

# City of Manhattan Beach

*1400 Highland Avenue  
Manhattan Beach, CA 90266*



## Meeting Minutes - Draft

**Tuesday, May 21, 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 Suzanne Hadley  
Councilmember Hildy Stern*

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#### **A. PLEDGE TO THE FLAG**

*Mayor Napolitano called the meeting to order and presented a certificate of recognition to Caden Lim, Pacific Elementary School, for leading the Pledge of Allegiance.*

#### **B. ROLL CALL**

**Present:** 5 - Mayor Napolitano, Mayor Pro Tem Hersman, Councilmember Montgomery, Councilmember Hadley and Councilmember Stern

#### **C. CEREMONIAL CALENDAR**

1. Recognition of Bette Deziel, Founder and 65 Year Charter Member of Soroptimist International of Manhattan Beach for her Dedication to Improving the Lives of Women and Children.

##### **PRESENT**

*Mayor Napolitano on behalf of the City Council presented a certificate of recognition to Bette Deziel, founder and 65-year Charter Member of Soroptimist International of Manhattan Beach.*

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

*Councilmember Hadley requested to hear Agenda Item No. 10 - Presentation of the Fiscal Year 2019-2020 Budget Addendum for the Second Year of the Biennial Budget to be heard after Agenda Item No. 12 - Receive Report on City of Manhattan Beach Pesticide Management Practices, Consider Recommendations by the Sustainability Task Force, and Provide Direction.*

*Councilmember Stern requested to remove from the Consent Calendar, Agenda Item No. 6 - Consider Adopting Resolution No. 19-0045 Approving Amendment No. 1 to the Professional Services Agreement with Quick Caption, Inc. to Adjust the Annual Compensation by \$25,000.*

**A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Montgomery to approve the agenda as amended, waive the full reading of ordinances, and remove from the Consent Calendar for individual consideration, Agenda Item No. 6 - Consider Adopting Resolution No. 19-0045 Approving Amendment No. 1 to the Professional Services Agreement with Quick Caption, Inc. to Adjust the Annual Compensation by \$25,000. The motion carried by the following vote:**

**Aye:** 5 - Napolitano, Hersman, Montgomery, Hadley and Stern

Proclamation Declaring the Month of May, 2019 as Mental Health Awareness Month (City Clerk Tamura).

### **DECLARE**

*Mayor Napolitano on behalf of the City Council, presented a proclamation to Jacqueline Sun, Senior Policy Analyst from Beach Cities Health District, declaring the month of May 2019 as Mental Health Awareness Month.*

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

*An unknown speaker announced that the public can volunteer at the Manhattan Beach Botanical Gardens every Friday from 9:30 AM to 11:00 AM.*

*Councilmember Montgomery announced that the City participated in the Tour de Pier over the weekend, which benefited cancer research.*

## **F. PUBLIC COMMENTS (3 MINUTES PER PERSON)**

*The following individuals spoke:*

*Charlotte Marshall, President of the Manhattan Beach Botanical Garden  
Chuck Parker  
George Mihalsten  
Earle Hartling*

**G. CONSENT CALENDAR (APPROVE)**

*City Manager Bruce Moe provided an update regarding the following portion of Item No. 4 - AB 1356, which will Require Cities to Issue a Minimum of One Retail Cannabis License if More than 50 Percent of the Voters of that City Voted in Favor of Proposition 64.*

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Hersman, to approve the consent calendar, with the exception of Agenda Item No. 6 - Consider Adopting Resolution No. 19-0045 Approving Amendment No. 1 to the Professional Services Agreement with Quick Caption, Inc. to Adjust the Annual Compensation by \$25,000, to be heard under "Section H. Items Removed from the Consent Calendar." The motion carried by the following vote:**

**Aye:** 5 - Napolitano, Hersman, Montgomery, Hadley and Stern

**2. City Council Minutes:**

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

- a) City Council Adjourned Regular Meeting Minutes (Chamber of Commerce Town Hall Meeting) of May 1, 2019
  - b) City Council Regular Meeting Minutes of May 7, 2019
  - c) City Council Adjourned Regular Meeting Minutes (Closed Session) of May 8, 2019
- (City Clerk Tamura).

**APPROVE**

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

**3. Financial Report:**

Schedule of Demands: April 11, 2019 (Finance Director Charelian).

**ACCEPT REPORT AND DEMANDS**

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

- 4. Consider Authorizing:** (1) Letter Opposing AB 1356, which will Require Cities to Issue a Minimum of One Retail Cannabis License if More than 50 Percent of the Voters of that City Voted in Favor of Proposition 64; (2) The Support of Litigation Challenging the State Pre-emption of Local Control Over Cannabis Delivery; and (3) Letter Opposing AB 1568, which will Prohibit Cities from Applying for State Grant Funds if that City is in Non-compliance with State Housing Mandates (City Manager Moe).

**AUTHORIZE (1), (2) AND (3)**

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

5. Proclamation Declaring the Month of May, 2019 as Mental Health Awareness Month (City Clerk Tamura).

**DECLARE**

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

6. Consider Adopting Resolution No. 19-0045 Approving Amendment No. 1 to the Professional Services Agreement with Quick Caption, Inc. to Adjust the Annual Compensation by \$25,000 (City Clerk Tamura).

**ADOPT RESOLUTION NO. 19-0045**

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

7. Consider Transfer in the Amount of \$105,967 from the AB 2766 Fund to the Fleet Management Fund for Reimbursement of Vehicle Purchases (Finance Director Charelian).

**APPROVE**

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

8. Formally Accept as Complete the Manhattan Beach Pier Utilities and Roundhouse Exterior Improvements Project Constructed by Archico Design Build, Inc. (Public Works Director Katsouleas).

**APPROVE**

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

## **H. ITEMS REMOVED FROM THE CONSENT CALENDAR**

6. Consider Adopting Resolution No. 19-0045 Approving Amendment No. 1 to the Professional Services Agreement with Quick Caption, Inc. to Adjust the Annual Compensation by \$25,000 (City Clerk Tamura).

**ADOPT RESOLUTION NO. 19-0045**

*City Manager Bruce Moe responded to City Council questions.*

**A motion was made by Mayor Pro Tem Hersman, seconded by Councilmember Montgomery to adopt Resolution No. 19-0045. The motion carried by the following vote:**

**Aye:** 5 - Napolitano, Hersman, Montgomery, Hadley and Stern

## **I. PUBLIC HEARINGS**

*None.*

## J. GENERAL BUSINESS

9. Review of City's Ordinance Banning the Use of Leaf Blowers; Request by Manhattan Village Homeowner's Association to Use Electric Leaf Blowers (Community Development Director McIntosh).

### **DISCUSS AND PROVIDE DIRECTION**

*Senior Management Analyst Nhung Madrid provided the staff presentation and responded to City Council questions.*

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

*Diane Wallace*

*Will Arvizo*

*Craig Cadwallader*

*Scott King*

*Seeing no further comments, Mayor Napolitano closed the floor for public comments.*

*Environmental Sustainability Manager Dana Murray and Public Works Director Stephanie Katsouleas responded to City Council questions.*

**A motion was made by Mayor Napolitano, seconded by Councilmember Hadley, to request that the Sustainability Task Force discuss the use of electric landscaping tools in the City, and deny Manhattan Village Homeowner's Association's request for a special exemption from the current prohibition on leaf blowers in the City. The motion carried by the following vote:**

**Aye:** 5 - Napolitano, Hersman, Montgomery, Hadley and Stern

11. Consider Increasing the City's Renewable Energy Tier to 100% Green Power for City Facilities within the Clean Power Alliance of Southern California, a Community Choice Energy Program (Community Development Director McIntosh).

**a) DISCUSS AND PROVIDE DIRECTION**

**b) ADOPT RESOLUTION NO. 19-0048**

*Environmental Sustainability Manager Dana Murray provided the staff presentation and responded to City Council questions.*

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

*Juliette Hart*

*Craig Cadwallader*

*Charlotte Marshall*

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

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Hersman to increase the City's renewable energy tier to 100% green power for City facilities within the Clean Power Alliance of Southern California. The motion carried by the following vote:**

**Aye:** 4 - Napolitano, Hersman, Montgomery and Stern

**Nay:** 1 - Hadley

*City Attorney Quinn Barrow clarified that the motion adopted Resolution No. 19-0048 selecting the 100% green power tier.*

12. Receive Report on City of Manhattan Beach Pesticide Management Practices, Consider Recommendations by the Sustainability Task Force, and Provide Direction (Public Works Director Katsouleas).

**a) RECEIVE REPORT**

**b) DISCUSS AND PROVIDE DIRECTION**

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

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

*Craig Cadwallader*

*Will Arvizo*

*Charlotte Marshall*

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

**A motion was made by Mayor Pro Tem Hersman, seconded by Mayor Napolitano to approve the recommendations from the Sustainability Task Force, reduce the amount of weeding on City facilities, and increase the budget by \$20,000 for Fiscal Year 2019-2020 for the Merchants maintenance contract to cover manual weeding and increased costs for organic product use in City parks, medians, and open space. The motion carried by the following vote:**

**Aye:** 5 - Napolitano, Hersman, Montgomery, Hadley and Stern

*At 8:24 PM the City Council recessed and reconvened at 8:36 PM, with all City Councilmembers present.*



10. Presentation of the Fiscal Year 2019-2020 Budget Addendum for the Second Year of the Biennial Budget (Finance Director Charelian).

**DISCUSS AND PROVIDE DIRECTION**

*Finance Director Steve Charelian provided the PowerPoint presentation and responded to City Council questions.*

*The following staff and Department Heads provided PowerPoint presentations and responded to City Council questions:*

*Senior Management Analyst George Gabriel  
Finance Director Charelian  
Human Resources Director Lisa Jenkins  
Parks and Recreation Director Mark Leyman  
Public Works Director Stephanie Katsouleas*

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

*Kelly Stroman  
Juliette Hart  
Lee Phillips  
Lucia La Rosa Ames  
Will Arvizo*

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

**City Council provided direction and carried over the discussion to the Thursday, May 23, 2019, Budget Study Session.**

**K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS**

13. **City Council Reports.**

*Councilmember Montgomery and Mayor Napolitano reported that they attended the California Contract Cities Association annual conference.*

14. Consider Request by Mayor Pro Tem Hersman, Councilmember Montgomery and Councilmember Hadley to Discuss the City's Sponsorship of Leadership Manhattan Beach (LMB) (City Manager Moe).

**DISCUSS AND PROVIDE DIRECTION**

*Senior Management Analyst George Gabriel provided a staff presentation and responded to City Council questions.*

*Mayor Pro Tem Hersman requested to bring the item back for discussion at a future City Council meeting, Councilmember Stern and Councilmember Montgomery concurred, and the Councilmembers outlined the issues to be addressed at a future City Council meeting.*

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

*Steven Carvel  
DeAnn Chase  
Francey Marzicola  
Craig Cadwallader*

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

**L. FUTURE AGENDA ITEMS**

15. Agenda Forecast (City Clerk Tamura).

**DISCUSS AND PROVIDE DIRECTION**

*Mayor Pro Tem Hersman requested to place the discussion regarding regulating the sale of flavored tobacco and vaping on a future City Council agenda, Councilmember Stern and Councilmember Montgomery concurred.*

*City Attorney Quinn Barrow stated that there may be regulations prohibiting the sale of this type of tobacco, but may send an informational memo to the City Council should they already be included in the Municipal Code, if necessary.*

*Mayor Napolitano requested to bring back the discussion regarding the stripe on Walnut Avenue, Councilmember Montgomery and Mayor Pro Tem Hersman concurred.*

*Councilmember Montgomery requested to bring back for discussion a minimum residency requirement to serve on boards and commissions, seconded by Councilmember Hadley.*

*Councilmember Stern requested to bring back for discussion the Sunshine Policy, City Council concurred.*

**M. CITY MANAGER REPORT**

*None.*

**N. CITY ATTORNEY REPORT**

*City Attorney Quinn Barrow clarified that the Manhattan Beach Municipal Code prohibits the sale of all flavored tobaccos, except for mint, menthol, spearmint, wintergreen.*

*Mayor Napolitano requested to bring back for discussion on a future City Council agenda prohibiting the sale of all tobacco products in the City of Manhattan Beach, City Council concurred.*

**O. INFORMATIONAL ITEMS**

- 16.** Commission Minutes:  
This Item Contains Minutes of the following City Commission Meetings:  
a) Library Commission Meeting Minutes of April 8, 2019 (Parks and Recreation Director Leyman)  
b) Planning Commission Action Meeting Minutes of May 8, 2019 (Cancelled) (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 10:27 PM, Mayor Napolitano adjourned the meeting to a 6:00 PM Budget Study Session, Thursday, May 23, 2019, in Council Chambers.*

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**Alexandria Latragna**  
**Recording Secretary**

**ATTEST:**

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**Steve Napolitano**  
**Mayor**

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**Liza Tamura**  
**City Clerk**