

City Council Regular Meeting

Regular Meeting
Tuesday, October 1, 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
Jeffery Gibson, Interim Community Development Director
Lisa Jenkins, Human Resources Director

Lisa Jenkins, Interim Information Technology Director
Stephanie Katsouleas, Public Works Director
Mark Leyman, Parks and Recreation Director
Liza Tamura, City Clerk

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, September 25, 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 Proclamation Declaring the Month of October, 2019, as "National Community Planning Month."
PRESENT [19-0375](#)
2. Presentation of Proclamation Declaring the Month of October, 2019, as "National Fire Prevention Month."
PRESENT [19-0376](#)

3. Presentation of a Proclamation Declaring the Month of October, 2019, as "National Breast Cancer Awareness Month." [19-0388](#)
PRESENT
4. Presentation of a Proclamation Declaring the Month of October, 2019, as "National Cybersecurity Awareness Month." [19-0391](#)
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.

5. City Council Minutes: [19-0339](#)
This Item Contains the City Council Regular Meeting Minutes of September 17, 2019
(City Clerk Tamura).
APPROVE

Attachments: [City Council Regular Meeting Minutes of September 17, 2019](#)

6. Financial Reports: [19-0320](#)
a) Schedule of Demands August 29, 2019
b) Investment Portfolio for the Month Ending August 31, 2019
c) Month End Report for August 31, 2019
(Finance Director Charelian).
ACCEPT REPORTS AND DEMANDS
Attachments: [Schedule of Demands for August 29, 2019](#)
[Investment Portfolio for the Month Ending August 31, 2019](#)
[Month End Report for August 31, 2019](#)
7. Consideration of an Agreement with the El Camino College Fire Academy for the Donation of Surplus Fire Equipment (Finance Director Charelian). [19-0325](#)
APPROVE
Attachments: [Agreement - El Camino College](#)
8. Formally Accept as Complete The Strand Resurfacing Project Constructed by EBS General Engineering, Inc.; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention for \$8,359.57 (Public Works Director Katsouleas). [19-0336](#)
APPROVE
Attachments: [Location Map](#)
9. Consider Approving Amendment No. 1 to the Professional Services Agreement with Kitchell/CEM, Inc. for \$182,784 for Design Services to Repair/Upgrade the City Hall Heating, Ventilation, and Air Conditioning (HVAC) System (Public Works Director Katsouleas). [19-0327](#)
ADOPT RESOLUTION NO. 19-0087
Attachments: [Resolution No. 19-0087](#)
[Amendment No. 1 - Kitchell/CEM, Inc.](#)
[Agreement - Kitchell/CEM, Inc. \(2019\)](#)
[Budget and Expenditures](#)
[City Hall HVAC Improvements \(Executive Report\)](#)
[Existing Conditions Photos](#)
[City Hall HVAC Improvements Final Report](#)

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.

- 10.** Consider: 1) Approving the Underground Utility Assessment District Final Engineer's Report and Confirming the Assessments and Proceedings for Each District Approved by a Majority Vote of the Weighted Returned Ballots in Districts 19-12 and 19-14, or 2) Declaring Abandonment of Proceedings for Each District Not Approved by a Majority Vote of the Weighted Returned Ballots (Public Works Director Katsouleas).

[19-0344](#)

- a) ADOPT RESOLUTION NO. 19-0091 FOR DISTRICT 19-12
(APPROVING ASSESSMENT ENGINEER'S REPORT AND
CONFIRMING ASSESSMENTS OR DECLARING
ABANDONMENT)**
- b) ADOPT RESOLUTION NO. 19-0092 FOR DISTRICT 19-14
(APPROVING ASSESSMENT ENGINEER'S REPORT AND
CONFIRMING ASSESSMENTS OR DECLARING
ABANDONMENT)**

Attachments: [AD 12 - Resolution No. 19-0091 \(Confirming Assessment\)](#)
[AD 12 - Resolution No. 19-0091 \(Declaring Abandonment\)](#)
[AD 12 - Assessors Diagram](#)
[AD 12 - Certificate of City Clerk - Results of the Assessment Ballots](#)
[AD 12 - Final Assessment Engineer's Report](#)
[AD 12 - Notice of Public Hearing](#)
[AD 14 - Resolution No. 19-0092 \(Confirming Assessment\)](#)
[AD 14 - Resolution No. 19-0092 \(Declaring Abandonment\)](#)
[AD 14 - Assessment Diagram](#)
[AD 14 - Certificate of City Clerk - Results of the Assessment Ballots](#)
[AD 14 - Final Assessment Engineer's Report](#)
[AD 14 - Notice of Public Hearing](#)
[Sample Ballot and Procedures](#)
[Sample Notice of Proposed Assessment](#)
[PowerPoint Presentation](#)

ONCE THE PUBLIC HEARING IS CLOSED, STAFF WILL TAKE THE BALLOTS TO THE POLICE/FIRE CONFERENCE ROOM TO BE OPENED PUBLICLY AND WILL RETURN TO THE CITY COUNCIL CHAMBERS WITH THE FINAL RESULTS.

J. GENERAL BUSINESS

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

11. Consider Prohibiting the Retail Sale of Tobacco Products and Electronic Smoking Devices and Paraphernalia (City Manager Moe and City Attorney Barrow). [19-0307](#)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Beverly Hills Tobacco Ordinance](#)
[Hermosa Beach Tobacco Ordinance](#)
[Los Angeles County Public Health Reference Documents](#)
[Los Angeles County Flavored Tobacco Ordinance](#)

12. Consider Increasing City Sponsorship Funding for the TEDxManhattanBeach Event From \$1,500 to \$5,000 (City Manager Moe). [19-0408](#)

DISCUSS AND PROVIDE DIRECTION

13. Receive this Report on the City's Municipal National Pollutant Discharge Elimination System (NPDES) Storm Water Requirements, Activities and Expenditures (Public Works Director Katsouleas). [19-0411](#)

RECEIVE REPORT

Attachments: [Table of Requirements and Expenditures](#)
[Storm Water Informational Memo](#)
[Measure W Regional and Local Return Funding Estimates](#)
[NPDES Storm Water Permit \(Web-Link Provided\)](#)

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.

L. FUTURE AGENDA ITEMS

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

14. Agenda Forecast (City Clerk Tamura). [19-0377](#)
DISCUSS AND PROVIDE DIRECTION

Attachments: [September 25, 2019 Agenda Forecast](#)

M. CITY MANAGER REPORT

N. CITY ATTORNEY REPORT

O. INFORMATIONAL ITEMS

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

15. Commission Minutes:

[19-0417](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Library Commission Meeting Minutes of July 8, 2019 (Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting Minutes of July 15, 2019 (Parks and Recreation Director Leyman)
- c) Parks and Recreation Commission Meeting Minutes of July 22, 2019 (Parks and Recreation Director Leyman)
- d) Library Commission Meeting Minutes of August 12, 2019 (Parks and Recreation Director Leyman)
- e) Planning Commission Action Meeting Minutes (Cancelled) of August 14, 2019 (Interim Community Development Director Gibson)
- f) Cultural Arts Commission Meeting Minutes of August 19, 2019 (Parks and Recreation Director Leyman)
- g) Parking and Public Improvements Commission Meeting Minutes (Cancelled) of August 22, 2019 (Interim Community Development Director Gibson)
- h) Planning Commission Action Meeting Minutes of August 28, 2019 (Interim Community Development Director Gibson)

INFORMATION ITEM ONLY

Attachments: [Library Commission Meeting Minutes of July 8, 2019](#)
[Cultural Arts Commission Meeting Minutes of July 15, 2019](#)
[Parks and Recreation Commission Meeting Minutes of July 22, 2019](#)
[Library Commission Meeting Minutes of August 12, 2019](#)
[Planning Commission Action Meeting Minutes \(Cancelled\) of August 14, 2019](#)
[Cultural Arts Commission Meeting Minutes of August 19, 2019](#)
[Parking and Public Improvements Commission Meeting Minutes \(Cancelled\) of August 22, 2019](#)
[Planning Commission Action Meeting Minutes of August 28, 2019](#)

P. CLOSED SESSION

Q. ADJOURNMENT

R. FUTURE MEETINGS

CITY COUNCIL MEETINGS

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
January 6, 2020 - Monday -- 6:00 PM - Joint Meeting City Council/Parks and Recreation Commission, Cultural Arts Commission and Library Commission
January 7, 2020 - Tuesday -- 6:00 PM - City Council Meeting
January 15, 2020 - Wednesday -- 6:00 PM - Joint Meeting City Council/Planning Commission and Parking and Public Improvements Commission
January 21, 2020 - Tuesday -- 6:00 PM - City Council Meeting
February 4, 2020 - Tuesday -- 6:00 PM - City Council Meeting
February 18, 2020 - Tuesday -- 6:00 PM - City Council Meeting
March 3, 2020 - Tuesday -- 6:00 PM - City Council Meeting (Reorganization)
March 17, 2020 - Tuesday -- 6:00 PM - City Council Meeting
April 7, 2020 - Tuesday -- 6:00 PM - City Council Meeting
April 21, 2020 - Tuesday -- 6:00 PM - City Council Meeting
May 5, 2020 - Tuesday -- 6:00 PM - City Council Meeting
May 19, 2020 - Tuesday -- 6:00 PM - City Council Meeting
June 2, 2020 - Tuesday -- 6:00 PM - City Council Meeting
June 16, 2020 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

October 7, 2019 - Monday - 6:00 PM - Library Commission Meeting
October 9, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
October 14, 2019 - Monday - 6:00 PM - Library Commission Meeting (Cancelled)
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 4, 2019 - Monday - 6:00 PM - Library Commission Meeting
November 11, 2019 - Monday - 6:00 PM - Library Commission Meeting (Cancelled)
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
December 5, 2019 - Thursday - 6:00 PM - Parking and Public Improvements Commission
December 9, 2019 - Monday - 6:00 PM - Library Commission Meeting
December 11, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting
December 16, 2019 - Monday - 6:00 PM - Cultural Arts Commission Meeting
December 23, 2019 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
December 25, 2019 - Wednesday - 6:00 PM - Planning Commission Meeting

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

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

September 7, 2020 - Monday - Labor Day