

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, July 18, 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. Presentation of Certificate of Recognition to Cyndi Strand for her Longstanding Volunteer Work in the Community and her Altruistic Efforts to Help Those in Need by Founding Blankets of Love South Bay.

[17-0270](#)

PRESENT

Mayor Lesser, on behalf of the City Council, presented Cyndi Strand with a certificate of recognition for her longstanding volunteer work in the Community.

A video was presented from Cyndi Strand regarding Blankets of Love South Bay and Cyndi provided an overview of the foundation.

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

A motion was made by City Councilmember Montgomery, seconded by Mayor Pro Tem Howorth, 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)**

Police Chief Eve Irvine spoke about a community event August 1, 2017, "National Night Out" where the community takes a stand against crime and on August 8, 2017, "Coffee with a Cop" at the Coffee Bean in Downtown Manhattan Beach.

Linda McLoughlin Figel, Pages Bookstore, gave a "Where's Waldo" update.

Mark Lipps, Chamber of Commerce, spoke of the "Bite at the Beach" event on August 12, 2017.

Kelly Stromman, Executive Director Downtown Business Association, reported on the Downtown Movie Night July 21, 2017, featuring the Princess Bride and noted that the Farmers Market is hosting a Blood Drive next Tuesday, July 25, 2017.

Melissa McCullom, Manhattan Beach Library, provided updates on various library events.

Wayne Powell spoke of the "White Light, White Night" event on Saturday July 22, 2017, and stated that tickets are still available.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

C Rodger Ward spoke on 40th Street safety and health concerns, requesting that the City Council direct Staff to enforce the speed limit on area streets for residents safety.

Wayne Powell commented on the "Downtowner" pilot program noting that it was to see if there was a need for the program. He also spoke about "Free Ride" that is similar to the "Downtowner".

Karla Mendelson, Keep LA Moving, appreciates the City Council coordinating with other Cities and is opposed to Vista del Mar construction and "Road Diets".

Mark Lipps requested that the public send notices of any organizations doing great things in the community to the Chamber of Commerce to get information out to the public for more support, would also like to have "Chalkboard Signage" (both in the North End and Downtown) agendized to create a policy to allow businesses to use chalkboards on sidewalks. He further thanked the City for their help in getting the word out about the benefits of offering military discounts.

Nicole Barkopoulos, resident of Oak Avenue, requested that the City Council review the zoning regarding permits for an Urgent Care Facility.

Paul Barkopoulos, resident of Oak Avenue, is opposed to the City allowing the Urgent Care to open adjacent to a residential area and noted that permits are being approved by the City allowing the Urgent Care to move forward with the construction.

Michael Zislis, downtown business owner and President of the Business Improvement District (BID), spoke about the "Downtowner". He suggested that it include a larger demographic and supported the extension for the benefit of the community.

Bill Victor spoke about Staff accountability and that the City should go out to bid for the Waste Management Contract.

Steve Packwood, resident of Oak Avenue, is opposed to the City allowing the Urgent Care Project to move forward.

Ricardo Ammack, representing Owners of the Manhattan Village Property, provided an update on the redevelopment of the Manhattan Village Mall and announced that the public can receive updates on the Mall's website www.shopmanhattanvillage.com or call (310) 938-4121 for further details.

City Manager Mark Danaj responded to City Council questions.

G. CONSENT CALENDAR (APPROVE)

A motion was made by City Councilmember Montgomery, seconded by Mayor Pro Tem Howorth, to approve the Consent Calendar, Item Nos. 2-11, removing Item Nos. 8 and 11 to be heard under Section H. Items Pulled from the Consent Calendar. The motion carried by the following vote:

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

2. City Council Minutes: [17-0303](#)
This Item Contains Minutes of the following City Council Meeting:
a) City Council Regular Meeting Minutes of June 6, 2017
b) City Council Special Meeting (Closed Session) Minutes of June 20, 2017
c) City Council Regular Meeting Minutes of June 20, 2017
d) City Council Adjourned Regular Meeting (Joint City Council/Planning Commission and Parking and Public Improvements Commission) Minutes of June 21, 2017
e) City Council Adjourned Regular Meeting (Closed Session) Minutes of July 5, 2017
f) City Council Regular Meeting Minutes of July 5, 2017 (City Clerk Tamura).
APPROVE

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

3. Financial Report: [17-0239](#)
Schedules of Demands: June 22, 2017 (Finance Director Moe).
ACCEPT REPORT AND DEMANDS

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

4. Resolution Authorizing the City Manager or His Designee to Make Determinations on Industrial Disability Retirements in Accordance with the Government Code (Human Resources Director Zadroga-Haase). [RES 17-0087](#)
ADOPT RESOLUTION NO. 17-0087

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

5. Resolution Approving the Side Letter Agreement with the Manhattan Beach Police Officers' Association Regarding Dog Handler Assignments (Human Resources Director Zadroga-Haase). [RES 17-0088](#)
ADOPT RESOLUTION NO. 17-0088

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

6. Resolution Awarding a Three-Year Crossing Guard Services Contract to All City Management Services in the Amount of \$818,175 (Police Chief Irvine). [RES 17-0064](#)
ADOPT RESOLUTION NO. 17-0064

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

7. Approval of Annual Commission Work Plans (Parks and Recreation Director Leyman and Community Development Director McIntosh). [17-0314](#)
APPROVE

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

8. Conduct Second Reading and Consider Adopting Ordinance No. 17-0011 Amending the Local Coastal Program regarding Appeals and Council Review of Decisions (City Clerk Tamura and Community Development McIntosh).

[ORD 17-0011](#)

ADOPTION OF ORDINANCE NO. 17-0011

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

9. Formally Accept as Complete the Pier Bollard Replacement Project Constructed by Excel Paving Company; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention in the Amount of \$8,497.45 (Public Works Director Katsouleas).

[17-0249](#)

APPROVE

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

10. Formally Accept as Complete the Strand Stairs Rehabilitation Project Constructed by RSB Group, Inc.; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention in the Amount of \$96,359.34 (Public Works Director Katsouleas).

[17-0289](#)

APPROVE

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

11. Resolutions Awarding a \$33,567.18 Contract to Elevators Etc. for Three Elevators and Four Wheelchair Lifts Maintenance and an \$80,487.04 Contract to Schindler Elevator Corporation for One Elevator and Four Escalators Maintenance (Public Works Director Katsouleas).

[17-0250](#)

ADOPT RESOLUTION NOS. 17-0079 AND 17-0080

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

H. ITEMS PULLED FROM THE CONSENT CALENDAR

8. Conduct Second Reading and Consider Adopting Ordinance No. [ORD 17-0011](#)
17-0011 Amending the Local Coastal Program regarding Appeals and Council Review of Decisions (City Clerk Tamura and Community Development McIntosh).

ADOPTION OF ORDINANCE NO. 17-0011

Councilmember Napolitano requested to add the word "day" to A1 Section C.

City Attorney Quinn Barrow responded to City Council questions.

Mayor Lesser opened the floor to public comment.

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

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Montgomery, to adopt this ordinance as amended: adding the word "day" to A1 Section C. The motion carried by the following vote:

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

11. Resolutions Awarding a \$33,567.18 Contract to Elevators Etc. for Three Elevators and Four Wheelchair Lifts Maintenance and an \$80,487.04 Contract to Schindler Elevator Corporation for One Elevator and Four Escalators Maintenance (Public Works Director Katsouleas). [17-0250](#)

ADOPT RESOLUTION NOS. 17-0079 AND 17-0080

Public Works Director Stephanie Katsouleas presented the staff presentation, clarified that the contract was modified to be awarded to Elevators Etc only and responded to City Council questions.

Mayor Lesser opened the floor to public comment.

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

A motion was made by City Councilmember Hersman, seconded by City Councilmember Montgomery, to adopt Resolution No. 17-0079 as amended: Changing three elevators to four elevators and adding four escalators. The motion carried by the following vote:

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

Resolution No. 17-0080 was not considered or adopted.

I. PUBLIC HEARINGS

12. Adoption of Annual Storm Water Service Fee for Fiscal Year 2017-2018 (Finance Director Moe). [RES 17-0078](#)

CONDUCT PUBLIC HEARING; ADOPT RESOLUTION NO. 17-0078

Mayor Lesser introduced the item and Revenue Services Manager Steve Charelian presented the Staff presentation.

Mayor Lesser opened the public hearing.

Bill Victor asked about the impact on the residential property owners.

Steve Packwood requested information on the impact of the Finance Subcommittee Meeting and how the City plans to address the issue.

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

Revenue Services Manager Charelian responded to City Council questions.

A motion was made by City Councilmember Hersman, seconded by Mayor Pro Tem Howorth, to adopt Resolution No. 17-0078 approving a report in connection with the City's storm water service charge and ordering that such charge be collected on the tax roll. The motion carried by the following vote:

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

J. GENERAL BUSINESS

13. Approval of City Support of Safe Streets Academy Application (Community Development Director McIntosh and Public Works Director Katsouleas). [17-0319](#)

APPROVE

Mayor Lesser introduced the item and Management Analyst Kendra Davis presented the Staff presentation.

Beach Cities Health District Blue Zones Project Director Lauren Nakano provided further details and responded to City Council questions.

Mayor Lesser opened the floor to public comment.

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

City Manager Mark Danaj responded to City Council questions.

A motion was made by City Councilmember Hersman, seconded by Mayor Lesser, to approve the letter of support and the City's participation in the Safe Streets Academy. The motion carried by the following vote:

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

14. Update on Downtowner Pilot Program and Request for Program Extension (Economic Vitality Manager).

[RES 17-0105](#)

ADOPT RESOLUTION NO. 17-0105 AND PROVIDE DIRECTION

Mayor Lesser introduced the item and Economic Vitality Manager Andy Sywak presented the PowerPoint presentation.

Economic Vitality Manager Sywak, Owners of the Downtowner Jake Alstop and Sam Knapp, City Attorney Quinn Barrow and City Manager Mark Danaj responded to City Council questions.

Mayor Lesser opened the floor to public comments.

Sam Knapp, owner of The Downtowner, spoke about the services that have been provided and urged the City Council to move forward with an Request for Proposal (RFP).

Maureen McBride spoke in favor of the Downtowner and said everyone has been affected in a positive way she further stated that The Downtowner has helped out the Beach Corridor in the City, assisting with moving people in congested areas, carpooling and doing it in a safe way.

Kelly Stroman spoke in support of the program moving forward, stating that it benefits everyone in the City and not just the Downtown area of Manhattan Beach.

Birgit Hartmann spoke in support of the Downtowner as it is an eco-friendly vehicle.

Lester Silverman spoke in support of the Downtowner program and a one year extension.

Jackie May inquired about the advertisements and what do users get when they use the app, the amount of money this will cost for a new contract, if it would pay for the cars they are mentioning and, if continuing with this contract, will the drivers go to Polliwog park.

Sam Knapp, owner of The Downtowner, responded to public questions.

A motion was made by Mayor Pro Tem Howorth, seconded by Mayor Lesser, to extend the term for the pilot program for an additional year, removing the City ads from one of the vehicles. A friendly amendment, accepted by the maker, removing the City ads, as needed on a space available basis.

Mayor Pro Tem Howorth amended her original motion to extend the contract and allow alcohol advertisement and have the City Manager set guidelines.

Mayor Lesser removed his second motion of the item based on the amended motion by Mayor pro Tem Howorth as he is opposed to the alcohol provision and strongly feels the incentive for bidding on a longer term project is enough to stay in the game.

Motion failed for lack of a second.

City Manager Danaj responded to City Council questions.

A motion was made by Mayor Pro Tem Howorth, seconded by Mayor Lesser, to extend the term for the pilot program for an additional year and circulate a Request for Proposals (RFP), pursue options for Citywide service, pursue funding mechanisms and in the RFP process not to ban any use of City money and see what the market comes up with. A friendly amendment, accepted by the maker, to include grant writers in the funding mechanisms. The motion carried by the following vote:

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

At 8:58 PM City Council recessed and reconvened at 9:08 PM with all Councilmembers present.

- 15.** Resolution Declaring the City's Intent to Become Subject to the Uniform Public Construction Cost Accounting Act for all Public Projects; Ordinance Adding Chapter 2.37 to the Manhattan Beach Municipal Code and Providing Informal Bidding Procedures (Public Works Director Katsouleas).

[RES 17-0095](#)

ADOPT RESOLUTION NO. 17-0095

Mayor Lesser introduced the item and Public Works Director Stephanie Katsouleas presented the PowerPoint presentation.

Mayor Lesser opened the floor to public comment.

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

City Attorney Quinn Barrow read the title of the Ordinance into the record: An Ordinance of the City of Manhattan Beach amending Title 2 (Administration) of the Manhattan Beach Municipal Code by adding Chapter 2.37 (Public Projects) to provide informal bidding procedures for public projects under the Uniform Public Construction Cost Accounting Act.

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Hersman, to adopt Resolution No. 17-0095 declaring the City's intent to become subject to the Uniform Public Construction Cost Accounting Act for all Public Projects. The motion carried by the following vote:

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

A motion was made by Councilmember Montgomery, seconded by Councilmember Hersman, to introduce the Ordinance adding Chapter 2.37 to the Manhattan Beach Municipal Code and provide informal bidding procedures. The motion carried by the following vote:

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

16. Report on Southern California Edison's Power Reliability in the City of Manhattan Beach (Public Works Director Katsouleas). [17-0290](#)

RECEIVE REPORT

Public Works Director Stephanie Katsouleas introduced Francisco Martinez, Representative from Southern California Edison (SCE) who presented the PowerPoint presentation.

Representative Martinez and Senior Planner at the South Bay District for SCE Ryan Barfield responded to City Council questions.

Mayor Lesser opened the floor to public comment.

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

Representative Martinez responded to City Council questions.

By order of the chair, the report was received and filed.

17. Solid Waste Franchise Agreement Status Update (Public Works Director Katsouleas). [17-0295](#)

ACCEPT REPORT AND PROVIDE DIRECTION

Mayor Lesser introduced the item and Public Works Director Stephanie Katsouleas presented the Staff presentation.

City Attorney Quinn Barrow and Public Works Director Katsouleas responded to City Council question.

Mayor Lesser opened the floor to public comment.

Craig Cadwalder provided suggestions on what the City should be looking for before extending the item and asked if audits could be provided to the public.

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

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

A motion was made by Mayor Pro Tem Howorth, seconded by City Councilmember Hersman, to extend the terms of the solid waste franchise agreement with Waste Management for a one- year plus one-year term, if needed. The motion carried by the following vote:

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

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

18. City Council Assignments Amendment (City Clerk Tamura). [17-0313](#)
DISCUSS AND APPROVE

Mayor Lesser introduced this item and City Attorney Quinn Barrow presented a brief overview.

City Attorney Barrow responded to City Council questions.

Mayor Lesser opened the floor to public comment.

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

A motion was made by City Councilmember Montgomery, seconded by Mayor Lesser, to assign the delegates to the California Emergency Response Team (CERT) with Councilmember Montgomery as the delegate and Mayor Lesser as the alternate and assigning Councilmember Napolitano as the delegate and Councilmember Montgomery as the alternate to the California Contract Cities Association (CCCA). A friendly amendment, accepted by the maker to assign Councilmember Napolitano as the delegate and Councilmember Hersman as the alternate to the Manhattan Beach Unified School District (MBUSD) AdHoc Committee. The motion carried by the following vote:

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

L. FUTURE AGENDA ITEMS

Councilmember Montgomery requested the item "YGreene" be agendized and Mayor Pro Tem Howorth concurred.

Councilmember Hersman requested that the City Council revisit the agenda forecast being included in the agenda packets and Mayor Lesser concurred for further discussion.

Mayor Lesser requested that Staff collect data about how to qualify for Metro Funds (informational memo).

City Manager Mark Danaj responded to City Council questions.

Mayor Pro Tem Howorth and Councilmember Napolitano agree that a discussion with Metro in regard to the requirements for funding would be advantageous and possibly a letter or position paper from the South Bay Cities Council of Governments (SBCCOG).

Councilmember Hersman asked about informational items, and if there is a procedure for City Council to ask about the Commission Minutes.

City Attorney Quinn Barrow responded to City Council questions.

Councilmember Hersman asked about why the other Commissions minutes are not available online.

City Manager Danaj stated that staff is working with Commissions to have up to date minutes.

City Attorney Barrow and City Manager Danaj responded to City Council questions.

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

19. Commission Minutes:

[17-0321](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Cultural Arts Commission Meeting Minutes of April 11, 2017 (Parks and Recreation Director Leyman)
- b) Parks and Recreation Commission Meeting Minutes of April 24, 2017 (Parks and Recreation Director Leyman)
- c) Cultural Arts Commission Meeting Minutes of May 15, 2017 (Parks and Recreation Director Leyman)
- d) Parks and Recreation Commission Meeting Minutes of May 22, 2017 (Parks and Recreation Director Leyman)
- e) Library Commission Meeting Minutes of June 12, 2017 (Parks and Recreation Director Leyman).

INFORMATION ITEM ONLY

L. FUTURE AGENDA ITEMS

By order of the Chair to return to the "Public Comments" section of the agenda for further discussion regarding a public comment received earlier in the meeting and provide direction to Staff.

Mayor Lesser inquired about medical care issues returning to Council.

Community Development Director Anne McIntosh responded to City Council questions regarding the item.

Councilmember Napolitano stated that Medical Offices are an urgent item and requested that there not be a delay until the next agendaized discussion. He would like to see a moratorium before other applications come in and move forward without the City Council's approval.

Councilmember Montgomery concurred and requested that this item be brought back as an urgency ordinance.

City Attorney Quinn Barrow responded that it could be brought back at a future meeting.

Mayor Pro Tem Howorth noted that this direction does that mean that the construction for the Urgent Care stops.

City Manager Mark Danaj and City Attorney Barrow responded to City Council questions.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 10:38 PM the meeting was adjourned to the Closed Session Meeting on July 20, 2017, at 10:00 AM in the City Council Chambers in said City.

Martha Alvarez
Recording Secretary

David Lesser
Mayor

ATTEST:

Liza Tamura
City Clerk