

City Council Regular Meeting

Regular Meeting

Tuesday, December 17, 2019

6:00 PM

City Council Chambers



Mayor Nancy Hersman

Mayor Pro Tem Richard Montgomery

Councilmember Suzanne Hadley

Councilmember Hildy Stern

Councilmember Steve Napolitano

Executive Team

Bruce Moe, City Manager
Quinn Barrow, City Attorney

Derrick Abell, Police Chief
Steve Charelian, Finance Director
Daryn Drum, Fire Chief
Patrick Griffin, Interim Information Technology Director
Lisa Jenkins, Human Resources Director

Stephanie Katsouleas, Public Works Director
Mark Leyman, Parks and Recreation Director
Carrie Tai, Community Development Director
Liza Tamura, City Clerk

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, 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, December 11, 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

B. ROLL CALL

C. CEREMONIAL CALENDAR

1. Presentation of a Plaque to Outgoing Interim Community Development Director Jeffery Gibson. [19-0509](#)
PRESENT
2. Presentation of a Commendation Recognizing James Muth, Laurie Jester and Eve Kelso on Their Retirement. [19-0506](#)
PRESENT

D. 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

E. 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.

F. 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.

G. 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.

3. City Council Minutes:[19-0406](#)

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

a) City Council Adjourned Regular Meeting Minutes (Closed Session) of December 3, 2019

b) City Council Special Meeting Minutes (Closed Session) of December 3, 2019

c) City Council Regular Meeting Minutes of December 3, 2019
(City Clerk Tamura).

APPROVE

Attachments:

[City Council Regular Meeting Minutes of December 3, 2019](#)

[City Council Adjourned Regular Meeting Minutes \(Closed Session\) of December 3, 2019](#)

[City Council Special Meeting Minutes \(Closed Session\) of December 3, 2019](#)

-
4. Financial Report: [19-0463](#)
Schedule of Demands: November 7, 2019 (Finance Director Charelian).
ACCEPT REPORT AND DEMANDS
Attachments: [Schedule of Demands for November 7, 2019](#)
5. Consider Adopting a Resolution Approving Amendment No. 2 Extending [19-0494](#)
the Professional Services Agreement with Granicus Inc. for One Year to
Provide Citizen Engagement Services in the Budgeted Amount of
\$90,363.77 (City Clerk Tamura and Interim Information Technology Director
Griffin).
ADOPT RESOLUTION NO. 19-0115 APPROVING AN AMENDMENT
Attachments: [Resolution No. 19-0115](#)
[Amendment No. 2 - Granicus](#)
[Agreement - Granicus \(2018\)](#)
[Amendment No. 1 - Granicus \(2019\)](#)
[Agreement – Vision Technology Solutions, LLC. DBA Vision \(2018\)](#)
6. Fiscal Year 2018-2019 Comprehensive Annual Financial Report (Finance [19-0483](#)
Director Charelian).
RECEIVE AND FILE
Attachments: [Fiscal Year 2018-2019 Comprehensive Annual Financial Report \(CAFR\)](#)
[Fiscal Year 2018-2019 General Fund and Enterprise Fund Summary](#)
[Results](#)
[Report on Internal Control \(Management Letter\)](#)
[Audit Communication Letter](#)
7. Consider Adopting a Resolution Approving Amendment No. 1 with Vital [19-0433](#)
Medical Services for On-Call Non-Emergency Medical Services for
In-Custody Arrestees to Increase the Not-to-Exceed Cap from \$45,000 to
\$290,000 and Authorizing Payment of \$13,132 (Police Chief Abell).
ADOPT RESOLUTION NO. 19-0109 APPROVING AN AMENDMENT
Attachments: [Resolution No. 19-0109](#)
[Amendment No. 1 - Vital Medical Services](#)
[Agreement - Vital Medical Services \(2018\)](#)

8. Consider Adoption of Urgency Ordinance No. 19-0019-U and Urgency Ordinance No. 19-0020-U for Amendments to the Municipal Code and Local Coastal Program (LCP), Requiring an Equal Number of Replacement Units for Residential Dwelling Units that are Demolished (Interim Community Development Director Gibson). [19-0504](#)
- ADOPT URGENCY ORDINANCE NOS. 19-0019-U AND 19-0020-U AMENDING THE MUNICIPAL CODE AND THE CITY'S LOCAL COASTAL PROGRAM REGARDING REPLACEMENT HOUSING**
- Attachments:** [Urgency Ordinance No. 19-0019-U \(Municipal Code\)](#)
[Urgency Ordinance No. 19-0020-U \(Local Coastal Program\)](#)
9. Consider: 1) Adopting Resolution 19-0117: Awarding a Construction Agreement to PALP, Inc. DBA Excel Paving Company for the Street Resurfacing Project - Cycle 1 for \$1,329,859; Approving the Plans and Specifications for the Project; and Authorizing the City Manager to Approve Additional Work, if Necessary, for up to \$164,903; 2) Adopting Resolution No. 19-0118 Awarding an Inspection Services Agreement to Quantum Quality Consulting, Inc. for the Project for \$75,250; and 3) Appropriating \$108,021 from the Gas Tax Fund Unreserved Fund Balance (Public Works Director Katsouleas). [19-0461](#)
- a) **ADOPT RESOLUTION NOS. 19-0117 AND 19-0118 APPROVING AGREEMENTS**
- b) **APPROPRIATE FUNDS**
- Attachments:** [Resolution No. 19-0117](#)
[Agreement - PALP, Inc. DBA Excel Paving Company](#)
[Bid Proposal](#)
[Resolution No. 19-0118](#)
[Agreement - Quantum Consulting, Inc.](#)
[Location Map](#)
[Plans and Specifications \(Web-Link Provided\)](#)
[Budget and Expenditures Summary](#)
10. Consider Adopting a Resolution Awarding a Three-Year Agreement, with Two Optional One-Year Renewals, to West Coast Arborists, Inc. for Tree Care Services at an Annual Not-to-Exceed Rate of \$298,000 (Public Works Director Katsouleas). [19-0477](#)
- ADOPT RESOLUTION NO. 19-0119 APPROVING AN AGREEMENT**
- Attachments:** [Resolution No. 19-0119](#)
[Agreement – West Coast Arborists, Inc.](#)

11. Consider Adopting a Resolution Approving Amendment No. 1 to the Agreement with McGowan Consulting, LLC for \$93,043 for Professional Services to assist the City and the Beach Cities Watershed Management Group with Storm Water National Pollutant Discharge Elimination System Permit Requirements (Public Works Director Katsouleas). [19-0484](#)

ADOPT RESOLUTION NO. 19-0113 APPROVING AN AMENDMENT

Attachments: [Resolution No. 19-0113](#)
[Amendment No. 1 - McGowan Consulting, LLC.](#)
[Agreement - McGowan Consulting, LLC. \(2019\)](#)
[Updated Budget](#)

12. Consider Adopting a Resolution Awarding a General Services Agreement to Reliable Water Solutions, LLC for \$311,260 for Flushing and Disinfection Services of 110 Miles of the City's Potable Water System (Public Works Director Katsouleas). [19-0479](#)

ADOPT RESOLUTION NO. 19-0114 APPROVING AN AGREEMENT

Attachments: [Resolution No. 19-0114](#)
[Agreement - Reliable Water Solutions, LLC.](#)

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

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

I. PUBLIC HEARINGS

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

13. Consider a Resolution Adopting the Third Addendum to the Environmental Impact Report and Modifying Conditions of Approval in the Manhattan Village Shopping Center's Master Use Permit to Allow: (1) Fitness Studios and (2) Ancillary Off-Site Alcohol Sales for up to Four Restaurants (1180-1200 Rosecrans Avenue and 2600-2600 Sepulveda Boulevard) (Interim Community Development Director Gibson). [19-0498](#)

a) CONDUCT PUBLIC HEARING

b) ADOPT RESOLUTION NO. 19-0120

Attachments: [Resolution No. 19-0120](#)
[Planning Commission Agenda Items and Minutes \(October 9, 2019\)](#)
[Vicinity Map](#)
[Applicant's Application](#)
[Appellant's Appeal Application](#)
[City Council Resolution No. 14-0026 \(December 2014\)](#)
[Third Addendum – Environmental Impact Report \(October 2019\)](#)

J. GENERAL BUSINESS

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

14. Consider Adopting an Urgency Ordinance No. 19-0021-U and Urgency Ordinance No. 19-0022-U for Amendments to the Municipal Code and Local Coastal Program (LCP), Regulating Accessory Dwelling Units (ADU's) and Junior Accessory Dwelling Units (JADUs) Consistent with New State Requirements (Interim Community Development Director Gibson). [19-0505](#)
- ADOPT URGENCY ORDINANCE NOS. 19-0021-U AND 19-0022-U
AMENDING THE MUNICIPAL CODE AND THE CITY'S LOCAL
COASTAL PROGRAM REGARDING ACCESSORY DWELLING
UNITS**

Attachments: [Urgency Ordinance No. 19-0021-U \(Municipal Code\)](#)
[Urgency Ordinance No. 19-0022-U \(Local Coastal Program\)](#)
[State Accessory Dwelling Units Amendment - Government Code Section 65852.2](#)

15. Consider Introducing an Ordinance to Prohibit the Sale of Tobacco Products in the City and Discuss and Provide Direction Relating to Incentives for Tobacco Retailers (City Manager Moe and City Attorney Barrow). [19-0465](#)
- a) **INTRODUCE ORDINANCE NO. 19-0016**
b) **DISCUSS AND PROVIDE DIRECTION**

Attachments: [Draft Ordinance No. 19-0016](#)
[An Argument for Phasing Out Sales of Cigarettes \(September 2019\)](#)

16. Review Pedestrian Safety Measures and Consider Transferring \$200,000 from the General Fund Unreserved Fund Balance to the CIP Fund and Appropriating Those Funds for Assessment, Design, and Implementation Services (Public Works Director Katsouleas). [19-0497](#)
- a) **DISCUSS AND PROVIDE DIRECTION**
b) **APPROPRIATE FUNDS AND APPROVE FUNDS TRANSFER**

Attachments: [Location Map](#)
[PowerPoint Presentation](#)

K. 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.

L. FUTURE AGENDA ITEMS

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

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

[19-0407](#)

Attachments: [December 11, 2019 Agenda Forecast](#)

M. CITY MANAGER REPORT**N. CITY ATTORNEY REPORT****O. INFORMATIONAL ITEMS**

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

18. Commission Minutes:
This Item Contains Minutes of the following City Commission Meetings:
a) PPIC Minutes of October 24, 2019 (Interim Community Development Director Gibson)
b) Parks and Recreation Commission Meeting Minutes of October 28, 2019 (Parks and Recreation Director Leyman)
c) Library Commission Meeting Minutes of November 4, 2019 (Parks and Recreation Director Leyman)
d) Planning Commission Action Meeting Minutes of November 13, 2019 (Interim Community Development Director Gibson).

[19-0510](#)

INFORMATION ITEM ONLY

Attachments: [PPIC Minutes of October 24, 2019](#)
[Parks and Recreation Commission Meeting Minutes of October 28, 2019](#)
[Library Commission Meeting Minutes of November 4, 2019](#)
[Planning Commission Action Meeting Minutes of November 13, 2019](#)

P. CLOSED SESSION**Q. ADJOURNMENT**

R. FUTURE MEETINGS

CITY COUNCIL MEETINGS

January 6, 2020 - Monday -- 6:00 PM - Joint Meeting City Council/Parks and Recreation Commission, Cultural Arts Commission and Library Commission

January 7, 2020 - Tuesday -- 6:00 PM - City Council Meeting

January 15, 2020 - Wednesday -- 6:00 PM - Joint Meeting City Council/Planning Commission and Parking and Public Improvements Commission

January 21, 2020 - Tuesday -- 6:00 PM - City Council Meeting

February 4, 2020 - Tuesday -- 6:00 PM - City Council Meeting

February 18, 2020 - Tuesday -- 6:00 PM - City Council Meeting

March 3, 2020 - Tuesday -- 6:00 PM - City Council Meeting (Reorganization)

March 17, 2020 - Tuesday -- 6:00 PM - City Council Meeting

April 7, 2020 - Tuesday -- 6:00 PM - City Council Meeting

April 21, 2020 - Tuesday -- 6:00 PM - City Council Meeting

April 28, 2019 - Tuesday -- TBD - Boards and Commissions Interviews

May 5, 2020 - Tuesday -- 6:00 PM - City Council Meeting

May 19, 2020 - Tuesday -- 6:00 PM - City Council Meeting

June 2, 2020 - Tuesday -- 6:00 PM - City Council Meeting

June 16, 2020 - Tuesday -- 6:00 PM - City Council Meeting

July 7, 2020 - Tuesday -- 6:00 PM - City Council Meeting

July 21, 2020 - Tuesday -- 6:00 PM - City Council Meeting

August 4, 2020 - Tuesday -- 6:00 PM - City Council Meeting

August 18, 2020 - Tuesday -- 6:00 PM - City Council Meeting

September 1, 2020 - Tuesday -- 6:00 PM - City Council Meeting

September 15, 2020 - Tuesday -- 6:00 PM - City Council Meeting

October 6, 2020 - Tuesday -- 6:00 PM - City Council Meeting

October 20, 2020 - Tuesday -- 6:00 PM - City Council Meeting

November 5, 2020 - Wednesday -- 6:00 PM - City Council Meeting (General Municipal Elections)

November 17, 2020 - Tuesday -- 6:00 PM - City Council Meeting

December 1, 2020 - Tuesday -- 6:00 PM - City Council Meeting (Reorganization)

December 15, 2020 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

December 23, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
December 25, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
January 8, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
January 13, 2019 - Monday - 6:00 PM - Library Commission Meeting
January 20, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting
January 22, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
January 23, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission
January 27, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
February 10, 2020 - Monday - 6:00 PM - Library Commission Meeting
February 12, 2020 - Wednesday - 6:00 PM - Planning Commission Meeting
February 17, 2020 - Monday - 6:00 PM - Cultural Arts Commission Meeting
February 24, 2020 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
February 26, 2020 - Wednesday - 6:00 PM - Planning Commission Meeting
February 27, 2020 - Thursday - 6:00 PM - Parking and Public Improvements Commission
March 9, 2020 - Monday - 6:00 PM - Library Commission Meeting
March 11, 2020 - Wednesday - 6:00 PM - Planning Commission Meeting
March 16, 2020 - Monday - 6:00 PM - Cultural Arts Commission Meeting
March 23, 2020 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
March 25, 2020 - Wednesday - 6:00 PM - Planning Commission Meeting
March 26, 2020 - Thursday - 6:00 PM - Parking and Public Improvements Commission

S. CITY OFFICES CLOSED**CITY HOLIDAYS:**

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
July 4, 2020 - Friday - Independence Day
September 7, 2020 - Monday - Labor Day
October 12, 2020 – Monday – Columbus Day
November 11, 2020 – Wednesday – Veterans Day
November 26-27, 2020 - Thursday & Friday - Thanksgiving Holiday