

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, March 19, 2019

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*

A. PLEDGE TO THE FLAG

Mayor Napolitano called the meeting to order and Councilmember Lesser 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

None.

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

Councilmember Lesser requested to remove from the Consent Calendar, Agenda Item No. 17 - Award a Construction Contract to R Dependable Const, Inc. for the City Hall Restrooms Improvement Project for \$285,000; Authorize the City Manager to Approve Additional Work, if Necessary, not to Exceed \$42,750; and Approve the Plans and Specifications for the Project.

Councilmember Montgomery requested to remove from the Consent Calendar, Agenda Item No. 12 - Consider: Introduction of Ordinance No. 19-0007 Amending the Manhattan Beach Municipal Code to Reinforce the Prohibition on Renting Residential Property for Less Than 30 Days; and Adoption of Resolution No. 19-0011 Amending the Administrative Penalties for Such Rentals, and Agenda Item No. 13 - Consider Second Reading and Adoption of Ordinance No. 19-0009 to Reduce Polystyrene Meat Tray Pollution.

Mayor Napolitano requested to remove from the Consent Calendar, Agenda Item No. 7 - Approval and Disbursement of Funds for Replacement of Glass Panels on the Light Gate Sculpture.

Mayor Pro Tem Hersman requested to remove from the Consent Calendar, Agenda Item No. 15 - Consideration of Awarding a Professional Design Services Agreement to Kimley-Horn and Associates, Inc. for the Roadway Safety Bollards/Barricade Project for \$58,328; Appropriate \$58,328 from the Capital Improvement Projects (CIP) Fund and Approve a Fund Transfer of \$58,328 from the General Fund Unreserved Fund Balance.

Mayor Napolitano announced that City Council came to an agreement with the City's labor unions to provide a two percent raise to employees, and that this raise will be extended to unrepresented employees pursuant to Agenda Item No. 6 - Consider Approving a Comprehensive Citywide Salary Schedule for all City Positions and Adjustments to Salary Ranges.

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to approve the agenda and waive full reading of ordinances, and remove Agenda Item Nos. 7, 12, 13, 15, and 17 from the Consent Calendar for individual consideration. These items included:

Agenda Item No. 7 - Approval and Disbursement of Funds for Replacement of Glass Panels on the Light Gate Sculpture.

Agenda Item No. 12 - Consider: Introduction of Ordinance No. 19-0007 Amending the Manhattan Beach Municipal Code to Reinforce the Prohibition on Renting Residential Property for Less Than 30 Days; and Adoption of Resolution No. 19-0011 Amending the Administrative Penalties for Such Rentals.

Agenda Item No. 13 - Consider Second Reading and Adoption of Ordinance No. 19-0009 to Reduce Polystyrene Meat Tray Pollution.

Agenda Item No. 15 - Consideration of Awarding a Professional Design Services Agreement to Kimley-Horn and Associates, Inc. for the Roadway Safety Bollards/Barricade Project for \$58,328; Appropriate \$58,328 from the Capital Improvement Projects (CIP) Fund and Approve a Fund Transfer of \$58,328 from the General Fund Unreserved Fund Balance.

Agenda Item No. 17 - Award a Construction Contract to R Dependable Const, Inc. for the City Hall Restrooms Improvement Project for \$285,000; Authorize the City Manager to Approve Additional Work, if Necessary, not to Exceed \$42,750; and Approve the Plans and Specifications for the Project.

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)**

Kathleen Terry, on behalf of the Rotary Club, announced the screening of the film, "Lives Well Lived" at the Joslyn Center on Sunday, March 31, 2019, from 2:00 PM to 4:00 PM.

Environmental Programs Manager Dana Murray announced community activities and workshops held in April in celebration of Earth Month.

Associate Planner Angelica Ochoa announced that the Community Development Department is holding a community meeting for the City of Manhattan Beach's Historic Context Statement. The event will be held on March 20, 2019, from 6:00 PM to 8:00 PM in the Police/Fire Conference Room.

Jan Dennis announced that the Older Adults Program is holding a community forum where four women will be sharing their journey in celebration of Women's Month at the Library on March 26, 2019, at 7:00 PM.

Fred Manna announced that the Beach Cities Health District will be offering a tour of the campus re-design on Saturday March 23, 2019 from 10:00 AM to 12:00 PM.

Councilmember Montgomery announced that Grades of Green is holding an event called "Vert" in celebration of their 10th anniversary on April 20, 2019, at the Westdrift Hotel.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

The following individuals spoke:

*Bartlett Mel
Will Arvizo
Francis Mel
Meredith Brandon
Coda Kristopherson
Julie Neitz
Maria Carreira
Bridget Hawkins
Danielle Radl
Ben Padnos
Jimmy Orland
Unknown speaker
Kyle Geoghegan
Jessica Mause
Chris Cagle
Tami Zamrazil
Martha Andriani
Jose Ramirez
Marlene Ramirez
Lee Phillips
Bill Victor
Unknown Speaker
Francesca Bennett
Karol Whalberg
Elyse Gura
Kathy Clark
Erin Purdy*

G. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Lesser, to approve the Consent Calendar with the exception of Item Nos. 7, 12, 13, 15, and 17 to be heard under Section H. These items included:

Agenda Item No. 7 - Approval and Disbursement of Funds for Replacement of Glass Panels on the Light Gate Sculpture.

Agenda Item No. 12 - Consider: Introduction of Ordinance No. 19-0007 Amending the Manhattan Beach Municipal Code to Reinforce the Prohibition on Renting Residential Property for Less Than 30 Days; and Adoption of Resolution No. 19-0011 Amending the Administrative Penalties for Such Rentals.

Agenda Item No. 13 - Consider Second Reading and Adoption of Ordinance No. 19-0009 to Reduce Polystyrene Meat Tray Pollution.

Agenda Item No. 15 - Consideration of Awarding a Professional Design Services Agreement to Kimley-Horn and Associates, Inc. for the Roadway Safety Bollards/Barricade Project for \$58,328; Appropriate \$58,328 from the Capital Improvement Projects (CIP) Fund and Approve a Fund Transfer of \$58,328 from the General Fund Unreserved Fund Balance.

Agenda Item No. 17 - Award a Construction Contract to R Dependable Const, Inc. for the City Hall Restrooms Improvement Project for \$285,000; Authorize the City Manager to Approve Additional Work, if Necessary, not to Exceed \$42,750; and Approve the Plans and Specifications for the Project.

The motion carried by the following vote:

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

1. City Council Minutes: [19-0103](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Special Meeting Minutes (Closed Session) of March 6, 2019
b) City Council Regular Meeting Minutes of March 6, 2019
(City Clerk Tamura).
APPROVE

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

2. Financial Report: [19-0128](#)
Schedule of Demands: February 14, 2019 (Finance Director Charelian).
ACCEPT REPORT AND DEMANDS

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

3. Update on the City's Homelessness Initiatives and Five-Year Plan to Address Homelessness in Our Community (City Manager Moe). [19-0081](#)

a) **RECEIVE AND FILE**

b) **APPROVE**

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

4. Consider Awarding RFP No. 1195-19 to Lance, Soll & Lunghard, LLP for a Three-Year Contract for Financial Audit Services with an Estimated Value of Up to \$170,070 (Finance Director Charelian). [19-0074](#)

ADOPT RESOLUTION NO. 19-0028

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

5. Consideration of a Modification to Existing Write-Off Approval Increments (Finance Director Charelian) [19-0161](#)

APPROVE

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

6. Consider Approving a Comprehensive Citywide Salary Schedule for all City Positions and Adjustments to Salary Ranges (Continued from the March 6, 2019, City Council Regular Meeting) (Human Resources Director Jenkins). [19-0155](#)

ADOPT RESOLUTION NO. 19-0026

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

7. Approval and Disbursement of Funds for Replacement of Glass Panels on the *Light Gate* Sculpture (Parks and Recreation Director Leyman). [19-0096](#)

a) **APPROVE**

b) **DISBURSE FUNDS**

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

8. Consideration of an Agreement with McCormick Ambulance to Provide Emergency Ambulance Transport Services (Acting Fire Chief Abell). [19-0090](#)

ADOPT RESOLUTION NO. 19-0027

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

9. Update on the Sustainability Youth Council (Community Development Director McIntosh). [19-0092](#)

RECEIVE AND FILE

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

10. Consideration of Letter of Opposition Regarding Senate Bill 50 - [19-0148](#)
Proposed Housing Legislation to Require Waivers from Maximum
Controls on Density and Automobile Parking Requirements Imposing a
State-Mandated Local Program (Community Development Director
McIntosh).

AUTHORIZE LETTER OF OPPOSITION

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

11. Consideration to Approve the Annual Progress Report for 2018 and [19-0097](#)
Years 2013-2017 as Required by the California Department of Housing
and Community Development (Community Development Director
McIntosh).

APPROVE ANNUAL PROGRESS REPORTS

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

12. Consider: Introduction of Ordinance No. 19-0007 Amending the [19-0121](#)
Manhattan Beach Municipal Code to Reinforce the Prohibition on Renting
Residential Property for Less Than 30 Days; and Adoption of Resolution
No. 19-0011 Amending the Administrative Penalties for Such Rentals
(Community Development Director McIntosh).

a) INTRODUCE ORDINANCE NO. 19-0007

b) ADOPT RESOLUTION NO. 19-0011

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

13. Consider Second Reading and Adoption of Ordinance No. 19-0009 to [19-0134](#)
Reduce Polystyrene Meat Tray Pollution (Community Development
Director McIntosh).

ADOPT ORDINANCE NO. 19-0009

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

14. Consideration of Awarding a Professional Design Services Agreement [19-0149](#)
for \$164,985 to Moffatt & Nichol for the Pier Railing Replacement Project,
and Appropriate \$200,000 from the State Pier and Parking Fund (Public
Works Director Katsouleas).

a) ADOPT RESOLUTION NO. 19-0029

b) APPROPRIATE FUNDS

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

15. Consideration of Awarding a Professional Design Services Agreement to Kimley-Horn and Associates, Inc. for the Roadway Safety Bollards/Barricade Project for \$58,328; Appropriate \$58,328 from the Capital Improvement Projects (CIP) Fund and Approve a Fund Transfer of \$58,328 from the General Fund Unreserved Fund Balance (Public Works Director Katsouleas). [19-0115](#)
- a) **ADOPT RESOLUTION NO. 19-0031**
- b) **APPROPRIATE FUNDS AND APPROVE FUNDS TRANSFER**

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

16. Consider Adoption of a List of Street Repair Projects for Fiscal Year 2019-2020 to be Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017 (Public Works Director Katsouleas). [19-0150](#)
- ADOPT RESOLUTION NO. 19-0032**

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

17. Award a Construction Contract to R Dependable Const, Inc. for the City Hall Restrooms Improvement Project for \$285,000; Authorize the City Manager to Approve Additional Work, if Necessary, not to Exceed \$42,750; and Approve the Plans and Specifications for the Project (Public Works Director Katsouleas). [19-0120](#)
- ADOPT RESOLUTION NO. 19-0030**

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

7. Approval and Disbursement of Funds for Replacement of Glass Panels on the *Light Gate* Sculpture (Parks and Recreation Director Leyman). [19-0096](#)

a) APPROVE**b) DISBURSE FUNDS**

Cultural Arts Manager Martin Betz responded to City Council questions.

Mayor Napolitano opened the floor for public comments. The following individuals spoke:

Tami Zamrazil

Will Arvizo

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 approve and disburse the funds for replacement of glass panels on the Light Gate sculpture. The motion carried by the following vote:

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

12. Consider: Introduction of Ordinance No. 19-0007 Amending the Manhattan Beach Municipal Code to Reinforce the Prohibition on Renting Residential Property for Less Than 30 Days; and Adoption of Resolution No. 19-0011 Amending the Administrative Penalties for Such Rentals (Community Development Director McIntosh).
- a) **INTRODUCE ORDINANCE NO. 19-0007**
- b) **ADOPT RESOLUTION NO. 19-0011**

[19-0121](#)

City Attorney Quinn Barrow provided a legal update regarding the matter and responded to City Council questions.

Mayor Napolitano opened the floor for public comments. The following individual spoke:

Will Arvizo

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

City Attorney Barrow read the title of Ordinance No. 19-0007 into the record:

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH ADDING CHAPTER 4.88 TO TITLE 4 OF THE MANHATTAN BEACH MUNICIPAL CODE REGARDING SHORT-TERM RENTALS AND OTHER TRANSIENT USES

A motion was made by Councilmember Howorth seconded by Mayor Napolitano, to introduce Ordinance No. 19-0007 amending the Manhattan Beach Municipal Code to reinforce the prohibition on renting residential property for less than 30 days and adopt Resolution No. 19-0011 amending the administrative penalties for such rentals. The motion carried by the following vote:

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

13. Consider Second Reading and Adoption of Ordinance No. 19-0009 to Reduce Polystyrene Meat Tray Pollution (Community Development Director McIntosh). [19-0134](#)

ADOPT ORDINANCE NO. 19-0009

City Attorney Quinn Barrow responded to City Council questions.

Mayor Napolitano opened the floor for public comments. The following individual spoke:

Will Arvizo

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

Environmental Programs Manager Dana Murray responded to City Council questions.

A motion was made by Mayor Pro Tem Hersman seconded by Councilmember Howorth, to adopt Ordinance No. 19-0009 to reduce polystyrene meat tray pollution, with December 31, 2020, as the expiration date for any waivers granted by staff. The motion carried by the following vote:

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

15. Consideration of Awarding a Professional Design Services Agreement to Kimley-Horn and Associates, Inc. for the Roadway Safety Bollards/Barricade Project for \$58,328; Appropriate \$58,328 from the Capital Improvement Projects (CIP) Fund and Approve a Fund Transfer of \$58,328 from the General Fund Unreserved Fund Balance (Public Works Director Katsouleas). [19-0115](#)

a) ADOPT RESOLUTION NO. 19-0031

b) APPROPRIATE FUNDS AND APPROVE FUNDS TRANSFER

Public Works Director Stephanie Katsouleas and Police Chief Derrick Abell responded to City Council questions.

Mayor Napolitano opened the floor for public comments. The following individual spoke:

Will Arvizo

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

A motion was made by City Councilmember Lesser, seconded by Councilmember Hersman to agendaize this item on a future City Council agenda with more information regarding estimated costs, options other jurisdictions have used, available options to the City, and scope of the project. The motion carried by the following vote:

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

17. Award a Construction Contract to R Dependable Const, Inc. for the City Hall Restrooms Improvement Project for \$285,000; Authorize the City Manager to Approve Additional Work, if Necessary, not to Exceed \$42,750; and Approve the Plans and Specifications for the Project (Public Works Director Katsouleas). [19-0120](#)

ADOPT RESOLUTION NO. 19-0030

Public Works Director Stephanie Katsouleas 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 Councilmember Lesser seconded by Councilmember Howorth, to adopt Resolution No. 19-0030 awarding a construction contract to R Dependable Const, Inc. for the City Hall restrooms improvement project for \$285,000; authorizing the City Manager to approve additional work, if necessary, not to exceed \$42,750; and approving the plans and specifications for the project. The motion carried by the following vote:

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

At 8:15 PM City Council recessed and reconvened at 8:24 PM with all City Councilmembers present.

I. PUBLIC HEARINGS

None.

J. GENERAL BUSINESS

18. Receive the Fiscal Year 2018-2019 Mid-Year Budget Report and Update on Fiscal Year 2019-2020 Budget Development (Finance Director Charelian). [19-0033](#)

- a) **RECEIVE MID-YEAR BUDGET REPORT FOR FISCAL YEAR 2018-2019**
- b) **RECEIVE UPDATE ON BUDGET DEVELOPMENT FOR FISCAL YEAR 2019-2020**

Finance Director Steve Charelian introduced the item and responded to City Council questions.

Financial Analyst Libby Bretthauer provided the PowerPoint presentation and responded to City Council questions.

Mayor Napolitano open the floor for public comments. The following individual spoke:

Will Arvizo

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

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

19. Consider Designating 2820 Highland Avenue as a Historic Landmark and Approving a Mills Act Contract (Community Development Director McIntosh).

[19-0066](#)

ADOPT RESOLUTION NO. 19-0014

Community Development Director McIntosh introduced the item.

Councilmember Lesser reported that he visited the site prior to the City Council meeting.

Associate Planner Angelica Ochoa provided the PowerPoint presentation and responded to City Council questions.

Mayor Napolitano opened the floor for public comments. The following individuals spoke:

*Jane Guthrie
Annette Mejia*

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

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to adopt Resolution No. 19-0014 designating 2820 Highland Avenue as a historic landmark in the City of Manhattan Beach, in accordance with Chapter 10.86 of the Zoning Code and approving a Mills Act contract. 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

20. **City Council Reports.**

Councilmember Montgomery announced that he attended the National League of Cities Conference in Washington, D.C., and met with California Senators and Members of Congress to discuss infrastructure.

21. Request by City Council to Discuss the Relocation of Signage and Solar Powered Flashing Beacon Appurtenances That Were Recently Installed on the West Side of Highland Avenue at the 18th Street Intersection (Public Works Director Katsouleas).

[19-0152](#)

DISCUSS AND PROVIDE DIRECTION

Public Works Director Stephanie Katsouleas provided the staff presentation and responded to City Council questions.

Mayor Napolitano opened the floor for public comments. The following individuals spoke:

Julie Neitz

Will Arvizo

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

By order of the Chair, the City Council discussed the relocation of signage and solar powered flashing beacon appurtenances that were recently installed on the west side of Highland Avenue at the 18th Street intersection and provided staff direction.

L. FUTURE AGENDA ITEMS

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

[19-0104](#)

None.

M. CITY MANAGER REPORT

City Manager Bruce Moe announced that the City has appointed a new Fire Chief, Daryn Drum, and thanked Police Chief Derrick Abell for his service as Interim Fire Chief.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

23. Commission Minutes:[19-0164](#)

This Item Contains Minutes of the following City Commission Meetings:

a) Finance Subcommittee Meeting Minutes of February 27, 2019

(Finance Director Charelian)

b) Planning Commission Action Meeting Minutes of March 13, 2019

(Cancelled) (Community Development Director McIntosh).

INFORMATION ITEM ONLY

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

P. CLOSED SESSION**Q. ADJOURNMENT**

At 9:23 PM, Mayor Napolitano adjourned the meeting in memory of Planning Commissioner Sandra Seville-Jones.

Alexandria Latragna
Recording Secretary

Steve Napolitano
Mayor

ATTEST:

Liza Tamura
City Clerk