except Under Limited Circumstances (Community Development Director McIntosh).

[19-0108](#)

a) CONDUCT PUBLIC HEARING

b) INTRODUCE ORDINANCE NOS. 19-0007 AND 19-0008

Community Development Director Anne McIntosh presented the staff report and responded to City Council questions.

Mayor Napolitano opened the public hearing.

Paul Beswick expressed his view that short-term rentals should be banned completely as they do not make sense from an economic standpoint, and they do not preserve the City's small town feel.

Lee Phillips stated that she supports keeping and enforcing the ban on short-term rentals and that there needs to be more active announcements made regarding this issue.

Steve Packwood stated that he supports a complete ban on short-term rentals in the City of Manhattan Beach and encouraged the City Council to not allow any exceptions to this ban.

Robin Spence stated that she supports a complete ban on short-term rentals in the City of Manhattan Beach and encouraged the City to look at how Hermosa Beach has enforced their ban on short-term rentals.

Ashleigh Daniker expressed that she supports a complete ban on short-term rentals as it changes the dynamics of a neighborhood, and can be very difficult for the residents to maintain a good relationship with their neighbors who live within close proximity.

Manuela Millington stated her view that there should be a complete ban on all short-term rentals in the City of Manhattan Beach as they will change the feel of the City and go against the City's General Plan.

Bill Victor stated his view that the City and its residents do not own the ocean or the beach and that much of the beauty preservation has come from the regulations by the California Coastal Commission. He stated that the ban on short-term rentals takes rights away from property owners without due process.

Rosalee Eisenstadt expressed her view that she is opposed to short-term rentals with no exceptions.

Martha Andreani urged the City Council to continue to support the City's General Plan and community values and to uphold the complete ban on all short-term rentals in the City of Manhattan Beach.

Greg Ugarte stated his concern that allowing short-term rentals could complicate his relationships with his neighbors and urged the City Council to uphold the complete ban on short-term rentals.

Karol Wahlberg stated that she is for a complete ban on short-term rentals as it changes the fabric of the community.

Heather Rezner expressed that she believes the City has failed to enforce the ban that is currently in place, and supports maintaining and further enforcing a ban on all short-term rentals.

Neil Leventhal stated that he supports a complete ban on short-term rentals.

Scott Frego stated that while he owns a rental property unit in the City of Manhattan Beach, he is not interested in renting it out short-term, but rather is committed to creating a community where he lives.

Tammy Zamersil expressed her complete opposition to any allowing short-term rentals in the City of Manhattan Beach. She stated that allowing some types of short-term rentals may open the City up to the California Coastal Commission's review of the local ordinance.

Will Arvizo expressed his view that the City could enforce the ban that they already have in place, but have failed to do so, and that putting in place the proposed ordinance would serve to only complicate enforcement efforts.

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

Councilmember Montgomery stated that in his 2017 election campaign, he received a campaign contribution from AirBnB and he returned it after his campaign manager passed away last year.

City Attorney Quinn Barrow stated that based upon his statement, Councilmember Montgomery has no financial interest in the matter before the City Council.

City Manager Bruce Moe, City Attorney Quinn Barrow, and Community Development Director Anne McIntosh responded to City Council questions.

A motion was made by Mayor Napolitano, seconded by Councilmember Howorth, to maintain a full ban on short-term rentals in residential zones in the City of Manhattan Beach, strengthen enforcement by prohibiting advertisement and have a six month review on the enforcement of the ban on short-term rentals. The motion carried by the following vote:

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

- 12.** Consider Second Reading and Adoption of Ordinance No. 19-0004
Establishing a Sepulveda Boulevard Corridor Overlay District and
Amending Commercial Development Standards to Provide a Height
Bonus of 40 Feet for Hotel Developments in the General Commercial
(CG) Zoning District Along Sepulveda Boulevard (Community
Development Director McIntosh).

[19-0109](#)

a) CONDUCT PUBLIC HEARING

b) ADOPT ORDINANCE NO. 19-0004

Community Development Director Anne McIntosh introduced the item and Senior Management Analyst Nhung Madrid provided the staff presentation and responded to City Council questions.

Assistant Planner Rafael Garcia responded to City Council questions.

Mayor Napolitano opened the public hearing.

Paul Mullin stated that he is concerned about the height limit increase, underground parking, and noise mitigation.

David Rutan stated his concern with increasing the height limit for hotels near residential areas as it would reduce views for community members.

Marsha Hawkwood expressed her view that parking considerations should be a component of this ordinance.

Will Arvizo expressed that if the current ordinance does not allow for higher structures, then the City should not change it and hotels should not build in the City of Manhattan Beach.

Steve Packwood stated that he is opposed to raising the limits as it gives a benefit to hotels at the expense of residents.

Bill Victor stated that he does not see any reason to increase the height for hotel developments.

Mike Grannis with Highland Partners stated that increasing the height of hotels would allow more to be built in the City of Manhattan Beach and would mitigate the number of short-term rentals operating in neighborhoods.

An unknown speaker stated she objects to the height bonus for hotel developments.

Kathy Clark stated that allowing buildings 40-feet high will prevent the residents from receiving their share of the marine layer.

Karol Wahlberg stated her concern that increasing the maximum hotel height will compromise privacy for residents.

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

City Attorney Quinn Barrow read the title of Ordinance No. 19-0004, as amended.

AMENDING TITLE 10 OF THE MANHATTAN BEACH MUNICIPAL CODE TO ESTABLISH A SEPULVEDA BOULEVARD CORRIDOR OVERLAY DISTRICT AND SPECIFIC DEVELOPMENT STANDARDS FOR PROPERTY WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT LOCATED ALONG SEPULVEDA BOULEVARD, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA, AS AMENDED

A motion was made by Councilmember Montgomery, seconded by Councilmember Howorth, to adopt Ordinance No. 19-0004 establishing a Sepulveda Boulevard Corridor Overlay District and amending commercial development standards to provide a height bonus of 40-feet for hotel developments in the General Commercial (CG) Zoning District along Sepulveda Boulevard, as amended to restrict the district to the properties shaded blue included in the overlay on the map. The motion carried by the following vote:

Aye: 3 - Hersman, Montgomery and Howorth

Nay: 2 - Napolitano and Lesser

At 9:47 PM City Council recessed and reconvened at 9:55 PM with all City Council members present.

13. Consider Adopting Resolution No. 19-0015 Approving a Coastal Development Permit for the 2019 Manhattan Beach Open Volleyball Tournament August 15-18; and Request from AOS GROUP for Special Permit: Limited Alcoholic Beverage Use in the Lower South Pier Parking Lot and VIP Bleacher Seating Area Adjacent to the Stadium Court (Parks and Recreation Director Leyman).

[19-0035](#)

a) CONDUCT PUBLIC HEARING

b) ADOPT RESOLUTION NO. 19-0015 APPROVING COASTAL PERMIT AND LIMITED ALCOHOLIC BEVERAGE USE

Recreation Services Manager Jessica Vincent provided the staff presentation and responded to City Council questions.

Mayor Napolitano opened the public hearing.

Bill Victor expressed his concerns with allowing this permit as it takes away beach access in the middle of the summer.

Will Arvizo stated his concern with allowing alcohol on the beach.

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

A motion was made by Councilmember Howorth, seconded by Councilmember Montgomery, to adopt Resolution No. 19-0015 approving a Coastal Development Permit for the 2019 Manhattan Beach Open Volleyball Tournament August 15-18; and request from AOS GROUP for the Special Permit: limited alcohol beverage use in the lower south pier parking lot and VIP bleacher seating area adjacent to the Stadium Court. The motion carried by the following vote:

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

J. GENERAL BUSINESS

14. Consider Introduction of Ordinance No. 19-0009 to Reduce Polystyrene Meat Tray Pollution (Community Development Director McIntosh). [19-0122](#)
INTRODUCE ORDINANCE NO. 19-0009

Councilmember Lesser and Councilmember Montgomery stated for the record that they met with local Manhattan Beach grocers to discuss the matter before them.

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

Mayor Napolitano opened the floor for public comments. The following individuals spoke:

*Jessica Mause
Dr. Katherine Pease
Craig Cadwallader
Bill Victor
Tim James
Will Arvizo
Emily Parker*

Seeing no further requests to speak, Mayor Napolitano closed the floor for public comments.

City Attorney Quinn Barrow read the title of Ordinance No. 19-0009 into the record:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE MANHATTAN BEACH MUNICIPAL CODE TO EXPAND THE ENVIRONMENTAL REGULATIONS IN CHAPTER 5.80 TO REGULATE POLYSTYRENE MEAT TRAYS, AS AMENDED.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Hersman, to introduce the ordinance with an implementation date of January 1, 2020, and allowing for a case-by-case compliance extension period. The motion was approved by the following vote:

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

A motion was made by Mayor Napolitano, seconded by Councilmember Montgomery, to extend the meeting past 10:30 PM. The motion carried by the following vote:

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

15. Request by Mayor Napolitano and Councilmember Lesser to Review Two Safe Routes to School (SRTS) Pedestrian Improvements: 1) Solar Powered Flashing Beacons, In-Road Warning Lights and a High Visibility Crosswalk at Blanche Road and 29th Street; and 2) a Solar Powered Radar Speed Awareness Sign Located 130 Feet North 29th Street on the West Side of Blanche Road (Public Works Director Katsouleas).

[19-0146](#)

RECEIVE REPORT

Public Works Director Katsouleas introduced the item, provided the staff presentation, and responded to City Council questions.

Traffic Engineer Erik Zandvliet responded to City Council questions.

Mayor Napolitano opened the floor for public comments. The following individuals spoke:

*Lessin Schnack
Randy Schnack
Bill Victor
Will Arvizo*

Seeing no further requests to speak, Mayor Napolitano closed the floor for public comments.

By order of the Chair, this item was agendized for review in six months.

16. Library Commission Recommendations Regarding the Use of Manhattan Beach County Library Surplus Funds (Parks and Recreation Director Leyman).

[19-0012](#)

APPROVE

Recreation Services Manager Eve Kelso provided the staff presentation and responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

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

A motion was made by Councilmember Montgomery, seconded by Councilmember Howorth, to approve the Library Commission's recommendations regarding the use of Manhattan Beach County Library Surplus Funds. The motion carried by the following vote:

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

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

Councilmember Montgomery reported that he attended the California League of Cities meeting in Grass Valley, California, and spoke to Governor Newsom regarding funding from the state regarding housing.

Councilmember Lesser announced that he attended the South Bay Cities Council of Governments 20th Annual General Assembly in Torrance where they had a panel of historians discussing the future of the South Bay and how the South Bay has changed over time.

Councilmember Howorth announced that the County Board of Supervisors approved her appointment by Supervisor Hahn to the Commission for Women.

L. FUTURE AGENDA ITEMS

17. Agenda Forecast (City Clerk Tamura). [19-0102](#)
DISCUSS AND PROVIDE DIRECTION

Councilmember Montgomery requested to discuss at a future City Council meeting, placing parking meters on Parkview Avenue, Mayor Napolitano concurred.

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

18. Commission Minutes: [19-0067](#)
This Item Contains Minutes of the following City Commission Meetings:
a) Library Commission Meeting Minutes of January 14, 2019 (Parks and Recreation Director Leyman)
b) Parks and Recreation Commission Meeting Minutes of January 28, 2019 (Parks and Recreation Director Leyman)
c) Planning Commission Action Meeting Minutes of February 13, 2019 (Cancelled) (Community Development Director McIntosh)
d) Planning Commission Action Meeting Minutes of February 27, 2019 (Cancelled) (Community Development Director McIntosh)
INFORMATION ITEM ONLY

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

P. CLOSED SESSION

Q. ADJOURNMENT

At 11:26 PM, Mayor Napolitano adjourned the meeting to a 5:00 PM Closed Session meeting on Tuesday, March 19, 2019, in the City Council Chambers.

Alexandria Latragna
Recording Secretary

Steve Napolitano
Mayor

ATTEST:

Liza Tamura
City Clerk