

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, March 6, 2018

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

*Mayor Amy Howorth
Mayor Pro Tem Steve Napolitano
Councilmember Nancy Hersman
Councilmember Richard Montgomery
Councilmember David Lesser*

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

Jackson Meugniot, Mira Costa High School, led the Pledge of Allegiance.

Jeremy Buck performed a song he composed titled, "State of the City."

B. ROLL CALL

Present: 5 - Mayor Howorth, Mayor Pro Tem Napolitano, Councilmember Hersman, Councilmember Montgomery and Councilmember Lesser

C. CEREMONIAL CALENDAR

1. Presentation of Commendations to the Boy Scouts of Troop 860 That Have Attained the Rank of Eagle Scout. [18-0031](#)
PRESENT

Mayor Howorth, on behalf of of the City Council, presented commendations to the Boy Scouts of Troop 860 that have attained the rank of Eagle Scout.

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

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the agenda, as amended, removing Item No 4. (Consideration of Resolution No. 18-0028 Amending the City's Meeting Management Resolution to Clarify the Public Comment Rules During City Council Meetings) from the Consent Calendar and waive full reading of ordinances. The motion carried by the following vote:

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

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

Jayden Levin and Steve Schumacher announced the Pinewood Derby on May 28, 2018, at the Scout House.

Wayne Powell announced that the P.S. I Love You Foundation "Splash of Love" event will be held on Saturday April 4, 2018 from 6:00 PM - 10:00 PM, the Leadership Manhattan Beach 25th Anniversary Gala will be held on March 24, 2018, at 6:30 PM (tickets can be purchased through the website), and the Senior Advisory Committee sponsors tax assistance for older adults on Wednesdays. Also "Coffee, Technology and You" will be at the Joslyn Community Center on March 10, 2018. He further added that he is in support of agenda Item No. 8, regarding the Leadership Manhattan Beach Project.

Melissa McCollum, Manhattan Beach Librarian, reported on an upcoming library event titled, "Beyond Books" on March 31, 2018 from 11:00 AM - 1:00 PM.

Jan Buike, Older Adults Program Supervisor, echoed the comments earlier announcing the Pinewood Derby Event and the "Coffee, Technology and You". She also announced a monthly program of Karaoke starting Thursday, March 8, 2018, from 6:00 PM to 8:30 PM.

Mayor Howorth announced that the Soroptimist Luna Fest of short films is at the Redondo Beach Performing Arts Center on Sunday, March 11, 2018 from 2:00 PM - 5:00 PM.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Richard Palmer spoke in support of the Manhattan Beach Firefighters.

Rudy Mejia, Firefighter/Paramedic and Fire Association President, spoke about the City Council hiring one of the five interviewed Chiefs as the Interim Fire Chief of the Fire Department.

Tom Desmond, Fire Captain and Boardmember of the Firefighters Association, spoke about the vote of no confidence.

Dave Shenbaum, Fire Captain/Paramedic and Vice-President of the Manhattan Beach Firefighters Association, spoke of the logistics of calls received by the Fire Department and the need for better transport times.

John Dulmage, Engineer/Paramedic and Boardmember of the Firefighters Association, read the Associations' "vote of no confidence" statement.

Tim O'Brien, Captain/Paramedic, and Association Representative, read into the record a list of items that were approved and voted on by the Manhattan Beach Firefighters Association.

City Manager Bruce Moe summarized why Fire Chief Robert Espinosa's stay was extended with the City. Also, in response to previous speakers, he indicated that an independent investigation was conducted and that the report is available in the City Clerk's Office. City Manager Moe further commented on existing mutual aid agreements and reassured all residents that safety is the City Councils' and the City's number one priority.

Mayor Howorth asked for a study session regarding delivery of Fire/Emergency Services comparing Automatic Aid and Mutual Aid. Councilmember Hersman concurred.

Tim Viselli, retired Manhattan Beach Firefighter of 30 years, spoke in favor of the Manhattan Beach Firefighters Association.

Martha Andreani encouraged a call for action to agendize this item more quickly for the Firefighters.

Laurie McDermot remarked on ambulance response time and being billed by a private ambulance company.

Carolyn Chu, Go-Green Commissioner for Robinson Elementary, spoke about Earth Day and requested permission to place a recycling bin for ink cartridges in City Hall and at the Fire Department.

Gerry O'Connor asked that an agendized item on the ban on MHF (Modified Hydrofluoric Acid) use be brought to City Council at the March 20, 2018 City Council Meeting.

Marietta Buzga echoed support for a ban on MHF.

Chandra Shaw spoke in support for the Manhattan Beach Firefighters.

Tom Hess spoke on short-term rentals.

Mindy Geller spoke in opposition of Airbnb.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Montgomery, seconded by Councilmember Lesser, to approve the consent calendar, with the exception of Item No. 4 (Consideration of Resolution No. 18-0028 Amending the City's Meeting Management Resolution to Clarify the Public Comment Rules During City Council Meetings). The motion carried by the following vote:

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

2. City Council Minutes: [18-0026](#)

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

- a) City Council Adjourned Regular Meeting Minutes (Environmental Sustainability Study Session) of January 31, 2018
- b) City Council Adjourned Regular Meeting Minutes (Closed Session) of February 20, 2018
- c) City Council Regular Meeting Minutes of February 20, 2018 (City Clerk Tamura).

APPROVE

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

3. Financial Report: [18-0070](#)

- a) Schedule of Demands: February 1, 2018
- b) Investment Portfolio for the Month Ending January 31, 2018
- c) Month End Report for January 31, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

4. Consideration of Resolution No. 18-0028 Amending the City's Meeting Management Resolution to Clarify the Public Comment Rules During City Council Meetings (City Clerk Tamura). [RES 18-0028](#)

ADOPT RESOLUTION NO. 18-0028

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

5. Ordinance to Reauthorize Public, Educational, and Governmental (PEG) Programming Support Fees Pursuant to the Digital Infrastructure and Video Competition Act (DIVCA) (Information Technology Director Taylor). [ORD 18-0004](#)

a) CONDUCT SECOND READING

b) ADOPT ORDINANCE NO. 18-0004

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

4. Consideration of Resolution No. 18-0028 Amending the City's Meeting Management Resolution to Clarify the Public Comment Rules During City Council Meetings (City Clerk Tamura).

[RES 18-0028](#)

ADOPT RESOLUTION NO. 18-0028

At 7:17 PM Mayor Howorth left the dais.

Management Analyst George Gabriel provided the Staff presentation clarifying the changes in the City's proposed Meeting Management Resolution.

Mayor Pro Tem Napolitano opened the floor to public comment.

Seeing no requests to speak, Mayor Pro Tem Napolitano closed the floor to public comment.

At 7:20 PM Mayor Howorth returned to the dais.

A motion was made by Councilmember Hersman, seconded by Councilmember Lesser, to adopt Resolution No. 18-0028 amending the City's Meeting Management Resolution to clarify the public comment rules during City Council Meetings. The motion carried by the following vote:

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

At 7:22 PM City Council recessed and reconvened at 7:29 PM with all Councilmembers present.

I. PUBLIC HEARINGS

6. Discussion Regarding Short-Term Rentals (Continued from the February 6, 2018 City Council Regular Meeting) (Community Development Director McIntosh). [18-0015](#)

DISCUSS AND PROVIDE DIRECTION

Community Development Director Anne McIntosh presented the PowerPoint presentation.

Community Development Director McIntosh and Building Official Ryan Heise responded to City Council questions.

Mayor Howorth opened the public hearing:

The following individuals spoke in favor of short-term rentals:

*Ala Tabatabaci
Robert Reyes
Alex Lughold
Tyler Dare
Laurie McDermont
Mike Lutomski
Hedi Lee
Bill Victor*

The following individuals spoke in opposition to short-term rentals:

*Aaron Klaffer
Carol Detrice
Martha Andreani
Montic Taylor
Erin Nelson
Jim Healy
Karol Wahlberg
Paul Hoffman*

Kirstie Barrett spoke about some consequences of the short-term rental ban.

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

Community Development Director McIntosh, Interim Finance Director Steve Charelian, City Attorney Quinn Barrow and Building Official Heise responded to City Council questions.

City Council directed Staff to return at a future meeting with additional data on a variety of issues including insurance, parking, enforcement, revenue, licensing, inspections, numeric caps, platform agreements, Cities with bans, etc. and schedule a City Council study session when research is completed.

7. Conduct Public Hearing to Consider Resolution No. 18-0001 Regarding a Coastal Development Permit for the 2018 Manhattan Beach Open Volleyball Tournament; Request from AOS GROUP for Special Permit: Limited Alcoholic Beverage Use on Public Property for the Manhattan Beach Open Event, August 16-19 in the Lower South Pier Parking Lot and VIP Bleacher Seating Area in the Stadium Court and Resolution No. 18-0001 (Parks and Recreation Director Leyman).

[RES 18-0001](#)

- a) **CONDUCT PUBLIC HEARING**
- b) **ADOPT RESOLUTION NO. 18-0001**
- c) **APPROVE**

Recreation Services Manager Jessica Vincent presented the Staff presentation.

Recreation Services Manager Vincent and Chief Operating Officer of the Association of Volleyball Professionals (AVP), Al Lau responded to City Council questions.

Mayor Howorth opened the public hearing.

Bill Victor and Fred Manna spoke in opposition to having alcohol at the event.

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

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to adopt Resolution No. 18-0001 and to approve the request from the AOS Group (AVP) for a special permit for limited alcohol beverage use on public property for the Manhattan Beach Open, August 16-19, 2018, in the Lower South Pier Parking Lot and VIP Bleacher Seating Area in the Stadium Court. The motion carried by the following vote:

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

J. GENERAL BUSINESS

8. Formally Accept Leadership Manhattan Beach Class Project Donation of Two Fix-It Bicycle Stations and the Recommended Installation Locations for the Project (Fire Chief Espinosa). [18-0085](#)
- a) **DISCUSS AND PROVIDE DIRECTION**
- b) **APPROVE**

Fire Engineer James Craig presented the Leadership Manhattan Beach presentation and responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Wayne Powell spoke in favor of the project.

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

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to formally accept the Leadership Manhattan Beach Class Project Donation for two Fix-It Bicycle Stations and the recommended installation locations for the project. The motion carried by the following vote:

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

A motion was made by Councilmember Lesser, seconded by Councilmember Hersman, to approve the Rosecrans Avenue beach-access point for the second location of the Bicycle Fix-It Station. The motion carried by the following vote:

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

9. FY 2017-2018 Mid-Year Budget Report and Update on Budget Development for FY 2018-2020 Biennial Budget (Interim Finance Director Charelian). [18-0088](#)
- DISCUSS AND PROVIDE DIRECTION**

Financial Analyst Libby Bretthauer who presented the PowerPoint presentation.

Interim Finance Director Steve Charelian, Financial Analyst Bretthauer and City Manager Bruce Moe responded to City Council questions.

Mayor Howorth opened the floor to public comment.

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

City Council received the report and provided no further direction.

A motion was made by Councilmember Lesser, seconded by Councilmember Hersman to extend the meeting time past 11:00 PM. The motion carried by the following vote:

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

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

Councilmember Lesser reported that he and Councilmember Hersman attended the South Bay Cities Council of Governments (SBCCOG) 19th Annual General Assembly.

Councilmember Montgomery reported that he attended the League of California Cities Board Meeting in Redondo Beach.

Mayor Howorth attended a Board Meeting for the Power Alliance for Southern California and an "Active Shooter Training" provided by the Chamber of Commerce.

10. Request by Mayor Pro Tem Napolitano to Discuss the Possibility for City Council to Have Long Term Assignments to External Boards and Commissions for City Council Assignments.

Mayor Pro Tem Napolitano requested that this item be continued due to the late hour.

L. FUTURE AGENDA ITEMS

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

[18-0044](#)

Mayor Howorth, along with Mayor Pro Tem Napolitano, requested that the MHF (Modified Hydrofluoric Acid) item be placed on the next agenda.

Mayor Howorth also requested that Staff bring back a resolution in support of the school district parcel tax. Councilmembers Lesser and Hersman concurred.

Councilmember Montgomery wants to direct Staff to look at moving the election date in March of 2019. City Attorney Quinn Barrow responded that Staff would explore options.

Councilmember Hersman requested that the potential of 3 hour time limits on parking meters instead of 2 hours be discussed at the tentative May 15, 2018, City Council Meeting when the projections on potential parking meter rate increases are agendaized.

City Manager Bruce Moe indicated it will come back for discussion and the City will notify the Downtown Business Association and the North End Business Association.

M. CITY MANAGER REPORT

City Manager Bruce Moe reminded City Council of the City Council Work Plan Meeting on March 9, 2018, to be held at the Public Works Yard, 3621 Bell Avenue, in the Training Room.

12. Request by Mayor Howorth to Receive Report on the Homeless Count Conducted Last Month (Oral Presentation by Mangement Analyst Davis).

Management Analyst Kendra Davis provided a report on the Homeless Count and responded to City Council questions.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

None.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 10:57 PM the City Council adjourned in memory of Dorothy Higi, Pina Fisher and Evelyn Frey to the 8:30 AM City Council Work Plan Meeting at the Public Works Yard Training Room, 3621 Bell Avenue, in said City.

Martha Alvarez
Recording Secretary

Amy Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk