

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Wednesday, September 19, 2018

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

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

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A. PLEDGE TO THE FLAG

City Attorney Quinn Barrow led the Pledge of Allegiance.

B. ROLL CALL

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

C. CEREMONIAL CALENDAR

1. Recognition of Jay Saikley for His Continued Efforts in Keeping the Charlie Saikley 6-Man Volleyball Tournament a Legacy Event in the City. [18-0394](#)
PRESENT

Mayor Napolitano, on behalf of the City Council, recognized Jay Saikley for his continued efforts in keeping the Charlie Saikley 6-Man Volleyball Tournament a legacy event in the City.

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

Mayor Napolitano requested to remove, from the Consent Calendar, Agenda Item No. 10 – Resolution No. 18-0132 Approving a Pass-Through Agreement with Rincon Consultants, Inc. for \$120,560 to Prepare an Environmental Impact Report (EIR) for the Sunrise Senior Living Project Located at 250-400 North Sepulveda Boulevard.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Montgomery, to approve the agenda, as amended, waive full reading of ordinances, and remove Agenda Item No. 10 from the Consent Calendar for discussion. The motion carried by the following vote:

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

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

Kelly Hulbert, representative of the Manhattan Beach Library, announced the following library events: "Toddler Storytime" on Tuesdays; "Baby Storytime" on Wednesdays; "Adult 101 for Teens: Communication" at 4:30 PM on Thursday, September 20, 2018; "Evening Bookclub" for teens on Tuesdays; "Meditation" on Wednesdays and on September 20, 2018, from 6:00 PM - 8:00 PM, "Author Event with Mallika Chopra".

Linda McLoughlin Figel, owner of Pages Bookstore, announced Dav Pilkey author of "Captain Underpants" and "Dog Man" series is coming to {Pages} Bookstore on Tuesday, October 16, 2018, at 6:00 PM.

Councilmember Montgomery announced the open registration for the "Manhattan Beach 10K Race" on October 6, 2018.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Rod Spackman, Manager for Policy, Government and Public Affairs at Chevron Corporation, provided an update on the event that occurred on September 17, 2018, at the Chevron Refinery in El Segundo.

Rod Spackman responded to City Council questions.

Councilmember Howorth suggested the City have information on the City's website or a link that connects residents to the Chevron Refinery website for updates during live situations.

Brian Dunne, spoke in support of the Chamber of Commerce.

Flint Myers, spoke about the report provided by Rod Spackman of the Chevron Refinery and his concern for the chemicals released.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Montgomery, seconded by Councilmember Lesser, to approve the Consent Calendar, and pull Agenda Item No. 10 – Resolution No. 18-0132 Approving a Pass-Through Agreement with Rincon Consultants, Inc. for \$120,560 to Prepare an Environmental Impact Report (EIR) for the Sunrise Senior Living Project Located at 250-400 North Sepulveda Boulevard, to be heard under "H. Items Removed from the Consent Calendar." The motion carried by the following vote:

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

2. City Council Minutes: [18-0403](#)

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

- a) City Council Regular Meeting Minutes of September 4, 2018
- b) City Council Adjourned Regular Meeting Minutes (Closed Session) of September 7, 2018
(City Clerk Tamura).

APPROVE

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

3. Financial Report: [18-0377](#)

Schedule of Demands: August 16, 2018 (Interim Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

4. Second Reading and Adoption of Ordinance No. 18-0020 Relating to [18-0420](#)

Camping and Storage of Personal Property in Public Areas and Private Property (City Attorney Barrow).

ADOPT ORDINANCE NO. 18-0020

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

5. Resolution No. 18-0103 Approving the 2019 Conflict of Interest Code for [18-0311](#)
the City of Manhattan Beach (City Clerk Tamura).

ADOPT RESOLUTION NO. 18-0103

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

6. Resolution No. 18-0061 Authorizing the City Manager to Execute a [18-0312](#)
Lease with New Cingular Wireless PCS, LLC (AT&T) (Interim Finance Director Charelian).

ADOPT RESOLUTION NO. 18-0061

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

7. Resolution No. 18-0130 Approving a Three-Year Agreement with Van [18-0340](#)
Lingen Towing, Inc. to Provide Towing Services (Interim Finance Director Charelian).

ADOPT RESOLUTION NO. 18-0130

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

8. Resolution No. 18-0104 Awarding RFP No. 1141-18 to UniFirst Corporation for a Four-Year Contract for Uniform Rental Services with an Estimated Value of \$52,000 (Interim Finance Director Charelian). [18-0319](#)

ADOPT RESOLUTION NO. 18-0104

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

9. Resolution No. 18-0123 Accepting the State of California Office of Traffic Safety, Selective Traffic Enforcement Program (STEP) Grant in the Amount of \$70,000 (Police Chief Abell). [18-0389](#)

a) ADOPT RESOLUTION NO. 18-0123

b) APPROPRIATE FUNDS

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

10. Resolution No. 18-0132 Approving a Pass-Through Agreement with Rincon Consultants, Inc. for \$120,560 to Prepare an Environmental Impact Report (EIR) for the Sunrise Senior Living Project Located at 250-400 North Sepulveda Boulevard (Community Development Director McIntosh). [18-0413](#)

ADOPT RESOLUTION NO. 18-0132

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

11. Resolution No. 18-0133 Awarding a Professional Services Agreement to Disability Access Consultants (DAC), Corp. for the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for Public Rights of Way and City Facilities Project for a Total of \$99,500 (Public Works Director Katsouleas). [18-0364](#)

ADOPT RESOLUTION NO. 18-0133

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

12. Resolution No. 18-0135 Awarding a Construction Contract to Select Electric Inc. (Select) for the Safe Routes to School Cycle 10 Pedestrian Safety Improvements Project for \$429,459; and Approving the Appropriation of \$35,000 from the Measure R Unreserved Fund Balance (Public Works Director Katsouleas). [18-0414](#)

a) ADOPT RESOLUTION NO. 18-0135

b) APPROVE APPROPRIATION

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

13. Resolution No. 18-0136 Authorizing Submittal of a Grant Application to the California Department of Resources Recycling and Recovery (CalRecycle) for Rubberized Pavement Grant Funds (Grant ID 21103) (Public Works Director Katsouleas).

[18-0417](#)

ADOPT RESOLUTION NO. 18-0136

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

10. Resolution No. 18-0132 Approving a Pass-Through Agreement with Rincon Consultants, Inc. for \$120,560 to Prepare an Environmental Impact Report (EIR) for the Sunrise Senior Living Project Located at 250-400 North Sepulveda Boulevard (Community Development Director McIntosh).

[18-0413](#)

ADOPT RESOLUTION NO. 18-0132

Planning Manager Laurie Jester and City Attorney Quinn Barrow responded to City Council questions. Planning Manager Jester stated that the applicant understands that he's proceeding at his own risk.

Mayor Napolitano opened the floor for public comments.

Seeing no further requests to speak, Mayor Napolitano closed the floor for public comments.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Howorth, to adopt Resolution No. 18-0132 approving a pass-through agreement with Rincon Consultants, Inc. for \$120,560. The motion carried by the following vote:

Aye: 3 - Hersman, Montgomery and Howorth

Nay: 2 - Napolitano and Lesser

I. PUBLIC HEARINGS

None.

J. GENERAL BUSINESS

14. Consideration of Resolution No. 18-0134 Approving a Three-Year Agreement in the Amount of \$115,500 with Rice/Englander and Associates for Legislative Advocacy and Lobbying Services (City Manager Moe).

[18-0428](#)

a) ADOPT RESOLUTION NO. 18-0134

b) APPROPRIATE FUNDS

Senior Management Analyst George Gabriel provided the staff presentation.

City Manager Bruce Moe responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

Karol Wahlberg inquired if there would be an assessment done for consulting services and is opposed to hiring a consultant for this types of services.

Seeing no further requests to speak, Mayor Napolitano closed the floor for public comments.

Mayor Pro Tem Hersman stated her concerns to the agreement being an unbudgetted expenditure and questioned the effectiveness of the lobbying services.

A motion was made by Councilmember Howorth, seconded by Councilmember Montgomery, to adopt Resolution No. 18-0134 approving a three-year agreement with Rice/Englander and Associates in the amount of \$115,500 for legislative advocacy and lobbying services, appropriate funds from the Unreserved General Fund balance and requested quarterly reports from the consultant. The motion carried by the following vote:

Aye: 4 - Napolitano, Montgomery, Lesser and Howorth

Nay: 1 - Hersman

15. Consideration of Funding Options for the March 5, 2019, General Municipal Election (City Clerk Tamura).

[18-0421](#)

DISCUSS AND PROVIDE DIRECTION

Senior Management Analyst George Gabriel provided the staff presentation.

Senior Management Analyst Gabriel, City Clerk Liza Tamura and City Attorney Quinn Barrow responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

Seeing no further requests to speak, Mayor Napolitano closed the floor for public comments.

Senior Management Analyst Gabriel and City Manager Bruce Moe responded to City Council questions.

Councilmember Montgomery does not agree with the fees being charged by the Los Angeles County and maintains that the two Councilmember seats should have been extended to a different election date where the fees from the Los Angeles County could be less.

Mayor Napolitano, Mayor Pro Tem Hersman, Councilmember Lesser and Councilmember Howorth agree that the expense is too high, however, the elections must take place and services are needed.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Lesser, for staff to utilize the services of the Los Angeles County Registrar-Recorder/County Clerk to conduct the March 5, 2019, General Municipal Election. The motion carried by the following vote:

Aye: 4 - Napolitano, Hersman, Lesser and Howorth

Nay: 1 - Montgomery

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

16. **City Council Reports.**

Mayor Napolitano, Councilmember Lesser and Mayor Pro Tem Hersman announced that they attended the "2018 League of California Cities Annual Conference" in Long Beach from September 12-14, 2018.

Councilmember Howorth announced that she attended the "Global Climate Action Summit" in San Francisco from September 12-14, 2018, and will be bringing some initiatives for future City Council discussion with connection with other neighboring Cities.

Mayor Pro Tem Hersman announced that she attended the "Woman of the Year," reception on September 12, 2018, by Assemblymember AL Muratsuchi where he recognized Councilmember Howorth.

17. Discussion of Potential Revisions to the Sunshine Policy; and
Consideration of Ordinance No. 18-0021 Related to Amending the
Posting of Public Notices (City Clerk Tamura).

[18-0401](#)

a) DISCUSS AND CONSIDER REVISIONS

b) INTRODUCE ORDINANCE NO. 18-0021

Senior Management Analyst George Gabriel provided the staff presentation.

City Clerk Liza Tamura and City Attorney Quinn Barrow responded to City Council questions.

Seeing no further requests to speak, Mayor Napolitano closed the floor for public comments.

Karol Wahlberg spoke in support of keeping the Sunshine Policy as is.

Senior Management Analyst Gabriel and City Manager Bruce Moe responded to City Council questions.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Lesser, to direct staff to revise the Sunshine Policy to clarify that only City Council Regular Meeting agendas will be posted six days before the meeting and Closed Session agendas will be posted 72-hours in advance, as required by The Brown Act. The motion carried by the following vote:

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

City Attorney Barrow read the title of Ordinance No. 18-0021: "AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE POSTING OF PUBLIC NOTICES."

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Lesser, to approve the introduction of Ordinance No. 18-0021. The motion carried by the following vote:

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

L. FUTURE AGENDA ITEMS

18. Agenda Forecast (City Clerk Tamura). [18-0404](#)
DISCUSS AND PROVIDE DIRECTION

Councilmember Montgomery requested a report regarding the Regional Communications Center (RCC) refund.

City Manager Bruce Moe responded to City Council questions and provided the report on the refund.

Mayor Pro Tem Hersman requested and received concurrence from Councilmember Montgomery to direct staff to find possible locations for additional ALPR cameras on Sepulveda Blvd. and Artesia Blvd. including private businesses.

City Attorney Quinn Barrow and City Manager Moe responded to City Council questions.

Mayor Pro Tem Hersman requested an update on homelessness at a future City Council meeting, including information on the availability of a bed at a nearby shelter. Additionally, she requested to consider entering into an agreement with "People Assisting the Homelessness" (PATH).

City Manager Moe responded to City Council questions.

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

19. Recent Planning Commission Quasi-Judicial Decisions [18-0432](#)
a) Use Permit and Vesting Tentative Parcel Map for a Three-Unit Residential Condominium Project- 1823 11th Street
b) Use Permit and Vesting Tentative Parcel Map for a Three-Unit Residential Condominium Project- 1827 11th Street
(Community Development Director McIntosh).

INFORMATION ITEM ONLY

The item was received and filed by order of the Chair.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 8:25 PM Mayor Napolitano adjourned the meeting.

Martha Alvarez
Recording Secretary

Steve Napolitano
Mayor

ATTEST:

Liza Tamura
City Clerk