

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, August 15, 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*

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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

None.

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

City Manager Mark Danaj requested that Item No.13 Review of Polliwog Park Pedestrian and Bicycle Path Alternatives for Safe Routes to School Grant be heard immediately after "Items Pulled from the Consent Calendar".

City Attorney Quinn Barrow noted that Item No. 11 (Telecommunication and Coastal Permits for Four AT&T Telecom Sites in the Public Right of Way on Light Poles in the Appealable Area of the Coastal Zone Located at Manhattan Avenue and 5th Place, Manhattan Avenue and 29th and 36th Streets and Ocean Drive and 18th Street) was requested to be continued by the applicant. City Attorney Barrow suggested opening the public hearing, taking comments from the public and then voting on the continuance.

Mayor Lesser removed Item No. 3 (Approval of the Modernized and Updated Boards and Commissions Handbook and First Reading of Ordinance No. 17-0017 Revising the Number of Members on the Library Commission and Cultural Arts Commission) from the Consent Calendar for individual consideration.

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the agenda, as amended, moving Item No. 3 (Approval of the Modernized and Updated Boards and Commissions Handbook and First Reading of Ordinance No. 17-0017 Revising the Number of Members on the Library Commission and Cultural Arts Commission) to be heard under Section H."Items Pulled from the Consent Calendar", to waive full reading of ordinances and to move Item No. 13 (Review of Polliwog Park Pedestrian and Bicycle Path Alternatives for Safe Routes to School Grant) to be heard immediately after "Items Pulled from the Consent Calendar". 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 a "Street Food Cinema and Art Walk" event on September 9, 2017, Beetlejuice movie on October 14, 2017, and noted that the nominations are open for the "Best of Manhattan Beach" to be announced on October 19, 2017.

Melissa McCollum, Manhattan Beach Library, displayed a flyer on the document reader for a "Late Night at the Library" event on August 25, 2017.

Wayne Powell, Communications Director for Leadership Manhattan Beach, invited all alumni, as well as the public, to a family picnic at Polliwog Park on Sunday, August 20, 2017. He further added that there is free i-pad training, on Thursday, August 17, 2017, and free i-phone training on Thursday, August 24, 2017, for the older adults at the Joslyn Community Center.

Councilmember Montgomery reported that construction updates on Marine and Aviation are on the City's website.

Mayor Lesser announced memorials for Sergeant Chad Jenson at Mira Costa Football Stadium, on August 20, 2017, and for Kathy Thompson, former President and Chief Operating Officer of the Los Angeles Times Media Group, at the Hotel Casa Del Mar, in Santa Monica, on August 27, 2017.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Wayne Powell spoke of AT&T using stealth technology, colocating cell towers and undergrounding utility boxes.

Kurt Schweter is not in favor of the bike path in Polliwog Park and that there should be a school traffic study.

Julie Profet, Chair of Friends of Polliwog Park, presented pictures on the document reader and requested that the City Council visit the area to see if the bike path is necessary.

Stephanie Robins is opposed to the bike path.

Larry Levine, stated that the proposed placement of the equipment cabinet is unacceptable and hazardous.

Jane Guthrie, Chair of Manhattan Beach Conservancy, thanked the City for passing the Historic Preservation Ordinance.

Janie Kissel asked that the City postpone any decision on the cell towers, requested another notice to be sent for the future meeting and asked that different locations of the cell towers be considered.

Mike Matthews, Manhattan Beach Unified School District Superintendent, spoke on the "Safe Routes to School Grant" and reported that MBUSD favors Option 1 and does not support mixed use of bike paths.

Karen Komatinsky, Manhattan Beach Unified School District Board of Trustees, encouraged the City Council to ensure the safety of the students.

Kate Hirsch echoed comments from earlier speakers noting she's pleased to have better service, but has concerns about the placement of the AT&T equipment cabinets.

Benjamin Walsh noted that better locations could be found for the equipment cabinets.

Tom Georgouses voiced concern over the placement of the cell tower as it is at the same level as three of his windows, noted the expense residents have incurred with undergrounding, wonders why the cabinets would not be placed underground, and asked that the City Council reconsider the locations of the cell towers.

Cheryl Lynn expressed that the concrete pathway in Polliwog Park is ill-conceived.

Liz Griggs thanked the City Council for the improvements in the North end, but is concerned with a curb cut next to the Fish Bar.

Mindy Geller is concerned about the installation of AT&T's wireless installation at 18th & Ocean and also the radio frequency or RF energy that could affect the health of residents.

Andrea Meek is opposed to the AT&T tower at 18th Street.

Ira Goldstein noted that residents will see a continual growth of carriers, radio frequency exposure and radiation patterns and requested that the City Council look for a better alternative.

Bill Victor is opposed to the AT&T proposals, to ending the cafe lease at the Roundhouse Aquarium early and ultimately the removal of the cafe.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the Consent Calendar, with the exception of Item No. 3 (Boards and Commissions Handbook and Ordinance No. 17-0017 Revising the Number of Members on the Library Commission and Cultural Arts Commission). The motion carried by the following vote:

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

1. City Council Minutes: [17-0330](#)
This Item Contains Minutes of the following City Council Meeting(s):
City Council Regular Meeting Minutes of August 1, 2017
(City Clerk Tamura).
APPROVE

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

2. Financial Report: [17-0339](#)
Schedules of Demands: July 20, 2017 (Finance Director Moe).
ACCEPT REPORT AND DEMANDS

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

3. Approval of the Modernized and Updated Boards and Commissions Handbook and First Reading of Ordinance No. 17-0017 Revising the Number of Members on the Library Commission and Cultural Arts Commission (City Clerk Tamura, Parks and Recreation Director Leyman and Community Development Director McIntosh). [17-0176](#)
APPROVE BOARDS AND COMMISSIONS HANDBOOK AND FIRST READING OF ORDINANCE NO. 17-0017

This item was pulled from the Consent Calendar and heard under Section H.
" Items Pulled from the Consent Calendar".

4. Designation of a Voting Delegate and Alternate to the 2017 League of California Cities Annual Conference and Authorize the Delegate and Alternate Voting Authority on Proposed Resolution Being Considered at the Conference (City Clerk Tamura). [17-0229](#)
APPROVE VOTING DELEGATE AND AUTHORIZE VOTING AUTHORITY

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

5. Set a Public Hearing Date of September 19, 2017 to Discuss the Shade Hotel Appeal of Tax Administrator's Decision on Transient Occupancy Tax Due (Finance Director Moe). [17-0358](#)

SET APPEAL FOR SEPTEMBER 19, 2017

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

6. Second Reading of Ordinance No. 17-0014 Amending Municipal Code Title 10, Chapter 10.86 Historic Preservation (Community Development Director McIntosh). [ORD 17-0014](#)

ADOPT ORDINANCE NO. 17-0014

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

7. Formally Accept as Complete the Cycle 1 Storm Drain Catch Basin Insert Project Constructed by G2 Construction, Inc., Authorize Filing a Notice of Completion with the County Recorder's Office, and Approve the Release of Retention for \$5,479.22 to G2 Construction (Public Works Director Katsouleas). [17-0322](#)

APPROVE

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

8. Formally Accept as Complete the Laurel Avenue Storm Drain Catch Basin Replacement Project Constructed by Wright Construction Engineering Corporation, Authorize Filing a Notice of Completion with the County Recorder's Office, and Approve the Release of Retention in the Amount of \$5,709.46 (Public Works Director Katsouleas). [17-0323](#)

APPROVE

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

9. Resolutions Approving a One Year Contract Authorizing Arakelian Enterprises, Inc. (dba Athens Services) for Street Sweeping and Strand Pressure Washing Services for an Amount Not-to-Exceed \$395,534 and CleanStreet for Porter, Power Washing and Landscape Maintenance Services for an Amount Not-to-Exceed \$362,271 and Authorize the City Manager to Increase the Compensation Paid to One of the Two Vendors Not-to-Exceed \$20,000 for Additional Power Washing Services (Public Works Director Katsouleas). [17-0360](#)

ADOPT RESOLUTION NOS. 17-0100 AND 17-0101

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

H. ITEMS PULLED FROM THE CONSENT CALENDAR

3. Approval of the Modernized and Updated Boards and Commissions Handbook and First Reading of Ordinance No. 17-0017 Revising the Number of Members on the Library Commission and Cultural Arts Commission (City Clerk Tamura, Parks and Recreation Director Leyman and Community Development Director McIntosh).

[17-0176](#)

**APPROVE BOARDS AND COMMISSIONS HANDBOOK AND
FIRST READING OF ORDINANCE NO. 17-0017**

Mayor Lesser introduced this item.

City Clerk Liza Tamura 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 Mayor Lesser, seconded by Councilmember Montgomery, to move forward with the "Mission Statement" as a future agenda item, to add a publication date to the handbook and remove the requirement that Board Members and Commissioner copy the Staff Liaison on communications with Councilmembers and instead "recommend" that the Staff Liaison be copied. The motion carried by the following vote:

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

A motion was made by Councilmember Hersman, seconded by Mayor Lesser, to waive further reading and introduce Ordinance No. 17-0017 revising the number of members of the Library Commission (5 members to 6 members) and the Cultural Arts Commission (5 members to 6 members). The motion carried by the following vote:

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

City Attorney Quinn Barrow read the title of the ordinance into the record: Ordinance No. 17-0017 An Ordinance of the City of Manhattan Beach amending the Membership of Boards and Commissions.

13. Review of Polliwog Park Pedestrian and Bicycle Path Alternatives for Safe Routes to School Grant (Community Development Director McIntosh).

[17-0348](#)

DISCUSS AND PROVIDE DIRECTION

This General Business Item was taken out of order.

Community Development Director Anne McIntosh introduced Traffic Engineer Erik Zandvliet who provided the PowerPoint presentation.

Traffic Engineer Zandvliet and Manhattan Beach Middle School Principal Kim Linz 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 Mayor Pro Tem Howorth, seconded by Councilmember Hersman, to approve, pending the Manhattan Beach Unified School District approval, Option No. 2.(Construction of a dedicated 12-foot wide bikeway adjacent to and west of the existing sidewalk for a portion of the length with a small buffer between the sidewalk and the bikeway). City Council direction also included making the bikeway parallel, without the curves in the current design, and widen the sidewalk. The motion carried by the following vote:

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

At 8:20 PM City Council recessed and reconvened at 8:28 PM with all Councilmembers present.

I. PUBLIC HEARINGS

10. Master Use Permit Amendment to Refine Certain Conditions Imposed as Conditions of Approval at the Time the City Council Conditionally Approved a Master Use Permit Amendment for the Remodel and Expansion of the Manhattan Village Shopping Center Located at 2600 Through 3600 North Sepulveda Boulevard and 1180 Through 1200 Rosecrans Avenue (Manhattan Village Shopping Center) (Community Development Director McIntosh). [17-0335](#)

**AFTER CONDUCTING PUBLIC HEARING, DIRECT STAFF TO
PREPARE A RESOLUTION APPROVING THE APPLICATION**

Mayor Lesser opened the public hearing.

Assistant Planner Rafael Garcia provided a PowerPoint presentation.

JLL Development Manager Phil Friedl provided the property owners' presentation.

Laura Leitner and Mark Neumann, representing 3500 Sepulveda LLC., presented the position of the appellant.

Planning Manager Laurie Jester, City Attorney Quinn Barrow and JLL Development Manager Phil Friedl responded to City Council questions.

Three persons testified that each supports the Mall development:

*Craig Cadwallader
Mark Lipps
Marie Colmey*

Lara Leitner clarified Exhibit E and was given the opportunity to provide a rebuttal.

City Attorney Barrow introduced into the record the Staff Report, all of the attachments, the June 29th appeal letter from the appellant, the two submittals from the applicant, and the August 10th letter from Gibson Engineering.

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

City Attorney Barrow responded to City Council questions.

A motion was made by Councilmember Montgomery, seconded by Councilmember Hersman, to direct Staff to draft a resolution containing the City Council findings approving the application for consideration at a City Council Meeting in September. The motion carried by the following vote:

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

11. Telecommunications and Coastal Permits for Four AT&T Telecom Sites in the Public Right of Way on Light Poles in the Appealable Area of the Coastal Zone Located at Manhattan Avenue and 5th Place, Manhattan Avenue and 29th and 36th Streets and Ocean Drive and 18th Street (Community Development Director McIntosh).

17-0334

CONDUCT PUBLIC HEARING, CONTINUE MANHATTAN AVENUE AND 36th STREET APPLICATION, AND APPROVE OTHERS WITH CONDITIONS

Mayor Lesser introduced the item and City Attorney Quinn Barrow clarified that the applicant had requested a continuation. Since the meeting was publicly noticed, residents will be given an opportunity to speak. City Council may give direction and then the item will be continued to a September, 2017, City Council Meeting.

Mayor Lesser opened the public hearing.

Community Development Director Anne McIntosh and Assistant Planner Jason Masters responded to City Council questions.

Craig Cadwallader stated that he has been an AT&T customer for decades and questions if there is a health issue with some of these antennae. He would like to know the facts, if there any other issues that need to be addressed and what are other carriers doing.

John Heffernan, AT&T Governmental Affairs, spoke on behalf of AT&T stating that we share a common interest of improving reception along the strand and where it becomes problematic. AT&T is prepared to answer technical questions when the engineers are present at the next City Council Meeting when this item is brought back.

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

City Attorney Barrow clarified that Staff is recommending that the Master Lease Agreement that would identify all of the 16 sites, will be ready for discussion at the same time this item returns.

By order of the Chair, this agenda item was continued to September 19, 2017, with direction to Staff to gather more information.

J. GENERAL BUSINESS

12. Adoption of Investment Guidelines for the New Pension Rate Stabilization Fund; Adoption of Funding and Distribution Policies for the City's Other Post-Employment Benefits (OPEB) and Pension Rate Stabilization Trust Funds (Finance Director Moe). [17-0353](#)

ADOPT GUIDELINES AND POLICIES

Mayor Lesser introduced Finance Director Bruce Moe who provided a brief overview of the item.

Finance Director Moe 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 Montgomery, seconded by Councilmember Hersman, to adopt Investment Guidelines for the new Pension Rate Stabilization Fund, and to adopt Funding and Distribution Policies for the City's other Post-Employment Benefits (OPEB) and Pension Rate Stabilization Trust Funds. The motion carried by the following vote:

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

13. Review of Polliwog Park Pedestrian and Bicycle Path Alternatives for Safe Routes to School Grant (Community Development Director McIntosh). [17-0348](#)

DISCUSS AND PROVIDE DIRECTION

This item was heard previously, after Section H. Items Pulled from the Consent Calendar.

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

None.

L. FUTURE AGENDA ITEMS

None.

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

None

O. INFORMATIONAL ITEMS**14. Commission Minutes:**[17-0362](#)

This Item Contains Minutes of the following City Commission Meetings:

a) Finance Subcommittee Meeting Minutes of July 26, 2017 (Finance Director Moe)

b) Planning Commission Action Meeting Minutes of July 26, 2017 (Community Development Director McIntosh).

INFORMATION ITEM ONLY**P. CLOSED SESSION**

None.

Q. ADJOURNMENT

At 10:15 PM City Council adjourned in memory of Chad Jenson and Kathy Thomson to the Adjourned Regular Meeting Closed Session on August 17, 2017, at 9 AM in the City Council Chambers, in said City.

Martha Alvarez
Recording Secretary

David Lesser
Mayor

ATTEST:

Liza Tamura
City Clerk