

CITY OF MANHATTAN BEACH

1400 Highland Avenue Manhattan Beach, CA 90266
www.manhattanbeach.gov • (310) 802-5000

AGENDA

City Council Regular Meeting

Regular Meeting

Tuesday, April 4, 2023

6:00 PM

**City Council Chambers and Zoom
and**

**Teleconference by Councilmember Napolitano
(per Government Code Section 54953(b))**

La Quinta Inn & Suites/Conference Room

1845 Monterey St.

San Luis Obispo, CA 93401



ELECTED OFFICIALS

Mayor Richard Montgomery

Mayor Pro Tem Joe Franklin

Councilmember Amy Howorth

Councilmember David Lesser

Councilmember Steve Napolitano

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!

Meetings are broadcast live through Manhattan Beach Local Community Cable, Channel 8 (Spectrum), Channel 35 (Frontier);

Live streaming via the City's website;

and via Zoom - Direct URL: <https://citymb-info.zoom.us/j/93376200363>, Meeting ID: 933 7620 0363

The City continues to offer an opportunity to participate in City Council meetings via Zoom and in-person. City Council encourages the public to participate by submitting comments in advance of the meeting, no later than 12:00 PM, April 4, 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 29, 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

Johnny Gosser, American Martyrs

C. ROLL CALL**D. CEREMONIAL CALENDAR**

1. Presentation of Baby Passports to Cooper and Oliver Pasquali, Welcoming Manhattan Beach's Newest Residents. [23-0152](#)
PRESENT
2. Presentation of a Commendation to Outgoing Communications and Civic Engagement Manager, Jessica Vincent. [23-0159](#)
PRESENT

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 12:00 PM, April 4, 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.

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.

3. City Council Minutes: [23-0153](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Adjourned Regular Meeting (Work Plan Meeting) Minutes of March 14, 2023
b) City Council Regular Meeting Minutes of March 21, 2023 (City Clerk Tamura).
APPROVE
Attachments: [City Council Adjourned Regular Meeting \(Work Plan\) Minutes of March 14, 2023](#)
[City Council Regular Meeting Minutes of March 21, 2023](#)
4. Financial Reports: [23-0094](#)
Schedule of Demands March 3, 2023, and March 10, 2023 (Finance Director Charelian).
ACCEPT REPORTS AND DEMANDS
Attachments: [Schedule of Demands March 3, 2023 and March 10, 2023](#)
5. Declaration of Proclamations for the Following: [23-0155](#)
a) Month of April 2023 as Earth Month
b) Month of April 2023 as DMV/Donate Life Month.
PROCLAIM
Attachments: [Proclamation - Earth Month](#)
[Proclamation - DMV/Donate Life Month](#)
6. Consideration of the Approval of City Council Assignments (City Clerk Tamura). [23-0144](#)
APPROVE
Attachments: [Proposed City Council Assignments](#)
[Councilmember Assignments & Committee Descriptions](#)
7. Consideration of a Resolution Granting a Special Permit to Allow Alcoholic Beverage Use on Public Property (City Manager Moe). [23-0057](#)
ADOPT RESOLUTION NO. 23-0017
Attachments: [Resolution No. 23-0017](#)

8. Consideration of a Resolution Opposing State Ballot Initiative No. 21-0042A1 Titled the "Taxpayer Protection and Government Accountability Act" (City Manager Moe). [23-0099](#)
ADOPT RESOLUTION NO. 23-0036
Attachments: [Resolution No. 23-0036](#)
[Proposed Initiative File No. 21-0042A1](#)
[Summary of Estimate by Legislative Analyst and Director of Finance](#)
[League of California Cities Analysis](#)
[Fiscal and Program Effects of Initiative 21-0042A1 on Local Governments](#)
9. Consideration of a Resolution Ordering Plans, Specifications, Cost Estimates, and Engineer's Report for Annual Street Lighting and Landscaping Assessments (Finance Director Charelian). [23-0084](#)
ADOPT RESOLUTION NO. 23-0032
Attachments: [Resolution No. 23-0032](#)
10. Consideration of Second Reading and Adoption of Ordinance No. 23-0007 Amending Section 8.20.020 of 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). [23-0157](#)
ADOPT ORDINANCE NO. 23-0007
Attachments: [Ordinance No. 23-0007](#)
11. Update on the City's Traffic Signal Battery Backup Systems (Acting Community Development Director Mirzakhonian). [23-0122](#)
RECEIVE AND FILE
Attachments: [Traffic Signal Battery Back-Up List](#)
12. Consideration of a Resolution Awarding a Construction Agreement to Gentry General Engineering, Inc. for \$439,475.25 for the Annual Citywide Concrete Repairs Cycle 2 Project which Qualifies for a Categorical Exemption Pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) State Guidelines (Public Works Director Lee). [23-0026](#)
ADOPT RESOLUTION NO. 23-0033
Attachments: [Resolution No. 23-0033](#)
[Agreement - Gentry General Engineering, Inc.](#)
[Bid Proposal](#)
[Specifications](#)
[Budget and Expenditures Summary Report](#)
[Location Map](#)

13. Consideration of a Resolution Approving an Inspection Services Agreement with Ardurra Group, Inc. with a Not-to-Exceed Amount of \$592,856 for Various Capital Improvement Projects, and Determination Pursuant to the California Environmental Quality Act (CEQA) that this Activity is Categorically Exempt Pursuant to the State CEQA Guidelines (Public Works Director Lee). [23-0052](#)
- ADOPT RESOLUTION NO. 23-0034**

Attachments: [Resolution No. 23-0034](#)
[Agreement - Ardurra Group Inc](#)
[Budget and Expenditures Summary Report](#)
[Location Map](#)

14. Consideration of a Resolution Approving an Increase in the Construction Contingency Amount for the Sepulveda Bridge Widening Project by \$148,775 (Public Works Director Lee). [23-0116](#)
- ADOPT RESOLUTION NO. 23-0035**

Attachments: [Resolution No. 23-0035](#)
[Agreement - RREEF \(2021\)](#)
[Location Map](#)

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.

K. GENERAL BUSINESS

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

15. Selection of Long-Term Outdoor Dining Ad Hoc Task Force Members (Acting Community Development Director Mirzakhonian). [23-0135](#)
(Estimated Time: 1 Hr 15 Mins.)
- APPOINT MEMBERS TO THE OUTDOOR DINING TASK FORCE**

Attachments: [Outdoor Dining Task Force Application Form](#)
[Outdoor Dining Task Force Applicant List](#)
[PPIC Meeting Minutes - July 28, 2022](#)
[PC Meeting Minutes - August 10, 2022](#)
[PowerPoint](#)

16. Consideration of a Resolution of Apology for the City's Role in the Racially Motivated Condemnation of Properties at Bruce's Beach (City Manager Moe). [23-0158](#)
(Estimated Time: 1 Hr.)
A) DISCUSS AND PROVIDE DIRECTION
B) ADOPT RESOLUTION NO. 23-0037

Attachments: [Resolution No. 23-0037](#)
[Bruce's Beach History Report](#)
[Statement of Acknowledgment, Condemnation, and Empathy Regarding Bruce's Beach](#)
17. Consideration of the Coyote Management and Response Plan (City Manager Moe). [23-0119](#)
(Estimated Time: 30 Mins.)
APPROVE

Attachments: [Coyote Management and Response Plan](#)
18. Consideration of a Resolution Approving a One-Year Loan Agreement of the "Surf Ascension" Sculpture by Artist Domisi Keven Parham and Allocate Funding from the Public Arts Trust Fund in the Amount Not-to-Exceed \$12,000 (Parks and Recreation Director Leyman). [23-0020](#)
(Estimated Time: 30 Mins.)
DISCUSS AND PROVIDE DIRECTION
A) ADOPT RESOLUTION NO. 23-0038
B) APPROVE LOCATION
C) ALLOCATE FUNDS

Attachments: [Resolution No. 23-0038](#)
[Agreement - Domisi Keven Parham](#)
[Artwork Survey Post Card and Survey Results](#)
[Artwork in Location Rendering](#)
[PowerPoint Presentation \(NMB BID\)](#)

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.

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

[23-0154](#)

Q. CLOSED SESSION**R. ADJOURNMENT****S. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

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

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
May 8, 2023 - Monday - 4:00 PM - Library Commission Meeting
May 10, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
May 15, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting
May 22, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
May 23, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
May 25, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
June 12, 2023 - Monday - 4:00 PM - Library Commission Meeting
June 14, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
June 19, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting
June 22, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
June 26, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
June 28, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting

T. 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