

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, August 1, 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 Sue Allard for her Achievements Within the Older Adult Community and for her Recognition on Los Angeles County Older Americans Recognition Day.

[17-0318](#)

PRESENT

Mayor Lesser, on behalf of the City Council, presented a certificate of recognition to Sue Allard for her achievements within the Older Adult Community and recognition on Los Angeles County Older Americans Recognition Day.

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

A motion was made by Mayor Pro Tem Howorth, seconded by Councilmember Montgomery, to approve the Agenda and the Consent Calendar, pulling Item Nos 4 and 6, and noting a "no vote" for Councilmember Napolitano on Item No. 9. 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)**

Mark Lipps, Chamber of Commerce, announced the "Bite at the Beach" event on Saturday August 12, 2017, from 2 PM - 6 PM.

Nancy Argent & Michel Johnson representing the Neptunian Womens Club announced a new member "Open House" on Thursday, August 24, 2017, and invited all women to attend.

Mayor Pro Tem Howorth reported that this Friday and Saturday is the Charley Saikley 6-Man Beach Volleyball Tournament.

Councilmember Montgomery noted that the websites: www.keeplamoving.com or www.citymb.info are available for updates on Vista Del Mar.

Councilmember Hersman stated the Older Adults Program is starting a new series called "Doc Talk" beginning on Saturday, August 12, 2017, from 10 AM-12 Noon at the Joslyn Community Center.

Mayor Lesser announced another Community Meeting on August 12, 2017, from 10AM -12 Noon in the Police/Fire Community Room.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Alexis Edelstein is leading a recall effort for Mike Bonin at www.recallbonin.com and raising funds related to this effort.

Jillian Cherry, Girl Scout, is collecting used eye glasses and sun glasses for "New Eyes for the Needy" which distributes glasses for the needy around the world.

Mark Lipps, Chamber of Commerce, displayed the historical documents of the Manhattan Beach Chamber of Commerce and stated that he would like it donated to the Manhattan Beach Historical Society. He further spoke about the Young Entrepreneurs Academy (YEA) .

Isabelle Hory, former participant of the YEA Program, spoke of the benefits of the program.

Bill Hory acknowledged the benefits of the YEA Program.

Sherry Kramer spoke in favor of the Roundhouse Aquarium/Harrison Greenburg Restoration Project.

Craig Cadwallader, Surfrider Foundation, spoke of moving the polystyrene ban forward in Los Angeles County and in favor of keeping the leaf blower ordinance as written.

Ted Schwartz and Claudette indicated their support of the Roundhouse Project.

Kevin Whilden spoke in support of the Roundhouse Aquarium.

Shaunn Hetcher, on behalf of the Zislis Group, echoed support of the Harrison Greenberg Proposal.

Bob Sievers supports the Harrison Greenberg proposal.

G. CONSENT CALENDAR (APPROVE)

This item was approved earlier under Section D. Approval of Agenda and Waiver of Full Reading of Ordinances.

2. City Council Minutes: [17-0329](#)
This Item Contains the Minutes of the following City Council Meeting:
a) City Council Regular Meeting Minutes of July 18, 2017
b) City Council Adjourned Regular Meeting (Closed Session) Minutes of July 20, 2017
(City Clerk Tamura).

APPROVE

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

3. Financial Report: [17-0256](#)
a) Schedule of Demands: July 6, 2017
b) Investment Portfolio for the Month Ending June 30, 2017
c) Preliminary Month End Report for June 30, 2017
(Finance Director Moe).

ACCEPT REPORT AND DEMANDS

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

4. Resolution Awarding RFP No. 1095-16 and Approve a Contract with QuickCaption Inc. for a Three-Year Agreement Not-to-Exceed \$88,455 for Closed Caption Professional Services with an Option to Extend the Term for Up to Two Additional One-Year Periods if Approved by City Council (Information Technology Director Taylor and City Clerk Tamura). [RES 17-0082](#)

ADOPT RESOLUTION NO. 17-0082

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

5. Resolution Authorizing the Purchase of Auto Parts from Completes Plus for the Next Three Years at an Estimated Annual Cost of \$50,000; and Authorizing the City Manager to Extend the Terms of the Purchase Order for Up to Two Additional Years (Finance Director Moe). [RES 17-0093](#)

ADOPT RESOLUTION NO. 17-0093

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

6. Resolution Approving a Professional Services Agreement for \$24,580 with Iteris, Inc. to Complete the Mobility Plan Update (Community Development Director McIntosh). [RES 17-0098](#)

ADOPT RESOLUTION NO. 17-0098

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

7. Second Reading of Ordinance No. 17-0016 Adding Chapter 2.37 to the Municipal Code to Provide Informal Bidding Procedures for Public Projects Under the Uniform Public Construction Cost Accounting Act (Public Works Director Katsouleas). [ORD 17-0016](#)

ADOPT ORDINANCE NO. 17-0016

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

8. Resolution Approving Amendment No. 2 for a One-Year Extension with Merchants Landscape, Inc. for Citywide Landscaping Maintenance Services, for an Amount Not-to-Exceed \$600,000 (Public Works Director Katsouleas).

[RES 17-0096](#)

ADOPT RESOLUTION NO. 17-0096

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

9. Resolution Approving Amendment No. 4 for \$97,000 to HDR's Existing Agreement for Continued Support for the Sepulveda Bridge Widening Project (Public Works Director Katsouleas).

[RES 17-0104](#)

ADOPT RESOLUTION NO. 17-0104

The recommendation for this item was approved on the Consent Calendar with Councilmember Napolitano voting "No".

10. Resolution Approving and Agreement Authorizing Crown/Able to Provide Janitorial Services to the City for a Period Not-to-Exceed One Year at a Rate Not-to-Exceed \$459,857 (Public Works Director Katsouleas).

[17-0310](#)

ADOPT RESOLUTION NO. 17-0099

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

H. ITEMS PULLED FROM THE CONSENT CALENDAR

4. Resolution Awarding RFP No. 1095-16 and Approve a Contract with QuickCaption Inc. for a Three-Year Agreement Not-to-Exceed \$88,455 for Closed Caption Professional Services with an Option to Extend the Term for Up to Two Additional One-Year Periods if Approved by City Council (Information Technology Director Taylor and City Clerk Tamura).

[RES 17-0082](#)

ADOPT RESOLUTION NO. 17-0082

Mayor Lesser introduced the item.

City Clerk Liza Tamura, City Manager Mark Danaj and Management Analyst George Gabriel responded to City Council questions.

City Manager Danaj stated that the Closed Captioning was not only for the hearing impaired, but also to provide an unofficial transcript of the proceedings.

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 Councilmember Napolitano, seconded by Councilmember Montgomery, to approve a contract with QuickCaption Inc. for a three-year agreement not-to-exceed \$88,455 for closed caption professional services with an option to extend the term for two additional one-year periods, if approved by the City Council. The motion carried by the following vote:

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

6. Resolution Approving a Professional Services Agreement for \$24,580 with Iteris, Inc. to Complete the Mobility Plan Update (Community Development Director McIntosh).

[RES 17-0098](#)

ADOPT RESOLUTION NO. 17-0098

Mayor Lesser introduced the item.

Community Development Director Anne McIntosh, Senior Management Analyst Nhung Madrid and City Manager Mark Danaj 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 Councilmember Hersman, seconded by Councilmember Montgomery, to adopt Resolution No. 17-0098 approving a professional services agreement for \$24,590 with Iteris, Inc. to complete the Mobility Plan Update. Mayor Pro Tem Howorth added a friendly amendment, accepted by the maker, to have a public workshop in the next sixty days to discuss the Mobility Plan. The motion carried by the following vote:

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

I. PUBLIC HEARINGS

11. Ordinance Amending Municipal Code Title 10, Chapter 10.86 Historic Preservation (Community Development Director McIntosh).

[ORD 17-0014](#)

INTRODUCE ORDINANCE NO. 17-0014

Mayor Lesser introduced the item and Community Development Director Anne McIntosh provided a brief update.

Mayor Lesser opened the public hearing.

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

Assistant City Attorney Michael Estrada read the title of Ordinance No 17-0014 into the record: An Ordinance of the City of Manhattan Beach amending Chapter 10.86 (Historic Preservation) Title 10 (Planning and Zoning) of the Manhattan Beach Municipal Code to transfer authority over Historic Preservation matters to the Planning Commission and amending the timeline for the Planned Historic Resources Survey and inventory of Historic Resources.

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Howorth, to introduce Ordinance No. 17-0014 amending the Municipal Code Title 10 Chapter 10.86 Historic Preservation. The motion carried by the following vote:

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

J. GENERAL BUSINESS

12. Receive Update on Scout House Reconstruction Project Design and Provide Direction on the Proposed Design (Public Works Director Katsouleas).

[17-0311](#)

RECEIVE REPORT AND PROVIDE DIRECTION

Mayor Lesser introduced the item and Public Works Director Stephanie Katsouleas provided a brief presentation.

Brett Bernard, Board of Directors for the Scout House, presented the PowerPoint presentation of the Scout House facility and its history.

Louie Tomaro, Architect, continued the presentation regarding the preliminary design elements.

Public Works Director Katsouleas and Architect Tomaro responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Ken Thompson asked about specifics of the interior design.

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

A motion was made by City Councilmember Montgomery, seconded by Mayor Pro Tem Howorth, to receive the update on the Scout House Reconstruction Project Design. The motion carried by the following vote:

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

13. City Council Consideration of the Following Items Related to the Roundhouse: a) Request to Approve the Final Design Elements for the Harrison Greenberg Foundation Roundhouse Aquarium Beautification Project and Receive an Update on the Pier and Roundhouse Building Improvement Project; b) Adopt a Resolution Authorizing the City Manager to Execute the Amended and Restated Cooperation Agreement Between the City of Manhattan Beach, Oceanographic Teaching Stations, Inc., and Harrison Greenberg Memorial Foundation for Improvements to Roundhouse Aquarium (Public Works Director Katsouleas).

[17-0315](#)

**APPROVE FINAL DESIGN, RECEIVE UPDATE AND ADOPT
RESOLUTION NO. 17-0103**

Mayor Lesser introduced the item and Public Works Director Stephanie Katsouleas provided a brief overview of the item.

Dino Demillia, Project Manager for the City of Manhattan Beach, Oceanographic Teaching Station (OTS) and the Harrison Greenberg Foundation Roundhouse Aquarium Beautification Project, began by showing a video from the Harrison Greenberg Foundation. He then provided the Powerpoint presentation regarding the item.

Peter Sollogub, Cambridge Seven Associate Principal, continued the Powerpoint presentation with further details of the project.

Public Works Director Katsouleas responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Richard Whilden expressed support of the project.

Bill Victor approves of the design, feels the outreach for the meeting was very disappointing and does not think that the entry should be changed or the snack bar removed.

Craig Cadwallader, Surfrider Foundation, impressed by the design and appreciates the support for the project.

Dana Ireland spoke of the viability of a small cafe and the difficulties associated with operating a small cafe at the end of the pier.

Michael Greenberg spoke of the challenges of a cafe at the end of the pier. He read correspondence from the Two-Guns Espresso that was previously at the end of the pier and thanked everyone that has been involved with the project.

Jeff Ortiz supports the elimination of the cafe and supports a great aquarium.

Mark Lipps, Chamber of Commerce, reported on a blue tech facility in San Pedro. He further added that a food cart might be a good idea.

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

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Howorth, to approve the final design elements for the Harrison Greenberg Foundation Roundhouse Aquarium Beautification Project, receive the update on the Pier and Roundhouse Building Improvement Project, execute the amendment and restated cooperation agreement between the City of Manhattan Beach, Oceanographic Teaching Stations, Inc. and the Harrison Greenberg Memorial Foundation for the improvements to the Roundhouse Aquarium and adopt Resolution No. 17-0103. The motion carried by the following vote:

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

At 9:09 PM City Council recessed and reconvened at 9:17 PM with all Councilmembers present.

14. Interim Ordinance Prohibiting the Establishment of New Health Care Uses (Community Development Director McIntosh).

[ORD](#)
[17-0015-U](#)

ADOPT URGENCY ORDINANCE NO. 17-0015-U

Mayor Lesser introduced Community Development Director Anne McIntosh who presented a brief overview of the urgency ordinance.

Community Development Director McIntosh responded to City Council questions.

Mayor Lesser opened the floor to public comment

Bill Victor provided his phone number (310) 318-5000 stating that there should be more health options for seniors and it is unreasonable to consider this ordinance.

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

Councilmember Montgomery stated that there is no place around Manhattan Beach convenient for assisted living and as of now no one has applied in the pipeline for new healthcare uses. He further added that he would prefer removing assisted care facilities and any residential care facility or adult health center from the motion.

Councilmember Napolitano proposed a motion and Mayor Lesser supports the motion to adopt Ordinance No. 17-0015-U.

Councilmember Hersman asked if a real solution can be reached in 45 days. Also asked if removing assisted care facilities, residential care facilities and convalescent facilities could get us where we need to be.

Community Development Director McIntosh responded to City Council questions.

Mayor Pro Tem Howorth stated that she will not support a moratorium that doesn't exempt assisted living facilities. Mayor Pro Tem Howorth is worried about this extending beyond the 45 days and would support the ordinance if assisted care facilities, residential care facilities and convalescent facilities were removed.

Councilmember Montgomery shares the sentiments of Mayor Pro Tem Howorth regarding the 45 day moratorium and does not want to limit options until we know what would happen.

Mayor Lesser reiterated that it is necessary to take a "timeout" because of the larger issues of sales taxes, guidelines for the Sepulveda corridor and others.

A motion was made by City Councilmember Napolitano, seconded by Mayor Lesser, to adopt Urgency Ordinance No 17-0015-U. The motion failed by the following vote:

Aye: 2 - Lesser and Napolitano

Nay: 3 - Howorth, Hersman and Montgomery

Mayor Lesser emphasized that the moratorium is necessary to take a more comprehensive look at zoning.

Mayor Pro Tem Howorth remarked that there is a need for the assisted care facility and is supportive of that concept.

Councilmember Montgomery remarked that the moratorium is stopping the things that are of the most concern.

Councilmember Hersman agreed with Mayor Pro Tem Howorth and thinks an assisted living facility would be a good thing.

Councilmember Napolitano stated that an extended moratorium can be decided by three Councilmembers and previous City Councils made that determination.

A motion was made by Mayor Pro Tem Howorth, seconded by Councilmember Montgomery, to approve Ordinance No. 17-0015-U with a moratorium for 45 days, include in the moratorium medical or dental offices, medical or dental laboratories, emergency health care facilities, hospitals, medical clinics and urgent care facilities (excluding assisted care facilities, residential care facility or adult day care health center and convalescent facilities). The motion failed by the following vote:

Aye: 3 - Howorth, Hersman and Montgomery

Nay: 2 - Lesser and Napolitano

AN URGENCY ORDINANCE REQUIRES A 4/5 VOTE.

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

A) Agenda Items

15. Discussion of the Agenda Forecast (Mayor Lesser).

[17-0351](#)

DISCUSS AND PROVIDE DIRECTION

Mayor Lesser opened the discussion and wants everyone to know that while the agenda forecast would not always be accurate, it would be helpful.

City Manager Mark Danaj 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.

Direction was given to Staff to provide the Agenda Forecast to all of the City Council on a weekly basis.

16. Chamber of Commerce Work Plan Discussion (Economic Vitality Manager Sywak).

[17-0320](#)

RECEIVE REPORT AND PROVIDE DIRECTION

Mayor Lesser introduced Economic Vitality Manager Andy Sywak who provided a brief background on the work plan discussion.

Economic Vitality Manager Andy Sywak responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Mark Lipps, Chamber of Commerce President, spoke of the Chambers contract and how to help the City of Manhattan Beach.

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

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to direct Staff to come back with a one-year contract for \$40,000-\$60,000 with the Chamber of Commerce with a proposed budget for the City's financial contribution and establish a list of deliverables (provided by the Chamber of Commerce) as they see fit. 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 Napolitano, to extend the meeting past 11:00 pm. The motion carried by the following vote:

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

17. Discussion of Leaf Blower Ordinance (Community Development Director McIntosh).

[17-0337](#)

ACCEPT REPORT AND PROVIDE DIRECTION

Mayor Lesser introduced the item and Councilmember Napolitano stated the reasons for asking this to be agendaized.

Community Development Director Anne McIntosh and Police Chief Eve Irvine responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Paul Sturba stated that his section of town has a lot of issues with leaves. Retirees have limited funds to take care of their needs. Gardeners are irreplaceable. His suggestion is to rescind current and unpaid tickets and not drive the good gardeners away.

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

A motion was made by City Councilmember Napolitano, seconded by City Councilmember Hersman, to direct Staff to look at pros and cons of electric leaf blowers and return with the information to City Council for consideration. The motion carried by the following vote:

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

B) Additional City Council Reports

As part of the City Council reports Mayor Lesser reported that he appeared before the Los Angeles County Board of Supervisors regarding the polystyrene foodware ban.

L. FUTURE AGENDA ITEMS

None.

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

18. Commission Minutes: [17-0331](#)
This Item Contains Minutes of the following City Commission Meeting:
a) Parks and Recreation Commission Meeting Minutes of June 26, 2017 (Parks and Recreation Director Leyman)
b) Planning Commission Action Meeting Minutes of July 12, 2017 (Community Development Director McIntosh).
INFORMATION ITEM ONLY
19. Recent Planning Commission Quasi-Judicial Decisions: [17-0346](#)
Use Permit for Animal Hospital - Manhattan Beach Animal Hospital (Community Development Director McIntosh).
INFORMATION ITEM ONLY

P. CLOSED SESSION

None

Q. ADJOURNMENT

At 11:15 PM the City Council adjourned to the Closed Session on Monday, August 7, 2017, at 9:00 AM in the City Council Chambers, in said City.

Martha Alvarez
Recording Secretary

David Lesser
Mayor

ATTEST:

Liza Tamura
City Clerk