

## City Council Regular Meeting

**Regular Meeting**  
**Tuesday, June 4, 2019**  
**6:00 PM**  
**City Council Chambers**



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

### Executive Team

Bruce Moe, City Manager  
Quinn Barrow, City Attorney

Derrick Abell, Police Chief  
Steve Charelian, Finance Director  
Daryn Drum, Fire Chief  
Lisa Jenkins, Human Resources Director  
Stephanie Katsouleas, Public Works Director

Mark Leyman, Parks and Recreation Director  
Anne McIntosh, Community Development Director  
Liza Tamura, City Clerk  
Sanford Taylor, Information Technology Director

### **MISSION STATEMENT:**

**Our mission is to provide excellent municipal services,  
preserve our small beach town character, and enhance the quality of life for our  
residents, businesses and visitors.**

## MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

*Your presence and participation contribute to good city government.*

*By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, this agenda provides an early opportunity for public comments under "Public Comments," at which time speakers may comment on any matter within the subject matter jurisdiction of the City Council, including items on the agenda.*

*Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at [www.citymb.info](http://www.citymb.info), the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.*

*Meetings are broadcast live through Manhattan Beach Local Community Cable, Channel 8 (Spectrum), Channel 35 (Frontier), and live streaming via the City's website.*

*In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). Notification 36 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.*

## CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

*I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, May 29, 2019, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.*

**BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED. THE RECOMMENDED COUNCIL ACTION IS LISTED IMMEDIATELY AFTER THE TITLE OF EACH ITEM IN BOLD CAPITAL LETTERS.**

### A. PLEDGE TO THE FLAG

*Nola Napolitano*

### B. ROLL CALL

### C. REORGANIZATION

1. City Council Reorganization:
  - a) Recognition of Outgoing Mayor Napolitano
  - b) Selection of Mayor
  - c) Selection of Mayor Pro Tem

[19-0215](#)

**APPROVE**

### D. RECESS AND RECONVENE

**E. CEREMONIAL CALENDAR**

2. Presentation of a Proclamation Declaring the Month of June, 2019, as LGBTQ (Lesbian, Gay, Bisexual, Transgender & Queer or Questioning) Pride Month. [19-0268](#)  
**PRESENT**
3. Presentation of a Certificate of Commendation Recognizing Officer Justin Hidalgo as Police Officer of the Year and Christian McArthur as Firefighter of the Year. [19-0217](#)  
**PRESENT**
4. Presentation of a Certificate of Commendation to Manhattan Beach Police Officers Ken Cheng, Justin Hidalgo and Ian Mikelson as Recipients of the 2019 Life Saving Award. [19-0218](#)  
**PRESENT**
5. Presentation of City Plaques to Outgoing Commissioners: Outgoing Parks & Recreation Commissioner Apostol; Outgoing Library Commissioners Elasowich and Owen; Outgoing Cultural Arts Commissioner Matsumoto; and Outgoing Parking and Public Improvements Commissioner Lipps. [19-0219](#)  
**PRESENT**

**F. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES**

*This is the time for the City Council to: (a) notify the public of any changes to the agenda; (b) remove items from the consent calendar for individual consideration; or (c) rearrange the order of the agenda.*

**MOTION TO APPROVE AGENDA AND WAIVE FULL READING**

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

*City Councilmembers and community organization representatives may inform the public about upcoming events.*

**H. PUBLIC COMMENTS (3 MINUTES PER PERSON)**

*Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City Council. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda.*

*Each speaker may speak for up to 3 minutes. This is also the time for speakers to comment on items on the consent calendar that have not been previously removed by the City Council during approval of the agenda for individual consideration. For public hearings, speakers are encouraged to speak during the public hearing, if they want their comments to be included in the record for the public hearing.*

*Please complete the "Request to Address the City Council" card by filling out your name, city of residence, the item(s) you would like to offer public comment, and returning it to the City Clerk.*

**I. CONSENT CALENDAR (APPROVE)**

*Items on the Consent Calendar are routine and customary items and are enacted by a single motion with the exception of items previously removed by a member of the City Council during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.*

**6. City Council Minutes:** [19-0220](#)

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

- a) City Council Regular Meeting Minutes of May 21, 2019
- b) City Council Adjourned Regular Meeting Minutes (Closed Session) (Cancelled) of May 23, 2019
- c) City Council Adjourned Regular Meeting Minutes (Budget Study Session) of May 23, 2019  
(City Clerk Tamura).

**APPROVE**

**Attachments:** [City Council Regular Meeting Minutes of May 21, 2019](#)  
[City Council Adjourned Regular Meeting Minutes \(Closed Session\) \(Cancelled\) of May 23, 2019](#)  
[City Council Adjourned Regular Meeting Minutes \(Budget Study Session\) of May 23, 2019](#)

**7. Financial Reports:** [19-0169](#)

- a) Schedule of Demands April 25, 2019
- b) Investment Portfolio for the Month Ending April 30, 2019
- c) Month End Report for April 30, 2019  
(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

**Attachments:** [Schedule of Demands for April 25, 2019](#)  
[Investment Portfolio for the Month Ending April 30, 2019](#)  
[Month End Report for April 30, 2019](#)

**J. ITEMS REMOVED FROM THE CONSENT CALENDAR**

*Each speaker may speak for up to 2 minutes on each item pulled from the agenda.*

**K. PUBLIC HEARINGS**

*At the discretion of the Mayor, each speaker may speak for up to 3 minutes on each public hearing item.*

8. Conduct Public Hearing Regarding the Proposed 5-Year Capital Improvement Plan for Fiscal Year 2019-2020 Through Fiscal Year 2023-2024 (Public Works Director Katsouleas). [19-0267](#)  
a) **CONDUCT PUBLIC HEARING**  
b) **ADOPT RESOLUTION NO. 19-0054**

Attachments: [Resolution No. 19-0054](#)  
[5 Year Capital Improvement Plan \(FY 2019-2020 and 2023-2024\)](#)  
[PowerPoint Presentation](#)

9. Public Hearing to Consider Adoption of the Fiscal Year 2019-2020 Operating Budget and Gann Appropriation Limit for Fiscal Year 2019-2020 (Finance Director Charelian). [19-0202](#)  
a) **CONDUCT PUBLIC HEARING**  
b) **ADOPT RESOLUTION NOS. 19-0049 AND 19-0050**

Attachments: [Resolution No. 19-0049 \(Budget Adoption\)](#)  
[Resolution No. 19-0050 \(Gann Appropriations Limit\)](#)  
[Proposed Budget Addendum for Fiscal Year 2019-2020](#)  
[2019-2020 Gann Appropriations Limit Calculation](#)

**L. GENERAL BUSINESS**

*Each speaker may speak for up to 2 minutes on each general business item.*

**M. ADJOURN CITY COUNCIL MEETING TO A MEETING OF THE MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATION****I. CALL MEETING TO ORDER****II. ROLL CALL****III. PUBLIC COMMENT ON CAPITAL IMPROVEMENT CORPORATION****IV. GENERAL BUSINESS**

10. Reorganization of the Manhattan Beach Capital Improvements Corporation (Finance Director/CFO Charelian). [CIC-3](#)  
**ELECT A NEW PRESIDENT AND VICE PRESIDENT**

## N. ADJOURN MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATION AND RECONVENE CITY COUNCIL MEETING

### O. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

*In addition to providing reports of meetings and conferences attended by Councilmembers in connection with their official duties at City expense as required by AB 1234, Councilmembers requested at a previous City Council meeting that the following item(s) be placed on the agenda for discussion.*

#### 11. City Council Reports.

12. Consider Request by Councilmember Montgomery and Councilmember Hadley to Discuss Minimum Residency Requirements for a Boardmember and/or Commissioner (City Clerk Tamura). [19-0258](#)  
**DISCUSS AND PROVIDE DIRECTION**

13. Consider Request by City Council to Discuss the Sunshine Policy (City Clerk Tamura). [19-0259](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Sunshine Policy](#)

14. Consider Request by Mayor Napolitano and Councilmember Montgomery to Discuss a Complete Ban of Sales of Tobacco Products (City Attorney Barrow). [19-0260](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Municipal Code Chapter 4.118 – Permits for Retailer of Tobacco Products and/or Electronic Smoking Devices](#)  
[Beverly Hills Ordinance Prohibiting the Retail Sale of Tobacco Products and Electronic Cigarette Paraphernalia \(and accompanying staff report\)](#)

15. **Consider Sending Letters of Opposition to the Following Bills: 1) AB 68, which will Amend Statewide Standards that Apply to Locally-Adopted Ordinances Concerning Accessory Dwelling Units (ADUs) and 2) AB 516, which will Eliminate the Ability for Cities to Adequately Enforce State and Local Vehicle Violations (City Manager Moe).**  
**a) DISCUSS AND PROVIDE DIRECTION**  
**b) AUTHORIZE**

*Attachments: Assembly Bill 516  
League of California Cities "Floor Alert"  
Assembly Bill 68  
Accessory Dwelling Unit (Background and Bill Overview)*

## P. FUTURE AGENDA ITEMS

*Councilmembers may request that items be placed on a future agenda with the concurrence of one other Councilmember.*

16. Agenda Forecast (City Clerk Tamura). [19-0221](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [May 29, 2019 Agenda Forecast](#)

## Q. CITY MANAGER REPORT

## R. CITY ATTORNEY REPORT

## S. INFORMATIONAL ITEMS

*This section is for items that do not require City Council action.*

17. Recent Planning Commission Quasi-Judicial Decisions: [19-0242](#)  
1. Use Permit- Culture Brewing- Beer Tasting and Sales-327 Manhattan Beach Boulevard  
2. Use Permit- New Restaurant Building with Outdoor Dining and Alcohol- 3110 N. Sepulveda Boulevard- Manhattan Village Shopping Center (Community Development Director McIntosh).

### **INFORMATION ITEMS ONLY**

18. Commission Minutes: [19-0269](#)  
This Item Contains Minutes of the following City Commission Meetings:  
a) Library Commission Meeting Minutes of April 8, 2019 (Parks and Recreation Director Leyman)  
b) Cultural Arts Commission Meeting Minutes of April 15, 2019 (Parks and Recreation Director Leyman)  
c) Parks and Recreation Commission Meeting Minutes of April 22, 2019 (Parks and Recreation Director Leyman)  
d) Planning Commission Action Meeting Minutes of May 22, 2019 (Community Development Director McIntosh)

### **INFORMATION ITEM ONLY**

**Attachments:** [Library Commission Meeting Minutes of April 8, 2019](#)  
[Cultural Arts Commission Meeting Minutes of April 15, 2019](#)  
[Parks and Recreation Commission Meeting Minutes of April 22, 2019](#)  
[Planning Commission Action Meeting Minutes of May 22, 2019](#)

## T. CLOSED SESSION

## U. ADJOURNMENT

## V. FUTURE MEETINGS

### CITY COUNCIL MEETINGS

*June 18, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*June 19, 2019 - Wednesday -- 6:00 PM - Joint City Council/Planning Commission and Parking Improvements Commission Meeting*

*July 2, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*July 16, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*August 6, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*August 20, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*September 3, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*September 17, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*October 1, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*October 15, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*November 5, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*November 19, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*December 3, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

*December 17, 2019 - Tuesday -- 6:00 PM - City Council Meeting*

### BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

*June 10, 2019 - Monday - 6:00 PM - Library Commission Meeting*

*June 12, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting*

*June 17, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting*

*June 24, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting*

*June 26, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting*

*June 27, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission*

*July 8, 2019 - Monday - 6:00 PM - Library Commission Meeting*

*July 10, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting*

*July 15, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting*

*July 22, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting*

*July 24, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting*

*July 25, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission*

*August 12, 2019 - Monday - 6:00 PM - Library Commission Meeting*

*August 14, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting*

*August 19, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting*

*August 22, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission*



**W. CITY OFFICES CLOSED****CITY HOLIDAYS:**

*July 4, 2019 - Thursday - Independence Day*  
*September 2, 2019 - Monday - Labor Day*  
*October 7, 2019 – Monday – Columbus Day*  
*November 11, 2019 – Monday – Veterans Day*  
*November 28-29, 2019 - Thursday & Friday - Thanksgiving Holiday*  
*December 25, 2019 - Wednesday - Christmas Day Observed*  
*January 1, 2020 – Wednesday – New Years Day Observed*  
*January 20, 2020 – Monday – Martin Luther King Day*  
*February 17, 2020 - Monday - Presidents Day*  
*May 25, 2020 – Monday – Memorial Day*