

City Council Regular Meeting
City Council Reorganization and Regular Meeting
Tuesday, March 21, 2023
6:00 PM
City Council Chambers and Zoom



ELECTED OFFICIALS

Mayor Steve Napolitano
Mayor Pro Tem Richard Montgomery
Councilmember Joe Franklin
Councilmember Amy Howorth
Councilmember David Lesser
City Treasurer Tim Lilligren

EXECUTIVE TEAM

City Manager Bruce Moe
City Attorney Quinn Barrow

City Clerk Liza Tamura
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 Rachel Johnson
Public Works Director Erick Lee
Acting Community Development Director Talyn Mirzakhonian

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!

The City offers an opportunity to participate in City Council meetings via Zoom and In-Person.

Zoom Meeting:

Meeting ID: 933 7620 0363

Direct URL: <https://citymb-info.zoom.us/j/93376200363>

Via Phone Conference (Voice Only):

Phone Number: (669) 900-6833, Meeting ID: 933 7620 0363

The City Council encourages the public to participate by submitting comments in advance of the meeting, no later than 12:00 PM, March 21, 2023 (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.

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.

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 15, 2023, 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. 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

E. REORGANIZATION

1. City Council Reorganization:
 - a) Recognition of Outgoing Mayor Napolitano
 - b) Selection of Mayor
 - c) Selection of Mayor Pro Tem (City Clerk Tamura).**APPROVE**

[23-0123](#)

F. RECESS AND RECONVENE

G. RECESS CITY COUNCIL MEETING TO A MEETING OF THE MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATION

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PUBLIC COMMENT ON CAPITAL IMPROVEMENT CORPORATION

IV. GENERAL BUSINESS

2. Reorganization of the Manhattan Beach Capital Improvements Corporation (CFO Charelian).

[CIC-13](#)

ELECT A NEW PRESIDENT AND VICE PRESIDENT

H. ADJOURN THE MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATIONS AND RECONVENE CITY COUNCIL MEETING

I. CEREMONIAL CALENDAR

J. 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.

K. 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 12:00 PM, March 21, 2023 (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 at to activate the "raise hand" button 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.

L. 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.

3. City Council Minutes: [23-0125](#)

This Item Contains Minutes of the Following City Council Meeting(s):

a) City Council Adjourned Regular Meeting Minutes of March 6, 2023

b) City Council Regular Meeting Minutes of March 7, 2023

(City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of March 6, 2023](#)

[City Council Regular Meeting Minutes of March 7, 2023](#)

4. Financial Reports: [23-0083](#)

a) Schedule of Demands February 17, 2023, and February 24, 2023

b) Investment Portfolio for the Month Ending January 31, 2023

c) Month End Report for January 31, 2023

(Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands February 17, 2023 and February 24, 2023](#)

[Investment Portfolio January 2023](#)

[Month End Financial Report January 2023](#)

5. Consideration of a Resignation from Los Angeles County West Vector [23-0145](#)

Control Board Trustee Dupree; Declare Vacant Los Angeles County West Vector Control Board Trustee Member-At-Large Seat (Dupree); and Defer Appointment Until the Annual Boards and Commissions Interview and Appointment Process (City Clerk Tamura).

A) ACCEPT RESIGNATION

B) DECLARE VACANCY

C) DEFER APPOINTMENT

Attachments: [Letter of Resignation - Trustee Dupree](#)

6. Consideration of Introducing an Ordinance Amending Section 8.20.020 of [23-0137](#)

the Manhattan Beach Municipal Code to Increase the Rate of the City's Transient Occupancy Tax to 14% in Accordance with Measure A (Finance Director Charelian).

INTRODUCE ORDINANCE NO. 23-0007

Attachments: [Ordinance No. 23-0007](#)

7. Second Reading and Adoption of Ordinance No. 23-0006 Amending: [23-0133](#)
- a) the Zoning Text in Title 10, Part III of the Manhattan Beach Municipal Code and
 - b) the Zoning Map, to Create a Residential Overlay Zoning District for Certain Commercial Properties (Acting Community Development Director Mirzakhaniyan).

ADOPT ORDINANCE NO. 23-0006

Attachments: [Ordinance No. 23-0006](#)
[Staff Report - March 7, 2023](#)

8. Consideration of Accepting as Complete Work Performed by Bon Air Incorporated Regarding the City Hall HVAC Improvements Project (Public Works Director Lee). [23-0011](#)

ACCEPT AND AUTHORIZE

M. ITEMS REMOVED FROM THE CONSENT CALENDAR

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

N. PUBLIC HEARINGS

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

O. GENERAL BUSINESS

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

9. Consideration of Resolutions to Initiate the Proposition 218 Process to Consider Increasing Wastewater Rate Fees and Adopt Procedures in Connection with Proposed Wastewater Fee Increases (Public Works Director Lee). [23-0035](#)

ADOPT RESOLUTION NOS. 23-0029 AND 23-0030

Attachments: [Resolution No. 23-0029](#)
[Resolution No. 23-0030](#)
[PowerPoint Presentation](#)

10. Consideration of a Resolution Amending the City Manager's Employment Agreement to Extend the Term to February 5, 2027, and Increase Yearly Base Salary to \$308,165.04 (City Attorney Barrow). [23-0130](#)

ADOPT RESOLUTION NO. 23-0031, APPROVING AMENDMENT NO. 3 TO CITY MANAGER EMPLOYMENT AGREEMENT

Attachments: [Resolution No. 23-0031](#)
[Amendment No. 3 - City Manager's Employment Agreement](#)
[Employment Agreement and Amendment Nos. 1 and 2](#)

P. 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.

Q. FUTURE AGENDA ITEMS

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

R. CITY MANAGER REPORT**S. CITY ATTORNEY REPORT****T. INFORMATIONAL ITEMS**

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

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

[23-0126](#)

U. CLOSED SESSION**V. ADJOURNMENT**

W. FUTURE MEETINGS

CITY COUNCIL MEETINGS

April 4, 2023 - Tuesday -- 6:00 PM - City Council Meeting
April 18, 2023 - Tuesday -- 6:00 PM - City Council Meeting
April 25, 2023 - Tuesday -- TBD - Boards and Commissions Interviews
May 2, 2023 - Tuesday -- 6:00 PM - City Council Meeting
May 9, 2023 - Tuesday -- 6:00 PM - Budget Study Session
May 16, 2023 - Tuesday -- 6:00 PM - City Council Meeting
May 23, 2023 - Tuesday -- 6:00 PM - Budget Study Session
June 6, 2023 - Tuesday -- 6:00 PM - City Council Meeting
June 20, 2023 - Tuesday -- 6:00 PM - City Council Meeting
July 4, 2023 - Tuesday -- 6:00 PM - City Council Meeting (Rescheduled to July 5, 2023)
July 5, 2023 - Wednesday -- 6:00 PM - City Council Meeting (Rescheduled from July 4, 2023)
July 18, 2023 - Tuesday -- 6:00 PM - City Council Meeting
August 1, 2023 - Tuesday -- 6:00 PM - City Council Meeting
August 15, 2023 - Tuesday -- 6:00 PM - City Council Meeting
September 5, 2023 - Tuesday -- 6:00 PM - City Council Meeting
September 19, 2023 - Tuesday -- 6:00 PM - City Council Meeting
October 3, 2023 - Tuesday -- 6:00 PM - City Council Meeting
October 17, 2023 - Tuesday -- 6:00 PM - City Council Meeting
November 7, 2023 - Tuesday -- 6:00 PM - City Council Meeting
November 21, 2023 - Tuesday -- 6:00 PM - City Council Meeting
December 5, 2023 - Tuesday -- 6:00 PM - City Council Meeting
December 19, 2023 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

March 22, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
March 23, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
March 27, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
April 10, 2023 - Monday - 4:00 PM - Library Commission Meeting
April 12, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
April 17, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting
April 24, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
April 26, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
April 27, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting

X. CITY OFFICES CLOSED

CITY HOLIDAYS:

May 29, 2023 – Monday – Memorial Day

July 4, 2023 - Tuesday - Independence Day

September 4, 2023 - Monday - Labor Day

October 9, 2023 – Monday – Columbus Day

November 10, 2023 – Friday – Veterans Day (Observance of November 11, 2023)

November 23-24, 2023 - Thursday & Friday - Thanksgiving Holiday

December 25, 2023 - Monday - Christmas Day Observed

January 1, 2024 – Monday – New Years Day Observed

January 15, 2024 – Monday – Martin Luther King Day

February 19, 2024 - Monday - Presidents Day