

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, February 18, 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

Ellen Thelen from American Martyrs School 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

1. Presentation of a Certificate of Recognition to Jeanne Hendricks from the Manhattan Beach Community Emergency Response Team (MBCERT) for Providing Cardiopulmonary Resuscitation (CPR) Training to Over 1,000 Individuals in Manhattan Beach. [20-0053](#)

PRESENT

Mayor Hersman, on behalf of the City Council, along with Fire Chief Daryn Drum, presented a certificate of recognition to Jeanne Hendricks, for providing cardiopulmonary resuscitation (CPR) training to over 1,000 individuals in Manhattan Beach.

2. Presentation of a Proclamation Declaring the Week of March 21-28, 2020, as Support Our Schools Week. [20-0106](#)

PRESENT

Mayor Hersman, on behalf of the City Council, presented a proclamation to Manhattan Beach Education Foundation, Executive Director Hilary Manhan, declaring March 21-28, 2020, as Support Our Schools Week.

3. Presentation of a Proclamation Declaring March, 2020, as Women's History Month and Recognizing the Centennial of Women's Suffrage. [20-0107](#)

PRESENT

Mayor Hersman, on behalf of the City Council, presented a proclamation to Jan La Sage, Jane Gunthrie and Amy Howorth, declaring the Month of March, 2020, as Women's History Month and recognizing the centennial of women's suffrage.

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

Mayor Hersman requested to move Agenda Item No. 13 - Leadership Manhattan Beach Proposed Class Project, from General Business to be heard after Section H - Items Removed from Consent Calendar. She also requested to remove from the Consent Calendar, Agenda Item No. 6 - Adoption of an Ordinance Prohibiting the Sale of Tobacco Products.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Hadley, to waive full reading of ordinances and approve the agenda as amended, to move up for consideration of Agenda Item No. 13 and remove Agenda Item No. 6 from Consent for individual consideration Agenda Item No. 6. The motion carried by the following vote:

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

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

Steve DeBates announced the Manhattan Beach Senior Clubs and Friends of Senior & Scout Community Center "Benefit Gala," on Saturday, March 21, 2020, from 4:00 PM - 7:00 PM, at the Joslyn Community Center.

Nancy Hersman announced the Mayor's Town Hall Meeting, "The Challenge of Climate Change: Addressing Global Issues with Local Solutions," on Monday, March 2, 2020, from 6:00 PM - 8:00 PM at the Joslyn Community Center.

Richard Montgomery announced the Federal Aviation Administration and Los Angeles World Airports will be measuring air traffic sounds at two locations in Manhattan Beach.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

Julie Justus McGinity

Laurie James

Laurel Wright

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

G. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Hadley, to approve the Consent Calendar, with the exception of Agenda Item No. 6, to be 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

4. City Council Minutes: [20-0051](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Adjourned Regular Meeting Minutes (Joint City Council/Planning Commission and Parking and Public Improvements Commission) of January 15, 2020
b) City Council Adjourned Regular Meeting Minutes (Closed Session) of February 4, 2020
c) City Council Regular Meeting Minutes of February 4, 2020 (City Clerk Tamura).

APPROVE

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

5. Financial Report: [20-0046](#)
Schedule of Demands: January 16, 2020 and January 30, 2020 (Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

6. Consider Second Reading and Adoption of an Ordinance to Prohibit the Sale of Tobacco Products and Electronic Smoking Devices in the City and Making a Finding of Exemption under the California Environmental Quality Act; and Resolution Establishing a Fee for Hardship Exemption Requests (City Manager Moe and City Attorney Barrow). [20-0099](#)
a) **ADOPT ORDINANCE NO. 20-0007**
b) **ADOPT RESOLUTION NO. 20-0024**

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

7. Consider Second Reading and Adoption of an Ordinance to Maintain a Prohibition of the Use or Operation of Shared Mobility Devices in Any Public Right-of-Way or on Public Property, or Offered for Use Anywhere in the City; and Making a Finding of Exemption Under the California Environmental Quality Act (Community Development Director Tai). [20-0076](#)
ADOPT ORDINANCE NO. 20-0008

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

8. Fiscal Year 2019-20 Mid-Year Budget Report and Update on Fiscal Year 2020-21 Budget Development (Finance Director Charelian). [20-0023](#)
RECEIVE REPORT

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

9. Consider Adopting a Resolution Awarding RFP No. 1220-20 to Environmental Science Associates for an Agreement for Development of a State-Required Climate Resiliency Program with an Estimated Value of \$345,765, Partially Offset by a \$225,000 Grant (Community Development Director Tai).

[20-0052](#)

ADOPT RESOLUTION NO. 20-0021

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

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. Consider Second Reading and Adoption of an Ordinance to Prohibit the Sale of Tobacco Products and Electronic Smoking Devices in the City and Making a Finding of Exemption under the California Environmental Quality Act; and Resolution Establishing a Fee for Hardship Exemption Requests (City Manager Moe and City Attorney Barrow).

[20-0099](#)

a) ADOPT ORDINANCE NO. 20-0007

b) ADOPT RESOLUTION NO. 20-0024

City Manager Bruce Moe and City Attorney Quinn Barrow provided clarification.

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 Hersman, seconded by Councilmember Stern, to adopt Ordinance No. 20-0007, amending Manhattan Beach Municipal Code Chapter 4.118 to prohibit the sale of all tobacco products and electronic smoking devices and making a finding of exemption under the California Environmental Quality Act. The motion carried by the following vote:

Aye: 4 - Hersman, Montgomery, Stern and Napolitano

Nay: 1 - Hadley

A motion was made by Mayor Hersman, seconded by Councilmember Stern, to not adopt Resolution No. 20-0024, which, if adopted, would have established an application and processing fee for hardship exemption requests regarding the retail sale of tobacco. The motion carried by the following vote:

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

J. GENERAL BUSINESS

13. Report on Leadership Manhattan Beach's (LMB) Proposed 2019-2020 Class Project in the City of Manhattan Beach (Public Works Director Katsouleas). [20-0095](#)

RECEIVE REPORT

Per City Council action taken under Section D - Approval of Agenda, this item was taken out of order.

Public Works Department, Utilities Division Manager Shawn Igoe introduced Leadership Manhattan Beach (LMB) Class Member Alec Hoag.

LMB Class Member Hoag provided the PowerPoint presentation.

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

Craig Cadwallader

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

Mayor Hersman thanked LMB for their 2020 class project.

This report was received by order of the Chair.

I. PUBLIC HEARINGS

10. Conduct Public Hearing to Consider the Following Entitlements for the 900 Club: Extending Operating Hours on Thursdays for One Hour; Increasing the Allowable Annual Number of Special Events to 24; and Deleting Early "Last Call" (Community Development Director Tai). [20-0119](#)
- a) **RESCIND RESOLUTION NO. 18-0075**
- b) **CONDUCT PUBLIC HEARING**
- c) **ADOPT RESOLUTION NO. 20-0020, TO: EXTEND**

**OPERATING HOURS ON THURSDAYS FOR ONE HOUR;
INCREASE THE ALLOWABLE ANNUAL NUMBER OF
SPECIAL EVENTS TO 24; DELETE EARLY "LAST CALL";
AND MAKE A DETERMINATION OF EXEMPTION UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

City Attorney Quinn Barrow provided a brief clarification and responded to City Council questions.

A motion was made by Mayor Hersman, seconded by Mayor Pro Tem Montgomery, to rescind Resolution No. 18-0075, approving a use permit amendment to extend the operating hours and increase the number of special events at an existing restaurant/bar located at 900 Manhattan Avenue (900 Cub and downstairs bar). The motion carried by the following vote:

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

Community Development Director Carrie Tai provided the staff presentation.

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

*Don McPherson
Michael Rendler
Linda McLaughlin
Sheri Bonstelle
Jim Burton
Jackie May*

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

Community Development Director Tai responded to City Council questions.

A motion was made by Mayor Hersman, seconded by Mayor Pro Tem Montgomery, to adopt Resolution No. 20-0020: 1) reinstating the following entitlements and actions: a) an additional one hour of service on Thursday nights for the upstairs bar; b) an increase in the number of special events from 18 to 24 annually; and c) removing an early "last call" requirement; and 2) making a determination of exemption under the California Environmental Quality Act (900 Club and downstairs bar, 900 Manhattan Avenue). The motion carried by the following vote:

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

- 11.** Conduct Public Hearing Renewing the North Manhattan Beach Business Improvement District and Approval of the Annual Collection of Assessments for Fiscal Year 2020-2021 (Finance Director Charelian). [20-0040](#)
- a) CONDUCT PUBLIC HEARING**
- b) ADOPT RESOLUTION NO. 20-0015**
- c) RATIFY 2020 BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD MEMBERS**
- d) CONSIDER THE PROPOSED 2020 ACTIVITY PLAN**

Finance Department, Revenue Services Manager Cynthia Mickschl provided the staff presentation and 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 Councilmember Hadley, seconded by Mayor Pro Tem Montgomery, to adopt Resolution No. 20-0015, overruling protests and providing for the annual levy and collection of assessments for the existing North Manhattan Beach Business Improvement District, pursuant to California Streets and Highways Code Section 36500 et. seq. (SB 1424 - Parking & Business Improvement Law of 1989, Chapter 2) and Ratifying the 2020 Business Improvement District Advisory Board Members. The motion carried by the following vote:

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

12. Conduct Public Hearing to Consider Adopting Resolutions Regarding the Citywide User Fee Schedule and Cost Allocation Plan, Including Administrative Fees Applicable to Wireless Encroachment Permits in The Public Rights-Of-Way (Finance Director Charelian). [20-0103](#)
- a) **CONDUCT PUBLIC HEARING**
- b) **ADOPT RESOLUTION NO. 20-0025 (COMPREHENSIVE FEE SCHEDULE)**
- c) **ADOPT RESOLUTION NO. 20-0026 (WIRELESS ENCROACHMENT PERMITS)**

Finance Director Steve Charelian introduced Matrix Consulting Group, Vice President Courtney Ramos who provided the PowerPoint presentation.

Community Development Director Carrie Tai, Matrix Consulting Group Ramos, City Manager Bruce Moe, Fire Marshal/Captain Tim O'Brien responded to City Council questions.

City Attorney Quinn Barrow provided a brief statement on Resolution No. 20-0026.

Mayor Hersman opened the floor to public comment. The following individual(s) spoke:

Jim Burton

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

A motion was made by Mayor Hersman, seconded by Mayor Pro Tem Montgomery, to adopt Resolution No. 20-0025 establishing new fees and charges for goods, services and facilities provided by the City of Manhattan Beach and amending and restating the City's comprehensive fee schedule. The motion carried by the following vote:

Aye: 4 - Hersman, Montgomery, Hadley and Stern

Nay: 1 - Napolitano

A motion was made by Mayor Hersman, seconded by Mayor Pro Tem Montgomery, to adopt Resolution No. 20-0026, establishing administrative fees applicable to wireless encroachment permits in the public rights-of-way and amending the City's comprehensive cost recovery fee schedule. The motion carried by the following vote:

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

A motion was made by Councilmember Napolitano, seconded by Councilmember Hadley, to charge total cost for solar fees as recommended by staff. The motion failed by the following vote:

Aye: 2 - Hadley and Napolitano

Nay: 3 - Hersman, Montgomery and Stern

A motion was made by Mayor Pro Tem Montgomery, seconded by Mayor Hersman, to maintain the current solar fees. The motion carried by the following vote:

Aye: 3 - Hersman, Montgomery and Stern

Nay: 2 - Hadley and Napolitano

Finance Director Charelian and Community Development Director responded to City Council questions.

A motion was made by Mayor Hersman, seconded by Councilmember Stern, to amend the following fees regarding Historic Preservation Designation: Landmark (20-162) change to \$500; Historic District (20-163) change to \$1,000; Conservation District (20-164) \$1,000; Amendment or Recession (20-165) change to \$6,681; and amend the following fees regarding Historic Preservation Certificate of Appropriateness: Administrative (20-166) change to \$2,146; Commission (20-167) change to \$8,633 and Economic Hardship (20-168) remain at \$0. The motion carried by the following vote:

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

Public Works Department, Utilities Division Manager Shawn Igoe responded to City Council questions.

City Council concurred with the following amendments:

Traffic Engineering:

Parking Request (Divided Into Two Categories)

Red Zone \$460

Disabled Parking Space \$100

Traffic Request (20-178) \$100

Stop Sign Request (20-179) \$100

Appeal to PPIC (20-180 and 20-181) \$100

A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Montgomery, to have the fees established for solar panels (20-223 to 20-229) the same fees for tree permit fees (20-328 to 20-331). The motion carried by the following vote:

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

City Attorney Barrow and Finance Director Charelian provided clarification.

Fire Marshal/Captain O'Brien and City Clerk Liza Tamura responded to City Council questions.

At 9:05 PM City Council recessed and reconvened at 9:17 PM with all Councilmembers present.

J. GENERAL BUSINESS (CONTINUED)

- 13. Report on Leadership Manhattan Beach’s (LMB) Proposed 2019-2020 Class Project in the City of Manhattan Beach (Public Works Director Katsouleas). [20-0095](#)

RECEIVE REPORT

This item was presented out of order, after Section H - Items Removed from the Consent Calendar.

- 14. Consider Adopting Resolution Approving Financing Documents and Authorizing the Execution and Delivery of Limited Obligation Improvement Bonds for Underground Utility Assessment District (UUAD) 19-4 and Approval to Sell Bonds for UUAD 19-4 (Finance Director Charelian). [20-0071](#)

- a) **ADOPT RESOLUTION NO. 20-0016**
- b) **APPROVE SALE OF BONDS FOR UUAD 19-4**

Finance Director Steve Charelian 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.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Napolitano, to adopt Resolution No. 20-0016, authorizing and providing for the issuance of bonds pursuant to the provisions of the Improvement Bond Act of 1915 for City of Manhattan Beach Assessment District No. 19-04 and approving certain documents and authorizing certain action in connection therewith and approve the sale of bonds for Underground Utility Assessment District 19-4. The motion carried by the following vote:

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

15. Requests by Mayor Hersman, Mayor Pro Tem Montgomery and Councilmember Napolitano to Review the Lists of City Council Assignments and City Task Forces/Committees/Groups Within the City and Determine Whether to Modify the Lists (City Clerk Liza Tamura).

[20-0027](#)

DISCUSS AND PROVIDE DIRECTION

City Clerk Liza Tamura provided a brief staff presentation.

City Clerk Tamura, City Manager Bruce Moe and City Attorney Quinn Barrow responded to City Council questions.

City Council Direction:

Make ministerial changes certain group names.

Remove the following groups from the list of committees:

*Website Subcommittee
Pier/Roundhouse Improvement Project
Banner Policy Subcommittee
Manhattan Beach Coordinating Council
Leadership Manhattan Beach
Downtown Business Improvement District*

Change the following groups from Mayor and Mayor Pro Tem as Delegate and Alternate to City Councilmembers:

*Clean Power Alliance of Southern California
Los Angeles County City Selection Committee*

Provide further direction to staff.

Return with more information on what organizations are paying current room fees and proposed fees by staff for non-profit organizations.

Speak with the following groups for City inclusion:

*Senior Resources Committee
Manhattan Heights Senior Club
MB Senior Club.*

Mayor Pro Tem Montgomery will be speaking with Beach Cities Toy Drive regarding options for both Cities to hold the annual Beach Cities Toy Drive event.

A motion was made by Mayor Hersman, seconded by Councilmember Stern, once all invoices are paid for Mayor's Youth Council for this fiscal year, to direct the City Clerk's Office to transfer the remaining student fees balance in the account to MBX. The motion carried by the following vote:

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

16. Enterprise Project Implementation Quarterly Update of 1) Enterprise Resource Planning (ERP) and 2) EnerGov Land Management System (LMS) Solutions, Including a Demonstration of the LMS Customer Tool, Known as Citizen Self Service (Interim Information Technology Director Griffin). [20-0026](#)

RECEIVE REPORT

Interim Information Technology Director Patrick Griffin provided the staff presentation.

At 10:19 PM, Mayor Hersman requested a motion to extend the meeting.

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

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

Community Development Department, Building Official Ryan Heise provided the PowerPoint 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.

17. Consider Waiving Formal Bidding per MBMC Section 2.36.140 and Adopting a Resolution Approving an Agreement with Core and Main, LP for the Budgeted Purchase of a Water Advanced Metering Infrastructure (AMI) System for an Amount Not-to-Exceed \$3,500,000 for the Water Meter Upgrade and Automation Project and Adopting a Resolution Approving Two Agreements with Master Meter, Inc. for End User License and Maintenance Services (Public Works Director Katsouleas). [20-0038](#)

a) WAIVE FORMAL BIDDING

b) ADOPT RESOLUTION NOS. 20-0014 AND 20-0027

APPROVING AGREEMENTS

Public Works Department, Utilities Division Manager Shawn Igoe provided the PowerPoint presentation and 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.

Utilities Division Manager Igoe responded to City Council questions.

A motion was made by Mayor Hersman, seconded by Mayor Pro Tem Montgomery, to adopt Resolution No. 20-0014, approving an agreement with Core and Main, LP. for the purchase of an automated metering infrastructure (AMI) system; and adopt Resolution No. 20-0027, approving an end user license agreement and a maintenance services agreement with Master Meter, Inc. The motion carried by the following vote:

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

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

None.

L. FUTURE AGENDA ITEMS

18. Agenda Forecast (City Clerk Tamura). [20-0030](#)
DISCUSS AND PROVIDE DIRECTION

Mayor Hersman with the concurrence of Councilmember Stern, requested to revisit the default renewable energy tier for power customers under the Clean Power Alliance of Southern California before the deadline of April 1, 2020.

Mayor Hersman requested that staff provide an update on Clean Power Alliance for City facilities at a future City Council agenda.

M. CITY MANAGER REPORT

None.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

19. Commission Minutes: [20-0120](#)
This Item Contains Minutes of the following City Commission Meetings:
a) Cultural Arts Commission Meeting Minutes of November 18, 20 (Parks and Recreation Director Leyman)
b) Parks and Recreation Commission Meeting Minutes of December 2019 (Parks and Recreation Director Leyman)
c) Cultural Arts Commission Meeting Minutes of December 16, 20 (Parks and Recreation Director Leyman)
d) Parks and Recreation Commission Meeting Minutes (Cancelled) December 23, 2019 (Parks and Recreation Director Leyman)
e) Planning Commission Action Meeting Minutes (Cancelled) of January 22, 2020 (Community Development Director Tai)

INFORMATION ITEM ONLY

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

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 10:43 PM, Mayor Hersman adjourned the meeting to a 5:00 PM, Closed Session meeting, on Tuesday, March 3, 2020, in the City Council Chambers.

Martha Alvarez
Recording Secretary

Nancy Hersman
Mayor

ATTEST:

Liza Tamura
City Clerk