

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, October 16, 2018

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

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www.citymb.info/departments/city-clerk/city-council-meetings-agendas-and-minutes**

A. PLEDGE TO THE FLAG

Rio Gendron led 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

None.

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

Mayor Napolitano requested to remove, from the Consent Calendar, Agenda Item No. 3 - Quarterly Update on City Work Plan.

A motion was made by Councilmember Montgomery, seconded by Councilmember Howorth, to approve the agenda, as amended, waive full reading of ordinances, and remove Agenda Item No. 3 from the Consent Calendar for discussion. 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)

Raunda Jones, Behavioral Health Services, announced that Saturday, October 27, 2018, is "National Prescription Drug Take Back Day" from 10:00 AM - 2:00 PM.

David Gendron, member of the Manhattan Beach Rotary Club, announced "Vetfest BeerBQue" to honor the Veterans on Sunday, November 11, 2018, from 12:00 PM - 5:00 PM.

Recreation Supervisor Stephanie Kou, announced the following Fall events for Parks and Recreation: "Halloween Carnival," at Manhattan Heights Park on Saturday, October 10, 2018, at 10:00 AM - 3:00 PM; "Pumpkin Race," on Sunday, October 28, 2018, from 11:00 AM - 5:00 PM; and "21st Annual Veterans Day Multi-Generation Event," on Sunday, November 11, 2018, from 11:00 AM - 1:00 PM.

Wayne Powell, announced the "10th Annual Statewide Great Shakeout," on October 18, 2018, at 10:18 AM.

Councilmember Montgomery, announced the implementation of new identification cards for City Staff.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Tom Nordberg spoke about the North Manhattan Beach parking zoning change and encouraged City Council to have North Manhattan Beach parking set the same as the Downtown BID.

G. CONSENT CALENDAR (APPROVE)

City Clerk Liza Tamura clarified that City Council had received the amended Resolution No. 18-0140 for Agenda Item No. 4 - Resolutions Related to the March 5, 2019, General Municipal Election and it was distributed to the City Council and public prior to the City Council Meeting.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Lesser, to approve the Consent Calendar, and pull Agenda Item No. 3 - Quarterly Update on City Work Plan, to be heard under "H. Items Removed from the Consent Calendar." The motion carried by the following vote:

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

1. This Item Contains Closed Session Minutes for the City Council Adjourned Regular Meeting of October 2, 2018 (City Clerk Tamura).

[18-0442](#)

APPROVE

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

2. Financial Report: [18-0437](#)
Schedule of Demands: September 13, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

3. Quarterly Update on City Work Plan (City Manager Moe). [18-0423](#)
RECEIVE REPORT

This item was removed from the Consent Calendar and discussed under Section H, Items Removed from the Consent Calendar.

4. Adoption of Resolution Nos. 18-0140, 18-0141 and 18-0142, Related to the March 5, 2019 General Municipal Election (City Clerk Tamura). [18-0424](#)
a) **ADOPT RESOLUTION NOS. 18-0140, 18-0141 AND 18-0142**
b) **APPROPRIATE FUNDS**

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

5. Award of Bid #1174-19 to Courtesy Chevrolet for the Purchase of Two Budgeted Vehicles for the Public Works Department in the Amount of \$66,326.88 (Interim Finance Director Charelian). [18-0397](#)
APPROVE

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

6. Resolution No. 18-0144 Awarding a Construction Contract to Meyers Construction Company for Public Works Facility Building "A" - Office Area Project for \$399,735; Authorizing a Construction Contingency of \$59,960 (15%); and Resolution No. 18-0145 Approving Amendment No. 2 for \$24,450 with Gillis & Panichapan Architects, Inc. for Construction Support Services (Public Works Director Katsouleas). [18-0462](#)
ADOPT RESOLUTION NOS. 18-0144 AND 18-0145

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

3. Quarterly Update on City Work Plan (City Manager Moe).

[18-0423](#)

RECEIVE REPORT

Mayor Napolitano and Councilmember Howorth requested for, "City Council Sponsorship Policy," to be removed from the City Work Plan.

Councilmember Lesser requested for the City Work Plan to be easily accessible to the public.

City Clerk Liza Tamura identified the location where the City Work Plan can be found on the City's website and clarified that in the future the City Work Plan will be placed in a more prominent place on the website.

Mayor Napolitano inquired about the City Work Plan item, "Establish Policy Regarding City Council Communications."

City Manager Bruce Moe clarified the information that will be provided under the "City Council Communications" agenda item.

Councilmember Montgomery inquired about the "Enterprise Resource Planning (ERP) System Solution."

City Manager Moe reported that the ERP kick-off meeting will take place soon.

Councilmember Montgomery requested an update from staff shortly after the ERP kick-off meeting.

Councilmember Lesser requested for an easier system in order to search through the City Work Plan during City Council discussion.

City Council consensus for the items that have due dates that have passed are updated and removed from the City Work Plan and new projection dates.

Councilmember Howorth asked for a youtube channel that shows the City videos (ie. City Council Meetings, community meetings for the public, etc).

City Manager Moe provided clarification regarding videos accessibility online.

Councilmember Howorth requested for future agendas, to place the City Work Plan item under, "General Business" to allow for City Council discussion.

Mayor Napolitano opened the floor to public comment.

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

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Hersman, to approve as amended the City Work Plan. The motion carried by the following vote:

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

I. PUBLIC HEARINGS

7. Ordinance No. 18-0022 Amending the Municipal Code (MBMC) and Ordinance No. 18-0023 Amending the Local Coastal Program (LCP) To Regulate: (a) Banks, Catering Services, Offices (Business and Professional), Communication Facilities, Veterinary Services and Optometrists; (b) Retail Store Sales Floor Area; and (c) Second-Floor Outdoor Dining, in the Downtown Commercial (CD) Zone; Resolution No. 18-0037 Not Accepting the California Coastal Commission's 27 Modifications to the Downtown Specific Plan and Resolution No. 18-0138 Repealing the Downtown Specific Plan and Conforming Amendments (Community Development Director McIntosh). [18-0427](#)
- a) CONDUCT PUBLIC HEARING**
- b) INTRODUCE ORDINANCE NOS. 18-0022 AND 18-0023**
- c) ADOPT RESOLUTION NOS. 18-0137 AND 18-0138**

Community Development Director Anne McIntosh provided a brief presentation on the process of the agenda item for consideration.

Community Development Director McIntosh and City Attorney Quinn Barrow responded to City Council questions.

Mayor Napolitano opened the floor to public comment.

Martha Andreani spoke in opposition of second floor dining and stated that second floor dining should only be allowed within the framework of the restaurant.

Ron Neuman spoke in support of second floor dining and pointed out surrounding Cities that allows outdoor and second floor dining.

Kathy Clark spoke in opposition of this agenda item and delivery trucks blocking traffic.

Jackie May spoke in opposition of this agenda item due to increase in noise.

Kelly Stroman spoke in support of outdoor and second floor dining on a case by case.

Neil Leventhal spoke about the overall impact with outdoor dining and second floor dining.

Karol Wahlberg spoke in opposition to outdoor dining and second floor dining.

Bob Valentine spoke in support of the position taken by the Downtown Residents Association as detailed in the letter from Carol Perrin.

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

Community Development Director McIntosh and City Attorney Barrow responded to City Council questions.

Mavor Napolitano stated that he does not agree with the map provided and that this

City Attorney Barrow read the title of Ordinance No. 18-0022: An Ordinance of the City of Manhattan Beach amending Municipal Code Section 10.16.020, to regulate the following uses in the Downtown Commercial Zone: (a) banks, catering services, offices, communication facilities, veterinary services and optometrist; and (b) retail sales floor area.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Montgomery, to introduce Ordinance No. 18-0022, as amended by removing, "Section 4, L-28: Use Permit required. Second-floor outdoor dining and outdoor dining on balconies projecting over the public right-of-way is prohibited." The motion carried by the following vote:

Aye: 4 - Hersman, Montgomery, Lesser and Howorth

Nay: 1 - Napolitano

City Attorney Barrow read the title of Ordinance No. 18-0023: An Ordinance of the City of Manhattan Beach amending Local Coastal Program Section A.16.020, to regulate the following uses in the CD Zone: (a) banks, catering services, offices, communication facilities, veterinary services and optometrist; and (b) retail sales floor area.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Howorth, to introduce Ordinance No. 18-0023, as amended by removing, "Section 4, L-28: Use Permit required. Second-floor outdoor dining and outdoor dining on balconies projecting over the public right-of-way is prohibited." The motion carried by the following vote:

Aye: 4 - Hersman, Montgomery, Lesser and Howorth

Nay: 1 - Napolitano

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Hersman, to adopt Resolution No. 18-0137, accepting the California Coastal Commission's rejected modifications to the Manhattan Beach Downtown Specific Plan. The motion carried by the following vote:

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

A motion was made by Councilmember Lesser, seconded by Councilmember Montgomery, to adopt Resolution No. 18-0138, repealing the Manhattan Beach Downtown Specific Plan and conforming amendments. The motion carried by the following vote:

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

J. GENERAL BUSINESS

8. Update on the City's Homelessness Plan and Appointment of Members to Homelessness Task Force (City Manager Moe). [18-0457](#)
- a) **RECEIVE AND FILE**
- b) **APPOINT**

Senior Management Analyst George Gabriel provided the staff presentation.

Senior Management Analyst Gabriel and City Manager Bruce Moe responded to City Council questions.

Mayor Napolitano opened the floor to public comment.

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

City Councilmembers appointed the following individuals to the Homelessness Task Force:

Councilmember Montgomery – Lucia La Rosa Ames

Councilmember Howorth – Diane Wallace

Mayor Pro Tem Hersman – Lee Barr

Councilmember Lesser – Liz Spear

Mayor Napolitano – Kelly Stroman

City Manager Moe responded to City Council questions.

After lengthy discussions the City Council consensus was to include up to an additional 6 members to the Homelessness Task Force.

City Attorney Quinn Barrow clarified that the Resolution would return at the November 6, 2018, City Council Regular Meeting.

A motion was made by Councilmember Montgomery, seconded by Councilmember Howorth, to approve the appointments made by City Council for the Homelessness Task Force, open an application process to appoint six more Homelessness Task Force members after the November 7, 2018, deadline for the City to submit proposals to the County of Los Angeles to receive grant funds for homelessness purposes. The motion carried by the following vote:

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

9. Consideration of Positions on Proposition 6 and Measure W on the November 6, 2018, Statewide General Election Ballot (City Manager Moe).

[18-0467](#)

DISCUSS AND PROVIDE DIRECTION

Senior Management Analyst George Gabriel provided the staff presentation.

Mayor Napolitano opened the floor to public comment.

Craig Cadwallader, spoke in support of Measure W and in support for City Council to oppose Proposition 6.

Susan Hadley, stated that she was opposed to Measure W and spoke in support of Proposition 6.

Diane Wallace, spoke in support of Measure W and spoke in support for City Council to oppose Proposition 6

Wayne Powell, spoke in support of Measure W and in support for City Council to oppose Proposition 6

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

Public Works Director Stephanie Katsouleas and City Manager Bruce Moe responded to City Council questions.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Hersman, to support Measure W. The motion carried by the following vote:

Aye: 4 - Napolitano, Hersman, Lesser and Howorth

Nay: 1 - Montgomery

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Hersman, to send a letter of opposition regarding Proposition 6. The motion carried by the following vote:

Aye: 4 - Napolitano, Hersman, Lesser and Howorth

Nay: 1 - Montgomery

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

None.

L. FUTURE AGENDA ITEMS

10. Agenda Forecast (City Clerk Tamura). [18-0443](#)
DISCUSS AND PROVIDE DIRECTION

Councilmember Montgomery requested for staff to return with an ERP update.

Mayor Napolitano requested that staff return with the ERP update in early January.

M. CITY MANAGER REPORT

City Manager Bruce Moe reported that he would be on vacation the next week and that Public Works Director Stephanie Katsouleas will be Acting City Manager.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

11. Commission Minutes: [18-0468](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Library Commission Meeting Minutes of December 11, 2017 (Parks and Recreation Director Leyman)
- b) Library Commission Meeting Minutes of February 12, 2018 (Parks and Recreation Director Leyman)
- c) Library Commission Meeting Minutes of March 12, 2018 (Parks and Recreation Director Leyman)
- d) Library Commission Meeting Minutes of April 9, 2018 (Parks and Recreation Director Leyman)
- e) Library Commission Meeting Minutes of May 14, 2018 (Parks and Recreation Director Leyman)
- f) Library Commission Meeting Minutes of June 11, 2018 (Parks and Recreation Director Leyman)
- g) Library Commission Meeting Minutes of July 9, 2018 (Parks and Recreation Director Leyman)
- h) Library Commission Meeting Minutes of August 13, 2018 (Parks and Recreation Director Leyman)
- i) Library Commission Meeting Minutes of September 10, 2018 (Parks and Recreation Director Leyman)
- j) Planning Commission Action Meeting Minutes of September 26, 2018 (Community Development Director McIntosh).

INFORMATION ITEM ONLY

City Manager Bruce Moe provided clarification regarding the various minutes provided for the Boards and Commissions.

P. CLOSED SESSION

Closed Session was held at 5:00 PM and the meeting was properly noticed.

I. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

**CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

Agency Negotiator:

Bruce Moe, City Manager

Christine Tomikawa, Interim Human Resources Director

Employee Group:

Manhattan Beach Firefighters' Association

Manhattan Beach Fire Management Association

Manhattan Beach Police Officers Association

Manhattan Beach Police Management Association

Manhattan Beach Mid-Management Employee Association

Manhattan Beach Part-Time Employees' Association

Management/Confidential

Unrepresented Employees

Teamsters Local 911

II. RECESS INTO CLOSED SESSION

III. RECONVENE INTO OPEN SESSION

IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

Q. ADJOURNMENT

At 8:22 PM, the Regular City Council Meeting was adjourned in memory of long-time resident, David White.

Martha Alvarez
Recording Secretary

Steve Napolitano
Mayor

ATTEST:

Liza Tamura
City Clerk