

## City Council Regular Meeting

### Regular Meeting

**Thursday, September 9, 2021**

**6:00 PM**

**Zoom Meeting**



#### **ELECTED OFFICIALS**

**Mayor** Suzanne Hadley

**Mayor Pro Tem** Hildy Stern

**Councilmember** Steve Napolitano

**Councilmember** Richard Montgomery

**Councilmember** Joe Franklin

**City Treasurer** Tim Lilligren

#### **EXECUTIVE TEAM**

**City Manager** Bruce Moe

**City Attorney** Quinn Barrow

**City Clerk** Liza Tamura

**Community Development Director** Carrie Tai

**Finance Director** Steve Charelian

**Fire Chief** Michael Lang

**Human Resources Director** Lisa Jenkins

**Information Technology Director** Terry Hackelman

**Parks and Recreation Director** Mark Leyman

**Police Chief** Derrick Abell

**Public Works Director** Erick Lee

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#### **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.

**September 9, 2021**

**City Council Meeting Agenda Packet:**

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## MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

*By participating in City Council meetings virtually, you are participating in the process of representative government. To encourage that participation, the City Council 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.*

*Pursuant to Governor Newsom's executive orders issued in response to the COVID-19 pandemic, the City continues to offer an opportunity to participate in Council meetings via Zoom. In the interest of maintaining appropriate social distancing, the City Council encourages the public to participate by submitting comments in advance of the meeting, no later than 5:30 PM, September 9, 2021 (the day of the meeting), via:*

- 1) eComment at <http://www.citymb.info/ecomment>;*
- 2) email to [cityclerk@citymb.info](mailto:cityclerk@citymb.info); or*
- 3) telephone message recorded at (310) 802-5030.*

*All of your comments provided by the deadlines above will be available to the City Council and the public prior to the meeting.*

*In addition, you may participate by joining Zoom during the meeting. Instructions are provided on item F (Public Comments).*

*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](http://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 Thursday, September 2, 2021, 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.**

**PLEASE NOTE THAT THE CITY COUNCIL MAY ACT ON ANY ITEM LISTED ON THE AGENDA.**

**A. CALL MEETING TO ORDER**

**B. PLEDGE TO THE FLAG**

**C. ROLL CALL**

**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. REORGANIZATION**

1. City Council Reorganization:
  - a) Public Comments on Reorganization
  - b) Recognition of Outgoing Mayor Hadley
  - c) Selection of Mayor
  - d) Selection of Mayor Pro Tem  
(City Clerk Tamura).**APPROVE**

[21-0180](#)

**F. RECESS CITY COUNCIL MEETING TO A MEETING OF THE MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATION**

**I. CALL MEETING TO ORDER**

**II. ROLL CALL**

**III. PUBLIC COMMENT ON CAPITAL IMPROVEMENT CORPORATION**



**IV. GENERAL BUSINESS**

2. Reorganization of the Manhattan Beach Capital Improvements Corporation (Finance Director/CFO Charelian). [CIC-9](#)  
**ELECT A NEW PRESIDENT AND VICE PRESIDENT**

**G. ADJOURN THE MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATIONS AND RECONVENE CITY COUNCIL MEETING****H. CEREMONIAL CALENDAR**

3. Presentation of Certificates of Recognition to the Manhattan Beach Rotary Club for Their Support of the Community Throughout the COVID-19 Pandemic. [21-0204](#)  
**PRESENT**

**Attachments:** [Certificate of Recognition - Manhattan Beach Rotary](#)

**I. 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.*

## J. 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.

Pursuant to Governor Newsom's Executive Order No. N-09-21, The City Council encourages the public to participate by submitting comments in advance of the meeting, no later than 5:30 PM, September 9, 2021 (the day of the meeting), via:

- 1) eComment at <http://www.citymb.info/ecomment>;
- 2) email to [cityclerk@citymb.info](mailto:cityclerk@citymb.info); or
- 3) telephone message recorded at (310) 802-5030.

All of your comments provided by the deadlines above will be available to the City Council and the public prior to the meeting.

### ZOOM PUBLIC PARTICIPATION

If you wish to speak on any item on the agenda, please register in advance by clicking the following link: <https://citymb.seamlessdocs.com/f/publiccomment>.

If you wish to speak on any item on the agenda, please register in advance by clicking the following link: <https://citymb.seamlessdocs.com/f/publiccomment>, even when submitting this request you will need to use the "raise hand" feature via Zoom during the presentation of that Agenda Item in order to confirm with the City Clerk's Office that you wish to provide comments.

- 1) Join Zoom Meeting via the internet:

**Direct URL: <https://citymb-info.zoom.us/j/93376200363>, Meeting ID: 933-7620-0363**

During the meeting you will need to use the "raise hand" button through Zoom at the time the Agenda Item is being presented for City Council consideration.

- 2) Join Zoom Meeting via Phone Conference (Voice Only):

**Phone Number: (669) 900-6833, Meeting ID: 933 7620 0363**

During the meeting you will need to enter \*9 on the phone's dial pad at the time the Agenda Item is being presented for City Council consideration.

Please note, the City is not responsible for the public's use of Zoom as it relates to the software, configuration, and setting on a personal device. The public is encouraged to visit the Zoom website for information on use of this software. The City's use of Zoom is consistent with the platform features and functions as described on the Zoom website.

## K. COVID-19

4. City Manager Report on EOC (Emergency Operations Center) and Update on COVID-19 Response.

**L. 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: [21-0206](#)**

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

a) City Council Adjourned Regular Meeting Minutes of August 24, 2021

b) City Council Regular Meeting Minutes of August 24, 2021

(City Clerk Tamura).

**APPROVE**

**Attachments:** [City Council Adjourned Regular Meeting Minutes of August 24, 2021](#)

[City Council Regular Meeting Minutes of August 24, 2021](#)

**6. Financial Reports: [21-0260](#)**

a) Schedule of Demands August 5, 2021, August 12, 2021 and August 19, 2021

b) Investment Portfolio for the Month Ending July 31, 2021

c) Month End Report for July 31, 2021

(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

**Attachments:** [Schedule of Demands for August 5, August 12, and August 19, 2021](#)

[Investment Portfolio for the Month Ending July 31, 2021](#)

[Month End Report for July 31, 2021](#)

**7. Consider Designating a Voting Delegate and Alternates to the 2021 [21-0117](#)**

League of California Cities Annual Conference; Authorize the Delegate and Alternates Voting Authority on Proposed Resolution(s) Being Considered at the Conference (City Clerk Tamura).

**a) APPROVE VOTING DELEGATE AND ALTERNATES**

**b) AUTHORIZE VOTING AUTHORITY**

**Attachments:** [Designation of Voting Delegate/Alternates Form](#)

[2021 Annual League of California Cities Conference Resolutions Packet](#)

8. Consideration of Ratification of an Agreement with DropFusion IV, LLC for Onsite COVID-19 Testing in the Amount of \$100,000 and Appropriate \$100,000 from the General Fund (Human Resources Director Jenkins). [21-0275](#)
- a) **ADOPT RESOLUTION NO. 21-0077**
  - b) **RATIFY AGREEMENT FOR ONSITE COVID-19 TESTING**
  - c) **APPROPRIATE FUNDS**

Attachments: [Resolution No. 21-0077](#)  
[Agreement - DropFusion IV, LLC.](#)

## M. ITEMS REMOVED FROM THE CONSENT CALENDAR

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

## N. PUBLIC HEARINGS

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

9. Conduct Public Hearing for Consideration of Adopting Resolutions Regarding Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2021-2022 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 Assessments Collected Through July 31, 2021 (Finance Director Charelian). [21-0203](#)
- a) **CONDUCT PUBLIC HEARING**
  - b) **ADOPT RESOLUTION NOS. 21-0075 AND 21-0076**
  - c) **RATIFY BOARD**
  - d) **AUTHORIZE THE DISBURSEMENT OF ASSESSMENTS COLLECTED THROUGH JULY 31, 2021**

Attachments: [Resolution No. 21-0075](#)  
[Resolution No. 21-0076](#)  
[Agreement – DMBBID/DMBBPA \(2021-2022\)](#)  
[BID Advisory Board of Directors to be Ratified \(FY 2021-2022\)](#)  
[Business Improvement Budget & Activity Plan \(July 2021\)](#)

## O. GENERAL BUSINESS

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

10. Request by Councilmember Hadley and Councilmember Montgomery to Discuss Establishing a Dedicated Homeless Outreach Housing Navigator and Reserving Beds for Manhattan Beach (City Manager Moe). [21-0280](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [South Bay Beach Cities Homelessness Project Report - July 2021](#)  
[City of Redondo Beach Report on Housing Navigator Classification](#)  
[SHARE! Collaborative Housing Information](#)  
[City of Redondo Beach Report on Leasing Private Units from SWAMI International](#)

11. Discuss and Provide Direction on Potential Additional Water Runoff Reduction Measures in the City for New Commercial and Residential Construction (Continued from the August 3, 2021, City Council Meeting) (Community Development Director Tai). [21-0259](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Ordinance No. 15-0004](#)  
[PowerPoint Presentation](#)

12. Update on Upcoming Clean Power Alliance (CPA) Default Rate Change to 100% Green Power and Associated Outreach Schedule (Community Development Director Tai). [21-0281](#)  
**RECEIVE AND FILE**

**Attachments:** [CPA Member Agency Participation and Default](#)  
[CPA Member Agency Default Choices](#)  
[CPA Outreach Timeline](#)  
[Outreach Examples](#)

## P. 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.*

13. City Council AB 1234 Reports.
14. Consider Request by Councilmember Napolitano and Councilmember Hadley to Discuss Prohibiting Timeshares (City Manager Moe). [21-0279](#)  
**DISCUSS AND PROVIDE DIRECTION**

**Q. FUTURE AGENDA ITEMS**

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

**R. CITY MANAGER REPORT****S. CITY ATTORNEY REPORT****T. INFORMATIONAL ITEMS**

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

- 15.** Agenda Forecast (City Clerk Tamura). [21-0217](#)  
**INFORMATION ITEM ONLY**
- 16.** Commission Minutes: [21-0282](#)  
This Item Contains Minutes of the following City Commission Meetings:  
a) Planning Commission Meeting Minutes of August 25, 2021 (Cancelled)  
(Community Development Director Tai).  
**INFORMATION ITEM ONLY**

**Attachments:** [Planning Commission Meeting Minutes of August 25, 2021 \(Cancelled\)](#)

**U. CLOSED SESSION****V. ADJOURNMENT**

*Adjourning in Memory of Former Parks and Recreation Commissioner Sue Allard.*

**W. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

September 21, 2021 - Tuesday -- 6:00 PM - City Council Meeting  
October 5, 2021 - Tuesday -- 6:00 PM - City Council Meeting  
October 19, 2021 - Tuesday -- 6:00 PM - City Council Meeting  
November 2, 2021 - Tuesday -- 6:00 PM - City Council Meeting  
November 16, 2021 - Tuesday -- 6:00 PM - City Council Meeting  
December 7, 2021 - Tuesday -- 6:00 PM - City Council Meeting  
December 21, 2021 - Tuesday -- 6:00 PM - City Council Meeting  
January 3, 2022 - Monday -- 6:00 PM - Joint City Council/Parks and Recreation Commission, Cultural Arts Commission and Library Commission Meeting  
January 4, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
January 18, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
January 19, 2022 - Wednesday -- 6:00 PM - Joint City Council/Planning Commission and Parking and Public Improvements Commission meeting  
February 1, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
February 15, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
March 1, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
March 15, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
April 5, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
April 19, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
April 26, 2022 - Tuesday -- TBD - Boards and Commissions Interviews  
May 3, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
May 17, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
June 7, 2022 - Tuesday -- 6:00 PM - City Council Meeting (Reorganization)  
June 21, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
July 5, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
July 19, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
August 2, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
August 16, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
September 6, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
September 20, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
October 4, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
October 18, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
November 1, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
November 15, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
December 6, 2022 - Tuesday -- 6:00 PM - City Council Meeting  
December 20, 2022 - Tuesday -- 6:00 PM - City Council Meeting

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

September 13, 2021 - Monday - 5:00 PM - Library Commission Meeting  
September 15, 2021 - Wednesday -- 3:00 PM - Planning Commission Meeting (Special Meeting)  
September 20, 2021 - Monday - 5:00 PM - Cultural Arts Commission Meeting  
September 22, 2021 - Wednesday - 3:00 PM - Planning Commission Meeting  
September 23, 2021 - Thursday - 6:00 PM - Parking and Public Improvements Commission  
September 27, 2021 - Monday - 4:00 PM - Parks and Recreation Commission Meeting  
October 11, 2021 - Monday - 5:00 PM - Library Commission Meeting  
October 13, 2021 - Wednesday - 3:00 PM - Planning Commission Meeting  
October 18, 2021 - Monday - 5:00 PM - Cultural Arts Commission Meeting  
October 25, 2021 - Monday - 6:00 PM - Parks and Recreation Commission Meeting  
October 27, 2021 - Wednesday - 3:00 PM - Planning Commission Meeting  
October 28, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission  
November 8, 2021 - Monday - 5:00 PM - Library Commission Meeting  
November 10, 2021 - Wednesday - 3:00 PM - Planning Commission Meeting  
November 15, 2021 - Monday - 5:00 PM - Cultural Arts Commission Meeting  
November 22, 2021 - Monday - 6:00 PM - Parks and Recreation Commission Meeting  
November 24, 2021 - Wednesday - 3:00 PM - Planning Commission Meeting  
November 25, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission (Rescheduled to December 2, 2021 Due to Thanksgiving Holiday)  
December 2, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission (Rescheduled from November 25, 2021 and December 23, 2021)  
December 8, 2021 - Wednesday - 3:00 PM - Planning Commission Meeting  
December 13, 2021 - Monday - 5:00 PM - Library Commission Meeting  
December 20, 2021 - Monday - 5:00 PM - Cultural Arts Commission Meeting  
December 22, 2021 - Wednesday - 3:00 PM - Planning Commission Meeting  
December 23, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission (Rescheduled to December 2, 2021 Due to Christmas Holiday)  
December 27, 2021 - Monday - 6:00 PM - Parks and Recreation Commission Meeting

**X. CITY OFFICES CLOSED****CITY HOLIDAYS:**

October 11, 2021 – Monday – Columbus Day  
November 11, 2021 – Thursday – Veterans Day  
November 25-26, 2021 - Thursday & Friday - Thanksgiving Holiday  
December 24, 2021 - Friday - Christmas Day Observed (Saturday, December 25, 2021)  
December 31, 2021 – Friday – New Years Day Observed (Saturday, January 1, 2022)  
January 17, 2022 – Monday – Martin Luther King Day  
February 21, 2022 - Monday - Presidents Day  
May 30, 2022 – Monday – Memorial Day  
July 4, 2022 - Monday - Independence Day  
September 5, 2022 - Monday - Labor Day





**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Liza Tamura, City Clerk

Martha Alvarez, Assistant City Clerk

**SUBJECT:**

City Council Reorganization:

- a) Public Comments on Reorganization
- b) Recognition of Outgoing Mayor Hadley
- c) Selection of Mayor
- d) Selection of Mayor Pro Tem  
(City Clerk Tamura).

**APPROVE**

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**RECOMMENDATION:**

Staff recommends that the City Council recognize outgoing Mayor Hadley and proceed with the selection of the new Mayor and Mayor Pro Tem after public comments.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

The City of Manhattan Beach is a General Law city incorporated under the laws of the State of California on December 2, 1912. The City has a "Council-Manager" form of government where the City Manager is appointed by the City Council and is the Chief Executive Officer of the municipal corporation. The City Council acts as the board of directors of the municipal corporation and meets in a public forum where citizens may participate in the governmental process. The Mayor serves as the chairperson of the City Council. The City Council consists of five members elected at-large on a non-partisan basis who serve staggered four-year terms with a two consecutive term limit.

On September 1, 2015, the California State Legislature passed the California Voter Participation Rights Act, also known as, Senate Bill (SB) 415. This legislation prohibits a local government from holding an election on any date other than a statewide election date if doing so in the past has resulted in a significant decrease in voter turnout. SB 415 requires cities with insufficient voter turnout to either change their election dates to June or November of even years, or adopt a plan to consolidate its election with the statewide election, no later than the November 8, 2022, statewide general election.

At the October 18, 2016, City Council Meeting, City Council adopted Ordinance No. 16-0026 establishing new General Municipal Election dates to be held in November of even years beginning in November 2020, to meet state mandates imposed by SB 415. Therefore, in 2019, the City held the last General Municipal election in March to be followed by the County consolidated elections in November of even years. Councilmembers elected on or after the November 2020 consolidated election, will return to the previous Mayoral rotation, occurring every nine and a half months.

For reference, upcoming mayoral terms are scheduled to begin and end at the following dates with the accompanying term lengths:

- September 9, 2021 - June 7, 2022 (9 Months - Hildy Stern)  
(Councilmembers Hadley & Stern have reduced Mayor terms due to SB 415)
- June 7, 2021 - March 21, 2023 (9 ½ Months - Steve Napolitano)
- March 21, 2023 - January 2, 2024 (9 ½ Months - Richard Montgomery)
- January 2, 2024 - October 15, 2024 (9 ½ Months - Joe Franklin)

**DISCUSSION:**

The Mayor is a member of the City Council and selected by a majority of the City Council every nine and a half months. As a member of the City Council, the Mayor shall have all the powers of a member, in addition to attending public events on behalf of the City Council in a ceremonial capacity.

The Mayor Pro Tem is also a member of the City Council and selected by a majority of the City Council every nine and a half months. The Mayor Pro Tem serves as backup to the Mayor, presides over the City Council meeting in the Mayor's absence, and attends events when the Mayor is unavailable.

**PUBLIC OUTREACH:**

After analysis, staff determined that public outreach was not required for this issue.

**ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.





**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager/Chief Administrative Officer

**FROM:**

Steve S. Charelian, Finance Director/Chief Financial Officer

**SUBJECT:**

Reorganization of the Manhattan Beach Capital Improvements Corporation (Finance Director/CFO Charelian).

**ELECT A NEW PRESIDENT AND VICE PRESIDENT**

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**RECOMMENDATION:**

Staff recommends that the Board of Directors of the Manhattan Beach Capital Improvements Corporation elect a new President and a new Vice President.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

The Manhattan Beach Capital Improvements Corporation (CIC) was formed in 1996 to facilitate issuance of debt for improvements to the water and wastewater system. It has been used since then as the conduit for a number of debt issues including the Police/Fire Facility, Metlox improvements, Marine Avenue Sports Fields, and Fire Station No. 2.

**DISCUSSION:**

The bylaws of the Corporation state that the President and Vice President of the Corporation must be elected from the members of the City Council. Typically, the current Mayor serves as the President, with the Mayor Pro Tem serving as the Vice President. Appointed positions include the City Manager serving as the CIC's Chief Administrative Officer, and the City's Finance Director serving as the Chief Financial Officer. With the change of Mayor and Mayor Pro Tem on the agenda for the September 9, 2021, City Council meeting, staff recommends that the CIC Board of Directors elect a new President and a new Vice President.

**PUBLIC OUTREACH:**

After analysis, staff determined that public outreach was not required for this issue.

**ENVIRONMENTAL REVIEW**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

**LEGAL REVIEW**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.



**Agenda Date:** 9/9/2021

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**TO:**

Members of the City Council

**FROM:**

Mayor Hadley

**SUBJECT:**

Presentation of Certificates of Recognition to the Manhattan Beach Rotary Club for Their Support of the Community Throughout the COVID-19 Pandemic.

**PRESENT**

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**The City Council of the City of Manhattan Beach  
Does Hereby Proudly Recognize  
the Following Manhattan Beach Rotary Club Members  
for their  
Support of the Community Throughout the  
COVID-19 Pandemic**

Susan Adams  
Lynette Chiabai  
Steve DeBaets  
Dave Gendron  
Annie Hendrickson  
Jordan Holbert  
Steve Murillo  
Patti Panucci  
Nina Patel  
Shannon Ryan  
Keith Sulzemeier

# *Certificate of Recognition*

The City Council of the City of Manhattan Beach  
Does Hereby Recognize

*Name*

of the

Manhattan Beach Rotary Club for Their  
Support of the Community Throughout the COVID-19 Pandemic

Dated this 9<sup>th</sup> Day of September, 2021

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MAYOR HILDY STERN





**CITY OF MANHATTAN BEACH CITY HALL**

1400 Highland Avenue, Manhattan Beach, CA 90266

**WEBSITE:** [www.citymb.info](http://www.citymb.info) • **PHONE:** (310) 802-5000

## **AGENDA ITEM NO. 4**

City Manager Report on EOC (Emergency Operations Center) and Update on COVID-19 Response.





**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Liza Tamura, City Clerk

Patricia Matson, Deputy City Clerk

**SUBJECT:**

City Council Minutes:

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

- a) City Council Adjourned Regular Meeting Minutes of August 24, 2021
- b) City Council Regular Meeting Minutes of August 24, 2021  
(City Clerk Tamura).

**APPROVE**

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**RECOMMENDATION:**

The attached minutes are for City Council approval:

Attachment(s):

- 1. City Council Adjourned Regular Meeting Minutes of August 24, 2021
- 2. City Council Regular Meeting Minutes of August 24, 2021



# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, August 24, 2021

4:30 PM

Zoom Meeting

## City Council Adjourned Regular Meeting

### ***ELECTED OFFICIALS***

***Mayor Suzanne Hadley***

***Mayor Pro Tem Hildy Stern***

***Councilmember Steve Napolitano***

***Councilmember Richard Montgomery***

***Councilmember Joe Franklin***

PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO:

[www.citymb.info/departments/city-clerk/city-council-meetings-agendas-and-minutes](http://www.citymb.info/departments/city-clerk/city-council-meetings-agendas-and-minutes)

**A. CALL MEETING TO ORDER**

*Mayor Hadley called the meeting to order.*

**B. PLEDGE TO THE FLAG**

*Mayor Hadley led the Pledge of Allegiance.*

**C. ROLL CALL**

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

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

*Management Services, Senior Deputy City Clerk Martha Alvarez confirmed that the City did not receive any public comments prior to the August 24, 2021, City Council Adjourned Regular Meeting.*

*Mayor Hadley opened the floor to public comments.*

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

**E. CLOSED SESSION**

*City Attorney Quinn Barrow announced the following Closed Session:*

**I. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

**CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)**

**Agency Negotiators:**

**Bruce Moe, City Manager**

**Lisa Jenkins, Human Resources Director**

**Employee Groups:**

**Manhattan Beach Firefighters' Association**

**Manhattan Beach Fire Management Association**

**Manhattan Beach Police Officers Association**

**Manhattan Beach Police Management Association**

**Manhattan Beach Mid-Management Employee Association**

**Manhattan Beach Part-Time Employees' Association**

**Unrepresented (Executive, Management and Confidential)**

**Teamsters Local 911**

**II. RECESS INTO CLOSED SESSION**

*At 4:34 PM, Mayor Hadley announced that City Council would recess into Closed Session.*

**III. RECONVENE INTO OPEN SESSION**

*At 6:02 PM, the City Council reconvened into Open Session with all Councilmembers present.*

**IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION**

*City Attorney Barrow announced that pursuant to Government Code 54957.6, the City Council went into Closed Session to discuss labor negotiations and by a 5-0 vote the Council gave direction to its negotiators. There was no other reportable action taken.*

**F. ADJOURNMENT**

*At 6:03 PM Mayor Hadley adjourned the meeting.*

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**Patricia Matson**  
**Recording Secretary**

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**Suzanne Hadley**  
**Mayor**

**ATTEST:**

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



# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, August 24, 2021

6:00 PM

Regular Meeting

Zoom Meeting

## City Council Regular Meeting

### *ELECTED OFFICIALS*

*Mayor Suzanne Hadley*

*Mayor Pro Tem Hildy Stern*

*Councilmember Steve Napolitano*

*Councilmember Richard Montgomery*

*Councilmember Joe Franklin*

PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO:  
[www.citymb.info/departments/city-clerk/city-council-meetings-agendas-and-minutes](http://www.citymb.info/departments/city-clerk/city-council-meetings-agendas-and-minutes)

**A. CALL MEETING TO ORDER**

*Mayor Hadley called the meeting to order.*

**B. PLEDGE TO THE FLAG**

*Mayor Hadley led the Pledge of Allegiance.*

**C. ROLL CALL**

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

**D. CEREMONIAL CALENDAR**

1. Presentation of a Certificate of Recognition to Hunter Williams, CEO of [21-0247](#) Brushed and Finalist at the Young Entrepreneurs Academy 13th Annual Saunders Scholars National Competition.

**PRESENT**

*Mayor Hadley, on behalf of the City Council, presented a certificate of recognition to Hunter Williams as CEO of Brushed and finalist at the Young Entrepreneurs Academy 13th Annual Saunders Scholars National Competition.*

*Mayor Hadley stated that the Chamber of Commerce is currently accepting applications for the new class of the Young Entrepreneurs Academy which starts in October.*

2. Presentation of Certificates of Recognition to the Following Mira Costa High School Sports Teams for Winning Several Championships in the 2020-2021 School Year: Girls Beach Volleyball - Interscholastic Beach Volleyball League (IBVL) Championship and State Championship; Boys Soccer - CIF Division 1 Southern Section Championship and Southern California Regional Championship; and Boys Volleyball - CIF Division 1 Southern Section Championship and Southern California Regional Championship.

[21-0053](#)

**PRESENT**

*Mayor Hadley, on behalf of the City Council, presented certificates of recognition to the following Mira Costa High School sports teams for winning several championships in the 2020-2021 school year: Girls Beach Volleyball - Interscholastic Beach Volleyball League (IBVL) Championship and State Championship; Boys Soccer - CIF Division 1 Southern Section Championship and Southern California Regional Championship; and Boys Volleyball - CIF Division 1 Southern Section Championship and Southern California Regional Championship*

3. Presentation of Certificates of Recognition to the Members of MB CERT for Being Awarded "Volunteer of the Year" by the LA County Board of Supervisors.

[21-0188](#)

**PRESENT**

*Mayor Hadley, on behalf of the City Council, presented certificates of recognition to the Members of MB CERT for Being Awarded "Volunteer of the Year" by the LA County Board of Supervisors and for their support of the community during the COVID-19 pandemic. MB CERT member, Vesta Sung and MB CERT Program Manager, Frank Chiella, accepted the certificates on the organization's behalf.*

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

**A motion was made by Mayor Pro Tem Stern, seconded by Councilmember Franklin, to approve the agenda and waive full reading of ordinances. The motion carried by the following vote:**

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

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

Mayor Hadley thanked Parks and Recreation for their efforts in making the AVP Manhattan Beach Open event a success. She congratulated the winners: Men's Fourth Seed - Tri Bourne and Trevor Crabb and Women's Top Seed - April Ross and Alix Klineman who also won Olympic gold at the Tokyo 2020 Olympics.

Mayor Hadley provided voting information regarding the September 14, 2021 Gubernatorial Recall Election and encouraged voters to vote.

Management Services, Senior Deputy City Clerk Martha Alvarez confirmed that the City received the following public comments prior to the start of the August 24, 2021, City Council Regular Meeting:

Agenda Item No. 5  
2 emails

Agenda Item No. 10  
1 eComment

Agenda Item No. 13  
12 emails  
3 eComments

Agenda Item No. 14  
1 email

Agenda Item No. 15  
6 emails  
9 eComments

Mayor Hadley opened the floor to public comments. The following individual(s) spoke:

Josh Murray  
Fred Taylor  
Kelly Stroman  
John Altamura  
Susan Bales

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

Councilmember Montgomery provided that residents should contact Southern California Edison and the Public Utilities Commission at [outreach@cpuc.ca.gov](mailto:outreach@cpuc.ca.gov) or (855) 421-0400 regarding electricity rate increases.

## UPDATES AND PRESENTATIONS:

### 4. Housing Element Introduction (Community Development Director Tai).

*Community Development Director Carrie Tai introduced Community Development, Planning Manager Talyn Mirzakhanian who provided a PowerPoint presentation regarding the housing element update effort.*

*Planning Manager Mirzakhanian stated that the first stakeholders workshop is on August 31, 2021 and responded to City Council questions.*

*City Manager Moe provided information regarding the delay of the project.*

## G. COVID-19

### 5. City Manager Report on EOC (Emergency Operations Center) and Update on COVID-19 Response.

*City Manager Bruce Moe reported on the EOC (Emergency Operations Center) and sought direction on how the City Council would like to hold the September 9, 2021 City Council meeting.*

*The City Council unanimously provided direction that the Thursday, September 9, 2021 City Council Meeting would be held via Zoom.*

## H. CONSENT CALENDAR (APPROVE)

**A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to approve the Consent Calendar with Councilmember Napolitano registering a "No" vote on Agenda Item No. 10: the second reading and adoption of an ordinance amending Manhattan Beach Municipal Code Chapter 9.60 Banners in the Public Right-of-Way and the approval of the amended Banner Policy. The motion carried by the following vote:**

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

### 6. City Council Minutes:

[21-0196](#)

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

a) City Council Adjourned Regular Meeting Minutes of August 3, 2021

b) City Council Regular Meeting Minutes of August 3, 2021

(City Clerk Tamura).

**APPROVE**

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

7. Financial Reports: [21-0255](#)  
Schedule of Demands for July 22, 2021, and July 29, 2021 (Finance Director Charelian).

**ACCEPT REPORT AND DEMANDS**

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

8. Consideration of a Resolution Approving an Amendment to the Existing Agreement with Richards, Watson & Gershon to Increase the Monthly Retainer, Increase Billing Rates on Certain Matters, and Establish a Cost-of-Living Adjustment Procedure (City Manager Moe). [21-0265](#)

**ADOPT RESOLUTION NO. 21-0074**

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

9. Consideration of a Resolution Awarding RFP No. 1254-21 to Sea Clear Pools Inc. for a Three-Year Contract for Pool Maintenance and Repair Services in an Amount Not-to-Exceed \$30,000 Annually (Parks and Recreation Director Leyman). [21-0231](#)

**ADOPT RESOLUTION NO. 21-0069**

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

10. Second Reading and Adoption of an Ordinance Amending Manhattan Beach Municipal Code Chapter 9.60 Banners in the Public Right-of-Way and Approval of Amended Banner Policy (Parks and Recreation Director Leyman). [21-0253](#)

**a) ADOPT ORDINANCE NO. 21-0007**

**b) APPROVE AMENDMENTS TO BANNER POLICY**

The recommendation for this item was approved on the Consent Calendar with Councilmember Napolitano registering a "No" vote.

11. Consideration of a Resolution Approving a Professional Services Agreement with KOA Corporation for Engineering Design Services in the Amount of \$178,687 for the Marine Avenue at Cedar Avenue Traffic Signal and Intersection Improvements Project, and Authorizing the City Manager to Execute the Professional Services Agreement (Public Works Director Lee). [21-0228](#)

**ADOPT RESOLUTION NO. 21-0071**

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

12. Consideration of a Resolution Approving a Professional Services Agreement with Iteris, Inc. for Engineering Design Services in the Amount of \$89,775 for the Four Crosswalk Improvements Along Valley Drive and Ardmore Avenue Near Live Oak Park Project; Authorize the City Manager to Execute the Agreement (Public Works Director Lee). [21-0227](#)  
**APPROVE RESOLUTION NO. 21-0072**

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

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

*None.*

**J. PUBLIC HEARINGS**

*None.*

## K. GENERAL BUSINESS

13. Outdoor Dining and Business Use in the Public Right-of-Way: [21-0246](#)
- a) Consideration of an Extension of the September 7, 2021 Expiration Date for Temporary Encroachment Permits Issued Under COVID-19 Emergency Orders;
  - b) Discussion of Fees Pertaining to Use of Public Right-of-Way for Street Dining and Business Use Authorized Under COVID-19 Emergency Orders;
  - c) Discussion of a Work Plan Item to Consider Possible Long-Term Use of the Public Right-of-Way for Outdoor Dining and Business Use (Community Development Director Tai).

### **DISCUSS AND PROVIDE DIRECTION**

*City Manager Bruce Moe introduced the item and responded to City Council questions.*

*Councilmember Napolitano proposed adding Agenda Item No.13 c) to the City's Work Plan which would include the consideration of possible long-term use of the public right-of-way for outdoor dining and business use.*

*City Attorney Quinn Barrow, City Manager Moe, and Community Development Director Carrie Tai responded to City Council questions.*

*Mayor Hadley opened the floor to public comments for Agenda Item No. 13 c) discussion of a work plan item to consider possible long-term use of the public right-of-way for outdoor dining and business use. The following individual(s) spoke:*

*Donald McPherson  
Michael Zislis  
Kathleen Smith  
John Altamura  
Mike Simms  
Jim Burton  
Martha Andreani  
Ron Newman  
Alexandra Smith*

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

**A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to add the consideration of Citywide long-term use of the public right-of-way for outdoor dining and business use to the City's Work Plan. The motion carried by the following vote:**

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



Community Development Director Tai introduced Community Development, City Traffic Engineer Erik Zandvliet who provided the PowerPoint presentation for Agenda Item No. 13 a).

City Traffic Engineer Zandvliet and Community Development Director Tai responded to City Council questions.

Mayor Hadley opened the floor to public comments for Agenda Item No. 13 a) consideration of an extension of the September 7, 2021 expiration date for temporary encroachment permits issued under COVID-19 Emergency Orders. The following individual(s) spoke:

Martha Andreani  
Susan Bales  
Mike Simms

Downtown Business and Professional Association Executive Director Jill Lamkin responded to City Council questions.

Public comments continued with the following individual(s):

Michael Monaghan  
Ron Newman  
Kelly Stroman

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

**A motion was made by Mayor Hadley to extend the temporary outdoor dining decks until March 1, 2022. The motion failed for lack of a second.**

**A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to extend outdoor dining permits until January 3, 2022 and to reassess any extensions no later than the first meeting in December. The motion carried by the following vote:**

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

City Attorney Quinn Barrow clarified the motion.

At 9:00 PM the City Council recessed and reconvened at 9:11 PM with all Councilmembers present.

Community Development Director Tai provided that City Traffic Engineer Zandvliet would continue the PowerPoint presentation for Agenda Item No. 13 b).

City Traffic Engineer Zandvliet and City Attorney Barrow responded to City Council questions.

Mayor Hadley opened the floor to public comments for Agenda Item No. 13 b) discussion of fees pertaining to use of public right-of-way for street dining and business use authorized under COVID-19 Emergency Orders. The following individual(s) spoke:

Felicia Villarreal  
Mike Simms

City Traffic Engineer Zandvliet responded to City Council questions.

Public comments continued with the following individual(s):

Andrew Goldstein  
Mike Simms

City Traffic Engineer Zandvliet responded to Mike Simms' and City Council questions.

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

**A motion was made by Councilmember Franklin to not charge a monthly fee for the use of public right-of-way for street dining and business use until January 3, 2022. The motion failed for lack of a second.**

Finance Director Steve Charelian responded to City Council questions.

**Mayor Hadley made a motion to charge a fee of \$1.00 per square foot pertaining to use of public right-of-way for street dining and business use. The motion failed for lack of a second.**

Community Development Director Tai provided clarification on the fees for public right-of way usage as they are presented in the Resolution of Fees.

**A motion was made by Mayor Hadley, seconded by Councilmember Franklin, to not charge any fees pertaining to use of public right-of-way for street dining and business use authorized under COVID-19 Emergency Orders as long as the State of Emergency exists and the City Attorney maintains that it is not a gift of public funds. The motion failed by the following vote:**

**Aye:** 2 - Hadley and Franklin

**Nay:** 3 - Stern, Napolitano and Montgomery

*A motion was made by Councilmember Montgomery, seconded by Councilmember Napolitano, to charge a fee of \$1.00 per square foot pertaining to the use of the public right-of-way for street dining and business use authorized under COVID-19 Emergency Orders.*

*Finance Director Charelian provided clarification regarding the fees the businesses would pay.*

*Councilmember Montgomery clarified his motion and stated that it would be to charge a fee of \$1.00 per square foot per month pertaining to the use of the public right-of-way for street dining and business use authorized under COVID-19 Emergency Orders.*

*Finance Director Charelian, City Traffic Engineer Zandvliet, and Community Development Director Tai responded to City Council questions.*

*Councilmember Montgomery restated his motion, seconded by Councilmember Napolitano, to charge a fee of \$1.00 per square foot per month pertaining to the use of the public right-of-way for street dining and business use authorized under COVID-19 Emergency Orders.*

*Mayor Hadley inquired if Councilmember Montgomery would consider waiving the 100% occupancy limit between indoor and outdoor dining.*

*City Attorney Barrow stated that due to ABC requirements, that request might not be a possibility and that it should be discussed at a future meeting if the City Council would like to pursue it further.*

*Community Development Director Tai responded to City Council questions.*

**Councilmember Montgomery, as the maker of the motion, stated that he would agree to a continuance of the discussion.**

**Per City Council direction, City Manager Moe provided that Staff would look into options, engage with the stakeholders, and return to the City Council with a metric to calculate a nominal but reasonable fee**

- 14. Consideration of Alternatives Related to Constructing a Temporary Fire Station as Part of the Fire Station No. 2 Replacement Project (Public Works Director Lee).

[21-0241](#)

**DISCUSS AND PROVIDE DIRECTION**

*Public Works Director Erick Lee introduced Public Works, Senior Civil Engineer Mo Estepa, who gave the PowerPoint presentation.*

*Fire Chief Lang responded to City Council questions.*

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

*George Cohn*

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

**A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to extend the City Council meeting past 11:00 PM. The motion carried by the following vote:**

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

*City Manager Bruce Moe responded to City Council questions.*

**A motion was made by Councilmember Montgomery, seconded by Councilmember Napolitano, to approve construction alternative no. 2: housing all firefighters at Fire Station No.1 for the duration of construction and declining the additive bid items related to establishing a temporary fire station. The motion carried by the following vote:**

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

15. Consideration of Request by Mayor Pro Tem Stern to Place a Peace Pole in the Public Right-of-Way in Recognition of the United Nations International Day of Peace (City Manager Moe).

[21-0266](#)

**DISCUSS AND PROVIDE DIRECTION**

*Mayor Pro Tem Stern provided background on the item and responded to City Council questions.*

*Mayor Hadley opened the floor to public comments.*

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

**A motion was made by Mayor Hadley to allow Mayor Pro Tem Stern to put up a temporary structure for two weeks in the Civic Center Plaza with no added lighting. The motion failed for lack of a second.**

**A motion was made by Mayor Pro Tem Stern and seconded by Councilmember Napolitano to permanently install the Peace Pole in the identified area in the Civic Center Plaza near the chess tables. The motion failed by the following vote:**

**Aye:** 2 - Stern and Napolitano

**Nay:** 3 - Hadley, Montgomery and Franklin

*A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Stern, to install the Peace Pole as identified in the Civic Center Plaza for three weeks, and then move it to the Veterans Parkway for permanent installation.*

*Mayor Hadley asked Councilmember Napolitano if he would accept a three week installation at the Civic Center Plaza without moving the Peace Pole to Veterans Parkway.*

*Councilmember Napolitano declined.*

**Councilmember Napolitano restated his motion, seconded by Mayor Pro Tem Stern, to install the Peace Pole as identified in the Civic Center Plaza for three weeks, and then move it to the Veterans Parkway for permanent installation. The motion failed by the following vote:**

**Aye:** 2 - Stern and Napolitano

**Nay:** 3 - Hadley, Montgomery and Franklin

**A motion was made by Mayor Pro Tem Stern, seconded by Councilmember Napolitano, to permanently install the Peace Pole in Veterans Parkway on September 9, 2021. The motion failed by the following vote:**

**Aye:** 2 - Stern and Napolitano

**Nay:** 3 - Hadley, Montgomery and Franklin

*City Manager Moe provided background regarding why the item was placed on the agenda.*

**A motion was made by Councilmember Montgomery to install the Peace Pole as identified in the Civic Center Plaza for three weeks. The motion failed for lack of a second.**

**A motion was made by Mayor Pro Tem Stern, seconded by Councilmember Montgomery, to install the Peace Pole as identified in the Civic Center Plaza for one month beginning on September 9, 2021. The motion carried by the following vote:**

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

#### **L. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS**

*None.*

#### **M. FUTURE AGENDA ITEMS**

*Councilmember Napolitano requested to agendize a discussion on the City's incentive program for the Manhattan Beach Police Department. Mayor Hadley and Councilmember Montgomery concurred.*

*City Manager Bruce Moe and City Attorney Quinn Barrow responded to City Council questions and provided that the item would return on the September 9, 2021 agenda.*

*Councilmember Napolitano requested to bring back a discussion regarding a ban on timeshares. Mayor Hadley seconded the request.*

*Councilmember Franklin requested that the City conduct more outreach regarding the City's decision to opt-up to 100% renewable energy through the Clean Power Alliance. Councilmember Montgomery seconded the request.*

*City Attorney Barrow clarified that when the item returns on the agenda, it will be regarding the history of the outreach efforts.*

*Community Development Director Carrie Tai received clarification regarding the request.*

#### **N. CITY MANAGER REPORT**

*None.*

**O. CITY ATTORNEY REPORT**

*None.*

**P. INFORMATIONAL ITEMS**

- 16. Agenda Forecast (City Clerk Tamura). [21-0234](#)  
**INFORMATION ITEM ONLY**

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

- 17. Commission Minutes: [21-0262](#)  
This Item Contains the Planning Commission Meeting Minutes of August 11, 2021 (Cancelled) (Community Development Director Tai).  
**INFORMATION ITEM ONLY**

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

**Q. CLOSED SESSION**

*None.*

**R. ADJOURNMENT**

*At 11:33 PM, Mayor Hadley adjourned the meeting to a 6:00 PM, Regular Meeting on Thursday, September 9, 2021.*

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**Patricia Matson**  
**Recording Secretary**

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**Suzanne Hadley**  
**Mayor**

**ATTEST:**

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







**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Steve S. Charelian, Finance Director  
Julie Bondarchuk, Financial Controller  
Libby Bretthauer, Financial Services Manager

**SUBJECT:**

Financial Reports:

- a) Schedule of Demands August 5, 2021, August 12, 2021 and August 19, 2021
- b) Investment Portfolio for the Month Ending July 31, 2021
- c) Month End Report for July 31, 2021  
(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

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**RECOMMENDATION:**

Staff recommends that the City Council accept the attached report and demands.

**FISCAL IMPLICATIONS:**

The financial report included herein is designed to communicate fiscal activity based upon adopted and approved budget appropriations. No further action of a fiscal nature is requested as part of this report.

The total value of the warrant registers for August 5, 2021, August 12, 2021, and August 19, 2021, is \$8,257,172.71.

**BACKGROUND:**

Finance staff prepares a variety of financial reports for City Council and the Finance Subcommittee. A brief discussion of the attached report follows.

**DISCUSSION:**

Schedule of Demands:

Every week staff prepares a comprehensive listing of all disbursements with staff certification that the expenditure transactions listed have been reviewed and are within budgeted appropriations.

Investment Portfolio:

Detailed Investment reports are provided to the Finance Subcommittee with summary reporting to City Council. The month end portfolio includes a certification by the Finance Director that all investments comply with established Investment Policies (or with Finance Subcommittee approved exceptions), and there is sufficient liquidity to support projected expenditures.

Month End Report:

This package includes summary level financial information for the month ending July 31, 2021. This report marks the first month of fiscal year 2021-2022 and reflects the annual budget adopted by City Council.

The report provides monthly and year-to-date activity for all funds and departments presenting a snapshot of budget performance. A report highlighting the performance of key revenue sources is also included.

**PUBLIC OUTREACH:**

After analysis, staff determined that public outreach was not required for this issue.

**ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

1. Schedule of Demands for August 5, 2021, August 12, 2021, and August 19, 2021
2. Investment Portfolio for the Month Ending July 31, 2021
3. Month End Report for July 31, 2021

# City of Manhattan Beach



## Schedule of Demands

August 5, 2021, August 12, 2021, and August 19, 2021

**CITY OF MANHATTAN BEACH**  
WARRANT REGISTER

WARRANT(S) AP080521, AP081221 & AP081921  
DATED: 8/5/2021, 8/12/2021 & 8/19/2021

I HEREBY CERTIFY THAT THE CLAIMS OR DEMANDS COVERED BY THE ABOVE WARRANT(S) IN THE AMOUNT OF \$8,257,172.71 HAVE BEEN REVIEWED AND THAT SAID CLAIMS OR DEMANDS ARE ACCURATE, ARE IN CONFORMANCE WITH THE ADOPTED BUDGET, AND THAT THE FUNDS ARE AVAILABLE THEREOF.

  
\_\_\_\_\_  
FINANCE DIRECTOR

THIS 9TH DAY OF SEPTEMBER

REVIEWED, CERTIFIED AND APPROVED  
BY CITY MANAGER BRUCE MOE

WARRANT REGISTER (S )  
AP080521, AP081221 & AP081921

|                            |                          |                     |
|----------------------------|--------------------------|---------------------|
| WARRANT(S)                 | AP080521                 | 2,439,106.56        |
|                            | AP081221                 | 411,865.87          |
|                            | AP081921                 | 2,320,654.66        |
| PREPAID WIRES / MANUAL CKS | AP080521                 | 416,262.93          |
|                            | AP081221                 | 567,486.80          |
|                            | AP081921                 | 0.00                |
|                            | <b>SUBTOTAL WARRANTS</b> | <b>6,155,376.82</b> |
| VOIDS                      |                          | (961.96)            |
| PAYROLL                    | PE 07/30/2021            | PY 1,020,104.99     |
| PAYROLL                    | PE 08/13/2021            | PY 1,082,652.86     |
|                            | <b>TOTAL WARRANTS</b>    | <b>8,257,172.71</b> |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WIRES

| CHECK #            | DATE     | TYPE | PAYEE NAME                            | DESCRIPTION                   | AMOUNT            |
|--------------------|----------|------|---------------------------------------|-------------------------------|-------------------|
| 908052021          | 8/5/2021 | W    | CA PUBLIC EMPLOYEES' RETIRMENT SYSTEM | MEDICAL PREMIUM - AUGUST 2021 | 383,450.97        |
| <b>SUB-TOTAL :</b> |          |      |                                       |                               | <b>383,450.97</b> |

### WARRANT #: AP080521

| CHECK # | DATE     | TYPE | PAYEE NAME                  | DESCRIPTION                     | AMOUNT    |
|---------|----------|------|-----------------------------|---------------------------------|-----------|
| 546347  | 8/5/2021 | P    | ASPEN ENVIRONMENTAL GROUP   | CONSTRUCTION MANAGEMENT FOR SK  | 4,304.28  |
| 546348  | 8/5/2021 | P    | AT&T MOBILITY               | CELLULAR SERVICES               | 1,961.00  |
| 546349  | 8/5/2021 | P    | BANNER BANK                 | CONTRACT WITHHOLDING: 9202001   | 62,168.88 |
| 546350  | 8/5/2021 | P    | BUSINESS RECOVERY SERVICES  | REMOTE PAYMENT PROCESSING       | 538.96    |
| 546351  | 8/5/2021 | P    | DELTA DENTAL OF CALIFORNIA  | DENTAL PREMIUM - AUGUST 2021    | 30,388.13 |
| 546352  | 8/5/2021 | P    | ERLA INC                    | GURNEY MAINTENANCE              | 797.68    |
| 546353  | 8/5/2021 | P    | FELICIA ANN VILLARREAL      | NMBBID WEBSITE AND LOGO         | 1,800.00  |
| 546354  | 8/5/2021 | P    | FRONTIER CALIFORNIA INC     | CABLE SERVICE                   | 4,304.22  |
| 546355  | 8/5/2021 | P    | GARDA CL WEST INC           | ARMORED SERVICE - JUNE 2021     | 14.42     |
| 546356  | 8/5/2021 | P    | HDL COREN & CONE            | PROPERTY TAX REPORTING, ANALYT  | 3,304.42  |
| 546357  | 8/5/2021 | P    | HDR ENGINEERING INC         | SEPULVEDA BRIDGE WIDENING PROJ  | 23,418.64 |
| 546358  | 8/5/2021 | P    | ICMA RETIREMENT TRUST - 401 | DEFERRED COMP 109365: PAYMENT   | 1,241.06  |
| 546359  | 8/5/2021 | P    | ICMA RETIREMENT TRUST - 457 | DEFERRED COMP AND LOAN REPAY 4  | 83,405.09 |
| 546360  | 8/5/2021 | P    | ICMA RETIREMENT TRUST 401   | DEFERRED COMP 109766: PAYMENT   | 14,034.62 |
| 546361  | 8/5/2021 | P    | JENNIFER KALLOK             | EARNINGS WITHHOLDING            | 184.62    |
| 546362  | 8/5/2021 | P    | L A COUNTY ASSESSOR         | LOS ANGELES COUNY ASSESSOR PAR  | 18.00     |
| 546363  | 8/5/2021 | P    | LANDSCAPE STRUCTURES INC    | MARINE PARK PARTS               | 147.58    |
| 546364  | 8/5/2021 | P    | LIEBERT CASSIDY WHITMORE    | LEGAL SERVICES FOR EMPLOYMENT   | 1,313.00  |
| 546365  | 8/5/2021 | P    | M B POLICE MGMT ASSC        | DUES \$ (POL MGT ASSN): PAYMENT | 525.00    |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP080521

| CHECK # | DATE     | TYPE | PAYEE NAME                          | DESCRIPTION                    | AMOUNT       |
|---------|----------|------|-------------------------------------|--------------------------------|--------------|
| 546366  | 8/5/2021 | P    | M B POLICE OFFICERS ASSOCIA         | DUES % (POLICE - %): PAYMENT   | 3,361.35     |
| 546367  | 8/5/2021 | P    | MAIN STREET TOURS INC               | BEACH SHUTTLE FOR THE TEEN CE  | 2,580.00     |
| 546368  | 8/5/2021 | P    | MBPOA RETIREE MEDICAL REIMBURSEMENT | MD TRUST (MED TRUST): PAYMENT  | 2,250.00     |
| 546369  | 8/5/2021 | P    | MERCHANTS LANDSCAPE SVCS INC        | LANDSCAPE MAINTENANCE SERVICES | 42,792.00    |
| 546370  | 8/5/2021 | P    | INCONTACT INC                       | LONG DISTANCE SERVICE          | 983.29       |
| 546371  | 8/5/2021 | P    | NV 5 INC                            | UNDERGROUND UTILITY ASSESSMENT | 11,585.00    |
| 546372  | 8/5/2021 | P    | PACIFIC HYDROTECH CORPORATION       | 8 MG PECK RESERVOIR REPLACEMEN | 1,565,308.08 |
| 546373  | 8/5/2021 | P    | PCUBED ASSOCIATES IN                | PARKING STRUCTURE LOT 4 REPAIR | 5,535.00     |
| 546374  | 8/5/2021 | P    | POSTMASTER                          | 2021 ANNUAL RENEWAL FIRST CLAS | 245.00       |
| 546375  | 8/5/2021 | P    | RACE TELECOMMUNICATIONS INC         | INTERNET SERVICES/SOUTH BAY FI | 2,040.00     |
| 546376  | 8/5/2021 | P    | REFUND VENDOR                       | UB OVERPAYMENT REFUND (83-1414 | 11.95        |
| 546377  | 8/5/2021 | P    | REFUND VENDOR                       | CODE CITATION REFUND (FCV 20-1 | 100.00       |
| 546378  | 8/5/2021 | P    | REFUND VENDOR                       | UB OVERPAYMENT REFUND (72-0912 | 2,440.68     |
| 546379  | 8/5/2021 | P    | REFUND VENDOR                       | CITATION REFUND (64007645)     | 53.00        |
| 546380  | 8/5/2021 | P    | REFUND VENDOR                       | CITATION REFUND (69006853)     | 53.00        |
| 546381  | 8/5/2021 | P    | REFUND VENDOR                       | CITATION REFUND (66004832)     | 53.00        |
| 546382  | 8/5/2021 | P    | REFUND VENDOR                       | REFUND JENNIFER TROMBLEY       | 180.00       |
| 546383  | 8/5/2021 | P    | REFUND VENDOR                       | REFUND JILL TALLMAN 072721     | 224.00       |
| 546384  | 8/5/2021 | P    | REFUND VENDOR                       | UB OVERPAYMENT REFUND (17-0240 | 3,511.95     |
| 546385  | 8/5/2021 | P    | REFUND VENDOR                       | UB OVERPAYMENT REFUND (21-0374 | 78.40        |
| 546386  | 8/5/2021 | P    | REFUND VENDOR                       | CITATION REFUND (73007540)     | 53.00        |
| 546387  | 8/5/2021 | P    | REFUND VENDOR                       | CITATION REFUND (73007345)     | 53.00        |
| 546388  | 8/5/2021 | P    | REFUND VENDOR                       | CITATION REFUND (70007562)     | 53.00        |
| 546389  | 8/5/2021 | P    | REFUND VENDOR                       | CITATION REFUND (70007254)     | 53.00        |



# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP080521

| CHECK # | DATE     | TYPE | PAYEE NAME                             | DESCRIPTION                    | AMOUNT     |
|---------|----------|------|--|--------------------------------|------------|
| 546390  | 8/5/2021 | P    | REFUND VENDOR                          | CITATION REFUND (73007729)     | 53.00      |
| 546391  | 8/5/2021 | P    | RINCON CONSULTANTS INC                 | EIR FOR SUNRISE SENIOR ASSIS   | 4,201.34   |
| 546392  | 8/5/2021 | P    | ROBIN L VARGAS                         | EARNINGS WITHHOLDING           | 553.85     |
| 546393  | 8/5/2021 | P    | ROTARY CLUB OF MANHATTAN BCH           | ANNUAL RENEWAL ROTARY CLUB OF  | 1,750.00   |
| 546394  | 8/5/2021 | P    | S2 ENGINEERING INC                     | SEPULVEDA BRIDGE WIDENING PROJ | 277,009.97 |
| 546395  | 8/5/2021 | P    | SOUTH COAST EMERGENCY VEHICLE SERVICES | EMERGENCY VEHICLE SERVICE, MAI | 799.16     |
| 546396  | 8/5/2021 | P    | STANDARD INSURANCE COMPANY             | SHORT TERM DISABILITY PREMIUM  | 1,689.34   |
| 546397  | 8/5/2021 | P    | STANDARD INSURANCE COMPANY             | LIFE, AD&D, LTD PREMIUMS - AUG | 12,039.47  |
| 546398  | 8/5/2021 | P    | STATE DISBURSEMENT UNIT                | EARNINGS WITHHOLDING           | 539.07     |
| 546399  | 8/5/2021 | P    | STATE DISBURSEMENT UNIT                | EARNINGS WITHHOLDING           | 230.76     |
| 546400  | 8/5/2021 | P    | STATE DISBURSEMENT UNIT                | EARNINGS WITHHOLDING           | 92.30      |
| 546401  | 8/5/2021 | P    | TIME WARNER CABLE INC                  | 2021 JULY SHARED CABLE COST    | 100.31     |
| 546402  | 8/5/2021 | P    | TYLER TECHNOLOGIES INC                 | MUNIS ENTERPRISE RESOURCE PLAN | 1,400.00   |
| 546403  | 8/5/2021 | P    | U.S. BANK                              | P/T EMP RETIREMENT CONTRIB: PA | 6,253.63   |
| 546404  | 8/5/2021 | P    | UNIFIED FIELD SERVICES CORP            | BLOCK 35 ELEVATED TANK PAINTIN | 213,750.00 |
| 546405  | 8/5/2021 | P    | VANTAGEPOINT TRANSFER AGENTS           | RETMNT HLTH SAVINGS CONTRIB: P | 2,366.96   |
| 546406  | 8/5/2021 | P    | VERIZON CALIFORNIA INC                 | CELL SERVICE                   | 126.82     |
| 546407  | 8/5/2021 | P    | VISION SERVICE PLAN - (CA)             | VISION PREMIUM - AUGUST 2021   | 3,886.83   |
| 546408  | 8/5/2021 | P    | VITAL MEDICAL SERVICES LLC             | FY 20-21 OK TO BOOK & BLOOD DR | 12,987.00  |
| 546409  | 8/5/2021 | P    | WEST COAST TENNIS CAMPS INC            | 2021 SUMMER 7/3/21 KEVIN       | 21,809.45  |

**SUB-TOTAL WARRANT AP080521: 2,439,106.56**

### WARRANT #: WIRE\_001

| CHECK # | DATE     | TYPE | PAYEE NAME                          | DESCRIPTION          | AMOUNT    |
|---------|----------|------|-------------------------------------|----------------------|-----------|
| 9080521 | 8/5/2021 | W    | PUBLIC EMPLOYEES' RETIREMENT SYSTEM | ARREARS CONTRIBUTION | 32,311.96 |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: WIRE\_001

| <u>CHECK #</u>                     | <u>DATE</u> | <u>TYPE</u> | <u>PAYEE NAME</u>                   | <u>DESCRIPTION</u>             | <u>AMOUNT</u>       |
|------------------------------------|-------------|-------------|-------------------------------------|--------------------------------|---------------------|
| 98052021                           | 8/5/2021    | W           | PUBLIC EMPLOYEES' RETIREMENT SYSTEM | ARREARS CONTRIBUTION ADMINISTR | 500.00              |
| <b>SUB-TOTAL WARRANT WIRE_001:</b> |             |             |                                     |                                | <b>32,811.96</b>    |
| <b>TOTAL WARRANT(S):</b>           |             |             |                                     |                                | <b>2,855,369.49</b> |



# CITY OF MANHATTAN BEACH

DISBURSEMENT BY FUND

DATED 08/06/2021



| <b>Fund</b>         | <b>Fund Description</b>        | <b>Amount</b>       |
|---------------------|--------------------------------|---------------------|
| 100                 | General Fund                   | 672,677.77          |
| 230                 | Prop. A Fund                   | 2,580.00            |
| 231                 | Prop. C Fund                   | 362,597.49          |
| 403                 | Underground Assessment Distric | 11,585.00           |
| 501                 | Water Fund                     | 1,786,560.94        |
| 502                 | Stormwater Fund                | 699.14              |
| 503                 | Wastewater Fund                | 145.65              |
| 520                 | Parking Fund                   | 8,519.65            |
| 521                 | County Parking Lots Fund       | 1,121.53            |
| 522                 | State Pier and Parking Lot Fun | 271.89              |
| 601                 | Insurance Reserve Fund         | 160.32              |
| 605                 | Information Technology Fund    | 7,466.82            |
| 615                 | Building Maintenance & Operati | 983.29              |
| <b>GRAND TOTAL:</b> |                                | <b>2,855,369.49</b> |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WIRES

| CHECK #            | DATE      | TYPE | PAYEE NAME                          | DESCRIPTION                    | AMOUNT            |
|--------------------|-----------|------|-------------------------------------|--------------------------------|-------------------|
| 908092021          | 8/9/2021  | W    | UNION BANK                          | F.I.T./MEDICARE/S.I.T.         | 282,142.09        |
| 908102021          | 8/10/2021 | W    | PUBLIC EMPLOYEES' RETIREMENT SYSTEM | PENSION SAFETY - CLASSIC: PAYM | 285,344.71        |
| <b>SUB-TOTAL :</b> |           |      |                                     |                                | <b>567,486.80</b> |

### WARRANT #: AP081221

| CHECK # | DATE      | TYPE | PAYEE NAME                   | DESCRIPTION                    | AMOUNT    |
|---------|-----------|------|------------------------------|--------------------------------|-----------|
| 546410  | 8/12/2021 | P    | 1 800 PACK RAT LLC           | UNIT D06294 8.11.21 TO 9.10.21 | 234.78    |
| 546411  | 8/12/2021 | P    | AIR SOURCE INDUSTRIES INC    | MEDICAL & INDUSTRIAL GRADE GAS | 213.70    |
| 546412  | 8/12/2021 | P    | ALL CITY MANAGEMENT SVCS     | SCHOOL CROSSING GUARDS FOR MAY | 21,415.70 |
| 546413  | 8/12/2021 | P    | ALLSTAR FIRE EQUIPMENT       | FIRE SAFETY EQUIPMENT          | 2,196.82  |
| 546414  | 8/12/2021 | P    | AM-TEC TOTAL SECURITY INC    | MONTHLY MONITORING SERVICE     | 91.50     |
| 546415  | 8/12/2021 | P    | ANA RODRIGUEZ                | JULY 2021 WELLNESS SERVICES    | 1,032.50  |
| 546416  | 8/12/2021 | P    | ANDRE FRANCESCO VAN GERWEN   | ON DEMAND BASEBALL CAMP JULY 1 | 3,255.00  |
| 546417  | 8/12/2021 | P    | ANNE GRAY LEWIS              | 2021 SUMMER ANNIE GRAY LEWIS 0 | 7,020.00  |
| 546418  | 8/12/2021 | P    | AT&T MOBILITY                | AT&T MOBILITY MAY2021          | 726.07    |
| 546419  | 8/12/2021 | P    | CA NEWSPAPER PARTNERSHIP     | ADVERTISING - JULY 2021        | 147.00    |
| 546420  | 8/12/2021 | P    | CORAL BAY HOME LOANS         | SKATEDOGS SUMMER CAMP INVOICE  | 2,047.50  |
| 546421  | 8/12/2021 | P    | CULLIGAN                     | WATER FOUNTAIN SERVICE 8.1.21  | 41.30     |
| 546422  | 8/12/2021 | P    | EMPLOYEE REFUND VENDOR       | 2020 VIRTUAL INSTITUTE LEADERS | 600.00    |
| 546423  | 8/12/2021 | P    | EMPLOYEE REFUND VENDOR       | ICMA 457 LOAN REFUND - M ALVAR | 74.74     |
| 546424  | 8/12/2021 | P    | EMPLOYEE REFUND VENDOR       | 2020 VIRTUAL INSTITUTE LEADERS | 618.00    |
| 546425  | 8/12/2021 | P    | FRONTIER CALIFORNIA INC      | TELEPHONE SERVICE              | 9,677.37  |
| 546426  | 8/12/2021 | P    | GAIL MINDY WINTHROP          | WATER AEROBICS SUMMER          | 680.00    |
| 546427  | 8/12/2021 | P    | HDL COREN & CONE             | ACFR STATISTICAL DATA FOR FY 2 | 795.00    |
| 546428  | 8/12/2021 | P    | IRON MOUNTAIN INFO MNGMT INC | RECORDS STORAGE - PERM & ARCHI | 1,681.24  |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP081221

| CHECK #                            | DATE      | TYPE | PAYEE NAME                     | DESCRIPTION                    | AMOUNT            |
|------------------------------------|-----------|------|--------------------------------|--------------------------------|-------------------|
| 546429                             | 8/12/2021 | P    | KRONOS INCORPORATED            | WORKFORCE MANAGEMENT SOLUTIONS | 2,340.00          |
| 546430                             | 8/12/2021 | P    | L A COUNTY FIRE DEPARTMENT     | LACO/CUPA#AR0013610 CITY HALL  | 5,661.00          |
| 546431                             | 8/12/2021 | P    | MERRIMAC ENERGY GROUP          | BULK FUEL                      | 28,672.97         |
| 546432                             | 8/12/2021 | P    | MOTOROLA SOLUTIONS             | MOTOROLA APX 8000 PORTABLE RAD | 72,189.15         |
| 546433                             | 8/12/2021 | P    | PALP INC                       | STREET RESURFACING PROJECT     | 1,520.00          |
| 546434                             | 8/12/2021 | P    | PURE SURFING EXPERIENCE INC    | CAMPSURF SUMMER INVOICE II JUL | 23,374.00         |
| 546435                             | 8/12/2021 | P    | REFUND VENDOR                  | REFUND PERMIT 923 1ST ST MECH- | 5,226.27          |
| 546436                             | 8/12/2021 | P    | REFUND VENDOR                  | REFUND MELISSA STEIN \$20.00   | 20.00             |
| 546437                             | 8/12/2021 | P    | RICHARDS WATSON & GERSHON      | 2021 COPS FIRE STATION 2 (JUNE | 24,875.00         |
| 546438                             | 8/12/2021 | P    | ROSEMARY A LACKOW              | ROSEMARY LACKOW- PLANNING COMM | 192.00            |
| 546439                             | 8/12/2021 | P    | S2 ENGINEERING INC             | SEPULVEDA BRIDGE WIDENING      | 129,391.25        |
| 546440                             | 8/12/2021 | P    | SABLE COMPUTER INC             | NETWORK SECURITY SERVICES      | 10,221.25         |
| 546441                             | 8/12/2021 | P    | SANTIAGO A CORNEJO             | TENNIS COURT WASHINGS JULY     | 1,624.00          |
| 546442                             | 8/12/2021 | P    | SBLC INC                       | SBLC SUMMER SESSION II INVOICE | 4,793.75          |
| 546443                             | 8/12/2021 | P    | TIME WARNER CABLE INC          | CABLE SERVICE (CH) AUGUST      | 127.00            |
| 546444                             | 8/12/2021 | P    | TOTAL COMPENSATION SYSTEMS INC | THREE-YEAR GASB 74/75 VALUATIO | 3,105.00          |
| 546445                             | 8/12/2021 | P    | UBER TECHNOLOGIES INC          | JUNE 2021 - MONTHLY HOSTING FE | 480.98            |
| 546446                             | 8/12/2021 | P    | UBER TECHNOLOGIES INC          | AUGUST 2021 - MONTHLY HOSTING  | 480.98            |
| 546447                             | 8/12/2021 | P    | UNITED PARCEL SERVICE          | DELIVERY SERVICE               | 33.00             |
| 546448                             | 8/12/2021 | P    | VITAL MEDICAL SERVICES LLC     | OK TO BOOK AND BLOOD DRAW FOR  | 7,288.00          |
| 546449                             | 8/12/2021 | P    | WEST COAST TENNIS CAMPS INC    | WEST COAST TENNIS ACADEMY LILA | 17,472.05         |
| 546450                             | 8/12/2021 | P    | WILLDAN INC                    | INTERIM MAINTENANCE MANAGER SE | 20,230.00         |
| <b>SUB-TOTAL WARRANT AP081221:</b> |           |      |                                |                                | <b>411,865.87</b> |
| <b>TOTAL WARRANT(S):</b>           |           |      |                                |                                | <b>979,352.67</b> |

# CITY OF MANHATTAN BEACH



## DISBURSEMENT BY FUND

DATED 08/12/2021

| <b>Fund</b>         | <b>Fund Description</b>        | <b>Amount</b>     |
|---------------------|--------------------------------|-------------------|
| 100                 | General Fund                   | 793,769.55        |
| 230                 | Prop. A Fund                   | 961.96            |
| 231                 | Prop. C Fund                   | 130,911.25        |
| 501                 | Water Fund                     | 6,272.82          |
| 503                 | Wastewater Fund                | 91.69             |
| 520                 | Parking Fund                   | 296.85            |
| 605                 | Information Technology Fund    | 10,221.25         |
| 610                 | Fleet Management Fund          | 34,333.97         |
| 615                 | Building Maintenance & Operati | 2,452.03          |
| 802                 | Special Deposits Fund          | 41.30             |
| <b>GRAND TOTAL:</b> |                                | <b>979,352.67</b> |

# CITY OF MANHATTAN BEACH

## VOIDED CHECK LISTING



| <u>CHECK #</u>            | <u>DATE</u> | <u>VENDOR NAME</u>    | <u>VOID AMOUNT</u> |
|---------------------------|-------------|-----------------------|--------------------|
| 546110                    | 08/12/2021  | UBER TECHNOLOGIES INC | 480.98             |
| 546111                    | 08/12/2021  | UBER TECHNOLOGIES INC | 480.98             |
| <b>GRAND TOTAL VOIDS:</b> |             |                       | <b>961.96</b>      |



# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP081921

| CHECK # | DATE      | TYPE | PAYEE NAME                         | DESCRIPTION                    | AMOUNT     |
|---------|-----------|------|------------------------------------|--------------------------------|------------|
| 546451  | 8/19/2021 | P    | ABBA TERMITE & PEST CONTROL        | BEE REMOVAL 1300 PARKVIEW STOR | 390.00     |
| 546452  | 8/19/2021 | P    | ADAM LAWSON                        | AUGUST 8 2021 CONCERT IN THE P | 2,000.00   |
| 546453  | 8/19/2021 | P    | ADAMSON POLICE PRODUCTS            | SWAT RIFLE MAGAZINES           | 333.98     |
| 546454  | 8/19/2021 | P    | ADMINSURE INC                      | WC CLAIMS ADMINISTRATION & BIL | 17,450.00  |
| 546455  | 8/19/2021 | P    | ADVANCED IMAGING STRATEGIES        | 5YR MULTIFUNCTION COPIERS & PR | 10,186.11  |
| 546456  | 8/19/2021 | P    | ADVANTAGE GRAPHICS AND PROMOTIONS  | PARKING CITATION ENVELOPES     | 2,802.54   |
| 546457  | 8/19/2021 | P    | AM-TEC TOTAL SECURITY INC          | ON-CALL SECURITY ACCESS INSTAL | 3,020.40   |
| 546458  | 8/19/2021 | P    | ANDRE FRANCESCO VAN GERWEN         | SUMMER BASEBALL CAMP INVOICE F | 5,670.00   |
| 546459  | 8/19/2021 | P    | ARAKELIAN ENTERPRISES INC          | STREET SWEEPING AND PRESSURE W | 61,795.69  |
| 546460  | 8/19/2021 | P    | AT&T MOBILITY                      | FIRST NET CELL PHONE CHARGES - | 3,327.63   |
| 546461  | 8/19/2021 | P    | AT&T MOBILITY LLC                  | CD CELL PHONES DEC 2020        | 1,563.50   |
| 546462  | 8/19/2021 | P    | JAREN BARREDO                      | 6-MAN BEACH VOLLEYBALL TOURNAM | 500.00     |
| 546463  | 8/19/2021 | P    | BEACH CITIES HEALTH DISTRICT       | JUVENILE DIVERSION PROGRAM (JU | 4,309.50   |
| 546464  | 8/19/2021 | P    | BOB DORN                           | MB SURF FESTIVAL-6 MAN/WOMAN V | 765.00     |
| 546465  | 8/19/2021 | P    | BRANT LEE                          | MB SURF FESTIVAL-6 MAN/WOMAN V | 420.00     |
| 546466  | 8/19/2021 | P    | BRIAN DEAN BENAC                   | MB SURF FESTIVAL-6 MAN/WOMAN V | 220.00     |
| 546467  | 8/19/2021 | P    | C A RASMUSSEN INC                  | SEPULVEDA BRIDGE WIDENING C.A. | 306,007.49 |
| 546468  | 8/19/2021 | P    | CA NEWSPAPER PARTNERSHIP           | ADVERTISING - JUNE 2021        | 2,111.80   |
| 546469  | 8/19/2021 | P    | CA TEAMSTERS LOCAL 911             | DUES (MISC): PAYMENT           | 5,290.00   |
| 546470  | 8/19/2021 | P    | CAROLINE ROCA                      | 6AM SUMMER SESSION BEACH BOOT  | 608.00     |
| 546471  | 8/19/2021 | P    | CINDY GREBLIUNAS                   | SUMMER T/TH ADVANCE VOLLEYBALL | 2,350.00   |
| 546472  | 8/19/2021 | P    | CINTAS CORPORATION NO 640          | AUTOMATED HAND SANITIZER STATI | 61.27      |
| 546473  | 8/19/2021 | P    | COATING SPECIALISTS AND INSPECTION | BLOCK 35 ELEVEATED TANK PAINTI | 1,520.00   |
| 546474  | 8/19/2021 | P    | CODE 5 GROUP LLC                   | QUARTERLY BIKE TRACKING SERVIC | 450.00     |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP081921

| CHECK # | DATE      | TYPE | PAYEE NAME                          | DESCRIPTION                    | AMOUNT     |
|---------|-----------|------|-------------------------------------|--------------------------------|------------|
| 546475  | 8/19/2021 | P    | CONTEMPORARY SERVICES CORP          | CROWD MANAGEMENT FOR MB MITIGA | 43,156.53  |
| 546476  | 8/19/2021 | P    | CORAL BAY HOME LOANS                | SKATEDOGS MORNING & AFTERNOON  | 4,252.50   |
| 546477  | 8/19/2021 | P    | DAVID SORRELLS                      | MB SURF FESTIVAL-6 MAN/WOMAN V | 360.00     |
| 546478  | 8/19/2021 | P    | DIANA JOHNSON                       | MB SURF FESTIVAL-6 MAN/WOMAN V | 500.00     |
| 546479  | 8/19/2021 | P    | DIANNA LYNN HOIER                   | MB SURF FESTIVAL-6 MAN/WOMAN V | 225.00     |
| 546480  | 8/19/2021 | P    | DOUGLAS DECASTRO                    | AVP M STREET BANNER UPDATEBO   | 328.50     |
| 546481  | 8/19/2021 | P    | DOWNTOWN MB BUS & PROF ASSN         | 2021 SUMMER LA MAGAZINE ADVERT | 1,000.00   |
| 546482  | 8/19/2021 | P    | E J WARD INC                        | ANNUAL MAINTENANCE BILLING 3/1 | 5,936.00   |
| 546483  | 8/19/2021 | P    | EMPLOYEE REFUND VENDOR              | REIMBURSEMENT-TRAVEL EXPENSE   | 117.00     |
| 546484  | 8/19/2021 | P    | EMPLOYEE REFUND VENDOR              | REIMBURSEMENT-TRAVEL EXPENSE   | 45.00      |
| 546485  | 8/19/2021 | P    | EMPLOYEE REFUND VENDOR              | UNIFORM FOOTWEAR - DON BLOMSTE | 284.69     |
| 546486  | 8/19/2021 | P    | EMPLOYEE REFUND VENDOR              | REIMBURSEMENT-TRAVEL EXPENSE   | 41.60      |
| 546487  | 8/19/2021 | P    | EMPLOYEE REFUND VENDOR              | REIMBURSEMENT-TRAVEL EXPENSE   | 316.44     |
| 546488  | 8/19/2021 | P    | EMPLOYEE REFUND VENDOR              | REIMBURSEMENT-TRAVEL EXPENSE   | 174.40     |
| 546489  | 8/19/2021 | P    | EMPLOYEE REFUND VENDOR              | REIMBURSEMENT-TRAVEL EXPENSE   | 42.72      |
| 546490  | 8/19/2021 | P    | ENVIRONMENTAL SCIENCE ASSOC         | COASTAL RESILIENCY JUN21       | 13,366.25  |
| 546491  | 8/19/2021 | P    | EQUINIX INC                         | DATA CENTER SECURE RACK SERVIC | 1,400.00   |
| 546492  | 8/19/2021 | P    | FEDERAL EXPRESS CORPORATION         | DELIVERY SERVICE               | 15.49      |
| 546493  | 8/19/2021 | P    | GRANICUS LLC                        | COMPLIANCE MONITORING 03/21 TH | 12,259.00  |
| 546494  | 8/19/2021 | P    | GWEN ENG                            | DUES (MGMT CONF): PAYMENT      | 726.00     |
| 546495  | 8/19/2021 | P    | HARPER & ASSOCIATES ENGINEERING INC | BLOCK 35 ELEVATED TANK         | 540.00     |
| 546496  | 8/19/2021 | P    | HARRIS & ASSOCIATES INC             | STREET LIGHTING/LANDSCAPE ASSE | 4,000.00   |
| 546497  | 8/19/2021 | P    | LARS HAZEN                          | MB SURF FESTIVAL-6 MAN/WOMAN V | 250.00     |
| 546498  | 8/19/2021 | P    | HYM ENGINEERING INC                 | AVIATION ARTESIA RIGHT RIGHT T | 172,092.50 |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP081921

| CHECK # | DATE      | TYPE | PAYEE NAME                          | DESCRIPTION                     | AMOUNT     |
|---------|-----------|------|-------------------------------------|---------------------------------|------------|
| 546499  | 8/19/2021 | P    | ICMA RETIREMENT TRUST - 401         | DEFERRED COMP 109365: PAYMENT   | 1,179.67   |
| 546500  | 8/19/2021 | P    | ICMA RETIREMENT TRUST - 457         | DEFERRED COMP & LOAN REPAY 457  | 86,764.13  |
| 546501  | 8/19/2021 | P    | ICMA RETIREMENT TRUST 401           | DEFERRED COMP 109766 & LOAN RE  | 12,068.93  |
| 546502  | 8/19/2021 | P    | IPS GROUP INC                       | PARKING METER FEES, PARTS & LA  | 4,231.91   |
| 546503  | 8/19/2021 | P    | JACKIE STINNETT                     | MB SURF FESTIVAL-6 MAN/WOMAN V  | 825.00     |
| 546504  | 8/19/2021 | P    | JAY PARKER SAIKLEY                  | 6-MAN & JR 6-MAN VOLLEYBALL TO  | 6,000.00   |
| 546505  | 8/19/2021 | P    | JEFFREY JOSEPH JORDAN               | MB SURF FESTIVAL-6 MAN/WOMAN V  | 380.00     |
| 546506  | 8/19/2021 | P    | JENA LUGOSI                         | MB SURF FESTIVAL-6 MAN/WOMAN V  | 810.00     |
| 546507  | 8/19/2021 | P    | JENNIFER KALLOK                     | EARNINGS WITHHOLDING            | 184.62     |
| 546508  | 8/19/2021 | P    | JESSE CONNER                        | BEGINNER T/TH VOLLEYBALL INSTR  | 1,550.00   |
| 546509  | 8/19/2021 | P    | JOHN EDWARD ZIELLO                  | COED SOFTBALL 30 GAMES @ \$40 P | 2,960.00   |
| 546510  | 8/19/2021 | P    | JOSHUA MICHAEL SMITH                | JOSH SMITH BAND CONCERT IN THE  | 2,000.00   |
| 546511  | 8/19/2021 | P    | JUSTIN BAKER                        | MB SURF FESTIVAL-6 MAN/WOMAN V  | 720.00     |
| 546512  | 8/19/2021 | P    | KIM PICKERING                       | MB SURF FESTIVAL-6 MAN/WOMAN V  | 475.00     |
| 546513  | 8/19/2021 | P    | LEONARD JOHNSON                     | MB SURF FESTIVAL-6 MAN/WOMAN V  | 1,120.00   |
| 546514  | 8/19/2021 | P    | M B POLICE MGMT ASSC                | DUES \$ (POL MGT ASSN): PAYME   | 525.00     |
| 546515  | 8/19/2021 | P    | M B POLICE OFFICERS ASSOCIA         | DUES % (POLICE - %): PAYMENT    | 3,364.26   |
| 546516  | 8/19/2021 | P    | MANHATTAN BEACH PART TIME EMPLOYEES | DUES (MBPTEA): PAYMENT          | 75.00      |
| 546517  | 8/19/2021 | P    | MARLENE SANDOVAL                    | MB SURF FESTIVAL-6 MAN/WOMAN V  | 385.00     |
| 546518  | 8/19/2021 | P    | MBPOA RETIREE MEDICAL REIMBURSEMENT | MD TRUST (MED TRUST): PAYMENT   | 2,250.00   |
| 546519  | 8/19/2021 | P    | MBUSD                               | 2021 JULY DISTRICT FACILITIES   | 140,856.16 |
| 546520  | 8/19/2021 | P    | MERCHANTS LANDSCAPE SVCS INC        | LANDSCAPE MAINTENANCE SERVICES  | 3,000.00   |
| 546521  | 8/19/2021 | P    | MICHELLE R HARRIS                   | MB SURF FESTIVAL-6 MAN/WOMAN V  | 715.00     |
| 546522  | 8/19/2021 | P    | NAOTO TASHIRO                       | MB SURF FESTIVAL-JR 6 MAN TOUR  | 350.00     |



# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP081921

| CHECK # | DATE      | TYPE | PAYEE NAME                            | DESCRIPTION                    | AMOUNT    |
|---------|-----------|------|---------------------------------------|--------------------------------|-----------|
| 546523  | 8/19/2021 | P    | NV 5 INC                              | UUAD NO. 04                    | 36,712.50 |
| 546524  | 8/19/2021 | P    | PACKET FUSION INC                     | CITY PHONE SYSTEM ANNUAL MAINT | 27,266.88 |
| 546525  | 8/19/2021 | P    | PALP INC                              | STREET RESURFACING PROJECT     | 52,912.14 |
| 546526  | 8/19/2021 | P    | PARKER ANDERSON ENRICHMENT CENTRAL LA | PARKER-ANDERSON COOKING CAMPS  | 6,413.55  |
| 546527  | 8/19/2021 | P    | PREPAID LEGAL SERVICES INC            | PREPAID LEGAL: PAYMENT         | 15.95     |
| 546528  | 8/19/2021 | P    | QUANTUM QUALITY CONSULTING INC        | STREET RESURFACING             | 19,360.00 |
| 546529  | 8/19/2021 | P    | QUIN BRADY                            | 2021 MBOTT 2ND PLACE QUIN BRAD | 250.00    |
| 546530  | 8/19/2021 | P    | RACE TELECOMMUNICATIONS INC           | INTERNET SERVICES/SOUTH BAY FI | 3,140.37  |
| 546531  | 8/19/2021 | P    | REFUND VENDOR                         | REFUND ROW DEPOSIT 1817 23RD S | 465.00    |
| 546532  | 8/19/2021 | P    | REFUND VENDOR                         | REFUND ROW DEPOSIT - 1140 MANH | 465.00    |
| 546533  | 8/19/2021 | P    | REFUND VENDOR                         | 2021 SUMMER REFUND KARTIK GARG | 376.00    |
| 546534  | 8/19/2021 | P    | REFUND VENDOR                         | REFUND ROW DEPOSIT - 1009 N. R | 465.00    |
| 546535  | 8/19/2021 | P    | REFUND VENDOR                         | 2021 SUMMER REFUND SYEDA KAZMI | 274.00    |
| 546536  | 8/19/2021 | P    | RICHARDS WATSON & GERSHON             | ADV. DARBY T. KEEN (MAY 2021)  | 36,399.96 |
| 546537  | 8/19/2021 | P    | RINCON CONSULTANTS INC                | EIR FOR SUNRISE SENIOR ASSISTE | 8,515.90  |
| 546538  | 8/19/2021 | P    | ROBERT ORANTES                        | MB SURF FESTIVAL-6 MAN/WOMAN V | 195.00    |
| 546539  | 8/19/2021 | P    | ROBERT VOGELSANG                      | MB SURF FESTIVAL-6 MAN/WOMAN V | 555.00    |
| 546540  | 8/19/2021 | P    | ROBIN L VARGAS                        | EARNINGS WITHHOLDING           | 553.85    |
| 546541  | 8/19/2021 | P    | RYAN R OLSON                          | SUMMER VOLLEYBALL INSTRUCTOR F | 7,536.00  |
| 546542  | 8/19/2021 | P    | SANDAN PLUMBING CO                    | TEST BACKFLOW                  | 556.00    |
| 546543  | 8/19/2021 | P    | SEA CLEAR POOLS INC                   | BEGG POOL WEEKLY MAINTENANCE S | 540.00    |
| 546544  | 8/19/2021 | P    | SHOETERIA INC                         | SAFETY BOOTS FOR C. BLANK      | 313.15    |
| 546545  | 8/19/2021 | P    | SOUTHERN CALIFORNIA EDISON            | MONTHLY ELECTRIC CHARGES       | 44,479.93 |
| 546546  | 8/19/2021 | P    | SOUTHERN CALIFORNIA EDISON            | MONTHLY ELECTRIC CHARGES       | 30,444.37 |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP081921

| CHECK # | DATE      | TYPE | PAYEE NAME                     | DESCRIPTION                    | AMOUNT     |
|---------|-----------|------|--------------------------------|--------------------------------|------------|
| 546547  | 8/19/2021 | P    | SOUTHERN CALIFORNIA GAS CO     | MONTHLY GAS CHARGES            | 5,120.01   |
| 546548  | 8/19/2021 | P    | SOUTHERN CALIFORNIA GAS CO     | QUARTERLY GAS LIGHT MAINTENANC | 22,782.09  |
| 546549  | 8/19/2021 | P    | SPORTS OFFICIALS FOR YOU LLC   | 2021 SUNSET BASKETBALL REFEREE | 6,850.00   |
| 546550  | 8/19/2021 | P    | SSBRA                          | 2021 JULY REFEREE ASSIGNMENT   | 2,160.00   |
| 546551  | 8/19/2021 | P    | STATE DISBURSEMENT UNIT        | EARNINGS WITHHOLDING           | 539.07     |
| 546552  | 8/19/2021 | P    | STATE DISBURSEMENT UNIT        | EARNINGS WITHHOLDING           | 230.76     |
| 546553  | 8/19/2021 | P    | STATE DISBURSEMENT UNIT        | EARNINGS WITHHOLDING           | 92.30      |
| 546554  | 8/19/2021 | P    | STETSON ENGINEERS INC          | 2020 URBAN WATER MANAGEMENT PL | 7,116.25   |
| 546555  | 8/19/2021 | P    | SULLY MILLER CONTRACTING CO    | ASPHALT/EMULSION               | 206.47     |
| 546556  | 8/19/2021 | P    | THE ART BOX ACADEMY            | JR. ARCHITECTS AND ARTISTS CAM | 2,762.50   |
| 546557  | 8/19/2021 | P    | THE CODE GROUP INC             | BLDG INSPECTIONS - PERMITS TEC | 17,308.00  |
| 546558  | 8/19/2021 | P    | TILLMAN FORENSIC INVEST LLC    | FINGERPRINT SERVICES-JULY 2021 | 225.00     |
| 546559  | 8/19/2021 | P    | TIME WARNER CABLE INC          | 3621 BELL AVE CABLE SERVICES 7 | 6,931.53   |
| 546560  | 8/19/2021 | P    | TIME WARNER CABLE INC          | 5-YEAR FIBER OPTIC MAINTENANCE | 1,100.00   |
| 546561  | 8/19/2021 | P    | TODD FORTUNE                   | MB SURF FESTIVAL-6 MAN/WOMAN V | 480.00     |
| 546562  | 8/19/2021 | P    | TONY FRYKLUND                  | GRAPHIC REPAIRS                | 383.00     |
| 546563  | 8/19/2021 | P    | TOTAL ADMINISTRATION SVCS CORP | MONTHLY FEE - JULY 2021        | 529.76     |
| 546564  | 8/19/2021 | P    | TOTAL ADMINISTRATION SVCS CORP | CHILD125 (CHILD 125 PLAN): PAY | 7,909.03   |
| 546565  | 8/19/2021 | P    | TRICIA MAR                     | 1ST PLACE WINNER MBOTT WOMEN'S | 500.00     |
| 546566  | 8/19/2021 | P    | TYLER TECHNOLOGIES INC         | MUNIS ERP IMPLEMENTATION (HCM) | 10,260.00  |
| 546567  | 8/19/2021 | P    | U.S. BANK                      | P/T EMP RETIREMENT CONTRIB:    | 6,107.55   |
| 546568  | 8/19/2021 | P    | UNIFIED FIELD SERVICES CORP    | BLOCK 35 ELEVATED TANK PAINTIN | 200,448.28 |
| 546569  | 8/19/2021 | P    | UNION BANK                     | TRUST/CUSTODY CHARGES          | 291.67     |
| 546570  | 8/19/2021 | P    | UNITED PARCEL SERVICE          | DELIVERY SERVICE               | 77.00      |

# CITY OF MANHATTAN BEACH

## WARRANT REGISTER



### WARRANT #: AP081921

| CHECK #                            | DATE      | TYPE | PAYEE NAME                          | DESCRIPTION                    | AMOUNT              |
|------------------------------------|-----------|------|-------------------------------------|--------------------------------|---------------------|
| 546571                             | 8/19/2021 | P    | US BANK NA                          | FUEL PURCHASES - JULY 2021     | 1,060.65            |
| 546572                             | 8/19/2021 | P    | VAN LINGEN BODY SHOP INC            | TOWING SERVICES                | 262.00              |
| 546573                             | 8/19/2021 | P    | VANTAGEPOINT TRANSFER AGENTS        | RETMNT HLTH SAVINGS CONTRIB: P | 1,667.34            |
| 546574                             | 8/19/2021 | P    | VERIZON CALIFORNIA INC              | TIBURON SHERIFF DATA NETWORK J | 949.49              |
| 546575                             | 8/19/2021 | P    | VERIZON CALIFORNIA INC              | 16 LINES FOR ALPRS 6/24-7/23/2 | 719.28              |
| 546576                             | 8/19/2021 | P    | WALLACE & ASSOCIATES CONSULTING INC | STORM DRAIN CAPITAL IMPROVEMEN | 9,903.72            |
| 546577                             | 8/19/2021 | P    | WALTERS WHOLESALE ELECTRIC CO       | ELECTRICAL SUPPLIES            | 2,801.24            |
| 546578                             | 8/19/2021 | P    | WEST BASIN MUNICIPAL WATER DIS      | MONTHLY WATER PURCHASES        | 713,554.68          |
| 546579                             | 8/19/2021 | P    | WEST COAST ARBORISTS INC            | TREE MANAGEMENT SERVICES 7/1-7 | 1,008.00            |
| 546580                             | 8/19/2021 | P    | WEST COAST TENNIS CAMPS INC         | WCTA CAMP 080821 KEVIN         | 12,928.50           |
| 546581                             | 8/19/2021 | P    | WESTWOOD BUILDING MATERIALS         | BUILDING SUPPLIES              | 177.97              |
| 546582                             | 8/19/2021 | P    | WILLDAN INC                         | INTERIM MAINTENANCE MANAGER SE | 20,510.00           |
| 546583                             | 8/19/2021 | P    | WINNIE WONG                         | MB SURF FESTIVAL-6 MAN/WOMAN V | 250.00              |
| 546584                             | 8/19/2021 | P    | ZONAR SYSTEMS INC                   | SERVICE RENEWAL                | 8,873.76            |
| <b>SUB-TOTAL WARRANT AP081921:</b> |           |      |                                     |                                | <b>2,320,654.66</b> |
| <b>TOTAL WARRANT(S):</b>           |           |      |                                     |                                | <b>2,320,654.66</b> |



# CITY OF MANHATTAN BEACH

## DISBURSEMENT BY FUND

DATED 08/19/2021



| <b>Fund</b>         | <b>Fund Description</b>        | <b>Amount</b>       |
|---------------------|--------------------------------|---------------------|
| 100                 | General Fund                   | 543,192.21          |
| 201                 | Street Lighting & Landscape Fu | 79,609.65           |
| 205                 | Streets, Highways & Sidewalks  | 190,952.50          |
| 230                 | Prop. A Fund                   | 542.09              |
| 231                 | Prop. C Fund                   | 359,419.63          |
| 401                 | Capital Improvement Fund       | 146.30              |
| 403                 | Underground Assessment Distric | 36,712.50           |
| 501                 | Water Fund                     | 929,925.49          |
| 502                 | Stormwater Fund                | 46,606.01           |
| 503                 | Wastewater Fund                | 88.36               |
| 520                 | Parking Fund                   | 28,329.94           |
| 521                 | County Parking Lots Fund       | 782.92              |
| 522                 | State Pier and Parking Lot Fun | 9,835.00            |
| 601                 | Insurance Reserve Fund         | 17,450.00           |
| 605                 | Information Technology Fund    | 49,967.11           |
| 610                 | Fleet Management Fund          | 16,979.90           |
| 615                 | Building Maintenance & Operati | 10,115.05           |
| <b>GRAND TOTAL:</b> |                                | <b>2,320,654.66</b> |

**CITY OF MANHATTAN BEACH PAYROLL**  
**PAY PERIOD: 07/17/21 TO 07/30/21**  
**PAY DATE: 08/06/21**

**NET PAY 1,020,104.99**

7/17/2021

7/30/2021

CITY OF MANHATTAN BEACH PAYROLL REPORT

PAYROLL PERIOD ENDING DATE

7/30/2021

| FUND | DESCRIPTION                            | AMOUNT       |
|------|--|--------------|
| 100  | General Fund                           | 1,313,449.05 |
| 210  | Asset Forfeiture Fund                  | 4,043.38     |
| 230  | Prop. A Fund                           | 13,078.83    |
| 501  | Water Fund                             | 35,657.53    |
| 502  | Stormwater Fund                        | 3,285.68     |
| 503  | Wastewater Fund                        | 10,003.97    |
| 520  | Parking Fund                           | 3,616.81     |
| 521  | County Parking Lots Fund               | 1,160.76     |
| 522  | State Pier and Parking Lot Fund        | 1,160.73     |
| 601  | Insurance Reserve Fund                 | 33,839.05    |
| 605  | Information Technology Fund            | 39,728.81    |
| 610  | Fleet Management Fund                  | 9,269.54     |
| 615  | Building Maintenance & Operations Fund | 15,667.40    |
| 801  | Pension Trust Fund                     | 8,257.31     |
|      |  | 1,492,218.85 |
|      |  | 472,113.86   |
|      |  | 1,020,104.99 |
|      | Gross Pay                              |              |
|      | Deductions                             |              |
|      | Net Pay                                |              |

**CITY OF MANHATTAN BEACH PAYROLL**  
**PAY PERIOD: 07/31/21 TO 08/13/21**  
**PAY DATE: 08/20/21**

**NET PAY 1,082,652.86**

7/31/2021

8/13/2021

CITY OF MANHATTAN BEACH PAYROLL REPORT

PAYROLL PERIOD ENDING DATE

8/13/2021

| FUND | DESCRIPTION                            | AMOUNT       |
|------|--|--------------|
| 100  | General Fund                           | 1,467,455.07 |
| 210  | Asset Forfeiture Fund                  | 2,453.05     |
| 230  | Prop. A Fund                           | 14,479.32    |
| 501  | Water Fund                             | 35,052.42    |
| 502  | Stormwater Fund                        | 3,474.37     |
| 503  | Wastewater Fund                        | 10,710.10    |
| 520  | Parking Fund                           | 4,068.99     |
| 521  | County Parking Lots Fund               | 1,308.10     |
| 522  | State Pier and Parking Lot Fund        | 1,308.12     |
| 601  | Insurance Reserve Fund                 | 14,890.62    |
| 605  | Information Technology Fund            | 40,456.62    |
| 610  | Fleet Management Fund                  | 9,304.54     |
| 615  | Building Maintenance & Operations Fund | 15,832.35    |
| 801  | Pension Trust Fund                     | 8,257.31     |
|      |  | 1,629,050.98 |
|      |  | 546,398.12   |
|      |  | 1,082,652.86 |
|      | Gross Pay                              |              |
|      | Deductions                             |              |
|      | Net Pay                                |              |





# City of Manhattan Beach

## Investment Portfolio

July 2021

As Finance Director for the City of Manhattan Beach, I hereby certify that these investments are in compliance with the City's investment policy (unless otherwise noted). Sufficient liquidity has been maintained to meet budget expenditure requirements for the current six month period.

  
\_\_\_\_\_  
Steve S. Charelian, Finance Director

**CITY OF MANHATTAN BEACH**  
**Portfolio Management**  
**Portfolio Summary**  
**July 1, 2021 through July 31, 2021**

| <b>Investments</b>  | <b>Par Value</b>      | <b>Market Value</b>   | <b>Book Value</b>     | <b>% of Portfolio</b> | <b>Term</b> | <b>Days to Maturity</b> | <b>YTM 360 Equiv.</b> | <b>YTM 365 Equiv.</b> |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-------------|-------------------------|-----------------------|-----------------------|
| LAIF  | 61,000,000.00         | 61,000,000.00         | 61,000,000.00         | 50.80                 | 1           | 1                       | 0.218                 | 0.221                 |
| Medium Term Notes   | 15,000,000.00         | 15,460,640.00         | 14,955,422.84         | 12.45                 | 1,518       | 667                     | 2.397                 | 2.430                 |
| Federal Agency Issues - Coupon                            | 27,000,000.00         | 28,032,340.00         | 27,250,075.33         | 22.69                 | 1,585       | 731                     | 1.941                 | 1.968                 |
| Treasury Securities - Coupon                              | 17,000,000.00         | 17,291,180.00         | 16,873,478.82         | 14.05                 | 1,493       | 797                     | 1.857                 | 1.883                 |
| <b>Investments</b>  | <b>120,000,000.00</b> | <b>121,784,160.00</b> | <b>120,078,976.99</b> | <b>100.00%</b>        | <b>759</b>  | <b>362</b>              | <b>1.111</b>          | <b>1.126</b>          |
| <b>Cash</b>   |                       |                       |                       |                       |             |                         |                       |                       |
| Passbook/Checking<br>(not included in yield calculations) | 9,991,917.95          | 9,991,917.95          | 9,991,917.95          |                       | 1           | 1                       | 0.000                 | 0.000                 |
| <b>Total Cash and Investments</b>                         | <b>129,991,917.95</b> | <b>131,776,077.95</b> | <b>130,070,894.94</b> |                       | <b>759</b>  | <b>362</b>              | <b>1.111</b>          | <b>1.126</b>          |

| <b>Total Earnings</b> | <b>July 31 Month Ending</b> | <b>Fiscal Year To Date</b> |
|-----------------------|-----------------------------|----------------------------|
| Current Year          | 116,349.46                  | 116,349.46                 |

  
 STEVE S. CHARELIAN, FINANCE DIRECTOR

Reporting period 07/01/2021-07/31/2021

Run Date: 08/27/2021 - 13:21

Portfolio CITY  
 CP  
 PM (PRF\_PM1) 7.3.11  
 Report Ver. 7.3.11

**CITY OF MANHATTAN BEACH**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**July 31, 2021**

| CUSIP                       | Investment # | Issuer                    | Purchase Date | Par Value            | Market Value         | Book Value           | Stated Rate | S&P | YTM          | Days to Maturity | Maturity Date |
|-----------------------------|--------------|---------------------------|---------------|----------------------|----------------------|----------------------|-------------|-----|--------------|------------------|---------------|
| <b>LAIF</b>                 |              |                           |               |                      |                      |                      |             |     |              |                  |               |
| SYS3000                     | 3000         | Local Agency Invest. Fund | 07/01/2018    | 61,000,000.00        | 61,000,000.00        | 61,000,000.00        | 0.221       |     | 0.221        | 1                |               |
| <b>Subtotal and Average</b> |              |                           |               | <b>61,000,000.00</b> | <b>61,000,000.00</b> | <b>61,000,000.00</b> |             |     | <b>0.221</b> | <b>1</b>         |               |

**Medium Term Notes**

|                             |         |                       |            |                      |                      |                      |       |     |              |            |            |
|-----------------------------|---------|-----------------------|------------|----------------------|----------------------|----------------------|-------|-----|--------------|------------|------------|
| 037833DC1                   | MTN0096 | APPLE INC             | 04/23/2018 | 1,000,000.00         | 1,019,650.00         | 989,291.94           | 2.100 | AA+ | 3.060        | 407        | 09/12/2022 |
| 037833AK6                   | MTN0098 | APPLE INC             | 05/22/2018 | 1,000,000.00         | 1,036,930.00         | 985,148.20           | 2.400 | AA+ | 3.298        | 640        | 05/03/2023 |
| 06406FAD5                   | MTN0106 | BANK OF NY MELLO      | 09/09/2019 | 1,000,000.00         | 1,035,230.00         | 1,009,011.00         | 2.200 | A   | 1.951        | 745        | 08/16/2023 |
| 06406RAL1                   | MTN0109 | BANK OF NY MELLO      | 02/10/2020 | 1,000,000.00         | 1,047,680.00         | 1,011,205.00         | 2.100 | A   | 1.850        | 1,180      | 10/24/2024 |
| 084670BC1                   | MTN0094 | BERKSHIRE HATHWY      | 11/03/2017 | 1,000,000.00         | 1,001,210.00         | 1,002,033.60         | 3.750 | AA  | 2.148        | 14         | 08/15/2021 |
| 22160KAK1                   | MTN0102 | COSTCO COMPANIES      | 05/13/2019 | 1,000,000.00         | 1,015,320.00         | 994,226.00           | 2.300 | A+  | 2.500        | 290        | 05/18/2022 |
| 254687FK7                   | MTN0107 | Walt Disney           | 12/12/2019 | 2,000,000.00         | 2,068,120.00         | 1,986,161.56         | 1.750 | A-  | 1.977        | 1,125      | 08/30/2024 |
| 191216CL2                   | MTN0108 | COCA-COLA CO          | 12/12/2019 | 1,000,000.00         | 1,039,700.00         | 993,679.00           | 1.750 | A+  | 1.890        | 1,132      | 09/06/2024 |
| 594918BQ6                   | MTN0104 | MICROSOFT CORP        | 07/01/2019 | 1,000,000.00         | 1,032,610.00         | 999,000.00           | 2.000 | AAA | 2.025        | 737        | 08/08/2023 |
| 68389XAP0                   | MTN0103 | ORACLE CORP           | 05/13/2019 | 1,000,000.00         | 1,025,670.00         | 995,436.00           | 2.500 | A   | 2.640        | 440        | 10/15/2022 |
| 89236TFN0                   | MTN0099 | TOYOTA MOTOR CREDIT   | 09/21/2018 | 1,000,000.00         | 1,065,730.00         | 999,500.00           | 3.450 | A+  | 3.461        | 780        | 09/20/2023 |
| 89236TDK8                   | MTN0101 | TOYOTA MOTOR CREDIT   | 03/26/2019 | 1,000,000.00         | 1,039,780.00         | 991,382.16           | 2.250 | A+  | 2.634        | 808        | 10/18/2023 |
| 911312BC9                   | MTN0100 | United Parcel Service | 10/04/2018 | 1,000,000.00         | 1,015,030.00         | 992,597.54           | 2.350 | A-  | 3.193        | 288        | 05/16/2022 |
| 90331HPC1                   | MTN0105 | US BANK NA OHIO       | 09/09/2019 | 1,000,000.00         | 1,017,980.00         | 1,006,750.84         | 2.650 | AA- | 1.883        | 295        | 05/23/2022 |
| <b>Subtotal and Average</b> |         |                       |            | <b>15,000,000.00</b> | <b>15,460,640.00</b> | <b>14,955,422.84</b> |       |     | <b>2.430</b> | <b>667</b> |            |

**Federal Agency Issues - Coupon**

|           |         |                            |            |              |              |              |       |     |       |       |            |
|-----------|---------|----------------------------|------------|--------------|--------------|--------------|-------|-----|-------|-------|------------|
| 3133EHCT8 | FAC0259 | FED FARM CR BK             | 05/22/2017 | 1,000,000.00 | 1,013,000.00 | 1,001,852.56 | 2.150 | AA+ | 1.894 | 226   | 03/15/2022 |
| 3133EJDE6 | FAC0271 | FED FARM CR BK             | 02/16/2018 | 2,000,000.00 | 2,074,580.00 | 1,996,366.80 | 2.570 | AA+ | 2.708 | 564   | 02/16/2023 |
| 3133EJSD2 | FAC0276 | FED FARM CR BK             | 10/02/2018 | 2,000,000.00 | 2,101,400.00 | 1,990,360.00 | 2.890 | AA+ | 3.000 | 687   | 06/19/2023 |
| 3133EJK57 | FAC0278 | FED FARM CR BK             | 12/12/2018 | 2,000,000.00 | 2,113,720.00 | 2,010,781.95 | 3.080 | AA+ | 2.840 | 722   | 07/24/2023 |
| 3130A3KM5 | FAC0268 | Federal Home Loan Bank     | 01/10/2018 | 2,000,000.00 | 2,063,400.00 | 2,004,328.04 | 2.500 | AA+ | 2.357 | 495   | 12/09/2022 |
| 3130A2UW4 | FAC0285 | Federal Home Loan Bank     | 12/11/2019 | 2,000,000.00 | 2,154,280.00 | 2,071,315.04 | 2.875 |     | 1.771 | 1,139 | 09/13/2024 |
| 3130AGWK7 | FAC0289 | Federal Home Loan Bank     | 02/07/2020 | 1,000,000.00 | 1,034,810.00 | 1,001,306.00 | 1.500 |     | 1.470 | 1,110 | 08/15/2024 |
| 3130A1XJ2 | FAC0291 | Federal Home Loan Bank     | 02/04/2021 | 1,000,000.00 | 1,071,620.00 | 1,078,414.16 | 2.875 |     | 0.312 | 1,048 | 06/14/2024 |
| 3137EAEC9 | FAC0269 | Federal Home Loan Mortgage | 01/25/2018 | 2,000,000.00 | 2,000,600.00 | 1,997,446.73 | 1.125 | AA+ | 2.154 | 11    | 08/12/2021 |
| 3135G0T45 | FAC0261 | Fannie Mae                 | 05/22/2017 | 1,000,000.00 | 1,012,110.00 | 1,001,150.00 | 1.875 | AA+ | 1.850 | 247   | 04/05/2022 |
| 3135G0W66 | FAC0286 | Fannie Mae                 | 12/11/2019 | 2,000,000.00 | 2,078,980.00 | 1,993,020.00 | 1.625 |     | 1.700 | 1,171 | 10/15/2024 |
| 3135G0W66 | FAC0287 | Fannie Mae                 | 02/07/2020 | 2,000,000.00 | 2,078,980.00 | 2,011,260.00 | 1.625 |     | 1.500 | 1,171 | 10/15/2024 |
| 3135G0V75 | FAC0288 | Fannie Mae                 | 02/07/2020 | 2,000,000.00 | 2,082,580.00 | 2,015,066.09 | 1.750 |     | 1.526 | 1,066 | 07/02/2024 |
| 3135G0V75 | FAC0290 | Fannie Mae                 | 02/04/2021 | 1,000,000.00 | 1,041,290.00 | 1,045,755.91 | 1.750 |     | 0.259 | 1,066 | 07/02/2024 |
| 3135G0U43 | FAC0292 | Fannie Mae                 | 02/04/2021 | 1,000,000.00 | 1,056,270.00 | 1,059,671.88 | 2.875 |     | 0.499 | 772   | 09/12/2023 |

Portfolio CITY  
CP

**CITY OF MANHATTAN BEACH**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**July 31, 2021**

| CUSIP                                 | Investment # | Issuer                     | Purchase Date | Par Value             | Market Value          | Book Value            | Stated Rate | S&P | YTM          | Days to Maturity | Maturity Date |
|---------------------------------------|--------------|----------------------------|---------------|-----------------------|-----------------------|-----------------------|-------------|-----|--------------|------------------|---------------|
| <b>Federal Agency Issues - Coupon</b> |              |                            |               |                       |                       |                       |             |     |              |                  |               |
| 880591EN8                             | FAC0277      | Tennessee Valley Authority | 12/12/2018    | 2,000,000.00          | 2,036,480.00          | 1,979,306.13          | 1.875       | AA+ | 2.793        | 379              | 08/15/2022    |
| 880591EN8                             | FAC0279      | Tennessee Valley Authority | 02/14/2019    | 1,000,000.00          | 1,018,240.00          | 992,674.04            | 1.875       | AA+ | 2.493        | 379              | 08/15/2022    |
| <b>Subtotal and Average</b>           |              |                            |               | <b>27,000,000.00</b>  | <b>28,032,340.00</b>  | <b>27,250,075.33</b>  |             |     | <b>1.968</b> | <b>731</b>       |               |
| <b>Treasury Securities - Coupon</b>   |              |                            |               |                       |                       |                       |             |     |              |                  |               |
| 912828D72                             | UST0023      | US TREASURY                | 02/16/2018    | 1,000,000.00          | 1,001,540.00          | 999,230.03            | 2.000       |     | 2.439        | 30               | 08/31/2021    |
| 912828F21                             | UST0024      | US TREASURY                | 02/16/2018    | 1,000,000.00          | 1,003,340.00          | 999,134.01            | 2.125       |     | 2.478        | 60               | 09/30/2021    |
| 912828XQ8                             | UST0027      | US TREASURY                | 12/12/2018    | 2,000,000.00          | 2,038,120.00          | 1,985,103.14          | 2.000       |     | 2.681        | 364              | 07/31/2022    |
| 912828XQ8                             | UST0028      | US TREASURY                | 02/14/2019    | 1,000,000.00          | 1,019,060.00          | 994,844.30            | 2.000       |     | 2.510        | 364              | 07/31/2022    |
| 912828S92                             | UST0029      | US TREASURY                | 02/14/2019    | 1,000,000.00          | 1,021,250.00          | 975,133.20            | 1.250       |     | 2.525        | 729              | 07/31/2023    |
| 912828D1                              | UST0030      | US TREASURY                | 02/14/2019    | 1,000,000.00          | 1,024,380.00          | 976,734.33            | 1.375       |     | 2.432        | 760              | 08/31/2023    |
| 912828L57                             | UST0031      | US TREASURY                | 03/25/2019    | 1,000,000.00          | 1,019,140.00          | 994,052.61            | 1.750       |     | 2.201        | 425              | 09/30/2022    |
| 9128283C2                             | UST0032      | US TREASURY                | 03/25/2019    | 1,000,000.00          | 1,023,520.00          | 991,406.25            | 2.000       |     | 2.250        | 456              | 10/31/2022    |
| 912828W48                             | UST0033      | US TREASURY                | 05/13/2019    | 1,000,000.00          | 1,047,540.00          | 995,039.06            | 2.125       |     | 2.234        | 942              | 02/29/2024    |
| 912828W71                             | UST0034      | US TREASURY                | 05/13/2019    | 1,000,000.00          | 1,048,560.00          | 994,687.50            | 2.125       |     | 2.240        | 973              | 03/31/2024    |
| 9128282U3                             | UST0035      | US TREASURY                | 02/07/2020    | 2,000,000.00          | 2,092,120.00          | 2,025,809.58          | 1.875       |     | 1.493        | 1,126            | 08/31/2024    |
| 912828ZW3                             | UST0036      | US TREASURY                | 05/28/2021    | 1,000,000.00          | 989,020.00            | 986,548.91            | 0.250       |     | 0.561        | 1,429            | 06/30/2025    |
| 91282CAB7                             | UST0037      | US TREASURY                | 05/28/2021    | 2,000,000.00          | 1,976,400.00          | 1,971,781.44          | 0.250       |     | 0.576        | 1,460            | 07/31/2025    |
| 91282CAJ0                             | UST0038      | US TREASURY                | 05/28/2021    | 1,000,000.00          | 987,190.00            | 983,974.46            | 0.250       |     | 0.620        | 1,491            | 08/31/2025    |
| <b>Subtotal and Average</b>           |              |                            |               | <b>17,000,000.00</b>  | <b>17,291,180.00</b>  | <b>16,873,478.82</b>  |             |     | <b>1.883</b> | <b>797</b>       |               |
| <b>Total and Average</b>              |              |                            |               | <b>120,000,000.00</b> | <b>121,784,160.00</b> | <b>120,078,976.99</b> |             |     | <b>1.126</b> | <b>362</b>       |               |

**CITY OF MANHATTAN BEACH**  
**Portfolio Management**  
**Portfolio Details - Cash**  
**July 31, 2021**

| CUSIP                             | Investment # | Issuer     | Purchase Date | Par Value             | Market Value          | Book Value            | Stated Rate | S&P | YTM 365      | Days to Maturity |
|-----------------------------------|--------------|------------|---------------|-----------------------|-----------------------|-----------------------|-------------|-----|--------------|------------------|
| <b>Money Market Fund</b>          |              |            |               |                       |                       |                       |             |     |              |                  |
| SYS39903-39902                    | 39901        | UNION BANK | 07/01/2018    | 9,991,917.95          | 9,991,917.95          | 9,991,917.95          |             |     | 0.000        | 1                |
| <b>Subtotal and Average</b>       |              |            |               |                       |                       |                       |             |     |              | <b>1</b>         |
| <b>Total Cash and Investments</b> |              |            |               | <b>129,991,917.95</b> | <b>131,776,077.95</b> | <b>130,070,894.94</b> |             |     | <b>1.126</b> | <b>362</b>       |



**City of Manhattan Beach**  
**Investment Portfolio Summary**  
*As of July 31, 2021*

| PORTFOLIO PROFILE                        | Jul 31, 2021  | Jun 30, 2021  | May 31, 2021  | Apr 30, 2021  | Mar 31, 2021  |
|--|---------------|---------------|---------------|---------------|---------------|
| Total Book Value (Excluding Trust Funds) | \$120,078,977 | \$122,078,709 | \$122,070,260 | \$118,129,209 | \$118,129,209 |
| Increase/(Decrease) from Prior Period    | (1,999,732)   | 8,449         | 3,941,050     | -             | (4,000,000)   |
| Percentage Change                        | (1.6%)        | 0.0%          | 3.3%          | 0.0%          | (3.3%)        |
| Average Yield to Maturity (365 Days)     | 1.126%        | 1.162%        | 1.188%        | 1.220%        | 1.230%        |
| Increase/(Decrease) from Prior Period    | (0.036%)      | (0.026%)      | (0.033%)      | (0.009%)      | 0.002%        |

**PORTFOLIO ALLOCATIONS**

| By Security       | Value (Par)          | Percent       | Par YTM       | Time Horizon   | Percent       |
|-------------------|----------------------|---------------|---------------|----------------|---------------|
| LAIF*             | \$61,000,000         | 50.83%        | 0.221%        | Next 12 months | 62%           |
| Medium Term Notes | 15,000,000           | 12.5%         | 2.430%        | Months 13-24   | 14%           |
| Federal Agencies  | 27,000,000           | 22.5%         | 1.968%        | Months 25-36   | 10%           |
| U.S. Treasuries   | 17,000,000           | 14.2%         | 1.883%        | Months 37-48   | 13%           |
| <b>Total</b>      | <b>\$120,000,000</b> | <b>100.0%</b> | <b>1.126%</b> | Months 49-60   | 1%            |
|                   |                      |               |               | <b>Total</b>   | <b>100.0%</b> |

\*LAIF YTM as of July 31, 2021

**RECENT ACTIVITY**

| Security                       | Date of Activity | Maturity Date | Purchase (Par)     | Maturing/Call      | YTM           |
|--------------------------------|------------------|---------------|--------------------|--------------------|---------------|
| FNMA - 1.75% Coupon            | 2/4/2021         | 7/2/2024      | 1,000,000          |                    | 0.259%        |
| FHLB - 2.875% Coupon           | 2/4/2021         | 6/14/2024     | 1,000,000          |                    | 0.312%        |
| FNMA - 2.875% Coupon           | 2/4/2021         | 9/12/2023     | 1,000,000          |                    | 0.499%        |
| T - 0.25% Coupon               | 5/28/2021        | 6/30/2025     | 1,000,000          |                    | 0.561%        |
| T - 0.25% Coupon               | 5/28/2021        | 7/31/2025     | 2,000,000          |                    | 0.576%        |
| T - 0.25% Coupon               | 5/28/2021        | 8/31/2025     | 1,000,000          |                    | 0.620%        |
| <b>Total Purchases</b>         |                  |               | <b>\$7,000,000</b> |                    | <b>0.486%</b> |
| Matured: MTN - 1.85% Coupon    | 2/2/2021         | 2/2/2021      |                    | 1,000,000          | 2.110%        |
| Matured: FNMA - 1.375% Coupon  | 2/26/2021        | 2/26/2021     |                    | 1,000,000          | 1.917%        |
| Matured: FHLMC - 1.875% Coupon | 7/26/2021        | 7/26/2021     |                    | 2,000,000          | 2.076%        |
| <b>Total Maturing/Calls</b>    |                  |               |                    | <b>\$4,000,000</b> | <b>2.045%</b> |



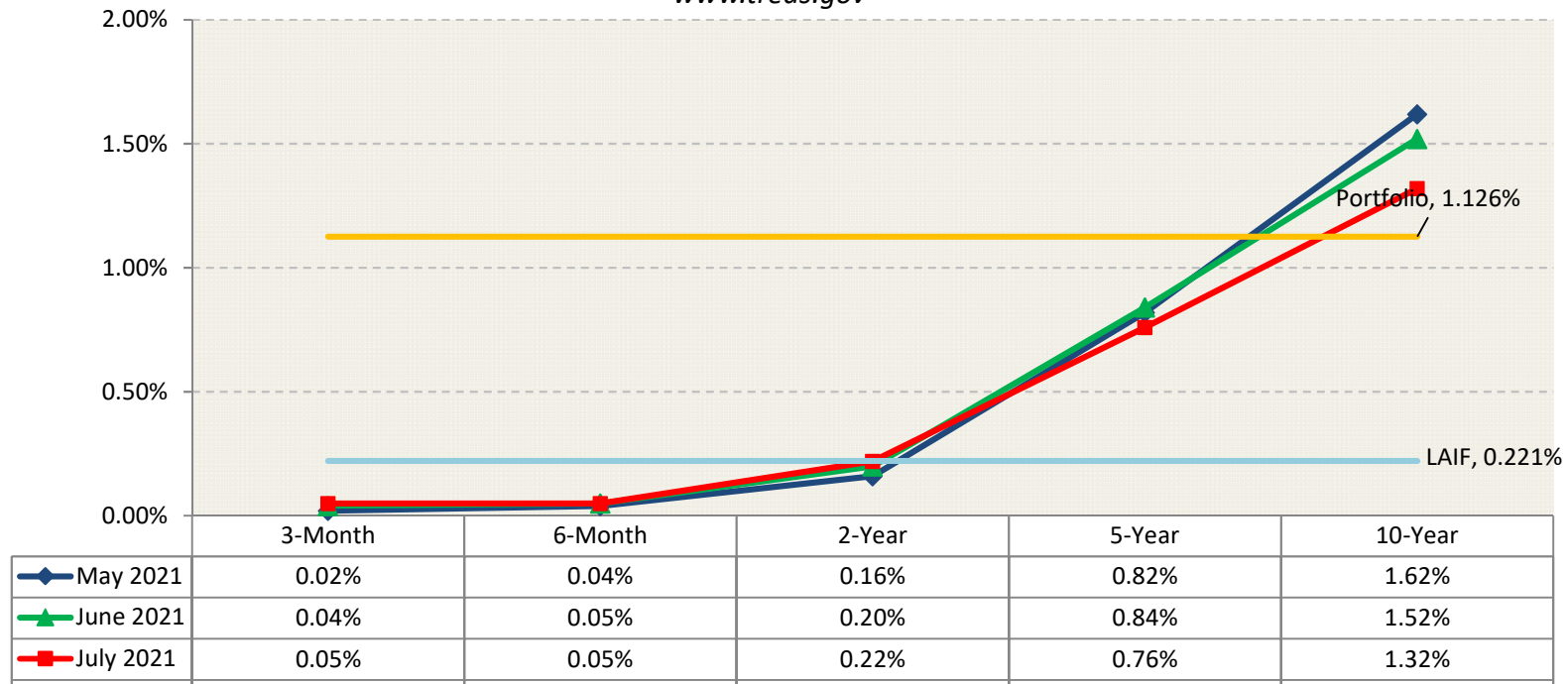
# City of Manhattan Beach Investment Portfolio Summary *As of July 31, 2021*

| FUNDS HELD IN TRUST                       | Value              |
|---|--------------------|
| Police/Fire Refunding Bonds               | \$0                |
| Marine Avenue Refunding Bonds             | 0                  |
| Metlox & Water/Wastewater Refunding Bonds | 0                  |
| UUAD Assessment Refunding Bonds           | 511,575            |
| UUAD Assessment District 12 & 14          | 402,984            |
| UUAD Assessment District 4                | 203,684            |
| PARS Investment Trust                     | 1,831,386          |
| <b>Total Funds Held in Trust</b>          | <b>\$2,949,630</b> |

*As of July 31, 2021*

## US Treasuries Yield Curve

[www.treas.gov](http://www.treas.gov)



Monthly yields are interpolated by the Treasury from the daily yield curve.

**CITY OF MANHATTAN BEACH**  
**Portfolio Maturity Structure**  
*August 2021 through July 2026*

**HELD TO MATURITY**  
**Rolling 60 Months**

| Mth                                       | Mat.    | YTM  | Inv   | Call    | Amt            | Mth    | Mat.     | YTM   | Inv  | Call     | Amt            | Mth    | Mat.     | YTM   | Inv  | Call    | Amt            | Mth    | Mat.     | YTM   | Inv  | Call    | Amt            |        |         |       |   |    |               |
|---|---------|------|-------|---------|----------------|--------|----------|-------|------|----------|----------------|--------|----------|-------|------|---------|----------------|--------|----------|-------|------|---------|----------------|--------|---------|-------|---|----|---------------|
| Aug 21                                    | 8/15/21 | 2.1% | MTN   | nc      | \$1.0M         | Aug 22 | 8/15/22  | 2.79% | TVA  | nc       | \$2.0M         | Aug 23 | 8/31/23  | 2.43% | T    | nc      | \$1.0M         | Aug 24 | 8/15/24  | 1.47% | FHLB | nc      | \$1.0M         | Aug 25 | 8/31/25 | 0.62% | T | nc | \$1.0M        |
|   | 8/12/21 | 2.2% | FHLMC | nc      | \$2.0M         |        | 8/15/22  | 2.49% | TVA  | nc       | \$1.0M         |        | 8/8/23   | 2.03% | MTN  | MW:12.5 | \$1.0M         |        | 8/30/24  | 1.98% | MTN  | 7/30/24 | \$2.0M         |        |         |       |   |    |               |
|   | 8/31/21 | 2.4% | T     | nc      | \$1.0M         |        |          |       |      |          |                |        | 8/16/23  | 1.95% | MTN  | 6/16/23 | \$1.0M         |        | 8/31/24  | 1.49% | T    | nc      | \$2.0M         |        |         |       |   |    |               |
| Sep 21                                    |         |      |       |         |                | Sep 22 | 9/12/22  | 3.06% | MTN  | MW: 7.5  | \$1.0M         | Sep 23 | 9/20/23  | 3.46% | MTN  | nc      | \$1.0M         | Sep 24 | 9/6/24   | 1.89% | MTN  | 9/6/24  | \$1.0M         | Sep 25 |         |       |   |    |               |
|   | 9/30/21 | 2.5% | T     | nc      | \$1.0M         |        | 9/30/22  | 2.20% | T    | nc       | \$1.0M         |        | 9/12/23  | 0.50% | FNMA | nc      | \$1.0M         |        | 9/13/24  | 1.77% | FHLB | nc      | \$2.0M         |        |         |       |   |    |               |
| Oct 21                                    |         |      |       |         |                | Oct 22 | 10/31/22 | 2.25% | T    | nc       | \$1.0M         | Oct 23 | 10/18/23 | 2.63% | MTN  | nc      | \$1.0M         | Oct 24 | 10/15/24 | 1.70% | FNMA | nc      | \$2.0M         | Oct 25 |         |       |   |    |               |
|   |         |      |       |         |                |        | 10/15/22 | 2.64% | MTN  | MW: 12.5 | \$1.0M         |        |          |       |      |         |                |        | 10/15/24 | 1.50% | FNMA | nc      | \$2.0M         |        |         |       |   |    |               |
|   |         |      |       |         |                |        |          |       |      |          |                |        | 10/24/24 | 1.85% | MTN  | 9/6/24  | \$1.0M         |        |          |       |      |         |                |        |         |       |   |    |               |
| Nov 21                                    |         |      |       |         |                | Nov 22 |          |       |      |          |                | Nov 23 |          |       |      |         |                | Nov 24 |          |       |      |         |                | Nov 25 |         |       |   |    |               |
| Dec 21                                    |         |      |       |         |                | Dec 22 | 12/9/22  | 2.36% | FHLB | nc       | \$2.0M         | Dec 23 |          |       |      |         |                | Dec 24 |          |       |      |         |                | Dec 25 |         |       |   |    |               |
| Jan 22                                    |         |      |       |         |                | Jan 23 |          |       |      |          |                | Jan 24 |          |       |      |         |                | Jan 25 |          |       |      |         |                | Jan 26 |         |       |   |    |               |
| Feb 22                                    |         |      |       |         |                | Feb 23 | 2/16/23  | 2.71% | FFCB | nc       | \$2.0M         | Feb 24 | 2/29/24  | 2.23% | T    | nc      | \$1.0M         | Feb 25 |          |       |      |         |                | Feb 26 |         |       |   |    |               |
| Mar 22                                    | 3/15/22 | 1.9% | FFCB  | nc      | \$1.0M         | Mar 23 |          |       |      |          |                | Mar 24 | 3/31/24  | 2.24% | T    | nc      | \$1.0M         | Mar 25 |          |       |      |         |                | Mar 26 |         |       |   |    |               |
| Apr 22                                    | 4/5/22  | 1.9% | FNMA  | nc      | \$1.0M         | Apr 23 |          |       |      |          |                | Apr 24 |          |       |      |         |                | Apr 25 |          |       |      |         |                | Apr 26 |         |       |   |    |               |
| May 22                                    | 5/16/22 | 3.2% | MTN   | MW: 10  | \$1.0M         | May 23 | 5/3/23   | 3.30% | MTN  | MW: 15   | \$1.0M         | May 24 |          |       |      |         |                | May 25 |          |       |      |         |                | May 26 |         |       |   |    |               |
|   | 5/18/22 | 2.5% | MTN   | MW: 10  | \$1.0M         |        |          |       |      |          |                |        |          |       |      |         |                |        |          |       |      |         |                |        |         |       |   |    |               |
|   | 5/23/22 | 1.9% | MTN   | 4/22/22 | \$1.0M         |        |          |       |      |          |                |        |          |       |      |         |                |        |          |       |      |         |                |        |         |       |   |    |               |
| Jun 22                                    |         |      |       |         |                | Jun 23 | 6/19/23  | 3.00% | FFCB | nc       | \$2.0M         | Jun 24 | 6/14/24  | 0.31% | FHLB | nc      | \$1.0M         | Jun 25 | 6/30/25  | 0.56% | T    | nc      | \$1.0M         | Jun 26 |         |       |   |    |               |
| Jul 22                                    | 7/31/22 | 2.7% | T     | nc      | \$2.0M         | Jul 23 | 7/24/23  | 2.84% | FFCB | nc       | \$2.0M         | Jul 24 | 7/2/24   | 1.53% | FNMA | nc      | \$2.0M         | Jul 25 | 7/31/25  | 0.58% | T    | nc      | \$2.0M         | Jul 26 |         |       |   |    |               |
|   | 7/31/22 | 2.5% | T     | nc      | \$1.0M         |        | 7/31/23  | 2.53% | T    | nc       | \$1.0M         |        | 7/2/24   | 0.26% | FNMA | nc      | \$1.0M         |        |          |       |      |         |                |        |         |       |   |    |               |
| <b>Total By Year (excl LAIF)</b>          |         |      |       |         | <b>\$13.0m</b> |        |          |       |      |          | <b>\$17.0m</b> |        |          |       |      |         | <b>\$12.0m</b> |        |          |       |      |         | <b>\$16.0m</b> |        |         |       |   |    | <b>\$1.0m</b> |
| <b>% of Total Securities (excl LAIF)</b>  |         |      |       |         | <b>22%</b>     |        |          |       |      |          | <b>29%</b>     |        |          |       |      |         | <b>20%</b>     |        |          |       |      |         | <b>27%</b>     |        |         |       |   |    | <b>2%</b>     |
| <b>% of Total Investments (incl LAIF)</b> |         |      |       |         | <b>62%</b>     |        |          |       |      |          | <b>14%</b>     |        |          |       |      |         | <b>10%</b>     |        |          |       |      |         | <b>13%</b>     |        |         |       |   |    | <b>1%</b>     |

|                          |             |                 |
|--------------------------|-------------|-----------------|
| Total Securities         | 49%         | \$59.0M         |
| LAIF                     | 51%         | \$61.0M         |
| <b>Total Investments</b> | <b>100%</b> | <b>\$120.0M</b> |

Shaded rows indicate months with significant cash inflows.



**City of Manhattan Beach**  
**Investment Policy Compliance Chart**  
*As of July 31, 2021*

| Instrument                                 |                      | % of Total          | Dollar Compliance |            | Percentage Compliance |              | Term Compliance |            |
|--|----------------------|---------------------|-------------------|------------|-----------------------|--------------|-----------------|------------|
|  |                      |                     | Limit             | Compliant? | Limit                 | Compliant?   | Limit           | Compliant? |
| Local Agency Investment Fund (LAIF)        | \$61,000,000         | 50.8%               | \$75,000,000      | Yes        | Temporary Suspension  |              |                 |            |
| <b>Treasury Securities</b>                 |                      |                     |                   |            |                       |              |                 |            |
| US Treasury                                | \$17,000,000         | 14.2%               |                   |            |                       |              | 5 Years         | Yes        |
| <b>Total U.S. Treasuries (14)</b>          |                      | <b>\$17,000,000</b> | <b>14.2%</b>      |            |                       |              |                 |            |
| <b>Medium Term (Corporate) Notes</b>       |                      |                     |                   |            |                       |              |                 |            |
| Costco                                     | 1,000,000            | 0.8%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| <i>Total Consumer Staples Sector</i>       |                      | <i>\$1,000,000</i>  | <i>0.8%</i>       |            |                       | <i>10.0%</i> | <i>Yes</i>      |            |
| Coca-Cola                                  | 1,000,000            | 0.8%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| <i>Total Consumer Goods Sector</i>         |                      | <i>\$1,000,000</i>  | <i>0.8%</i>       |            |                       | <i>10.0%</i> | <i>Yes</i>      |            |
| Berkshire Hathaway                         | 1,000,000            | 0.8%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| Toyota Motor Credit                        | 2,000,000            | 1.7%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| US Bank                                    | 1,000,000            | 0.8%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| Bank of NY                                 | 2,000,000            | 1.7%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| <i>Total Financial Sector</i>              |                      | <i>\$6,000,000</i>  | <i>5.0%</i>       |            |                       | <i>10.0%</i> | <i>Yes</i>      |            |
| United Parcel Service                      | 1,000,000            | 0.8%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| <i>Total Industrials Sector</i>            |                      | <i>\$1,000,000</i>  | <i>0.8%</i>       |            |                       | <i>10.0%</i> | <i>Yes</i>      |            |
| Apple Inc                                  | 2,000,000            | 1.7%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| Microsoft Corp                             | 1,000,000            | 0.8%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| Oracle Corp                                | 1,000,000            | 0.8%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| <i>Total Technology Sector</i>             |                      | <i>\$4,000,000</i>  | <i>3.3%</i>       |            |                       | <i>10.0%</i> | <i>Yes</i>      |            |
| Walt Disney Co                             | 2,000,000            | 1.7%                |                   |            | 5.0%                  | Yes          | 5 Years         | Yes        |
| <i>Total Communication Services Sector</i> |                      | <i>\$2,000,000</i>  |                   |            |                       |              |                 |            |
| <b>Total Medium Term Notes (14)</b>        |                      | <b>\$15,000,000</b> | <b>12.5%</b>      |            |                       | <b>20.0%</b> | <b>Yes</b>      |            |
| <b>Federal Agencies</b>                    |                      |                     |                   |            |                       |              |                 |            |
| Federal Home Loan Bank (FHLB)              | \$6,000,000          | 5.0%                |                   |            | 33.3%                 | Yes          | 5 Years         | Yes        |
| Federal Farm Credit (FFCB)                 | 7,000,000            | 5.8%                |                   |            | 33.3%                 | Yes          | 5 Years         | Yes        |
| Fannie Mae (FNMA)                          | 9,000,000            | 7.5%                |                   |            | 33.3%                 | Yes          | 5 Years         | Yes        |
| Freddie Mac (FHLMC)                        | 2,000,000            | 1.7%                |                   |            | 33.3%                 | Yes          | 5 Years         | Yes        |
| Tennessee Valley Authority (TVA)           | 3,000,000            | 2.5%                |                   |            | 33.3%                 | Yes          | 5 Years         | Yes        |
| <b>Total Federal Agencies (17)</b>         |                      | <b>\$27,000,000</b> | <b>22.5%</b>      |            |                       | <b>60.0%</b> | <b>Yes</b>      |            |
| <b>Total Portfolio</b>                     | <b>\$120,000,000</b> | <b>100.0%</b>       |                   |            |                       |              |                 |            |



**CITY OF MANHATTAN BEACH**  
**TREASURER'S REPORT**  
**July 31, 2021**

| <b><u>Investments</u></b>                   | <b>Book Value</b>                         |
|---|---|
| LAIF  | \$61,000,000.00                           |
| Medium Term Notes                           | 14,955,422.84                             |
| Federal Agency Issues-Coupon                | 27,250,075.33                             |
| Treasury Securities                         | 16,873,478.82                             |
| <b>Subtotal Investments</b>                 | <b><u>\$120,078,976.99</u></b>            |
| <br>  |   |
| <b><u>Demand Deposit/Petty Cash</u></b>     |   |
| Cash in Bank                                | \$9,991,917.95                            |
| Petty Cash                                  | 3,425.99                                  |
| <b>Subtotal Demand Deposit</b>              | <b><u>\$9,995,343.94</u></b>              |
| <br>  |   |
| <b>Subtotal City Cash &amp; Investments</b> | <b><u>\$130,074,320.93</u></b>            |
| <br>  |   |
| <b><u>Bond Funds Held in Trust</u></b>      |   |
| Police Fire Refunding                       | \$0.06                                    |
| Marine Ave Park Refunding                   | 0.03                                      |
| Metlox & Water/Wastewater Refunding         | 0.06                                      |
| Utility Assessment Districts                | 1,118,243.17                              |
| <b>Subtotal Bonds Held in Trust</b>         | <b><u>\$1,118,243.32</u></b>              |
| <br>  |   |
| <b><u>Investment Trust Funds</u></b>        |   |
| PARS Pension Rate Stabilization Trust       | 1,831,386.40                              |
| <br><b>Treasurer's Balance</b>              | <br><b><u><u>\$133,023,950.65</u></u></b> |



# PMIA/LAIF Performance Report as of 08/05/21



## PMIA Average Monthly Effective Yields<sup>(1)</sup>

|     |       |
|-----|-------|
| Jul | 0.221 |
| Jun | 0.262 |
| May | 0.315 |

## Quarterly Performance Quarter Ended 06/30/21

|  |                     |
|--|---------------------|
| LAIF Apportionment Rate <sup>(2)</sup> : | 0.33                |
| LAIF Earnings Ratio <sup>(2)</sup> :     | 0.00000897371743018 |
| LAIF Fair Value Factor <sup>(1)</sup> :  | 1.00008297          |
| PMIA Daily <sup>(1)</sup> :              | 0.22%               |
| PMIA Quarter to Date <sup>(1)</sup> :    | 0.30%               |
| PMIA Average Life <sup>(1)</sup> :       | 291                 |

## Pooled Money Investment Account Monthly Portfolio Composition <sup>(1)</sup> 06/30/21 \$193.3 billion

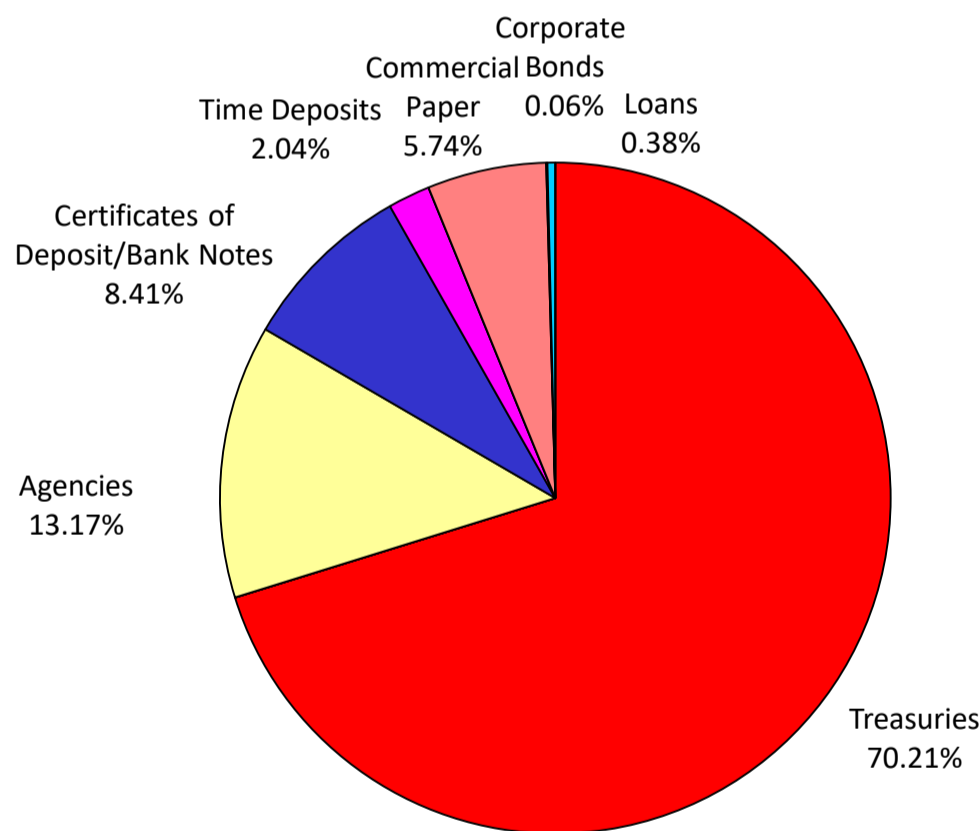


Chart does not include 0.01% of mortgages. Percentages may not total 100% due to rounding.

Daily rates are now available here. [View PMIA Daily Rates](#)

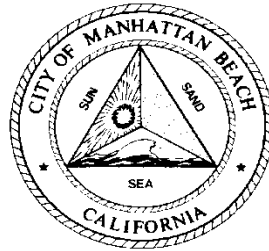
Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

<sup>(1)</sup> State of California, Office of the Treasurer

<sup>(2)</sup> State of California, Office of the Controller

# City of Manhattan Beach



## Month End Report July 31, 2021 Fiscal Year 2021-2022



**City of Manhattan Beach**  
**Fiscal Year 2021-2022 General Fund Expenditures by Department**  
**As of July 31, 2021**

% of Year  
8.3%

**Current Year Activity**

|                        | <b>Dept No.</b> | <b>Original Budget</b> | <b>Budget Adjustments<sup>1</sup></b> | <b>Adjusted Budget</b> | <b>YTD Expenditures</b> | <b>YTD Encumbrances<sup>2</sup></b> | <b>Available Budget</b> | <b>% Used</b> |
|------------------------|-----------------|------------------------|---------------------------------------|------------------------|-------------------------|-------------------------------------|-------------------------|---------------|
| Management Services    | 11              | \$3,599,705            | \$0                                   | \$3,599,705            | \$246,421               | \$19,164                            | \$3,334,120             | 7.4%          |
| Finance                | 12              | 3,607,149              | -                                     | 3,607,149              | 244,320                 | 127,787                             | 3,235,042               | 10.3%         |
| Human Resources        | 13              | 1,416,358              | -                                     | 1,416,358              | 112,280                 | 46,500                              | 1,257,578               | 11.2%         |
| Parks and Recreation   | 14              | 8,417,571              | -                                     | 8,417,571              | 873,809                 | 5,200                               | 7,538,562               | 10.4%         |
| Police                 | 15              | 30,667,807             | -                                     | 30,667,807             | 2,043,504               | (66,681)                            | 28,690,985              | 6.4%          |
| Fire                   | 16              | 15,471,419             | -                                     | 15,471,419             | 1,402,660               | 9,201                               | 14,059,558              | 9.1%          |
| Community Development  | 17              | 5,908,891              | -                                     | 5,908,891              | 301,684                 | 183,121                             | 5,424,086               | 8.2%          |
| Public Works           | 18              | 8,609,392              | -                                     | 8,609,392              | 488,043                 | 237,008                             | 7,884,342               | 8.4%          |
| Information Technology | 19              | -                      | -                                     | -                      | -                       | -                                   | -                       | n/a           |
|                        |                 | <b>\$77,698,292</b>    | <b>\$0</b>                            | <b>\$77,698,292</b>    | <b>\$5,712,720</b>      | <b>\$561,300</b>                    | <b>\$71,424,272</b>     | <b>8.1%</b>   |

<sup>1</sup>Budget Adjustments include City Council-approved adjustments during the current year and encumbrances carried forward from the prior year.

<sup>2</sup>YTD Encumbrances in Fiscal Year 2021-2022 may show as negative until the prior year is closed after August 31.



**City of Manhattan Beach**  
**Fiscal Year 2021-2022 Statement of Revenues & Expenditures**  
**As of July 31, 2021**

% of Year  
8.3%

**Current Year Activity**

|  | Fund No. | Adjusted             | YTD Revenues        | %            | Adjusted             | Year-to-Date       |                    | %           |
|--|----------|----------------------|---------------------|--------------|----------------------|--------------------|--------------------|-------------|
|  |          | Budget Revenues      |                     |              | Budget Expenditures  | Expenditures       | Encumbrances       |             |
| General Fund                                 | 100      | \$82,260,057         | \$8,204,020         | 10.0%        | \$77,698,292         | \$5,712,720        | \$561,300          | 8.1%        |
| Street Lighting & Landscaping Fund           | 201      | 389,689              | -                   | 0.0%         | 570,702              | 1,831              | 7,550              | 1.6%        |
| Gas Tax Fund                                 | 205      | 1,395,158            | 88,904              | 6.4%         | 2,098,738            | 7,167              | 803,285            | 38.6%       |
| Asset Forfeiture                             | 210      | 28,824               | 10,935              | 37.9%        | 108,500              | 7,826              | 27,747             | 32.8%       |
| Police Safety Grants                         | 211      | 159,192              | 347                 | 0.2%         | 155,000              | 17,055             | 5,298              | 14.4%       |
| Prop A Fund                                  | 230      | 737,244              | 357,186             | 48.4%        | 932,081              | 39,737             | -                  | 4.3%        |
| Prop C Fund                                  | 231      | 634,279              | 2,456,863           | 387.3%       | 192,332              | 17,431             | 74,740             | 47.9%       |
| AB 2766 Fund                                 | 232      | 46,641               | 131                 | 0.3%         | 673                  | 56                 | -                  | 8.3%        |
| Measure R                                    | 233      | 458,499              | 56,576              | 12.3%        | 263,738              | 1,404              | -                  | 0.5%        |
| Measure M                                    | 234      | 2,309,690            | 62,876              | 2.7%         | 2,413,738            | 8,458              | 1,192,646          | 49.8%       |
| Capital Improvements Fund                    | 401      | 2,919,601            | 127,505             | 4.4%         | 4,103,784            | 26,611             | -                  | 0.6%        |
| Underground Assessment District Construction | 403      | 42,110               | 4,566               | 10.8%        | 1,779,705            | 16,782             | -                  | 0.9%        |
| Water Fund                                   | 501      | 15,586,832           | 1,837,175           | 11.8%        | 15,551,079           | 983,046            | 675,155            | 10.7%       |
| Stormwater Fund                              | 502      | 779,889              | 970                 | 0.1%         | 1,787,478            | 39,257             | 420                | 2.2%        |
| Wastewater Fund                              | 503      | 3,604,073            | 388,007             | 10.8%        | 3,045,862            | 120,273            | 19,217             | 4.6%        |
| Parking Fund                                 | 520      | 3,730,433            | 519,969             | 13.9%        | 2,933,472            | 93,549             | 6,705              | 3.4%        |
| County Parking Lots Fund                     | 521      | 1,263,000            | 146,077             | 11.6%        | 872,452              | 6,419              | -                  | 0.7%        |
| State Pier & Parking Lot Fund                | 522      | 894,383              | 99,623              | 11.1%        | 2,160,254            | 16,034             | -                  | 0.7%        |
| Insurance Reserve Fund                       | 601      | 7,389,560            | 638,426             | 8.6%         | 7,179,370            | 1,790,679          | 216,670            | 28.0%       |
| Information Systems Reserve Fund             | 605      | 3,039,108            | 253,260             | 8.3%         | 3,520,830            | 207,092            | 311,569            | 14.7%       |
| Fleet Management Fund                        | 610      | 2,363,382            | 96,213              | 4.1%         | 4,056,296            | 77,026             | 7,181              | 2.1%        |
| Building Maintenance & Operation Fund        | 615      | 2,104,412            | 70,462              | 3.3%         | 2,097,330            | 69,495             | 40,583             | 5.2%        |
| Special Assessment Debt Service              | 710      | 707,750              | 12,585              | 1.8%         | 708,900              | -                  | -                  | 0.0%        |
| Special Assessment UAD 19-12 19-14 Fund      | 711      | 614,943              | 2                   | 0.0%         | 606,707              | -                  | -                  | 0.0%        |
| Special Assessment UAD 19-4 Fund             | 712      | 336,313              | 1                   | 0.0%         | 336,163              | -                  | -                  | 0.0%        |
| City Pension Fund                            | 801      | 197,697              | -                   | 0.0%         | 196,680              | 18,166             | -                  | 9.2%        |
| PARS Investment Trust                        | 804      | 100,000              | 10,857              | 10.9%        | -                    | -                  | -                  | -           |
|  |          | <b>\$134,092,759</b> | <b>\$15,443,537</b> | <b>11.5%</b> | <b>\$135,370,156</b> | <b>\$9,278,114</b> | <b>\$3,950,066</b> | <b>6.9%</b> |



**City of Manhattan Beach**  
**Fiscal Year 2021-2022 Citywide Revenues**  
**As of July 31, 2021**

% of Year  
**8.3%**

**Current Year Activity**

|  | <b>Fund No.</b> | <b>Original Budget</b> | <b>Budget Adjustments</b> | <b>Adjusted Budget</b> | <b>Year-to-Date Actuals</b> | <b>Unrealized Amount</b> | <b>% Realized</b> |
|--|-----------------|------------------------|---------------------------|------------------------|-----------------------------|--------------------------|-------------------|
| General Fund                                 | 100             | \$82,260,057           | \$0                       | \$82,260,057           | \$8,204,020                 | \$74,056,037             | 10.0%             |
| Street Lighting & Landscaping Fund           | 201             | 389,689                | -                         | 389,689                | -                           | 389,689                  | 0.0%              |
| Gas Tax Fund                                 | 205             | 1,395,158              | -                         | 1,395,158              | 88,904                      | 1,306,254                | 6.4%              |
| Asset Forfeiture                             | 210             | 28,824                 | -                         | 28,824                 | 10,935                      | 17,889                   | 37.9%             |
| Police Safety Grants                         | 211             | 159,192                | -                         | 159,192                | 347                         | 158,845                  | 0.2%              |
| Prop A Fund                                  | 230             | 737,244                | -                         | 737,244                | 357,186                     | 380,058                  | 48.4%             |
| Prop C Fund                                  | 231             | 634,279                | -                         | 634,279                | 2,456,863                   | (1,822,584)              | 387.3%            |
| AB 2766 Fund                                 | 232             | 46,641                 | -                         | 46,641                 | 131                         | 46,510                   | 0.3%              |
| Measure R                                    | 233             | 458,499                | -                         | 458,499                | 56,576                      | 401,923                  | 12.3%             |
| Measure M                                    | 234             | 2,309,690              | -                         | 2,309,690              | 62,876                      | 2,246,814                | 2.7%              |
| Capital Improvements Fund                    | 401             | 2,919,601              | -                         | 2,919,601              | 127,505                     | 2,792,096                | 4.4%              |
| Underground Assessment District Construction | 403             | 42,110                 | -                         | 42,110                 | 4,566                       | 37,544                   | 10.8%             |
| Water Fund                                   | 501             | 15,586,832             | -                         | 15,586,832             | 1,837,175                   | 13,749,657               | 11.8%             |
| Stormwater Fund                              | 502             | 779,889                | -                         | 779,889                | 970                         | 778,919                  | 0.1%              |
| Wastewater Fund                              | 503             | 3,604,073              | -                         | 3,604,073              | 388,007                     | 3,216,066                | 10.8%             |
| Parking Fund                                 | 520             | 3,730,433              | -                         | 3,730,433              | 519,969                     | 3,210,464                | 13.9%             |
| County Parking Lots Fund                     | 521             | 1,263,000              | -                         | 1,263,000              | 146,077                     | 1,116,923                | 11.6%             |
| State Pier & Parking Lot Fund                | 522             | 894,383                | -                         | 894,383                | 99,623                      | 794,760                  | 11.1%             |
| Insurance Reserve Fund                       | 601             | 7,389,560              | -                         | 7,389,560              | 638,426                     | 6,751,134                | 8.6%              |
| Information Systems Reserve Fund             | 605             | 3,039,108              | -                         | 3,039,108              | 253,260                     | 2,785,848                | 8.3%              |
| Fleet Management Fund                        | 610             | 2,363,382              | -                         | 2,363,382              | 96,213                      | 2,267,169                | 4.1%              |
| Building Maintenance & Operation Fund        | 615             | 2,104,412              | -                         | 2,104,412              | 70,462                      | 2,033,950                | 3.3%              |
| Special Assessment Debt Service              | 710             | 707,750                | -                         | 707,750                | 12,585                      | 695,165                  | 1.8%              |
| Special Assessment UAD 19-12 19-14 Fund      | 711             | 614,943                | -                         | 614,943                | 2                           | 614,941                  | 0.0%              |
| Special Assessment UAD 19-4 Fund             | 712             | 336,313                | -                         | 336,313                | 1                           | 336,312                  | 0.0%              |
| City Pension Fund                            | 801             | 197,697                | -                         | 197,697                | -                           | 197,697                  | 0.0%              |
| PARS Investment Trust                        | 804             | 100,000                | -                         | 100,000                | 10,857                      | 89,143                   | 10.9%             |
|  |                 | <b>\$134,092,759</b>   | <b>\$0</b>                | <b>\$134,092,759</b>   | <b>\$15,443,537</b>         | <b>\$118,649,222</b>     | <b>11.5%</b>      |



**City of Manhattan Beach  
Fiscal Year 2021-2022 Citywide Expenditures  
As of June 31, 2021**

% of Year  
**8.3%**

**Current Year Activity**

|     | Fund No.                                     | Original Budget | Budget Adjustments*  | Adjusted Budget | Year-to-Date         |                    | Available Budget   | % Utilized           |             |
|-----|--|-----------------|----------------------|-----------------|----------------------|--------------------|--------------------|----------------------|-------------|
|     |  |                 |                      |                 | Actuals              | Encumbrances       |                    |                      |             |
| 100 | General Fund                                 | 100             | \$77,698,292         | \$0             | \$77,698,292         | \$5,712,720        | \$561,300          | \$71,424,272         | 8.1%        |
| 201 | Street Lighting & Landscaping Fund           | 201             | 570,702              | -               | 570,702              | 1,831              | 7,550              | 561,321              | 1.6%        |
| 205 | Gas Tax Fund                                 | 205             | 2,098,738            | -               | 2,098,738            | 7,167              | 803,285            | 1,288,286            | 38.6%       |
| 210 | Asset Forfeiture                             | 210             | 108,500              | -               | 108,500              | 7,826              | 27,747             | 72,927               | 32.8%       |
| 211 | Police Safety Grants                         | 211             | 155,000              | -               | 155,000              | 17,055             | 5,298              | 132,647              | 14.4%       |
| 230 | Prop A Fund                                  | 230             | 932,081              | -               | 932,081              | 39,737             | -                  | 892,344              | 4.3%        |
| 231 | Prop C Fund                                  | 231             | 192,332              | -               | 192,332              | 17,431             | 74,740             | 100,161              | 47.9%       |
| 232 | AB 2766 Fund                                 | 232             | 673                  | -               | 673                  | 56                 | -                  | 617                  | 8.3%        |
| 233 | Measure R                                    | 233             | 263,738              | -               | 263,738              | 1,404              | -                  | 262,334              | 0.5%        |
| 234 | Measure M                                    | 234             | 2,413,738            | -               | 2,413,738            | 8,458              | 1,192,646          | 1,212,634            | 49.8%       |
| 401 | Capital Improvements Fund                    | 401             | 4,103,784            | -               | 4,103,784            | 26,611             | -                  | 4,077,173            | 0.6%        |
| 403 | Underground Assessment District Construction | 403             | 1,779,705            | -               | 1,779,705            | 16,782             | -                  | 1,762,923            | -           |
| 501 | Water Fund                                   | 501             | 15,551,079           | -               | 15,551,079           | 983,046            | 675,155            | 13,892,878           | 10.7%       |
| 502 | Stormwater Fund                              | 502             | 1,787,478            | -               | 1,787,478            | 39,257             | 420                | 1,747,801            | 2.2%        |
| 503 | Wastewater Fund                              | 503             | 3,045,862            | -               | 3,045,862            | 120,273            | 19,217             | 2,906,373            | 4.6%        |
| 520 | Parking Fund                                 | 520             | 2,933,472            | -               | 2,933,472            | 93,549             | 6,705              | 2,833,217            | 3.4%        |
| 521 | County Parking Lots Fund                     | 521             | 872,452              | -               | 872,452              | 6,419              | -                  | 866,033              | 0.7%        |
| 522 | State Pier & Parking Lot Fund                | 522             | 2,160,254            | -               | 2,160,254            | 16,034             | -                  | 2,144,220            | 0.7%        |
| 601 | Insurance Reserve Fund                       | 601             | 7,179,370            | -               | 7,179,370            | 1,790,679          | 216,670            | 5,172,021            | 28.0%       |
| 605 | Information Systems Reserve Fund             | 605             | 3,520,830            | -               | 3,520,830            | 207,092            | 311,569            | 3,002,169            | 14.7%       |
| 610 | Fleet Management Fund                        | 610             | 4,056,296            | -               | 4,056,296            | 77,026             | 7,181              | 3,972,089            | 2.1%        |
| 615 | Building Maintenance & Operation Fund        | 615             | 2,097,330            | -               | 2,097,330            | 69,495             | 40,583             | 1,987,252            | 5.2%        |
| 710 | Special Assessment Debt Service              | 710             | 708,900              | -               | 708,900              | -                  | -                  | 708,900              | 0.0%        |
| 711 | Special Assessment UAD 19-12 19-14 Fund      | 711             | 606,707              | -               | 606,707              | -                  | -                  | 606,707              | 0.0%        |
| 712 | Special Assessment UAD 19-4 Fund             | 712             | 336,163              | -               | 336,163              | -                  | -                  | 336,163              | 0.0%        |
| 801 | City Pension Fund                            | 801             | 196,680              | -               | 196,680              | 18,166             | -                  | 178,514              | 9.2%        |
| 804 | PARS Investment Trust                        | 804             | -                    | -               | -                    | -                  | -                  | -                    | -           |
|     |  |                 | <b>\$135,370,156</b> | <b>\$0</b>      | <b>\$135,370,156</b> | <b>\$9,278,114</b> | <b>\$3,950,066</b> | <b>\$122,141,976</b> | <b>9.8%</b> |

\*Budget Adjustments include City Council-approved adjustments during the current year and encumbrances carried forward from the prior year.

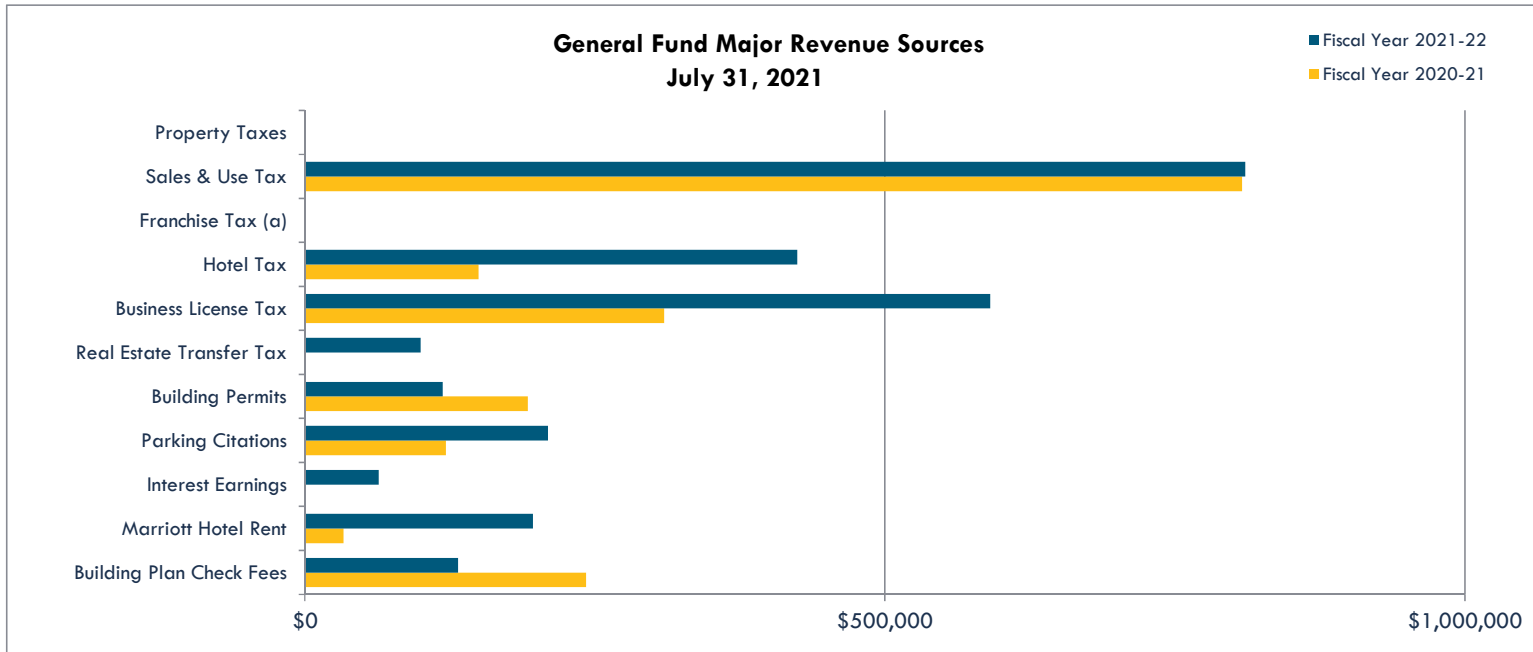




**City of Manhattan Beach**  
**Fiscal Year 2021-2022 General Fund Major Revenue Trends**  
**July 31, 2021**

Percent of Year  
**8.3%**

| Major Revenue Accounts              | Fund No. | Year-To-Date Actuals |                  |                  |                  |                  |                  | FY 2022           |              |
|-------------------------------------|----------|----------------------|------------------|------------------|------------------|------------------|------------------|-------------------|--------------|
|                                     |          | 2017                 | 2018             | 2019             | 2020             | 2021             | 2022             | Adj Budget        | Realized     |
| Property Taxes                      | 100      | -                    | -                | -                | -                | -                | -                | 38,049,313        | 0.0%         |
| Sales & Use Tax                     | 100      | 625,200              | 606,900          | 807,489          | 796,068          | 808,170          | 810,878          | 9,260,000         | 8.8%         |
| Franchise Tax (a)                   | 100      | -                    | -                | -                | -                | -                | -                | 1,135,000         | 0.0%         |
| Hotel Tax                           | 100      | 449,163              | 369,936          | 368,172          | 428,140          | 149,656          | 424,420          | 4,025,000         | 10.5%        |
| Business License Tax                | 100      | 63,024               | 50,224           | 94,379           | 125,814          | 309,824          | 590,778          | 3,600,000         | 16.4%        |
| Real Estate Transfer Tax            | 100      | 47,046               | 86,207           | 83,209           | 42,322           | -                | 99,788           | 810,000           | 12.3%        |
| Building Permits                    | 100      | 96,553               | 162,910          | 103,762          | 211,387          | 192,218          | 118,802          | 1,532,712         | 7.8%         |
| Parking Citations                   | 100      | 294,020              | 237,001          | 208,631          | 161,563          | 121,490          | 209,696          | 1,875,000         | 11.2%        |
| Interest Earnings                   | 100      | 10,085               | 92,151           | 95,297           | 269,085          | (30,364)         | 63,707           | 637,522           | 10.0%        |
| Marriott Hotel Rent                 | 100      | 358,695              | 361,611          | 33,333           | 423,467          | 33,333           | 196,535          | 1,350,000         | 14.6%        |
| Vehicle in Lieu                     | 100      | -                    | -                | -                | -                | -                | -                | 17,000            | 0.0%         |
| Building Plan Check Fees            | 100      | 92,526               | 235,673          | 171,379          | 189,865          | 242,439          | 131,989          | 1,755,000         | 7.5%         |
| <b>Total Major Revenue Accounts</b> |          | <b>2,036,314</b>     | <b>2,202,612</b> | <b>1,965,650</b> | <b>2,647,711</b> | <b>1,826,766</b> | <b>2,646,593</b> | <b>64,046,547</b> | <b>4.1%</b>  |
| Over/(Under) Prior Year             |          |                      | 166,299          | (236,962)        | 682,060          | (820,944)        | 819,826          |                   |              |
| Percent Change From Prior Year      |          |                      | 8.2%             | (10.8%)          | 34.7%            | (31.0%)          | 44.9%            |                   |              |
| Other Revenues                      |          | 1,727,609            | 2,140,704        | 2,307,387        | 2,205,619        | 1,193,188        | 5,557,428        | 18,213,510        | 30.5%        |
| <b>Total General Fund Revenues</b>  |          | <b>3,763,923</b>     | <b>4,343,317</b> | <b>4,273,038</b> | <b>4,853,329</b> | <b>3,019,954</b> | <b>8,204,020</b> | <b>82,260,057</b> | <b>10.0%</b> |

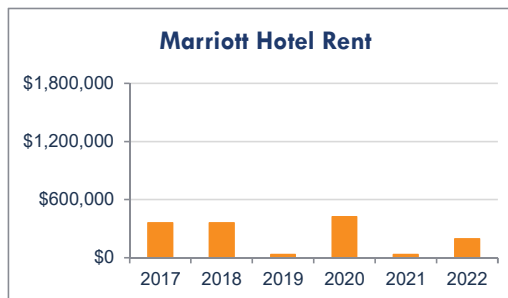
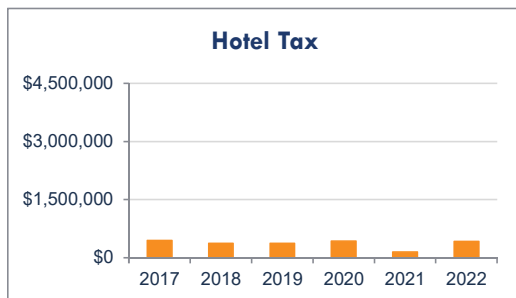
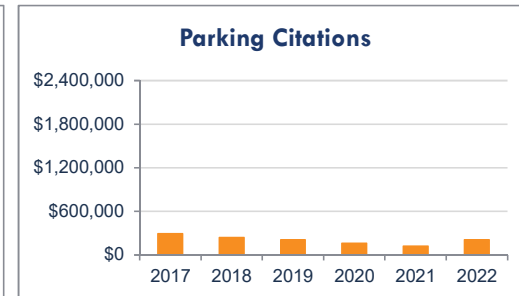
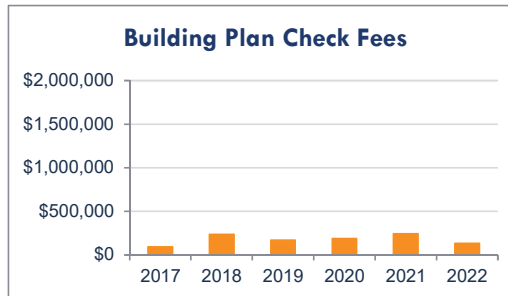
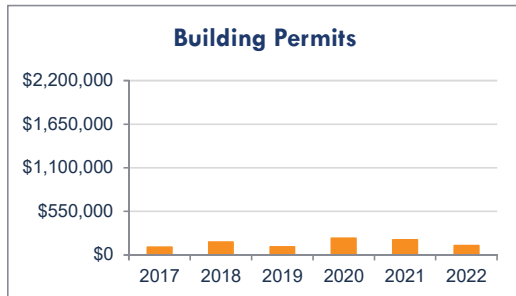
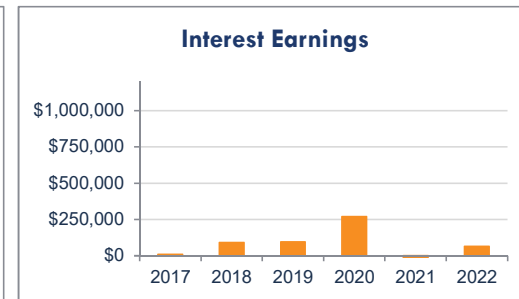
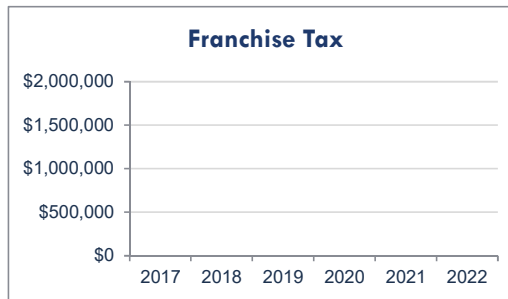
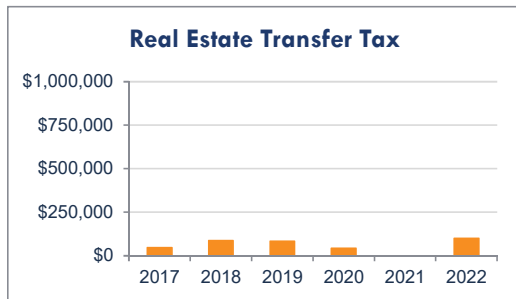
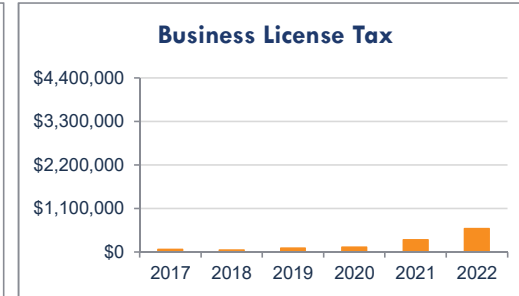
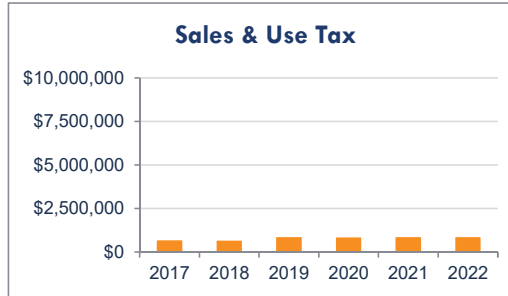
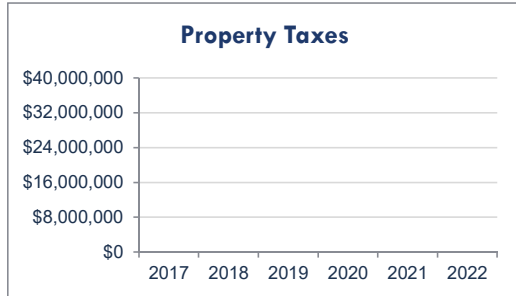


(a) The structure of payments for the some of the franchise fees has changed resulting in lower initial revenues at the beginning of the fiscal year as compared to prior years. This revenue will self adjust throughout the year to better align with prior full-year numbers.



# City of Manhattan Beach Fiscal Year-To-Date General Fund Trends Through July Year-Over-Year

**Percent of Year  
8.3%**





**Agenda Date:** 9/9/2021

---

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Liza Tamura, City Clerk

Martha Alvarez, Assistant City Clerk

**SUBJECT:**

Consider Designating a Voting Delegate and Alternates to the 2021 League of California Cities Annual Conference; Authorize the Delegate and Alternates Voting Authority on Proposed Resolution(s) Being Considered at the Conference (City Clerk Tamura).

- a) **APPROVE VOTING DELEGATE AND ALTERNATES**
  - b) **AUTHORIZE VOTING AUTHORITY**
- 

**RECOMMENDATION:**

Staff recommends that the City Council designate the following for the 2021 League of California Cities Annual Conference, based on the City Council Reorganization that will take place on Thursday, September 9, 2021:

- Mayor Stern as a voting delegate
- Mayor Pro Tem Napolitano as Alternate No. 1
- Councilmember Montgomery as Alternate No. 2
- Councilmember Franklin as Alternate No. 3
- Councilmember Hadley as Alternate No. 4

Staff further recommends that the City Council authorize the chosen Voting Delegate (Mayor Stern), and if necessary, Voting Alternates (Mayor Pro Tem Napolitano, Councilmember Montgomery, Councilmember Franklin, and Councilmember Hadley), to vote in the best interest of the City regarding the proposed resolution(s) being considered at the League of California Cities (LOCC) Conference Annual Business Meeting on September 24, 2021.

**FISCAL IMPLICATIONS:**

Adequate funds are available in the Fiscal Year 2021-2022 budget for the related costs

associated with the annual League of California Cities conference.

**BACKGROUND:**

The League of California Cities provides a variety of training, legislative support, and information to elected and appointed officials and to City staff. The League of California Cities will be holding its Annual Conference on Wednesday, September 22, 2021, through Friday, September 24, 2021, in Sacramento. At the Annual Conference, the League conducts its Annual Business Meeting where League Members take action on conference resolutions. These resolutions help guide cities and the League in efforts to improve the quality, responsiveness, and vitality of local government in California. The League's bylaws stipulate that each city is entitled to one vote on matters affecting municipal or League policy. The Annual Business Meeting is scheduled for Friday, September 24, 2021.

**DISCUSSION:**

It has been the City Council's past practice to appoint the Mayor as the Primary Voting Delegate and the Mayor Pro Tem as the Alternate Voting Delegate. However, the League of California Cities bylaws authorizes the appointment of additional alternates in order to plan for unforeseen situations (see League Bylaw Amendment in 2006). Thus, staff is recommending that the City Council appoint Mayor Stern as the City's Voting Delegate, and Mayor Pro Tem Napolitano, Councilmember Montgomery, Councilmember Franklin, and Councilmember Hadley as the City's Voting Alternates, using the appropriate form attached. Staff also recommends that City Council authorize the Delegate, Mayor Stern, and if necessary Alternates Mayor Pro Tem Napolitano, Councilmember Montgomery, Councilmember Franklin and Councilmember Hadley, to vote in the best interest of the City on League resolutions at the Annual Business Meeting on Friday, September 24, 2021.

A full description and analysis of the resolution can be found in the attached Annual Conference Resolutions Packet.

**PUBLIC OUTREACH:**

After analysis, staff determined that public outreach was not required for this issue.

**ENVIRONMENTAL REVIEW**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that there is no possibility that the activity may have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

**LEGAL REVIEW**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

1. Designation of Voting Delegate/Alternates Form
2. 2021 Annual League of California Cities Conference Resolutions Packet

**2021 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to Cal Cities office by Wednesday, September 15, 2021. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

To vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

**1. VOTING DELEGATE**

Name: Hildy Stern

Title: Mayor

**3. VOTING DELEGATE - ALTERNATE**

Name: Richard Montgomery

Title: Councilmember

**2. VOTING DELEGATE - ALTERNATE**

Name: Steve Napolitano

Title: Mayor Pro Tem

**4. VOTING DELEGATE - ALTERNATE**

Name: Joe Franklin

Title: Councilmember

**5. VOTING DELEGATE - ALTERNATE**

Name: Suzanne Hadley

Title: Councilmember

**PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: Liza Tamura, City Clerk

Email ltamura@citymb.info

Mayor or City Clerk \_\_\_\_\_  
(circle one) (signature)

Date \_\_\_\_\_ Phone 310-802-5055

**Please complete and return by Wednesday, September 15, 2021 to:**

Darla Yacub, Assistant to the Administrative Services Director

E-mail: [dyacub@cacities.org](mailto:dyacub@cacities.org)

Phone: (916) 658-8254



*Annual Conference  
Resolutions Packet*

*2021 Annual Conference Resolutions*



*September 22 - 24, 2021*

## INFORMATION AND PROCEDURES

**RESOLUTIONS CONTAINED IN THIS PACKET:** The League of California Cities (Cal Cities) bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, two resolutions have been introduced for consideration at the Annual Conference and referred to Cal Cities policy committees.

**POLICY COMMITTEES:** Three policy committees will meet virtually one week prior to the Annual Conference to consider and take action on the resolutions. The sponsors of the resolutions have been notified of the time and location of the meetings.

**GENERAL RESOLUTIONS COMMITTEE:** This committee will meet at 1:00 p.m. on Thursday, September 23, to consider the reports of the policy committees regarding the resolutions. This committee includes one representative from each of Cal Cities regional divisions, functional departments, and standing policy committees, as well as other individuals appointed by the Cal Cities president. Please check in at the registration desk for room location.

**CLOSING LUNCHEON AND GENERAL ASSEMBLY:** This meeting will be held at 12:30 p.m. on Friday, September 24, at the SAFE Credit Union Convention Center.

**PETITIONED RESOLUTIONS:** For those issues that develop after the normal 60-day deadline, a petition resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Closing Luncheon & General Assembly. This year, that deadline is 12:30 p.m., Thursday, September 23. Resolutions can be viewed on Cal Cities Web site: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

Any questions concerning the resolutions procedures may be directed to Meg Desmond [mdesmond@calcities.org](mailto:mdesmond@calcities.org).

## **GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS**

Policy development is a vital and ongoing process within Cal Cities. The principal means for deciding policy on the important issues facing cities is through Cal Cities seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop Cal Cities policy. Resolutions should adhere to the following criteria.

### **Guidelines for Annual Conference Resolutions**

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing Cal Cities policy.
4. The resolution should be directed at achieving one of the following objectives:
  - (a) Focus public or media attention on an issue of major importance to cities.
  - (b) Establish a new direction for Cal Cities policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
  - (c) Consider important issues not adequately addressed by the policy committees and board of directors.



**KEY TO ACTIONS TAKEN ON RESOLUTIONS**

Resolutions have been grouped by policy committees to which they have been assigned.

Number                                      Key Word Index                                      Reviewing Body Action

|  |  |   |   |   |
|--|--|---|---|---|
|  |  | 1 | 2 | 3 |
|--|--|---|---|---|

1 - Policy Committee Recommendation to General Resolutions Committee  
 2 - General Resolutions Committee  
 3 - General Assembly

**HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT POLICY COMMITTEE**

|   |  |   |   |   |
|---|--|---|---|---|
|   |  | 1 | 2 | 3 |
| 2 | Securing Railroad Property Maintenance |   |   |   |

**REVENUE & TAXATION POLICY COMMITTEE**

|   |                         |   |   |   |
|---|-------------------------|---|---|---|
|   |                         | 1 | 2 | 3 |
| 1 | Online Sales Tax Equity |   |   |   |

**TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE**

|   |  |   |   |   |
|---|--|---|---|---|
|   |  | 1 | 2 | 3 |
| 2 | Securing Railroad Property Maintenance |   |   |   |

## KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

Resolutions have been grouped by policy committees to which they have been assigned.

### KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

### KEY TO ACTIONS TAKEN

- |     |   |
|-----|---|
| A   | Approve   |
| D   | Disapprove  |
| N   | No Action   |
| R   | Refer to appropriate policy committee for study             |
| a   | Amend+  |
| Aa  | Approve as amended+   |
| Aaa | Approve with additional amendment(s)+                       |
| Ra  | Refer as amended to appropriate policy committee for study+ |
| Raa | Additional amendments and refer+                            |
| Da  | Amend (for clarity or brevity) and Disapprove+              |
| Na  | Amend (for clarity or brevity) and take No Action+          |
| W   | Withdrawn by Sponsor  |

### ACTION FOOTNOTES

\* Subject matter covered in another resolution

\*\* Existing League policy

\*\*\* Local authority presently exists

### Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the Cal Cities Bylaws.

**1. RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES (“CAL CITIES”) CALLING ON THE STATE LEGISLATURE TO PASS LEGISLATION THAT PROVIDES FOR A FAIR AND EQUITABLE DISTRIBUTION OF THE BRADLEY BURNS 1% LOCAL SALES TAX FROM IN-STATE ONLINE PURCHASES, BASED ON DATA WHERE PRODUCTS ARE SHIPPED TO, AND THAT RIGHTFULLY TAKES INTO CONSIDERATION THE IMPACTS THAT FULFILLMENT CENTERS HAVE ON HOST CITIES BUT ALSO PROVIDES A FAIR SHARE TO CALIFORNIA CITIES THAT DO NOT AND/OR CANNOT HAVE A FULFILLMENT CENTER WITHIN THEIR JURISDICTION**

Source: City of Rancho Cucamonga

Concurrence of five or more cities/city officials:

Cities: Town of Apple Valley; City of El Cerrito; City of La Canada Flintridge; City of La Verne; City of Lakewood; City of Moorpark; City of Placentia; City of Sacramento

Referred to: Revenue and Taxation Policy Committee

**WHEREAS**, the 2018 U.S. Supreme Court decision in *Wayfair v. South Dakota* clarified that states could charge and collect tax on purchases even if the seller does not have a physical presence in the state; and

**WHEREAS**, California cities and counties collect 1% in Bradley Burns sales and use tax from the purchase of tangible personal property and rely on this revenue to provide critical public services such as police and fire protection; and

**WHEREAS**, in terms of “siting” the place of sale and determining which jurisdiction receives the 1% Bradley Burns local taxes for online sales, the California Department of Tax and Fee Administration (CDTFA) determines “out-of-state” online retailers as those with no presence in California that ship property from outside the state and are therefore subject to use tax, not sales tax, which is collected in a countywide pool of the jurisdiction where the property is shipped from; and

**WHEREAS**, for online retailers that have a presence in California and have a stock of goods in the state from which it fulfills orders, CDTFA considers the place of sale (“situs”) as the location from which the goods were shipped such as a fulfillment center; and

**WHEREAS**, in early 2021, one of the state’s largest online retailers shifted its ownership structure so that it is now considered both an in-state and out-of-state retailer, resulting in the sales tax this retailer generates from in-state sales now being entirely allocated to the specific city where the warehouse fulfillment center is located as opposed to going into a countywide pool that is shared with all jurisdictions in that County, as was done previously; and

**WHEREAS**, this all-or-nothing change for the allocation of in-state sales tax has created winners and losers amongst cities as the online sales tax revenue from the retailer that was once spread amongst all cities in countywide pools is now concentrated in select cities that host a fulfillment center; and

**WHEREAS**, this has created a tremendous inequity amongst cities, in particular for cities that are built out, do not have space for siting a 1 million square foot fulfillment center, are not located along a major travel corridor, or otherwise not ideally suited to host a fulfillment center; and

**WHEREAS**, this inequity affects cities statewide, but in particular those with specific circumstances such as no/low property tax cities that are extremely reliant on sales tax revenue as well as cities struggling to meet their RHNA obligations that are being compelled by the State to rezone precious commercial parcels to residential; and

**WHEREAS**, the inequity produced by allocating in-state online sales tax revenue exclusively to cities with fulfillment centers is exasperated even more by, in addition to already reducing the amount of revenue going into the countywide pools, the cities with fulfillment centers are also receiving a larger share of the dwindling countywide pool as it is allocated based on cities' proportional share of sales tax collected; and

**WHEREAS**, while it is important to acknowledge that those cities that have fulfillment centers experience impacts from these activities and deserve equitable supplementary compensation, it should also be recognized that the neighboring cities whose residents are ordering product from that center now receive no revenue from the center's sales activity despite also experiencing the impacts created by the center, such as increased traffic and air pollution; and

**WHEREAS**, the COVID-19 pandemic greatly accelerated the public's shift towards online purchases, a trend that is unlikely to be reversed to pre-pandemic levels; and

**NOW, THEREFORE, BE IT RESOLVED** that Cal Cities calls on the State Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

## Background Information to Resolution

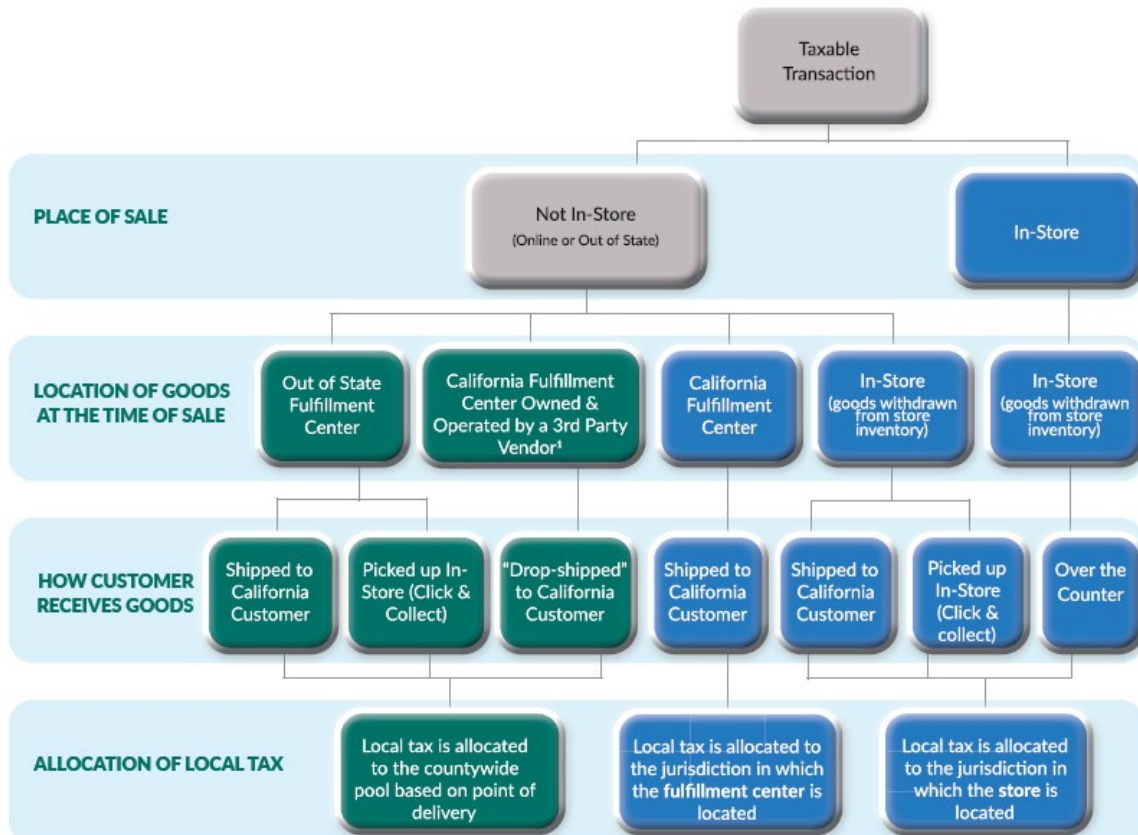
**Source:** City of Rancho Cucamonga

**Background:**

Sales tax is a major revenue source for most California cities. Commonly known as the local 1% Bradley-Burns tax, since the 1950's, cities have traditionally received 1 cent on every dollar of a sale made at the store, restaurant, car dealer, or other location within a jurisdiction's boundaries.

Over the years, however, this simple tax structure has evolved into a much more complex set of laws and allocation rules. Many of these rules relate to whether or not a given transaction is subject to sales tax, or to use tax – both have the same 1% value, but each applies in separate circumstances. The California Department of Tax and Fee Administration (CDTFA) is responsible for administering this system and issuing rules regarding how it is applied in our state.

The following chart created by HdL Companies, the leading provider of California sales tax consulting, illustrates the complex structure of how sales and use tax allocation is done in California, depending on where the transaction starts, where the goods are located, and how the customer receives the goods:



<sup>1</sup> In this scenario the retailer does not own a stock of goods in California and sales orders are negotiated/processed out of state. An out of state company is not required to hold a seller's permit for an in-state third party warehouse if they do not own a stock of goods at the time of sale.

With the exponential growth of online sales and the corresponding lack of growth, and even decline, of shopping at brick and mortar locations, cities are seeing much of their sales tax

growth coming from the countywide sales tax pools, since much of the sales tax is now funneled to the pools.

Recently, one of the world's largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated. Following the chart above, previously much of the sales tax would have followed the green boxes on the chart and been allocated to the countywide pool based on point of delivery. Now, much of the tax is following the blue path through the chart and is allocated to the jurisdiction in which the fulfillment center is located. (It should be noted that some of the tax is still flowing to the pools, in those situations where the fulfillment center is shipping goods for another seller that is out of state.)

This change has created a situation where most cities in California – more than 90%, in fact – are experiencing a sales tax revenue loss that began in the fourth quarter of calendar year 2021. Many cities may not be aware of this impact, as the fluctuations in sales tax following the pandemic shutdowns have masked the issue. But this change will have long-term impacts on revenues for all California cities as all these revenues benefiting all cities have shifted to just a handful of cities and counties that are home to this retailer's fulfillment centers.

This has brought to light again the need to address the issues in how sales and use taxes are distributed in the 21<sup>st</sup> century. Many, if not most cities will never have the opportunity have a warehouse fulfillment center due to lack of space or not being situated along a major travel corridor. These policies especially favor retailers who may leverage current policy in order to negotiate favorable sales tax sharing agreements, providing more money back to the retailer at the expense of funding critical public services.

With that stated, it is important to note the many impacts to the jurisdictions home to the fulfillment centers. These centers do support the ecommerce most of us as individuals have come to rely on, including heavy wear and tear on streets – one truck is equal to about 8,000 cars when it comes to impact on pavement – and increased air pollution due to the truck traffic and idling diesel engines dropping off large loads. However, it is equally important that State policies acknowledge that entities without fulfillment centers also experience impacts from ecommerce and increased deliveries. Cities whose residents are ordering products that are delivered to their doorstep also experience impacts from traffic, air quality and compromised safety, as well as the negative impact on brick-and-mortar businesses struggling to compete with the sharp increase in online shopping. These cities are rightfully entitled to compensation in an equitable share of sales and use tax. We do not believe that online sales tax distribution between fulfillment center cities and other cities should be an all or nothing endeavor, and not necessarily a fifty-fifty split, either. But we need to find an equitable split that balances the impacts to each jurisdiction involved in the distribution of products purchased online.

Over the years, Cal Cities has had numerous discussions about the issues surrounding sales tax in the modern era, and how state law and policy should be revisited to address these issues. It is a heavy lift, as all of our cities are impacted a bit differently, making consensus difficult. We believe that by once again starting the conversation and moving toward the development of laws and policies that can result in seeing all cities benefit from the growth taxes generated through online sales, our state will be stronger.

It is for these reasons, that we should all aspire to develop an equitable sales tax distribution for online sales.

## League of California Cities Staff Analysis on Resolution No. 1

Staff: Nicholas Romo, Legislative Affairs, Lobbyist

Committee: Revenue and Taxation

### **Summary:**

This Resolution calls on the League of California Cities (Cal Cities) to request the Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

### **Background:**

The City of Rancho Cucamonga is sponsoring this resolution to “*address the issues in how sales and use taxes are distributed in the 21st century.*”

The City notes that “*sales tax is a major revenue source for most California cities. Commonly known as the local 1% Bradley-Burns tax, since the 1950’s, cities have traditionally received 1 cent on every dollar of a sale made at the store, restaurant, car dealer, or other location within a jurisdiction’s boundaries. Over the years, however, this simple tax structure has evolved into a much more complex set of laws and allocation rules. Many of these rules relate to whether or not a given transaction is subject to sales tax, or to use tax – both have the same 1% value, but each applies in separate circumstances.*”

*Recently, one of the world’s largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated.*

*This change has created a situation where most cities in California – more than 90%, in fact – are experiencing a sales tax revenue loss that began in the fourth quarter of calendar year 2021. Many cities may not be aware of this impact, as the fluctuations in sales tax following the pandemic shutdowns have masked the issue. But this change will have long-term impacts on revenues for all California cities as all these revenues benefiting all cities have shifted to just a handful of cities and counties that are home to this retailer’s fulfillment centers.”*

The City’s resolution calls for action on an unspecified solution that “*rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction,*” which aims to acknowledge the actions taken by cities to alleviate poverty, catalyze economic development, and improve financial stability within their communities through existing tax sharing and zoning powers.

Ultimately, sponsoring cities believe *“that by once again starting the conversation and moving toward the development of laws and policies that can result in seeing all cities benefit from the growth taxes generated through online sales, our state will be stronger.”*

### **Sales and Use Tax in California**

The Bradley-Burns Uniform Sales Tax Act allows all local agencies to apply its own sales and use tax on the same base of tangible personal property (taxable goods). This tax rate currently is fixed at 1.25% of the sales price of taxable goods sold at retail locations in a local jurisdiction, or purchased outside the jurisdiction for use within the jurisdiction. Cities and counties use this 1% of the tax to support general operations, while the remaining 0.25% is used for county transportation purposes.

In California, all cities and counties impose Bradley-Burns sales taxes. California imposes the sales tax on every retailer engaged in business in this state that sells taxable goods. The law requires businesses to collect the appropriate tax from the purchaser and remit the amount to the California Department of Tax and Fee Administration (CDTFA). Sales tax applies whenever a retail sale is made, which is basically any sale other than one for resale in the regular course of business. Unless the person pays the sales tax to the retailer, they are liable for the use tax, which is imposed on any person consuming taxable goods in the state. The use tax rate is the same rate as the sales tax rate.

Generally, CDTFA distributes Bradley-Burns tax revenue based on where a sale took place, known as a *situs-based system*. A retailer’s physical place of business—such as a retail store or restaurant—is generally the place of sale. “Sourcing” is the term used by tax practitioners to describe the rules used to determine the place of sale, and therefore, which tax rates are applied to a given purchase and which jurisdictions are entitled to the local and district taxes generated from a particular transaction.

California is primarily an origin-based sourcing state – meaning tax revenues go to the jurisdiction in which a transaction physically occurs if that can be determined. However, California also uses a form of destination sourcing for the local use tax and for district taxes (also known as “transactions and use taxes” or “add-on sale and use taxes”). That is, for cities with local add-on taxes, they receive their add-on rate amount from remote and online transactions.

Generally, allocations are based on the following rules:

- The sale is sourced to the place of business of the seller - whether the product is received by the purchaser at the seller’s business location or not.
- If the retailer maintains inventory in California and has no other in state location, the source is the jurisdiction where the warehouse is situated. *This resolution is concerned with the growing amount of online retail activity being sourced to cities with warehouse/fulfillment center locations.*
- If the business’ sales office is located in California but the merchandise is shipped from out of state, the tax from transactions under \$500,000 is allocated



via the county pools. The tax from transactions over \$500,000 is allocated to the jurisdiction where the merchandise is delivered.

- When a sale cannot be identified with a permanent place of business in the state, the sale is sourced to the allocation pool of the county where the merchandise was delivered and then distributed among all jurisdictions in that county in proportion to ratio of sales. *For many large online retailers, this has been the traditional path.*

### Online Sales and Countywide Pools

While the growth of e-commerce has been occurring for more than two decades, led by some of the largest and most popular retailers in the world, the dramatic increase in online shopping during the COVID-19 pandemic has provided significant revenue to California cities as well as a clearer picture on which governments enjoy even greater benefits.

In the backdrop of booming internet sales has been the steady decline of brick-and-mortar retail and shopping malls. For cities with heavy reliance on in-person retail shopping, the value of the current allocation system has been diminished as their residents prefer to shop online or are incentivized to do so by retailers (during the COVID-19 pandemic, consumers have had no other option but to shop online for certain goods). All the while, the demands and costs of city services continue to grow for cities across the state.

As noted above, the allocation of sales tax revenue to local governments depends on the location of the transaction (or where the location is ultimately determined). For in-person retail, the sales tax goes to the city in which the product and store are located - a customer purchasing at a register. For online sales, the Bradley Burns sales tax generally goes to a location other than the one where the customer lives – either to the city or county where an in-state warehouse or fulfillment center is located, the location of in-state sales office (ex. headquarters) or shared as use tax proceeds amongst all local governments within a county based on their proportionate share of taxable sales.

Under current CDTFA regulations, a substantial portion of local use tax collections are allocated through a countywide pool to the local jurisdictions in the county where the property is put to its first functional use. The state and county pools constitute over 15% of local sales and use tax revenues. Under the pool system, the tax is reported by the taxpayer to the countywide pool of use and then distributed to each jurisdiction in that county on a pro-rata share of taxable sales. If the county of use cannot be identified, the revenues are distributed to the state pool for pro-rata distribution on a statewide basis.

### Concentration of Online Sales Tax Revenue and Modernization

Sales tax modernization has been a policy goal of federal, state, and local government leaders for decades to meet the rapidly changing landscape of commercial activity and ensure that all communities can sustainably provide critical services.

For as long as remote and internet shopping has existed, policy makers have been concerned about their potential to disrupt sales and use tax allocation procedures that underpin the funding of local government services. The system was designed in the early twentieth century to ensure that customers were paying sales taxes to support local government services within the community where the transactions occurred whether they resided there or not. This structure provides benefit to and recoupment for the public resources necessary to ensure the health and safety of the community broadly.

City leaders have for as long been concerned about the loosening of the nexus between what their residents purchase and the revenues they receive. Growing online shopping, under existing sourcing rules, has led to a growing concentration of sales tax revenue being distributed to a smaller number of cities and counties. As more medium and large online retailers take title to fulfillment centers or determine specific sales locations in California as a result of tax sharing agreements in specific cities, online sales tax revenue will be ever more concentrated in a few cities at the control of these companies. Furthermore, local governments are already experiencing the declining power of the sales tax to support services as more money is being spent on non-taxable goods and services.

*For more on sales and use tax sourcing please see Attachment A.*

#### State Auditor Recommendations

In 2017, the California State Auditor issued a report titled, "[The Bradley-Burns Tax and Local Transportation Funds](#)", noting that:

*"Retailers generally allocate Bradley Burns tax revenue based on the place of sale, which they identify according to their business structure. However, retailers that make sales over the Internet may allocate sales to various locations, including their warehouses, distribution center, or sales offices. This approach tends to concentrate Bradley Burns tax revenue into the warehouses' or sales offices' respective jurisdictions. Consequently, counties with a relatively large amount of industrial space may receive disproportionately larger amounts of Bradley Burns tax, and therefore Local Transportation Fund, revenue.*

*The State could make its distribution of Bradley Burns tax revenue derived from online sales more equitable if it based allocations of the tax on the destinations to which goods are shipped rather than on place of sale."*

The Auditor's report makes the following recommendation:

*"To ensure that Bradley-Burns tax revenue is more evenly distributed, the Legislature should amend the Bradley-Burns tax law to allocate revenues from Internet sales based on the destination of sold goods rather than their place of sale."*

In acknowledgement of the growing attention from outside groups on this issue, Cal Cities has been engaged in its own study and convening of city officials to ensure pursued solutions account for the circumstances of all cities and local control is best protected. These efforts are explored in subsequent sections.

#### Cal Cities Revenue and Taxation Committee and City Manager Working Group

In 2015 and 2016, Cal Cities' Revenue and Taxation Policy Committee held extensive discussions on potential modernization of tax policy affecting cities, with a special emphasis on the sales tax. The issues had been identified by Cal Cities leadership as a strategic priority given concerns in the membership about the eroding sales tax base and the desire for Cal Cities to take a leadership role in addressing the associated issues. The policy committee ultimately adopted a series of policies that were approved by the Cal Cities board of directors. Among its changes were a recommended change to existing sales tax sourcing (determining where a sale occurs) rules, so that the point of sale (situs) is where the customer receives the product. The policy also clarifies that specific proposals in this area should be carefully reviewed so that the impacts of any changes are fully understood. See "Existing Cal Cities Policy" section below.

#### Cal Cities City Manager Sales Tax Working Group Recommendations

In the Fall of 2017, the Cal Cities City Managers Department convened a working group (Group) of city managers representing a diverse array of cities to review and consider options for addressing issues affecting the local sales tax.

The working group of city managers helped Cal Cities identify internal common ground on rapidly evolving e-commerce trends and their effects on the allocation of local sales and use tax revenue. After meeting extensively throughout 2018, the Group made several recommendations that were endorsed unanimously by Cal Cities' Revenue and Taxation Committee at its January, 2019 meeting and by the board of directors at its subsequent meeting.

The Group recommended the following actions in response to the evolving issues associated with e-commerce and sales and use tax:

Further Limiting Rebate Agreements: The consensus of the Group was that:

- Sales tax rebate agreements involving online retailers should be prohibited *going forward*. They are inappropriate because they have the effect of encouraging revenue to be shifted away from numerous communities and concentrated to the benefit of one.
- Any type of agreement that seeks to lure a retailer from one community to another within a market area should also be prohibited *going forward*. Existing law already prohibits such agreements for auto dealers and big box stores.

#### Shift Use Tax from Online Sales, including from the South Dakota v. Wayfair Decision

Out of County Pools: The Group's recommendation is based first on the principle of "situs" and that revenue should be allocated to the jurisdiction where the use occurs. Each city and county in California imposed a Bradley Burns sales and use tax rate

under state law in the 1950s. The use tax on a transaction is the rate imposed where the purchaser resides (the destination). These use tax dollars, including new revenue from the South Dakota v. Wayfair decision, should be allocated to the destination jurisdiction whose Bradley Burns tax applies and not throughout the entire county.

- Shift of these revenues, from purchases from out of state retailers including transactions captured by the South Dakota v. Wayfair decision, out of county pools to full destination allocation on and after January 1, 2020.
- Allow more direct reporting of use taxes related to construction projects to jurisdiction where the construction activity is located by reducing existing regulatory threshold from \$5 million to \$100,000.

Request/Require CDTFA Analysis on Impacts of Sales Tax Destination Shifts: After discussion of numerous phase-in options for destination sourcing and allocation for sales taxes, the Group ultimately decided that a more complete analysis was needed to sufficiently determine impacts. Since the two companies most cities rely on for sales tax analysis, HdL and MuniServices, were constrained to modeling with transaction and use tax (district tax) data, concerns centered on the problem of making decisions without adequate information. Since the CDTFA administers the allocation of local sales and use taxes, it is in the best position to produce an analysis that examines:

- The impacts on individual agencies of a change in sourcing rules. This would likely be accomplished by developing a model to examine 100% destination sourcing with a report to the Legislature in early 2020.
- The model should also attempt to distinguish between business-to-consumer transactions versus business-to-business transactions.
- The model should analyze the current number and financial effects of city and county sales tax rebate agreements with online retailers and how destination sourcing might affect revenues under these agreements.

Conditions for considering a Constitutional Amendment that moves toward destination allocation: Absent better data on the impacts on individual agencies associated with a shift to destination allocation of sales taxes from CDTFA, the Group declined to prescribe if/how a transition to destination would be accomplished; the sentiment was that the issue was better revisited once better data was available. In anticipation that the data would reveal significant negative impacts on some agencies, the Group desired that any such shift should be accompanied by legislation broadening of the base of sales taxes, including as supported by existing Cal Cities policy including:

- Broadening the tax base on goods, which includes reviewing existing exemptions on certain goods and expanding to digital forms of goods that are otherwise taxed; and
- Expanding the sales tax base to services, such as those commonly taxed in other states.

This Resolution builds upon previous work that accounts for the impacts that distribution networks have on host cities and further calls on the organization to advocate for changes to sales tax distribution rules.

The Resolution places further demands on data collected by CDTFA to establish a “fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases.” Such data is proposed to be collected by [SB 792 \(Glazer, 2021\)](#). More discussion on this topic can be found in the “Staff Comments” section.

**Staff Comments:**

**Proposed Resolution Affixes Equity Based, Data Driven Approach to Existing Cal Cities Policy on Sales Tax Sourcing**

The actions resulting from this resolution, if approved, would align with existing policy and efforts to-date to modernize sales tax rules. While not formalized in existing Cal Cities policy or recommendations, city managers and tax practitioners generally have favored proposals that establish a sharing of online sales tax revenues rather than a full destination shift. City leaders and practitioners across the state have acknowledged during Cal Cities Revenue and Taxation and City Manager’s working group meetings that the hosting of fulfillment centers and ancillary infrastructure pose major burdens on local communities including detrimental health and safety impacts. This acknowledgement has moved mainstream proposals such as this one away from full revenue shifts towards an equity-based, data driven approach that favors revenue sharing. This Resolution would concretely affix this approach as Cal Cities policy.

**More Data is Needed to Achieve Equity Based Approach**

A major challenge is the lack of adequate data to model the results of shifting in-state online sale tax revenues. Local government tax consultants and state departments have limited data to model the effects of changes to sales tax distribution because their information is derived only from cities that have a local transactions and use tax (TUT). Tax experts are able to model proposed tax shifts using TUTs since they are allocated on a destination basis (where a purchaser receives the product; usually a home or business). However, more than half of all cities, including some larger cities, do not have a local TUT therefore modeling is constrained and incomplete.

Efforts to collect relevant sales tax information on the destination of products purchased online are ongoing. The most recent effort is encapsulated in [SB 792 \(Glazer, 2021\)](#), which would require retailers with online sales exceeding \$50 million a year to report to CDTFA the gross receipts from online sales that resulted in a product being shipped or delivered in each city. The availability of this data would allow for a much more complete understanding of online consumer behavior and the impacts of future proposed changes to distribution. SB 792 (Glazer) is supported by Cal Cities following approval by the Revenue and Taxation Committee and board of directors.

**Impact of Goods Movement Must Be Considered**

As noted above, city leaders and practitioners across the state acknowledge that the hosting of fulfillment centers and goods movement infrastructure pose major burdens on local communities including detrimental health, safety, and infrastructure impacts. Not least of which is the issue of air pollution from diesel exhaust. According to California Environmental Protection Agency (Cal EPA):

*“Children and those with existing respiratory disease, particularly asthma, appear to be especially susceptible to the harmful effects of exposure to airborne PM from diesel exhaust, resulting in increased asthma symptoms and attacks along with decreases in lung function (McCreanor et al., 2007; Wargo, 2002). People that live or work near heavily-traveled roadways, ports, railyards, bus yards, or trucking distribution centers may experience a high level of exposure (US EPA, 2002; Krivoshto et al., 2008). People that spend a significant amount of time near heavily-traveled roadways may also experience a high level of exposure. Studies of both men and women demonstrate cardiovascular effects of diesel PM exposure, including coronary vasoconstriction and premature death from cardiovascular disease (Krivoshto et al., 2008). A recent study of diesel exhaust inhalation by healthy non-smoking adults found an increase in blood pressure and other potential triggers of heart attack and stroke (Krishnan et al., 2013) Exposure to diesel PM, especially following periods of severe air pollution, can lead to increased hospital visits and admissions due to worsening asthma and emphysema-related symptoms (Krivoshto et al., 2008). Diesel exposure may also lead to reduced lung function in children living in close proximity to roadways (Brunekreef et al., 1997).”*

The founded health impacts of the ubiquitous presence of medium and heavy-duty diesel trucks used to transport goods to and from fulfillment centers and warehouses require host cities to meet increased needs of their residents including the building and maintenance of buffer zones, parks, and open space. While pollution impacts may decline with the introduction of zero-emission vehicles, wide scale adoption by large distribution fleets is still in its infancy. Furthermore, the impacts of heavy road use necessitate increased spending on local streets and roads upgrades and maintenance. In addition, many cities have utilized the siting of warehouses, fulfillment centers, and other heavy industrial uses for goods movements as key components of local revenue generation and economic development strategies. These communities have also foregone other land uses in favor of siting sales offices and fulfillment networks.

All said, however, it is important to acknowledge that disadvantaged communities (DACs) whether measured along poverty, health, environmental or education indices exist in cities across the state. For one example, see: [California Office of Environmental Health Hazard Assessment \(OEHHA\) CalEnviroScreen](#). City officials may consider how cities without fulfillment and warehouse center revenues are to fund efforts to combat social and economic issues, particularly in areas with low property tax and tourism-based revenues.

The Resolution aims to acknowledge these impacts broadly (this analysis does not provide an exhaustive review of related impacts) and requests Cal Cities to account for them in a revised distribution formula of the Bradley Burns 1% local sales tax from in-state online purchases. The Resolution does not prescribe the proportions.

### **Clarifying Amendments**

Upon review of the Resolution, Cal Cities staff recommends technical amendments to provide greater clarity. *To review the proposed changes, please see Attachment B.*

**Fiscal Impact:**

Significant but unknown. The Resolution on its own does not shift sales tax revenues. In anticipation and mitigation of impacts, the Resolution requests Cal Cities to utilize online sales tax data to identify a fair and equitable distribution formula that accounts for the broad impacts fulfillment centers involved in online retail have on the cities that host them. The Resolution does not prescribe the revenue distribution split nor does it prescribe the impacts, positive and negative, of distribution networks.

**Existing Cal Cities Policy:**

- Tax proceeds collected from internet sales should be allocated to the location where the product is received by the purchaser.
- Support as Cal Cities policy that point of sale (situs) is where the customer receives the product. Specific proposals in this area should be carefully reviewed so that the impacts of any changes are fully understood.
- Revenue from new regional or state taxes or from increased sales tax rates should be distributed in a way that reduces competition for situs-based revenue. (Revenue from the existing sales tax rate and base, including future growth from increased sales or the opening of new retail centers, should continue to be returned to the point of sale.)
- The existing situs-based sales tax under the Bradley Burns 1% baseline should be preserved and protected.
- Restrictions should be implemented and enforced to prohibit the enactment of agreements designed to circumvent the principle of situs-based sales and redirect or divert sales tax revenues from other communities, when the physical location of the affected businesses does not change. Sales tax rebate agreements involving online retailers are inappropriate because they have the effect of encouraging revenue to be shifted away from numerous communities and concentrated to the benefit of one. Any type of agreement that seeks to lure a retailer from one community to another within a market area should also be prohibited going forward.
- Support Cal Cities working with the state California Department of Tax and Fee Administration (CDTFA) to update the county pool allocation process to ensure that more revenues are allocated to the jurisdiction where the purchase or first use of a product occurs (usually where the product is delivered). Use Tax collections from online sales, including from the South Dakota v Wayfair Decision, should be shifted out of county pools and allocated to the destination jurisdiction whose Bradley Burns tax applies and not throughout the entire county.

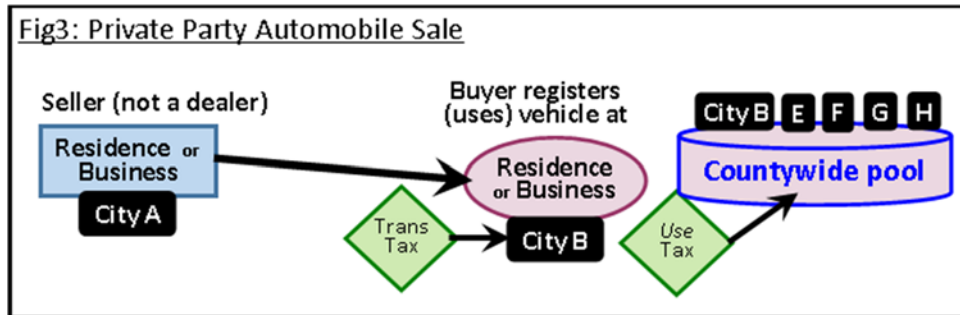
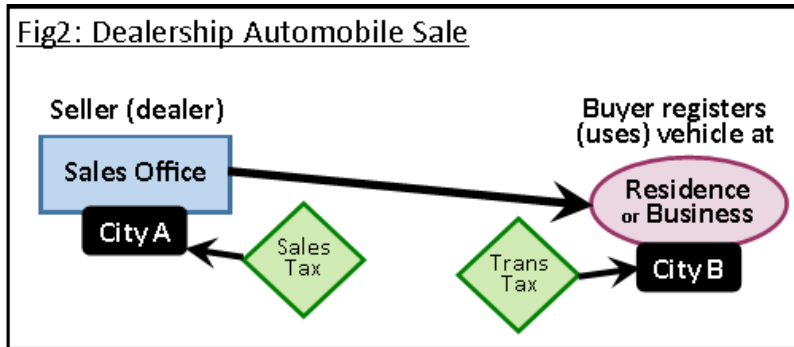
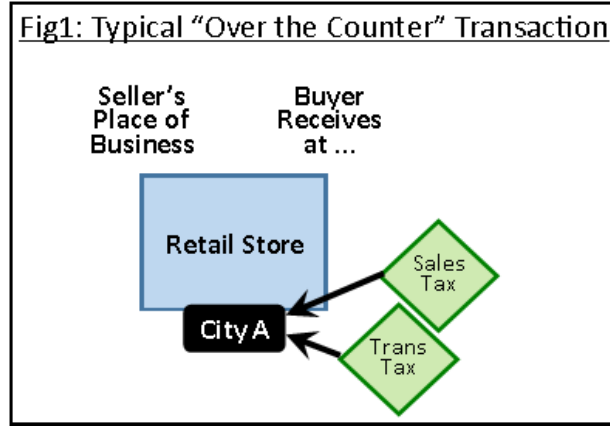
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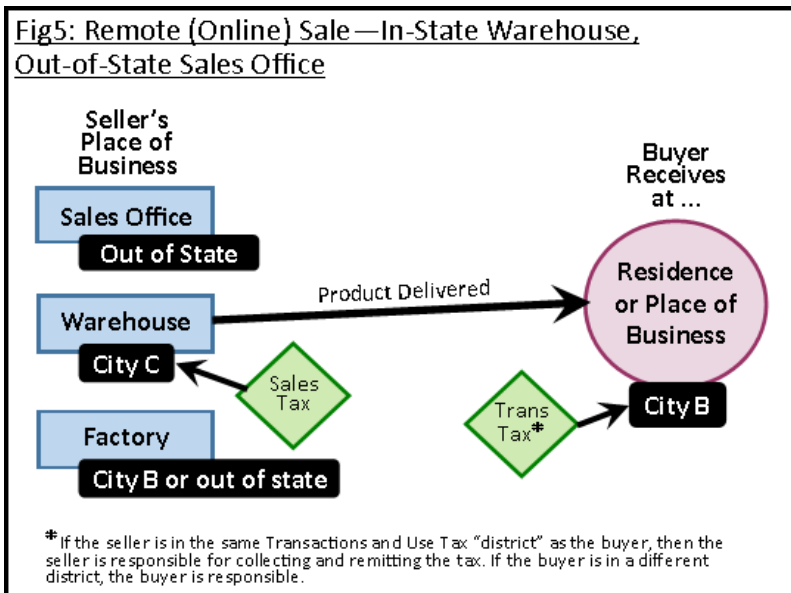
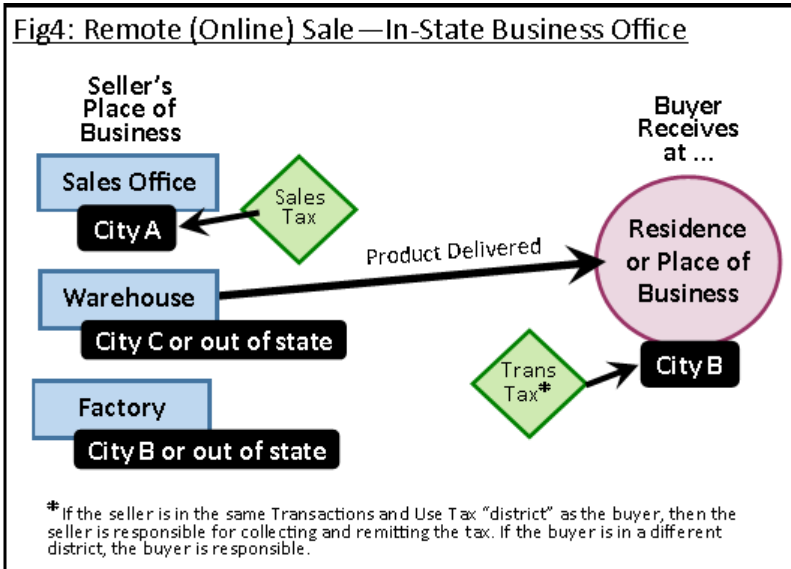
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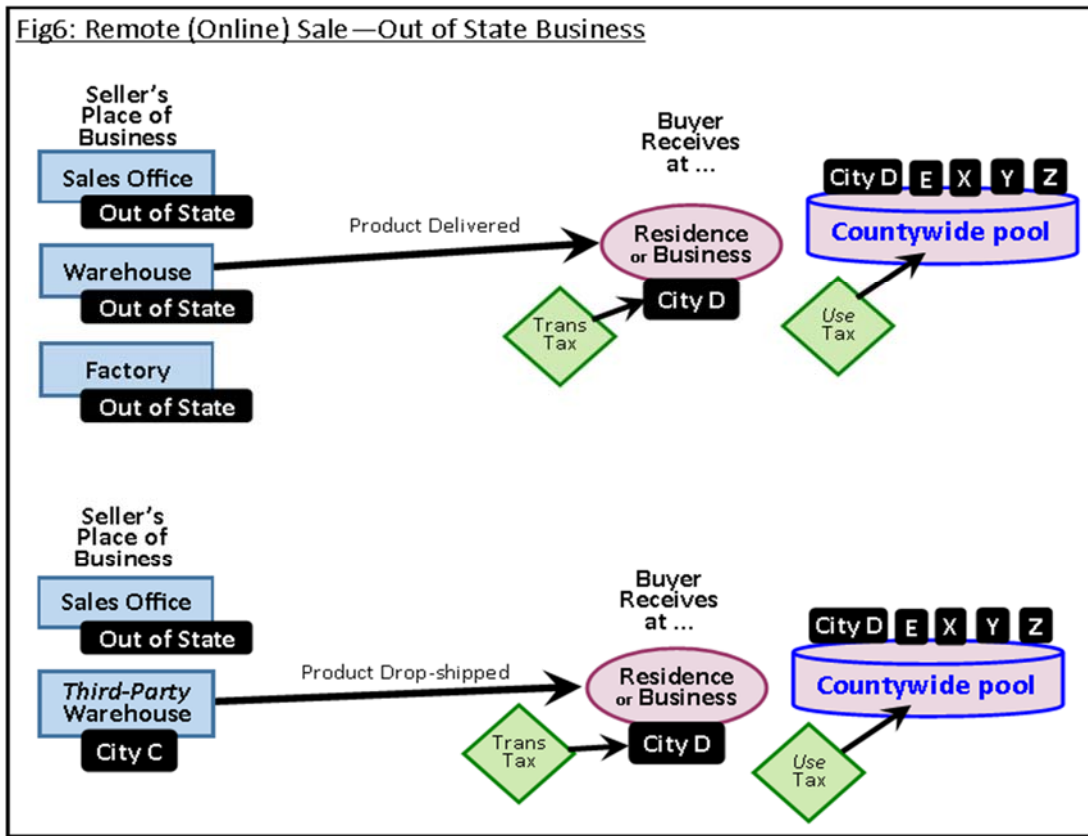
- Town of Apple Valley
- City of El Cerrito
- City of La Canada Flintridge
- City of La Verne
- City of Lakewood

City of Moorpark  
City of Placentia  
City of Sacramento









| GUIDELINES FOR ALLOCATION OF LOCAL TAX - ONLINE AND IN-STORE |  |                                      |   |
|--|--|--------------------------------------|---|
| Place of Sale  | Location of Goods at the Time of Sale                                  | How Customer Receives Goods          | Allocation of Tax   |
| Online – Order is placed or downloaded outside California    | California Fulfillment Center  | Shipped to California Customer       | Local tax is allocated to the jurisdiction in which the fulfillment center is located           |
| Online – Order is placed or downloaded in California         | California Fulfillment Center  | Shipped to California Customer       | Per CDTFA Regulation 1802, local tax is allocated to the jurisdiction where the order is placed |
| Online   | Out of State Fulfillment Center  | Shipped to California Customer       | Local tax is allocated to the countywide pool based on point of delivery                        |
| Online   | Out of State Fulfillment Center  | Picked Up In-Store (Click & Collect) | Local tax is allocated to the countywide pool based on point of delivery                        |
| Online   | California Fulfillment Center Owned and Operated by Third Party Vendor | Drop-Shipped to California Customer  | Local tax is allocated to the countywide pool based on point of delivery                        |
| Online   | In-Store (Goods withdrawn from store inventory)                        | Shipped to California Customer       | Local Tax is allocated to the jurisdiction where the store is located                           |
| Online   | In-Store (Goods withdrawn from store inventory)                        | Picked Up In-Store (Click & Collect) | Local Tax is allocated to the jurisdiction where the store is located                           |
| In-Store   | In-Store (Goods withdrawn from store inventory)                        | Over the Counter                     | Local Tax is allocated to the jurisdiction where the store is located                           |

Courtesy of HdL Companies

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## Tax Incentive Programs, Sales Tax Sharing Agreements

In recent years, especially since Proposition 13 in 1978, local discretionary (general purpose revenues) have become more scarce. At the same time, options and procedures for increasing revenues have become more limited. One outcome of this in many areas has been a greater competition for sales and use tax revenues. This has brought a rise in arrangements to encourage certain land use development with rebates and incentives which exploit California's odd origin sales tax sourcing rules.

The typical arrangement is a sales tax sharing agreement in which a city provides tax rebates to a company that agrees to expand their operations in the jurisdiction of the city. Under such an arrangement, the company generally agrees to make a specified amount of capital investment and create a specific number of jobs over a period of years in exchange for specified tax breaks, often property tax abatement or some sort of tax credit. In some cases, this has simply taken the form of a sales office, while customers and warehouses and the related economic activity are disbursed elsewhere in the state. In some cases the development takes the form of warehouses, in which the sales inventory, owned by the company, is housed.<sup>6</sup>

Current sales tax incentive agreements in California rebate amounts ranging from 50% to 85% of sales tax revenues back to the corporations.

Today, experts familiar with the industry believe that between 20% to 30% of local Bradley-Burns sales taxes paid by California consumers is diverted from local general funds back to corporations; over \$1 billion per year.

### The Source of Origin Based Sourcing Problems

Where other than over-the-counter sales are concerned origin sourcing often causes a concentration of large amounts of tax revenue in one location, despite the fact that the economic activity and service impacts are also occurring in other locations.

The large amounts of revenue concentrated in a few locations by California's "warehouse rule" origin sourcing causes a concentration of revenue far in excess of the service costs associated with the development.

In order to lure jobs and tax revenues to their communities, some cities have entered into rebate agreements with corporations. This has grown to such a problem, that 20% to 30% of total local taxes paid statewide are being rebated back to corporations rather than funding public services.

## Moving to Destination Sourcing: The Concept<sup>7</sup>

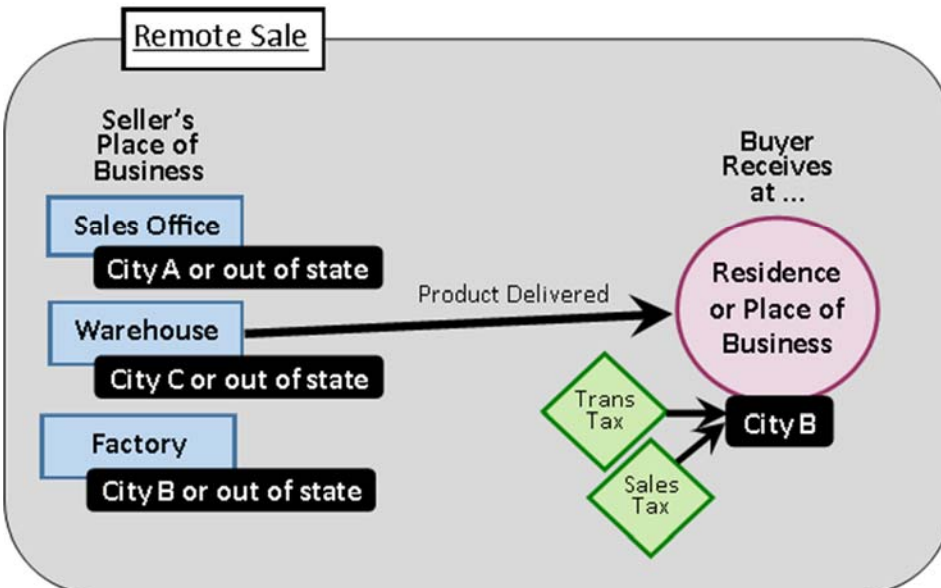
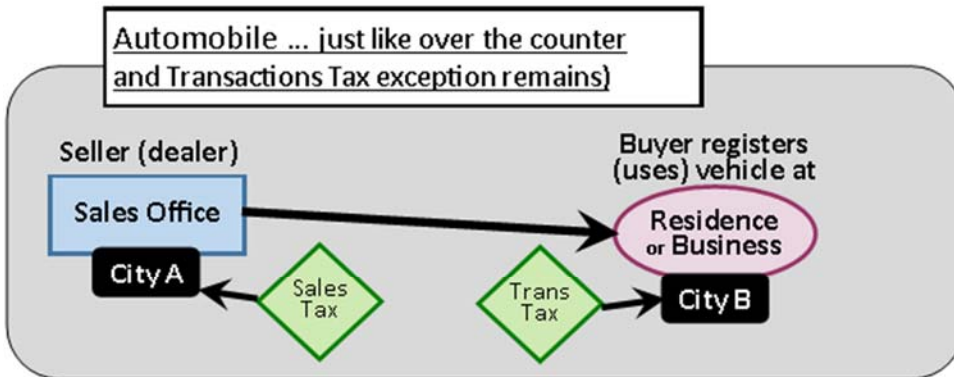
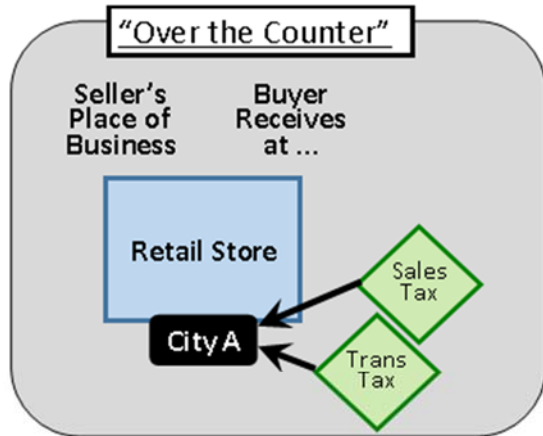
A change from origin sourcing rules to destination sourcing rules for the local tax component of California's sales tax would improve overall revenue collections and distribute these revenues more equitably among all of the areas involved in these transactions.

A change from origin based sourcing to destination based sourcing would have no effect on state tax collections. However, it would alter the allocations of local sales and use tax revenues among local agencies. Most retail transactions including dining, motor fuel purchases, and in-store purchases would not be affected. But in cases where the property is received by the purchaser in a different jurisdiction than where the sales agreement was negotiated, there would be a different allocation than under the current rules.

<sup>6</sup> See Jennifer Carr, "Origin Sourcing and Tax Incentive Programs: An Unholy Alliance" Sales Tax Notes; May 27, 2013.

<sup>7</sup> The same issues that are of concern regarding the local sales tax do not apply to California's Transactions and Use Taxes ("Add-on sales taxes") as these transactions, when not over the counter, are generally allocated to the location of use or, as in the case of vehicles, product registration. There is no need to alter the sourcing rules for transactions and use taxes.

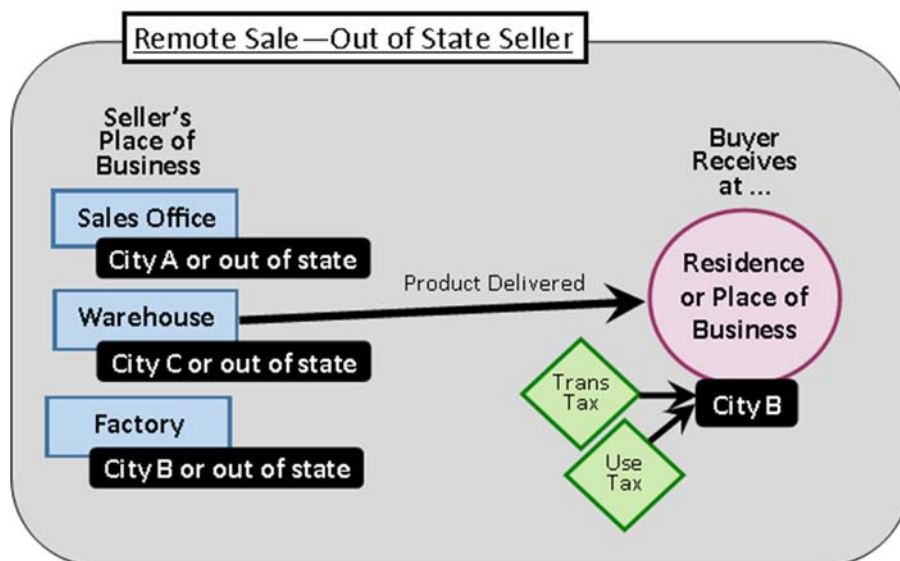
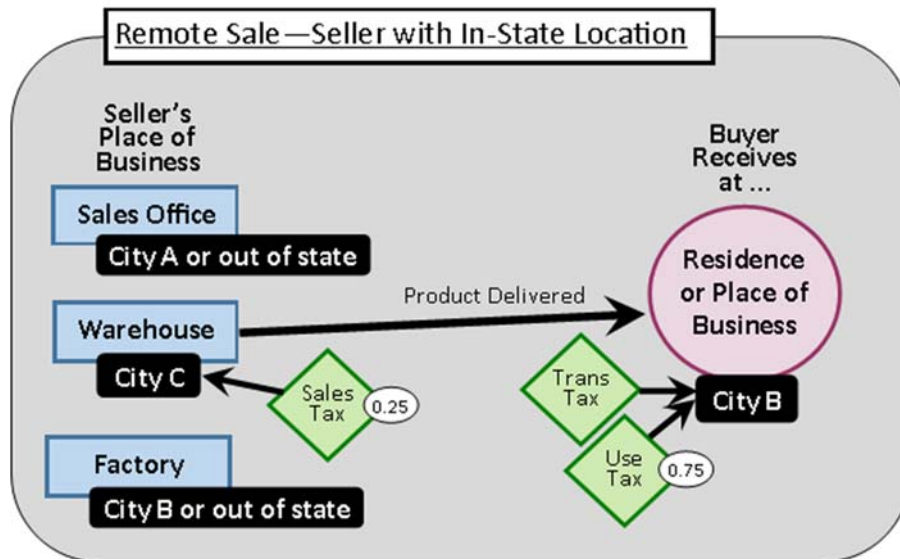
### Destination Sourcing Scenario 1: Full-On



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## Destination Sourcing Scenario 2: Split Source

- Same as now for “over the counter” and automobile.
- Leave 0.25% on current seller if instate (origin)
- Could be phased in.



mjgc

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RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES (“CAL CITIES”)  
CALLING ON THE STATE LEGISLATURE TO PASS LEGISLATION THAT PROVIDES  
FOR A FAIR AND EQUITABLE DISTRIBUTION OF THE BRADLEY BURNS 1% LOCAL  
SALES TAX FROM IN-STATE ONLINE PURCHASES, BASED ON DATA WHERE  
PRODUCTS ARE SHIPPED TO, AND THAT RIGHTFULLY TAKES INTO  
CONSIDERATION THE IMPACTS THAT FULFILLMENT CENTERS HAVE ON HOST  
CITIES BUT ALSO PROVIDES A FAIR SHARE TO CALIFORNIA CITIES THAT DO NOT  
AND/OR CANNOT HAVE A FULFILLMENT CENTER WITHIN THEIR JURISDICTION

**WHEREAS**, the 2018 U.S. Supreme Court decision in *Wayfair v. South Dakota* clarified that states could charge and collect tax on purchases even if the seller does not have a physical presence in the state; and

**WHEREAS**, California cities and counties collect 1% in Bradley Burns sales and use tax from the purchase of tangible personal property and rely on this revenue to provide critical public services such as police and fire protection; and

**WHEREAS**, in terms of “siting” the place of sale and determining which jurisdiction receives the 1% Bradley Burns local taxes for online sales, the California Department of Tax and Fee Administration (CDTFA) determines “out-of-state” online retailers as those with no presence in California that ship property from outside the state and are therefore subject to use tax, not sales tax, which is collected in a countywide pool of the jurisdiction where the property is shipped from; and

**WHEREAS**, for online retailers that have a presence in California and have a stock of goods in the state from which it fulfills orders, CDTFA considers the place of sale (“situs”) as the location from which the goods were shipped such as a fulfillment center; and

**WHEREAS**, in early 2021, one of the state’s largest online retailers shifted its ownership structure so that it is now considered both an in-state and out-of-state retailer, resulting in the sales tax this retailer generates from in-state sales now being **entirely** allocated to **the specific city cities** where **the** warehouse fulfillment centers **is-are** located as opposed to going into **a** countywide pools that **is are** shared with all jurisdictions in **those counties that County**, as was done previously; and

**WHEREAS**, this all-or-nothing **change for the** allocation of in-state sales tax has created winners and losers amongst cities as the online sales tax revenue **from the retailer** that was once spread amongst all cities in countywide pools is now concentrated in select cities that host **a** fulfillment centers; and

**WHEREAS**, this has created a tremendous inequity amongst cities, in particular for cities that are built out, do not have space for siting **a 1 million square foot** fulfillment centers, are not located along a major travel corridor, or otherwise not ideally suited to host a fulfillment center; and

**WHEREAS**, this inequity affects cities statewide, but in particular those with specific circumstances such as no/low property tax cities that are extremely reliant on sales tax revenue as well as cities struggling to meet their **Regional Housing Needs Allocation (RHNA)** obligations that are being compelled by the State to rezone precious commercial parcels to residential; and



**WHEREAS**, the inequity produced by allocating in-state online sales tax revenue exclusively to cities with fulfillment centers is exasperated even more by, in addition to already reducing the amount of revenue going into the countywide pools, the cities with fulfillment centers are also receiving a larger share of the dwindling countywide pool as it is allocated based on cities' proportional share of sales tax collected; and

**WHEREAS**, while it is important to acknowledge that those cities that have fulfillment centers experience impacts from these activities and deserve equitable supplementary compensation, it should also be recognized that the neighboring cities whose residents are ordering products from ~~those that~~ centers now receive no Bradley Burns revenue ~~from the center's sales activity~~ despite also experiencing the impacts created by the m center, such as increased traffic and air pollution; and

**WHEREAS**, the COVID-19 pandemic greatly accelerated the public's shift towards online purchases, a trend that is unlikely to be reversed to pre-pandemic levels; and

**NOW, THEREFORE, BE IT RESOLVED** that Cal Cities calls on the State Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.



**2. A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO PROVIDE NECESSARY FUNDING FOR CUPC TO FULFILL ITS OBLIGATION TO INSPECT RAILROAD LINES TO ENSURE THAT OPERATORS ARE REMOVING ILLEGAL DUMPING, GRAFFITI AND HOMELESS ENCAMPMENTS THAT DEGRADE THE QUALITY OF LIFE AND RESULTS IN INCREASED PUBLIC SAFETY CONCERNS FOR COMMUNITIES AND NEIGHBORHOODS THAT ADJACENT TO THE RAILROAD RIGHT-OF-WAY.**

Source: City of South Gate

Concurrence of five or more cities/city officials:

Cities: City of Bell Gardens; City of Bell; City of Commerce; City of Cudahy; City of El Segundo; City of Glendora; City of Huntington Park; City of La Mirada; City of Long Beach; City of Lynwood; City of Montebello; City of Paramount; City of Pico Rivera

Referred to: Housing, Community and Economic Development; and Transportation, Communications and Public Works

**WHEREAS**, ensuring the quality of life for communities falls upon every local government including that blight and other health impacting activities are addressed in a timely manner by private property owners within its jurisdictional boundaries for their citizens, businesses and institutions; and

**WHEREAS**, Railroad Operators own nearly 6,000 miles of rail right-of-way throughout the State of California which is regulated by the Federal Railroad Administration and/or the California Public Utilities Commission for operational safety and maintenance; and

**WHEREAS**, the California Public Utilities Commission (CPUC) is the enforcing agency for railroad safety in the State of California and has 41 inspectors assigned throughout the entire State to inspect and enforce regulatory compliance over thousands of miles of rail line; and

**WHEREAS**, areas with rail line right-of-way within cities and unincorporated areas are generally located in economically disadvantaged zones and/or disadvantaged communities of color where the impact of blight further lowers property values and increases the likelihood of unsound sanitary conditions and environmental impacts upon them; and

**WHEREAS**, many communities are seeing an increase in illegal dumping, graffiti upon infrastructure and homeless encampments due to the lax and inadequate oversight by regulatory agencies; and

**WHEREAS**, local governments have no oversight or regulatory authority to require operators to better maintain and clean their properties as it would with any other private property owner within its jurisdictional boundaries. Thus such local communities often resort to spending their local tax dollars on cleanup activities or are forced to accept the delayed and untimely response by operators to cleaning up specific sites, and;

**WHEREAS**, that railroad operators should be able to provide local communities with a fixed schedule in which their property will be inspected and cleaned up on a reasonable and regular schedule or provide for a mechanism where they partner with and reimburse local governments for an agreed upon work program where the local government is enabled to remove items like illegal dumping, graffiti and encampments; and

**WHEREAS**, the State has made it a priority to deal with homeless individuals and the impacts illegal encampments have upon those communities and has a budgetary surplus that can help fund the CPUC in better dealing with this situation in both a humane manner as well a betterment to rail safety.

**RESOLVED**, at the League of California Cities, General Assembly, assembled at the League Annual Conference on September 24, 2021, in Sacramento, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to provide adequate regulatory authority and necessary funding to assist cities with these railroad right-of-way areas so as to adequately deal with illegal dumping, graffiti and homeless encampments that proliferate along the rail lines and result in public safety issues. The League will work with its member cities to educate federal and state officials to the quality of life and health impacts this challenge has upon local communities, especially those of color and/or environmental and economic hardships.

## Background Information to Resolution

**Source:** City of South Gate

**Background:**

The State of California has over 6,000 miles of rail lines, with significant amount running through communities that are either economically disadvantaged and/or disadvantaged communities of color. While the Federal Railroad Administration (FRA) has primary oversight of rail operations, they delegate that obligation to the State of California for lines within our State. The administration of that oversight falls under the California Public Utilities Commission (CPUC). The CPUC has only 41 inspectors covering those 6,000 miles of railroad lines in the State of California. Their primary task is ensuring equipment, bridges and rail lines are operationally safe.

The right-of-way areas along the rail lines are becoming increasingly used for illegal dumping, graffiti and homeless encampments. Rail operators have admitted that they have insufficient funds set aside to clean up or sufficiently police these right-of-way areas, despite reporting a net income of over \$13 billion in 2020. CPUC budget does not provide the resources to oversee whether rail operators are properly managing the right-of-way itself.

The City of South Gate has three rail lines traversing through its city limits covering about 4 miles. These lines are open and inviting to individuals to conduct illegal dumping, graffiti buildings and structures along with inviting dozens of homeless encampments. As private property, Cities like ourselves cannot just go upon them to remove bulky items, trash, clean graffiti or remove encampments. We must call and arrange for either our staff to access the site or have the rail operator schedule a cleanup. This can take weeks to accomplish, in the meantime residents or businesses that are within a few hundred feet of the line must endure the blight and smell. Trash is often blown from the right-of-way into residential homes or into the streets. Encampments can be seen from the front doors of homes and businesses.

South Gate is a proud city of hard working-class residents, yet with a median household income of just \$50,246 or 65% of AMI for Los Angeles County, it does not have the financial resources to direct towards property maintenance of any commercial private property. The quality of life of communities like ours should not be degraded by the inactions or lack of funding by others. Cities such as South Gate receive no direct revenue from the rail operators, yet we deal with environmental impacts on a daily basis, whether by emissions, illegal dumping, graffiti or homeless encampments.

The State of California has record revenues to provide CPUC with funding nor only for safety oversight but ensuring right-of-way maintenance by operators is being managed properly. Rail Operators should be required to set aside sufficient annual funds to provide a regular cleanup of their right-of-way through the cities of California.



**LETTERS OF CONCURRENCE**  
Resolution No. 2

## **League of California Cities Staff Analysis on Resolution No. 2**

Staff: Damon Conklin, Legislative Affairs, Lobbyist  
Jason Rhine, Assistant Director, Legislative Affairs  
Caroline Cirrincione, Policy Analyst

Committees: Transportation, Communications, and Public Works  
Housing, Community, and Economic Development

### **Summary:**

The City of South Gate submits this resolution, which states the League of California Cities should urge the Governor and the Legislature to provide adequate regulatory authority and necessary funding to assist cities with railroad right-of-way areas to address illegal dumping, graffiti, and homeless encampments that proliferate along the rail lines and result in public safety issues.

### **Background:**

#### **California Public Utilities Commission (CPUC) Railroad Oversight**

The CPUC's statewide railroad safety responsibilities are carried out through its Rail Safety Division (RSD). The Railroad Operations and Safety Branch (ROSB), a unit of RSD, enforces state and federal railroad safety laws and regulations governing freight and passenger rail in California.

The ROSB protects California communities and railroad employees from unsafe practices on freight and passenger railroads by enforcing rail safety laws, rules, and regulations. The ROSB also performs inspections to identify and mitigate risks and potential safety hazards before they create dangerous conditions. ROSB rail safety inspectors investigate rail accidents and safety-related complaints and recommend safety improvements to the CPUC, railroads, and the federal government as appropriate.

Within the ROSB, the CPUC employs 41 inspectors who are federally certified in the five Federal Railroad Administration (FRA) railroad disciplines, including hazardous materials, motive power and equipment, operations, signal and train control, and track. These inspectors perform regular inspections, focused inspections, accident investigations, security inspections, and complaint investigations. In addition, the inspectors address safety risks that, while not violations of regulatory requirements, pose potential risks to public or railroad employee safety.

#### **CPUC's Ability to Address Homelessness on Railroads**

Homeless individuals and encampments have occupied many locations in California near railroad tracks. This poses an increased safety risk to these homeless individuals of being struck by trains. Also, homeless encampments often create unsafe work environments for railroad and agency personnel.

While CPUC cannot compel homeless individuals to vacate railroad rights-of-way or create shelter for homeless individuals, it has the regulatory authority to enforce measures that can reduce some safety issues created by homeless encampments. The disposal of waste materials or other disturbances of walkways by homeless individuals can create tripping hazards in the vicinity of railroad rights-of-way. This would cause violations of [Commission GO 118-A](#), which sets standards for walkway surfaces alongside railroad tracks. Similarly, tents, wooden structures, and miscellaneous debris in homeless encampments can create violations of



[Commission GO 26-D](#), which sets clearance standards between railroad tracks, and structures and obstructions adjacent to tracks.

### Homelessness in California

According to the [2020 Annual Homeless Assessment Report \(AHAR\)](#) to Congress, there has been an increase in unsheltered individuals since 2019. More than half ([51 percent or 113,660 people](#)) of all unsheltered homeless people in the United States are found in California, about four times as high as their share of the overall United States population.

Many metro areas in California lack an adequate supply of affordable housing. This housing shortage has contributed to an increase in homelessness that has spread to railroad rights-of-way. Homeless encampments along railroad right-of-way increase the incidents of illegal dumping and unauthorized access and trespassing activities. Other impacts include train service reliability with debris strikes, near-misses, and trespasser injuries/fatalities. As of April 2021, there have been 136 deaths and 117 injuries reported by the [Federal Railroad Administration](#) over the past year. These casualties are directly associated with individuals who trespassed on the railroad.

Cities across the state are expending resources reacting to service disruptions located on the railroad's private property. It can be argued that an increase in investments and services to manage and maintain the railroad's right-of-way will reduce incidents, thus enhancing public safety, environmental quality, and impacts on the local community.

### State Budget Allocations – Homelessness

The approved State Budget includes a homelessness package of \$12 billion. This consists of a commitment of \$1 billion per year for direct and flexible funding to cities and counties to address homelessness. While some details related to funding allocations and reporting requirements remain unclear, Governor Newsom signed AB 140 in July, which details key budget allocations, such as:

- \$2 billion in aid to counties, large cities, and Continuums of Care through the Homeless Housing, Assistance and Prevention grant program (HHAP);
- \$50 million for Encampment Resolution Grants, which will help local governments resolve critical encampments and transitioning individuals into permanent housing; and
- \$2.7 million in onetime funding for Caltrans Encampment Coordinators to mitigate safety risks at encampments on state property and to coordinate with local partners to connect these individuals to services and housing.

The Legislature additionally provided \$2.2 billion specifically for Homekey with \$1 billion available immediately. This funding will help local governments transition individuals from Project Roomkey sites into permanent housing to minimize the number of occupants who exit into unsheltered homelessness.

With regards to this resolution, the State Budget also included \$1.1 billion to clean trash and graffiti from highways, roads, and other public spaces by partnering with local governments to pick up trash and beautify downtowns, freeways, and neighborhoods across California. The program is expected to generate up to 11,000 jobs over three years.

### Cities Railroad Authority

A city must receive authorization from the railroad operator before addressing the impacts made by homeless encampments because of the location on the private property. Additionally, the city

must coordinate with the railroad company to get a flagman to oversee the safety of the work crews, social workers, and police while on the railroad tracks.

A city may elect to declare the encampment as a public nuisance area, which would allow the city to clean up the areas at the railroad company's expense for failing to maintain the tracks and right-of-way. Some cities are looking to increase pressure on railroad operators for not addressing the various homeless encampments, which are presenting public safety and health concerns.

Courts have looked to [compel railroad companies](#) to increase their efforts to address homeless encampments on their railroads or [grant a local authority's application](#) for an Inspection and Abatement Warrant, which would allow city staff to legally enter private property and abate a public nuisance or dangerous conditions.

In limited circumstances, some cities have negotiated Memoranda of Understandings (MOU) with railroad companies to provide graffiti abatement, trash, and debris removal located in the right-of-way, and clean-ups of homeless encampments. These MOUs also include local law enforcement agencies to enforce illegally parked vehicles and trespassing in the railroad's right-of-way. MOUs also detailed shared responsibility and costs of providing security and trash clean-up. In cases where trespassing or encampments are observed, the local public works agency and law enforcement agency are notified and take the appropriate measures to remove the trespassers or provide clean-up with the railroad covering expenses outlined in the MOU.

Absent an MOU detailing shared maintenance, enforcement, and expenses, cities do not have the authority to unilaterally abate graffiti or clean-up trash on a railroad's right-of-way.

**Fiscal Impact:**

If the League of California Cities were to secure funding from the state for railroad clean-up activities, cities could potentially save money in addressing these issues themselves or through an MOU, as detailed above. This funding could also save railroad operators money in addressing concerns raised by municipalities about illegal dumping, graffiti, and homeless encampments along railroads.

Conversely, if the League of California Cities is unable to secure this funding through the Legislature or the Governor, cities may need to consider alternative methods, as detailed above, which may include significant costs.

**Existing League Policy:**

Public Safety:

*Graffiti*

The League supports increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.

Transportation, Communications, and Public Works

*Transportation*

The League supports efforts to improve the California Public Utilities Commission's ability to respond to and investigate significant transportation accidents in a public and timely manner to improve rail shipment, railroad, aviation, marine, highway, and pipeline safety



Housing, Community, and Economic Development

*Housing for Homeless*

Homelessness is a statewide problem that disproportionately impacts specific communities. The state should make funding and other resources, including enriched services, and outreach and case managers, available to help assure that local governments have the capacity to address the needs of the homeless in their communities, including resources for regional collaborations.

Homeless housing is an issue that eludes a statewide, one-size-fits-all solution, and collaboration between local jurisdictions should be encouraged.

**Staff Comments:**

Clarifying Amendments

Upon review of the Resolution, Cal Cities staff recommends technical amendments to provide greater clarity. To review the proposed changes, please see Attachment A.

The committee may also wish to consider clarifying language around regulatory authority and funding to assist cities with these efforts. The resolution asks that new investments from the state be sent to the CPUC to increase their role in managing and maintaining railroad rights-of-ways and potentially to cities to expand their new responsibility.

The committee may wish to specify MOUs as an existing mechanism for cities to collaborate and agree with railroad operators and the CPUC on shared responsibilities and costs.

**Support:**

The following letters of concurrence were received:

- City of Bell Gardens
- City of Bell
- City of Commerce
- City of Cudahy
- City of El Segundo
- City of Glendora
- City of La Mirada
- City of Paramount
- City of Pico Rivera
- City of Huntington Park
- City of Long Beach
- City of Lynwood
- City of Montebello

2. A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO PROVIDE ~~NECCESARY~~ ~~NECESSARY~~ FUNDING FOR ~~CUPC~~ THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) TO FUFILL ITS OBLIGATION TO INSPECT RAILROAD LINES TO ENSURE THAT OPERATORS ARE REMOVING ILLEGAL DUMPING, GRAFFITI AND HOMELESS ENCAMPMENTS THAT DEGRADE THE ~~QAULTY~~ QUALITY OF LIFE AND RESULTS IN INCREASED PUBLIC ~~SAFETLY~~ SAFETY CONCERNS FOR COMMUNITIES AND NEIGHBORHOODS THAT ABUT THE RAILROAD RIGHT-OF-WAY.

Source: City of South Gate

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Cities: City of Bell Gardens; City of Bell; City of Commerce; City of Cudahy; City of El Segundo; City of Glendora; City of Huntington Park; City of La Mirada; City of Long Beach; City of Lynwood; City of Montebello; City of Paramount; City of Pico Rivera

Referred to: Housing, Community and Economic Development; and Transportation, Communications and Public Works

**WHEREAS**, ensuring the quality of life for communities falls upon every local government including that blight and other health impacting activities are addressed in a timely manner by private property owners within its jurisdictional boundaries for their citizens, businesses and institutions; and

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**WHEREAS**, the ~~California Public Utilities Commission (CPUC)~~ is the enforcing agency for railroad safety in the State of California and has 41 inspectors assigned throughout the entire State to inspect and enforce regulatory compliance over thousands of miles of rail line; and

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**RESOLVED**, at the League of California Cities, General Assembly, assembled at the League Cal Cities Annual Conference on September 24, 2021, in Sacramento, that the Cal Cities League calls for the Governor and the Legislature to work with the Cal Cities League and other stakeholders to provide adequate regulatory authority and necessary funding to assist cities with these railroad right-of-way areas so as to adequately deal with illegal dumping, graffiti and homeless encampments that proliferate along the rail lines and result in public safety issues. The Cal Cities League will work with its member cities to educate federal and state officials to the quality of life and health impacts this challenge has upon local communities, especially those of color and/or environmental and economic hardships.





**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Lisa Jenkins, Human Resources Director  
Briza Morales, Risk Manager

**SUBJECT:**

Consideration of Ratification of an Agreement with DropFusion IV, LLC for Onsite COVID-19 Testing in the Amount of \$100,000 and Appropriate \$100,000 from the General Fund (Human Resources Director Jenkins).

- a) **ADOPT RESOLUTION NO. 21-0077**
  - b) **RATIFY AGREEMENT FOR ONSITE COVID-19 TESTING**
  - c) **APPROPRIATE FUNDS**
- 

**RECOMMENDATION:**

Staff recommends that the City Council ratify the agreement with DropFusion IV, LLC in the amount of \$100,000 and appropriate \$100,000 from the unreserved General Fund balance.

**FISCAL IMPLICATIONS:**

Funds in the amount of \$100,000 will be appropriated from the unreserved General Fund balance. Expended funds will then be submitted to the Federal Emergency Management Agency (FEMA) for possible reimbursement as COVID-19 expenses. Should FEMA funding be exhausted and unavailable to the City, the funds will have been spent out of the unreserved General Fund balance, which does contain the \$4.2 million in American Rescue Plan Act (ARPA) funds received in July to support COVID-19 mitigation and recovery measures. In August, the City Council accepted the ARPA funds under the category of "revenue loss", which allowed the City to use the funds for the provision of government services occurring after March 3, 2021.

**BACKGROUND:**

There is a heightened sense of responsibility as the COVID-19 transmission rates have begun to rise once again. According to the Centers for Disease Control and Prevention (CDC), the

California Department of Public Health, and the Los Angeles County Department of Public Health (LADPH), COVID-19 continues to pose a serious risk, especially for persons who are not fully vaccinated. Since June 15, 2021, when most restrictions from the state and county were lifted, the average daily case rate of COVID-19 in Los Angeles County has significantly increased putting the County at a “High Transmission” level. In Manhattan Beach, the number of new COVID-19 cases recently exceeded 80 in a single week. To protect employees and continue to provide essential services to the public, at its August 3 meeting, the City Council directed the Human Resources Department to reach out to its employee labor associations to negotiate the impacts of the decision to collect the vaccination status of all employees and establish a weekly testing program for unvaccinated employees.

**DISCUSSION:**

Based on direction at its August 3 closed session meeting, Human Resources staff promptly worked to obtain updated vaccination status information from employees, coordinate with departments regarding schedules and logistics for testing, conduct outreach to potential testing providers, and reach out to the employee labor associations to negotiate the impacts of this decision, as required by law.

Throughout the COVID-19 pandemic, the City has implemented safety protocols in compliance with LADPH and the California Occupational Health and Safety Administration (Cal/OSHA). The protocols have included offering employees COVID-19 polymerase chain reaction (PCR) testing when they are symptomatic or have had exposure to a COVID-19 positive person. A PCR test is considered the “gold standard” in COVID-19 detection. This test detects RNA (or genetic material) specific to the virus and can detect the virus within days of infection, even in those with no symptoms. Results for PCR tests, in general, take 24-48 hours. The City has existing contracts with various local providers for COVID-19 PCR testing, and utilizes this testing most often for cases in which an employee has an identified exposure or is symptomatic. In contrast to testing of symptomatic or employees who have had a known COVID exposure, the type of weekly testing programs implemented by schools and workplaces to screen asymptomatic individuals without known or suspected exposure is known as “screening testing.” Screening testing looks for individual infections in a group, even if there is no reason to suspect those individuals are infected. Antigen (rapid) tests have been used for screening testing in high-risk congregate housing settings, such as nursing homes, in which repeat testing has quickly identified people with COVID-19, allowing for prevention measures to be quickly implemented. Antigen tests are relatively inexpensive and most return results in approximately 15-30 minutes. Antigen tests for COVID-19 are generally less sensitive than PCR tests, but when rapid test turnaround time is critical, there is value in obtaining immediate results. To establish an efficient onsite rapid testing program, staff contacted existing and prospective providers to obtain rates, type of rapid test offered, result times, scheduling flexibility, and availability for onsite testing sessions, including sessions to accommodate the Fire and Police 24-hour operation. Quotes from existing providers ranged from \$125 to \$150 per rapid test, plus an onsite fee per session. DropFusion IV, LLC (DropFusion) provided a rate of \$100 per rapid test and has no onsite fee for testing conducted within Manhattan Beach. DropFusion’s rapid tests utilize the BD Veritor Plus Analyzer, which detects nucleoproteins from COVID-19 and is 99.5% specific and 84% sensitive. This test produces results within 15 minutes. This test is an anterior nasal swab test, typically preferred by persons over the nasal mid-turbinate (deep nasal) test.

The testing program began on August 12 and testing is offered several times per week at various City facilities. The testing is mandatory for employees that are not vaccinated or have not provided the self-attestation form confirming their fully vaccinated status. Employees are accountable for ensuring they comply with the weekly testing requirement. Fully vaccinated employees may participate in the onsite COVID-19 screening testing on a voluntary basis. From August 12 - August 26, seventy-four tests were administered on a mandatory basis and sixty-two tests were administered on a voluntary basis. Based on participation to date, staff estimates the requested appropriation in funds will support a screening testing program for fourteen weeks, through November 18, 2021. Staff will return to Council for an update on the program at a future Council meeting.

Considering Drop Fusion's competitive rates and flexibility in scheduling onsite testing, and the urgency of implementing the testing program, an agreement with DropFusion, dated August 10, 2021, was executed within the City Manager's authority as the Emergency Services Director. Because this action was performed on an emergency basis, staff is now seeking City Council ratification for this agreement as required by Municipal Code Section 2.36.120 - Emergency procurement under the auspices of emergency protective measure. This requires City Council approval within a 60-day window.

Accordingly, staff recommends that the City Council adopt the resolution ratifying the agreement with DropFusion IV, LLC and appropriate \$100,000 from the unreserved General Fund balance.

**LEGAL REVIEW:**

The City Attorney has approved the agreement as to form.

**ATTACHMENTS:**

1. Resolution No. 21-0077
2. Agreement - DropFusion IV, LLC

RESOLUTION NO. 21-0077

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL RATIFYING AN AGREEMENT BETWEEN THE CITY OF MANHATTAN BEACH AND DROP FUSION IV, LLC FOR COVID-19 TESTING.

RECITALS

- A. In the exercise of his emergency powers during the COVID-19 pandemic local emergency, the City Manager, in his capacity as the Director of Emergency Services, entered into an agreement on August 10, 2021, with Drop Fusion IV, LLC for employee COVID-19 testing in connection with emergency protective measures necessary to safeguard public health during the COVID-19 pandemic.

NOW THEREFORE, THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby ratifies the Agreement between the City of Manhattan Beach and Drop Fusion IV, LLC dated August 10, 2021, for employee COVID-19 testing in connection with emergency protective measures necessary to safeguard public health during the COVID-19 pandemic.

SECTION 2. The City Clerk shall certify to the passage and adoption of this resolution.

ADOPTED on September 9, 2021.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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HILDY STERN  
Mayor

ATTEST:

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LIZA TAMURA  
City Clerk



## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is dated August 10, 2021 (“Effective Date”) and is between the City of Manhattan Beach, a California municipal corporation (“City”) and DropFusion IV, a California limited liability company (“Consultant”). City and Consultant are sometimes referred to herein as the “Parties”, and individually as a “Party”.

### RECITALS

A. City desires to utilize the services of Consultant as an independent contractor to provide COVID-19 diagnostic testing services.

B. Consultant represents that it is fully qualified to perform such services by virtue of its experience and the training, education and expertise of its principals and employees.

C. City desires to retain Consultant and Consultant desires to serve City to perform these services in accordance with the terms and conditions of this Agreement.

The Parties therefore agree as follows:

#### 1. Consultant’s Services.

A. Scope of Services. Consultant shall perform the services described in the Scope of Services (the “Services”) for COVID-19 diagnostic testing, attached as **Exhibit A**. City may request, in writing, changes in the Scope of Services to be performed. Any changes mutually agreed upon by the Parties, and any increase or decrease in compensation, shall be incorporated by written amendments to this Agreement.

B. Party Representatives. For the purposes of this Agreement, the City Representative shall be the City Manager, or such other person designated in writing by the City Manager (the “City Representative”). For the purposes of this Agreement, the Consultant Representative shall be Milan Collins, RN, Owner (the “Consultant Representative”). The Consultant Representative shall directly manage Consultant’s Services under this Agreement. Consultant shall not change the Consultant Representative without City’s prior written consent.

C. Time for Performance. Consultant shall commence the Services on the Effective Date and shall perform all Services by the deadline established by the City Representative or, if no deadline is established, with reasonable diligence.

D. Standard of Performance. Consultant shall perform all Services under this Agreement in accordance with the standard of care generally exercised by like professionals under similar circumstances and in a manner reasonably satisfactory to City.

Approved for Use 3/1/2021

E. Personnel. Consultant has, or will secure at its own expense, all personnel required to perform the Services required under this Agreement. All of the Services required under this Agreement shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such Services.

F. Compliance with Laws. Consultant shall comply with all applicable federal, state and local laws, ordinances, codes, regulations and requirements, including but not limited to the Health Insurance Portability and Accountability Act of 1996, as amended (“HIPAA”). Consultant has engaged the services of duly licensed professionals, as applicable, who shall provide the Services to be provided under this Agreement. Any Services that constitute the practice of medicine under California law shall be provided by physician(s) or physicians’ assistants licensed to practice medicine in the State of California (and with respect to physicians’ assistants, under the supervision of a medical doctor) engaged by Consultant to provide such Services in their capacities as licensed healthcare professionals and in accordance with applicable laws, rules and regulations regarding the practice of medicine. In accordance with applicable law, all decisions, procedures, diagnoses, and treatments that constitute the practice of medicine shall be provided by duly licensed physicians who shall have sole and absolute discretion regarding all such matters. Consultant shall be responsible for maintaining the confidentiality of any protected health information that it obtains and which is protected by HIPAA, or under similar California law (“PHI”). Consultant shall seek and, if reasonably possible, obtain appropriate consents for the disclosure of PHI to police officers designated by City and shall make all determinations that medical information disclosed by Contractor is either not PHI and exempt from HIPAA and applicable California law, is covered by the consent of the arrestee or prisoner, or is otherwise exempt from the application of HIPAA. Consultant, and not City, shall be responsible for any civil or constitutional rights violations of arrestees or prisoners arising from any act or omission by Consultant or any its employees or agents. Consultant shall adhere to requirements concerning the custody of arrestees, including under California Penal Code Section 4000 et seq.

G. Permits and Licenses. Consultant shall obtain and maintain during the Agreement term all necessary licenses, permits and certificates required by law for the provision of Services under this Agreement, including a business license.

**2. Term of Agreement.** The term of this Agreement shall be from the Effective Date through December 31, 2021, unless sooner terminated as provided in Section 12 of this Agreement or extended.

**3. Compensation.**

A. Compensation. As full compensation for Services satisfactorily rendered, City shall pay Consultant at the hourly rates set forth in the Approved Fee Schedule attached hereto as **Exhibit A**. In no event shall Consultant be paid more than \$100,000.00 (the “Maximum Compensation”) for such Services.

B. Expenses. The amount set forth in paragraph 3.A. above includes reimbursement for all expenditures incurred in the performance of this Agreement.

C. Unauthorized Services and Unanticipated Expenses. City will not pay for any services not specified in the Scope of Services, unless the City Council or the City Representative, if applicable, and the Consultant Representative authorize such services in writing prior to Consultant's performance of those services or incurrence of additional expenses. Any additional services authorized by the City Council, or (where authorized) the City Manager shall be compensated at the rates set forth in **Exhibit A**, or, if not specified, at a rate mutually agreed to by the Parties. At the request of the Consultant, the City Council may, in writing, reimburse Consultant for an unanticipated expense at its actual cost. City shall make payment for additional services and expenses in accordance with Section 4 of this Agreement.

#### **4. Method of Payment.**

A. Invoices. Consultant shall submit to City an invoice, on a monthly basis, for the Services performed pursuant to this Agreement. Invoices must be submitted to Briza Morales, Risk Manager, 1400 Highland Avenue, Manhattan Beach, CA 90266 or via email to [bmorales@citymb.info](mailto:bmorales@citymb.info). Each invoice shall itemize the Services rendered during the billing period, hourly rates charged, if applicable, and the amount due. City shall review each invoice and notify Consultant in writing within ten Business days of receipt of any disputed invoice amounts.

B. Payment. City shall pay all undisputed invoice amounts within 30 calendar days after receipt up to the Maximum Compensation set forth in Section 3 of this Agreement. City does not pay interest on past due amounts. City shall not withhold federal payroll, state payroll or other taxes, or other similar deductions, from payments made to Consultant. Notwithstanding the preceding sentence, if Consultant is a nonresident of California, City will withhold the amount required by the Franchise Tax Board pursuant to Revenue and Taxation Code Section 18662 and applicable regulations.

C. Audit of Records. Consultant shall make all records, invoices, time cards, cost control sheets and other records maintained by Consultant in connection with this Agreement available during Consultant's regular working hours to City for review and audit by City.

**5. Independent contractor.** Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not, at any time, or in any manner, represent that it or any of its officers, agents or employees are in any manner employees of City.

## 6. Information and Documents.

A. Consultant covenants that all data, reports, documents, discussion, or other information (collectively "Data") developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed or released by Consultant without prior written authorization by City. City shall grant such authorization if applicable law requires disclosure. Consultant, its officers, employees, agents, or subcontractors shall not without written authorization from the City Manager or unless requested in writing by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement or relating to any project or property located within the City. Response to a subpoena or court order shall not be considered "voluntary," provided Consultant gives City notice of such court order or subpoena.

B. Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder or with respect to any project or property located within the City. City may, but has no obligation to, represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, City's right to review any such response does not imply or mean the right by City to control, direct or rewrite the response.

C. All Data required to be furnished to City in connection with this Agreement shall become City's property, and City may use all or any portion of the Data submitted by Consultant as City deems appropriate. Upon completion of, or in the event of termination or suspension of this Agreement, all original documents, designs, drawings, maps, models, computer files containing data generated for the Services, surveys, notes, and other documents prepared in the course of providing the Services shall become City's sole property and may be used, reused or otherwise disposed of by City without Consultant's permission. Consultant may take and retain copies of the written products as desired, but the written products shall not be the subject of a copyright application by Consultant.

D. Consultant's covenants under this Section shall survive the expiration or termination of this Agreement.

**7. Conflicts of Interest.** Consultant and its officers, employees, associates and subcontractors, if any, shall comply with all conflict of interest statutes of the State of California applicable to Consultant's Services under this Agreement, including the Political Reform Act (Gov. Code § 81000, *et seq.*) and Government Code Section 1090. During the term of this Agreement, Consultant may perform similar Services for other clients, but Consultant and its officers, employees, associates and subcontractors shall

not, without the City Representative's prior written approval, perform work for another person or entity for whom Consultant is not currently performing work that would require Consultant or one of its officers, employees, associates or subcontractors to abstain from a decision under this Agreement pursuant to a conflict of interest statute. Consultant shall incorporate a clause substantially similar to this Section into any subcontract that Consultant executes in connection with the performance of this Agreement.

## **8. Indemnification, Hold Harmless, and Duty to Defend.**

### **A. Indemnities.**

1) To the fullest extent permitted by law, Consultant shall, at its sole cost and expense, defend, hold harmless and indemnify City and its elected officials, officers, attorneys, agents, employees, designated volunteers, successors, assigns and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees"), from and against any and all damages, costs, expenses, liabilities, claims, demands, causes of action, proceedings, expenses, judgments, penalties, liens, and losses of any nature whatsoever, including fees of accountants, attorneys, or other professionals and all costs associated therewith and the payment of all consequential damages (collectively "Liabilities"), in law or equity, whether actual, alleged or threatened, which arise out of, are claimed to arise out of, pertain to, or relate to the acts or omissions of Consultant, its officers, agents, servants, employees, subcontractors, materialmen, consultants or their officers, agents, servants or employees (or any entity or individual that Consultant shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees' active or passive negligence, except for Liabilities arising from the sole negligence or willful misconduct of the Indemnitees as determined by court decision or by the agreement of the Parties. Consultant shall defend the Indemnitees in any action or actions filed in connection with any Liabilities with counsel of the Indemnitees' choice, and shall pay all costs and expenses, including all attorneys' fees and experts' costs actually incurred in connection with such defense. Consultant shall reimburse the Indemnitees for any and all legal expenses and costs incurred by Indemnitees in connection therewith.

2) Consultant shall pay all required taxes on amounts paid to Consultant under this Agreement, and indemnify and hold City harmless from any and all taxes, assessments, penalties, and interest asserted against City by reason of the independent contractor relationship created by this Agreement. Consultant shall fully comply with the workers' compensation law regarding Consultant and Consultant's employees. Consultant shall indemnify and hold City harmless from any failure of Consultant to comply with applicable workers' compensation laws. City may offset against the amount of any fees due to Consultant under this Agreement any amount due to City from Consultant as a result of Consultant's failure to promptly pay to City any reimbursement or indemnification arising under this subparagraph A.2).

3) Consultant shall obtain executed indemnity agreements with provisions identical to those in this Section from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. If Consultant fails to obtain such indemnity obligations, Consultant shall be fully responsible and indemnify, hold harmless and defend the Indemnitees from and against any and all Liabilities at law or in equity, whether actual, alleged or threatened, which arise out of, are claimed to arise out of, pertain to, or relate to the acts or omissions of Consultant's subcontractor, its officers, agents, servants, employees, subcontractors, materialmen, consultants or their officers, agents, servants or employees (or any entity or individual that Consultant's subcontractor shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees' active or passive negligence, except for Liabilities arising from the sole negligence or willful misconduct of the Indemnitees as determined by court decision or by the agreement of the Parties.

B. Workers' Compensation Acts not Limiting. Consultant's indemnifications and obligations under this Section, or any other provision of this Agreement, shall not be limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City, its officers, agents, employees and volunteers.

C. Insurance Requirements not Limiting. City does not, and shall not, waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy or certificate required pursuant to this Agreement. The indemnities in this Section shall apply regardless of whether or not any insurance policies are determined to be applicable to the Liabilities, tax, assessment, penalty or interest asserted against City.

D. Survival of Terms. Consultant's indemnifications and obligations under this Section shall survive the expiration or termination of this Agreement.

## 9. Insurance.

A. Minimum Scope and Limits of Insurance. Consultant shall procure and at all times during the term of this Agreement carry, maintain, and keep in full force and effect, insurance as follows:

1) Commercial General Liability Insurance with a minimum limit of \$1,000,000.00 per occurrence for bodily injury, personal injury and property damage and a general aggregate limit of \$2,000,000.00 per project or location. If Consultant is a limited liability company, the commercial general liability coverage shall be amended so that Consultant and its managers, affiliates, employees, agents and other persons necessary or incidental to its operation are insureds.

2) Automobile Liability Insurance for any owned, non-owned or hired vehicle used in connection with the performance of this Agreement with a combined single

limit of \$1,000,000.00 per accident for bodily injury and property damage. If Consultant does not use any owned, non-owned or hired vehicles in the performance of Services under this Agreement, Consultant shall obtain a non-owned auto endorsement to the Commercial General Liability policy required under subparagraph A.1) of this Section.

3) Workers' Compensation Insurance as required by the State of California and Employer's Liability Insurance with a minimum limit of \$1,000,000.00 per accident for bodily injury or disease. If Consultant has no employees while performing Services under this Agreement, workers' compensation policy is not required, but Consultant shall execute a declaration that it has no employees.

4) Professional Liability/Errors and Omissions Insurance with minimum limits of \$1,000,000.00 per claim and in aggregate.

B. Acceptability of Insurers. The insurance policies required under this Section shall be issued by an insurer admitted to write insurance in the State of California with a rating of A:VII or better in the latest edition of the A.M. Best Insurance Rating Guide. Self-insurance shall not be considered to comply with the insurance requirements under this Section.

C. Additional Insured. The commercial general and automobile liability policies shall contain an endorsement naming City and its elected and appointed officials, officers, employees, agents and volunteers as additional insureds. This provision shall also apply to any excess/umbrella liability policies.

D. Primary and Non-Contributing. The insurance policies required under this Section shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance available to City. Any insurance or self-insurance maintained by City, its elected and appointed officials, officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.

E. Consultant's Waiver of Subrogation. The insurance policies required under this Section shall not prohibit Consultant and Consultant's employees, agents or subcontractors from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against City.

F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by City. At City's option, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond guaranteeing payment of losses and expenses.

G. Cancellations or Modifications to Coverage. Consultant shall not cancel, reduce or otherwise modify the insurance policies required by this Section during the term of this Agreement. The commercial general and automobile liability policies required under this Agreement shall be endorsed to state that should the issuing insurer cancel the policy before the expiration date, the issuing insurer will endeavor to mail 30 days'

prior written notice to City. If any insurance policy required under this Section is canceled or reduced in coverage or limits, Consultant shall, within two Business Days of notice from the insurer, phone, fax or notify City via certified mail, return receipt requested, of the cancellation of or changes to the policy.

H. City Remedy for Noncompliance. If Consultant does not maintain the policies of insurance required under this Section in full force and effect during the term of this Agreement, or in the event any of Consultant's policies do not comply with the requirements under this Section, City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, City may, but has no duty to, take out the necessary insurance and pay, at Consultant's expense, the premium thereon. Consultant shall promptly reimburse City for any premium paid by City or City may withhold amounts sufficient to pay the premiums from payments due to Consultant.

I. Evidence of Insurance. Prior to the performance of Services under this Agreement, Consultant shall furnish City's Risk Manager with a certificate or certificates of insurance and all original endorsements evidencing and effecting the coverages required under this Section. The endorsements are subject to City's approval. Consultant may provide complete, certified copies of all required insurance policies to City. Consultant shall maintain current endorsements on file with City's Risk Manager. Consultant shall provide proof to City's Risk Manager that insurance policies expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Consultant shall furnish such proof at least two weeks prior to the expiration of the coverages.

J. Indemnity Requirements not Limiting. Procurement of insurance by Consultant shall not be construed as a limitation of Consultant's liability or as full performance of Consultant's duty to indemnify City under Section 8 of this Agreement.

K. Broader Coverage/Higher Limits. If Consultant maintains broader coverage and/or higher limits than the minimums required above, City requires and shall be entitled to the broader coverage and/or the higher limits maintained by Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to City.

L. Subcontractor Insurance Requirements. Consultant shall require each of its subcontractors that perform Services under this Agreement to maintain insurance coverage that meets all of the requirements of this Section.

## **10. Mutual Cooperation.**

A. City's Cooperation. City shall provide Consultant with all pertinent Data, documents and other requested information as is reasonably available for Consultant's proper performance of the Services required under this Agreement.



B. Consultant's Cooperation. In the event any claim or action is brought against City relating to Consultant's performance of Services rendered under this Agreement, Consultant shall render any reasonable assistance that City requires.

**11. Records and Inspections.** Consultant shall maintain complete and accurate records with respect to time, costs, expenses, receipts, correspondence, and other such information required by City that relate to the performance of the Services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. Consultant shall provide free access to City, its designees and representatives at reasonable times, and shall allow City to examine and audit the books and records, to make transcripts therefrom as necessary, and to inspect all work, data, documents, proceedings and activities related to this Agreement. Such records, together with supporting documents, shall be maintained for a period of three years after receipt of final payment.

**12. Termination of Agreement.**

A. Right to Terminate. City may terminate this Agreement at any time, at will, for any reason or no reason, after giving written notice to Consultant at least five calendar days before the termination is to be effective. Consultant may terminate this Agreement at any time, at will, for any reason or no reason, after giving written notice to City at least 60 calendar days before the termination is to be effective.

B. Obligations upon Termination. Consultant shall cease all work under this Agreement on or before the effective date of termination specified in the notice of termination. In the event of City's termination of this Agreement due to no fault or failure of performance by Consultant, City shall pay Consultant based on the percentage of work satisfactorily performed up to the effective date of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the Services required by this Agreement. Consultant shall have no other claim against City by reason of such termination, including any claim for compensation.

**13. Force Majeure.** Consultant shall not be liable for any failure to perform its obligations under this Agreement if Consultant presents acceptable evidence, in City's sole judgment, that such failure was due to acts of God, embargoes, inability to obtain labor or materials or reasonable substitutes for labor or materials, governmental restrictions, governmental regulations, governmental controls, judicial orders, enemy or hostile governmental action, civil commotion, fire or other casualty, or other causes beyond Consultant's reasonable control and not due to any act by Consultant.

**14. Default.**

A. Consultant's failure to comply with the provisions of this Agreement shall constitute a default. In the event that Consultant is in default for cause under the terms

of this Agreement, City shall have no obligation or duty to continue compensating Consultant for any work performed after the date of default.

B. In addition to the right to terminate pursuant to Section 12, if the City Manager determines that Consultant is in default in the performance of any of the terms or conditions of this Agreement, City shall serve Consultant with written notice of the default. Consultant shall have ten calendar days after service upon it of the notice in which to cure the default by rendering a satisfactory performance. In the event that Consultant fails to cure its default within such period of time, City may, notwithstanding any other provision of this Agreement, terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement.

**15. Notices.** Any notice, consent, request, demand, bill, invoice, report or other communication required or permitted under this Agreement shall be in writing and conclusively deemed effective: (a) on personal delivery, (b) on confirmed delivery by courier service during Consultant’s and City’s regular business hours, or (c) three Business Days after deposit in the United States mail, by first class mail, postage prepaid, and addressed to the Party to be notified as set forth below:

TO CITY:

City of Manhattan Beach  
Attn: Human Resources  
1400 Highland Avenue  
Manhattan Beach, CA 90266

TO CONSULTANT:

DropFusion IV, LLC  
Attn: Milan Collins, RN  
939 Cypress Street  
El Segundo, CA 90245

COPY TO CITY ATTORNEY:

City of Manhattan Beach  
Attn: City Attorney  
1400 Highland Avenue  
Manhattan Beach, CA 90266

**16. Non-Discrimination and Equal Employment Opportunity.** In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor or applicant for employment because of race, color, religious creed, sex, gender, gender identity, gender expression, marital status, national origin, ancestry, age, physical disability, mental disability, medical condition, genetic information, sexual orientation or other basis prohibited by law. Consultant will take affirmative action to ensure that subcontractors and applicants are employed, and that employees are treated during employment, without regard to their race, color, religious creed, sex, gender, gender identity, gender expression, marital status, national origin, ancestry, age, physical disability, mental disability, medical condition, genetic information or sexual orientation.

**17. Prohibition of Assignment and Delegation.** Consultant shall not assign any of its rights or delegate any of its duties under this Agreement, either in whole or in part, without City's prior written consent. City's consent to an assignment of rights under this Agreement shall not release Consultant from any of its obligations or alter any of its primary obligations to be performed under this Agreement. Any attempted assignment or delegation in violation of this Section shall be void and of no effect and shall entitle City to terminate this Agreement. As used in this Section, "assignment" and "delegation" means any sale, gift, pledge, hypothecation, encumbrance or other transfer of all or any portion of the rights, obligations, or liabilities in or arising from this Agreement to any person or entity, whether by operation of law or otherwise, and regardless of the legal form of the transaction in which the attempted transfer occurs.

**18. No Third Party Beneficiaries Intended.** This Agreement is made solely for the benefit of the Parties to this Agreement and their respective successors and assigns, and no other person or entity may have or acquire a right by virtue of this Agreement.

**19. Waiver.** No delay or omission to exercise any right, power or remedy accruing to City under this Agreement shall impair any right, power or remedy of City, nor shall it be construed as a waiver of, or consent to, any breach or default. No waiver of any breach, any failure of a condition, or any right or remedy under this Agreement shall be (1) effective unless it is in writing and signed by the Party making the waiver, (2) deemed to be a waiver of, or consent to, any other breach, failure of a condition, or right or remedy, or (3) deemed to constitute a continuing waiver unless the writing expressly so states.

**20. Final Payment Acceptance Constitutes Release.** The acceptance by Consultant of the final payment made under this Agreement shall operate as and be a release of City from all claims and liabilities for compensation to Consultant for anything done, furnished or relating to Consultant's work or services. Acceptance of payment shall be any negotiation of City's check or the failure to make a written extra compensation claim within ten calendar days of the receipt of that check. However, approval or payment by City shall not constitute, nor be deemed, a release of the responsibility and liability of Consultant, its employees, subcontractors and agents for the accuracy and competency of the information provided and/or work performed; nor shall such approval or payment be deemed to be an assumption of such responsibility or liability by City for any defect or error in the work prepared by Consultant, its employees, subcontractors and agents.

**21. Corrections.** In addition to the above indemnification obligations, Consultant shall correct, at its expense, all errors in the work which may be disclosed during City's review of Consultant's report or plans. Should Consultant fail to make such correction in a reasonably timely manner, such correction may be made by City, and the cost thereof shall be charged to Consultant. In addition to all other available remedies, City may deduct the cost of such correction from any retention amount held by City or may withhold payment otherwise owed Consultant under this Agreement up to the amount of the cost of correction.

**22. Non-Appropriation of Funds.** Payments to be made to Consultant by City for services performed within the current fiscal year are within the current fiscal budget and within an available, unexhausted fund. In the event that City does not appropriate sufficient funds for payment of Consultant's services beyond the current fiscal year, this Agreement shall cover payment for Consultant's services only to the conclusion of the last fiscal year in which City appropriates sufficient funds and shall automatically terminate at the conclusion of such fiscal year.

**23. Exhibits. Exhibit A** constitutes a part of this Agreement and is incorporated into this Agreement by this reference. If any inconsistency exists or arises between a provision of this Agreement and a provision of any exhibit, or between a provision of this Agreement and a provision of Consultant's proposal, the provisions of this Agreement shall control.

**24. Entire Agreement and Modification of Agreement.** This Agreement and all exhibits referred to in this Agreement constitute the final, complete and exclusive statement of the terms of the agreement between the Parties pertaining to the subject matter of this Agreement and supersede all other prior or contemporaneous oral or written understandings and agreements of the Parties. No Party has been induced to enter into this Agreement by, nor is any Party relying on, any representation or warranty except those expressly set forth in this Agreement. This Agreement may not be amended, nor any provision or breach hereof waived, except in a writing signed by both Parties.

**25. Headings.** The headings in this Agreement are included solely for convenience of reference and shall not affect the interpretation of any provision of this Agreement or any of the rights or obligations of the Parties to this Agreement.

**26. Word Usage.** Unless the context clearly requires otherwise, (a) the words "shall," "will" and "agrees" are mandatory and "may" is permissive; (b) "or" is not exclusive; and (c) "includes" or "including" are not limiting.

**27. Time of the Essence.** Time is of the essence in respect to all provisions of this Agreement that specify a time for performance; provided, however, that the foregoing shall not be construed to limit or deprive a Party of the benefits of any grace or use period allowed in this Agreement.

**28. Business Days.** "Business days" means days Manhattan Beach City Hall is open for business.

**29. Governing Law and Choice of Forum.** This Agreement, and any dispute arising from the relationship between the Parties to this Agreement, shall be governed by and construed in accordance with the laws of the State of California, except that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement. Any dispute that arises under or relates to this Agreement (whether contract, tort or both) shall be resolved in a superior court with geographic jurisdiction over the City of Manhattan Beach.

**30. Attorneys' Fees.** In any litigation or other proceeding by which a Party seeks to enforce its rights under this Agreement (whether in contract, tort or both) or seeks a declaration of any rights or obligations under this Agreement, the prevailing Party shall be entitled to recover all attorneys' fees, experts' fees, and other costs actually incurred in connection with such litigation or other proceeding, in addition to all other relief to which that Party may be entitled.

**31. Severability.** If a court of competent jurisdiction holds any provision of this Agreement to be illegal, invalid or unenforceable for any reason, the validity of and enforceability of the remaining provisions of this Agreement shall not be affected and continue in full force and effect.

**32. Counterparts.** This Agreement may be executed in multiple counterparts, all of which shall be deemed an original, and all of which will constitute one and the same instrument.

**33. Corporate Authority.** Each person executing this Agreement on behalf of his or her Party warrants that he or she is duly authorized to execute this Agreement on behalf of that Party and that by such execution, that Party is formally bound to the provisions of this Agreement.

*[SIGNATURE PAGE FOLLOWS]*

The Parties, through their duly authorized representatives are signing this Agreement on the date stated in the introductory clause.

City:

City of Manhattan Beach,  
a California municipal corporation

Consultant:

DropFusion IV,  
a California limited liability corporation

DocuSigned by:  
*Bruce Moe*  
By: \_\_\_\_\_  
Name: Bruce Moe  
Title: City Manager

DocuSigned by:  
*Milan Collins*  
By: \_\_\_\_\_  
Name: Milan Collins, RN  
Title: Owner

ATTEST:

DocuSigned by:  
*Liza Tamura*  
By: \_\_\_\_\_  
Name: Liza Tamura  
Title: City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
*City Attorney, Quinn Barrow*  
By: \_\_\_\_\_  
Name: Quinn M. Barrow  
Title: City Attorney

APPROVED AS TO FISCAL IMPACT:

DocuSigned by:  
*Steve Charelian*  
By: \_\_\_\_\_  
Name: Steve S. Charelian  
Title: Finance Director

APPROVED AS TO CONTENT:

DocuSigned by:  
*Lisa Jenkins*  
By: \_\_\_\_\_  
Name: Lisa Jenkins  
Title: Human Resources Director

**EXHIBIT A**  
**SCOPE OF SERVICES AND APPROVED FEE SCHEDULE**

Consultant will provide in-home, workplace/on-site, and drive-up (El Segundo facility) COVID-19 PCR assay diagnostic and rapid antigen testing as requested by the City. All PCR COVID-19 tests will be performed via nasopharynx (nose) method and are FDA/CLIA-approved. PCR test result turnaround times are estimates and subject to change. COVID-19 rapid antigen tests results are available within 15 minutes. Rapid antigen tests are conducted utilizing the BD Veritor Plus Analyzer which detects nucleoproteins from the SARS-CoV-2 and is 99.5% specific and 84% sensitive.

| <b>Type of Test</b>               | <b>Result Turnaround Time</b>     | <b>Cost Per Test</b> |
|-----------------------------------|-----------------------------------|----------------------|
| Polymerase chain reaction ("PCR") | 24 – 36 Hours (subject to change) | \$150                |
| BD Veritor Plus Rapid Antigen     | 15 minutes                        | \$100                |

Travel fee for in-home testing outside of Manhattan Beach will be billed at the IRS standard mileage rate. There is no travel fee for services provided within the city of Manhattan Beach.







**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Steve S. Charelian, Finance Director  
Libby Bretthauer, Financial Services Manager

**SUBJECT:**

Conduct Public Hearing for Consideration of Adopting Resolutions Regarding Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2021-2022 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 Assessments Collected Through July 31, 2021 (Finance Director Charelian).

- a) **CONDUCT PUBLIC HEARING**
  - b) **ADOPT RESOLUTION NOS. 21-0075 AND 21-0076**
  - c) **RATIFY BOARD**
  - d) **AUTHORIZE THE DISBURSEMENT OF ASSESSMENTS COLLECTED THROUGH JULY 31, 2021**
- 

**RECOMMENDATION:**

The Downtown Business Improvement District Advisory Board and City staff recommend that the City Council: a) conduct a public hearing; b) adopt Resolution No. 21-0075 authorizing the collection of assessments; c) ratify the nominees for the Fiscal Year (FY) 2021-2022 Downtown Business Improvement District (BID) Advisory Board; d) adopt Resolution No. 21-0076 authorizing the City Manager and BID Advisory Board Chairperson to enter into an agreement with the Downtown Manhattan Beach Business & Professional Association (DMBBPA) to provide services to the Business Improvement District; and e) authorize the disbursement of assessments collected through July 31, 2021, for the FY 2020-2021 licensing year (approximately \$96,500).

**FISCAL IMPLICATIONS:**

The Downtown Business Improvement District is funded through an 80% surcharge on the

annual business license tax for its members, up to a maximum of \$600 per business. The assessment is typically collected during the annual tax filing period that begins March 1 and continues through April 30. Late filings and payments received through the end of the fiscal year (June 30) are also included in the disbursement to the DMBBPA in September.

Due to the impacts of the COVID-19 pandemic, including the City Council directed deferment for Business License tax filing and payment to July 31, the amount collected for the district assessment of approximately \$96,500 is less than pre-pandemic prior years which have averaged around \$107,000 (*three-year average*).

The DMBBPA submitted the attached proposed operating budget for FY 2021-2022.

**BACKGROUND:**

In 1996, during the downtown strategic planning process, the creation of a new business improvement district area was identified as a desired project. At that time, there was an existing Business Improvement District in place, pursuant to the Parking and Business Improvement Area Law of 1965, that could use its funds only for “the acquisition and construction of additional parking facilities” per Ordinance No. 1173.

There was a desire on the part of the downtown business owners to create a more flexible Business Improvement District so that the funds could be used for additional purposes as defined by the business owners. Therefore, downtown businesses requested that the City assist with the creation of a new Business Improvement District pursuant to the Parking and Business Improvement Area Law of 1989 (Streets and Highways Code Section 36500). In October 1998, the City Council adopted Ordinance No. 1989 which created a Business Improvement District under this law.

**DISCUSSION:**

The Downtown Business Improvement District and the associated business license tax assessment must be renewed annually. As required by law, the City Council adopted a resolution of intention at its August 3, 2021, meeting, which set the public hearing date of September 9, 2021, to hear testimony regarding the proposed assessment and district renewal. The resolution of intention was mailed to all business district members and was published in the The Beach Reporter establishing the required noticing of tonight’s public hearing. If adopted, the resolution will become effective immediately and will set the assessment as an 80% surcharge on the business license tax for business members in the district, up to a maximum of \$600 per licensing year.

An additional requirement of the Business Improvement District is the establishment of an Advisory Board. Attached is a list of the FY 2021-2022 elected Advisory Board. State law requires that the City Council ratify the Advisory Board.

A primary role of the Business Improvement District Advisory Board is to review and approve the operating plan for the District. The attached plan contains all information relative to projected revenues and expenses, and it also outlines the services and programs to be funded by the Business Improvement District. This year, the operating plan identifies the following programs for FY 2021-2022:

- A. Permanent Outdoor Dining
- B. Downtown Manhattan Beach Lighting and Beautification
- C. Parking and Transportation Strategies
- D. Implement Marketing Plan to Focus on Retail and Service Businesses
- E. Marketing & Advertising - Ongoing
- F. Promotions & Special Events - Ongoing
- G. Professional Management & Communications - Ongoing

The District contracts with the DMBBPA to provide these services and implement the various programs identified in the operating plan. This relationship has been successful with programs such as the Farmers Market, Holiday Open House, advertising campaigns (newspapers, banners and television ads), and sidewalk sales. The DMBBPA has retained the services of an Executive Director, Jill Lamkin, to provide management support.

It is recommended that the City Council authorize the City Manager and the Chairperson of the Advisory Board to enter into an agreement (Attachment) with the DMBBPA to provide the services to the District for FY 2021-2022.

If the City Council performs the following actions tonight, the Business Improvement District and associated assessment will remain in place for FY 2021-2022:

1. Conduct the Public Hearing;
2. Adopt Resolution 21-0075 authorizing the collection of assessments;
3. Ratify the FY 2021-2022 Business Improvement District Advisory Board;
4. Adopt Resolution No. 21-0076 authorizing the City Manager and Chairperson of the Business Improvement District Advisory Board to enter into an agreement with the Downtown Manhattan Beach Business & Professional Association to provide the services and implement the programs identified in the Downtown Manhattan Beach Business Improvement District Business Improvement & Activity Plan - July 2021;
5. Authorize the disbursement of funds collected for the Business Improvement District through July 31, 2021 (approximately \$96,500).

**PUBLIC OUTREACH:**

This public hearing has been properly noticed in accordance with State law. The resolution of intention was circulated to all downtown businesses and was published in The Beach Reporter.

**ENVIRONMENTAL REVIEW:**

The recommended action is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(3) in that it has no potential for causing a significant impact to the environment.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

1. Resolution No. 21-0075
2. Resolution No. 21-0076
3. Agreement - DMBBID/DMBBPA (2021-2022)
4. BID Advisory Board of Directors to be Ratified (FY 2021-2022)
5. Business Improvement Budget & Activity Plan (July 2021)

RESOLUTION NO. 21-0075

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL  
OVERRULING PROTESTS AND PROVIDING FOR THE  
ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR  
THE EXISTING DOWNTOWN MANHATTAN BEACH  
BUSINESS IMPROVEMENT DISTRICT, PURSUANT TO  
CALIFORNIA STREETS AND HIGHWAYS CODE SECTION  
36500 ET. SEQ. (THE PARKING & BUSINESS IMPROVEMENT  
LAW OF 1989)

THE MANHATTAN BEACH CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby makes the following findings:

A. The City Council has previously formed a Property & Business Improvement District pursuant to the provisions of Section 36500 *et seq.* of the California Streets and Highways Code, the Parking & Business Improvement Law of 1989 (the "Act"), for providing services to the businesses within the area designated as the Downtown Manhattan Beach Business Improvement District (hereinafter referred to as the "District").

B. August 3, 2021, the City Council adopted Resolution 21-0059 declaring its intention to authorize the collection of assessments to provide services in accordance with the 2021 Downtown Manhattan Beach Property & Business Improvement District Plan for the period beginning July 1, 2021, and ending June 30, 2022 (the "Report"), with the services to be performed within the District. Resolution 21-0059 fixed the time and place for a hearing of any and all protests in relation to the proposed assessment for September 9, 2021.

C. Evidence has been received as to the publication and mailing of notice of the hearing in the time, form and manner required by law.

D. This Resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(3) in that it has no potential for causing a significant impact to the environment.

SECTION 2. Following notice duly given pursuant to law, the City Council has held a full and fair public hearing regarding the levy and collection of an assessment against businesses within the District for Fiscal Year 2021-2022. At the public hearing, the testimony of all interested persons regarding the levy of an assessment against businesses within the District for Fiscal Year 2021-2022 was

heard and considered. The City Council hereby determines that there was no majority protest within the meaning of the Act.

SECTION 3. Based upon its review of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, and other reports and information presented to the City, the City Council hereby finds and determines that (i) the businesses within the District will be benefitted by the expenditure of funds raised by the assessment, (ii) the District includes all of the businesses so benefitted and that all other businesses located outside of the District will not be charged or assessed as they will derive only, at most, an indirect benefit from the program activities, and (iii) the net amount of the assessment levied within the District for the 2021-2022 Fiscal Year in accordance with the Report is apportioned by a formula and method which fairly distributes the net amount in proportion to the estimated benefits to be received by each such business.

SECTION 4. The City Council hereby confirms the Report as filed.

SECTION 5. The adoption of this Resolution constitutes the levy of an assessment for Fiscal Year 2021-2022.

SECTION 6. This Resolution shall take effect immediately upon adoption.

SECTION 7. The City Clerk shall certify to the passage of adoption of this Resolution.

ADOPTED this September 9, 2021

Ayes:  
Noes:  
Abstain:  
Absent:

---

HILDY STERN  
Mayor

ATTEST:

---

LIZA TAMURA  
City Clerk

RESOLUTION NO. 21-0076

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL APPROVING AN AGREEMENT BETWEEN THE CITY OF MANHATTAN BEACH AND THE DOWNTOWN MANHATTAN BEACH BUSINESS IMPROVEMENT DISTRICT AND THE DOWNTOWN MANHATTAN BEACH BUSINESS AND PROFESSIONAL ASSOCIATION

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby approves the Agreement between the City and the Downtown Manhattan Beach Business Improvement District and the Downtown Manhattan Beach Business and Professional Association dated July 1, 2021 through June 30, 2022.

SECTION 2. The Council hereby directs the City Manager to execute the Agreement on behalf of the City.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution.

ADOPTED on September 9, 2021.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

HILDY STERN  
Mayor

ATTEST:

---

LIZA TAMURA  
City Clerk

AGREEMENT BETWEEN THE DOWNTOWN MANHATTAN BEACH  
BUSINESS IMPROVEMENT DISTRICT, THE CITY OF MANHATTAN  
BEACH, AND THE DOWNTOWN MANHATTAN BEACH BUSINESS &  
PROFESSIONAL ASSOCIATION FOR PROFESSIONAL SERVICES

This agreement is entered into on this 9th day of September, 2021, by and between the Downtown Manhattan Beach Business Improvement District (“DISTRICT”), the City of Manhattan Beach (“CITY”), and the Downtown Manhattan Beach Business & Professional Association (“ASSOCIATION”) (collectively, the “Parties”).

RECITALS

- A. The City Council of the City of Manhattan Beach established a Business Improvement Area known as the Downtown Manhattan Beach Business Improvement District pursuant to Section 36500 et seq. of the California Streets and Highway Code (“Act”), by and through the adoption of Ordinance No. 1989 on October 6, 1998. That Ordinance authorized the levy of a special assessment to support improvements within the DISTRICT.
- B. On September 9, 2021, the City Council adopted Resolution No. 21-0075 overriding protests and providing for the collection of assessments within the DISTRICT for improvements and activities to be conducted during Fiscal Year 2021-2022.
- C. Pursuant to the Ordinance, assessments have been levied by the CITY upon the various businesses located within the DISTRICT.
- D. Said assessments are collected by the CITY and shall be used only for the benefit of the DISTRICT.
- E. The funds collected pursuant to the assessment shall be used to provide the services identified in the Downtown Manhattan Beach Business & Professional Association’s “Business Improvement & Activity Plan,” July 2021 attached hereto as Attachment “1” and incorporated herein.
- F. Due to the COVID-19 pandemic, the Parties have been delayed in preparing and executing this Agreement.

NOW, THEREFORE, in consideration of the recitals, mutual promises, covenants, representations and agreement set forth below, the Parties hereby promise, covenant, agree and represent as follows:



Section 1. TERM OF AGREEMENT

1.1 The term of this Agreement shall be from July 1, 2021 through June 30, 2022.

Section 2. ASSOCIATION RESPONSIBILITIES.

2.1 The ASSOCIATION or an agent of the ASSOCIATION shall render professional services and shall cooperate with the DISTRICT to provide work program coordination consisting of program development and implementation, program administration, and financial reports.

2.2 The ASSOCIATION shall submit to the DISTRICT program plans and reports, including the following:

**Proposed Program Report**

A program plan detailing services to be provided and operational/program budgets for each fiscal year. The report shall be submitted 30 days prior to the end of each fiscal year outlining the plans, goals and budgets for the ensuing fiscal year. The report shall include all documentation as required by Section 36533 of the Act, as well as all other pertinent provisions of the Act.

**Quarterly Reports**

The ASSOCIATION shall provide the CITY with updated quarterly reports outlining revenue and expenditures for the quarter. These reports shall be submitted to, and reviewed by, the Chairperson of the Downtown Manhattan Beach Advisory Committee & the CITY.

**End of Year Report**

The ASSOCIATION has submitted to the CITY a complete end-of-year report which includes the following:

- A) A full disclosure financial statement including supporting documentation of all expenditures covering the period from July 1, 2020 to June 30, 2021.
- B) A statement by the President of the Downtown Manhattan Beach Business & Professional Association certifying that staff time expended and payment requested was for services performed in accordance with the provisions of this Agreement.

2.3 The ASSOCIATION shall administer the entire program in a prudent manner, within the parameters of the work program and budget approved by the City Council through the adoption of Resolution No. 21-0059, a Resolution of Intention, on August 3, 2021. The ASSOCIATION assumes full responsibility for contracting support services as required, and paying for all such direct out-of-pocket expenses as may be necessary for the timely completion of work. Obligations or expenditures for items not budgeted shall not be paid through assessments collected by the DISTRICT.

- 2.4 The Chairperson of the Downtown Manhattan Beach Business Improvement District Advisory Committee or his or her designee shall have the authority to make reasonable budget and program adjustments, not to exceed 15 percent of the total budget, between the program elements as necessary, and as limited by the total annual budget for the DISTRICT. Any budgetary changes in excess of 15 percent must be reviewed and approved by the entirety of the Downtown Manhattan Beach Business Improvement District Advisory Committee.

For fiscal year 2021-2022 the program elements shall include:

- A. Parking, Transportation & Community Programs
  - B. Marketing & Advertising
  - C. Promotions & Special Events
  - D. Professional Management & Communications
- 2.5 The disbursement of funds to the ASSOCIATION does not constitute approval by the CITY for any individual project or program that requires City Council and/or Planning Commission approval, requires use of CITY property or requires appropriate permits/approval from the CITY or any other governmental agency.
- 2.6 The Advisory Board of the DISTRICT shall be responsible for preparation of a Resolution of Intent to continue the establishment of the Business Improvement District and the levying of assessments for the next fiscal year. The Advisory Board shall participate in the public hearing process and make any recommendations to modify boundaries, benefit zones, methodology and activities.

Section 3. CITY RESPONSIBILITIES.

- 3.1 The CITY shall be responsible for collection of assessments, for effecting the collection of delinquent assessments, and for authorizing the disbursement of funds collected by the CITY, on behalf of the DISTRICT, to the ASSOCIATION.
- 3.2 The CITY shall review the ASSOCIATION'S quarterly progress reports and end-of-year financial report.

Section 4. DISBURSEMENTS.

- 4.1 Upon the execution of this Agreement, the DISTRICT shall disburse monies from the Downtown Business Improvement District assessments to the ASSOCIATION, as approved by the City Council on September 9, 2021.

Section 5. NOTICES.

- 5.1 Notice to the parties shall, unless otherwise requested in writing, be sent to:

DISTRICT: Chair, Downtown Manhattan Beach Business Improvement  
District Advisory Committee  
Attn: Mr. Mike Zislis  
321 12<sup>th</sup> Street, Suite 112  
Manhattan Beach, CA 90266

CITY: City of Manhattan Beach  
Attn: Steve S. Charelian, Finance Director  
1400 Highland Avenue  
Manhattan Beach, CA 90266

With one copy to: City of Manhattan Beach  
Attn: City Manager  
1400 Highland Avenue  
Manhattan Beach, CA 90266

ASSOCIATION: Downtown Manhattan Beach Business & Professional Assoc.  
Attn: Jill Lamkin  
PO Box 3298  
Manhattan Beach, CA 90266

Section 6. CONFLICT OF INTEREST

6.1 For the duration of this Agreement, the DISTRICT or its employees will not act as consultant or perform services of any kind for any person or entity in regard to the CITY without the prior written consent of the CITY.

Section 7. COST RECORDS.

7.1 In accordance with Generally Accepted Accounting Principles, the ASSOCIATION shall maintain full and complete records of services performed under this Agreement. Such records shall be open to inspection by the DISTRICT at any time.

7.2 The records maintained by the ASSOCIATION shall include all receipts for expenditures incurred. The DISTRICT reserves the right to perform a contract compliance audit at least once annually. The DISTRICT shall pay the cost of such an audit. The ASSOCIATION agrees to keep all receipts and other supporting documents available for inspection for a period of two years.

Section 8. FINANCIAL POLICIES

8.1 To maintain fiduciary responsibility, the ASSOCIATION shall, at all times, comply with its established financial policies.

Section 9. EQUAL OPPORTUNITY PROGRAM

9.1 Nondiscrimination and Affirmative Action. The ASSOCIATION shall comply with the applicable nondiscrimination and affirmative action provisions of the laws of the United States of America, the State of California, and the City of Manhattan Beach. In performing this Agreement, the ASSOCIATION shall not discriminate in its employment practices against any employee or applicant for employment because of such person's race, religion, national origin, ancestry, sex, sexual orientation, age, physical handicap, marital status or medical conditions. The ASSOCIATION shall also comply with all rules, regulations, and policies of the United States of America, the State of California and the City of Manhattan Beach, relating to nondiscrimination and affirmative action, including the filing of all forms required by said agencies. Any subcontract entered into by the ASSOCIATION relating to the agreement, to the extent allowed hereunder, shall be subject to the provisions of this paragraph.

Section 10. AMENDMENTS

10.1 The ASSOCIATION may periodically request a change in the scope of services of the contract to be performed hereunder. Such changes, which are mutually agreed upon by and between the DISTRICT and the ASSOCIATION, shall be incorporated in written amendments to this Agreement. This agreement may not be amended except in writing by mutual agreement of both parties. A failure to object to a breach of this Agreement shall not constitute an amendment thereof, and it shall not waive any future breach of the agreement.

Section 11. ASSIGNMENT

11.1 Neither this Agreement, nor any portion thereof, shall be assigned by ASSOCIATION without prior written consent of DISTRICT.

Section 12. PRESERVATION OF AGREEMENT

12.1 Should any provisions of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable.

Section 13. ENTIRE AGREEMENT

13.1 This agreement supersedes any and all other agreements, either oral or in writing, between the parties with respect to the subject matter herein. Each party to this Agreement acknowledges that representations by any party not embodied herein, and any other agreements, statements or promises concerning the subject matter of this Agreement, not contained in this Agreement, shall not be valid and binding. Any modification of this Agreement will be effective only if it is in writing signed by all parties. Any issues with respect to the interpretation or construction of this Agreement are to be resolved without resorting to the presumption that ambiguities should be construed against the drafter.

Section 14. AUTHORIZATION TO EXECUTE AGREEMENT

14.1 The Chair of the Downtown Manhattan Beach Business Improvement District & the President of the Downtown Manhattan Beach Business & Professional Association declare that they are authorized to execute this Agreement on behalf of the parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date first written above.

DISTRICT:

DocuSigned by:  
*Mike Eistis*  
CACBF12A80F54C6...  
Chair, Downtown MB Business Improvement District

ASSOCIATION:

DocuSigned by:  
*Jill Lamkin*  
B362389F8AFF453...  
President, DMBBPA

CITY:

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
*City Attorney, Quinn Barrow*  
C6CC9C5685B24EB...  
City Attorney

APPROVED BY FINANCE DEPARTMENT:

DocuSigned by:  
*Steve Chavelian*  
1A2E390F2B9C494...  
Finance Director



**Business Improvement District**  
**DOWNTOWN MANHATTAN BEACH**  
**BID BOARD ROSTER**  
**2021-2022**

Michael Zislis – President - Restaurant

Ron Koch - Past President

John Altamura – Real Estate

Ric Arrigoni – Hair Salon

Kevin Barry - Restaurant

Linda McLoughlin Figel - Retail

Maureen McBride - Retail

Greg Newman - Restaurant

Matt Smith – Medical/Dental

Chandra Shaw – Personal Services/Spa



**DOWNTOWN MANHATTAN BEACH  
BUSINESS IMPROVEMENT DISTRICT**

Business Improvement & Activity Plan  
July 2021

*Prepared by the **Downtown Manhattan Beach Business & Professional Association**  
pursuant to the State of California  
And the Parking and Business Improvement Area Law of 1989  
to maintain the Business Improvement District for  
Downtown Manhattan Beach, California.*

**DOWNTOWN MANHATTAN BEACH  
BUSINESS IMPROVEMENT DISTRICT  
INFORMATION AT-A-GLANCE**

This Business Improvement District has been in existence since April of 1969 under the authority of the “Parking and Business Improvement Area Law of 1965”. This law was restrictive with respect to the use of funds. In 1989 the State Legislature adopted Senate Bill 1424, “Parking and Business Improvement Area Law of 1989”. In 1998 a group of concerned merchants and a growing coalition of downtown stakeholders, developed the proposal to establish a new Downtown Manhattan Beach Business Improvement District (BID) under the new legislation. In October 1998, that legislation was approved and adopted as City Ordinance No. 1989. In January 1999, the BID contracted with the Downtown Manhattan Beach Business & Professional Association (DBPA), a 501 (c) 6 not-for-profit corporation established in 1985, to provide specific benefits to the members of the BID.

***Location:*** The Existing Business District of Downtown Manhattan Beach.

***Stakeholders:*** Downtown Businesses - All business license holders in the Downtown area except commercial property owners.

***Improvements  
And Activities:***

- A. Parking, Transportation & Community Programs
- B. Marketing & Advertising
- C. Promotions & Special Events
- D. Professional Management & Communications

***Method of  
Financing:***

Benefit-based assessments on City Business License Tax.

***Assessment:***

Based on the existing assessment. An 80% surcharge on the City Business License Tax not to exceed \$600.

***Collection of  
Assessment:***

The fees are collected in March/April of each year and disbursed through contract, to the Downtown Manhattan Beach Business & Professional Association (DBPA).

***Governance:***

**Advisory Board:** Annual recommendations on Downtown Manhattan Beach Business Improvement District (BID) budgets and assessments will be submitted to the Manhattan Beach City Council by a seven–nine (7-9) member Advisory Board composed of business owners located within the boundaries of the BID. The Advisory Board will also monitor the delivery of improvements and activities, which will be the day-to-day responsibility of the Downtown Manhattan Beach Business and Professional Association (DBPA).



Business owners that are assessed within the BID, and, per State law, appointed by the Manhattan Beach City Council can nominate members of the Advisory Board.

Representation should consist of businesses on Manhattan Beach Boulevard, Manhattan Avenue and Highland Avenue. It should also contain a mix of retail, service and restaurants.

It is anticipated that the Advisory Board will meet at least once annually.

**Downtown  
Association:**

The BID will contract with the DBPA to carry out improvements and activities described in the Plan, as well as the day-to-day operations. In delivering BID improvements and activities, the DBPA will aim to meet the following objectives:

- Maximize coordination with the City and other civic organizations to leverage resources;
- Deliver programs through a cost-effective and non-bureaucratic organization that features one executive director that works for all Downtown Manhattan Beach stakeholders;
- Provide for accountability to business owners who pay assessments.

***Maintaining the  
District:***

The City Council can maintain the district by adopting a Resolution of Intention. A public hearing shall be held not less than 20 or more than 30 days after the adoption of the Resolution of Intention. If there is not written protest from owners representing over 50% of the assessments to be paid, the BID assessment will continue.

***Benefits  
Of the District:***

The BID costs no more than the prior assessment and allows the district's funds to be self-governed and to go beyond parking issues.

The BID allows for integrated marketing efforts such as cooperative promotions, advertising and publishing downtown directories and calendars of events.

The DBPA provides key promotional and organizational support through a variety of functions that directly benefit its ratepayers as well as the City. Such as:

- Creating a public/private partnership to manage the Downtown environment to ensure high standards for signage, security, maintenance, parking and marketing;
- Increasing sales and revenues throughout the district as well as tax and parking revenue to the City;
- Advocating Downtown interests and for the City at large;
- Establishing and implementing a Downtown vision, an image of a thriving city center that reflects the good health and economic vitality of the entire city, making the city an attractive venue for businesses;
- Assisting the City in policy making, administration and implementation of City programs;
- Streamlining communications and saving time and energy, by providing the City with a single, unified Downtown entity.

**Business Improvement District**

**DOWNTOWN MANHATTAN BEACH**

**BID Advisory Board Annual Meeting Minutes**

**Tuesday June 8, 2021**

**Zoom Video Conference**

**Attendance 2021-2022 Board Members**

**Present:**

Michael Zislis, Zislis Group  
John Altamura, Altamura Real Estate Group  
Kevin Barry, Investor MB Post  
Linda McLoughlin Figel, {pages: a bookstore}  
Maureen McBride, Tabula Rasa Essentials  
Matt Smith, Summer Orthodontics  
Mike Simms, Simms Group (current DBPA President)  
Jill Lamkin, DBPA Executive Director

Jill gave a brief introduction and Michael Zislis called the meeting to order at 9:11am. The agenda was reviewed, and feedback or changes were requested; there were none.

**Reviewed Strategies & Goals for 2021-2022**

- **Propose and Potentially Implement Permanent Outdoor Dining**
  - Consensus was that permanent outdoor dining is in the best interest of the BID and the residents.
  - Need to request businesses' quarter over quarter sales data for 2019 and 2021
    - Overall sales
    - Number of transactions
    - Average transaction size
  - Need to consider construction impact on businesses
    - Permanent decks would not damage public right of way
    - Estimated 2-6 weeks to build
    - Decks would be completed on individual timelines based on developing plans and putting through the permitting process
    - Sidewalk cuts to take gas and electrical to decks would create approximately 3-day impact (metal plates put in place after hours)
    - Preferred timeline for construction: Q1 2022 or Q2 2022
  - Funds collected for use of public right of way in Downtown should stay in BID to be used for security, beautification, cleanliness, shared transportation, etc. Funds should be used for something that benefits all businesses. Not acceptable for it to go into the General Fund.
  - Create a statement for DBPA membership approval: I support the City of Manhattan Beach beginning a public process to explore permanent outdoor dining in Downtown Manhattan Beach.

- This will allow an opportunity for more robust conversation between residents, businesses and the City.

### **Reviewed Downtown Beautification Objectives**

- Build a solid relationship with the new Director of Public works and partner together to identify areas of improvement and timelines for cleanliness, general repairs, etc.
- Work toward implementing new wayfinding and parking signage
- Complete re-landscaping project with previously allocated funds.
- Continue to research potential lighting solutions.
- Develop resident/business/staff awareness of cleanliness and feeling of “ownership” of everyone
- Continue to monitor and document service levels to ensure they are achieved.

### **Discussed Parking/Transportation Strategies**

- Downtowner Proposal
  - Proposal includes mixture of 3 Gem cars and 3 Chevy Bolts
  - Gems would service all of MB west of Sepulveda; Bolts east of Sepulveda
  - Operational hours of 11am-11pm Memorial Day to Labor Day; 4pm-10pm other months (11,106 annual service hours)
  - Need close examination of ridership metrics to see most efficient hours
  - Setup costs: \$43K
  - Year 1 operation costs: \$589,000
  - Board would like Downtowner to provide information regarding:
    - How much annual revenue can be generated by ads?
    - How much could be charged to sponsor a vehicle?
    - What grants might be available for green transportation initiatives?
    - How much cost could be offset with charging minimal rider fees of \$5?
    - Can we offset with funds from North Manhattan Beach?
    - If the two BIDs contribute, could we offer free rides or \$1/pp to those areas?
    - Is it possible to consider the new electric VW bus?
  - Could parking rates be raised to cover costs? Ex: Laguna parking rates are \$2.50-\$3/hour; Vail funded with \$8/hour rates
  - What is the DBPA contribution?
  - Funding sources: increase in parking rates, advertising, rider fees, DBPA
  - Jill to continue to work on proposal details with Downtowner and look for additional vendors
- Discussed options for off-site Employee Parking
  - Manhattan Village - \$4/space/day
  - Northrop Grumman – not available
  - Kinecta - \$100/space/month
  - All would require a shuttle @ approximately \$75/hour through ZIIP
  - Still trying to connect with MBUSD regarding Pacific parking lot
  - Based on hours stated by restaurants, 8 hours/day needing shuttle to go back and forth

- Price/hour of Dial-a-Ride – unknown but it's paying for staffing of City employee
- Don't want to ask City for additional funds for now
- Create additional bike solutions
  - Working with Traffic Engineer and Public Works to identify and install additional bike racks throughout Downtown
  - Working to determine logistics of bike valet to mitigate parking issues
  - Continue pushing installation of parking count display for Metlox
  - Continue to promote locals biking, walking and ride-sharing to reduce parking issues

### **Marketing Plan to Focus on Retail and Services**

- Refresh directory housings, maps and add QR code
- Research options and pricing for digital directories
- Print & distribute postcards with QR codes that take users directly to our website
  - Distribute to MBPD, CSC, businesses
  - Ask restaurants to add them to their to-go orders
  - Provide to Chamber of Commerce and local hotels
- Determine feasibility of an illustrated map of retail/service businesses
- Encourage restaurant and retail/service partnership
- Work on ways for businesses to share dining decks during “off” hours
- Use DBPA Board as Ambassadors to begin a “neighborly” campaign so businesses become familiar with what each other offers so employees can direct visitors and make recommendations to other businesses.

Reviewed Proposed DBPA Budget for 2021-2022 via email. On July 15, 2021, Mike Zislis made a motion to approve the budget. The vote was unanimously approved.

### **General Notes**

Michael Zislis made a motion to contract with the DBPA to carry out the day-to-day improvements and activities described in the Plan and distribute the funds in a way that represents the entire Downtown Manhattan Beach BID. Kevin Barry seconded the motion and the motion was passed unanimously.

A new proposed budget for 2021-2122 is submitted reflecting the significant impact on revenue due to COVID. A Resolution of Intent, when provided to the BID, will be endorsed and sent to the City of Manhattan Beach and brought before the City Council for review.

Respectfully submitted by:

Jill Lamkin  
 Executive Director  
 Downtown Manhattan Beach Business & Professionals Association

END

## ACHIEVEMENT vs. ACTIVITY PLAN 2020-2021

### A. Work with City on COVID Relief Measures to Assist Businesses

**Goal:** DBPA is directed to meet with the City's Finance Committee to discuss Business License Tax calculations and adjustments.

**Achievement:** After meeting with the Finance Subcommittee, the DBPA conducted a membership vote that was unanimously approved to explore the possibility of revising the BLT calculation to more equitably tax small and large businesses. The tax has remained mostly unchanged since its inception, which included a cap of \$10,000, which equates to about \$5M in sales. At the time of implementation, \$5M was likely a high cap, however Apple Stores conservatively average \$23M/month in sales pay the max of \$10K, the same as many independently owned small businesses in Manhattan Beach. Ongoing effort.

**Goal:** DBPA is directed to support and promote outdoor dining as long as possible, not only as a substitute for indoor seating, but also as a means to regain losses suffered by months of closure.

**Achievement:** City Council has supported all requested use of right of way space for our restaurants.

**Goal:** DBPA is directed to work with City Staff/Council Subcommittee to:

- Identify potential new traffic/parking strategies to most effectively utilize streets and parking for outdoor dining and retail use. **Achieved.**
- Eliminate rental costs for parking spaces to allow all businesses the opportunity to expand outdoors. **Achieved.**
- Determine cooperative initiatives to drive business to the BID. **Achieved.**
- Immediately allow all applicants the ability to use adjacent walk streets for commercial use. **Sidewalks were approved instead of walk streets.**
- Explore remote parking and shuttle options for beach or employee parking (including City employees). **Many options explored; two have come to fruition for restaurant employees at American Martyr's and Pacific Elementary.**
- Brainstorm opportunities for businesses to operate outdoors in public spaces, such as hair and nail salons, fitness studios or other services. **There have been a few partnerships that have worked, such as a wine tasting on a dining deck during the restaurant's off hours, but sharing the space has proven more difficult than we thought due to the equipment stored on the decks. Continuing to work on ideas.**
- Regularly brainstorm, create and implement ideas that will support and maintain a healthy business community in response to COVID. **Implemented the Feed the Heroes program that raised over \$126,000 from residents that allowed the DBPA to purchase food prepared by Downtown restaurants to be delivered to two local hospitals for healthcare workers.**

- Allow flexibility in operational hours when and where it makes sense. **Worked with the Ad Hoc Committee to determine opening hours for outdoor dining decks.**
- Collaborate to identify activities or entertainment (as allowed) that would enhance the Downtown environment. **None were allowed.**

**Goal:** DBPA is directed to collaborate with City resources and the Chamber of Commerce to create a coordinated Shop Local campaign. This should include the need for locals to spend locally but also to promote the level of service provided by local businesses as well as the enhanced benefits of shopping and dining in our vibrant community. **Achieved.**

## **B. Downtown Manhattan Beach Lighting and Beautification**

### **Lighting**

**Goal:** Increase ambiance Downtown with new lighting.

**Achievement:** The DBPA allocated \$20,000 to purchase LED lights to be installed and maintained by the City of Manhattan Beach Public Works Department. Research was done and it was determined that the most practical first step is to install lights in the trees where power exists (non-palm trees). Lights were installed by Public Works in October 2020.

### **Beautification**

**Goal:** Enhance landscaping, seating and walkway options throughout the District.

**Achievement:** The DBPA created and submitted plant diagrams we recommend for each planter and allocated \$20,000 to purchase plants to be installed and maintained by the City of Manhattan Beach Public Works Department. It was determined that more research and planning was required. The new Public Works Director, Merchants Landscaping and the DBPA Executive Director have a verbal agreement on the plan and are awaiting the written agreement from Public Works.

## **C. Parking and Transportation Strategies**

**Goal:** Request final implementation of smart parking technology originally installed during construction of the Metlox parking structure. This technology should be utilized with parking space count displays at both entrances to the structure. This would eliminate the unsafe and unhealthy circling of vehicles in the garage looking for spaces that are not available.

**Achievement:** DBPA met with Public Works again to finalize the installation plan. Kiosks have been installed, parking spaces have been numbered and the parking count signs have been ordered. Implementation is projected for September.

**Goal:** Allow immediate Permit Parking access to the approximately 75 parking spaces previously allocated to dealer.com in Lot 1.

**Achievement:** Complete.

**Goal:** Request dedicated rideshare and taxi loading zones. Streets within the BID experience unnecessary congestion when ride share vehicles stop in the middle of a street or in front of a specific business, creating both a safety issue and traffic problems.

**Achievement:** Complete.

**Goal:** Continue to work with the City to explore options similar to the Downtowner EV shuttles.

**Achievement:** The DBPA has obtained a new proposal from the Downtowner to offer a combined electric vehicle service that could serve the entire city of Manhattan Beach. A meeting with a second vendor, Circuit, who services multiple Southern California cities is scheduled for July 19, 2021. If they are deemed a fit for our needs, a second proposal will be requested.

#### **D. Support Weekly Manhattan Beach Certified Farmers' Market**

**Goal:** Continue to increase revenue of Farmers Market to support additional initiatives within the BID.

**Achievement:** Worked with Farmers Market Operator to safely operationalize a modified market during COVID. Our sales are nearly back to pre-pandemic numbers.

#### **E. Community Marketing Partners**

**Goal:** Beginning in 2020-2021, the DBPA will create paid marketing partnerships with local organizations that are mutually beneficial, instead of providing cash donations. Some examples of marketing partnerships we have pursued are MBEF, Growing Great and the Roundhouse Aquarium.

**Achievement:** Complete. In 2020 MBEF was our only Community Marketing Partner due to the mutually beneficial events we were able to schedule and support, like the Support our Schools Shopping Day.

#### **F. Marketing & Advertising - Ongoing**

**Goal:** The DBPA is directed to continue with marketing programs that benefit all businesses in the BID, including:

- Creating and distributing materials in print, social media, posters, banners
- Participating in local visitor and destination guides; partnering with local hotel concierges (when travel resumes post COVID)



- Maintaining the website and email databases to ensure promotion and ease of use for public and businesses.
- Working in tandem with the Chamber of Commerce and their various advertising and marketing mechanisms, such as the Chamber Map and Destination Guide as well as seek their continued support in marketing and promotion of Downtown businesses.

**Achievement:** Ongoing effort.

## **G. Promotions & Special Events**

**Goal:** The BID believes the Holiday Open House has been a tremendous success in bringing together the community and our Downtown Businesses. The BID directs the DBPA to consider adding an additional event this year.

**Achievement:** DBPA has agreed to co-host the annual MBPD Car Show that benefits our local K-9 Foundation. We will provide sponsorships, marketing and operations assistance to the show while encouraging participants to patronize our businesses to ensure a mutually beneficial event.

### **Goal:**

- Sponsor (3) annual “Sidewalk Sales” to promote Downtown merchants
- Operate Sunset Beach Party at the AVP/MB Open with a portion of proceeds being donated to the Roundhouse Aquarium educational programs
- Conduct weekly Farmers Market and monthly Chef demos, business promotion booths
- Host the “Holiday Open House together with the Pier Lighting to kick-off the holiday shopping season
- Continue to work with the ‘Beach Events’ such as 6-Man/International Surf Festival, Catalina Paddleboard & Manhattan Open to ensure the downtown benefits from the events and that communications regarding street and parking impacts are effectively communicated to businesses.

**Achievement:** Three sidewalk sales occurred, but the DBPA pivoted to encourage online sales and delivery options due to COVID restrictions. In lieu of the Holiday Open House, the DBPA sponsored the Joy Ride, a branded golf cart that hosted a Santa drive-by in November as well as provided businesses with an opportunity to deliver gifts with a festive touch. All other events were cancelled due to COVID.

## **H. Professional Management & Communications**

**Goal:** The DBPA is directed to continue to meet with and provide regular, professional and effective communications with the MB Residents’ Association, various City employees, Department Directors, MBPD/MBFD, City Council, DBPA membership and the BID Board.

**Achievement:** Ongoing effort.

**Goal:** The DBPA is directed to continue to provide affordable resources to businesses within the BID to assist with government mandated training or HR related issues through private vendors or coordination with the Chamber of Commerce, as well keep members apprised of important issues affecting their businesses.

**Achievement:** Ongoing effort.

**Goal:** The DBPA is directed to maintain professional management to ensure this cohesive Business Improvement and Activity Plan is implemented and continued maintain professional management to ensure this BID Activity Plan is implemented and that new businesses in the District are welcome and their participation is invited to ensure an economically thriving Downtown.

**Achievement:** Ongoing effort.

## **BID ACTIVITY PLAN 2021-2022**

### **A. Permanent Outdoor Dining**

**Goal:** Propose and potentially implement permanent outdoor dining in the BID.

### **B. Downtown Manhattan Beach Lighting and Beautification**

**Goal:** Finalize purchase by DBPA (with previously allocated funds) and installation by Merchants/Public Works for landscaping in 28 identified planters throughout the BID.

**Goal:** Build a solid relationship with the new Director of Public works and partner together to identify areas of improvement and timelines for cleanliness, general repairs, etc.

**Goal:** Work toward implementing new wayfinding and parking signage

**Goal:** Continue to research potential lighting solutions.

**Goal:** Continue to monitor and document service levels to ensure they are achieved.

### **C. Parking and Transportation Strategies**

**Goal:** Obtain at least two vendor proposals to provide electric vehicle shared ride services throughout the City of MB and present to Council for combined and shared implementation.

**Goal:** The DBPA is directed to continue to explore opportunities to provide event/employee/beach event shuttle (with parking located outside of Downtown) and/or ride share codes to attendees and staff.

**Goal:** Work with Traffic Engineer and Public Works to identify and install additional bike racks throughout Downtown.

**Goal:** Determine logistics of a bike valet to mitigate parking issues.

**Goal:** Continue pushing installation of parking count displays for Metlox.

**Goal:** Continue to promote locals biking, walking and ride sharing.

### **D. Implement Marketing Plan to Focus on Retail and Service Businesses**

**Goal:** Refresh directory housings, maps and add QR Code; research and recommend installing digital directories. Determine feasibility of illustrated retail map.

- **Goal:** Print & distribute postcards with QR codes that take users directly to our website
  - Distribute to MBPD, CSC, businesses
  - Ask restaurants to add them to their to-go orders
  - Provide to Chamber of Commerce and local hotels

**Goal:** Encourage retail, restaurant and service partnerships and referrals & encouraged sharing outdoor dining decks during “off” hours.

**Goal:** Work with DBPA to serve as Ambassadors to all businesses to encourage participation in the organization and a “neighborly” campaign. This would allow businesses to become familiar with what each other offers so employees can direct visitors and make recommendations to their customers to visit others.

## **E. Marketing & Advertising - Ongoing**

**Goal:** The DBPA is directed to continue with marketing programs that benefits all businesses in the BID, including:

- Create and distribute materials in print, social media, posters, banners
- Visitor and destination guides; hotel concierges (when travel resumes post COVID)
- Maintain the website and email databases to ensure promotion and ease of use for public and businesses.
- Maintain social media presence and increase number of social media followers, as of 7/19/20: Instagram – 18.7K; Twitter – 2,986; Facebook – 8,524
- Work in tandem with the Chamber of Commerce and their various advertising and marketing mechanisms, such as the Chamber Map and Destination Guide.

## **F. Promotions & Special Events - Ongoing**

**Goal:** The DBPA is directed to successfully promote and execute any Special Events that would make sense and work to ensure the events support our businesses.

**Goal:**

- Sponsor (3) annual “Sidewalk Sales” to promote Downtown merchants
- Operate Sunset Beach Party at the AVP/MB Open with a portion of proceeds being donated to the Roundhouse Aquarium educational programs
- Conduct weekly Farmers Market and monthly Chef demos, business promotion booths
- Host the “Holiday Open House together with the Pier Lighting to kick-off the holiday shopping season
- Continue to work with the ‘Beach Events’ such as 6-Man/International Surf Festival, Catalina Paddleboard & Manhattan Open to ensure the downtown benefits from the events and that communications regarding street and parking impacts are effectively communicated to businesses.

## **G. Professional Management & Communications - Ongoing**

**Goal:** The DBPA is directed to continue to meet with and provide regular, professional and effective communications with the MB Residents' Association, various City employees, Department Directors, MBPD/MBFD, City Council, DBPA membership and the BID Board.

**Goal:** The DBPA is directed to continue to provide affordable resources to businesses within the BID to assist with government mandated training or HR related issues through private vendors or coordination with the Chamber of Commerce, as well keep members apprised of important issues affecting their businesses.

**Goal:** The DBPA is directed to maintain professional management to ensure this cohesive Business Improvement and Activity Plan is implemented, that new businesses in the District are welcome and their participation is invited to ensure an economically thriving Downtown and that the BID Board is aware of larger concerns and opportunities such as parking and revenue streams.

## ACTIVITY PLAN BUDGET

### I. INCOME

#### 2021-2022 Operating Budget

**\$281,307** total income has been budgeted.

This fiscal year's operating budget breakdown of income for the Downtown Manhattan Beach BID is outlined below.

#### BID Contribution

**\$70,000** has been budgeted.

The assessment methodology is a surcharge on the City of Manhattan Beach Business License Tax. Calculation of individual assessments for one year is determined by one factor; an 80% surcharge on the business license tax, not to exceed \$600.00.

#### DBPA Event Income

**\$10,000** projected income for the Holiday Open House/Pier Lighting

HOH income is a suggested \$100 contribution from each business and is allocated towards entertainment and activities that evening as well as Small Business Saturday and December Advertising.

#### Farmers Market Sales

**\$199,800** projected income in total sales (market sales, merchandise, additional vendors, Carrot Coins and other sources).

### II. FISCAL YEAR CAPITAL PLANS

**Net income for 2021-2022 was \$34,221 contributing to the total equity of \$224,908, of which approximately the following \$112,068 is allocated:**

- \$37,068 in BID reserves
- \$20,000 is allocated towards Beautification (landscaping)
- \$25,000 is appropriated for potential Parking and Transportation initiatives
- \$30,000 is allocated toward potential digital directory implementation

### III. EXPENSES

#### 2021-2022 Operating Budget

\$255,858 is the Activity Plan budget

- **Professional Management & Administration (Rent, Supplies, Insurance, Accounting, Permits, Utilities, Security Patrol, etc.):**  
\$115,029 is provided which accounts for 45% of the budget
- **Farmers Market Operations:**  
\$81,946 is projected, comprising approximately 32% of the budget
- **Marketing, Advertising:**  
\$56,684 is projected, comprising 22% of the budget
- **Electric Vehicle Shuttle Service:**  
\$25,000 is budgeted, comprising 10% of the budget
- **Lighting/Beautification/Landscape**  
\$36,658 is projected, comprising 14% of the budget
- **Special Events:**  
\$16,950 is projected, comprising 7% of the budget (does not include advertising or marketing associated with events)
- **Budgeted Deficit (30%):**  
\$-76,409 is budgeted due to reduced BID and Farmers Market Income. This can be offset by changing capital expenditures or drawing from retained earnings.







**Agenda Date:** 9/9/2021

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**TO:**

Honorable Councilmember and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

George Gabriel, Assistant to the City Manager

**SUBJECT:**

Request by Councilmember Hadley and Councilmember Montgomery to Discuss Establishing a Dedicated Homeless Outreach Housing Navigator and Reserving Beds for Manhattan Beach (City Manager Moe).

**DISCUSS AND PROVIDE DIRECTION**

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**RECOMMENDATION:**

Staff recommends that the City Council discuss and provide direction regarding establishing a dedicated homeless outreach housing navigator and reserve beds for Manhattan Beach homeless.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action for Council to discuss and provide direction. The estimated costs of the various options presented are identified in this report. Should City Council direct staff to establish a dedicated homeless outreach housing navigator or reserve beds for Manhattan Beach, agreements and appropriations would likely need to return to the City Council for final approval, which will identify the specific costs.

**BACKGROUND:**

At the August 3, 2021, City Council meeting, Councilmember Hadley and Councilmember Montgomery requested staff agendize a discussion and analysis on:

- (1) Hiring a dedicated homeless outreach housing navigator; and
- (2) Reserving beds for Manhattan Beach homeless.

The City has taken an active role in addressing homelessness both strategically and regionally. In doing so, the City is doing everything possible to assist homeless individuals in obtaining the services needed and respecting their rights. Over the past three years the City of Manhattan

Beach has taken the following actions thus far:

- Approved the “Five-Year Plan to Address Homelessness in our Community” that created goals that align with the County of Los Angeles’s objectives;
- Appointed a Homelessness Liaison responsible for homelessness initiatives and concerns;
- Participated in the Greater Los Angeles Homeless Counts to assist with understanding the size and scope of homelessness. Fifteen individuals were counted in Manhattan Beach in 2020 (down from 41 individuals in 2018 and 21 in 2019);
- Created a Homelessness Task Force of 11 residents and stakeholders to assist in: 1) developing a proposal to obtain County Measure H funds, and 2) conducting community outreach/education on homelessness;
- Increased the number of mental health clinicians provided by the Los Angeles County Department of Mental Health available to the Manhattan Beach Police Department to address mentally ill homeless individuals;
- Created a “Homeless Outreach” unit in the Police Department, across daytime and graveyard shifts, to specifically address homeless calls for service;
- Created and distributed a Homeless Resource Guide and card that summarizes a variety of resources and phone numbers to refer to for residents and those experiencing homelessness;
- Received a \$330,666 grant from the County of Los Angeles to offer case management and coordination services to homeless individuals in the cities of Redondo Beach, Hermosa Beach, and Manhattan Beach.
- Executed a City Homelessness Plan Implementation Grant (i.e. South Bay Beach Cities Homelessness Project) contract with the County of Los Angeles that provides homeless coordination, case management and trainings in the beach cities of Manhattan, Hermosa and Redondo.
- In conjunction with the above grant, developed specifications in order to obtain proposals from qualified service providers to assist in moving people off the streets into interim and permanent housing. As a result, awarded a subcontract to a qualified homeless services firm, Harbor Interfaith Services (HIS), to provide:
  - A full-time Homeless Coordinator/City Liaison to leverage the cities’ fiscal and administrative resources to systematize, coordinate and help oversee multi-sectoral homeless efforts to enhance and expand regional access to services.
  - The development of internal city-level homelessness response protocols and beach city regional response;
  - Tailored training material and instructors to lead training sessions with staff;
  - An annual homelessness stakeholder roundtable/community meeting;
  - Two full-time Homeless Outreach Housing Navigator to assist homeless individuals and families by getting individual “document ready;” and make successful referrals to interim housing, treatment centers, and permanent housing.
- Approved a Memorandum of Understanding (MOU) between the City of Manhattan Beach, the City of Redondo Beach and the City of Hermosa Beach to implement the South Bay Beach Cities Homelessness Project for homeless coordination, housing navigation and training services;

- Developed a regional response document that focuses on the South Bay Beach Cities outreach response by creating a singular outreach process, identifying the role of key city departments/leads, establishing outreach protocol for persons experiencing homelessness, and providing a contact list of homeless services providers;
- Promoted the Los Angeles Homeless Outreach Portal (LA-HOP) web-based portal to make it easier to request coordinated county services for homeless individuals and ensure constituents can easily submit requests for homeless outreach;
- Explored contracting with a regional homeless shelter to assist homeless with immediate shelter options; and
- Conducted community and staff trainings to learn about the local response and partnerships forming to support people experiencing homelessness.

### **DISCUSSION:**

As requested by the City Council, staff will provide two respective analyses and tentative fiscal implications. These include: 1) Establishing a dedicated homeless outreach housing navigator and, 2) Reserving beds for individuals in our community experiencing homelessness.

#### Homeless Outreach Housing Navigator Dedicated to Manhattan Beach

As indicated in the background section of the report, the beach cities of Manhattan, Hermosa and Redondo Beach have regionally partnered to provide outreach resources and assist the regional homeless population utilizing County grant funds. This partnership is referred to as the “South Bay Beach Cities Homelessness Project.”

Through this project, the South Bay Beach Cities share two outreach navigators that assist homeless individuals and families by obtaining necessary documents and make successful referrals to interim housing, treatment centers, and permanent housing. The use of the outreach navigators has been successful and has offered the City a resource to assist our homeless population interested in housing opportunities.

The most recent South Bay Beach Cities Homelessness Project report (Attachment #1) summarizes progress made from November 2019 - July 2021 with data metrics specified. As indicated in the report, the homeless outreach housing navigator in Manhattan Beach has:

- Conducted street outreach serving 52 different individuals in 338 interactions (includes repeat contacts);
- Enrolled 18 individuals in eligible benefit programs and processed necessary documentation;
- Attained 7 interim housing placements (i.e. shelters);
- Attained 2 placements in substance abuse treatment programs; and
- Placed 10 individuals in stable housing units.

The homeless outreach housing navigator is a shared resource and as such, the time dedicated to each city is divided up between Manhattan Beach, Hermosa Beach and Redondo Beach. Typically, the housing navigator divides their time between outreach requests received and appointments to service homeless individuals. While the housing navigator provided by HIS is generally available in Manhattan Beach when requested, the homeless outreach housing navigator may have to prioritize other responsibilities or serve homeless individual in Hermosa

or Redondo Beach. Additionally, HIS has recently experienced staffing impacts consistent with labor shortages occurring across the country.

Should City Council direct staff to establish a dedicated homeless outreach housing navigator, the City would need to execute an agreement with a homeless services provider, such as Harbor Interfaith Service and appropriate funds at a future City Council meeting.

Staff estimates that a contracted homeless outreach housing navigator would cost \$64,390 annually. Annual costs include:

- Salary - \$43,000
- Tax/Benefits - \$12,470
- Administrative Fee - \$5,320
- Non Personnel Costs (mileage, office supplies, technology, etc.) - \$3,600

Alternatively, some cities have established a position for homeless housing navigation. Recently the Redondo Beach City Council adopted a resolution on August 17, 2021, creating the class specification for the Homeless Housing Navigator position (Attachment #2). The cost of the position is not identified in the report, but the recent job posting listed the salary as \$59,904.00 to \$72,912.00 annually, which would not include the cost of any additional benefits.

It should be noted that on August 10, 2021, the City of Manhattan Beach applied for a multi-jurisdictional grant for Measure H funding to the South Bay Cities Council of Government (SBCCOG). The grant application requested four homeless outreach housing navigators for the cities of Manhattan Beach, Hermosa Beach, Redondo Beach and El Segundo. If awarded the full amount, the City of Manhattan Beach would have a grant-funded and dedicated homeless outreach housing navigator beginning in January 2022. As indicated in the conclusion section of the report, City Council may choose to delay the decision on establishing a dedicated homeless outreach housing navigator until the SBCCOG grant award announcement (late October/early November).

#### Reserving Beds

Since 2019, staff has explored the availability of shelter beds (i.e. transitional housing) to house homeless individuals. Since that time, additional housing options have become available. These two options include: 1) SHARE! Collaborative Housing, and 2) Private Apartments owned by Swami International Property Mgmt. Should Council give direction to secure beds, Staff will obtain specific cost proposals. Additionally, staff would request City Council direction on the number of units/beds to purchase and the duration of those lease agreements.

##### 1. SHARE! Collaborative Housing

SHARE! Collaborative Housing partners with private homeowners to provide affordable permanent supportive housing in single-family homes to low-income men and women experiencing homelessness. Most residents receive various housing subsidies through homeless assistance agencies. Each house gets assigned a highly trained and talented Peer Specialist, which is a paid SHARE! staff member. The staff member provides support for each resident and for the house collectively to identify and achieve their goals and to assist with problem-solving and conflict resolution. Attachment #3 provides additional information and summarizes the program.

Any bed reserved by the City would need individual homeowner permission and subject to their terms as they are privately owned houses.

The cost of reserving one bed ranges from \$550 to \$950 per bed per month. Annually, costs would range from \$6,600 to \$11,400 depending on the location and unit. However, this housing is identified as permanent supportive housing and not transitional in nature. Therefore, costs may be incurred for a substantial time until the homeless individual is able to provide a living and housing solution for themselves.

## 2. Private Apartments

At their December 15, 2020, meeting, the Redondo Beach City Council approved leases and addendums with SWAMI International to house people experiencing homelessness in Redondo Beach (Attachment #4). The agreements are for five apartments located at 126 West D Street, Wilmington, CA 90744. Currently, the City of Redondo Beach pays \$750 per room (with a \$750 security deposit) for an annual cost of \$48,750.

Staff has reached out to the SWAMI International to explore a similar agreement. Currently, that building and associated prices are not available for rent. However, SWAMI International provided additional units for rent in various locations that are currently available. Each unit includes 1 bed and 1 bathroom but range at a higher price (\$1,200 - \$1,595 per month). On an annual basis, the cost would range from \$15,400 - \$20,140 (including the security deposit). Additionally, a homeless outreach housing navigator would need to be utilized to transition the individual into permanent housing over time. The City of Redondo Beach currently contracts with another homeless services provider, CityNet Inc. to provide housing navigation services. Costs of CityNet's services are likely to be similar to outreach costs describe above (approx. \$64,390).

## **CONCLUSION:**

Staff recommends that the City Council discuss and provide direction regarding establishing a dedicated homeless outreach housing navigator and reserving beds.

Based on the information provided, staff has provided some options for City Council consideration. These include:

1. Direct staff to return to the City Council with the necessary agreements and funding appropriations to:
  - a. Contract for a dedicated homeless outreach housing navigator;
  - b. Lease units/beds dedicated to homeless.
2. Direct staff to delay action on contracting for a dedicated homeless outreach housing navigator (Option #1A above) until the City is notified of potential award of Measure H grant funding by the SBCCOG (late October/early November).
3. Take no action.

## **LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

1. South Bay Beach Cities Homelessness Project Report - July 2021
2. City of Redondo Beach Report on Housing Navigator Classification
3. SHARE! Collaborative Housing Information
4. City of Redondo Beach Report on Leasing Private Units from SWAMI International



## Beach Cities Outreach Outcomes

November 2019 - June 2021

Reporting Period: July 2021

| Assessments, Interactions | This Month |    |    |       | From Contract Start to Date |    |    |       | Progress to Date |          |
|---------------------------|------------|----|----|-------|-----------------------------|----|----|-------|------------------|----------|
|                           | MB         | HB | RB | Total | MB                          | HB | RB | Total | Goal             | Progress |

**Street Outreach Interactions by City: Contacts in the field between Outreach / Housing Navigators and Clients**

|                        |    |   |    |    |     |     |     |      |  |  |
|------------------------|----|---|----|----|-----|-----|-----|------|--|--|
| Number of Clients      | 5  | 2 | 10 | 17 | 52  | 66  | 102 | 220  |  |  |
| Number of Interactions | 17 | 4 | 16 | 37 | 338 | 338 | 547 | 1223 |  |  |

**Clients Case Managed: Ongoing engagement centered around a housing plan**

|                            |          |          |           |           |           |           |           |           |  |  |
|----------------------------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|--|--|
| 1 - 4 (Priority Score 1)   | 0        | 0        | 0         | 0         | 0         | 0         | 3         | 3         |  |  |
| 5 - 7 (Priority Score 2)   | 2        | 0        | 0         | 2         | 3         | 0         | 1         | 4         |  |  |
| 8 - 11 (Priority Score 3)  | 1        | 1        | 1         | 3         | 7         | 6         | 12        | 25        |  |  |
| 12 - 17 (Priority Score 3) | 3        | 1        | 13        | 17        | 9         | 17        | 39        | 65        |  |  |
| <b>Totals:</b>             | <b>6</b> | <b>2</b> | <b>14</b> | <b>22</b> | <b>19</b> | <b>23</b> | <b>55</b> | <b>97</b> |  |  |

**Clients Assessed (By Acuity Score): CES Surveys conducted with Clients by Beach Cities Outreach staff**

|                            |          |          |          |          |           |           |           |           |            |            |
|----------------------------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|------------|------------|
| 1 - 4 (Priority Score 1)   | 0        | 0        | 0        | 0        | 0         | 0         | 0         | 0         |            |            |
| 5 - 7 (Priority Score 2)   | 0        | 0        | 0        | 0        | 2         | 0         | 0         | 2         |            |            |
| 8 - 11 (Priority Score 3)  | 0        | 0        | 0        | 0        | 7         | 8         | 9         | 24        |            |            |
| 12 - 17 (Priority Score 3) | 0        | 0        | 0        | 0        | 7         | 11        | 19        | 37        |            |            |
| <b>Totals:</b>             | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>16</b> | <b>19</b> | <b>28</b> | <b>63</b> | <b>200</b> | <b>32%</b> |

**Case Managed & Previously Assessed:**

|   |   |    |    |
|---|---|----|----|
| 2 | 6 | 26 | 34 |
|---|---|----|----|

**Grand Total:**

|    |    |    |    |
|----|----|----|----|
| 18 | 25 | 54 | 97 |
|----|----|----|----|

| Document Ready | This Month |    |    |       | From Contract Start to Date |    |    |       | Progress to Date |          |
|----------------|------------|----|----|-------|-----------------------------|----|----|-------|------------------|----------|
|                | MB         | HB | RB | Total | MB                          | HB | RB | Total | Goal             | Progress |

**Documentation / Benefits Enrollment: Clients who have all necessary documents, and are enrolled in eligible DPSS programs**

|                   |          |          |          |          |           |           |           |           |            |            |
|-------------------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|------------|------------|
| Document Ready    | 1        | 1        | 1        | 3        | 9         | 12        | 25        | 46        |            |            |
| Benefits Enrolled | 1        | 1        | 1        | 3        | 9         | 13        | 30        | 52        |            |            |
| <b>Totals:</b>    | <b>2</b> | <b>2</b> | <b>2</b> | <b>6</b> | <b>18</b> | <b>25</b> | <b>55</b> | <b>98</b> | <b>120</b> | <b>82%</b> |

| Program Placements | This Month |    |    |       | From Contract Start to Date |    |    |       | Progress to Date |          |
|--------------------|------------|----|----|-------|-----------------------------|----|----|-------|------------------|----------|
|                    | MB         | HB | RB | Total | MB                          | HB | RB | Total | Goal             | Progress |

|  |   |   |   |   |    |    |    |    |             |             |
|--|---|---|---|---|----|----|----|----|-------------|-------------|
| Interim Housing Referrals Made                 | 0 | 0 | 0 | 0 | 14 | 20 | 40 | 74 | % Attained: | 84%         |
| Interim Housing Referrals Attained             | 0 | 0 | 0 | 0 | 7  | 18 | 37 | 62 | <b>24</b>   | <b>258%</b> |
| COVID-19 Project Room Key Referrals Made       | 0 | 0 | 0 | 0 | 5  | 6  | 6  | 17 |             |             |
| COVID-19 Project Room Key Referrals Attained   | 0 | 0 | 0 | 0 | 2  | 6  | 6  | 14 |             |             |
| COVID-19 Rec Center Shelter Referrals Made     | 0 | 0 | 0 | 0 | 0  | 3  | 9  | 12 |             |             |
| COVID-19 Rec Center Shelter Referrals Attained | 0 | 0 | 0 | 0 | 0  | 3  | 8  | 11 |             |             |

*\*Broken out from Interim Housing Referrals \*COVID-19 Emergency Action Steps\**

|                                      |   |   |   |   |   |   |    |    |             |            |
|--------------------------------------|---|---|---|---|---|---|----|----|-------------|------------|
| Treatment Programs Referrals Made    | 0 | 0 | 0 | 0 | 4 | 9 | 15 | 28 | % Attained: | 71%        |
| Treatment Program Referrals Attained | 0 | 0 | 0 | 0 | 2 | 5 | 13 | 20 | <b>50</b>   | <b>40%</b> |

|                           |   |   |   |   |    |   |    |    |             |             |
|---------------------------|---|---|---|---|----|---|----|----|-------------|-------------|
| Stable Housing Referrals  | 0 | 1 | 0 | 1 | 11 | 9 | 23 | 43 | % Attained: | 86%         |
| Stable Housing Placements | 0 | 1 | 0 | 1 | 10 | 6 | 21 | 37 | <b>22</b>   | <b>168%</b> |



# Administrative Report

H.17., File # 21-2906

Meeting Date: 8/17/2021

**To:** MAYOR AND CITY COUNCIL  
**From:** MICHAEL W. WEBB, CITY ATTORNEY

## **TITLE**

ADOPT BY TITLE ONLY RESOLUTION NO. CC-2108-080, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA AMENDING THE OFFICIAL BOOK OF CLASSIFICATIONS BY CREATING THE CLASS SPECIFICATION FOR THE HOMELESS HOUSING NAVIGATOR POSITION

## **EXECUTIVE SUMMARY**

The City maintains an Official Book of Class Specifications for positions in the service of the City of Redondo Beach. As recruitments for open positions are initiated, class titles and specifications are updated to validate job duties, responsibilities and qualifications, and to reflect industry standard in verb tense. This action is recommended pursuant to Sections 2-3.602 and 2-3.603 of Article 6, Chapter 3, Title 2 of the Redondo Beach Municipal Code, which authorizes the Mayor and City Council to set forth from time to time, the class titles and specifications for job classifications.

In FY 2021-2022, the City Council approved a decision package authorizing a full-time Homeless Housing Navigator position.

## **BACKGROUND**

In our continued efforts to be one of the most innovative local agencies in addressing the issue of homelessness, the City Council recently authorized hiring a Full-Time Homeless Housing Navigator to further strengthen our Enhanced Response to Homelessness Program. Under general direction of the City Attorney, the Homeless Housing Navigator will support the Enhanced Response to Homelessness Program and provide case management and supportive services to people experiencing homelessness in Redondo Beach with the goal of securing housing.

## **COORDINATION**

The Human Resources Department and the City Attorney's Office coordinated development of this new class specification. The Homeless Housing Navigator job specification has been discussed with the Redondo Beach City Employees Association. This new position will be included in the Redondo Beach City Employees Association bargaining unit. The City Attorney's Office reviewed the resolution and class specification and approved it as to form.

## **FISCAL IMPACT**



This position is funded in the City Attorney's office FY 2021-2022 adopted annual budget.

**ATTACHMENTS**

- Resolution - Homeless Housing Navigator Class Specification
- Homeless Housing Navigator Class Specification

**RESOLUTION NO. CC- 2108-080**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING THE OFFICIAL BOOK OF CLASSIFICATIONS BY CREATING THE CLASS SPECIFICATION FOR THE HOMELESS HOUSING NAVIGATOR POSITION**

WHEREAS, pursuant to Sections 2-3.602 and 2-3.603 of Article 6, Chapter 3, Title 2 of the Redondo Beach Municipal Code, the Mayor and City Council shall set forth from time to time the Class Titles and Specifications for job classifications; and,

WHEREAS, it is necessary to amend the Official Book of Classifications to reflect such action of the City Council; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the Official Book of Classifications is hereby amended, as reflected in the attached Exhibit "A" by creating the class specification for the position of Homeless Housing Navigator.

SECTION 2. This resolution shall take effect immediately upon its adoption by the City Council.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

City of Redondo Beach Approved: 08/17/2021

Class Specification Resolution CC-2108-080

## **HOMELESS HOUSING NAVIGATOR**

### **DEFINITION**

Under general direction of the City Attorney, support the Enhanced Response to Homelessness Program and provide case management and supportive services to people experiencing homelessness in Redondo Beach with the goal of securing housing.

### **DUTIES, RESPONSIBILITIES AND EXPECTATIONS**

- Engage people experiencing homelessness in Redondo Beach to identify needs and introduce them to available services.
- Ensure individuals in Redondo Beach have the resources and documentation needed to secure and pursue permanent housing.
- Complete comprehensive standardized assessment.
- Develop and implement housing and supportive service plan for clients.
- Oversight for Coordinated Entry System functions including data collection, reporting, and program regulations.
- Oversee referrals to partner agencies, service providers, and community-based supportive services as appropriate including: rental and eviction prevention assistance, security deposit assistance, and interim shelter referrals.
- Provide client services including transportation assistance, bridge housing support, childcare assistance, interim shelter, transitional housing, food assistance, and other services as needed.
- Track financial assistance benefits through HMIS and input information into HMIS as required.
- Ensure case files are accurate and up to date.
- Attend staff meetings, case conferences, trainings, and workshops as required.
- Represent the City of Redondo Beach at homeless services collaborative meetings.
- Oversee community engagement strategies.

- Participate in Housing Initiative/Homeless Court with identified misdemeanor defendants experiencing homelessness.
- Coordinate the response and follow-up for public complaints, inquiries, requests and suggestions. Respond to complaints in a timely and effective manner.
- Disseminate accurate information regarding homelessness and homeless programs to the public.
- Oversee non-profit organizations and homeless service providers contracted by the City to ensure the effective coordination of homeless services within the continuum of care, consistent with policies adopted by the City.
- Deliver outstanding internal and external customer service while solving problems and proactively creating sustainable solutions to issues
- Conduct duties, responsibilities, tasks and assignments with a constructive, cooperative, positive, professional attitude and demeanor
- Support the City's mission, goals, policies and objectives
- Support the City's corporate values of: openness and honesty; integrity and ethics; accountability; outstanding customer service; teamwork; excellence; and fiscal and environmental responsibility
- Perform other related duties as assigned.
- Respond to major incidents reported to the Fire Department; assume the role as initial Incident Commander; comprehend and initiate the Incident Command System/National Emergency Management System (ICS/SEMS/NEMS).
- Apply current fire service technical and manipulative training experience and methodologies to improve fire company performance.
- Plan for and coordinate responses to significant events (both pre-planned and non-preplanned) and emergency incidents on a City-wide basis, and to unusual occurrences including natural and manmade disasters.
- Conduct inspections of City facilities and businesses.
- Conduct inspections of employees' personal protective equipment and uniforms.
- Assist the Fire Division Chief by offering innovative options to enhance departmental programs.

- Provide effective planning, management and evaluation of departmental personnel, units, programs, functions, services and projects.
- Deliver outstanding internal and external customer service while solving problems and proactively creating sustainable solutions to issues.
- Work hours as assigned, including days, evenings and nights, and overtime including weekends and holidays; must be available for call-back and automatic return to work within a reasonable response time during off-duty hours for major emergencies, disasters, critical incidents and as otherwise required.
- Provide critical thinking to professional recommendations, decisions and completed staff work.
- Provide leadership in, and the enforcement of, departmental and City rules, regulations, policies and procedures, provisions of the contractual agreements (MOU).
- Provide initiative as a leader to achieve positive, timely results for the organization.
- Provide effective leadership, direction, supervision, training, coaching, teambuilding, evaluation, safety and support of and for employees.
- Conduct regular evaluations of personnel, giving frequent and specific feedback about their performance; hold employees accountable for the performance of their jobs; provide encouragement and support, celebrating accomplishments and successes.
- Provide quality fiscal management; prudently assist with the preparation and administration of the annual budget, seeking opportunities for new revenues, containing costs, safeguarding assets, improving productivity and accurately reporting operational and financial conditions.
- Provide effective Departmental representation and communications to public agencies, businesses, employees, media and the community.
- Support the City's mission, goals, policies and objectives.
- Support the City's corporate values of openness and honesty, integrity and ethics, accountability, outstanding customer service, teamwork, excellence, and fiscal and environmental responsibility.

- Work cooperatively with personnel, co-workers and the management team; exercise tact, self-restraint and good judgment; take initiative to achieve positive, timely results for the organization with diplomatic skills and ethical conduct.
- Conduct duties, responsibilities, tasks and assignments with a constructive, cooperative, positive, professional attitude and demeanor.
- Complete thorough research, preparing well-written reports and making effective presentations.
- Receive, document, and report through the proper chain of command, citizen complaints about misconduct or poor performance, and when necessary, address the conduct of personnel.
- Utilize technology equipment and software in accordance with City policy to input, extract, review, and analyze information and data; utilize common office software, spreadsheets, and databases.
- Perform all firefighting and medical-related skills as described in the Class Specification Resolution for Firefighter.
- Perform other related duties as required.

## CLASSIFICATION

The position is covered under the Fair Labor Standards Act and is a member of the classified service.

## QUALIFICATIONS

### Knowledge of:

Interim and permanent housing resources throughout Los Angeles County; social work practices and principles related to best practice standards; Coordinated Entry System; HMIS; HUD guidelines; City organization, operation, policies and objectives; principles and practices of administration, supervision skills; and appropriate office technologies such as personal computers for word-processing, data collection and analysis, telephone voice mail and copy machines.

### Ability to:

Conduct outreach to develop relationship and build rapport with people experiencing homelessness in Redondo Beach; provide case management services and support; communicate effectively both verbally and in writing; maintain case files and other record

keeping systems; reason logically and creatively; demonstrate initiative; read, speak write and understand the English language; adhere to applicable terms and conditions of employment including but not limited to safety and health regulations, labor agreements, City rules and regulations, policies and procedures; establish and maintain effective working relationships with others; and legally operate a motor vehicle in the State of California.

Education and Experience:

High School Diploma, GED, or equivalent certification and two years of experience conducting street outreach or providing oversight to a social or human or social services program; or Three years of experience conducting street outreach or providing oversight to a social or human services program (Academic degrees in Social Work, Public Health, Public Administration, or a closely related field may be substituted for required experience on a year-for-year basis)

Possession of a valid California driver's license.

Qualified Military Veterans are given an additional five points to a passing score for both open-competitive and promotional recruitments.

The position requires meeting the physical employment standards for this position.

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# SHARE! Collaborative Housing



Contracted with Statewide Office of Health Planning and  
Development, LA County Department of Mental Health,  
LA County Department of Health Services,  
Los Angeles Homeless Services Administration

## A Solution for our Times

[www.shareselfhelp.org](http://www.shareselfhelp.org)



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# **SHARE! housed 623 people in 2018**

**SHARE! Collaborative Housing can  
reduce homelessness efficiently,  
effectively and immediately.**

# SHARE! Collaborative Housing Referrals

- ⇒ Tell the person who has income of at least \$700 per month and needs housing that SHARE! has immediate vacancies and can **move people in on the same day**.
- ⇒ Call SHARE! **1-877-SHARE!-49** Monday through Friday 1pm-3pm.
- ⇒ Hand the phone to the person who needs housing so they can speak with a referral specialist.
- ⇒ SHARE! will connect the person who needs housing with vacancies via conference call with home owners.
- ⇒ Alternatively, walk-in to SHARE! Culver City at 6666 Green Valley Circle—Sunday through Friday between 1pm and 8pm and Saturday between 9am and 5pm.

A man wearing a grey beanie with an orange trim, a white and red patterned sweater, and a red scarf is sitting on a bench. He is looking off to the side with a thoughtful expression. The background is a blurred outdoor setting.

## ***SHARE!*** ***believes...***

- The opposite of “homelessness” is wholeness and connection. (Self-supporting social structures)
- “Homelessness” can be one period of time in a person's life
- Homelessness is caused by an unhealed trauma event and lack of quality social support
- Trauma can be healed by people-helping-people in a participant-centered model
- Every homeless person has a place back in society
- Homelessness can be disrupted – permanently by **SHARE! Collaborative Housing**

# SHARE! Collaborative Housing Solution

*Nationally recognized evidence-based*



# SHARE!

## Collaborative Housing

### HISTORY

1992—SHARE! adopted by Emotional Health Association  
501(c)3 California corporation

1993—SHARE! opens 1<sup>st</sup> Self-Help Center with no funding,  
run entirely with volunteers

1996—SHARE! becomes Self-Help Clearinghouse for LA

1999—SHARE! gets subcontract with Mental Health America

2004—SHARE! gets contract with Los Angeles County  
Department of Mental Health (LACDMH)

2005—SHARE! convenes stakeholder group to design  
SHARE! Collaborative Housing

2005—SHARE! opens 1<sup>st</sup> Collaborative house with no funding  
depending entirely on volunteers

20XX-2019—SHARE! receives funding from LACDMH,  
LACDHS, United Way, Jewish Family  
Foundation, and City of LA for supportive  
services, but not to acquire houses

2018—SHARE! houses 623 people

2019—SHARE! seeks \$10.3 million in funding to house 2,000

homeless people in Los Angeles

City Council Meeting  
September 9, 2021

## Outcomes


- 37% of people secure/maintain employment in the first year
- 95.2% maintain Housing
- 80% remain in SHARE! Collaborative Housing
- 6% reunite with family
- 9% move to market-rate housing
- 60% attend self-help support groups
- 17% enroll in higher education
- 38% volunteer in the community
- SHARE! employs formerly

# Rather than build walls, **SHARE!** opens doors.

## *Proven Track Record*

- 41% move in within two days; 23% move in the same day they call for housing –
- Housing for Acute population – SHARE! Collaborative Housing works for people with severe mental illness (SMI) resistant to traditional housing
- 26% of residents with SMI get jobs within 1 year and maintain their own dwellings in market-rate housing
- People get stabilized and moved on to greater autonomy quickly – each bed houses 1.6 people per year
- 25% of people referred move in – 2,000 referrals, over 500 move-ins
- Research constantly applied to improve & implement best practices

# Where are you?



- You will be sent to this venue for a fixed period of time.
- You will be assigned a place to sleep in a metal room without windows.
- Almost all of the other 2,300 people there will be strangers to you.
- All required monies must be paid prior to entry.
- Your belongings and you will be thoroughly searched as you are processed in.
- Belongings will be locked up securely for the duration of your stay.
- Your friends and family may visit, but only on the days and times specified.
- Family and friends will also be searched.
- At the end of your stay you will be changed in ways the society deems beneficial.
- There will be several staff who check on you regularly.
- Staff are here to serve you.
- You will have activities arranged for you.
- Staff will be with you at all times during the activities.
- Boisterous and unruly behavior will not be tolerated.
- Would you want to go to this place?

# Collaborative Housing

- Public/Private partnership to provide immediate permanent supportive housing to disabled adults.
- People with similar issues live like college roommates in furnished single family houses.





# SHARE! Collaborative Housing

- Apollo 13 Project – **Fix It!**
  - 2004 – LAHSA Homeless Count
    - 90,000 people homeless every night in Los Angeles
    - 1/3 people with disabilities
  - Stakeholders convened to remove barriers to housing

# Thank You!

Contact Tom Haberkorn  
[tomh@shareselfhelp.org](mailto:tomh@shareselfhelp.org) or  
310-704-6202



SHARE! the Self-Help And Recovery Exchange  
*A project of the Emotional Health Association*  
6666 Green Valley Circle  
Culver City, CA 90230  
310 846-5270  
[www.shareselfhelp.org](http://www.shareselfhelp.org)  
[info@shareselfhelp.org](mailto:info@shareselfhelp.org)



# Administrative Report

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N.2., File # 20-1863

Meeting Date: 12/15/2020

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**To:** MAYOR AND CITY COUNCIL

**From:** Michael W. Webb, City Attorney Joy Abaquin, Quality of Life Prosecutor

## **TITLE**

DISCUSSION AND POSSIBLE ACTION REGARDING COLLABORATIVE HOUSING PROGRAM.

ADOPT BY 4/5 VOTE AND BY TITLE ONLY RESOLUTION NO. CC-2012-097, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, MODIFYING THE FISCAL YEAR 2020-21 BUDGET FOR THE LEASING OF FIVE APARTMENTS TO HOUSE PEOPLE EXPERIENCING HOMELESSNESS IN THE CITY OF REDONDO BEACH

APPROVE LEASE AND ADDENDUMS FOR FIVE APARTMENTS LOCATED AT 126 WEST D STREET, WILMINGTON CALIFORNIA 90744 BETWEEN THE CITY OF REDONDO BEACH AND SWAMI INTERNATIONAL TO HOUSE PEOPLE EXPERIENCING HOMELESSNESS IN REDONDO BEACH.

## **EXECUTIVE SUMMARY**

The Mayor and City Council directed the City Attorney's Office to prepare and return for City Council approval the documents necessary to rent beds within a collaborative housing program in a nearby city within SPA 8 to house people experiencing homelessness. We have recently located five apartments in Wilmington. The lease is presented for City Council consideration and possible approval.

## **BACKGROUND**

On November 17, Quality of Life Prosecutor Joy Abaquin and Harbor Interfaith Homeless Navigator Lila Omura toured the apartment building at 126 West D Street in the City of Wilmington owned by Swami International (Owner). The tenants that live in the building are people that were recently experiencing homelessness. Currently, other organizations such as Self-Help and Recovery Exchange (SHARE!) Collaborative Housing and Exodus Recovery place people experiencing homelessness at this location.

The building is two floors and is communal living with shared bathrooms, laundry room and a kitchen. There are 28 rooms, each 120 square feet. Each room comes with a vanity sink

There are security cameras and a security guard off site and on call twenty-four hours a day. The security guard will make three visits to the location throughout the night and send reports for each visit to the Owner. The tenants may call the security guard at any time, day or night, if there is ever an issue, and the security guard will respond immediately. The communal areas are professionally cleaned once a week.

At the time of the tour, five rooms were available. However, those rooms have since been rented by PATH. Two additional rooms will be available on January 1, 2021, and additional rooms will become available at a

later time. We propose budgeting for five rooms in preparation of three additional rooms becoming available. A month to month lease is available for each room for \$750 a month for each room, as well as a \$750 security deposit. Multiple people can live in the room within the month at no extra charge, meaning if a tenant finds permanent housing within a month elsewhere, a new tenant can move into the same room. Each tenant will also be required to execute a lease and execute the addendums. The City will not be required to execute any addendums.

The only rules are that the tenant must have a case manager that meets with the tenant once a week and quiet time is at 10 p.m.

Currently, all the rooms are furnished with a mattress. However, after the first tenants leave, a new mattress will be needed for sanitary purposes. Pastor Peter Dunn from Saint Andrews Presbyterian Church expressed that the community is more than willing to donate furniture, beddings and necessary items when people move in. In case donations are unavailable, we recommend reserving \$3000 for mattresses.

The City will be jointly and severally liable for any damages or injuries caused by any of the tenants who reside in any of the units being rented. Further, the City may want to consider entering into separate waivers with each of the tenants regarding any damages or injuries, including but not limited to the contracting of COVID-19, before any person experiencing homelessness takes possession of the units.

Normally, the City would not take on liability for third parties. However, we would not be able to get housing in another city without doing so. Service Providers such as Exodus and Harbor Interfaith enter into these agreements when placing someone in hotels or other temporary housing and pay for damages if any should occur. However, those incidents are rare because they carefully chose who is placed in such collaborative housing or hotels. The City would depend on our Housing Navigators like Lila Omura to determine the best lower risk people to place at this location.

In addition to the Pallet Shelters, these rooms would make excellent temporary, emergency bridge housing for Redondo residents experiencing homelessness. It will assist PATH and Harbor Interfaith to find permanent housing for their Redondo Beach clients.

### **COORDINATION**

The City Attorney's Office coordinated with the City Manager's Office and the Community Services Department in preparing this report.

### **FISCAL IMPACT**

There is monthly rent of \$750 and a \$750 security deposit for each room. The total for the final six months of the fiscal year is \$29,250 (\$26,250 for room/deposit + \$3,000 for mattress replacement) which can be taken from available CDBG funds.

### **ATTACHMENTS**

- Sample lease agreement with Swami International and attached addendums
- Resolution for budget modification



**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Carrie Tai, AICP, Community Development Director  
Dana Murray, Environmental Sustainability Manager

**SUBJECT:**

Discuss and Provide Direction on Potential Additional Water Runoff Reduction Measures in the City for New Commercial and Residential Construction (Continued from the August 3, 2021, City Council Meeting) (Community Development Director Tai).

**DISCUSS AND PROVIDE DIRECTION**

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**RECOMMENDATION:**

Staff recommends that the City Council discuss and provide direction on potential additional water runoff reduction measures applicable to commercial and residential new construction.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with this discussion. Should the City Council direct staff to develop and implement new regulations, costs related to added staff time and implementation will be incurred. It is anticipated that more stringent requirements would apply to a larger number of properties, requiring more review time. Furthermore, upfront costs associated with training and reference materials are expected. Any added costs of administering new regulations may be included in future permitting fees.

**BACKGROUND:**

On September 3, 2019, the City Council requested that staff and the Sustainability Task Force discuss options for expanding runoff requirements for new construction to zero discharge.

During the discussion, City Council stated that they believed commercial properties are required to contain and treat runoff on-site and that they would be interested in modifying that requirement into a “zero discharge” requirement, and expanding it to include residential new construction. City Council referenced other existing zero discharge regulations for new construction such as those for the City of Santa Monica.

Stormwater runoff is generated when precipitation from rain events flow over land or impervious surfaces without percolating into the ground. Regulation of runoff is critical because, when it rains, stormwater runoff collects and transports pollutants, then flows into local storm drains, which run directly into the ocean without treatment. Los Angeles receives 100 billion gallons of runoff each year, flowing into the ocean and consisting of pesticides, herbicides, oil, grease,

heavy metals, toxins, bacteria, and other contaminants originating from businesses, households, and roadways. Because Manhattan Beach receives a small amount of annual rainfall, pollutants collect over time and are washed in mass amounts into storm drains when storm events occur. When these pollutants end up in the ocean, they present a human health hazard and contaminate local beaches for several days after rainfall occurs, impacting public health and, indirectly, our economy.

Another form of runoff, known as dry weather runoff, occurs when water from landscaping practices or other outdoor uses flows off-site and into storm drains or streams. Certain nutrients found in fertilizers and pesticides are often present in this type of runoff. High quantities of these nutrients can lead to harmful algal blooms and fish kills when they end up in the ocean.

Manhattan Beach has enacted various measures and projects to reduce runoff and pollution, while also complying with stormwater regulations, both through increasing permeability and therefore reducing runoff, as well as reducing the pollutants present outside that could runoff during storm events. Business programs implemented by the City such as the MB Green Business Program and Clean Bay Restaurants facilitate compliance from businesses with runoff reduction. The majority of initiatives taken by the City to address drought and water conservation are also efficient methods of eliminating runoff. One example is the Model Water Efficient Landscape Ordinance (MWELO) and the City's Water Conservation Ordinance.

MWELO imposes water efficiency standards for new landscapes exceeding 500 square feet and retrofitted landscapes exceeding 2,500 square feet through encouraging the use of more efficient irrigation systems, graywater usage, and on-site storm water capture, and by limiting the portion of landscapes that can be covered in turf. Additionally, in 2015 the City adopted a permanent Water Conservation Ordinance (Ordinance No. 15-0008) prohibiting outdoor watering during most daylight hours on impermeable pavement following a rain event, and in a manner other than drip irrigation on new construction. Lastly, in 2015 the City of Manhattan Beach adopted Ordinance No. 15-0004 regarding storm water and urban runoff protection control, including project size thresholds to trigger Low Impact Development (LID) Best Management Practices (BMPs) in Section 5.84.100, meeting the Regional Water Quality Control Board's requirements (Attachment).

LID BMPs are triggered in jurisdictions if a development project meets the identified size threshold, requiring that stormwater be captured on site and through infiltration (putting it in the ground), harvesting and using it, or bio-retention systems to capture runoff and prevent it from running through the watershed to the ocean. Employing LIDs can lead to successful rainwater capture during heavy storms, rather than allowing the water to flow into storm drains. Rainwater can be captured and used for irrigation purposes, or allowed to percolate and replenish the water table, depending on which LID measure is used. Both measures avoid contaminating nearby bodies of water, disturbing natural hydrology, wildlife habitat, and soil erosion.

Some example of LID measures are:

- Permeable asphalt, concrete or pavers for driveways;
- Installing green (vegetated) roofs or green strips with native and adapted plants to capture stormwater;
- Incorporation of infiltration beds (drywells) and basins to capture and treat stormwater;
- Retention structures, such as terraces, curbs or berms, to stop stormwater from flowing offsite;
- Structures constructed to direct water to pervious/landscaped surface areas; and
- Utilizing passive rainwater management techniques, such as employing rain gardens, dry

ponds and bioswales to decrease runoff.

**DISCUSSION:**

Local governments have the opportunity to adopt local regulations that exceed State and federal water quality and runoff reduction requirements. Many cities have done this through Low Impact Development (LID) policies or regulations. In mirroring the Regional Water Quality Control Board's requirements, the City's size thresholds are 10,000 square feet of impervious area for new single-family residential development or public projects, and 5,000 square feet of impervious area for most other development (Attachment).

Several cities in Los Angeles County have adopted LID ordinances going above and beyond regulatory requirements, including Hermosa Beach, Redondo Beach, Newport Beach, and Santa Monica. City Council specifically referenced Santa Monica's runoff requirements. In comparing Manhattan Beach and Santa Monica's requirements, staff found the main difference is the size threshold that triggers LID requirements. Santa Monica requires all new development to implement LID to reduce urban runoff (although with some exceptions), whereas Manhattan Beach has a size threshold before LID

Standard sized residential lots in the City are typically not large enough to accommodate development with 10,000 square feet impervious area. As a result, most residential development in the City has not triggered required LID, and only some commercial development has to date. The City is able to require implementation of LID on all new construction by removing the impervious size threshold, as in Santa Monica. This would assist in minimizing runoff discharge from new development. The City of Hermosa Beach has reduced the size threshold for residential development LID to 5,000 square feet of impervious area.

There are some exemptions from LID related to feasibility that are worthy of consideration and would build in flexibility to any future regulations. The City could consider applying a "Runoff Reduction Fee" if a development project is unable to implement such techniques. Developers would essentially pay into a fee to treat stormwater off-site, which help fund a City project or area where capture and treatment is possible.

The Sustainability Task Force discussed runoff reduction measures in late 2019, early 2020, and again in June 2021, and supported City efforts to improve permeability in the City (both private and public land development), planting California native plants and drought-tolerant landscaping (akin to what Hermosa Beach included in their LID), and more enforcement of existing water conservation measures. The Sustainability Task Force expressed support for the City to go beyond regulatory agency requirements to reduce runoff in order to capture more stormwater, reduce water pollution, and reduce water consumption. In June 2021, the Sustainability Task Force recommended that the City develop a LID policy and remove the minimum size threshold to require LID for all new development similar to Santa Monica.

*Cost Effectiveness and Practicality:*

Many options for Low Impact Development are inexpensive yet effective manners of reducing runoff. Implementing LID techniques must be selected on a case-by-case basis, taking into account climatic characteristics and geographic elements. Some studies found that LID techniques had a higher upfront cost when compared to traditional development. In the same studies, it was also determined that residences with LID maintained better resale value and presented fewer opportunity costs. Incorporating LID in the planning portion of new developments is more cost effective than adding LID once the structure has been constructed. The Los Angeles County Department of Public Works (LACDPW) conducted a cost-benefit analysis on several LID approaches and deemed that tree plantings, construction of infiltration basins, wetlands, and storm drain systems were the most cost-effective.

**POLICY ALTERNATIVES:**

Staff recommends that City Council discuss and provide direction on additional water runoff reduction actions that could be taken in the City.

**Option One:** Create a new Work Plan item directing staff to research new Low Impact Development (LID) regulations, as they relate to new construction. This could include eliminating the project size threshold, similar to actions taken by Santa Monica. This would increase the percentage of permeability for all new construction in Manhattan Beach, thereby reducing stormwater runoff.

**Option Two:** Continue with business as usual and not add any additional runoff regulations to new construction. Currently, Manhattan Beach has Ordinance No. 15-0004 requiring certain new developments to retain or filter stormwater runoff, which matches the Regional Water Quality Control Board's requirements.

**PUBLIC OUTREACH:**

Should City Council direct staff to pursue additional runoff regulations in the above options, staff would work with the Sustainability Task Force, regulatory agencies, the construction and building community, and community groups on public outreach associated with any above policies or actions.

**ENVIRONMENTAL REVIEW:**

The City Council's discussion of existing and potential regulations is not a "project" as defined under Section 15378 of the State California Environmental Quality Act (CEQA) Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is necessary. In the event that the City Council directs staff to prepare amendments to the Municipal Code, at that time, said activity would be subject to CEQA.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENT:**

1. Ordinance No. 15-0004
2. PowerPoint Presentation



ORDINANCE NO. 15-0004

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH  
AMENDING CHAPTER 5.84 REGARDING STORM WATER  
AND URBAN RUNOFF PROTECTION CONTROL

THE MANHATTAN BEACH CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City Council hereby amends Manhattan Beach Municipal Code Chapter 5.84 (Storm Water and Urban Runoff Protection Control) to read as follows:

**“Chapter 5.84  
STORM WATER AND URBAN RUNOFF POLLUTION CONTROL**

- 5.84.010 Purpose and intent.
- 5.84.020 Definitions.
- 5.84.030 Construction and application.
- 5.84.040 Prohibited activities.
- 5.84.050 Exempted discharges or conditionally exempted discharges.
- 5.84.060 Good housekeeping provisions.
- 5.84.070 Requirements for industrial/commercial and construction activities.
- 5.84.080 Inspection authority.
- 5.84.090 Enforcement.
- 5.84.100 Planning and Land Development Program requirements for New Development and Redevelopment projects.
- 5.84.010 Purpose and intent.**
  - A. The purpose of this Chapter is to comply with the Federal Clean Water Act, the California Porter-Cologne Water Quality Control Act, and the Municipal National Pollutant Discharge Elimination System (NPDES) Permit by:
    - 1. Reducing pollutants in storm water discharges to the maximum extent practicable;

2. Regulating illicit connections and illicit discharges, thereby reducing the level of contamination of storm water and urban runoff into the Municipal Separate Storm Sewer System (MS4) of the City of Manhattan Beach (City) and
  3. Regulating non-storm water discharges to the MS4.
- B. The intent of this Chapter is to ensure the future health, safety and general welfare of the citizens of the City and of the receiving waters of the County of Los Angeles and surrounding coastal areas to provide the City with the legal authority necessary to implement and enforce the requirements contained in 40 CFR § 122.26(d)(2)(i)(A-F) and in the Municipal NPDES Permit to the extent that they are applicable in the City, to control discharges to and from those portions of the municipal storm water system (MS4) over which the City has jurisdiction as required by the Municipal NPDES Permit, and to hold dischargers to the MS4 accountable for their contributions of pollutants and flows.
- C. This Chapter authorizes the Authorized Enforcement Officer to define and adopt applicable Best Management Practices (BMPs) and other storm water pollution control measures, to cite infractions, to impose fines pursuant to this Chapter, and to grant emergency self-waivers from Municipal NPDES Permit requirements in order to conduct repairs of essential public service systems and infrastructure in emergency situations.

Except as otherwise provided herein, the Authorized Enforcement Officer shall administer, implement, and enforce the provisions of this Chapter.

- D. This Chapter authorizes the Authorized Enforcement Officer to carry out inspections, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with the provisions of this Chapter and the Municipal NPDES Permit, including the prohibition of non-storm water discharges into the MS4. This includes the authority to enter, monitor, inspect, take measurements, review and copy records, and require regular reports from entities discharging into the City's MS4.

#### **5.84.020 Definitions**

Except as specifically provided herein, any term used in this Chapter shall have the same meaning as that term is defined in the Municipal NPDES Permit; or, if it is not specifically defined in the Municipal NPDES Permit, then as such term is defined in the Federal Clean Water Act, as amended, and/or the regulations promulgated thereunder. The following words and phrases shall have the following meanings when used in this Chapter:

“Area susceptible to runoff” means any surface directly exposed to precipitation or in the path of runoff caused by precipitation.

“Authorized Enforcement Officer” means the City Manager or his or her designee and any City official authorized to issue citations under the municipal Code.

“Best Management Practices (BMPs)” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

“City” means the City of Manhattan Beach.

“Construction” means any construction or demolition activity, clearing, grading, grubbing, excavation, or any other activities that result in soil disturbance. Construction includes structure teardown and demolition. It does not include routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work, original line and grade, hydraulic capacity, or original purpose of facility; emergency construction activities required to immediately protect public health and safety; interior remodeling with no outside exposure of construction material or construction waste to storm water; mechanical permit work; or sign permit work. See “Routine Maintenance” definition below.

“Construction General Permit” means the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009- 0009-DWQ (NPDES No. CAS000002), adopted September 2, 2009, and any successor permit to that permit.

“Development” means any construction, rehabilitation, redevelopment, or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

“Directly Adjacent” means situated within two hundred feet of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area.

“Discharging directly” means outflow from a drainage conveyance system that is composed entirely or predominantly of flows from the subject, property, development, subdivision, or industrial facility, and not commingled with the flows from adjacent lands.

“Disturbed Area” means an area that is altered as a result of clearing, grading, and/or excavation.

“Environmentally Sensitive Area (“ESA”) means an area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments (California Public Resources Code § 30107.5). Areas subject to storm water mitigation requirements are areas designated as Significant Ecological Areas by the County of Los Angeles (Los Angeles County Significant Areas Study, Los Angeles County Department of Regional Planning (1976) and amendments); an area designated as a Significant Natural Area by the California Department of Fish and Game’s Significant Natural Areas Program, provided that area has been field verified by the Department of Fish and Game; an area listed in the Basin Plan as supporting the Rare, Threatened, or Endangered Species (RARE) beneficial use; and an area identified by the City as environmentally sensitive.

“Good housekeeping practices” means common practices related to the storage, use, or cleanup of pollutionable materials, performed in a manner that minimizes the discharge of pollutants. Examples include, but are not limited to, use of alternative and less environmentally harmful products, spill prevention, promptly cleaning up spills and leaks, and storing pollutionable materials in a manner that will contain any leaks or spills.

“Hillside” means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty-five percent or greater and where grading contemplates cut or fill slopes.

“Illicit connection” means any human-made conveyance that is connected to the storm drain system without a permit, excluding roof-drains and other similar type connections. Examples include channels, pipelines, conduits, inlets, or outlets that are connected directly to the storm drain system.

“Illicit discharge” means any discharge to the storm drain system that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. This includes all non-storm water discharges except discharges pursuant to a separate NPDES permit; discharges that are exempted or conditionally exempted in accordance with the Municipal NPDES Permit; and non-storm water discharges resulting from natural flows specifically identified in the Municipal NPDES Permit.

“Infiltration” means the downward entry of water into the surface of the soil.

“Inspection” means the entry and conduct of an on-site review of structures and devices on a property, at reasonable times, to determine compliance with specific municipal or other legal requirements. The steps involved in performing an inspection, include, but are not limited to:

1. Pre-inspection documentation research;
2. Request for entry;
3. Interview of property owner, resident and/or occupant(s);
4. Property walk-through;
5. Visual observation of the condition of property;
6. Examination and copying of records as required;
7. Sample collection (if necessary or required);
8. Exit discussion (to discuss preliminary evaluation) as appropriate; and
9. Report preparation, and if appropriate, recommendations for coming into compliance.

“Low Impact Development (LID)” means building or landscape features designed to retain or filter storm water runoff.

“Municipal NPDES Permit” means the “Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach MS4” (Order No. R4-2012-0175), NPDES Permit No. CAS004001, effective December 28, 2012, issued by the California Regional Water Quality Control Board—Los Angeles Region, and any successor permit to that permit.

“Municipal separate storm sewer system (MS4)” means a conveyance or system of conveyances (consisting of roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. Owned or operated by a state, city, town borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States;
2. Designed or used for collecting or conveying storm water;
3. Which is not a combined sewer; and

4. Which not part of a Publicly Owned Treatment Works (POTW) is as defined in 40 CFR 122.2.

“New development” means land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision.

“Non-storm water discharge” means any discharge to an MS4 that is not composed entirely of storm water.

“NPDES” means National Pollutant Discharge Elimination System.

“NPDES permit” means an authorization, license, or equivalent control document issued by U.S. Environmental Protection Agency (USEPA) or the State Water Resources Control Board or Regional Board to implement the requirements of Parts 122, 123 and 124 of the Code of Federal Regulations pursuant to Sections 318, 402, and 405 of the Clean Water Act, and includes any NPDES general permit. “Permit” does not include any permit which has not yet been the subject of final agency action, such as a “draft permit” or a “proposed permit”.

“Pollutant” means those pollutants defined in Section 502(6) of the Federal Clean Water Act (33 U.S.C. Section 1362(6)), or incorporated into California Water Code Section 13373. Examples of pollutants include but are not limited to the following:

1. Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
2. Metals such as cadmium, lead, zinc, copper, silver, nickel, chromium; and non- metals such as phosphorus and arsenic;
3. Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants and grease);
4. Excessive eroded soils, sediment and particulate materials in amounts which may adversely affect the beneficial use of the receiving waters, flora or fauna of the State;
5. Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities); and
6. Substances having characteristics such as pH less than six (6) or greater than nine (9), or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus.

“Redevelopment” means land-disturbing activity those results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an

already developed site for all project categories except single family projects. For existing single family dwelling and accessory structures, redevelopment is the creation, addition, or replacement of 10,000 square feet or more of impervious surface. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

“Regional Board” means the California Regional Water Quality Control Board - Los Angeles Region.

“Routine Maintenance” includes, but is not limited to, projects conducted to:

1. Maintain the original line and grade, hydraulic capacity, or original purpose of the facility;
2. Perform as needed restoration work to preserve the original design grade, integrity, and hydraulic capacity of flood control facilities;
3. Carry out road shoulder work, regrading dirt or gravel roadways and shoulders, and performing ditch cleanouts;
4. Update existing lines and facilities, including the replacement of existing lines with new materials or pipes, to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity;
5. Repair leaks; and
6. Conduct landscaping activities without changing existing or natural grades.

Routine maintenance does not include construction of new lines or facilities resulting from compliance with applicable codes, standards, and regulations. New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines.

“Significant Ecological Area” (“SEA”) means an area that is determined to possess an example of biotic resources that cumulatively represent biological diversity, for the purposes of protecting biotic diversity, as part of the Los Angeles County General Plan.

Areas are designated as SEAs, if they possess one or more of the following criteria:

1. The habitat of rare, endangered, and threatened plant and animal species;
2. Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind, or are restricted in distribution on a regional basis;
3. Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind or are restricted in distribution in Los Angeles County;
4. Habitat that at some point in the life cycle of a species or group of species, serves as a concentrated breeding, feeding, resting, migrating grounds and is limited in availability either regionally or within Los Angeles County;
5. Biotic resources that are of scientific interest because they are either an extreme in physical/geographical limitations, or represent an unusual variation in a population or community;
6. Areas important as game species habitat or as fisheries;
7. Areas that would provide for the preservation of relatively undisturbed examples of natural biotic communities in Los Angeles County; and
8. Special areas.

“Simple LID BMP” means a BMP constructed above ground on a single-family residential home that can be readily inspected by a homeowner or inspector. Simple LID BMPs do not require an operation and maintenance plan per the Municipal NPDES Permit. Examples of such BMPs include, but are not limited to, vegetated swales, rain barrels and above ground cisterns, rain gardens, and pervious pavement.

“Site” means the land or water area where any “structure or activity” is physically located or conducted, including adjacent land used in connection with the structure or activity.

“Storm water runoff” means that part of precipitation (rainfall or snowmelt) which travels via flow across a surface to the MS4 or receiving waters from impervious, semi-pervious, or pervious surfaces. When all other factors are equal, runoff increases as the perviousness of a surface decreases.

“Structural BMP” means any structural facility designed and constructed to mitigate the adverse impacts of storm water and dry weather runoff pollution (e.g., canopy, structural enclosure). Structural BMPs may include both treatment control BMPs and source control BMPs.

“Treatment” means the application of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but



are not limited to, filtration, gravity settling, media adsorption, biodegradation, biological uptake, chemical oxidation, and UV radiation.

“Treatment control BMP” means any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or any other physical, biological, or chemical process.

**5.84.030 Construction and application.**

This Chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and acts amendatory thereof or supplementary thereto; applicable implementing regulations; and the Municipal NPDES Permit and any amendment, revision, or reissuance thereof.

**5.84.040 Prohibited activities.**

- A. **Illicit Discharges and Connections.** It is a violation of this Chapter to commence, establish, use, maintain, or continue any illicit connections to the MS4 or any illicit discharges to the MS4. This prohibition against illicit connections applies to the use, maintenance, or continuation of any illicit connection, whether that connection was established prior to or after the effective date of this Chapter.
- B. **Littering.** No person shall throw, deposit, place, leave, maintain, keep, or permit to be thrown, deposited, placed, left, maintained, or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles, or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place, or upon any public or private plot of land in the City, so that the same might be or become a pollutant. No person shall throw or deposit litter in any fountain, pond, lake, stream, or other body of water within the City. This subsection shall not apply to refuse, rubbish, or garbage deposited in containers, bags, or other appropriate receptacles that are placed in designated locations for regular solid waste pick up and disposal.
- C. **Disposal of Landscape Debris.** No person shall intentionally dispose of leaves, dirt, or other landscape debris into the MS4.
- D. **Non-Storm Water Discharges.** All non-storm water discharges into the MS4 are prohibited unless those flows are: in compliance with a separate NPDES Permit; pursuant to a discharge exemption by the Regional Board, the Regional Board’s executive officer, or the State Water Resources Control Board; associated with emergency firefighting activities (i.e., flows necessary for the protection of life or property); natural flows as defined in the Municipal NPDES Permit; conditionally exempt non-storm water discharges as defined in accordance with the Municipal NPDES Permit; or

authorized as a temporary non-storm water discharge by the USEPA pursuant to Sections 104(a) or 104(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Prohibited discharges include but are not limited to, but are not limited to:

1. The discharge of wash waters to the MS4 from commercial auto washing or when gas stations, auto repair garages, or other type of automotive service facilities are cleaned;
2. The discharge of wastewater to the MS4 from mobile auto washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations;
3. Discharges to the MS4 from areas where repair of machinery and equipment, including motor vehicles, which are visibly leaking oil, fluid, or antifreeze, is undertaken;
4. Discharges of runoff to the MS4 from storage areas of materials containing grease, oil, or other hazardous substances, and uncovered receptacles containing hazardous materials;
5. Discharges of commercial/residential swimming pool filter backwash to the MS4;
6. Discharges of runoff from the washing of toxic materials from paved or unpaved areas to the MS4;
7. Discharges to the MS4 from washing impervious surfaces in industrial/commercial areas, unless specifically required by the State's, or the City's, or Los Angeles County's health and safety codes, or permitted under a separate NPDES permit;
8. Discharges to the MS4 from the washing out of concrete or cement laden wash water from concrete trucks, pumps, tools, and equipment;
9. Discharges to the MS4 of any pesticide, fungicide, or herbicide banned by the USEPA or the California Department of Pesticide Regulation or a product registered under the Federal Insecticide, Fungicide and Rodenticide Act to any waste stream that may ultimately be released to waters of the United States unless specifically authorized under an NPDES permit. This requirement is not applicable to products used for lawn and agricultural purposes; and

10. The disposal of hazardous wastes into trash containers used for municipal trash disposal where such disposal causes or threatens to cause a direct or indirect discharge to the MS4.

- E. **Discharges in Violation of the Municipal NPDES Permit.** Any discharge that would cause or contribute to a violation of the Municipal NPDES Permit, either separately or in combination with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and such person(s) shall defend, indemnify, and hold harmless the City from all losses, liabilities, claims, or causes of actions in any administrative or judicial action relating to such discharge.

**5.84.050 Exempted discharges or conditionally exempted discharges.**

Discharges from those activities specifically identified in or pursuant to the Municipal NPDES Permit as being exempted discharges, or conditionally exempted shall not be considered a violation of this Chapter, provided that all required conditions, including applicable BMPs pursuant to the Municipal NPDES Permit, are implemented prior to discharge to minimize any adverse impacts from such identified sources and that any required municipal permits are obtained prior to discharge.

**5.84.060 Good housekeeping provisions.**

Owners and occupants of property within the City shall comply with the following requirements:

- A. **Septic Waste.** No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste to precipitation.
- B. **Use of Water.** Runoff of water used for irrigation purposes shall be minimized in accordance with the City's Water Conservation Ordinance as codified in Chapter 7.44 of the City's Municipal Code. Runoff of water from the conditionally exempt washing down of paved areas shall be minimized to the maximum extent practicable. Conditionally exempt non-storm water discharges of roadway/driveway wash water only include those discharges resulting from use of high pressure, low volume spray washing using only potable water with no cleaning agents. Sweeping and collection of debris for trash disposal instead of or prior to use of water should be utilized whenever possible.
- C. **Storage of Materials, Machinery, and Equipment.** Machinery or equipment that is to be repaired or maintained in areas susceptible to or exposed to storm water, shall be placed in a manner so that leaks, spills, and other maintenance-related pollutants are not discharged to the MS4.

- D. **Storage of Oil or Oily Material, Chemicals, Refuse, or Other Pollutionable Materials.** Oil or oily material, chemicals, refuse, or other pollutionable materials shall not be stored or deposited by any person in areas where they may be picked up by rainfall and carried off of the property and/or discharged to the MS4. Any such spill of such materials shall be contained and removed immediately.
- E. **Removal and Disposal of Debris from Industrial/Commercial Motor Vehicle Parking Lots.** Industrial or commercial motor vehicle parking lots with more than twenty-five (25) parking spaces that are located in areas potentially exposed to storm water shall be swept regularly or other equally effective measures shall be utilized to remove oil, chemicals, debris, or other pollutionable materials from such parking lots, so as to prevent or minimize pollutants or debris from running off the parking lot into the MS4.
- F. **Food Wastes.** Food wastes generated by non-residential food service and food distribution sources shall be properly disposed of and in a manner so such wastes are not discharged to the MS4. For example: restaurant kitchen mats may not be washed or rinsed into the street or alley.
- G. **Best Management Practices.** BMPs shall be used in areas exposed to storm water for the removal and lawful disposal of all fuels, chemicals, fuel and chemical wastes, animal wastes, garbage, batteries, or other materials which have potential adverse impacts on water quality.

**5.84.070 Requirements for industrial/commercial and construction activities.**

- A. Each industrial discharger, discharger associated with construction activity, or other discharger described in any general storm water permit addressing such discharges, as may be issued by the USEPA, the State Water Resources Control Board, or the Regional Board, shall comply with all requirements of such permit. Each discharger identified in an individual NPDES permit shall comply with and undertake all activities required by such permit. Proof of compliance with any such permit may be required in a form acceptable to the Authorized Enforcement Officer prior to the issuance of any grading, building, or occupancy permits, or any other type of permit or license issued by the City.
- B. Non-storm water discharges to the MS4 from industrial, commercial, or construction activities are prohibited.
- C. Industrial and commercial dischargers and dischargers associated with construction activities must implement effective BMPs, including source control BMPs, in accordance with the Municipal NPDES Permit to reduce

pollutants in storm water from such sites to the maximum extent practicable.

**5.84.080 Inspection authority.**

- A. **Authority to Inspect.** The Authorized Enforcement Officer, City's Director of Public Works, building officials, community services officers, and any other representatives thereof, are authorized and directed to enforce all provisions of this Chapter.
- B. **Right of Entry.** Whenever necessary to make an inspection to enforce any of the provisions of this Chapter, or whenever an Authorized Enforcement Officer has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a violation of the provisions of this Chapter, the officer may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the officer by this Chapter; provided, that: (i) if such building or premises be occupied, he or she shall first present proper credentials and request entry; and (ii) if such building or premises be unoccupied, he or she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Any such request for entry shall state that the property owner or occupant has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of an inspection warrant. In the event the owner and/or occupant refuses entry after such request has been made, the officer is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.
- C. **Authority to Conduct Samplings and Establishing Sampling Devices.** With the consent of the owner or occupant or pursuant to an inspection warrant, any Authorized Enforcement Officer may establish on any property such devices as necessary to conduct sampling and monitoring activities necessary to determine the concentrations of pollutants in storm water and/or non-storm water runoff. During the inspections as provided herein, the Authorized Enforcement Officer may take any samples deemed necessary.
- D. **Requirement of Sample or Monitor.** Any Authorized Enforcement Officer may order that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of non-storm water to the storm water system, undertake such monitoring activities and/or analyses and furnish such reports as the officer may specify. All costs incurred for such activity shall be borne by the party ordered to do the sampling. In the event the owner or operator of a facility subject to a

monitoring and/or analyses order fails to conduct required monitoring and/or analyses and furnish the required reports in the form required, the Authorized Enforcement Officer may cause such monitoring and/or analyses to be conducted and the cost, therefore, including the reasonable additional administrative costs incurred by the City, shall be borne by the owner of the property and the cost thereof shall be, after notice and an opportunity for hearing, invoiced to the owner of the property. If the invoice is not paid within sixty (60) days of the issuance thereof, the costs shall be a lien upon and against the property and continue in existence until the same shall be paid. If the lien is not satisfied by the owner of the property within three (3) months after the completion by an Authorized Enforcement Officer of the required monitoring and/or analyses and reports, the property may be sold in satisfaction thereof in a like manner as other real property is sold under execution.

- E. **Industrial and Commercial Inspections.** The Public Works Director, Authorized Enforcement Officer, or authorized staff or contractor, shall conduct industrial and commercial facility compliance inspections to confirm that storm water and non-storm water BMPs are effectively implemented in compliance with this Chapter and the Municipal NPDES Permit. These inspections shall be at a frequency sufficient to be in compliance with the Municipal NPDES Permit. Inspections shall be conducted no less than twice during the term of the Municipal NPDES Permit and as often as the Director of Public Works deems appropriate to verify compliance with this Chapter.

**5.84.090 Enforcement.**

**A. Enforcement Procedure.**

1. For the first failure to comply with any provision contained in this Chapter, the Director of Public Works or any Authorized Enforcement Officer shall issue to the violator a written notice which includes the following information: (i) a description of the violation being committed; (ii) a specified time within which the violation must be corrected or within which the violator may file a written response to the Director disputing the existence of a violation; and (iii) a description of the penalties which may be imposed for continued noncompliance.
2. If the violator demonstrates that the violation does not exist, or has been corrected, no further action need be taken. If, however, the violation exists and is not corrected within the prescribed time, the Director of Public Works may thereafter pursue any of the enforcement remedies described below in this Section.

**B. Violation a Misdemeanor.** Violation of this Chapter or the Municipal NPDES Permit shall be punishable as a misdemeanor, punishable as set forth in Section 1.04.010(A) of this Code; provided, however, that any or all of the first three violations of this Chapter or the Municipal NPDES Permit committed within any consecutive twelve (12) month period may be charged as an infraction at the discretion of the City Prosecutor. Each day that a violation continues shall constitute a separate offense.

**C. Violations Deemed a Public Nuisance.**

1. Any condition caused or permitted to exist in violation of any of the provisions of this Chapter or the Municipal NPDES Permit is hereby determined to be a threat to the public health, safety, and welfare; is declared and deemed a public nuisance and may be abated or restored by any Authorized Enforcement Officer; and a civil or criminal action to abate, enjoin, or otherwise compel the cessation of such nuisance may be brought by the City Attorney.
2. The cost of such abatement and restoration shall be borne by the owner of the property and the cost thereof shall be invoiced to the owner of the property, as provided by law or ordinance for the recovery of nuisance abatement costs.
3. If any violation of this Chapter constitutes a seasonal and recurrent nuisance, the City Manager shall so declare. The failure of any person to take appropriate annual precautions to prevent storm water pollution after written notice of a determination under this paragraph shall constitute a public nuisance and a violation of this Chapter.

**D. Concealment.** Causing, permitting, aiding, abetting, or concealing a violation of any provision of this Chapter shall constitute a separate violation of such provision.

**E. Civil Actions.** In addition to any other remedies provided in this Section, any violation of this Chapter may be enforced by civil action brought by the City. In any such action, the City may seek, as appropriate, any or all of the following remedies:

1. A temporary and/or permanent injunction;
2. Assessment of the violator for the costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection;

3. Costs incurred in removing, correcting, or terminating the adverse effects resulting from violation;
  4. Compensatory damages for loss or destruction to water quality, wildlife, fish and aquatic life; and Attorney fees.
- F. **Administrative Enforcement Powers.** In addition to the other enforcement powers and remedies established by this Chapter, the Authorized Enforcement Officer has the authority to utilize the following administrative remedies:
1. **Cease and Desist Orders.** When an Authorized Enforcement Officer finds that a discharge has taken place or is likely to take place in violation of this Chapter, the officer may issue an order to cease and desist such discharge, or practice, or operation likely to cause such discharge and direct that those persons not complying shall: (i) comply with the requirement, (ii) comply with a time schedule for compliance, and (iii) take appropriate remedial or preventive action to prevent the violation from recurring. Failure to comply with such an order shall constitute a separate violation of this Chapter.
  2. **Notice to Clean.** Whenever an Authorized Enforcement Officer finds any oil, earth, debris, grass, weeds, dead trees, tin cans, rubbish, refuse, waste, or any other pollutionable material of any kind, in or upon the sidewalk abutting or adjoining any parcel of land, or upon any parcel of land or grounds, which may result in pollutants entering the MS4 or a non-storm water discharge to the MS4, he or she may give notice to the owner or occupant of the adjacent property to remove such oil, earth, debris, grass, weeds, dead trees, tin cans, rubbish, refuse, waste, or other pollutionable material, in any manner that he or she may reasonably provide. The recipient of such notice shall undertake the activities as described in the notice. Failure to comply with such a notice shall constitute a separate violation of this Chapter.
- G. **Permit Revocation.** To the extent the City makes a provision of this Chapter or any identified BMP a condition of approval to the issuance of a permit or license, any person in violation of such condition is subject to the permit revocation procedures set forth in this Code.
- H. **Remedies.** Remedies specified in this Chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal, including remedies under the Federal Clean Water Act and/or Porter-Cologne Act. The remedies provided for in this Section shall be cumulative and not exclusive.



- I. **Citizen Reporting.** Members of the public are encouraged to report possible violations of this Chapter to the City's Public Works Department.

**5.84.100 Planning and Land Development Program requirements for New Development and Redevelopment projects.**

- A. **Compliance with Municipal NPDES Permit.** The following New Development and Redevelopment projects are required to comply with the Municipal NPDES Permit:

1. All development projects equal to 1 acre or greater of disturbed area and adding more than 10,000 square feet of impervious area;
2. Industrial parks with 10,000 square feet or more of surface area;
3. Commercial malls with 10,000 square feet or more surface area;
4. Retail gasoline outlets with 5,000 square feet or more of surface area;
5. Restaurants (SIC 5812) with 5,000 square feet or more of surface area;
6. Parking lots with 5,000 square feet or more of impervious area or with twenty-five or more parking spaces;
7. Single family hillside residential developments or redevelopments;
8. Street and road construction of 10,000 square feet or more of impervious surface area shall follow USEPA guidance regarding Managing Wet Weather with Green Infrastructure: Green Streets (December 2008 EPA-833-F-08-009) to the maximum extent practicable. Street and road construction applies to standalone streets, roads, highways, and freeway projects, and also applies to streets within larger projects;
9. Automotive service facilities (SIC 5013, 5014, 5511, 5541, 7532-7534 and 7536- 7539) with 5,000 square feet or more of surface area;
10. Projects located in or directly adjacent to, or discharging directly to a Significant Ecological Area (SEA), where the development will:
  - a) Discharge storm water runoff that is likely to impact a sensitive biological species or habitat; and

- b) Create 2,500 square feet or more of impervious surface area;
11. Projects in subject categories that meet Redevelopment thresholds (pursuant to the Municipal NPDES Permit), which include:
- a) Land-disturbing activities which create, add, or replace 5,000 square feet or more of impervious surface area on an already developed site excluding single family dwellings and accessory structures.
  - b) Land-disturbing activities which create, add, or replace 10,000 square feet or more of impervious surface area on existing single family dwellings and accessory structures.
  - c) Where Redevelopment results in an alteration to more than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-development storm water quality control requirements, the entire Project must be mitigated.
  - d) Where Redevelopment results in an alteration to less than 50% of impervious surfaces of a previously existing development, and the existing development was not subject to post-development storm water quality control requirements, only the alteration must be mitigated, and not the entire development.

**EXCEPTIONS:** The following do not constitute New Development or Redevelopment:

1. Routine maintenance activities conducted to maintain original line and grade, hydraulic capacity, original purpose of facility, or emergency redevelopment activity required to protect public health and safety. Impervious surface replacement, such as the reconstruction of parking lots and roadways which does not disturb additional area and maintains the original grade and alignment, is considered a routine maintenance activity.
2. Discretionary permit projects or phased project applications which have been deemed complete by June 28, 2015 and which have not received an extension of time.
3. Discretionary permit projects with a valid vesting tentative map.

**B. Incorporation of Planning and Land Development Program requirements Into Project Plans.**

1. New Development and Redevelopment projects are required to control pollutants and runoff volume from the project site by minimizing the impervious surface area and controlling runoff through infiltration, bioretention, and/or rainfall harvest and use, in accordance with the standards set forth in the Municipal NPDES Permit.
2. An applicant for a New Development or a Redevelopment Project identified in this Chapter shall incorporate into the applicant's project plans a Post Construction Storm Water Mitigation Plan which includes those Best Management Practices necessary to control storm water pollution from the completed project. Structural or treatment control BMPs (including, as applicable, post-construction treatment control BMPs) set forth in project plans shall meet the design standards set forth in the Municipal NPDES Permit.
3. To the extent that the City may lawfully impose conditions, mitigation measures, or other requirements on the development or construction of a single-family home in a hillside area, a single-family hillside home Development or Redevelopment project shall implement mitigation measures to:
  - a) Conserve natural areas;
  - b) Protect slopes and channels;
  - c) Provide storm drain system stenciling and signage;
  - d) Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability; and
  - e) Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability.
4. **New Development/Redevelopment Project Performance Criteria.** Post-construction BMPs to mitigate storm water pollution are required for all New Development and Redevelopment projects identified in this Chapter unless alternative measures are allowed as provided in the Municipal NPDES Permit. BMPs must be implemented to retain on-site the Storm Water Quality Design Volume (SWQDv), defined as runoff from either:

- a) The 0.75 inch, 24-hour rain event; or
- b) The 85th percentile, 24-hour event, as determined from the Los Angeles County 85th percentile precipitation isohyetal map, whichever is greater.

BMPs shall meet the design specifications and on-site retention potential outlined in the Municipal NPDES Permit. Projects unable to retain 100% of the SWQDv on-site due to technical infeasibility as defined in the Municipal NPDES Permit must implement alternative compliance measures in accordance with the Municipal NPDES Permit.

Single family hillside home development projects are exempt from the New Development/Redevelopment Project Performance Criteria of the Municipal NPDES Permit unless they create, add, or replace 10,000 square feet or more of impervious surface area.

Street and road construction projects of 10,000 square feet or more of impervious surface area are exempt from the New Development/Redevelopment Project Performance Criteria of the Municipal NPDES Permit but shall adhere to the City's Green Streets Policy and be consistent with USEPA guidance regarding Managing Wet Weather with Green Infrastructure: Green Streets (December 2008 EPA-833-F-08-009) to the maximum extent practicable.

- C. **Issuance of Final Approval.** As a condition for issuing final approval for New Development or Redevelopment projects identified in this Chapter, the Authorized Enforcement Officer shall require property owners or their representative(s) to build all the storm water pollution control Best Management Practices and structural or treatment control BMPs that are shown on the approved project plans and to submit a signed certification statement stating that the site and all structural or treatment control BMPs will be maintained in compliance with the Municipal NPDES Permit and other applicable regulatory requirements.

With the exception of Simple LID BMPs (as defined in this Chapter) implemented on single family residences, project owners shall provide an operation and maintenance plan, monitoring plan where required, and verification of ongoing maintenance provisions for LID practices and treatment control BMPs including, but not limited to: final map conditions, legal agreements, covenants, conditions or restrictions, California Environmental Quality Act (CEQA), CEQA mitigation requirements, conditional use permits, and/or other legally binding maintenance

agreements. These maintenance records must be kept on site for treatment BMPs implemented on single family residences.

**D. Transfer of Properties Subject to Requirement for Maintenance of Structural and Treatment Control BMPs.**

1. The transfer or lease of a property subject to a requirement for maintenance of structural and treatment control BMP's shall include conditions requiring the transferee and its successors and assigns to either (a) assume responsibility for maintenance of any existing structural or treatment control BMP, or (b) to replace an existing structural or treatment control BMP with new control measures or BMPs meeting the current standards of the City and the Municipal NPDES Permit. Such requirement shall be included in any sale or lease agreement or deed for such property. The condition of transfer shall include a provision that the successor property owner or lessee conduct maintenance inspections of all structural or treatment control BMPs at least once a year and retain proof of inspection.
2. For residential properties where the structural or treatment control BMPs are located within a common area which will be maintained by the community association, appropriate arrangements shall be made with the association regarding the responsibility for maintenance.
3. If structural or treatment control BMPs are located within an area proposed for dedication to a public agency, they will be the responsibility of the developer until the dedication is accepted.

**E. California Environmental Quality Act. CEQA. Provisions of this Section shall be complementary to, and shall not replace, any applicable requirements for storm water mitigation required under the CEQA."**

**SECTION 2.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

SECTION 3. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

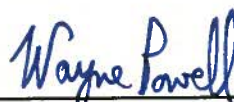
PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of April, 2015.

AYES: Howorth, Lesser, D'Errico, Burton and Mayor Powell

NOES: None

ABSENT: None

ABSTAIN: None

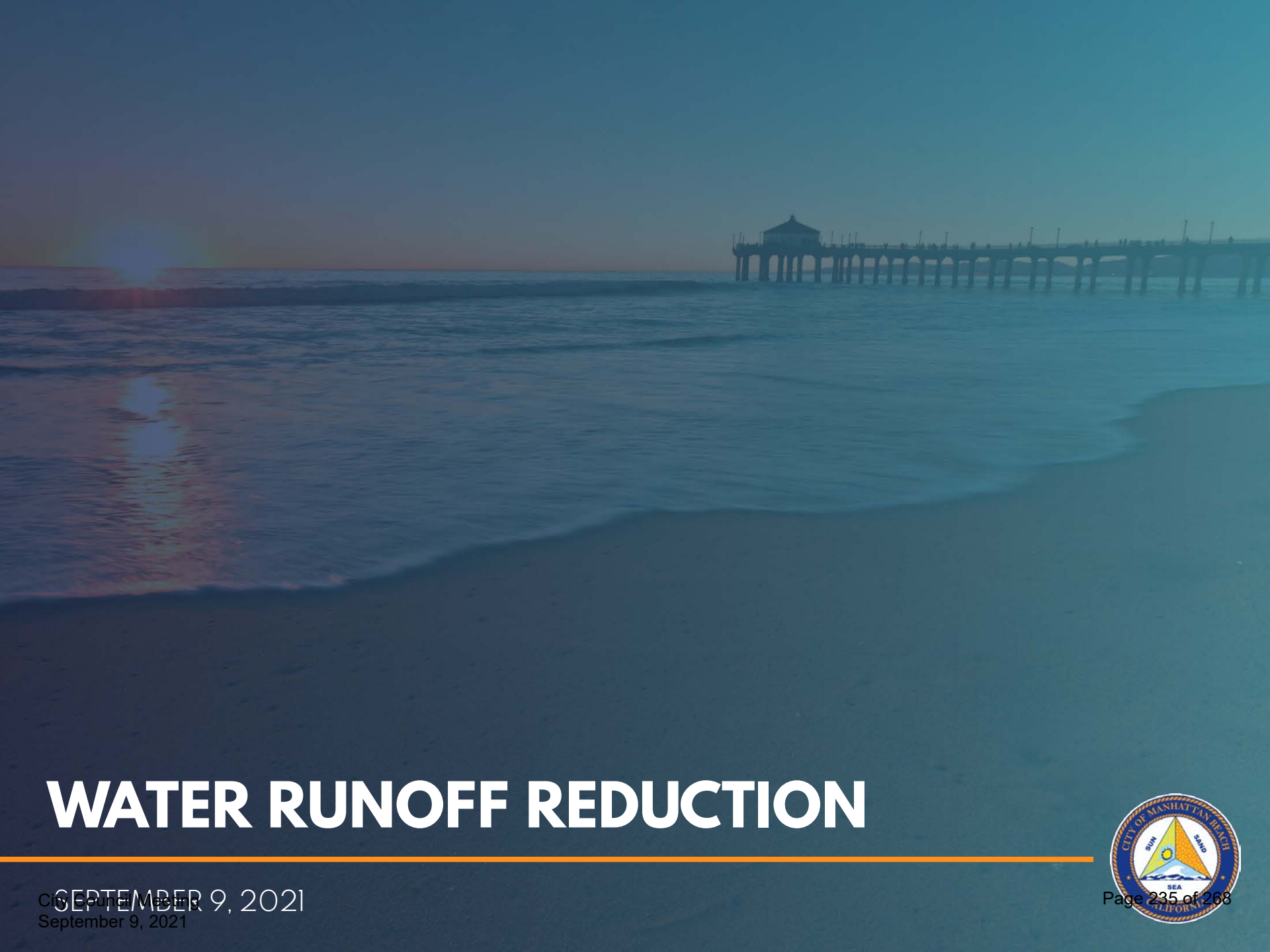


\_\_\_\_\_  
WAYNE POWELL  
Mayor

ATTEST:



\_\_\_\_\_  
LIZA TAMURA  
City Clerk



# WATER RUNOFF REDUCTION

City Council Meeting  
September 9, 2021



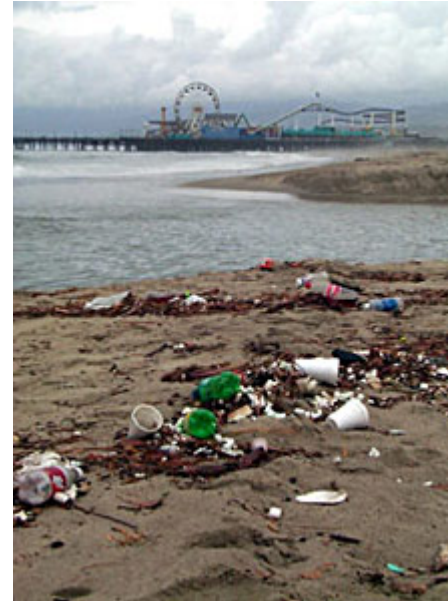
# BACKGROUND

- September 2019 - City Council requested that staff and the Sustainability Task Force discuss options for expanding runoff requirements to zero discharge for new construction.
- Study whether properties are required to:
  - contain runoff
  - treat runoff on-site
- Referenced zero discharge regulations for new construction, such as those for the City of Santa Monica.



# BACKGROUND – WATER RUNOFF

- Stormwater runoff
  - Precipitation from rain events flow over impervious surfaces without percolating into the ground.
- Dry weather runoff
  - Water from landscaping or other outdoor uses
  - Flows off-site and into storm drains or streams
  - Fertilizers, pesticides, bacteria



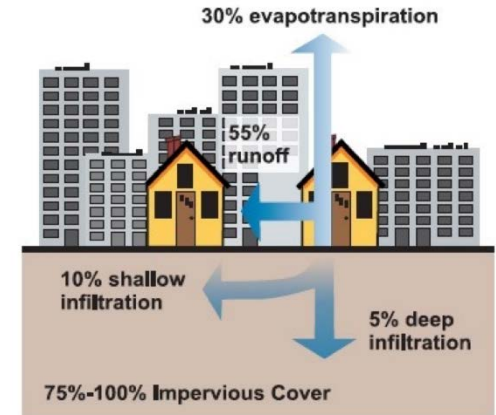
# BACKGROUND – CURRENT MEASURES



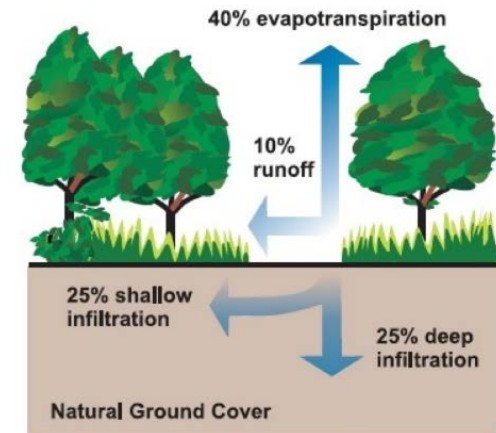
- Stormwater and Urban Runoff Protection Control Ordinance (Ordinance 15-0004)
- Business programs to facilitate compliance with runoff reduction
  - MB Green Business Program
  - Clean Bay Restaurants
- Actions taken by the City to address drought and water conservation are also efficient methods of eliminating runoff.
  - Model Water Efficiency Ordinance
  - Water Conservation Ordinance

# LOW IMPACT DEVELOPMENT (LID)

- Local governments can adopt Low Impact Development (LID) policies
- LID principles are to design sites to capture water to reduce runoff
- Employing LID leads to rainwater staying on site, rather than flowing into storm drains.
- LID projects usually include:
  - Percolation to replenish the water table;
  - Captured and used for irrigation; or
  - Bio-retention systems



**Developed Watershed**



**Undeveloped Watershed**

# LOW IMPACT DEVELOPMENT- MB

- MB adopted Ordinance 15-0004 includes project size thresholds to trigger LID Best Management Practices (BMPs)
- Most residential development in the City does not meet the threshold for triggering LID requirements, and only some commercial development has.
- In MB, the size threshold is typically:
  - 10,000 square feet of impervious surface for new residential development or public projects
  - 5,000 square feet of impervious surface for some new commercial development





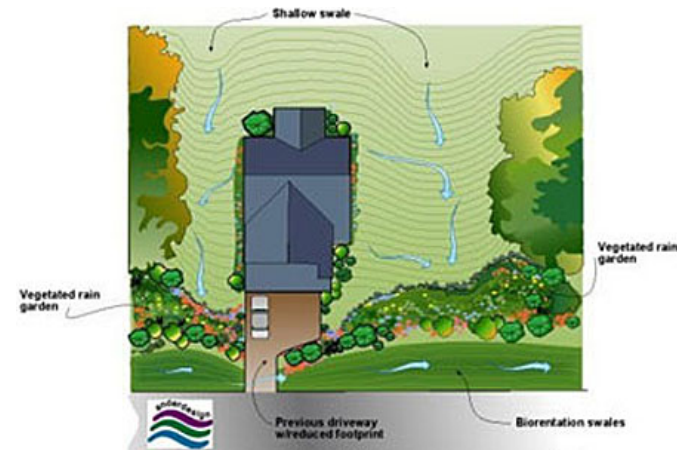
# LOW IMPACT DEVELOPMENT

- Cities that have LID ordinances - Hermosa Beach, Redondo Beach, Newport Beach, and Santa Monica.
- Santa Monica's runoff requirements have no minimum threshold size to trigger LID requirements - all new development requires LID to reduce urban runoff (with some exceptions for feasibility).
- Manhattan Beach has a size threshold of impervious surface before LID requirements are triggered.
- Santa Monica has a "Runoff Reduction Fee" if a development is unable to implement LID techniques.
  - Developers pay into a fund to treat stormwater off-site, helping fund city stormwater treatment projects



# SUSTAINABILITY TASK FORCE

- MB's Sustainability Task Force (STF) discussed runoff reduction measures and supported:
  - Efforts to improve permeability in the city
  - Planting California native plants and drought-tolerant landscaping (akin to Hermosa Beach's LID)
  - Renewed education and compliance of existing water conservation measures.
- Supported going beyond State regulatory agency requirements to reduce runoff



*The STF specifically supports removing the size threshold for LID for new development in Manhattan Beach, similar to what Santa Monica has done.* WBDG

# RECOMMENDATION & OPTIONS

- Staff Recommendation: City Council discuss and provide direction on additional water runoff reduction actions that could be taken in the City.
  - *Option One:* Create a new Work Plan item directing staff to research new Low Impact Development (LID) regulations for new construction. This could include eliminating the project's impervious surface size threshold. *Sustainability Task Force recommendation.*
  - *Option Two:* Continue with business as usual and not add any additional runoff regulations to new construction.









**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Carrie Tai, AICP, Community Development Director  
Dana Murray, Environmental Sustainability Manager

**SUBJECT:**

Update on Upcoming Clean Power Alliance (CPA) Default Rate Change to 100% Green Power and Associated Outreach Schedule (Community Development Director Tai).

**RECEIVE AND FILE**

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**RECOMMENDATION:**

City Council receive and file an update on the upcoming Clean Power Alliance (CPA) Default Rate Change to 100% Green Power and associated outreach schedule.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

Community choice energy (CCE) programs enable local government control over energy procurement to purchase electricity from renewable sources (solar, wind, hydroelectric, etc.), set competitive rates, and collect revenue. This enables governments to meet and advance their climate action goals. CPA is a nonprofit CCE program established in 2017 consisting of 32 public agencies in Los Angeles and Ventura counties (Attachment). The City joined in December 2017. CPA procures and sells clean power to customers at competitive rates, while Southern California Edison (SCE) is responsible for delivery, billing, and resolving any service issues.

CPA offers a choice of three Energy Tiers, representing the percentage of clean and renewable energy: Lean (40%); Clean Power (50%); and Green Power (100%). The agency chooses a Default Tier (starting point) for customers, but customers may take an Opt Action to select a different level or opt out and return to receiving both electricity and service delivery from SCE. In February 2018, City Council selected the 50% Clean Power Default Tier. In May 2019, City Council voted to move all municipal facilities to 100% Green Power. In November 2020, the City

Council voted to move the City's Default Tier to 100% Green Power, to take effect in October 2021. The City Council requested that staff and CPA coordinate enhanced outreach to inform customers about Opt Actions during the period before the switch.

At the August 24, 2021, meeting, City Council requested background and an update of the outreach efforts leading up to the switch to 100% Green Power.

**DISCUSSION:**

The 100% Green Power transition will take effect beginning in October 2021, and coincide with each individual customer's first meter-read date. According to CPA, transitioning from 50% Clean Power to 100% Green Power would result in an approximate 2.5-3% increase on an average residential or small business electricity bill.

CPA has created a bill comparison calculator on their website,

<https://bill-compare.communityenergysolutions.com/ui/?ccaid=1&custid=1>. This calculator allows customers to obtain an estimate of their bill at the various CPA levels as well as current SCE rates by entering their amount of monthly energy usage. The calculator automatically adjusts for seasonal variation in rates, so customers can understand the energy rates for different seasons.

At any time, customers may choose to move to one of CPA's other levels (and associated rates) with an Opt Action by notifying CPA through a phone call (1-888-585-3788), by email [customerservice@cleanpoweralliance.org](mailto:customerservice@cleanpoweralliance.org) or by visiting CPA's website, <https://cleanpoweralliance.org/rate-options/>. They may also opt out completely of CPA service in the same manner.

Customers who have already taken an Opt Action before October's change in the Default Tier will remain on their previously-selected Opt Action. For example, if a customer elected to opt down to 40% Lean Power, the City's switch to a 100% Default Tier will not affect that customer's previous action.

Some residents with limited incomes may be enrolled in financial assistance programs, such as the California Alternate Rates for Energy (CARE) that provides income-qualified customers a discount of approximately 30% on their monthly electric bill. Per CPA policy, customers on these assistance programs will receive the 100% Green product but be exempt from the associated rate increase.

**PUBLIC OUTREACH:**

Since the November 2020 City Council meeting, staff has followed City Council direction to work with CPA to conduct public outreach. CPA and City staff have developed the attached schedule (Attachment) to announce the upcoming transition to 100% Green Power. Outreach information pertains to how customers may choose one of CPA's rate options (or opt out), how the use of renewable energy aligns with the City's sustainability goals, and how to understand the utility bills.

**Mailed notices:** CPA will be notifying customers subject to a Default Tier change through two mailed customer notices (Attachment). The information will also be shared through City water bill inserts beginning in September, which is sent to all City water service customers. The timing has been dependent on CPA providing the insert material.

**Publications:** Starting in August, the City is publishing informational ads in the local newspapers (Attachment) for five weeks leading up to the 100% Green Power switch (which begins on October 9). Additionally, staff is including information in e-newsletters such as the Older Adults Program newsletter and the Community Development Quarterly Update

(Attachment). The City is also preparing a press release.

**Website:** Staff has updated the City's website with information about the upcoming transition to 100% Green Power. The information includes CPA's customer service information and information regarding financial assistance to qualified customers. All outreach information will be posted to the website as well. <https://www.manhattanbeach.gov/cleanpoweralliance>

**Social Media:** The City has commenced regular posts on social media (Facebook, Instagram, and Twitter) informing the public about the upcoming switch to 100% Green Power, and will continue posts for the next two months (Attachment). This information includes the link to CPA's website.

**Presentations and Events:** Staff and CPA have met with older adults in the community to share information. Staff led a presentation and discussion with the Senior Advisory Committee (SAC) in June 2021, and presented to the City's Older Adults Program (OAP) through the Dine N' Discover monthly luncheon in August 2021 (Attachment). In September, staff will be partnering with the OAP to walk seniors through their energy options during a tech/iPhone Training class with Dayle Eisenhower (SAC member).

Staff has shared information on CPA and renewable energy choices during multiple Climate Ready MB public workshops from February to June 2021 (Attachment).

In October, staff will host a booth at the Hometown Fair to provide information about CPA options and the transition to 100% Green Power. The City plans to have a computer/iPad on hand to help the public navigate their energy choices.

**ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

1. CPA Member Agency Participation and Default
2. CPA Member Agency Default Choices
3. CPA Outreach Timeline
4. Outreach Examples

### Participation by City and County

| Jurisdiction          | Default Option | Participation Rate | Active Accounts  | Lean %        | Clean %       | 100% Green %  |
|-----------------------|----------------|--------------------|------------------|---------------|---------------|---------------|
| Agoura Hills          | Lean           | 95.46%             | 8,290            | 99.64%        | 0.14%         | 0.23%         |
| Alhambra              | Clean          | 98.07%             | 34,045           | 1.23%         | 98.64%        | 0.13%         |
| Arcadia               | Lean           | 98.05%             | 22,545           | 99.78%        | 0.15%         | 0.08%         |
| Beverly Hills         | Clean          | 99.42%             | 18,714           | 1.30%         | 98.56%        | 0.14%         |
| Calabasas             | Lean           | 98.45%             | 9,948            | 99.62%        | 0.22%         | 0.17%         |
| Camarillo             | Lean           | 95.36%             | 28,487           | 98.80%        | 0.26%         | 0.95%         |
| Carson                | Clean          | 97.19%             | 29,341           | 1.06%         | 98.64%        | 0.30%         |
| Claremont             | Clean          | 95.03%             | 12,693           | 1.80%         | 97.78%        | 0.42%         |
| Culver City           | 100% Green     | 97.62%             | 19,219           | 3.26%         | 1.04%         | 95.70%        |
| Downey                | Clean          | 97.51%             | 36,957           | 1.29%         | 98.58%        | 0.14%         |
| Hawaiian Gardens      | Clean          | 97.09%             | 3,643            | 1.03%         | 98.61%        | 0.36%         |
| Hawthorne             | Lean           | 99.22%             | 28,437           | 99.54%        | 0.24%         | 0.23%         |
| Los Angeles County    | Clean          | 95.61%             | 297,422          | 1.43%         | 98.33%        | 0.25%         |
| Malibu                | 100% Green     | 97.27%             | 6,901            | 2.27%         | 0.39%         | 97.34%        |
| Manhattan Beach       | Clean          | 98.55%             | 15,486           | 1.88%         | 94.94%        | 3.19%         |
| Moorpark              | Clean          | 89.75%             | 11,507           | 2.16%         | 96.97%        | 0.87%         |
| Ojai                  | 100% Green     | 93.46%             | 3,501            | 5.80%         | 1.52%         | 92.69%        |
| Oxnard                | 100% Green     | 95.44%             | 54,952           | 7.36%         | 0.42%         | 92.23%        |
| Paramount             | Lean           | 98.62%             | 15,668           | 99.62%        | 0.31%         | 0.08%         |
| Redondo Beach         | Clean          | 98.96%             | 33,365           | 1.64%         | 98.11%        | 0.25%         |
| Rolling Hills Estates | 100% Green     | 94.82%             | 3,349            | 4.91%         | 47.54%        | 47.57%        |
| Santa Monica          | 100% Green     | 97.88%             | 53,496           | 3.88%         | 0.83%         | 95.29%        |
| Sierra Madre          | 100% Green     | 95.68%             | 5,047            | 4.36%         | 3.56%         | 92.09%        |
| Simi Valley           | Lean           | 93.10%             | 43,075           | 99.68%        | 0.09%         | 0.24%         |
| South Pasadena        | 100% Green     | 98.12%             | 11,718           | 2.55%         | 45.89%        | 51.57%        |
| Temple City           | Lean           | 97.76%             | 12,621           | 99.89%        | 0.03%         | 0.08%         |
| Thousand Oaks         | 100% Green     | 88.70%             | 44,360           | 7.25%         | 1.13%         | 91.64%        |
| Ventura               | 100% Green     | 93.66%             | 43,657           | 5.53%         | 1.60%         | 92.87%        |
| Ventura County        | 100% Green     | 86.45%             | 32,387           | 6.64%         | 1.53%         | 91.83%        |
| West Hollywood        | 100% Green     | 99.46%             | 26,298           | 2.26%         | 0.38%         | 97.36%        |
| Westlake Village      | Lean           | 87.22%             | 3,700            | 99.76%        | 0.06%         | 0.19%         |
| Whittier              | Clean          | 95.87%             | 30,646           | 1.38%         | 98.45%        | 0.18%         |
| <b>Total</b>          |                | <b>95.78%</b>      | <b>1,001,475</b> | <b>30.27%</b> | <b>37.03%</b> | <b>32.71%</b> |

### Overall Participation by Default Option

| Default Option | Participation Rate | Default Option | Active Accounts  | % of Active    |
|----------------|--------------------|----------------|------------------|----------------|
| 100% Green     | 94.88%             | 100% Green     | 304,885          | 30.44%         |
| Clean          | 96.64%             | Clean          | 523,819          | 52.30%         |
| Lean           | 95.92%             | Lean           | 172,771          | 17.25%         |
| <b>Total</b>   | <b>95.78%</b>      | <b>Total</b>   | <b>1,001,475</b> | <b>100.00%</b> |

# Jurisdiction Default Choices



## **Lean Power**

40% clean power

Arcadia  
Hawthorne  
Paramount  
Simi Valley  
Temple City  
Westlake Village



## **Clean Power**

50% clean power

Alhambra  
Beverly Hills  
Camarillo *(effective October 1, 2021)*  
Carson  
Claremont  
Downey  
Hawaiian Gardens  
Unincorporated Los Angeles County  
Moorpark  
Redondo Beach  
Whittier



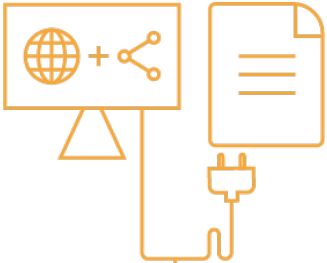
## **100% Green Power**

100% renewable energy

Agoura Hills *(effective October 1, 2021)*  
Calabasas *(effective October 1, 2021)*  
Culver City  
Malibu  
Manhattan Beach *(effective October 1, 2021)*  
Ojai  
Oxnard  
Rolling Hills Estates  
Santa Monica  
Sierra Madre  
South Pasadena  
Thousand Oaks  
Unincorporated Ventura County  
Ventura  
West Hollywood

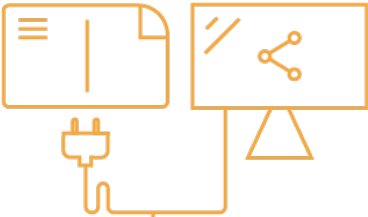
# Outreach Timeline

Social Media  
Webpages  
eNewsletters  
Presentations



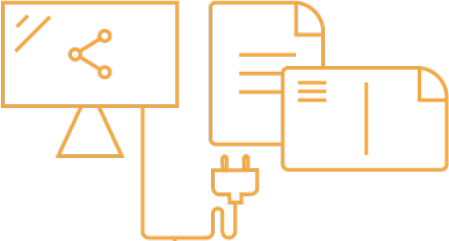
August

Mailed Postcard  
Newspaper Ads  
Webpages  
Social Media  
Water Bill Insert  
eNewsletters  
Presentations



September

Press Release  
2<sup>nd</sup> Mailed Postcard  
Newspaper Ad  
Social Media  
Webpages  
eNewsletters  
Water Bill Insert  
Hometown Fair Booth



October



# Mailed Notices



**CPA CLEAN POWER ALLIANCE**

**Manhattan Beach**  
is going to  
**100% Green Power!**

In October, clean energy produced by sources like the sun and wind will be used to power homes and businesses in Manhattan Beach.

This will reduce **36,603** metric tons of greenhouse gas emissions, annually, which is like planting **603,947** trees or taking **7,942** cars off the road.

Thank you, Manhattan Beach!

**IMPORTANT NOTICE FROM YOUR CLEAN ENERGY PROVIDER.**

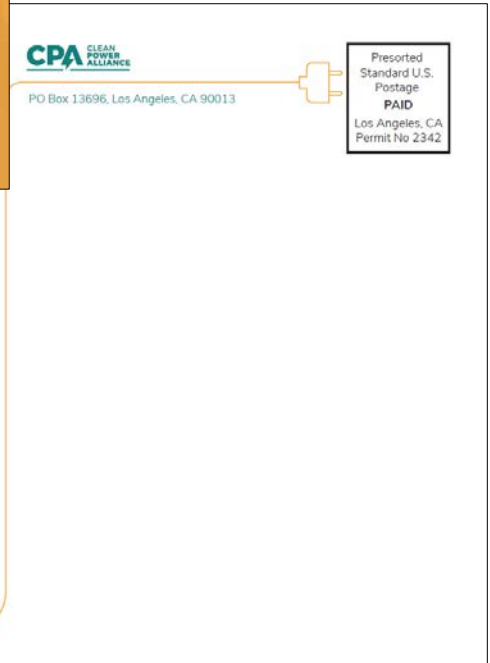
Follow Clean Power Alliance to learn more energy saving tips.

**What are my other choices?**

If you want to keep your bill what it is currently or learn more about other rate options, visit [cleanpoweralliance.org/compare](https://cleanpoweralliance.org/compare) or you can call us at **888-585-3788** or email us at [customerservice@cleanpoweralliance.org](mailto:customerservice@cleanpoweralliance.org).

And because Clean Power Alliance cares about our communities, we offer many customer assistance programs. Visit [cleanpoweralliance.org/CPAbillhelp](https://cleanpoweralliance.org/CPAbillhelp) to learn more and see if you qualify.

 @CleanPowerAlliance  @CleanPowerInfo



**CPA CLEAN POWER ALLIANCE**

PO Box 13696, Los Angeles, CA 90013

Presorted Standard U.S. Postage  
**PAID**  
Los Angeles, CA  
Permit No 2342



**MANHATTAN BEACH**  
IS GOING TO  
**100% GREEN POWER!**

In October, 100% clean energy produced by sources like the sun and wind will be used to power homes and businesses in Manhattan Beach.

This will reduce **36,603** metric tons of greenhouse gas emissions, annually, which is like planting **603,947** trees or taking **7,942** cars off the road.

**THANK YOU, MANHATTAN BEACH!**

**CPA CLEAN POWER ALLIANCE**



**WHAT DOES THIS MEAN FOR YOU?**



- Because it costs a bit more for clean energy, a typical bill for residents and small businesses will go up by approximately 3%, or about \$5 a month. To offset this cost, you could simply turn your thermostat up during the summer by 2 degrees! Follow Clean Power Alliance to learn more energy saving tips.

**WHAT ARE MY OTHER CHOICES?**

If you want to keep your bill what it is currently or learn more about other rate options, visit [cleanpoweralliance.org/compare](https://cleanpoweralliance.org/compare) or you can call us at **888-585-3788** or email us at [customerservice@cleanpoweralliance.org](mailto:customerservice@cleanpoweralliance.org).

And because Clean Power Alliance cares about our communities, we offer many customer assistance programs. Visit [cleanpoweralliance.org/CPAbillhelp](https://cleanpoweralliance.org/CPAbillhelp) to learn more and see if you qualify.

**CPA CLEAN POWER ALLIANCE**

 @CleanPowerAlliance  @CleanPowerInfo



# Publications



**MANHATTAN BEACH IS GOING TO 100% GREEN POWER!**

In October, 100% clean energy produced by sources like the sun and wind will be used to power homes and businesses in Manhattan Beach. This will reduce 36,603 metric tons of greenhouse gas emissions, annually, which is like planting 603,947 trees or taking 7,942 cars off the road.

**THANK YOU, MANHATTAN BEACH!**

**KNOW YOUR CHOICES AND LEARN MORE**  
Learn more about other rate options, visit [cleanpoweralliance.org/compare](https://cleanpoweralliance.org/compare) or you can call us at 888-585-3788 or email us at [customerservice@cleanpoweralliance.org](mailto:customerservice@cleanpoweralliance.org).

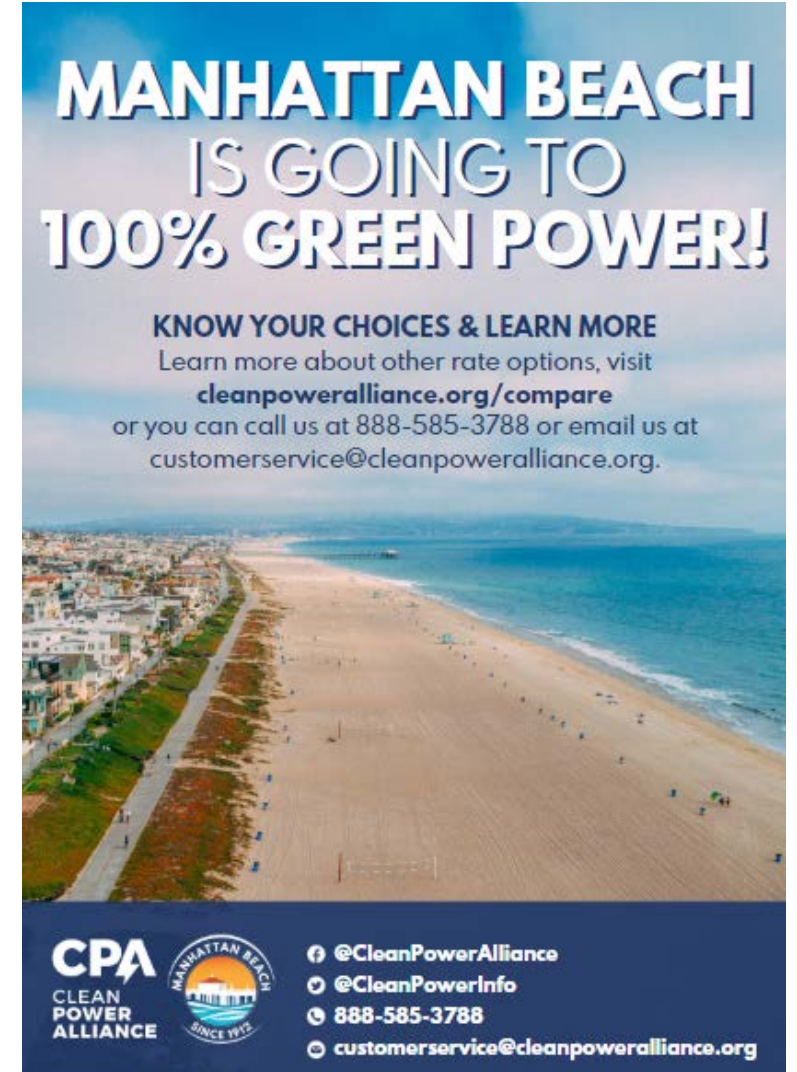
**CPA CLEAN POWER ALLIANCE**  And because Clean Power Alliance cares about our communities, we offer many customer assistance programs. Visit [cleanpoweralliance.org/CPAbillhelp](https://cleanpoweralliance.org/CPAbillhelp) to learn more and see if you qualify.



**MANHATTAN BEACH IS GOING TO 100% GREEN POWER!**






**DID YOU KNOW?**  
You can change your clean power tier at any time AND Clean Power Alliance has assistance programs to help pay your electricity bills!  
[cleanpoweralliance.org/CPAbillinghelp](https://cleanpoweralliance.org/CPAbillinghelp)

**CPA CLEAN POWER ALLIANCE**   @CleanPowerAlliance  
 @CleanPowerInfo  
 888-585-3788  
 [customerservice@cleanpoweralliance.org](mailto:customerservice@cleanpoweralliance.org)



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 888-585-3788  
 [customerservice@cleanpoweralliance.org](mailto:customerservice@cleanpoweralliance.org)



# Social Media



cityofmb • Following  
Manhattan Beach, California



cityofmb Manhattan Beach is going Green – with 100% clean renewable energy starting October 9! 🌿 Residents are leading the way as one of 15 Southern California communities that have made the switch to zero-emissions sources like sun and wind! ☀️➡️

Starting in October, for about \$4.50\* more a month in electricity charges, residents of MB will fight climate change every time they flip the light switch! 💡 Thank you, Manhattan Beach, for leading the way to a clean energy future! 🍌

\*CPA customers may learn more about their options or choose to stay at their current rates by contacting 888-585-



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AUGUST 10



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# Presentations and Events

## CLEAN POWER ALLIANCE



SENIOR ADVISORY COMMITTEE JUNE 8, 2021

### AGENDA

SENIOR ADVISORY COMMITTEE MEETING  
Tuesday, June 8, 2021 at 1 PM  
ZOOM

1. Welcome- Chair
2. Flag Salute
3. Roll Call
4. Introduction of Members and Visitors
5. Approval of Minutes
6. Priority Action Items
  - o Approval of Agenda-All
  - o Clean Power Alliance – Dana Murray, Environmental Sustainability Manager
  - o City Council Report – Councilperson Franklin

## CLEAN POWER ALLIANCE

DINE 'N DISCOVER AUGUST 18, 2021



### Older Adults Program: Clean Power Alliance

Date: 08/18/2021 12:00 PM - 2:00 PM  
Location: Joslyn Community Center Ocean Banquet Hall  
1601 N Valley Dr  
Manhattan Beach, California 90266

[Add to my Calendar](#)

Manhattan Beach has been part of Clean Power Alliance since 2018, Southern California's locally operated electricity provider across Los Angeles and Ventura counties. Clean Power Alliance strives for a clean energy future that is local, where communities are empowered and customers are given a choice about the source of their energy. With more power customers on 100% renewable energy plans than any other energy provider in the U.S., Clean Power Alliance purchases clean renewable energy for 30 cities and two counties in Los Angeles and Ventura, including Manhattan Beach. SCE continues to deliver power to your home or business, send one bill, and is responsible for resolving any issues with your electricity service. The best part is: the choice is yours! As an electricity customer in Manhattan Beach, for the first time you now have a choice when it comes to your energy. Clean Power Alliance currently offers three rate options designed to suit the diverse needs of our communities. You have the opportunity to choose the percentage of renewable content that suits your business or family best. The City's original default was 50% renewable energy, and will be moving to 100% Green Power this October- to power the entire community with clean, renewable energy powered by solar and wind. Speakers from the City and Clean Power Alliance will be on hand to answer questions from residents about the program. For more information, please visit the [Clean Power Alliance website](#).



Cost: Free

## CLIMATE READY MB WORKSHOP #3: CLIMATE ACTION & ADAPTATION PLANNING IN THE CITY



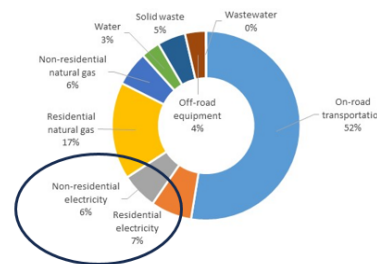
APRIL 15, 2021 - 6:00 PM  
[www.citymb.info/ClimateReadyMB](http://www.citymb.info/ClimateReadyMB)



## GHG MEASURES

### Green the Electricity Supply

- Community Choice Aggregation (CPA)
  - City joined in December 2017
  - Municipal: 100% green power in 2019
  - Community:
    - 50% green in 2018
    - 100% green in Oct 2021
- Local rooftop solar installations, battery storage & microgrids





# eNewsletters



## Educational Presentation

### CLEAN POWER ALLIANCE

Manhattan Beach has been part of Clean Power Alliance since 2018, Southern California's locally operated electricity provider across Los Angeles and Ventura counties. Clean Power Alliance strives for a clean energy future that is local, where communities are empowered and customers are given a choice about the source of their energy. With more power customers on 100% renewable energy plans than any other energy provider in the U.S., Clean Power Alliance purchases clean renewable energy for 30 cities and two counties in Los Angeles and Ventura, including Manhattan Beach. SCE continues to deliver power to your home or business, send one bill, and is responsible for resolving any issues with your electricity service. The best part is: the choice is yours! As an electricity customer in MB, for the first time you now have a choice when it comes to your energy. Clean Power Alliance currently offers three rate options designed to suit the diverse needs of our communities. You have the opportunity to choose the percentage of renewable content that suits your business or family best. The City's original default was 50% renewable energy, and will be moving to 100% Green Power this October- to power the entire community with clean, renewable energy powered by solar and wind. Speakers from the City and Clean Power Alliance will be on hand to answer questions from residents about the program. For more information, please visit [www.cleanpoweralliance.org](http://www.cleanpoweralliance.org)

**When:** Wednesday, August 18

**Time:** 12pm -2:00pm

**Cost:** Free

A boxed lunch will be provided.

Reservations required. No walk-ins. Space is limited.

For reservations please call 310-802-5430.



### HOUSING ELEMENT UPDATE

The City is updating the General Plan Housing Element's policies, strategies and actions to enable new housing and preserve existing housing to meet community needs. Want to get involved? Email: [HEupdate2021@citymb.info](mailto:HEupdate2021@citymb.info)

[www.citymb.info/CommDev](http://www.citymb.info/CommDev)



Metlox has two new bike racks, with more to come throughout downtown!



There is a new crosswalk and signal at Veteran's Parkway Walkway and 15th Street.

(310) 802-5500 • [cdadmin@citymb.info](mailto:cdadmin@citymb.info)





**CITY OF MANHATTAN BEACH CITY HALL**

1400 Highland Avenue, Manhattan Beach, CA 90266

**WEBSITE:** [www.citymb.info](http://www.citymb.info) • **PHONE:** (310) 802-5000

## **AGENDA ITEM NO. 13**

City Council AB 1234 Reports.





**Agenda Date:** 9/9/2021

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**TO:**

Honorable Councilmember and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

George Gabriel, Assistant to the City Manager

**SUBJECT:**

Consider Request by Councilmember Napolitano and Councilmember Hadley to Discuss Prohibiting Timeshares (City Manager Moe).

**DISCUSS AND PROVIDE DIRECTION**

---

**RECOMMENDATION:**

Staff recommends that the City Council consider placing a discussion on prohibiting timeshares on a future City Council meeting agenda.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action. However, should the City Council direct staff to analyze the request, staff time and resources may be expended to accommodate the request.

**BACKGROUND:**

Pursuant to the Brown Act, the City Council cannot discuss items not on an agenda unless under limited circumstances. The City Council has developed a process to allow individual Councilmembers to request, with the support of another Councilmember, that items be placed on a future agenda for City Council discussion. At that future meeting, the item is identified on the agenda in full compliance with the Brown Act. Discussion allows an opportunity to the public to provide input and the City Council, as a body, to decide whether City resources (staff time, etc.) should be incurred to present a more comprehensive report at a third City Council meeting.

Accordingly, individual Councilmembers can initiate future agenda items by following the following three-step process:

**STEP ONE:**

During “Future Agenda Items,” a Councilmember may request that an item be placed on the agenda. If another Councilmember concurs with placing the item on the agenda, the item is placed on a future agenda. This was done at the August 24, 2021 City Council meeting.

**STEP TWO:**

The item is placed on the agenda at the section titled, “City Council Requests and Reports Including AB 1234 Reports” at the end of the agenda with this report. If it does not require any staff time, there may be attachments (e.g., copies of ordinances, resolutions, contracts, etc. previously adopted or approved) to provide background or context. After discussion, the City Council has the following options:

- a) Receive and File the report.
- b) Direct: the City Attorney to perform legal research; and staff to perform the necessary work to prepare a more comprehensive staff report and schedule the item for a future City Council meeting.
- c) Continue the item to a future date.

**STEP THREE:**

If City Council chooses option b) in Step Two above, the item is placed on a future City Council meeting agenda for action.

**DISCUSSION:**

At the request of Councilmember Napolitano and Councilmember Hadley at the August 24, 2021, City Council meeting, staff has placed this item on the agenda for further discussion. Specifically, the request pertained to possibly banning the use of residential property by multiple ownership entities, resembling a timeshare situation. Upon City Council consensus, staff will undertake efforts to research this topic and return to the City Council at a future meeting with more information. Additionally, City Council may provide staff direction on what the request entails.

**CONCLUSION:**

Staff recommends that the City Council consider the request.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.





**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Liza Tamura, City Clerk

Martha Alvarez, Assistant City Clerk

**SUBJECT:**

Agenda Forecast (City Clerk Tamura).

**INFORMATION ITEM ONLY**

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**DISCUSSION:**

The subject matter below is anticipated to appear on future City Council Agendas. It's important to note that the information being provided is tentative, subject to change and is listed for planning purposes only. Agendas for City Council Meetings are finalized and posted 6 days prior to the meeting date.

**CEREMONIAL**

- Proclamation Declaring September 21, 2021 as International Day of Peace.
- Kindness Initiative Recognition to Karen Woolridge & Donna Barney.
- 2021 Beacon Leadership Innovation Award.
- Recognition of Malia Kowal for Earning Her Girl Scout Gold Award.
- Proclamation Declaring October 2021 as National Community Planning Month.
- Presentation of Certificates of Recognition to the Manhattan Beach's Certified Green Businesses.
- Proclamation Declaring November 2021 as National Family Caregivers Month.
- Annual "Home Escape Plan" Contest Winners.
- Proclamation Declaring of the Week of November 14-November 20, 2021 as United Against Hate Week.
- Kindness Initiative Recognition Diana Skaar and Madeline Kaplan.

**CONSENT**

- City Council Minutes (City Clerk Tamura).

- Financial Reports (Finance Director Charelian).
- Consideration of a Resolution Approving a Sub-Recipient Agreement with Los Angeles County Regarding the State Homeland Security Program and Authorizing Acceptance of a Grant in the Amount of \$50,000 for the Purchase of Equipment to Enhance Regional Communication Capabilities (Police Chief Abell).
- Consideration of a Resolution Approving Amendment No. 2 for \$\*\*\* to Onward Engineering's Existing Professional Services Agreement for Additional Right-of-Way Services for the Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project; Authorizing the City Manager to Execute the Amendment (Public Works Director Lee).
- Consideration of a Resolution Approving Amendment No. 1 to the General Services Agreement with Hadronex for Sewer Smart Covers at a Cost Not-to-Exceed \$\*\*\* (Public Works Director Lee).
- Consideration of a Resolution Awarding RFP No. 1258-21 to \*\*\* for Citywide HVAC Maintenance, Repair and Replacement (Public Works Director Lee).
- Consideration of: a) A Resolution Awarding a Construction Agreement to Stephen Doreck Equipment Rentals, Inc. for the Cycle 1 Water Infrastructure Improvement Project for \$2,210,484.30; Approving the Plans and Specifications for the Project; and Authorizing the City Manager to Approve Additional Work, If Necessary, for up to \$221,048; b) A Resolution Approving an Inspection Services Agreement with Onward Engineering, Inc. in the Amount of \$204,930 (Public Works Director Lee).
- Consideration of a Resolution Confirming Emergency Order No. 26 Issued by the Director of Emergency Services During the Local Emergency Proclaimed to Address COVID-19 (City Attorney Barrow).
- Adoption of Annual Investment Policy for Fiscal Year 2021-2022 and Delegation of Responsibility for Investing Funds to the City Treasurer (Finance Director Charelian).
- Consideration of a Resolution Approving a Purchase and Installation of a Variable Frequency Driver (VFD) for Well 11A with Variable Speed Solutions at a Cost Not-to-Exceed of \$97,595.64 (Public Works Director Lee).
- Consideration of a Resolution Approving the Professional Services Agreement with Frontier for SCADA Management Services at a Cost Not-to-Exceed \$231,750 (Public Works Director Lee).
- Consideration of: a) A Resolution Awarding a Construction Agreement to \*\*\* for the Polliwog Park Lower Playground Replacement Project for \$\*\*\*; Approving the Plans and Specifications for the Project; and Authorizing the City Manager to Approve Additional Work, If Necessary, for Up To \$\*\*\*; b) A Resolution Approving a Construction Management and Inspection Services Agreement with \*\*\* in the Amount of \$\*\*\* (Public Works Director Lee).
- Consideration of: a) A Resolution Awarding a Construction Agreement to \*\*\* for the Manhattan Village and Senior Villas ADA Pathway Project for \$\*\*\*; Approving the Plans and Specifications for the Project; and Authorizing the City Manager to Approve Additional Work, If Necessary, for up to \$\*\*\*; b) A Resolution Approving an Inspection Services Agreement with \*\*\* in the Amount of \$\*\*\* (Public Works Director Lee).
- Adoption of an Ordinance Amending Various Sections of Chapter 5.24 and 5.26 of the Manhattan Beach Municipal Code Regarding Solid Waste (SB 1383) (Public Works Director Lee).

- Consideration of a Resolution Approving a Comprehensive Citywide Salary Schedule for All City Positions and Adjustments to Salary Ranges (Human Resources Director Jenkins).

### **PUBLIC HEARING**

- Public Hearing Regarding Urban Water Management Plan (Public Works Director Lee).

### **GENERAL BUSINESS**

- Update on the City's Homelessness Initiatives Including: 1) a Cost Estimate for Contracting with the City of Redondo Beach for Homeless Court and Prosecution Services, 2) Possible Engagement with Los Angeles County to Develop a Regional County-Run Homeless Court, and 3) Grant Applications with the South Bay Cities Council of Governments (SBCCOG) for Measure H Grant Funding for Homeless Services (City Manager Moe).
- Consideration of Licensing the City of Manhattan Beach Logo and Establishing a City Council Brand and Licensing Subcommittee (Parks and Recreation Director Leyman).
- Discussion of the 6th Cycle Housing Element Update (Community Development Director Tai).
- Discuss and Provide Direction on Potential Regulatory Actions that Increase Energy Efficiency of New Buildings, Including Options Such as All-Electric (No Gas Appliances) or Electric-Ready (Electric or Gas Appliances) in New Construction (Continued from the August 3, 2021, City Council Meeting) (Community Development Director Tai).
- Consideration of a Resolution Approving an Agreement with \*\*\* for the Replacement of Water Meters for an Amount Not-to-Exceed \$\*\*\* for the Water Meter Upgrade and Automation Project (Public Works Director Lee).
- Introduction of an Ordinance Amending Various Sections of Chapter 5.24 and 5.26 of the Manhattan Beach Municipal Code Regarding Solid Waste (SB 1383) (Public Works Director Lee).
- Update on Fiscal Year 2021-2022 City Council Work Plan Report (City Manager Moe).
- Donation of a Surfboard Sculpture from the North Manhattan Beach BID (Parks and Recreation Director Leyman).
- Cultural Arts Commission Work Plan Updates (Rainbow Crosswalk, MBAC Frieze, Utility Boxes, City Hall Lobby Mural) (Parks and Recreation Director Laymen).
- MBEF Donor Wall (Parks and Recreation Director Leyman).
- Update of Police Recruitment and Consideration of Recruitment Incentives (Human Resources Director Jenkins).
- Consideration of a Fee for the Business Use of the Public Right-of-Way (Community Development Director Tai).
- Fiscal Year 2021-2022 Budget Update and Appropriation of Funds (Finance Director Charelian).





**CITY OF MANHATTAN BEACH**  
1400 Highland Avenue Manhattan Beach, CA 90266  
[www.citymb.info](http://www.citymb.info) • (310) 802-5000

# STAFF REPORT

**Agenda Date:** 9/9/2021

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Carrie Tai, Community Development Director

**SUBJECT:**

Commission Minutes:

This Item Contains Minutes of the following City Commission Meetings:

a) Planning Commission Meeting Minutes of August 25, 2021 (Cancelled) (Community Development Director Tai).

**INFORMATION ITEM ONLY**

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The attached minutes are for information only:

1. Planning Commission Meeting Minutes of August 25, 2021 (Cancelled) (Community Development Director Tai)



**CITY OF MANHATTAN BEACH  
MINUTES OF THE PLANNING COMMISSION  
Manhattan Beach City Hall  
August 25, 2021**

The City of Manhattan Beach Planning Commission regular meeting of **August 25, 2021**, was CANCELLED due to no agenda items being scheduled.

The next meeting of the Planning Commission is scheduled for September 15, 2021, at 3:00 p.m.

