

City Council Regular Meeting

Regular Meeting

Tuesday, April 5, 2022

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

Interim Police Chief Derrick Abell

Public Works Director Erick Lee

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 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, April 5, 2022** (the day of the meeting), via:*

- 1) eComment at <http://www.manhattanbeach.gov/ecomment>
- 2) email to 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, 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, March 30, 2022, 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. CEREMONIAL CALENDAR**

1. Presentation of a Commendation to Malia Kowal for Obtaining the Girl Scout Gold Award. [22-0158](#)

(Estimated Time: 5 Min.)

PRESENT

Attachments: [Commendation - Malia Kowal](#)

2. Presentation of Certificates of Recognition in Honor of Mayor Stern's Kindness Initiative to Allison Hales, Justin Verbiest, Billy Corvalan and Lenora Marouani, as the Founders of Culture Club South Bay. [22-0025](#)

(Estimated Time: 5 Min.)

PRESENT

Attachments: [Certificates of Recognition - Culture Club](#)

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 (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.

The City Council encourages the public to participate by submitting comments in advance of the meeting, no later than **5:30 PM, April 5, 2022** (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment>
- 2) email to 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.

NOON 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.

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. Declaration of Proclamations for the Following: [22-0161](#)
- a) Month of April 2022 as Earth Month
 - b) Month of April 2022 as DMV/Donate Life Month
 - c) Month of April 2022 as National Child Abuse Prevention Month

PROCLAIM

Attachments: [Proclamation - Earth Month](#)
[Proclamation - DMV/Donate Life Month](#)
[Proclamation - National Child Abuse Prevention Month](#)

5. City Council Minutes: [22-0159](#)
- This Item Contains Minutes of the Following City Council Meeting(s):
- a) City Council Adjourned Regular Meeting Minutes of March 8, 2022 (Closed Session and Work Plan Meeting)
 - b) City Council Adjourned Regular Meeting Minutes of March 10, 2022 (Closed Session and Bruce's Beach Park Plaque Language Study Session)
 - c) City Council Adjourned Regular Meeting Minutes of March 14, 2022 (Closed Session)
 - d) City Council Regular Meeting Minutes of March 15, 2022
 - e) City Council Adjourned Regular Meeting Minutes of March 22, 2022 (Closed Session and 6th Cycle Housing Element Study Session) (City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of March 8, 2022](#)
[City Council Adjourned Regular Meeting Minutes of March 10, 2022](#)
[City Council Adjourned Regular Meeting Minutes of March 14, 2022](#)
[City Council Regular Meeting Minutes of March 15, 2022](#)
[City Council Adjourned Regular Meeting Minutes of March 22, 2022](#)

6. Financial Reports: Schedule of Demands March 3, 2022 and March 10, 2022 (Finance Director Charelian). [22-0171](#)

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for March 3, 2022 and March 10, 2022](#)

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7. Consideration of Sending a Letter to Governor Newsom in Support of the Proposed Framework for the Community Assistance, Recovery and Empowerment (CARE) Court Program (City Manager Moe). [22-0169](#)
APPROVE LETTER
Attachments: [Draft Letter to Governor Newsom Regarding Support for CARE Court](#)
[CARE Court Framework](#)
[CARE Court FAQ](#)
[CARE Court PowerPoint Slides](#)
[Motion by Supervisors Janice Hahn and Kathryn Barger in Support of CARE Court](#)
8. 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). [22-0160](#)
ACCEPT STAFF RECOMMENDATION
9. Consideration of a Five-Year General Services Agreement with the County of Los Angeles for Miscellaneous County Services on an As-Needed Basis (City Attorney Barrow). [22-0166](#)
ADOPT RESOLUTION NO. 22-0046
Attachments: [Resolution No. 22-0046](#)
[Agreement - County of Los Angeles](#)
10. Consideration of a Resignation from Los Angeles County West Vector Control Board Trustee Frazee, Declare Vacant Los Angeles County West Vector Control Board Trustee Member-At-Large Seat (Frazee), and Defer Appointment Until the Annual Boards and Commissions Interview and Appointment Process (City Clerk Tamura). [22-0183](#)
A) ACCEPT RESIGNATION
B) DECLARE VACANCY
C) DEFER APPOINTMENT
Attachments: [Letter of Resignation - Trustee Frazee](#)
11. Consideration of a Resolution Ordering Plans, Specifications, Cost Estimates, and Engineer's Report for Annual Street Lighting and Landscaping Assessments (Finance Director Charelian). [22-0101](#)
ADOPT RESOLUTION NO. 22-0040
Attachments: [Resolution No. 22-0040](#)

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12. Second Reading and Adoption of an Ordinance Repealing Manhattan Beach Municipal Code Section 4.108 - Vehicle for Hire Franchise (Finance Director Charelion). [22-0163](#)
ADOPT ORDINANCE NO. 22-0005
Attachments: [Ordinance No. 22-0005](#)
13. Consideration of a Resolution Approving a Memorandum of Understanding Between the City of Manhattan Beach and Manhattan Beach Part-Time Employees Association (MBPTEA) (Human Resources Director Jenkins). [22-0146](#)
ADOPT RESOLUTION NO. 22-0029
Attachments: [Resolution No. 22-0029](#)
[MOU-MBPTEA \(Final Version\)](#)
[MOU-MBPTEA \(Strikethrough Version\)](#)
14. Consideration of a Sole Source Purchase of One Neutral Output-Discharge Elimination System (NO-DES) Truck from NO-DES Inc. to Insource Water Distribution System Flushing Services, in the Amount of \$525,566 (Public Works Director Lee). [22-0136](#)
A) APPROPRIATE FUNDS
B) WAIVE FORMAL BIDDING DUE TO SOLE SOURCING
C) AUTHORIZE PURCHASE
Attachments: [NO-DES Quote, Dated January 4, 2022](#)
[Sole Source Letter](#)
[2022-04-05 Fiscal Analysis re NO-DES Truck Purchase](#)
15. Formally Accept as Complete the Aviation Boulevard at Artesia Boulevard Southbound to Westbound Right Turn Lane Improvement Project; Authorize Filing a Notice of Completion with the County Recorder; Release Retention of \$38,242.37 (Public Works Director Lee). [22-0137](#)
APPROVE
Attachments: [Location Map](#)
16. Consideration of a Resolution Approving Amendment No. 1 Adding \$300,000 to the Tree Management Services Agreement with West Coast Arborists for Citywide Tree Trimming Services (Public Works Director Lee). [22-0141](#)
ADOPT RESOLUTION NO. 22-0041
Attachments: [Resolution No. 22-0041](#)
[Amendment No. 1 - West Coast Arborists](#)
[Agreement - West Coast Arborists \(2020\)](#)

17. Consideration of a Resolution Approving Amendment No. 5 Adding \$325,000 to the Maintenance Services Agreement with Merchants Landscaping for Citywide Landscaping Services (Public Works Director Lee).

[22-0142](#)

ADOPT RESOLUTION NO. 22-0042

Attachments: [Resolution No. 22-0042](#)
[Attachment No. 5 - Merchants Landscaping](#)
[Agreement and Amendments No. 1 - 4 - Merchants Landscaping](#)

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.

18. Consideration of Actions Regarding a Citizen-Initiated Ballot Measure to Repeal the City's Existing Prohibition of Commercial Cannabis Activity and Allow Three Cannabis Retail Stores in the City (City Clerk Tamura).

[22-0148](#)

- A) ADOPT RESOLUTION NO. 22-0047 - ACCEPTING CERTIFICATION OF SUFFICIENCY OF SIGNATURES**
- B) SELECT ONE OF THE THREE FOLLOWING OPTIONS:**
- 1. ADOPT THE INITIATIVE ORDINANCE, WITHOUT CHANGE**
 - 2. CONSOLIDATE AN ELECTION ON THE INITIATIVE WITH THE REGULAR GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022**
 - 3. DIRECT STAFF TO PREPARE A REPORT PER CALIFORNIA ELECTIONS CODE SECTIONS 9212**
- C) DISCUSS AND PROVIDE DIRECTION**

Attachments: [Notice of Intent and Initiative](#)
[Ballot Title and Summary](#)
[Resolution No. 22-0047 - Certification of Sufficiency](#)
[Resolution No. 22-0048 - Calling Election and Directing Impartial Analysis](#)
[Resolution No. 22-0049 - Consolidation/County to Conduct the Election](#)

19. Proposed Dynamic Message Sign Technology for the Manhattan Beach Advanced Traffic Signal System Project (Public Works Director Lee). [22-0118](#)
(Estimated Time: 30 Min.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Budget and Expenditures Summary Report](#)
[Location Map](#)
[PowerPoint Presentation](#)

20. Consideration of Resolutions to Initiate the Proposition 218 Process to Consider Increasing Water Rate Fees and Adopt Procedures in Connection with Proposed Water Fee Increases (Public Works Director Lee). [22-0036](#)
(Estimated Time: 1 Hr.)

ADOPT RESOLUTION NOS. 22-0043 AND 22-0044

Attachments: [Resolution No. 22-0043](#)
[Resolution No. 22-0044](#)
[PowerPoint Presentation](#)

21. Consideration of a Resolution Regarding an Official City Council Endorsement for the Recall of District Attorney George Gascón (City Manager Moe). [22-0145](#)
(Estimated Time: 1 Hr.)

CONSIDER RESOLUTION NO. 22-0045

Attachments: [Resolution No. 22-0045](#)
[Resolution No. 21-0042 - Vote of No Confidence](#)
[City of Beverly Hills Staff Report - January 4, 2022](#)

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.

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.

22. Agenda Forecast (City Clerk Tamura). [22-0164](#)
INFORMATION ITEM ONLY

23. Commission Minutes: [22-0156](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Library Commission Meeting Minutes of October 11, 2021 (Rescheduled) (Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting Minutes of November 15, 2021 (Parks and Recreation Director Leyman)
- c) Library Commission Meeting Minutes of December 13, 2021 (Parks and Recreation Director Leyman)
- d) Parks and Recreation Commission Meeting Minutes of December 14, 2021 (Parks and Recreation Director Leyman)
- e) Parks and Recreation Commission Meeting Minutes of December 27, 2021 (Rescheduled) (Parks and Recreation Director Leyman)
- f) Library Commission Meeting Minutes of January 10, 2022 (Cancelled) (Parks and Recreation Director Leyman)
- g) Cultural Arts Commission Meeting Minutes of January 17, 2022 (Rescheduled) (Parks and Recreation Director Leyman)
- h) Parks and Recreation Commission Meeting Minutes of January 24, 2022 (Parks and Recreation Director Leyman)
- i) Planning Commission Meeting Minutes of February 23, 2022 (Community Development Director Tai)
- j) Parks and Recreation Commission Meeting Minutes of February 28, 2022 (Parks and Recreation Director Leyman)

INFORMATION ITEM ONLY

Attachments: [Library Commission Meeting Minutes of October 11, 2021 \(Rescheduled\)](#)
[Cultural Arts Commission Meeting Minutes of November 15, 2021](#)
[Library Commission Meeting Minutes of December 13, 2021](#)
[Parks and Recreation Commission Meeting Minutes of December 14, 2021](#)
[Parks and Recreation Commission Meeting Minutes of December 27, 2021 \(Rescheduled\)](#)
[Library Commission Meeting Minutes of January 10, 2022 \(Cancelled\)](#)
[Cultural Arts Commission Meeting Minutes of January 17, 2022 \(Rescheduled\)](#)
[Parks and Recreation Commission Meeting Minutes of January 24, 2022](#)
[Planning Commission Meeting Minutes of February 23, 2022](#)
[Parks and Recreation Commission Meeting Minutes of February 28, 2022](#)

R. CLOSED SESSION

S. ADJOURNMENT

T. FUTURE MEETINGS

CITY COUNCIL MEETINGS

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
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

April 11, 2022 - Monday - 5:00 PM - Library Commission Meeting
April 13, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
April 18, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
April 25, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
April 27, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
April 28, 2022 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
May 9, 2022 - Monday - 5:00 PM - Library Commission Meeting
May 11, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
May 16, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
May 23, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
May 25, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
May 26, 2022 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
June 8, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
June 13, 2022 - Monday - 5:00 PM - Library Commission Meeting
June 20, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
July 11, 2022 - Monday - 5:00 PM - Library Commission Meeting
July 13, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
July 18, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
July 25, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
July 27, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
July 28, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting

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

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

December 26, 2022 - Monday - Christmas Day Observed (Sunday, December 25, 2022)

January 2, 2023 – Monday – New Years Day Observed (Sunday, January 1, 2023)

January 16, 2023 – Monday – Martin Luther King Day

February 20, 2023 - Monday - Presidents Day