

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, February 4, 2020

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

Mayor Nancy Hersman
Mayor Pro Tem Richard Montgomery
Councilmember Suzanne Hadley
Councilmember Hildy Stern
Councilmember Steve Napolitano

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A. PLEDGE TO THE FLAG

Akash Mishra, from Manhattan Beach Middle School, led the Pledge of Allegiance.

The Manhattan Beach Middle School Band led the National Anthem.

B. ROLL CALL

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

C. CEREMONIAL CALENDAR

- 1. Presentation of a Proclamation Declaring February 16-22, 2020, as National Engineers Week. [20-0074](#)

PRESENT

Mayor Hersman on behalf of the City Council, presented a proclamation to Public Works Director Stephanie Katsouleas, declaring February 16-22, 2020, as National Engineers Week.

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

Councilmember Hadley requested to remove from the Consent Calendar, Agenda Item No. 4 - Introduction of an Ordinance Prohibiting the Sale of Tobacco Products.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Hadley, to approve the agenda, waive the full reading of ordinances and remove from the Consent Calendar for individual consideration Agenda Item No. 4. The motion carried by the following vote:

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

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

Public Works Department, Senior Civil Engineer Adilia Miller announced the notice that was sent to the public regarding the Street Resurfacing Cycle 1 Project, beginning February 2020 and to be completed by June 2020.

Mayor Hersman announced that she, and Councilmember Stern, attended the roundtable with Congressman Ted Lieu, regarding the 2020 Census and encouraged everyone to participate in the survey.

Councilmember Stern announced the Urban Tides Beach Walk on Friday, February 7, 2020, from 1:00 PM - 3:00 PM, at The Strand.

Mayor Pro Tem Montgomery announced the flight tracker application, and stated that he is still looking for retired commercial or military pilots who live in Manhattan Beach that can help decipher the FAA rules, and further reported that at the next Hawthorne Municipal Airport Communities Network meeting the noise sensor map will be provided.

City Manager Bruce Moe introduced newly appointed Community Development Director Carrie Tai.

Community Development Director Carrie Tai provided a report on SB 50 and the Regional Housing Needs Allocation (RHNA).

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

- Sharon Cohen*
- Mike Zislis*
- Steve Ambrose*
- Maureen McBride*
- Darren Moloney*

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

G. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Hadley, to approve the Consent Calendar, with the exception of Agenda Item No. 4, which was individually considered under Section H - Items Removed from the Consent Calendar.

City Attorney Quinn Barrow read the title of Urgency Ordinance No. 20-0008-U:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH ADDING CHAPTER 14.70 (SHARED MOBILITY DEVICES) TO TITLE 14 (TRAFFIC) OF THE MANHATTAN BEACH MUNICIPAL CODE TO 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 AND DECLARING THE URGENCY THEREOF.

City Attorney Quinn Barrow read the title of Ordinance No. 20-0008:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH ADDING CHAPTER 14.70 (SHARED MOBILITY DEVICES) TO TITLE 14 (TRAFFIC) OF THE MANHATTAN BEACH MUNICIPAL CODE TO 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.

The motion carried by the following vote:

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

- 2. City Council Minutes: [20-0031](#)
 This Item Contains Minutes of the Following City Council Meeting(s):
 - a) City Council Adjourned Regular Meeting Minutes (Closed Session) of January 21, 2020
 - b) City Council Regular Meeting Minutes of January 21, 2020 (City Clerk Tamura).**APPROVE**

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

- 3. Financial Reports: [20-0047](#)
 - a) Schedule of Demands December 19, 2019, and January 2, 2020
 - b) Investment Portfolio for the Month Ending December 31, 2019
 - c) Month End Report for December 31, 2019 (Finance Director Charelian).**ACCEPT REPORTS AND DEMANDS**

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

- 4. Consider Introducing an Ordinance to Prohibit the Sale of Tobacco Products in the City (City Manager Moe and City Attorney Barrow). [20-0055](#)
INTRODUCE ORDINANCE NO. 20-0007

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

5. Consider Adopting an Urgency Ordinance and Introducing an Ordinance to Maintain a Prohibition of the Use or Operation of Shared Mobility Devices in Any Public Right-of-Way or on Public Property, or Offered for Use Anywhere in the City and Adopting a Categorical Exemption (Community Development Director Tai). [20-0067](#)
- a) ADOPT URGENCY ORDINANCE NO. 20-0008-U**
b) INTRODUCE ORDINANCE NO. 20-0008

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

6. Consider Adopting a Resolution Approving a Memorandum of Understanding Between the City of Manhattan Beach and Manhattan Beach Firefighters' Association (Human Resources Director Jenkins). [20-0075](#)
- ADOPT RESOLUTION NO. 20-0017**

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

7. Consider Adopting a Resolution Awarding a Professional Design Service Agreement to AECOM Technical Services Inc., for the 2020 Storm Drain Master Plan Update Project for \$250,000 and Authorizing the City Manager to Execute the Agreement (Public Works Director Katsouleas). [20-0039](#)
- ADOPT RESOLUTION NO. 20-0012 APPROVING AN AGREEMENT**

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

4. Consider Introducing an Ordinance to Prohibit the Sale of Tobacco Products in the City (City Manager Moe and City Attorney Barrow). [20-0055](#)
INTRODUCE ORDINANCE NO. 20-0007

Councilmember Hadley provided a statement as to why she requested to have the agenda item removed from the Consent Calendar.

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

*Courtney Hamilton
Jacqueline Sun*

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

A motion was made by Mayor Hersman, seconded by Councilmember Napolitano, to accept the introduction of Ordinance No. 20-0007, amending the Manhattan Beach Municipal Code Chapter 4.118 to prohibit the sale of all tobacco products and electronic smoking devices, and making a finding of exemption under the California Environmental Quality Act.

City Attorney Quinn Barrow read the title of Ordinance No. 20-0007:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING MANHATTAN BEACH MUNICIPAL CODE CHAPTER 4.118 TO PROHIBIT THE SALE OF ALL TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The motion carried by the following vote:

Aye: 4 - Hersman, Montgomery, Stern and Napolitano

Nay: 1 - Hadley

I. PUBLIC HEARINGS

None.

J. GENERAL BUSINESS

8. Consider Adopting a Resolution Approving an Agreement with the Downtown Manhattan Beach Business and Professional Association (DMBBPA) for the Management of a Certified Farmers Market and Utilization of City Property and Right-of-Way (Finance Director Charelian).

[20-0016](#)

ADOPT RESOLUTION NO. 20-0013

Finance Director Steve Charelian provided the PowerPoint presentation and responded to City Council questions.

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

Cassandra (last name not provided)

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

A motion was made by Councilmember Napolitano, seconded by Councilmember Hadley, to adopt Resolution No. 20-0013, approving an agreement with the Downtown Manhattan Beach Business and Professionals Association for management of a certified Farmers Market and utilization of the City property and right-of-way with the following revisions; a) remove the caps on "mix" of vendors, and b) make the effective date of the agreement January 1, 2020. The motion carried by the following vote:

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

9. Consider Approving an Updated Banner Policy (Parks and Recreation Director Leyman).

[20-0007](#)

APPROVE

Parks and Recreation Department, Management Analyst Linda Robb provided the staff presentation.

Management Analyst Robb, Parks and Recreation Director Mark Leyman and City Attorney Quinn Barrow responded to City Council questions.

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

Gary Osterhout

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

Parks and Recreation Director Leyman and Management Analyst Robb responded to City Council questions.

Councilmember Napolitano nominated Mayor Hersman and Councilmember Hadley to form a subcommittee to work with staff to revise the Banner Policy and return to City Council at a future meeting, City Council concurred.

City Attorney Barrow provided clarification.

10. Consider Approving the Parking and Public Improvements Commission's Recommendation to Incorporate Proposed Crosswalk Enhancements into New or Ongoing Projects as Part of the City's Capital Improvements Plan and Pursue Funding Opportunities (Community Development Director Tai and Public Works Director Katsouleas).

[20-0015](#)

APPROVE

Community Development Department, Traffic Engineer Erik Zandvliet provided the staff presentation and responded to City Council questions.

Mayor Hersman opened the floor to public comment.

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

A motion was made by Councilmember Napolitano, seconded by Councilmember Hadley, that this item be approved. The motion carried by the following vote:

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

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

Mayor Pro Tem Montgomery and Councilmember Napolitano reported that they attended the Independent Cities Association - 61st Annual Winter Seminar from January 31, 2020 - February 2, 2020, in Santa Barbara, California, and provided a brief report on the conference.

Mayor Hersman reported that she attended the United States Conference of Mayors - 88th Winter Meeting from January 22 - 24, 2020, in Washington, D.C., and provided a brief report on the conference.

Councilmember Stern reported that she attended the League of California Cities - New Mayors & Council Members Academy from January 22 - 24, 2020, in Sacramento, California, and provided a brief report on the conference.

Mayor Pro Tem Montgomery reported that he attended the Earthquake Brace + Bolt and provided a brief report on the seminar.

Mayor Hersman inquired about any power outages during the windstorm and wanted to thank Southern California Edison for keeping electricity running during the windstorm for the residents.

L. FUTURE AGENDA ITEMS

11. Agenda Forecast (City Clerk Tamura).
DISCUSS AND PROVIDE DIRECTION

[20-0032](#)

None.

M. CITY MANAGER REPORT

City Manager Bruce Moe reported that staff will keep City Council and the public informed regarding any changes with SB 50.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

None.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 8:32 PM, Mayor Hersman adjourned the meeting to a 5:00 PM, Closed Session meeting, on Tuesday, February 18, 2020, in the City Council Chambers.

Martha Alvarez
Recording Secretary

Nancy Hersman
Mayor

ATTEST:

Liza Tamura
City Clerk