

City Council Regular Meeting

Regular Meeting

Tuesday, July 19, 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, July 19, 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, July 13, 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

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, July 19, 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. 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.

1. City Council Minutes: [22-0269](#)
This Item Contains the City Council Regular Meeting Minutes of July 5, 2022
(City Clerk Tamura).
APPROVE

Attachments: [City Council Regular Meeting Minutes of July 5, 2022](#)

2. Financial Reports: [22-0259](#)
 - a) Schedule of Demands June 23, 2022 and June 30, 2022
 - b) Investment Portfolio for the Month Ending May 31, 2022
 - c) Month End Report for May 31, 2022(Finance Director Charelian).
ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for June 23 and June 30, 2022](#)
[Investment Portfolio for the Month Ending May 31, 2022](#)
[Month End Report for May 31, 2022](#)

3. Consider Taking City Council Positions on a Variety of Pending Legislation in the State Legislature and Authorizing the City to Write Position Letters: [22-0313](#)
 - a) Opposing Senate Bill 897 which Revises ADU Regulations;
 - b) Opposing Senate Bill 6 which Would Create a New Process Allowing Residential Development on Certain Commercial and Industrial Sites;
 - c) Opposing Senate Bill 932 which Would Require Cities to Adopt Significant Bicycle, Pedestrian, and Traffic Calming Elements; and
 - d) Supporting Senate Bills 929, 970, 1154, 1238, 965, 1035, 1227 and 1416 (Behavior Health Legislation) which Seeks to Improve the Conservatorship Process while also Increasing Access to Statewide Data about the Behavioral Health Care System (City Manager Moe).**AUTHORIZE**

Attachments: [Senate Bill 932](#)
[Senate Bill 897](#)
[Senate Bill 6](#)
[Behavioral Healthcare Package Legislation \(Senate Bills 929, 970, 1154, 1238, 965, 1035, 1227 and 1416\)](#)

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4. Consideration of a Resolution Citing the Facts of the June 7, 2022, Special Municipal Election (City Clerk Tamura). [22-0296](#)
ADOPT RESOLUTION NO. 22-0103
Attachments: [Resolution No. 22-0103](#)
[June 7, 2022 Special Municipal Election Results Map](#)
5. Consideration of a Resolution Approving Amendment No. 3 to the Professional Services Agreement for Closed Captioning with Quick Caption, Inc. to Extend the Term of the Agreement for One Year and Revise the Fee Schedule (Estimated Value \$54,485) (City Clerk Tamura). [22-0306](#)
ADOPT RESOLUTION NO. 22-0104
Attachments: [Resolution No. 22-0104](#)
[Amendment No. 3 - Quick Caption Inc.](#)
[Agreement and Amendment Nos. 1 and 2 - Quick Caption, Inc.](#)
6. Consideration of a Resolution Declaring Intention to Provide for Annual Levy and Collection of Assessments for the Downtown Business Improvement District and Setting a Public Hearing for August 16, 2022 (Finance Director Charelian). [22-0115](#)
A) ADOPT RESOLUTION NO. 22-0095
B) SCHEDULE PUBLIC HEARING DATE TO CONSIDER ASSESSMENTS ON AUGUST 16, 2022
Attachments: [Resolution No. 22-0095](#)
[BID Advisory Board Chairperson Letter from BID Advisory Board to City Council](#)
[Fiscal Year 2022-2023 DMBBID Business Improvement and Activity Plan](#)
7. Ratification of City Manager's Waiver of Open Market Requirements to Purchase Water Meters and Related Equipment from HydroPro Solutions in the Amount of \$238,328.28 (Public Works Director Lee). [22-0290](#)
RATIFY
Attachments: [Quote](#)
[Purchase Order](#)
[Sole Source Letter](#)
8. Consideration of a Resolution Approving a Three-Year Agreement with Frontier Communications for Internet Services in the Estimated Total Amount of \$170,550 (Information Technology Director Hackelman). [22-0165](#)
ADOPT RESOLUTION NO. 22-0105
Attachments: [Resolution No. 22-0105](#)
[Agreement - Frontier Communications](#)

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.

9. Conduct Public Hearing Regarding the Annual Stormwater Service Fee for Fiscal Year 2022-2023 (Finance Director Charelian). [22-0114](#)

(Estimated Time: 15 Min.)

A) CONDUCT PUBLIC HEARING

B) ADOPT RESOLUTION NO. 22-0102

Attachments: [Resolution No. 22-0102](#)

10. Consideration of a Historical Designation: [22-0287](#)

- a) Designation as a Local Historic Landmark;
- b) Approval of a Mills Act Contract Between the Property Owner and the City; and
- c) Adoption of the Associated Environmental Determination in Accordance with the California Environmental Quality Act (CEQA) for 1505 Crest Drive, A Residential Property in the Medium-Density Residential (RM) Zoning District (Anderson & Dantzer) (Community Development Director Tai).

(Estimated Time: 45 Min.)

A) CONDUCT PUBLIC HEARING

B) ADOPT RESOLUTION NO. 22-0111, APPROVING THE DESIGNATION OF 1505 CREST DRIVE AS A HISTORIC LANDMARK, APPROVING A MILLS ACT CONTRACT BETWEEN THE CITY AND THE PROPERTY OWNERS, AND ADOPTING A DETERMINATION OF EXEMPTION UNDER CEQA

Attachments: [Resolution No. 22-0111](#)
[Resolution No. PC 22-06](#)
[Draft Agreement - Mills Act](#)
[Draft Planning Commission Minutes \(May 11, 2022\)](#)
[Planning Commission Staff Report and Attachments \(May 11, 2022\)](#)
[\(Web-Link Provided\)](#)
[Application - Historic Landmark](#)
[Application - Mills Act Agreement](#)
[Peer Review Analysis by City Consultant](#)
[City Council Resolution No. 18-0034](#)
[PowerPoint Presentation](#)

K. GENERAL BUSINESS

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

11. Consideration of Presenting to the Voters Ballot Measures Concerning Commercial Cannabis (City Manager Moe). [22-0322](#)
(Estimated Time: 1 Hr.)
ADOPT RESOLUTION NOS. 22-0098 AND 22-0109
Attachments: [Resolution No. 22-0098 \(Measure Prohibiting Commercial Cannabis\)](#)
[Resolution No. 22-0109 \(Measure Taxing Commercial Cannabis\)](#)
[Resolution No. 22-0110 \(Measure Regulating and Taxing Commercial Cannabis, or Streamlined Measure\)](#)
[Staff's Suggested Buffer Map with 1,000 Foot Buffers](#)
[Map with 1500 Foot Buffers \(Comparison Purposes Only\)](#)
[Cannabis Measures Comparison Chart](#)
12. Consideration of a Resolution Approving an Agreement for Phases I and II of the Action Plan and Funding for Improving the Care and Management of the City of Manhattan Beach's Historic Artwork, Objects and Archives, and Direction to Implement Key Immediate and Short-Term Recommendations (Parks and Recreation Director Leyman). [22-0307](#)
(Estimated Time: 45 Min.)
A) ADOPT RESOLUTION NO. 22-0107
B) ALLOCATE FUNDS
Attachments: [Resolution No. 22-0107](#)
[Agreement - HAI \(Phases I and II\)](#)
[History Associates Incorporated Collections Assessment Report \(2022\)](#)
[PowerPoint Presentation](#)
13. Consider Request by Councilmember Franklin and Councilmember Hadley to Discuss Revisiting the Request to the District Attorney's Office to Prosecute State Misdemeanor Crimes (City Manager Moe). [22-0315](#)
(Estimated Time: 45 Min.)
DISCUSS AND PROVIDE DIRECTION
14. Consideration of a Resolution Approving the Proposed Fiscal Year 2022-2023 Chamber of Commerce Work Plan Agreement in the Amount of \$47,585 (City Manager Moe) [22-0312](#)
(Estimated Time: 30 Min.)
ADOPT RESOLUTION NO. 22-0108
Attachments: [Resolution No. 22-0108](#)
[Agreement - Chamber of Commerce](#)

15. Consider Submittal of a City Representative to Participate on the South Bay Cities Council of Governments (SBCCOG) Housing Education Advisory Committee (Community Development Director Tai).

[22-0323](#)

(Estimated Time: 15 Min.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [SBCCOG Advisory Committee Scope of Work](#)

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.

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.

16. Agenda Forecast (City Clerk Tamura).
INFORMATION ITEM ONLY

[22-0277](#)

Q. CLOSED SESSION

R. ADJOURNMENT

Adjourning in memory of retired Manhattan Beach Unified School District Superintendent Dr. Bowes wife, Cheryl Gussman.

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

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 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:**

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
July 4, 2023 - Tuesday - Independence Day