

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, December 18, 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

At 6:02 PM, Mayor Napolitano called the meeting to order and Bella Jacobson 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 the Manhattan Beach Little League Junior All-Stars for Finishing 2nd in the Nation at the 2018 Junior League World Series.

PRESENT

Mayor Napolitano, on behalf of the City Council, presented the Manhattan Beach Little League Junior All-Stars with a certificate of recognition for finishing 2nd in the Nation at the 2018 Junior League World Series.

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

Mayor Napolitano requested to remove from the Consent Calendar, Agenda Item No. 4 - Accept Resignation from Library Commissioner Cort Casady, Declare Vacant Library Commission Seat No. 1 (Casady), and Direct the City Clerk to Conduct Public Outreach.

Councilmember Montgomery requested to remove from the Consent Calendar, Agenda Item No. 5 - Updated Facility Reservation Policy and Facility and Park Reservation Fees.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Howorth, to approve the agenda, waive full reading of ordinances, and remove Agenda Item Nos. 4 and 5 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)

Mayor Pro Tem Hersman announced that on December 19, 2018, at 4:00 PM, Baskin Robbins is having a ribbon cutting for the new mural unveiling.

Councilmember Montgomery announced the Beach Cities Toy Drive and the wrapping party at the Manhattan Beach Joslyn Community Center on Saturday, December 22, 2018, at 10:00 AM.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Bea Zimbalist spoke regarding the speed and traffic on her street, and requested that a stop sign be installed.

Lee Phillips spoke in opposition to street vending stating that it can cause unintended consequences on the surrounding communities, and asked if there are enforcement provisions tied to the ordinance.

Charlotte Marshall spoke in support of the public art proposal at the Manhattan Beach Botanical Garden and thanked the City for joining the Clean Power Alliance.

Wayne Powell stated that Leadership Manhattan Beach announced that their project is to equip most police vehicles with AED Defibrillators. He also announced that there are AED devices in City Hall, in case of an emergency.

Will Arvizo spoke regarding the continuation of The West Marine Neighborhood Traffic Management Plan, stating that there are issues with the pedestrian walkways. He also suggested painting the curb red on 23rd Street so that vehicles can see out onto opposing traffic.

G. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Howorth, to approve the Consent Calendar, with the exception of Agenda Items No. 4 and 5 to be heard under "H. Items Removed from the Consent Calendar": Agenda Item No. 4 - Accept Resignation from Library Commissioner Cort Casady, Declare Vacant Library Commission Seat No. 1 (Casady), and Direct the City Clerk to Conduct Public Outreach. Agenda Item No. 5 - Updated Facility Reservation Policy and Facility and Park Reservation Fees. The motion carried by the following vote:

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

2. City Council Minutes:
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Adjourned Regular Meeting Minutes (Special Multi-Agency Meeting) of October 29, 2018
b) City Adjourned Regular Meeting Minutes (Closed Session) of November 16, 2018
c) City Council Special Meeting Minutes (Closed Session) of December 4, 2018
d) City Council Regular Meeting Minutes of December 4, 2018 (City Clerk Tamura).

APPROVE

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

3. Financial Report:
Schedule of Demands: November 8, 2018 (Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

4. Accept Resignation from Library Commissioner Cort Casady, Declare Vacant Library Commission Seat No. 1 (Casady), and Direct the City Clerk to Conduct Public Outreach (City Clerk Tamura).

a) ACCEPT RESIGNATION

b) DECLARE VACANCY

c) CONDUCT PUBLIC OUTREACH

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

5. Updated Facility Reservation Policy and Facility and Park Reservation Fees (Parks and Recreation Director Leyman).

APPROVE

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

6. Request from USA Volleyball to Host the National Beach Volleyball Tournament Junior Championships on July 18, 2019 - July 23, 2019 (Parks and Recreation Director Leyman).

APPROVE

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

7. Second Reading of Ordinance No. 18-0024 (1) Amending the Manhattan Beach Municipal Code to Regulate Accessory Dwelling Units (ADUs) - Second Units on Lots with Single Family Residences, Amend Current Code Provisions Regarding Accessory Structures, and Revise the Definition of "Kitchen" and (2) Making a Determination of Exemption Under CEQA (Community Development Director McIntosh).
ADOPT ORDINANCE NO. 18-0024

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

4. Accept Resignation from Library Commissioner Cort Casady, Declare Vacant Library Commission Seat No. 1 (Casady), and Direct the City Clerk to Conduct Public Outreach (City Clerk Tamura).
a) ACCEPT RESIGNATION
b) DECLARE VACANCY
c) CONDUCT PUBLIC OUTREACH

Mayor Napolitano requested that staff reach out to the applicants from the last annual board and commission interview process to see if they are still interested in serving on the Library Commission.

Mayor Napolitano opened the floor for public comments.

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

A motion was made by Councilmember Lesser, seconded by Councilmember Montgomery, to accept the resignation, declare Seat No. 1 vacant, and direct staff to contact applicants from the 2018 annual board and commission interview process to see if they are still interested in serving on the Library Commission.

5. Updated Facility Reservation Policy and Facility and Park Reservation Fees (Parks and Recreation Director Leyman).
APPROVE

Parks and Recreation Director Leyman responded to City Council questions.

Mayor Napolitano requested that staff return with the policy addressing inconsistencies.

Councilmember Howorth agreed that there are inconsistencies, however, she thought the reference to smoking, golfing, and skating should remain referenced in the policy.

Mayor Pro Tem Hersman said that there are many different types of nonprofits, other than 501(c)(3)s, and requested that all types should be referenced in the policy.

Mayor Napolitano opened the floor for public comments.

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

By order of the Chair, the item was continued to a future City Council meeting.

I. PUBLIC HEARINGS**J. GENERAL BUSINESS**

8. Approve Continuation of West Marine Neighborhood Traffic Management Plan Traffic Calming Measures and Implementation of Follow-Up Measures (Community Development Director McIntosh).
- a) **RECEIVE AND FILE FOLLOW UP REPORT**
 - b) **APPROVE CONTINUATION OF EXISTING TRAFFIC CALMING MEASURES**
 - c) **APPROVE IMPLEMENTATION OF PROPOSED FOLLOW-UP MEASURES**

Community Development Director Anne McIntosh introduced the item, and City Traffic Engineer Erik Zandvliet provided the staff presentation and responded to City Council questions.

Councilmember Howorth asked about the risks of installing unwarranted stop signs. City Traffic Engineer Erik Zandvliet noted that it leads to drivers disregarding stop signs, drive through signs, and drive faster between stop signs to "make up time".

Councilmember Montgomery asked if the department removes shrubbery when it blocks views, and City Traffic Engineer Zandvliet said that for public safety reasons, they can have the shrubbery removed or request it be removed by the property owner.

Councilmember Lesser asked if staff considered other alternatives to installing a stop sign. City Traffic Engineer Zandvliet stated that the department will use pedestrian signs and crosswalk striping to make it more apparent to drivers that pedestrians may be present.

Mayor Pro Tem Hersman asked if shrubbery can be removed from the right-of-way, and the City Traffic Engineer Zandvliet stated that they would first request the owner to remove the shrubbery, but if they did not comply, they would send staff to remove shrubbery. Further, Mayor Pro Tem Hersman asked if the traffic calming measures would include a flashing sign, and City Traffic Engineer Zandvliet stated that there would be an arrow sign with painted stripes.

Councilmember Lesser asked why switching the stop sign direction is an option, and City Traffic Engineer Zandvliet stated the traffic volume in each direction is very similar.

Mayor Napolitano opened the floor for public comments.

Catherine Schneider spoke in support of installing a four way stop making it safer for children to walk to school.

Nancy Cook stated that large trucks have a special permit to use the route on this street, and that unless there is enforcement of the traffic laws in this area, there is not going to be any change in this intersection.

Grace Robinson urged the City Council to install a stop sign in this area as she has witnessed several accidents on this corner and believes it to be dangerous for the children walking to school. She also requested a red curb be painted on 23rd Street.

Wayne Powell stated that he saw a collision at this intersection and a number of near misses in this area, as well. He suggested that a four way stop sign be installed to make it safer for pedestrians.

Fred Manna suggested that a roundabout be installed in this intersection in order to slow down the traffic and make it safer for pedestrians.

Sarah Sheehan spoke in favor of installing a four way stop sign in the intersection to allow for safer pedestrian walkways.

Will Arvizo spoke in favor of installing more stop signs in the area, and stated that people frequently speed and run the stop signs in the area. He argued that the corner needs to be painted red so that turning traffic can see the oncoming traffic.

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

Councilmember Howorth expressed her concern with installing another stop sign that people will not adhere to, and asked if her fellow Councilmembers are interested in considering roundabouts in this intersection.

Councilmember Napolitano stated that many other cities have roundabouts, but it does involve resources to create and maintain. He suggested that a cost estimate be conducted in order to determine the affect of a roundabout.

Councilmember Montgomery stated that he is in favor of installing stop signs in the area, as it is an easier solution before installing a roundabout.

Mayor Pro Tem Hersman expressed her concern with the fact that if a stop sign is installed in this specific intersection, it is not examining all of the safe routes to school issues across the city.

Councilmember Lesser stated that he would like to approve the staff recommendations and direct staff to report back with more information on a roundabout or switching the direction of the stop signs.

A motion was made by Mayor Napolitano, seconded by Councilmember Montgomery to install four way stop sign at 27th Street and Flournoy Road, approve the implementation of traffic calming measures as recommended by staff, and further direct staff to return with a cost estimate on the installation of a roundabout. The motion carried by the following vote:

Aye: 4 - Napolitano, Montgomery, Lesser and Howorth

Nay: 1 - Hersman

At City Council 7:44 PM the City Council recessed and reconvened at 7:56 PM with all City Councilmembers present.

At the request of Mayor Napolitano, Agenda Item No. 11 was taken out of order.

11. Proposal from the South Bay Boardriders Club to Donate a Catalina Classic Paddleboard Race Bronze Sculpture (Parks and Recreation Director Leyman).

DISCUSS AND PROVIDE DIRECTION

Cultural Arts Manager Martin Betz presented the item and introduced Ed McKeegan, a member of the South Boardriders Club, who spoke about the item.

Tom Horton spoke regarding paddle boarding history and the Catalina Classic Paddleboard Race bronze sculpture. Michael Lee spoke regarding the proposed location and installation of the sculpture, and responded to City Council questions.

City Manager Bruce Moe, Public Works Director Stephanie Katsouleas, Parks and Recreation Director Mark Leyman, and Cultural Arts Manager Martin Betz responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

Craig Cadwallader expressed his support of the sculpture installation and suggested that it not be scaled down to a smaller size.

John Ward spoke in support of the sculpture installation.

Bill Victor stated that the residents on 10th Street may be concerned about the installation of this sculpture and the proposed changes to the landscape.

Rodney Ellis spoke in support of the sculpture installation.

Cole Horton spoke in support of the sculpture installation and stated that it may inspire younger participants in the paddleboard race.

Mark Cole spoke in support of the sculpture installation from a historical standpoint.

Kelly Parker spoke in support of the sculpture installation to commemorate the history of the paddleboard race, and stated that the location of the sculpture is a perfect space.

Scott Rusher spoke in support of the sculpture installation and stated that it may inspire younger paddlers and commemorate those paddlers that have already participated.

DJ O'Brien spoke in support of the sculpture installation.

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

A motion was made by Mayor Napolitano, seconded by Councilmember Howorth to approve the proposal in concept, direct staff to enter into an MOU with the South Bay Boardriders Club, and provide further information regarding the cost, including making the stairs ADA compliant. The motion carried by the following vote:

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

9. Review of Proposed Fire Station No. 2 Design Concepts, Floorplan and Site Plan, and Selection of Final Design for the Exterior of the Building (Public Works Director Katsouleas).

DISCUSS AND PROVIDE DIRECTION

Public Works Director Stephanie Katsouleas introduced Associate Civil Engineer Mo Estepa who provided the staff presentation and responded to City Council questions.

Kelley Needham from WLC Architects presented the site plans and options, and responded to City Council questions.

Battalion Chief Ron Laursen responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

Joe Franklin asked why the proposed facility is so large, and if a reduction in the size could result in lowering the cost of the facility.

Bill Victor spoke in support of the proposal, but cautioned that the contract should provide for any potential defects or maintenance of the property.

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

A motion was made by Councilmember Howorth, seconded by Councilmember Montgomery to approve Option 4 of the proposed Fire Station No. 2 Design Concepts with an orange or red door. The motion carried by the following vote:

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

10. Letter to the California Public Utilities Commission Regarding Southern California Edison's 2019 Energy Resource Recovery Account (ERRA) Filing (City Manager Moe).

APPROVE LETTER OF OPPOSITION

Management Analyst Alexandria Latragna provided the staff presentation and responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

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

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Lesser to approve sending the letter to the California Public Utilities Commission and direct staff to reach out to state elected officials regarding the matter. The motion carried by the following vote:

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

At 9:33 PM the City Council recessed and reconvened at 9:42 PM with all City Councilmembers present.

12. Updated Field Use and Allocation Policy and Field Use Fees (Parks and Recreation Director Leyman).

APPROVE

Parks and Recreation Director Mark Leyman introduced Jessica Vincent who provided the staff presentation and responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

Steve Hershwitz, AYSO, spoke regarding the maintenance of the fields. He stated that with the increase to the fees, the sport organizations that he is involved in will be able to do less maintenance themselves, and will be looking to the City to do most of that maintenance.

Krista Skinner, AYSO, spoke in opposition to the field use fee increase and stated that the fields need improvement.

Ben Padnos, Sand and Surf Soccer Club, spoke in support of the proposal.

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

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Hersman, to create an enterprise fund for future maintenance of the fields and update the Field Use and Allocation Policy and Field Use Fees. The motion carried by the following vote:

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

City Attorney Quinn Barrow clarified that the motion included the updated Field Use and Allocation Policy as well as the Field Use Fees.

13. Cultural Arts Commission Recommendation for Approval and Disbursement of Funds for the Revised List of Four Sculpture Garden Projects, Purchase of One Sculpture, and Accept Donation of One Sculpture (Parks and Recreation Director Leyman).

a) APPROVE

b) DISBURSE FUNDS

c) ACCEPT DONATION

Cultural Arts Manager Martin Betz provided the staff presentation and responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

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

At 10:18 PM Councilmember David Lesser requested a motion to extend the meeting.

A motion was made by Councilmember Lesser, seconded by Mayor Napolitano to extend the time of the meeting past 10:30 PM. The motion carried by the following vote:

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

A motion was made by Councilmember Lesser, seconded by Councilmember Montgomery to approve the disbursement of funds for the revised list of four sculpture garden projects, in addition, request that staff bring back to City Council a proposed site for horizontal "Circles" by CJ Rench. The motion carried by the following vote:

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

- 14.** Utility Box Beautification Project Artwork Proposals and Locations, and Disbursement of \$19,500 from the Public Art Trust Fund (Parks and Recreation Director Leyman).

a) APPROVE

b) DISBURSE FUN

Cultural Arts Manager Martin Betz provided the staff presentation and responded to City Council questions.

Mayor Napolitano opened the floor for public comments.

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

Councilmember Howorth requested that a female surfer be added to the artwork in utility box number 25.

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Montgomery to approve the proposals and locations, adding in a female surfer to be depicted in box number 25, and disbursement of \$19,500 from the Public Art Trust Fund. The motion carried by the following vote:

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

15. Ordinance Nos. 18-0025 and 18-0025-U (1) Amending the Manhattan Beach Municipal Code to Regulate Sidewalk Vendors; and (2) Making a Determination of Exemption under CEQA (City Attorney Barrow).

a) ADOPT URGENCY ORDINANCE NO. 18-0025-U

b) INTRODUCE ORDINANCE NO. 18-0025

City Attorney Quinn Barrow provided the staff presentation and responded to City Council questions.

Councilmember Montgomery suggested restricting the vending of animals.

Mayor Napolitano opened the floor for public comments.

Lee Phillips expressed her concerns about the enforcement of these provisions. She also expressed her opposition of allowing street vending.

Kelly Stroman spoke in opposition of street vending and the many unintended consequences of street vending.

Suzanne Hadley spoke in opposition of street vending due to safety and sanitation concerns.

Joe Franklin spoke in support of the proposed ordinances with suggested amendments to provide for consulting services associated with the regulation of street vending permits, and support staff to enforce the regulations.

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

City Manager Bruce Moe suggested adding language to the ordinances requiring the vendors to submit proof of a reseller's license during the permitting process.

City Manager Moe suggested adding county and state parking lots to the list of prohibited vending locations in the ordinance.

City Attorney Quinn Barrow read the title of Ordinance No. 18-0025-U as amended.

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Hersman to adopt Urgency Ordinance No. 18-0025-U (1) Amending the Manhattan Beach Municipal Code to Regulate Sidewalk Vendors; and (2) Making a Determination of Exemption under CEQA, as amended, including restricting animal vending, changing the third recital to say "sidewalk vending regulations will benefit the City", requiring proof of reseller's license, and adding in provisions regarding county or state owned parking lots. The motion carried by the following vote:

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

City Attorney Quinn Barrow read the title of Ordinance No. 18-0025 as amended.

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Hersman to introduce Ordinance No. 18-0025 (1) Amending the Manhattan Beach Municipal Code to Regulate Sidewalk Vendors; and (2) Making a Determination of Exemption under CEQA, as amended, including restricting animal vending, changing the third recital to say "sidewalk vending regulations will benefit the City", requiring proof of reseller's license, and adding in provisions regarding county or state owned parking lots. The motion carried by the following vote:

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

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

Councilmember Lesser stated that he and Councilmember Montgomery met with Frontier representatives and Public Works Director Stephani Katsouleas regarding the strands and bundles of wires that are on poles and undergrounding in the City.

Councilmember Lesser stated that our Metro board representatives overruled the majority on the board to continue the Metro Green Line as a lightrail line to continue to the west onto the Willowbrook/Rosa Parks stop, where it can connect to the Metro Blue Line.

Councilmember Montgomery requested that City Manager Bruce Moe follow-up with the Police Department regarding the potential use of the Automated License Plate Recognition (ALPR) system on Rosecrans and Sepulveda Boulevard.

L. FUTURE AGENDA ITEMS

- 16.** Agenda Forecast (City Clerk Tamura).
DISCUSS AND PROVIDE DIRECTION

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

- 17.** This Item Contains the Library Commission Meeting Minutes of November 5, 2018 (Parks and Recreation Director Leyman).
INFORMATION ITEM ONLY

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

18. Recent Planning Commission Quasi-Judicial Decisions:
- a) Coastal Development Permit and Vesting Tentative Parcel Map for Two Attached Residential Condominium Units- 4016 The Strand and 4017-4019 Ocean Drive (Community Development Director McIntosh).

INFORMATION ITEM ONLY

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

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 11:22 PM Mayor Napolitano adjourned the meeting to a 4:00 PM Closed Session on Wednesday, January 2, 2019, in Council Chambers.

Alexandria Latragna
Recording Secretary

Steve Napolitano
Mayor

ATTEST:

Liza Tamura
City Clerk