

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, March 20, 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*

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A. PLEDGE TO THE FLAG

Dominique Doumeng, Manhattan Beach Middle School, led the Pledge of Allegiance.

B. ROLL CALL

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

C. CEREMONIAL CALENDAR

1. Presentation of a Plaque Congratulating City Controller, Henry Mitzner on his 45 Years of Service with the City of Manhattan Beach. [18-0027](#)

PRESENT

Mayor Howorth, on behalf of the City Council, presented City Controller Henry Mitzner with a plaque recognizing his 45 years of service with the City of Manhattan Beach.

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

A motion was made by Councilmember Montgomery, seconded by Councilmember Hersman, to approve the agenda 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)**

Mark Lipps, Manhattan Beach Chamber of Commerce, announced an upcoming Economic Forum on April 18, 2018, at the Joslyn Community Center.

Steve Charelian, Interim Finance Director, announced that the "Cash Key Refunds" will take place until June 15, 2018.

Kendra Davis, Management Analyst, reported that a community meeting on "Homelessness in Manhattan Beach" will take place on March 21, 2018, at 6:30 PM in the Police/Fire Conference Room.

Wayne Powell announced that the 25th Anniversary Gala for Leadership Manhattan Beach will take place on March 25, 2018, and the fundraising event for the P.S. I Love You Foundation will take place at the Proud Bird on April 14, 2018.

Shane Grady, Troop 849, announced that the 65th Annual Pinewood Derby will take place on Memorial Day at the Joslyn Community Center.

Councilmember Hersman announced that the organization, South Bay Families Connected, is sponsoring a speaker series on teen anxiety and depression on March 28, 2018, at the Shade Hotel.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Mike Matthews, Superintendent of Manhattan Beach Unified School District, spoke in favor of the District Parcel Tax Measure.

Mark Lipps, Chamber of Commerce, noted that the Chamber is working with the City of Manhattan Beach to develop a destination website. He further added that there will be a luncheon on October 19, 2018, honoring the "Heroes of Manhattan" which includes First Responders.

Ryan White, Troop 849, requested donations for the Scout House with more information at www.scouthouse.org.

Matthew LeGrand, commented on the Citywide Pedestrian Crossing Enhancement Evaluation.

Raunda Frank, requested support for a resolution for safe disposal and storage of prescription drugs.

Jon Chaykowski spoke about water drinking fountains instead of water bottle filling fountains.

Wayne Powell supports the Scout House, the parcel tax, school safety and security resolution, Citywide pedestrian crossing enhancements and supports sending a letter to SCAQMD (South Coast Air Quality Management District) prohibiting MHF (Modified Hydrofluoric Acid) at the Torrance Refinery

Eileen Elder is in favor of a support letter against MHF.

Bill Elder is in favor of a support letter against MHF.

Sandra Viera, Torrance teacher, is in favor of a support letter against MHF.

Randall Duncan spoke in opposition to the Desalination Plant.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Hersman, seconded by Councilmember Lesser, to approve the Consent Calendar Item Nos. 2-4. The motion carried by the following vote:

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

2. City Council Minutes:[18-0028](#)

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

a) City Council Adjourned Regular Meeting Minutes (Closed Session) of March 6, 2018

b) City Council Regular Meeting Minutes of March 6, 2018
(City Clerk Tamura).

APPROVE

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

3. Financial Report: [18-0071](#)
Schedule of Demands: February 15, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

4. Resolution No. 18-0032 Amending the City of Manhattan Beach Personnel Rules Classified Service List (Human Resources Director Zadroga-Haase). [RES 18-0032](#)

ADOPT RESOLUTION NO. 18-0032

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

I. PUBLIC HEARINGS

None.

J. GENERAL BUSINESS

5. Request by Mayor Howorth to Discuss Possible Support of the Manhattan Beach Unified School District Parcel Tax Measure. [RES 18-0038](#)

CONSIDER ADOPTING RESOLUTION NO. 18-0038

Mayor Howorth provided a brief overview of the item.

Mayor Howorth opened the floor to public comment.

Seeing no 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 adopt Resolution No. 18-0038 supporting the Manhattan Beach Unified School District (MBUSD) District Parcel Tax Measure. The motion carried by the following vote:

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

6. Consideration of Providing Financial Support to the Manhattan Beach Unified School District to Improve School Safety and Security Measures (Interim Finance Director Charelian). [18-0124](#)

a) DISCUSS AND PROVIDE DIRECTION

b) APPROPRIATE

City Manager Bruce Moe provided a brief overview of the item.

Mayor Howorth opened the floor to public comment.

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

A motion was made by Mayor Howorth, seconded by Mayor Pro Tem Napolitano, to appropriate funds up to \$1,000,000 from the General Fund's Unreserved Fund Balance and return to the City Council with a prioritized list of safety and security measures. The motion carried by the following vote:

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

7. Resolution No. 18-0034 Adopting a Mills Act Program and Consideration of Associated Fees to Provide Reduced Property Taxes for Properties Designated by the City as Historic Resources (Community Development Director McIntosh). [RES 18-0034](#)

a) DISCUSS AND PROVIDE DIRECTION

b) ADOPT RESOLUTION NO. 18-0034

Community Development Director Anne McIntosh provided a brief history of the item and a proposal for the Mills Act.

Community Development Director McIntosh responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Jane Guthrie, Manhattan Beach Conservancy, speaking also on behalf of Jan Dennis, supports the Mills Act.

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

City Manager Bruce Moe and Community Development Director McIntosh responded to City Council questions.

City Manager Moe announced that Staff will return to City Council with the associated fees.

A motion was made by Councilmember Lesser, seconded by Mayor Howorth, to adopt the Mills Act Program Resolution No. 18-0034 and return with the associated fees. The motion carried by the following vote:

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

At 7:25 PM City Council recessed and reconvened at 7:35 PM with all Councilmembers present.

8. Consideration of LA Times Food Bowl and Outstanding in the Field Event on Manhattan Beach (Parks and Recreation Director Leyman). [18-0125](#)
DISCUSS AND PROVIDE DIRECTION

Parks & Recreation Director Mark Leyman provided a brief overview of the item.

Parks & Recreation Director Leyman and LA Food Bowl Executive Director Angus Dillon responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Bill Victor spoke in opposition to the event taking place on the beach with alcohol.

Karol Wahlberg also spoke in opposition to the event.

Kelly Stroman spoke about the educational aspect of the event.

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

City Attorney Quinn Barrow responded to City Council questions.

Councilmember Lesser stated that he is absolutely opposed to holding the event at this location and the precedent that it might set.

A motion was made by Councilmember Hersman, seconded by Mayor Howorth, to approve the request of LA Times Food Bowl and Outstanding in the Field Event, on the sand, near the Manhattan Beach Pier as part of the LA Times Food Bowl on May 24, 2018, and direct staff to return with a resolution to issue a special permit for the event and an amendment to the ordinance allowing the City Council to approve a special use permit on a case-by-case basis on the beach. A friendly amendment, accepted by the maker, requests that event coordinators explore the use of a shuttle to bring attendees to the beach from a private parking location outside of downtown. The motion carried by the following vote:

Aye: 4 - Howorth, Napolitano, Hersman and Montgomery

Nay: 1 - Lesser

9. Citywide Pedestrian Crossing Enhancement Evaluation (Community Development Director McIntosh).

[18-0111](#)

DISCUSS AND PROVIDE DIRECTION

City Traffic Engineer Eric Zandvliet provided the PowerPoint presentation.

City Traffic Engineer Zandvliet responded to City Council questions.

Mayor Howorth opened the floor to public comment.

Bill Victor stated that blinking lights in the pavement at crosswalks could prevent injuries.

A Mira Costa High School Student requested more illumination for pedestrians at the crosswalks and pedestrian crossing signs.

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

City Traffic Engineer Zandvliet responded to City Council questions.

City Council directed Staff to move forward with the planned improvements, review additional locations in Manhattan Beach, and prioritize additional locations to add to the Capital Improvements Plan (CIP) for City Council consideration.

10. Consideration of the Request from the Manhattan Beach Botanical Garden for Fee Waivers/Refunds for Permitting Fees for the Construction of a Tool Shed (Parks and Recreation Director Leyman).

[18-0106](#)

DISCUSS AND PROVIDE DIRECTION

Parks and Recreation Director Mark Leyman introduced Community Programs Manager Eve Kelso who provided a brief overview of the item.

Mayor Howorth opened the floor to public comment.

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

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Napolitano, to approve the request from the Manhattan Beach Botanical Garden for fee waivers/refunds for Permitting Fees to construct a tool shed. The motion carried by the following vote:

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

At 8:58 PM City Council recessed and reconvened at 9:07 PM with all Councilmembers present.

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

11. Request by Mayor Howorth and Mayor Pro Tem Napolitano to Discuss [18-0117](#)
Sending a Letter to the South Coast Air Quality Management District
Regarding a Rule Prohibiting Use of Modified Hydrofluoric Acid at the
Torrance Refinery (Community Development Director McIntosh).
DISCUSS AND PROVIDE DIRECTION

Management Analyst George Gabriel provided the Staff presentation.

Mayor Howorth opened the floor to public comment.

The following individuals spoke in favor of drafting the letter opposing the use of Modified Hydrofluoric Acid (MHF):

Karla Devine

Dr. Eng (Handout to Council)

Sally Hayati

James Pigott

George Harpole

David Hannum

Jim Eninger

Durga Locs

Craig Cadwallader

Peter Burgis

Ricardo Pena

Dency Nelson

Joan Engelhaupt

Al Sattler

Constance Sullivan

Betsy Ryan

Vladimir Buzga (Handout to Council)

Marietta Buzga

Bobbi Buescher

Harriet Chase, did not speak but supports the ban.

David Posner

Gerry O'Connor

Tracy Mork, did not speak but supports the ban.

The following individuals spoke in opposition of drafting the letter regarding the use of Modified Hydrofluoric Acid (MHF):

*Sarah Wiltfong
Louie Lucero
Julie Bofinger
Joe Carson
Adam Webb
Michelle Kendig
Darren Stroud*

Mary Pope requested that the City Council make a decision from their heart.

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

Fire Chief Robert Espinosa responded to City Council questions.

A motion was made by Mayor Howorth, seconded by Councilmember Hersman, to direct Staff to draft a letter to send to the South Coast Air Quality Management District (SCAQMD) prohibiting the use of Modified Hydrofluoric Acid (MHF) at the Torrance Refinery. The motion carried by the following vote:

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

- 12.** Request by Mayor Howorth to Discuss Assembly Bill 1795 Authorizing a Local Emergency Medical Services Agency to Allow Paramedics to Transport People to a Community Care Facility (Fire Chief Espinosa). [18-0110](#)
DISCUSS AND PROVIDE DIRECTION

Fire Chief Bob Espinosa provided the Staff presentation.

Mayor Howorth opened the floor to public comment.

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

A motion was made by Councilmember Montgomery, seconded by Councilmember Hersman, to direct Staff to draft a letter in support of AB 1795 which authorizes a local emergency medical service agency to allow paramedics to transport people to a Community Care Facility. The motion carried by the following vote:

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

K. CITY COUNCIL REPORTS AND COMMITTEE REPORTS INCLUDING AB1234 REPORTS (CONTINUED)

Councilmember Lesser reported that he and Councilmember Montgomery will be attending a meeting with Southern California Edison Representatives who will be providing the Power Reliability Report of 2017.

Councilmember Montgomery reported that he attended the National League of Cities meeting in Washington D.C.

Mayor Howorth reported that she will be attending a meeting with the Clean Power Alliance.

L. FUTURE AGENDA ITEMS**13. Agenda Forecast (City Clerk Tamura).
DISCUSS AND PROVIDE DIRECTION**[18-0046](#)

Mayor Pro Tem Napolitano requested a follow-up on the Work Plan Meeting with a workshop to talk about City Council accomplishments, laying out the Work Plan and asking for the public's priorities. Councilmembers Lesser and Hersman concurred.

Councilmember Montgomery requested to agendaize an ambulance service review to consider hiring an outside ambulance service as soon as possible. Mayor Howorth and Councilmember Hersman concurred.

M. CITY MANAGER REPORT

City Manager Bruce Moe congratulated all personnel in the Manhattan Beach Police Department that participated in the Baker to Las Vegas Run which was 120 miles. Nationally, 275 teams participated. Participants and volunteers did this on their own time. Sgt. Kelly Benjamin was team Captain and Chief Derrick Abell concluded the race at 5:30 AM.

N. CITY ATTORNEY REPORT

City Attorney Quinn Barrow reported that the Court of Appeal upheld the City Council's and Staff's determination regarding a Coastal Development Permit for a house on Highland Avenue. It is an important case and the City is seeking publication, so that it can be used as a precedent in future cases.

O. INFORMATIONAL ITEMS**14.** Commission Minutes: [18-0114](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Cultural Arts Commission Meeting Minutes of October 16, 2017
(Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting Minutes of November 20, 2017
(Parks and Recreation Director Leyman)
- c) Parks and Recreation Commission Meeting Minutes of November 27, 2017 (Parks and Recreation Director Leyman)
- d) Library Commission Meeting Minutes of January 8, 2018 (Parks and Recreation Director Leyman)
- e) Parks and Recreation Commission Meeting Minutes of January 22, 2018 (Parks and Recreation Director Leyman)
- f) Planning Commission Action Meeting Minutes of February 14, 2018
(Community Development Director McIntosh)
- g) Planning Commission Action Meeting Minutes of February 28, 2018
(Community Development Director McIntosh).

INFORMATION ITEM ONLY**15.** Recent Planning Commission Quasi-Judicial Decisions [18-0112](#)

- 1. Use Permit Amendment - 900 Club
- 2. Use Permit, Use Permit Amendment and EIR - Skechers
(Community Development Director McIntosh).

INFORMATION ITEMS ONLY**P. CLOSED SESSION**

None.

Q. ADJOURNMENT

At 10:17 PM the City Council Meeting was adjourned to the 5:00 PM Closed Session Meeting on April 3, 2018, in the City Council Chambers in said City.

Martha Alvarez
Recording Secretary

Amy Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk