

**CITY OF MANHATTAN BEACH**

1400 Highland Avenue Manhattan Beach, CA 90266  
www.citymb.info • (310) 802-5000

# AGENDA

## City Council Regular Meeting

### Regular Meeting

**Tuesday, December 7, 2021**

**6:00 PM**

**City Council Chambers and Zoom**



#### **ELECTED OFFICIALS**

**Mayor** Hildy Stern

**Mayor Pro Tem** Steve Napolitano

**Councilmember** Richard Montgomery

**Councilmember** Joe Franklin

**Councilmember** Suzanne Hadley

**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.

## MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

*By participating in City Council meetings, 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.*

*The City continues to offer an opportunity to participate in City Council meetings via Zoom and in person. 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, December 7, 2021** (the day of the meeting), via:*

- 1) eComment at <http://www.manhattanbeach.gov/ecomment>
- 2) email to [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov) 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 G (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.manhattanbeach.gov](http://www.manhattanbeach.gov), the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.*

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

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

## CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

*I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, December 1, 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**

*Max Yu, Robinson Elementary School*

**C. ROLL CALL****D. CEREMONIAL CALENDAR**

1. Presentation of a Certificate of Recognition in Honor of Mayor Stern's Kindness Initiative to Christine and Mike Mignola for their Fundraising Efforts and Donation to Chef Jose Andres' World Central Kitchen During the COVID-19 Pandemic.

[21-0372](#)

**PRESENT**

Attachments: [Kindness Initiative - Christine and Mike Mignola](#)

**E. 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**

**F. 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.*

## G. PUBLIC COMMENTS (2 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.

The City Council encourages the public to participate by submitting comments in advance of the meeting, no later than **5:30 PM, December 7, 2021** (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment>
- 2) email to [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov) 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 PERSON PUBLIC PARTICIPATION

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

### 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>, 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 to "raise your hand" 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.

**Presentations/Updates:**

2. Climate Ready Manhattan Beach Update on Sea Level Rise Adaptation Plan and Public Outreach (Community Development Director Tai).

Attachments: [PowerPoint Presentation](#)

**H. COVID-19**

3. City Manager Update on COVID-19 Response.

**I. 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.*

4. City Council Minutes: [21-0173](#)  
This Item Contains Minutes of the Following City Council Meeting(s):  
a) City Council Regular Meeting Minutes of November 16, 2021  
b) City Council Adjourned Regular Meeting Minutes of November 30, 2021  
(City Clerk Tamura).

**APPROVE**

Attachments: [City Council Regular Meeting Minutes of November 16, 2021](#)  
[City Council Adjourned Regular Meeting Minutes of November 30, 2021](#)

5. Financial Reports: [21-0351](#)  
a) Schedule of Demands November 4, 2021, and November 11, 2021  
b) Investment Portfolio for the Month Ending October 31, 2021  
c) Month End Report for October 31, 2021  
(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

Attachments: [Schedule of Demands for November 4, 2021 and November 11, 2021](#)  
[Investment Portfolio for the Month Ending October 31, 2021](#)  
[Month End Report for October 31, 2021](#)

6. City Council Reconsideration of the Circumstances of the Declared COVID-19 Emergency to Facilitate Remote Attendance at Public Meetings by Councilmembers and Other City Legislators Pursuant to AB 361's Special Teleconferencing Requirements (City Attorney Barrow). [21-0370](#)

**ACCEPT STAFF RECOMMENDATION**

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7. Consideration of a Resolution Opting In and Authorizing Settlement Agreements with Distributors of Opioids, AmerisourceBergan, Cardinal Health, and McKesson, and Opioid Manufacturer Janssen, Owned By Johnson & Johnson (City Attorney Barrow). [21-0405](#)  
**ADOPT RESOLUTION NO. 21-0114**  
**Attachments:** [Resolution No. 21-0114](#)
8. Fiscal Year 2021-2022 Budget Update, Including Staffing Adjustments and Appropriation of Funds (Finance Director Charelian). [21-0284](#)  
**A) RECEIVE REPORT**  
**B) APPROPRIATE FUNDS**  
**C) APPROVE STAFFING ADJUSTMENTS**  
**Attachments:** [FY 2021-2022 Quarter 1 Comparison](#)
9. Consideration of a Resolution Rejecting All Bids Received for the Slurry Seal Project Encompassing the Sand Section (Area 7) and a Portion of the Tree Section (Area 6) (Public Works Director Lee). [21-0323](#)  
**ADOPT RESOLUTION NO. 21-0108 REJECTING ALL BIDS RECEIVED**  
**Attachments:** [Resolution No. 21-0108](#)  
[Location Map \(Central Portion of the Sand Section\)](#)
10. Consideration of a Resolution Approving a Design Services Agreement to TAIT & Associates, Inc. for the Rowell Avenue Sidewalk Gap Closure Between 1st Street and Curtis Avenue for \$145,221; and Authorize the City Manager to Execute the Agreement (Public Works Director Lee). [21-0327](#)  
**ADOPT RESOLUTION NO. 21-0109**  
**Attachments:** [Resolution No. 21-0109](#)  
[Agreement - TAIT & Associates, Inc.](#)  
[Budget and Expenditures Summary](#)  
[Location Map](#)
11. Consideration of a Resolution Approving a Professional Design Service Agreement with CWE, Inc., for the Santa Monica Bay TMDL High Flow Capacity Trash Treatment Control Devices Project for \$330,604 in Response to RFP No. E1265-21S; and Authorize the City Manager to Execute the Agreement (Public Works Director Lee). [21-0364](#)  
**ADOPT RESOLUTION NO. 21-0110**  
**Attachments:** [Resolution No. 21-0110](#)  
[Agreement - CWE, Inc.](#)  
[Budget and Expenditures Summary](#)  
[Location Map](#)

12. Consideration of a Resolution Approving Amendment No. 1 to the Construction Management Services Agreement With S2 Engineering Inc. for \$590,000.00 for the Sepulveda Bridge Widening Project (Public Works Director Lee). [21-0374](#)

**ADOPT RESOLUTION NO. 21-0111**

**Attachments:** [Resolution No. 21-0111](#)  
[Amendment No. 1 - S2 Engineering, Inc.](#)  
[Agreement - S2 Engineering, Inc.](#)  
[Budget and Expenditures Summary](#)  
[Location Map](#)  
[Increase Impact Letter - S2 Engineering, Inc.](#)

13. Accept as Complete the Citywide Concrete Repairs by CT&T Concrete Paving, Inc.; Authorize Filing a Notice of Completion with the County Recorder, and Release the Retention Amount for \$20,858.50 (Public Works Director Lee). [21-0329](#)

**APPROVE**

14. Consideration of a Resolution Approving Amendment No. 2 to the Professional Services Agreement with IDS Group Inc. for Additional Design Services for the Fitness Station at Upper Polliwog Park at a Cost Not-to-Exceed \$15,965.00 (Public Works Director Lee). [21-0379](#)

**ADOPT RESOLUTION NO. 21-0112**

**Attachments:** [Resolution No. 21-0112](#)  
[Amendment No. 2 - IDS Group, Inc.](#)  
[Agreement and Amendment No. 1 - IDS Group, Inc.](#)  
[Location Map](#)

15. Enterprise Project Implementation Quarterly Update of:  
a) Munis Enterprise Resource Planning (ERP), and  
b) EnerGov Land Management System (LMS) Solutions (Information Technology Director Hackelman). [21-0243](#)

**RECEIVE REPORT**

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

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

**K. PUBLIC HEARINGS**

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

**L. GENERAL BUSINESS**

*Each speaker may speak for up to 2 minutes on each General Business item.*

16. Discussion of January 3, 2022, Expiration Date for Temporary Encroachment Permits (Outdoor Dining and Business Use) Issued Under COVID-19 Emergency Orders (Community Development Director Tai). [21-0369](#)  
**DISCUSS AND PROVIDE DIRECTION**  
**Attachments:** [Outdoor Dining/Business Use Program Encroachment Areas PowerPoint Presentation](#)
17. Status Update of the Cannabis Initiative (City Attorney Barrow). [21-0381](#)  
**RECEIVE UPDATE AND CONSIDER PROVIDING DIRECTION**  
**Attachments:** [Staff Report - November 7, 2017](#)  
[Ordinance No. 17-0024](#)  
[Staff Report from Redondo Beach - October 5, 2021](#)
18. Consideration of Implementing an Annual Pier Globe Light Schedule (City Manager Moe). [21-0373](#)  
**DISCUSS AND PROVIDE DIRECTION**  
**Attachments:** [Proposed Pier Globe Light Schedule](#)
19. Discussion of Existing Historic Preservation Ordinance (Community Development Director Tai). [21-0386](#)  
**DISCUSS AND PROVIDE DIRECTION**  
**Attachments:** [Existing Historic Preservation Ordinance \(MBMC 10.86\)](#)  
[PowerPoint Presentation](#)
20. Consideration of a Resolution Appointing Derrick Abell as Interim Police Chief and Approval of an Employment Agreement with Derrick Abell (Human Resources Director Jenkins). [21-0398](#)  
**ADOPT RESOLUTION NO. 21-0115**  
**Attachments:** [Resolution No. 21-0115](#)  
[Employment Agreement - Derrick Abell](#)

**M. 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.*

21. City Council AB 1234 Reports.



22. Consider Request by Mayor Stern and Mayor Pro Tem Napolitano to Discuss Adding the Camellia Flower as a Second City Flower (City Manager Moe). [21-0390](#)  
**DISCUSS AND PROVIDE DIRECTION**
23. Consider Request by Councilmember Hadley and Councilmember Franklin to Discuss Ceremonial Presentations (City Manager Moe). [21-0391](#)  
**DISCUSS AND PROVIDE DIRECTION**
24. Consider Request by Councilmember Franklin and Councilmember Montgomery to Discuss the Long-term Commercial Use of City Property Fee (Finance Director Charelian). [21-0389](#)  
**DISCUSS AND PROVIDE DIRECTION**

Attachments: [Manhattan Beach Municipal Code Chapter 7.36](#)

## N. FUTURE AGENDA ITEMS

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

## O. CITY MANAGER REPORT

## P. CITY ATTORNEY REPORT

## Q. INFORMATIONAL ITEMS

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

25. Agenda Forecast (City Clerk Tamura). [21-0320](#)  
**INFORMATION ITEM ONLY**

**26. Commission Minutes:**[21-0382](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Parks and Recreation Commission Meeting Minutes of August 23, 2021(Parks and Recreation Director Leyman).
- b) Cultural Arts Commission Meeting Minutes of September 20, 2021(Parks and Recreation Director Leyman)
- c) Library Commission Meeting Minutes of October 12, 2021 (Parks and Recreation Director Leyman)
- d) Cultural Arts Commission Meeting Minutes of October 18, 2021(Parks and Recreation Director Leyman)
- e) Parks and Recreation Commission Meeting Minutes of October 25, 2021 (Parks and Recreation Director Leyman).

**INFORMATION ITEM ONLY**

**Attachments:** [Parks and Recreation Commission Meeting Minutes of August 23, 2021](#)  
[Cultural Arts Commission Meeting Minutes of September 20, 2021](#)  
[Library Commission Meeting Minutes of October 12, 2021](#)  
[Cultural Arts Commission Meeting Minutes of October 18, 2021](#)  
[Parks and Recreation Commission Meeting Minutes of October 25, 2021](#)

**R. CLOSED SESSION****S. ADJOURNMENT**

*Adjourning in memory of Councilmember Hadley's Mother, Nancy Glezen Quickel.*

**T. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

*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 (Rescheduled To January 11, 2022)*

*January 4, 2022 - Tuesday -- 6:00 PM - City Council Meeting (Cancelled)*

*January 11, 2022 - Tuesday -- 6:00 PM - Joint City Council/Parks and Recreation Commission, Cultural Arts Commission and Library Commission Meeting (Rescheduled From January 3, 2022)*

*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 8, 2022 - Tuesday -- 6:00 PM - Work Plan Meeting (Police/Fire Conference Room)*

*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 10, 2022 - Tuesday -- 6:00 PM - Budget Study Session*

*May 17, 2022 - Tuesday -- 6:00 PM - City Council Meeting*

*May 24, 2022 - Tuesday -- 6:00 PM - Budget Study Session*

*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*

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

*December 2, 2021 - Thursday - 4:00 PM - PPIC (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 - PPIC (Rescheduled to December 2, 2021 Due to Christmas Holiday)*  
*December 27, 2021 - Monday - 6:00 PM - Parks and Recreation Commission Meeting*  
*January 11, 2022 - Tuesday - 6:00 PM - Joint City Council/Parks and Recreation Commission, Cultural Arts Commission and Library Commission Meeting*  
*January 12, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*January 10, 2022 - Monday - 5:00 PM - Library Commission Meeting*  
*January 17, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting*  
*January 19, 2022 - Wednesday - 6:00 PM - Joint City Council/Planning Commission Meeting and Parking and Public Improvements Commission Meeting*  
*January 24, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting*  
*January 27, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting*  
*February 9, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*February 14, 2022 - Monday - 5:00 PM - Library Commission Meeting*  
*February 21, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting*  
*February 23, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*February 24, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting*  
*February 28, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting*

**U. CITY OFFICES CLOSED****CITY HOLIDAYS:**

*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*  
*October 10, 2022 – Monday – Columbus Day*  
*November 11, 2022 – Friday – Veterans Day*  
*November 24-25, 2022 - Thursday & Friday - Thanksgiving Holiday*