

City Council Regular Meeting

Regular Meeting

Tuesday, June 21, 2022

6:00 PM

City Council Chambers and Zoom



ELECTED OFFICIALS

Mayor Steve Napolitano

Mayor Pro Tem Richard Montgomery

Councilmember Joe Franklin

Councilmember Suzanne Hadley

Councilmember Hildy Stern

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, June 21, 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, June 15, 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 Certificates of Commendation Recognizing Police Sergeant Michael Lynch as Police Officer of the Year and Fire Engineer/Paramedic Steve Fairbrother as Firefighter of the Year.
PRESENT

[22-0203](#)

Attachments: [Certificate of Commendation - Police Officer of the Year 2021](#)
[Certificate of Commendation - Firefighter of the Year 2021](#)

2. Presentation of Certificates of Commendation to Manhattan Beach Police Sergeant Michael Trani and Police Officer Arai White for Receiving the 2022 Medal of Valor Distinguished Service Award and Police Sergeant Michael Lynch for Receiving the 2022 Medal of Valor Life Saving Award.
PRESENT

[22-0229](#)

Attachments: [Certificates of Commendation](#)

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.

Updates and Presentations:

3. Update on Fire Station No. 2 Reconstruction Project (Public Works Director Lee and Fire Chief Lang).
(Estimated Time: 5 Min.)
RECEIVE UPDATE

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, June 21, 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.

NOOM 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. 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: [22-0240](#)
This Item Contains the City Council Regular Meeting Minutes of June 7, 2022 (City Clerk Tamura).
APPROVE

Attachments: [City Council Regular Meeting Minutes of June 7, 2022](#)

5. Financial Reports: Schedule of Demands May 19, 2022, and May 26, 2022 (Finance Director Charelian). [22-0257](#)
ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for May 19, and May 26, 2022](#)

6. Consideration of the Approval of City Council Assignments (City Clerk Tamura). [22-0271](#)
APPROVE

Attachments: [City Council Assignments and Committee Descriptions](#)

7. Consideration of Adopting Resolutions Calling and Giving Notice of the November 8, 2022, General Municipal Election to be Conducted by the Los Angeles County Registrar - Recorder/County Clerk for Two City Council Seats (City Clerk Tamura and City Attorney Barrow). [22-0254](#)
ADOPT RESOLUTION NOS. 22-0091, 22-0092, AND 22-0093

Attachments: [Resolution No. 22-0091](#)
[Resolution No. 22-0092](#)
[Resolution No. 22-0093](#)

8. Update on the City's Mandatory COVID-19 Vaccination Policy and Discontinuation of Mandated Testing for Unvaccinated Employees (Human Resources Director Jenkins). [22-0273](#)
A) RECEIVE UPDATE
B) APPROVE

9. Consideration of a Resolution Approving a Memorandum of Understanding with Oceanographic Teaching Stations for a One-Year Extension of the Pilot Program Authorizing the Use of the Roundhouse for Fundraising Events (Parks and Recreation Director Leyman). [22-0272](#)
ADOPT RESOLUTION NO. 22-0083
Attachments: [Resolution No. 22-0083](#)
[Memorandum of Understanding - Oceanographic Teaching Stations, Inc.](#)
10. Consideration of a Resolution Acknowledging Compliance with Senate Bill 1205 and California Health & Safety Code Section 13146.4 (State Mandated Fire Inspections) (Fire Chief Lang). [22-0266](#)
ADOPT RESOLUTION NO. 22-0090
Attachments: [Resolution No. 22-0090](#)
[Senate Bill 1205](#)
11. Consideration of a Resolution Approving an Agreement with Morningstar Productions LLC for a One-Year Contract for Concerts in the Park Sound and Stage Rental Services with an Estimated Annual Cost of \$59,400 (Parks & Recreation Director Leyman). [22-0276](#)
ADOPT RESOLUTION NO. 22-0084
Attachments: [Resolution No. 22-0084](#)
[Agreement - Morningstar Productions LLC](#)
12. Consideration of a Resolution Approving a Use Permit to Upgrade An Existing Alcohol License From Allowing Off-Sale Beer and Wine to Allow Off-Sale Beer, Wine, and Distilled Spirits at an Existing Convenience Store at 1221 Artesia Boulevard, Suite 101, and Associated Environmental Determination in Accordance with the California Environmental Quality Act (CEQA) (7-Eleven) (Community Development Director Tai). [22-0267](#)
ADOPT RESOLUTION NO. 22-0085
Attachments: [Resolution No. 22-0085](#)
13. Consideration of a Resolution to Increase the City Manager's Authority to Approve Additional Work by the Contractor, Pro Finish Painting, Inc., dba Pro Finish Construction Services, Inc., for the Parking Structure Lot 3 Repairs Project by \$37,353 and Approving a Corresponding Appropriation from the Parking Fund (Public Works Director Lee). [22-0274](#)
A) ADOPT RESOLUTION NO. 22-0094
B) APPROPRIATE FUNDS
Attachments: [Resolution No. 22-0094](#)
[Budget and Expenditure Summary Report](#)

I. ITEMS REMOVED FROM THE CONSENT CALENDAR

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

J. 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 Consideration of a Resolution Providing for Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2022-2023 (Finance Director Charelian). [22-0038](#)
(Estimated Time: 15 Min.)
A) CONDUCT PUBLIC HEARING
B) ADOPT RESOLUTION NO. 22-0086 PROVIDING FOR ANNUAL LEVY AND COLLECTION OF FISCAL YEAR 2022-2023 MAINTENANCE ASSESSMENTS
Attachments: [Resolution No. 22-0086](#)
[Fiscal Year 2022-2023 Engineer's Report](#)
15. Conduct Public Hearing and Consideration of a Resolution Amending the Water Shortage Contingency Plan (Public Works Director Lee). [22-0188](#)
(Estimated Time: 5 Min.)
A) CONDUCT PUBLIC HEARING
B) ADOPT RESOLUTION NO. 22-0087
Attachments: [Resolution No. 22-0087](#)
[Amended Water Shortage Contingency Plan](#)
16. Consideration of the Annual Water Supply and Demand Assessment Pursuant to Water Code Section 10632.1 and Consideration of a Resolution Declaring a Stage 2 Water Shortage and Imposing Drought Restrictions in Accordance with Emergency Water Conservation Regulations Enacted by the State Water Resources Control Board and Municipal Code Section 7.44 (Public Works Director Lee). [22-0226](#)
(Estimated Time: 30 Min.)
A) RECEIVE AND FILE ASSESSMENT
B) ADOPT RESOLUTION NO. 22-0088
Attachments: [Resolution No. 22-0088](#)
[Annual Water Supply and Demand Assessment](#)
[Municipal Code Section 7.44.30](#)
[PowerPoint Presentation](#)

K. GENERAL BUSINESS

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

17. Consideration of Presenting to the Voters a City Initiative Measure Establishing Local Regulation and Taxation of Commercial Cannabis Activity (City Manager Moe). [22-0278](#)
(Estimated Time: 1 Hr.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Ordinance No. 17-0024](#)
[Ordinance No. 17-0025](#)
[Map of Cannabis Industry Measure's Sensitive Use Buffer Areas](#)
[County of Los Angeles Election Calendar](#)
[PowerPoint Presentation](#)

18. Consideration of a Resolution Approving a Memorandum Of Understanding with Clean Power Alliance for the Power Ready Program to Install Solar and Energy Storage at the Joslyn Community Center Parking Lot as a Critical Community Facility (Community Development Director Tai and Public Works Director Lee). [22-0149](#)
(Estimated Time: 45 Min.)

ADOPT RESOLUTION NO. 22-0070

Attachments: [Resolution No. 22-0070](#)
[Memorandum of Understanding – Clean Power Alliance \(Power Ready\)](#)
[PowerPoint Presentation](#)

19. Consideration of a Resolution Approving Amendment No. 2 to the Professional Services Agreement with IDS Group Inc. for Additional Design Services of \$15,965 for the Fitness Station at Upper Polliwog Park (Public Works Director Lee and Parks and Recreation Director Leyman). [22-0227](#)
(Estimated Time: 30 Min.)

ADOPT RESOLUTION NO. 22-0089

Attachments: [Resolution No. 22-0089](#)
[Amendment No. 2 – IDS Group, Inc.](#)
[Agreement and Amendment No. 1 - IDS Group Inc.](#)
[Project Location Map](#)
[NFC Fitness Court Renderings](#)
[Public Outreach Emails Feedback](#)

20. Consideration of the Appointment of Stephen D'Amico to the Vacant Parking and Public Improvements Business Community Seat No. 4 or Consideration of an Extension to the Application Period to Increase the Applicant Pool (City Clerk Tamura). [22-0286](#)

(Estimated Time: 5 Min.)

APPOINT OR EXTEND APPLICATION PERIOD

Attachments: [PPIC Vacancy Advertisement](#)

L. 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 Councilmember Montgomery and Mayor Stern to Discuss Street Sweeping Restrictions on Rowell Avenue and Meadows Avenue (Continued from the May 3, 2022, City Council Meeting) (City Manager Moe). [22-0237](#)

(Estimated Time: 15 Min.)

DISCUSS AND PROVIDE DIRECTION

23. Consider Request by Mayor Napolitano and Councilmember Hadley to Discuss Reducing Water Usage at Medians (City Manager Moe). [22-0270](#)

(Estimated Time: 10 Min.)

DISCUSS AND PROVIDE DIRECTION

M. FUTURE AGENDA ITEMS

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

N. CITY MANAGER REPORT

O. CITY ATTORNEY REPORT

P. INFORMATIONAL ITEMS

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

24. Agenda Forecast (City Clerk Tamura). [22-0244](#)
- INFORMATION ITEM ONLY**

- 25.** Recent Planning Commission Decision: [22-0275](#)
Consideration of Four Appeals of the Community Development Director's Decision to Approve a Precise Development Plan, Coastal Development Permit, and Tentative Parcel Map for the Demolition of a Banquet Facility and Multiuse Commercial Building and Subsequent Construction of a 96,217 Square-Foot Multifamily Residential Building with 79 Rental Dwelling Units, with the Developer Utilizing a Density Bonus Pursuant to State Law, Inclusive of Waivers and Concessions, at 401 Rosecrans Avenue and 3770 Highland Avenue (Community Development Director Tai).
INFORMATION ITEM ONLY
- 26.** Commission Minutes: [22-0282](#)
This Item Contains Minutes of the following City Commission Meetings:
a) Cultural Arts Commission Meeting Minutes of April 18, 2022 (Parks and Recreation Director Leyman).
b) Parks and Recreation Commission Meeting Minutes of April 25, 2022 (Parks and Recreation Director Leyman)
c) Library Commission Meeting Minutes of May 9, 2022 (Parks and Recreation Director Leyman)
d) Planning Commission Meeting Minutes of May 11, 2022 (Community Development Director Tai)
INFORMATION ITEM ONLY
- Attachments:** [Cultural Arts Commission Meeting Minutes of April 18, 2022](#)
[Parks and Recreation Commission Meeting Minutes of April 25, 2022](#)
[Library Commission Meeting Minutes of May 9, 2022](#)
[Planning Commission Meeting Minutes of May 11, 2022](#)

Q. CLOSED SESSION

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

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

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
August 8, 2022 - Monday - 5:00 PM - Library Commission Meeting
August 10, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
August 15, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
August 22, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
August 24, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
August 25, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
September 12, 2022 - Monday - 5:00 PM - Library Commission Meeting
September 14, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
September 19, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
September 22, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
September 26, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
September 28, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
October 10, 2022 - Monday - 5:00 PM - Library Commission Meeting
October 12, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
October 17, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
October 24, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
October 26, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
October 27, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting

T. CITY OFFICES CLOSED**CITY HOLIDAYS:**

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

May 29, 2023 – Monday – Memorial Day