

City Council Regular Meeting

Regular Meeting
Tuesday, August 6, 2019
6:00 PM
City Council Chambers



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

Executive Team

Bruce Moe, City Manager
Quinn Barrow, City Attorney

Derrick Abell, Police Chief
Steve Charelian, Finance Director
Daryn Drum, Fire Chief
Lisa Jenkins, Human Resources Director
Stephanie Katsouleas, Public Works Director

Mark Leyman, Parks and Recreation Director
Anne McIntosh, Community Development Director
Liza Tamura, City Clerk
Sanford Taylor, Information Technology Director

MISSION STATEMENT:

**Our mission is to provide excellent municipal services,
preserve our small beach town character, and enhance the quality of life for our
residents, businesses and visitors.**

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

Your presence and participation contribute to good city government.

By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, this agenda provides an early opportunity for public comments under "Public Comments," at which time speakers may comment on any matter within the subject matter jurisdiction of the City Council, including items on the agenda.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.citymb.info, the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.

Meetings are broadcast live through Manhattan Beach Local Community Cable, Channel 8 (Spectrum), Channel 35 (Frontier), and live streaming via the City's website.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). Notification 36 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.

CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, July 31, 2019, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED. THE RECOMMENDED COUNCIL ACTION IS LISTED IMMEDIATELY AFTER THE TITLE OF EACH ITEM IN BOLD CAPITAL LETTERS.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. CEREMONIAL CALENDAR

1. Presentation of a Commendation to Outgoing Community Development Director Anne McIntosh. [19-0293](#)
PRESENT

2. Recognition of Emily Ford, High School Student and Self-Published Author of "My Totally Intolerable Blocks," for her Effort to Teach Others About the Importance of Tolerance. [19-0312](#)
PRESENT

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

This is the time for the City Council to: (a) notify the public of any changes to the agenda; (b) remove items from the consent calendar for individual consideration; or (c) rearrange the order of the agenda.

MOTION TO APPROVE AGENDA AND WAIVE FULL READING

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

City Councilmembers and community organization representatives may inform the public about upcoming events.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City Council. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda.

Each speaker may speak for up to 3 minutes. This is also the time for speakers to comment on items on the consent calendar that have not been previously removed by the City Council during approval of the agenda for individual consideration. For public hearings, speakers are encouraged to speak during the public hearing, if they want their comments to be included in the record for the public hearing.

Please complete the "Request to Address the City Council" card by filling out your name, city of residence, the item(s) you would like to offer public comment, and returning it to the City Clerk.

G. CONSENT CALENDAR (APPROVE)

Items on the Consent Calendar are routine and customary items and are enacted by a single motion with the exception of items previously removed by a member of the City Council during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

3. City Council Minutes:[19-0159](#)

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

a) City Council Adjourned Regular Meeting Minutes (Closed Session) of July 16, 2019

b) City Council Regular Meeting Minutes of July 16, 2019 (City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes \(Closed Session\) of July 16, 2019](#)
[City Council Regular Meeting Minutes of July 16, 2019](#)

4. Financial Reports: [19-0226](#)
a) Schedules of Demands June 20, 2019 and July 3, 2019
b) Investment Portfolio for the Month Ending June 30, 2019
c) Preliminary Month End Report for June 30, 2019
(Finance Director Charelian).
ACCEPT REPORTS AND DEMANDS
Attachments: [Schedule of Demands for June 20, 2019 and July 3, 2019](#)
[Investment Portfolio for the Month Ending June 30, 2019](#)
[Preliminary Month End Report for June 30, 2019](#)
5. Adoption of Annual Investment Policy for Fiscal Year 2019-2020 and Delegation of Responsibility for Investing Funds to the City Treasurer (Finance Director Charelian). [19-0295](#)
ADOPT
Attachments: [Investment Policy for Fiscal Year 2019-2020](#)
6. Consideration of an Agreement with Larry Murakami Contracting for a Three-Year Contract for Sand Dune Park Sand Replenishment Services with an Estimated Value of \$112,500 (Parks and Recreation Director Leyman). [19-0112](#)
ADOPT RESOLUTION NO. 19-0058
Attachments: [Resolution No. 19-0058](#)
[Agreement - Larry Murakami Contracting](#)
7. Consider: [19-0317](#)
a) Approving Two Telecommunications Facilities in the Veterans Parkway by Adopting:
Resolution No. 19-0078 (Site near Ardmore Avenue and 9th Street/Place);
Resolution No. 19-0079 (Site near Ardmore Avenue and 2nd Street); and
b) Authorizing Licenses for Both Facilities (Community Development Director McIntosh).
ADOPT RESOLUTION NOS. 19-0078 AND 19-0079
Attachments: [Resolution No. 19-0078](#)
[Resolution No. 19-0079](#)

8. Formally Accept as Complete the Cycle 1 Sewer Main Replacement Project Constructed by Ramona, Inc.; Authorize Filing a Notice of Completion with the County Recorder; Release Retention for \$33,337.13; Adopt a Resolution Approving a Contract Change Order (Final) to Ramona, Inc. for \$221,792.64; Appropriate \$226,976 for Emergency Repairs and Approve Funds Transfer (Public Works Director Katsouleas). [19-0272](#)
- a) ADOPT RESOLUTION NO. 19-0071**
- b) APPROPRIATE FUNDS AND APPROVE FUNDS TRANSFER**

Attachments: [Resolution No. 19-0071](#)
[Change Order - Ramona, Inc.](#)

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

Each speaker may speak for up to 2 minutes on each item pulled from the agenda.

I. PUBLIC HEARINGS

At the discretion of the Mayor, each speaker may speak for up to 3 minutes on each public hearing item.

9. Conduct Continued Public Hearing to Review Use Permit Amendment for an Existing Restaurant/Bar and Consider Request to Amend the Use Permit to Extend Operating Hours and Revise Other Conditions at 900 Manhattan Avenue (900 Club/Downstairs Bar) (Continued from the July 2, 2019, City Council Regular Meeting) (Community Development Director McIntosh). [19-0323](#)
- a) CONDUCT CONTINUED PUBLIC HEARING**
- b) DISCUSS AND PROVIDE DIRECTION**

Attachments: [Applicant's Additional Information](#)
[Resolution No. 14-0063](#)
[Resolution No. 18-0075](#)

J. GENERAL BUSINESS

Each speaker may speak for up to 2 minutes on each general business item.

10. Update on Clean Power Alliance of Southern California (Community Development Director McIntosh). [19-0322](#)
- RECEIVE AND FILE**

Attachments: [July 2019 CPA Board Presentation SCE Billing Delays](#)
[June 2019 CPA Board Presentation Rate Changes](#)
[June 2019 CPA Letter to Subset Customers](#)
[July 2019 CPA Customer Status Report](#)
[Frequently Asked Questions & Answers](#)

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11. Report on Southern California Edison's Power Reliability in the City of Manhattan Beach (Public Works Director Katsouleas). [19-0285](#)
RECEIVE REPORT
Attachments: [2019 Circuit Reliability Review](#)
12. Presentation of the Underground Utility Assessment Districts 19-12 and 19-14 and Consideration of Resolutions to Initiate District Formation Proceedings, Approve the Preliminary Engineer's Reports, and Set a Date and Time for a Public Hearing (Public Works Director Katsouleas). [19-0248](#)
a) **ADOPT RESOLUTIONS NOS. 19-0072 AND 19-0073 for DISTRICT 19-12**
b) **ADOPT RESOLUTIONS NOS. 19-0074 AND 19-0075 for DISTRICT 19-14**
Attachments: [Resolution No. 19-0072](#)
[Resolution No. 19-0073](#)
[Resolution No. 19-0074](#)
[Resolution No. 19-0075](#)
[UUAD 19-12 Boundary Map](#)
[UUAD 19-14 Boundary Map](#)
[Preliminary Engineer's Reports for UUAD 19-12](#)
[Preliminary Engineer's Reports for UUAD 19-14](#)
[Sample Ballot and Procedures](#)
[Sample Notice of Proposed Assessment](#)
[Notice of Public Hearing District for UUAD 19-12](#)
[Notice of Public Hearing District for UUAD 19-14](#)
[Certificate of Sufficiency for UUAD 19-12](#)
[Certificate of Sufficiency for UUAD 19-14](#)
[PowerPoint Presentation](#)
13. Consider Assessment Deferment Program for Qualifying Households in Utility Underground Districts (Finance Director Charelian and Public Works Director Katsouleas). [19-0271](#)
DISCUSS AND PROVIDE DIRECTION
Attachments: [PowerPoint Presentation](#)
14. Consider Adoption of the Restated and Amended Civility Policy and Rules of Decorum for Meetings (City Manager Moe, City Attorney Barrow, and Human Resources Director Jenkins). [19-0326](#)
ADOPT RESOLUTION NO. 19-0083
Attachments: [Resolution No. 19-0083](#)

15. Updated Fiscal Year 2019-2020 City Council Work Plan Report (City Manager Moe). [19-0330](#)
RECEIVE REPORT

Attachments: [City Council Work Plan](#)

16. Consider Approving an Exception to the 180-Day Wait Period Pursuant to Government Code Sections 7522.56 and 21221(h) and Approving an Employment Agreement with Jeffery W. Gibson to Serve as Interim Director of Community Development (Human Resources Jenkins). [19-0331](#)
ADOPT RESOLUTION NO. 19-0081

Attachments: [Resolution No. 19-0081](#)
[Employment Agreement - Jeffery Gibson](#)

K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

In addition to providing reports of meetings and conferences attended by Councilmembers in connection with their official duties at City expense as required by AB 1234, Councilmembers requested at a previous City Council meeting that the following item(s) be placed on the agenda for discussion.

17. City Council Reports.
18. Consider Request by Mayor Hersman and Mayor Pro Tem Montgomery (City Council Mall Expansion Subcommittee) to Place on a Future Agenda a Digital Media Package Proposal Submitted by Manhattan Village Shopping Center (Community Development Director McIntosh). [19-0324](#)
CONSIDER PLACING ON FUTURE AGENDA TO CONSIDER MERITS OF PROPOSAL

Attachments: [Manhattan Village - City Summary Handout](#)

19. Consider Request by Councilmember Stern and Mayor Pro Tem Montgomery to Revisit the Issue of Re-Striping the Area Leading to Pacific Elementary School (Public Works Director Katsouleas). [19-0329](#)
PROVIDE DIRECTION

L. FUTURE AGENDA ITEMS

Councilmembers may request that items be placed on a future agenda with the concurrence of one other Councilmember.

20. Agenda Forecast (City Clerk Tamura). [19-0160](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [July 31, 2019 Agenda Forecast](#)

M. CITY MANAGER REPORT

21. Status Report on Homelessness Initiatives (No Written Report) (City Manager Moe).

N. CITY ATTORNEY REPORT**O. INFORMATIONAL ITEMS**

This section is for items that do not require City Council action.

22. Commission Minutes:

[19-0334](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Parks and Recreation Commission Meeting Minutes of June 24, 2019
(Parks and Recreation Director Leyman)
- b) Planning Commission Meeting Minutes of July 10, 2019 (Community
Development Director McIntosh)
- c) Finance Subcommittee Meeting Minutes of July 15, 2019 (Finance
Director Charelian)
- d) Planning Commission Meeting Minutes of July 24, 2019 (Community
Development Director McIntosh)

INFORMATION ITEM ONLY

Attachments: [Parks and Recreation Commission Meeting Minutes June 24, 2019](#)
[Planning Commission Action Meeting Minutes of July 10, 2019](#)
[Finance Subcommittee Meeting Minutes of July 15, 2019](#)
[Planning Commission Action Meeting Minutes of July 24, 2019](#)

23. Recent Planning Commission Quasi-Judicial Decision:
1843 11th Street Use Permit and Vesting Tentative Parcel Map
(Community Development Director McIntosh).

[19-0314](#)

INFORMATION ITEM ONLY**P. CLOSED SESSION****Q. ADJOURNMENT**

R. FUTURE MEETINGS**CITY COUNCIL MEETINGS**

August 20, 2019 - Tuesday -- 6:00 PM - City Council Meeting (Cancelled)
September 3, 2019 - Tuesday -- 6:00 PM - City Council Meeting
September 17, 2019 - Tuesday -- 6:00 PM - City Council Meeting
October 1, 2019 - Tuesday -- 6:00 PM - City Council Meeting
October 15, 2019 - Tuesday -- 6:00 PM - City Council Meeting
November 5, 2019 - Tuesday -- 6:00 PM - City Council Meeting
November 19, 2019 - Tuesday -- 6:00 PM - City Council Meeting
December 3, 2019 - Tuesday -- 6:00 PM - City Council Meeting
December 17, 2019 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

August 12, 2019 - Monday - 6:00 PM - Library Commission Meeting
August 14, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
August 19, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting
August 22, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission
August 26, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
August 28, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
September 9, 2019 - Monday - 6:00 PM - Library Commission Meeting
September 11, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
September 16, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting
September 23, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
September 25, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
September 26, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission
October 9, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
October 14, 2019 - Monday - 6:00 PM - Library Commission Meeting
October 21, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting
October 23, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
October 24, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission
October 28, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
November 11, 2019 - Monday - 6:00 PM - Library Commission Meeting
November 13, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
November 18, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting
November 25, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
November 27, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
November 28, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission

S. CITY OFFICES CLOSED**CITY HOLIDAYS:**

September 2, 2019 - Monday - Labor Day

October 7, 2019 – Monday – Columbus Day

November 11, 2019 – Monday – Veterans Day

November 28-29, 2019 - Thursday & Friday - Thanksgiving Holiday

December 25, 2019 - Wednesday - Christmas Day Observed

January 1, 2020 – Wednesday – New Years Day Observed

January 20, 2020 – Monday – Martin Luther King Day

February 17, 2020 - Monday - Presidents Day

May 25, 2020 – Monday – Memorial Day

July 4, 2020 - Friday - Independence Day