

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Final

Tuesday, June 19, 2018

6:00 PM

Regular Meeting

City Council Chambers

## City Council Regular Meeting

*Mayor Amy Howorth*  
*Mayor Pro Tem Steve Napolitano*  
*Councilmember Nancy Hersman*  
*Councilmember Richard Montgomery*  
*Councilmember David Lesser*

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

*Mayor Howorth led the Pledge of Allegiance.*

## **B. ROLL CALL**

**Present:** 5 - Mayor Howorth, Mayor Pro Tem Napolitano, Councilmember Hersman, Councilmember Montgomery and Councilmember Lesser

## **C. CEREMONIAL CALENDAR**

1. Proclamation Declaring the Month of July, 2018 as "Parks and Recreation Month".

[18-0059](#)

### **PRESENT**

*Parks and Recreation Director Mark Leyman, on behalf of the Parks and Recreation Department, accepted a Proclamation from the City Council declaring July as Parks and Recreation month.*

2. Presentation of a "Lifesaving Award" to Matthew Donatucci for Administering CPR to a Cardiac Arrest Victim.

[18-0116](#)

### **PRESENT**

*Mayor Howorth, on behalf of the City Council, introduced Acting Fire Chief Derrick Abell, who presented a "Lifesaving Award" to Matthew Donatucci for administering CPR to a cardiac arrest victim.*

3. Presentation of a "Lifesaving Award" to Adam Kreutner for Rescuing a Choking Victim.

[18-0147](#)

**PRESENT**

*Mayor Howorth, on behalf of the City Council, introduced Acting Fire Chief Derrick Abell, who presented a "Lifesaving Award" to Adam Kreutner for rescuing a choking victim.*

*Mayor Howorth also welcomed the new Richard, Watson and Gershon's Summer Associates assisting the City's legal team; Samantha Marconi, Darrelle Markman and Chelsea Straus.*

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

*Mayor Howorth requested to continue Agenda Item No. 16 - Consideration of the Sepulveda Initiatives Planning Project Recommendations and schedule the first Public Hearing on the July 3, 2018 City Council Meeting, due to the large agenda for June 19, 2018.*

*Mayor Howorth requested to remove, from the Consent Calendar, Agenda Item No. 6 - Resolution No. 18-0087 Supporting Energy Upgrade California's "Do Your Thing" Campaign, Reaching the State's Energy Goals, Including Reducing Greenhouse Gas Emissions by 40% Before 2030.*

**A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the agenda, as amended, waive full reading of ordinances, remove Agenda Item No. 6 from the Consent Calendar for a presentation and continue Agenda Item No. 16 to the July 3, 2018 City Council Meeting. The motion carried by the following vote:**

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

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

*Mark Lipps, Manhattan Beach Chamber of Commerce, announced that the Home and Health Expo was completed; on July 6, 2018, from 11:30 AM - 1:30 PM, the Manhattan Beach Chamber of Commerce will be hosting the "South Bay Lakers Lunch and Learn" where attendees can see the new Lakers facility; and on July 14, 2018, the Street Food Cinema movie will be "500 Days of Summer" at the Westrift Golf Course.*

*Michael Mackavoy, Acting Librarian for the Los Angeles County Manhattan Beach Public Library, announced Children's Summer Kickoff events; "Annie Banannie" on June 22, 2018 from 11:00 AM - 12:00 PM with balloon story telling and on June 27, 2018 from 11:00 AM - 12:00 PM "Pan is my Jumbie" with musical presentation by Joseph Peck. Also announced that on June 30, 2018, from 11:00 AM - 12:00 PM, Tween Pinball Design where tweens will have an opportunity to design and test their own pinball machines and on June 27, 2018 from 7:00 PM - 8:30 PM Teen Mystery Night.*

*Wayne Powell announced that the next CPR training will be available in July, 2018 and the next MBCERT training will take place late August or early September. The Older Adult Program will be hosting a Community Interactive Forum discussing "Powell to the People" on June 26, 2018 from 7:00 PM - 8:30 PM at the Manhattan Beach Library.*

*Mayor Howorth announced that students were out of school for the summer and for everyone to drive safely around the City.*

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

*Kathryn Cheng spoke on National Pollinator Week and submitted a Petition with over 125 signatures requesting the City to develop a pollinator plan and alternatives for pesticides.*

*Debra Geist spoke on the book "Silent Spring" by Rachel Carson and requested for City Council to implement an initiative (in relation to bees) as recommended in the book.*

*Mayor Pro Tem Napolitano announced that at the June 5, 2018, Regular City Council Meeting there was a request for staff to return with a list of vendors that use pesticides.*

*Carl Leach spoke in support of City Council looking at ideas on how to protect bees.*

*Mike Garcia spoke in support of City Council looking at alternatives related to bees and pesticides and commented on sustainability vs. regeneration.*

*Paul Beswick spoke in opposition of the West Basin Municipal Water District EIR for proposed desalination project.*

*Charlotte Marshall spoke in support of bees and expressed concern regarding the use of pesticides.*

*Nancy Dunn spoke about the Manhattan Beach Grand Prix and the noise pollution.*

*Linda Morey spoke in support of Charlotte Marshall's public comment.*

*Kathy Clark spoke in support of the Manhattan Beach Bee Alliance.*

*Linda McLoughlin Figel spoke in support of the extended parking time as proposed in Agenda Item No. 17.*

*Michael Zislis spoke in support of the extended parking time. Also, spoke of problems with Frontier Communications.*

*Councilmember Lesser requested for the City Manager to assign a staff member to reach out to Frontier Communications and to discuss with the company the City's expectations of their services for the residents and to obtain a contact number for the residents to use when there are issues with Frontier services.*

*Councilmember Montgomery mentioned that Assemblymember Al Maratsuchi's office has a contact who focuses on local government agencies.*

**G. CONSENT CALENDAR (APPROVE)**

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the Consent Calendar, Agenda Item Nos. 4-5 and 7-11 and moving Agenda Item No. 6 - Resolution No. 18-0087 Supporting Energy Upgrade California's "Do Your Thing" Campaign, Reaching the State's Energy Goals, Including Reducing Greenhouse Gas Emissions by 40% Before 2030, to be heard under H. Items Removed from the Consent Calendar. The motion carried by the following vote:

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

4. City Council Minutes: [18-0064](#)

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

- a) City Council Adjourned Regular Meeting Minutes (Budget Study Session #1) of May 8, 2018
- b) City Council Adjourned Regular Meeting Minutes (Budget Study Session #2) of May 22, 2018
- c) City Council Adjourned Regular Meeting Minutes (Joint City Council/Parks and Recreation Commission, Library Commission and Cultural Arts Commission) of June 4, 2018
- d) City Council Adjourned Regular Meeting Minutes (Closed Session) of June 5, 2018
- e) City Council Regular Meeting Minutes of June 5, 2018 (City Clerk Tamura).

**APPROVE**

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

5. Financial Report: Schedule of Demands: May 24, 2018 (Interim Finance Director Charelian). [18-0218](#)

**ACCEPT REPORT AND DEMANDS**

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

6. Resolution No. 18-0087 Supporting Energy Upgrade California's "Do Your Thing" Campaign, Reaching the State's Energy Goals, Including Reducing Greenhouse Gas Emissions by 40% Before 2030. [RES 18-0087](#)

**ADOPT RESOLUTION NO. 18-0087**

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

7. Accept Resignation from Cultural Arts Commissioner Prigozhin, Declare Vacant Cultural Arts Commission Seat No. 4 (Prigozhin), and Direct the City Clerk to Return with a List of Interested Applicants (City Clerk Tamura). [18-0247](#)

**ACCEPT RESIGNATION AND DECLARE VACANCY**

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

8. Donation of One Surplus Vehicle to the Manhattan Beach Unified School District (Interim Finance Director Charelian). [18-0212](#)  
**APPROVE**

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

9. Third Amendment to the Master Agreement with Manhattan Beach Unified School District Regarding Use and Maintenance of School District Fields and Facilities (Parks and Recreation Director Leyman). [RES 18-0092](#)  
**ADOPT RESOLUTION NO. 18-0092 APPROVING THE AMENDMENT**

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

10. Resolution No. 18-0073 Amending and Restating an Agreement with Regents of the University of California to Provide Nurse Educator Services (Acting Fire Chief Abell). [RES 18-0073](#)  
**ADOPT RESOLUTION NO. 18-0073**

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

11. Resolution No. 18-0049 Awarding RFP No. 1154-18 to Nth Generation Computing, Inc. for a Three-Year Contract for Network Server/Storage Hardware and Engineering Services with an Estimated Annual Value of Up to \$60,000 (Information Technology Director Taylor). [RES 18-0049](#)  
**ADOPT RESOLUTION NO. 18-0049 FOR NETWORK SERVER/STORAGE HARDWARE AND ENGINEERING SERVICES**

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

## H. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. Resolution No. 18-0087 Supporting Energy Upgrade California's "Do Your Thing" Campaign, Reaching the State's Energy Goals, Including Reducing Greenhouse Gas Emissions by 40% Before 2030. [RES 18-0087](#)  
**ADOPT RESOLUTION NO. 18-0087**

*Mayor Howorth introduced City of Malibu Councilmember Laura Rosenthal who provided a PowerPoint presentation.*

**A motion was made by Mayor Howorth, seconded by Councilmember Montgomery, to adopt Resolution No. 18-0087. The motion carried by the following vote:**

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

**I. PUBLIC HEARINGS**

12. Conduct Public Hearing Adopting Resolution No. 18-0068 Providing for Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2018-2019 (Interim Finance Director Charelian).

[RES 18-0068](#)

- a) **CONDUCT PUBLIC HEARING**
- b) **ADOPT RESOLUTION NO. 18-0068 PROVIDING FOR ANNUAL LEVY AND COLLECTION OF FISCAL YEAR 2018-2019 MAINTENANCE ASSESSMENTS**

*Interim Finance Director Steve Charelian provided the staff presentation.*

*Mayor Howorth opened the public hearing.*

*Seeing no requests to speak, Mayor Howorth closed the public hearing.*

**A motion was made by Councilmember Lesser, seconded by Councilmember Hersman, to adopt Resolution No. 18-0068 providing for the annual levy and collection of streetlighting and landscaping district maintenance assessments for Fiscal Year 2018-2019. The motion carried by the following vote:**

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



13. Conduct Public Hearing Adopting Resolution Nos. 18-0064 and 18-0100 Regarding Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2018-2019 Including Authorization to Collect Assessments; Ratification of the District Advisory Board; Authorization to Enter Into an Agreement with the Downtown Manhattan Beach Business and Professional Association; and Authorization to Disburse Fiscal Year 2017-2018 Assessments Collected (Interim Finance Director Charelian).
- a) **CONDUCT PUBLIC HEARING**
- b) **ADOPT RESOLUTION NOS. 18-0064 AND 18-0100**
- c) **RATIFY BOARD**

[18-0283](#)

*Interim Finance Director Steve Charelian provided the staff presentation.*

*Mayor Howorth opened the public hearing.*

*Don McPherson spoke about the bylaws for the group, funds spent and locations for meetings.*

*Seeing no requests to speak, Mayor Howorth closed the public hearing.*

*Mayor Howorth stated that she represents the City Council in the Downtown Business Improvement District (BID) meetings.*

*City Manager Bruce Moe and City Attorney Quinn Barrow responded to City Council questions.*

**A motion was made by Mayor Howorth, seconded by Councilmember Lesser, to adopt Resolution No. 18-0064 authorizing the collection of assessment and adopt Resolution No. 18-0100 authorizing the City Manager and BID Advisory Board Chairperson to enter into an agreement with the Downtown Manhattan Beach Business & Professional Association to provide services for the BID and ratify the board. The motion carried by the following vote:**

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

14. Conduct Public Hearing and Adopt Resolution No. 18-0083 Approving the Capital Improvement Plan for Fiscal Year 2018-2019 Through Fiscal Year 2021-2022 (Public Works Director Katsouleas).

[RES 18-0083](#)

**a) CONDUCT PUBLIC HEARING**

**b) ADOPT RESOLUTION NO. 18-0083**

*City Engineer Prem Kumar provided the PowerPoint presentation and responded to City Council questions.*

*Mayor Howorth opened the public hearing.*

*Seeing no requests to speak, Mayor Howorth closed the public hearing.*

*Councilmember Montgomery requested for staff to return to City Council with the pavement management plans for the remaining areas in the City.*

**A motion was made by Councilmember Montgomery, seconded by Councilmember Hersman, to adopt Resolution No. 18-0083 approving the Capital Improvement Plan for Fiscal Year 2018-2018 through Fiscal Year 2021-2022. The motion carried by the following vote:**

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

15. Conduct Public Hearing and Adoption/Approval of the Fiscal Year 2019 and 2020 Operating Budgets and Gann Appropriation Limit for Fiscal Year 2019 (Interim Finance Director Charelian).

[18-0284](#)

**a) CONDUCT PUBLIC HEARING**

**b) ADOPT RESOLUTION NOS. 18-0084 AND 18-0085**

*City Manager Bruce Moe provided an update on two additional reclassifications for the City Clerks Office.*

*Interim Finance Director Steve Charelian provided the PowerPoint presentation.*

*Mayor Howorth opened the public hearing.*

*Seeing no requests to speak, Mayor Howorth closed the public hearing.*

*Mayor Pro Tem Napolitano stated that City Council held several Budget Study Sessions and meetings in the past months where the budget was presented prior to the Public Hearing.*

**A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Hersman, to adopt Resolution No. 18-0084: adopting the Fiscal Year 2018-2019 operating budget; approving the Fiscal Year 2019-2020 operating budget subject to modification prior to the commencement of Fiscal Year 2019-2020; and authorizing the City Manager to make salary grade changes to the positions of Police Records Manager and Senior Deputy City Clerk as well as, approve specifications and salaries for the following new classifications: Deputy City Clerk, Engineering Technician I/II/III, Information Technology Analyst, Lead Records Technician/Matron, Senior Financial Analyst and Senior Recreation Manager; and adopt Resolution No. 18-0085 establishing the appropriation limit for Fiscal Year 2018-2019. The motion carried by the following vote:**

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

16. Consideration of the Sepulveda Initiatives Planning Project Recommendations (Community Development Director McIntosh). [ORD 18-0017](#)  
**CONDUCT PUBLIC HEARING AND CONTINUE THE PUBLIC HEARING TO JULY 3, 2018**

**This item was continued to the July 3, 2018 City Council Meeting.**

*At 8:00 PM City Council recessed and reconvened at 8:14 PM with all Councilmembers present.*

## **J. GENERAL BUSINESS**

17. Increase Parking Meter Duration to Three Hours after 6 PM Daily and Permit Overflow Merchant Parking in the Civic Center Parking Structure Lower Level on Closed City Hall Days (Community Development Director McIntosh). [18-0180](#)  
**APPROVE**

*Traffic Engineer Erik Zandvliet provided the staff presentation and responded to City Council questions.*

*Mayor Howorth opened the floor to public comment.*

*Craig Cadwallader spoke in support of City Council keeping free parking at City Hall during City Council and Commission meeting nights.*

*Jim Burton spoke in support of City Council approving the recommendations as provided by staff.*

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

*Interim Finance Director Steve Charelian responded to City Council questions.*

**A motion was made by Mayor Pro Tem Napolitano, seconded by Mayor Howorth, to approve an increase to the parking meter duration to three hours after 6:00 PM daily and permit overflow merchant parking in the Civic Center parking structure lower level on closed City Hall days. The motion carried by the following vote:**

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

18. Issue a 10-Day Report Pursuant to Government Code Section 65858(d) for Interim Zoning Ordinance (IZO) No. 17-0007-U; and Status Update of California Coastal Commission Consideration of the Downtown Specific Plan Project (Community Development Director McIntosh).

[18-0221](#)

**ISSUE 10-DAY REPORT**

*Senior Management Analyst Nhung Madrid provided the staff presentation.*

*Senior Management Analyst Madrid, City Attorney Quinn Barrow and Community Development Director Anne McIntosh responded to City Council questions.*

*Mayor Howorth opened the floor to public comment.*

*Maureen McBride spoke in support of keeping in place the IZO.*

*Jim Burton spoke in support of keeping the IZO.*

*Seeing no requests to speak, Mayor Howorth closed the floor to public comment.*

*City Attorney Barrow, Senior Management Analyst Madrid and Community Development Director McIntosh responded to City Council questions.*

**A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to issue a 10-day report pursuant to Government Code Section 65858(d) for IZO No. 17-0007-U and direct staff to return with an ordinance to incorporate the elements of the Downtown Specific Plan that are not directly addressed in the IZO. The motion carried by the following vote:**

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

19. Appeal of a Planning Commission Decision to Uphold the Community Development Director's Decision for a Minor Exception Approval at 1208 The Strand (Community Development Director McIntosh). [18-0216](#)  
**DIRECT STAFF TO DRAFT RESOLUTION UPHOLDING PLANNING COMMISSION DECISION'S UPHOLDING THE DIRECTOR'S DECISION**

*Councilmember Montgomery reported (for the record) that he had breakfast with the Altamura family in El Segundo in December 2017, and paid for his own meal.*

*Associate Planner Angelica Ochoa provided the PowerPoint presentation.*

*Associate Planner Ochoa and Building Official Ryan Heise responded to City Council questions.*

*Attorney Lisa Kranitz for Wallin, Kress, Reisman and Kranitz, representing the Applicant, provided a brief overview regarding the permit request.*

*Architect Michael Lee provided the Applicant's PowerPoint presentation regarding the architectural modifications requested.*

*Attorney Kenneth Bley for Cox, Castle and Nicholson, representing one Appellant (1200 Cherry Oca, LLC), provided a statement opposing the minor exception.*

*Attorney Diana Courteau, representing another Appellant (Maya Soderstrom), provided a statement opposing the minor exception.*

*Appellant Maya Soderstrom spoke in opposition to the approval of the minor exception.*

*Mayor Howorth opened the floor to public comment.*

*Applicant Kathy Kernochan spoke in support of the City Council approving the Planning Commission's decision.*

*Attorney Kranitz for Wallin, Kress, Reisman and Kranitz, rebutted the comments and information provided by the Appellants.*

*City Attorney Quinn Barrow introduced into the record documents including the following items: Letter from Wallin, Kress, Reisman & Kranitz, LLP (dated June 12, 2018) including all the attachments; the staff report and attachments; the staff report and attachments presented to the Planning Commission (April 25, 2018); all correspondence related to 1208 The Strand; Letters from Cox, Castle, Nicholson (dated June 14, 2018 - submitted to the City on June 14, 2018 and to City Council on June 19, 2018) including exhibits; and all documents referenced by the building official.*

*Community Development Director Anne McIntosh responded to City Council questions.*

**A motion was made by Councilmember Lesser, seconded by Councilmember Hersman, to direct staff to prepare a resolution concurring with the Planning Commission's decision upholding the Community Development Director's approval of a minor exception at 1208 The Strand. The motion carried by the following vote:**

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

*At 9:51 PM City Council recessed and reconvened at 9:58 PM with all Councilmembers present.*

- 20.** Discuss Comments on Draft Environmental Impact Report on Ocean Desalination Plant Proposed by West Basin Municipal Water District (Community Development Director McIntosh).

[18-0206](#)

**DISCUSS**

*Community Development Director Anne McIntosh provided the staff presentation and responded to City Council questions.*

*Mayor Howorth opened the floor to public comment.*

*The following individuals provided public comments supporting the City Council to comment/submit a letter of opposition related to the draft EIR as proposed by West Basin Municipal Water:*

*Bob Sievers  
Craig Cadwallader  
Annelise Moe  
Nancy Shrodes  
Wayne Powell  
Marie Coumey  
Liz Griggs*

*Seeing no requests to speak, Mayor Howorth closed the floor to public comment.*

*Environmental Programs Manager Dana Murray, Community Development Director McIntosh and City Attorney Quinn Barrow responded to City Council questions.*

*City Council directed staff to submit a letter to West Basin Municipal Water District by the deadline of June 25, 2018.*

**At 10:30 PM, a motion was made by Councilmember Lesser, seconded by Councilmember Hersman, to extend the June 19, 2018 Regular City Council Meeting past 10:30 PM. The motion carried by the following vote:**

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

*City Attorney Quinn Barrow provided clarification as to what the letter would include and responded to City Council questions.*

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

21. Request by Councilmember Montgomery to Discuss the Impacts of Senate Bill 415 and the Possibility of Changing the March 5, 2019 General Municipal Election to Another Date. [18-0259](#)

**DISCUSS AND PROVIDE DIRECTION**

*Councilmember Montgomery provided the presentation summarizing his request.*

*Mayor Howorth opened the floor to public comment.*

*The following individuals spoke in opposition to City Council discussing alternatives to SB 415:*

*Wayne Powell  
Bill Victor*

*Seeing no requests to speak, Mayor Howorth closed the floor to public comment.*

*City Council directed staff to provide impacts of Senate Bill 415 and explore additional options in moving forward with rescheduling the City's March 2019 General Municipal Election to the March 2020 Statewide Election.*

**L. FUTURE AGENDA ITEMS**

22. Agenda Forecast (City Clerk Tamura). [18-0060](#)  
**DISCUSS AND PROVIDE DIRECTION**

*None.*

**M. CITY MANAGER REPORT**

*None.*

**N. CITY ATTORNEY REPORT**

*None.*

**O. INFORMATIONAL ITEMS**

23. Recent Planning Commission Quasi-Judicial Decisions [18-0286](#)

1. Variance for Remodel/Addition of Nonconforming Home - 2801 Valley
  2. Variance and Coastal Development Permit for Remodel/Addition of Nonconforming Home - 2912 Ocean
  3. Planned Development Permit Amendment allowing Grocery Store Dining Area- Mother's Market
- (Community Development Director McIntosh).

**INFORMATION ITEM ONLY**

*City Attorney Quinn Barrow and Community Development Director Anne McIntosh responded to City Council questions.*

**By order of the Chair, this item was received and filed.**

**P. CLOSED SESSION**

*None.*

**Q. ADJOURNMENT**

*At 11:20 PM Mayor Howorth adjourned the meeting in memory of former Manhattan Beach City Clerk Jean McMillan.*

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**Martha Alvarez**  
Recording Secretary

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**Amy Howorth**  
Mayor

**ATTEST:**

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**Liza Tamura**  
City Clerk