

# City of Manhattan Beach

*1400 Highland Avenue  
Manhattan Beach, CA 90266*



## Meeting Minutes - Draft

**Tuesday, January 7, 2020**

**6:00 PM**

**Regular Meeting**

**City Council Chambers**

## **City Council Regular Meeting**

*Mayor Nancy Hersman  
Mayor Pro Tem Richard Montgomery  
Councilmember Suzanne Hadley  
Councilmember Hildy Stern  
Councilmember Steve Napolitano*

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

*Manhattan Beach Chamber of Commerce, President/CEO Kelly Stroman led the Pledge of Allegiance.*

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

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

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

*None.*

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

*Councilmember Hadley requested to remove from the Consent Calendar, Agenda Item No. 9 - Construction at 330 South Sepulveda Boulevard.*

*Councilmember Napolitano requested to remove from the Consent Calendar, Agenda Item No. 8 - Resolution Amending Building Code Adoption.*

**A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Stern, to approve the agenda, waive the full reading of ordinances and removed from the Consent Calendar for individual consideration Agenda Item Nos. 8 and 9. The motion carried by the following vote:**

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

## E. PUBLIC HEARING

1. Consider: 1) Approving the Final Assessment Engineer's Report for Underground Utility Assessment District (UUAD) 19-4; 2) Confirming the Assessments and Proceedings for UUAD 19-4 if Approved by a Majority Vote of the Weighted Returned Ballots in UUAD 19-4; 3) Adopting a Resolution Awarding a Construction Contract to Asplundh Construction, LLC for the UUAD 19-4 Project for \$3,998,090; 4) Authorizing the City Manager to Approve Additional Work, if Necessary, for up to \$527,962; and 5) Approving the Plans and Specifications for the Project; or 5) Declaring Abandonment of Proceedings for UUAD 19-4 Based on the Weighted Returned Ballot Results (Public Works Director Katsouleas).

[20-0012](#)

- a) **ADOPT RESOLUTION NO. 20-0003 APPROVING THE FINAL ASSESSMENT ENGINEER'S REPORT AND CONFIRMING ASSESSMENTS OR DECLARING ABANDONMENT OF PROCEEDINGS FOR UUAD 19-4**
- b) **ADOPT RESOLUTION NO. 20-0004 APPROVING AN AGREEMENT**

*Mayor Hersman stated that she wanted to remind residents that they can still submit ballots up until the end of the public hearing. The ballots received by the City will be counted at the Police/Fire Conference Room. If a district fails there is a one year moratorium.*

*Public Works Department, Senior Civil Engineer Anastasia Seims provided the PowerPoint presentation.*

*Mayor Hersman opened the floor for public comments. The following individual(s) spoke:*

*Eileen Fowler  
Mick Welles*

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

*City Clerk Liza Tamura left the City Council Chambers with the ballots at 6:20 PM to go to the Police/Fire Conference Room.*

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

*Dana Murray, Linda Chilton and Melodie Grubbs announced the Urban Tides Beach Walk on Friday, January 10, 2020, from 8:00 AM - 10:00 AM.*

*Lucia da Rosa Ames announced screening of "A Night in Jail" and panel discussion on the connection between homelessness, mental illness and drug addiction on January 13, 2020, at 7:00 PM, in American Martyrs Welcome Center. This will be one of the six community meetings that will be held to discuss homelessness.*

*Manhattan Beach Chamber of Commerce, President/CEO Kelly Stroman announced the following Manhattan Tax & Accounting Ribbon Cutting on Wednesday, January 15, 2020, from 5:30 PM - 6:30 PM; What is AB5?, on Tuesday, January 21, 2020, from 8:00 PM - 10:00 AM at the MB Chamber Conference Room; New Year Fiesta at Mercado restaurant on Wednesday, January 22, 2020, from 5:00 PM - 7:30 PM; and Cyber Security Seminar on Wednesday, January 29, 2020, from 6:00 PM - 7:30 PM at the Manhattan Beach Library.*

*Betsy Rubino announced Arts Exhibition "Mare Vitalis" and opening reception on January 17, 2020, the exhibition will be open to the public from January 17, 2020 and March 22, 2020.*

*Mayor Hersman announced that City Council and Parks and Recreation Commission, Cultural Arts Commission and Library Commission held a joint meeting on Monday, January 6, 2020.*

*Mayor Pro Tem Montgomery announced that the Beach Cities Toy Drive wrapping party was a success and collected over 2,000 toys, he thanked City Clerk staff for assisting in the Beach Cities Toy Drive and announced that in 2020 the Beach Cities Toy Drive wrapping party will be held at the Joslyn Community Center.*

*City Manager Bruce Moe announced the Community Budget Social on January 28, 2020, from 6:00 PM - 8:00 PM, at the Joslyn Community Center and also announced that Open City Hall is now open to the public to provide feedback regarding the budget online.*

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

*Mayor Hersman opened the floor to public comment.*

*Seeing no requests to speak, Mayor Hersman closed the floor to public comments.*

## **H. CONSENT CALENDAR (APPROVE)**

**A motion was made by Councilmember Napolitano, seconded by Councilmember Hadley, to approve the Consent Calendar, with the exception of Agenda Item Nos. 8 and 9, which were individually considered under Section H - Items Removed from the Consent Calendar. The motion carried by the following vote:**

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

2. City Council Minutes: [20-0001](#)

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

a) City Council Adjourned Regular Meeting Minutes (Closed Session) of December 17, 2019

b) City Council Regular Meeting Minutes of December 17, 2019 (City Clerk Tamura).

**APPROVE**

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

3. Financial Reports: [20-0002](#)

a) Schedule of Demands November 21, 2019

b) Investment Portfolio for the Month Ending November 30, 2019

c) Month End Report for November 30, 2019

(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

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

4. Consider Approving a Comprehensive Citywide Salary Schedule for all City Positions and Adjustments to Salary Ranges (Human Resources Director Jenkins). [20-0004](#)

**ADOPT RESOLUTION NO. 20-0002**

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

5. Adopt Title VI Plan for the City of Manhattan Beach in Order to Receive \$462,600 in Grant Funds to Purchase Four Dial-A-Ride Buses and \$540,000 for the Aviation Boulevard Sidewalk Installation Project (Parks and Recreation Director Leyman and Public Works Director Katsouleas). [20-0006](#)

**APPROVE**

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

6. Alleviation Measures Report Required Prior to the Extension or Expiration of Interim Ordinances Nos. 19-0019-U and 19-0020-U Requiring an Equal Number of Replacement Units for Residential Dwelling Units that are Demolished (Community Development Director Tai). [20-0034](#)

**ISSUE ALLEVIATION MEASURES REPORT**

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

7. Alleviation Measures Report Required Prior to the Extension or Expiration of Interim Ordinances Nos. 19-0021-U and 19-0022-U Regulating Accessory Dwelling Units (ADUs) (Community Development Director Tai). [20-0035](#)

**ISSUE ALLEVIATION MEASURES REPORT**

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

8. Consider Adopting a Resolution Amending Resolution No. 19-0095 (Building Code Adoption) to Correct Findings Pertaining to Permit Exemptions (Community Development Director Tai). [20-0013](#)

**ADOPT RESOLUTION NO. 20-0005**

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

9. Consider Allowing Construction at 330 South Sepulveda Boulevard on Two City Recognized Holidays (Martin Luther King Jr.'s Day and Presidents' Day) (Community Development Director Tai). [20-0008](#)

**APPROVE**

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

**I. ITEMS REMOVED FROM THE CONSENT CALENDAR**

8. Consider Adopting a Resolution Amending Resolution No. 19-0095 (Building Code Adoption) to Correct Findings Pertaining to Permit Exemptions (Community Development Director Tai). [20-0013](#)

**ADOPT RESOLUTION NO. 20-0005**

*Community Development Department, Building Official Ryan Heise responded to City Council questions.*

*Mayor Hersman opened the floor to public comment.*

*Seeing no requests to speak, Mayor Hersman closed the floor to public comments.*

*Building Official Heise and City Attorney Quinn Barrow responded to City Council questions.*

**A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Napolitano, directing staff to return with an Ordinance amending the building code ordinance and amending that permits are only required for fences and walls seven feet or higher. The motion carried by the following vote:**

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

**Nay:** 1 - Stern

9. Consider Allowing Construction at 330 South Sepulveda Boulevard on Two City Recognized Holidays (Martin Luther King Jr.'s Day and Presidents' Day) (Community Development Director Tai).

[20-0008](#)

**APPROVE**

*Community Development Department, Building Official Ryan Heise provided a brief staff presentation.*

*Contractor/Applicant for McCarty Building Companics, Inc. and Building Official Heise responded to City Council questions.*

*Mayor Hersman opened the floor to public comment.*

*Seeing no requests to speak, Mayor Hersman closed the floor to public comments.*

**A motion was made by Mayor Pro Tem Montgomery, seconded by Mayor Hersman, to approve construction at 330 South Sepulveda Boulevard on two City recognized holidays (Martin Luther King Jr.'s Day and President's Day). The motion carried by the following vote:**

**Aye:** 3 - Hersman, Montgomery and Napolitano

**Nay:** 2 - Hadley and Stern

**J. GENERAL BUSINESS**

10. Consider Authorizing the National League of Cities Service Line Warranty Program and Marketing Agreement to Offer Emergency Repair/Replacement Plans to Address Private Sewer and Water Infrastructure (City Manager Moe).

[20-0010](#)**a) DISCUSS AND PROVIDE DIRECTION****b) ADOPT RESOLUTION NO. 20-0006**

*Management Services, Senior Management Analyst George Gabriel provided a brief presentation.*

*Senior Management Analyst Gabriel, Utility Service Partners Private Label, Inc., Regional Account Director Bill Coffey and City Manager Bruce Moe responded to City Council questions.*

*Mayor Hersman opened the floor to public comment.*

*Seeing no requests to speak, Mayor Hersman closed the floor to public comments.*

*City Manager Moe and Regional Account Director Coffey responded to City Council questions.*

**A motion was made by Councilmember Napolitano, seconded by Mayor Hersman, to deny the authorization of the National League of Cities Service Line Warranty Program and marketing agreement regarding private sewer and water connections. The motion carried by the following vote:**

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

**Nay:** 1 - Montgomery

*At 7:20 PM City Council recessed and reconvened at 7:27 PM with all Councilmembers present.*



**E. PUBLIC HEARING (CONTINUED)**

1. Consider: 1) Approving the Final Assessment Engineer's Report for Underground Utility Assessment District (UUAD) 19-4; 2) Confirming the Assessments and Proceedings for UUAD 19-4 if Approved by a Majority Vote of the Weighted Returned Ballots in UUAD 19-4; 3) Adopting a Resolution Awarding a Construction Contract to Asplundh Construction, LLC for the UUAD 19-4 Project for \$3,998,090; 4) Authorizing the City Manager to Approve Additional Work, if Necessary, for up to \$527,962; and 5) Approving the Plans and Specifications for the Project; or 5) **d**eclaring Abandonment of Proceedings for UUAD 19-4 Based on the Weighted Returned Ballot Results (Public Works Director Katsouleas). [20-0012](#)

**ADOPT RESOLUTION NO. 20-0003 APPROVING THE FINAL ASSESSMENT ENGINEER'S REPORT AND CONFIRMING ASSESSMENTS OR DECLARING ABANDONMENT OF PROCEEDINGS FOR UUAD 19-4**

**b) ADOPT RESOLUTION NO. 20-0004 APPROVING AN AGREEMENT**

*At 7:27 PM, Mayor Hersman read the following results.*

*131 parcels voted (78.44% of parcels returned ballots)*

*98 parcels voted yes.*

*74.81% in favor.*

*33 parcels voted no.*

*25.19% opposed.*

**A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Hadley, to adopt Resolution No. 20-0003, making determinations, confirming assessments and proceedings and designating the superintendent of streets to collect and receive assessments and to establish a special fund for City of Manhattan Beach Underground Utility Assessment District No. 19-4. The motion carried by the following vote:**

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

**A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Montgomery, to adopt Resolution No. 20-0004, awarding a construction contract to Asplundh Construction, LLC. for the Underground Utility Assessment District No. 19-4 construction project; authorize the City Manager to approve additional work, if necessary; and approve the project specifications for Citywide concrete repair project. The motion carried by the following vote:**

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

*Public Works Director Stephanie Katsouleas summarized the next steps regarding UUAD 19-4.*

11. Security Enhancement Measures for City Hall and other Municipal Facilities (Police Chief Abell, Human Resources Director Jenkins and Public Works Director Katsouleas).

[20-0009](#)

**RECEIVE REPORT**

*Police Chief Derrick Abell provided the staff presentation.*

*Mayor Hersman opened the floor to public comment.*

*Seeing no requests to speak, Mayor Hersman closed the floor to public comments.*

**This report was received by order of the Chair.**

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

*Mayor Pro Tem Montgomery reported that he attended the National League of Cities and provided a brief report on the conference.*

**L. FUTURE AGENDA ITEMS**

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

[20-0011](#)

*None.*

**M. CITY MANAGER REPORT**

*None.*

**N. CITY ATTORNEY REPORT**

*None.*

**O. INFORMATIONAL ITEMS**

*None.*

**P. CLOSED SESSION**

*None.*

**Q. ADJOURNMENT**

*At 7:35 PM, Mayor Hersman adjourned the meeting to a 6:00 PM, Joint City Council/Planning Commission and Parking and Public Improvements Commission Meeting on Wednesday, January 15, 2020, in the City Council Chambers.*

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**Martha Alvarez**  
**Recording Secretary**

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**Nancy Hersman**  
**Mayor**

**ATTEST:**

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