

City Council Regular Meeting

Regular Meeting

Tuesday, May 2, 2023

6:00 PM

City Council Chambers and Zoom



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

Community Development Director Talyn Mirzakhania

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, May 2, 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, April 26, 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

Grand View Elementary School

C. ROLL CALL

D. CEREMONIAL CALENDAR

1. Presentation of Certificates of Recognition to Mira Costa High School Students Ryan Cho, Lizzy Fleming, and Bridie Ward for Receiving the 2023 Circle Award for Excellence in Poetry Composition.

[23-0192](#)

PRESENT

Attachments: [Circle Awards for Excellence in Poetry - 2023](#)

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.

2. Introduction of Newly Appointed Community Development Director Talyn Mirzakhani (City Manager Moe).

[23-0195](#)

INTRODUCE

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, May 2, 2023 (the day of the meeting), via:

Comment at <https://www.cityofmanhattanbeach.org/submit-comment> or
publiccomments@cityofmanhattanbeach.org

or email to publiccomments@cityofmanhattanbeach.org or
 telephone message recorded at (619) 425-5555.

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 use the "raise hand" button through Zoom 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: [23-0194](#)

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

- a) City Council Regular Meeting Minutes of April 18, 2023
- b) City Council Adjourned Regular Meeting Minutes (Boards and Commissioners Interviews) of April 25, 2023
(City Clerk Tamura).

APPROVE

Attachments: [City Council Regular Meeting Minutes of April 18, 2023](#)
[City Council Adjourned Regular Meeting Minutes \(Boards and Commissions Interviews\) of April 25, 2023](#)

4. Financial Reports: [23-0183](#)

Schedule of Demands March 31, 2023, and April 7, 2023 (Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands March 31, 2023 and April 7, 2023](#)

5. Declaration of Proclamations for the Following: [23-0156](#)

- a) April 30, 2023 - May 6, 2023, as Municipal Clerks Week
- b) May 4, 2023, as International Firefighters' Day
- c) May 7, 2023 - May 13, 2023, as Public Service Recognition Week
- d) May 15, 2023 - May 21, 2023, as National Police Week
- e) May 21, 2023 - May 27, 2023, as National Public Works Week
- f) Month of May 2023, as Building Safety Month
- g) Month of May 2023, as Older Americans Month
- h) Month of May 2023, as Mental Health Awareness Month.

PROCLAIM

Attachments: [Municipal Clerks Week](#)
[International Firefighters' Day](#)
[Public Service Recognition Week](#)
[National Police Week](#)
[Building Safety Month](#)
[National Public Works Week](#)
[Older Americans Month](#)
[Mental Health Awareness Month](#)

-
6. Consideration of the Manhattan Beach Police Department 2023-2024 Strategic Plan (Police Chief Johnson). [23-0136](#)
RECEIVE AND FILE
Attachments: [2023-2024 Police Department Strategic Plan](#)
[2019-2022 Police Department Strategic Plan](#)
7. Consideration of StoryWalk Project Installation Location (Parks and Recreation Director Leyman). [23-0134](#)
APPROVE
Attachments: [StoryWalk Map Location](#)
8. Consideration to Approve the Velzy Plaque Proposed by the South Bay Boardriders Club at 117 Manhattan Beach Boulevard (Parks and Recreation Director Leyman). [23-0190](#)
APPROVE
Attachments: [Velzy Plaque Mock Up](#)
9. Consideration of a Resolution Approving a \$1,200,000 Measure M Funding Agreement with the Los Angeles County Metropolitan Transportation Authority for the Manhattan Beach Boulevard at Pacific Avenue Improvements Project; and a Determination of Exemption Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines (Public Works Director Lee). [23-0146](#)
A) ADOPT RESOLUTION NO. 23-0044
B) APPROVE APPROPRIATION
Attachments: [Resolution No 23-0044](#)
[Agreement - Los Angeles County Metropolitan Transportation Authority \(Measure M\)](#)
[Location Map](#)
10. Consideration of a Resolution Approving an Agreement with Nth Generation Computing for a Backup Failover System for an Amount Not to Exceed \$128,676 (Information Technology Director Hackelman). [23-0138](#)
A) WAIVE FORMAL BIDDING DUE TO COOPERATIVE PURCHASING
B) ADOPT RESOLUTION NO. 23-0045
Attachments: [Resolution No. 23-0045](#)
[Agreement - Nth Generation](#)
[Provider Preferred Reseller Letter](#)

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.

11. Annual Appointments to City Boards and Commissions (City Clerk Tamura). [23-0170](#)
(Estimated Time: 45 Min.)

APPOINT

Attachments: [Boards and Commissions Advertisement](#)

12. Presentation of the Proposed 5-Year Capital Improvement Program (CIP) for Fiscal Year 2023-2024 Through Fiscal Year 2027-2028 (Public Works Director Lee). [23-0124](#)
(Estimated Time: 30 Mins.)

A) DISCUSS AND PROVIDE DIRECTION

B) APPROVE

Attachments: [Proposed 5-Year CIP Project List](#)

[CIP Project Summary Sheets](#)

[PowerPoint Presentation](#)

13. Presentation of the Fiscal Year 2023-2024 Proposed Operating Budget (Finance Director Charelian). [23-0178](#)
(Estimated Time: 45 Min.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Fiscal Year 2023-2024 Proposed Budget](#)

[Parks and Recreation Program Profit & Loss Estimates](#)

[PowerPoint Presentation](#)

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.

14. Agenda Forecast (City Clerk Tamura). [23-0193](#)
INFORMATION ITEM ONLY

15. Commission Minutes: [23-0200](#)

This Item Contains Minutes of the following City Commission Meetings:

a) Parks and Recreation Commission Meeting Minutes of December 21, 2022

b) Parks and Recreation Commission Meeting Minutes of December 26, 2022 (Rescheduled)

c) Parks and Recreation Commission Meeting Minutes of January 23, 2023

d) Parks and Recreation Commission Meeting Minutes of February 27, 2023

e) Parks and Recreation Commission Meeting Minutes of March 27, 2023

INFORMATION ITEM ONLY

Attachments: [Parks and Recreation Commission Meeting Minutes of December 21, 2022](#)
[Parks and Recreation Commission Meeting Minutes of December 26, 2022 \(Rescheduled\)](#)
[Parks and Recreation Commission Meeting Minutes of January 23, 2023](#)
[Parks and Recreation Commission Meeting Minutes of February 27, 2023](#)
[Parks and Recreation Commission Meeting Minutes of March 27, 2023](#)

Q. CLOSED SESSION

I. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

II. RECESS INTO CLOSED SESSION

**a) CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9(d)(1))**

**Name of Case: Darby Keen v City of Manhattan Beach
Los Angeles County Superior Court
Case No: 19STcp02984**

**Name of Case: David Shenbaum and Timothy O'Brien v
City of Manhattan Beach
California Central Court
Case No: 2:22-cv-8062**

**Name of Case: Stephanie Thompson v City of Manhattan Beach
Los Angeles County Superior Court
Case No: 23STCV06831**

**b) CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

**Agency Negotiators:
Bruce Moe, City Manager
Stephanie Swofford, Acting Human Resources Director**

**Employee Group(s):
Manhattan Beach Firefighters' Association**

III. RECONVENE INTO OPEN SESSION

IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

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

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