

City Council Regular Meeting

Regular Meeting

Tuesday, May 3, 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, May 3, 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, April 27, 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

Grand View Elementary School

C. ROLL CALL

D. CEREMONIAL CALENDAR

1. Presentation of a Certificate of Recognition in Honor of Mayor Stern's Kindness Initiative to Lauren Dover for her Efforts to Raise Money for Children's Hospital Los Angeles' Cancer Research.

[22-0179](#)

(Estimated Time: 5 Min.)

PRESENT

Attachments: [Certificate of Recognition - Lauren Dover](#)

2. Presentation of Certificates of Recognition to Manhattan Beach's Certified Green Businesses.

[22-0210](#)

(Estimated Time: 10 Min.)

PRESENT

Attachments: [Ceremonial - MB Certified Green Business 2022](#)

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. ADVANCED GENERAL BUSINESS ITEM(S)

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

3. Consideration of a South Bay Regional Housing Trust in Coordination with the South Bay Cities Council of Governments (City Manager Moe).

[22-0211](#)

(Estimated Time: 45 Min.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Frequently Asked Questions – SBCCOG](#)

[Proposed South Bay Regional Housing Trust JPA Formation Legislation](#)

G. 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.

H. 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, May 3, 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.

I. COVID-19

4. City Manager Update on COVID-19 Response.

J. 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. Declaration of Proclamations for the Following: [22-0189](#)
- a) May 4, 2022, as International Firefighters' Day
 - b) May 1, 2022 - May 7, 2022, as Public Service Recognition Week
 - c) May 1, 2022 - May 7, 2022, as Municipal Clerks Week
 - d) May 15, 2022 - May 21, 2022, as National Police Week
 - e) May 15, 2022 - May 21, 2022, as National Public Works Week
 - f) Month of May as Building Safety Month
 - g) Month of May as Older Americans Month
 - h) Month of May as Asian American and Pacific Islander Heritage Month.

PROCLAIM

Attachments: [International Firefighters' Day](#)
[Public Service Recognition Week](#)
[Municipal Clerks Week](#)
[National Police Week](#)
[National Public Works Week](#)
[Building Safety Month](#)
[National Older Americans Month](#)
[Asian American and Pacific Islander Heritage Month](#)

6. City Council Minutes: [22-0190](#)
- This Item Contains Minutes of the Following City Council Meeting(s):
- a) City Council Adjourned Regular Meeting Minutes of April 18, 2022
 - b) City Council Regular Meeting Minutes of April 19, 2022
 - c) City Council Special Meeting Minutes of April 26, 2022
 - d) City Council Adjourned Regular Meeting Minutes (Boards and Commissions Interviews) of April 26, 2022 (City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of April 18, 2022](#)
[City Council Regular Meeting Minutes of April 19, 2022](#)
[City Council Special Meeting Minutes of April 26, 2022](#)
[City Council Adjourned Regular Meeting Minutes \(Boards and Commissions Interviews\) of April 26, 2022](#)

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7. Financial Reports: Schedule of Demands April 7, 2022, and April 14, 2022 (Finance Director Charelian). [22-0184](#)
ACCEPT REPORTS AND DEMANDS
Attachments: [Schedule of Demands for April 7 and April 14, 2022](#)
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). [22-0191](#)
ACCEPT STAFF RECOMMENDATION
9. Consideration of a Resolution Approving a Five-Year Agreement with Turbo Data Systems, Inc. for Citation Processing for an Estimated Amount of \$135,000 Annually (Finance Director Charelian). [22-0157](#)
A) WAIVE FORMAL BIDDING (COOPERATIVE PURCHASING)
B) ADOPT RESOLUTION NO. 22-0051
Attachments: [Resolution No. 22-0051](#)
[Agreement - Turbo Data Systems, Inc.](#)
10. Consideration of a Resolution Approving Amendment No. 2 to the Design Services Agreement with Hazen and Sawyer, D.P.C. for \$81,633 for Additional Design Services for the Cycle 2 Water Infrastructure Improvement Project (Public Works Director Lee). [22-0153](#)
ADOPT RESOLUTION NO. 22-0060
Attachments: [Resolution No. 22-0060](#)
[Amendment No. 2 - Hazen and Sawyer, DPC.](#)
[Agreement and Amendment No. 1 - Hazen and Sawyer, DPC.](#)
11. Formally Accept as Complete the Block 35 Elevated Water Tank Painting Project; Authorize Filing a Notice of Completion with the Los Angeles County Recorder; and Release Retention for \$73,461.31 (Public Works Director Lee). [22-0197](#)
APPROVE
Attachments: [Location Map](#)
12. Consideration of a Resolution to Increase the City Manager's Authority to Approve Additional Work by Contractor All American Asphalt for the Slurry Seal Project Encompassing the Central Area of the Sand Section, if Necessary, by \$33,663 for a Total Amount of \$168,318 Resulting in a Total Not to Exceed Amount of \$841,593 (Public Works Director Lee). [22-0209](#)
ADOPT RESOLUTION NO. 22-0059
Attachments: [Resolution No. 22-0059](#)
[Budget and Expenditure Summary Report](#)

13. Consideration of a Resolution Nunc Pro Tunc Correcting a Clerical Error in Exhibit A to the Resolution Scheduling a Public Hearing to Consider Proposed Water Rate Increases (Public Works Director Lee) [22-0212](#)
ADOPT RESOLUTION NO. 22-0061

Attachments: [Resolution Nunc Pro Tunc No. 22-0061](#)
[Resolution No. 20-0043 \(with Correct Exhibit A\)](#)

K. ITEMS REMOVED FROM THE CONSENT CALENDAR

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

L. PUBLIC HEARINGS

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

14. Conduct Public Hearing and Consider Adopting Resolutions Amending the City's Local Coastal Program To Include A New Coastal Hazards Chapter and Authorizing Staff to Submit a Local Coastal Program Amendment to the California Coastal Commission (Community Development Director Tai). [22-0147](#)
(Estimated Time: 45 Min.)
A) CONDUCT PUBLIC HEARING
B) ADOPT RESOLUTION NOS. 22-0062 AND 22-0063

Attachments: [Resolution No. 22-0062 \(with Exhibit A\)](#)
[Resolution No. 22-0063 Submission of LCP Coastal Hazards Update](#)
[LCP Update Timeline](#)
[Links to Additional Attachments](#)
[PowerPoint Presentation](#)

M. GENERAL BUSINESS

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

15. Annual Appointments to City Boards and Commissions and Consideration of Extending the Application Period to Obtain Applicants for the Parking and Public Improvements Business Community Seat No. 4 (City Clerk Tamura). [22-0208](#)
(Estimated Time: 30 Min.)
APPOINT AND PROVIDE DIRECTION

Attachments: [Boards & Commissions Advertisement](#)

16. Consideration of a Resolution Approving a Memorandum of Understanding between the City of Manhattan Beach and Manhattan Beach Unified School District (MBUSD) Concerning the Administration of the “MB Citizens for School Measure Parcel Tax” (City Manager Moe). [22-0218](#)

(Estimated Time: 30 Min.)

CONSIDER ADOPTING RESOLUTION NO. 22-0064

Attachments: [Resolution No. 22-0064](#)
[Memorandum of Understanding](#)

17. Consideration of a California Elections Code Section 9212 Report on Impact to the City of 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 Manager Moe). [22-0204](#)

(Estimated Time: 1 Hr.)

A) RECEIVE REPORT

B) SELECT ONE OF THE TWO FOLLOWING OPTIONS:

1. **ADOPT THE INITIATIVE ORDINANCE WITHOUT CHANGE**
2. **CALL THE ELECTION AND PLACE THE INITIATIVE ON THE BALLOT WITH THE REGULAR GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022**

C) DISCUSS AND PROVIDE DIRECTION

Attachments: [Notice of Intent and Initiative](#)
[Ballot Title and Summary](#)
[Beach Cities Health District Cannabis Policy Brief](#)
[Resolution No. 22-0048 - Calling Election and Directing Impartial Analysis](#)
[Resolution No. 22-0049 - Consolidation/County to Conduct the Election](#)

18. Presentation of the Fiscal Year 2022-2023 Proposed Operating Budget and Updated Financial Policies (Finance Director Charelian). [22-0215](#)

(Estimated Time: 45 Min.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Fiscal Year 2022-2023 Proposed Budget](#)
[Fiscal Year 2022-2023 General Fund Summary](#)
[Financial Policies](#)
[Parks and Recreation Program Profit & Loss Estimates](#)

19. Quarterly Update on the City's Homelessness Initiatives (City Manager Moe). [22-0089](#)
(Estimated Time: 30 Min.)
RECEIVE AND FILE

Attachments: [Manhattan Beach Outreach Outcomes](#)
[South Bay Beach Cities Homelessness Project \(November 2019 – December 2021\)](#)
[Round 2 of South Bay Beach Cities Homelessness Project \(January 2022 – Present\)](#)

N. 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.

20. City Council AB 1234 Reports.
21. Consider Request by Councilmember Montgomery and Mayor Stern to Discuss Street Sweeping Restrictions on Rowell Avenue and Meadows Avenue (City Manager Moe). [22-0217](#)
(Estimated Time: 15 Min.)
DISCUSS AND PROVIDE DIRECTION

O. FUTURE AGENDA ITEMS

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

P. CITY MANAGER REPORT

Q. CITY ATTORNEY REPORT

R. INFORMATIONAL ITEMS

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

22. Agenda Forecast (City Clerk Tamura). [22-0192](#)
INFORMATION ITEM ONLY

S. CLOSED SESSION

T. ADJOURNMENT

U. FUTURE MEETINGS

CITY COUNCIL MEETINGS

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

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

V. 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