

## City Council Regular Meeting

### Regular Meeting

**Tuesday, May 16, 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

**Community Development Director** Talyn Mirzakhanian

**Finance Director** Steve Charelian

**Fire Chief** Michael Lang

**Acting Human Resources Director** Stephanie Swofford

**Information Technology Director** Terry Hackelman

**Parks and Recreation Director** Mark Leyman

**Police Chief** Rachel Johnson

**Public Works Director** Erick Lee

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#### **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 16, 2023** (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment>
- 2) email to [cityclerk@manhattanbeach.gov](mailto: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](http://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, May 10, 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. CEREMONIAL CALENDAR**

1. Presentation of Certificates of Recognition to Monica Chun, Lisa Newman, Alex Chun, Justin Newman, Kai O'Neil, Lara Meyer, Luca O'Neil, and Manhattan Beach Police School Resource Officers Donovan Torres and Michael Hamilton, for Their Commitment and Dedication to Promoting Ebike Safety.

[23-0222](#)**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.*

2. Update on Beach Cities Health District (BCHD) Campus Project (City Manager Moe).

[23-0209](#)

**(Estimated Time: 10 Mins.)**

**ACCEPT PRESENTATION**

**Attachments:** [PowerPoint Presentation \(Beach Cities Health District\)](#)

## **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 16, 2023 (the day of the meeting), via:*

- 1) eComment at <http://www.manhattanbeach.gov/ecomment>
- 2) email to [cityclerk@manhattanbeach.gov](mailto: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: [23-0043](#)  
This Item Contains the City Council Regular Meeting Minutes of May 2, 2023 (City Clerk Tamura).  
**APPROVE**  
**Attachments:** [City Council Regular Meeting Minutes of May 2, 2023](#)
4. Financial Reports: [23-0184](#)  
a) Schedule of Demands April 14, 2023, and April 21, 2023  
b) Investment Portfolio for the Month Ending March 31, 2023  
c) Month End Report for March 31, 2023  
(Finance Director Charelian).  
**ACCEPT REPORTS AND DEMANDS**  
**Attachments:** [Schedule of Demands April 14, 2023 and April 21, 2023](#)  
[Investment Portfolio March 2023](#)  
[Month End Financial Report March 2023](#)
5. Consideration of Approval of the Fiscal Year 2023-2024 City Council Work Plan (City Manager Moe). [23-0148](#)  
**APPROVE**  
**Attachments:** [Fiscal Year 2023-2024 City Council Work Plan \(25 Items\)](#)  
[Work Plan Summary](#)  
[Department Work Plan Items](#)  
[Departmental Involvement Matrix](#)
6. Consideration of a Resolution Approving the Assessment Engineer's Report for Annual Levy of Street Lighting Assessments for Fiscal Year 2023-2024 (Finance Director Charelian). [23-0085](#)  
**ADOPT RESOLUTION NO. 23-0046**  
**Attachments:** [Resolution No. 23-0046](#)  
[Engineer's Report FY 2023-2024 LLMD \(Including District Map\)](#)

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7. Consideration of a Resolution Regarding the Declaration of Intention to Provide for Annual Levy and Collection of Assessments for Street Lighting Maintenance and Setting of Public Hearing for June 20, 2023 (Finance Director Charelian). [23-0086](#)
- A) ADOPT RESOLUTION NO. 23-0047**
- B) SETTING PUBLIC HEARING DATE TO CONSIDER ASSESSMENTS FOR JUNE 20, 2023**
- Attachments:** [Resolution No. 23-0047](#)  
[Engineer's Report FY 2023-2024 \(Including District Map\)](#)
8. Consideration of a Resolution for the Donation (Sale) of up to Five Surplus Police Vehicles to the Town of Pickens, Mississippi (Finance Director Charelian). [23-0198](#)
- A) APPROVE SALE OF SURPLUS VEHICLES**
- B) ADOPT RESOLUTION NO. 23-0054, AUTHORIZE CITY MANAGER TO EXECUTE AN AGREEMENT**
- Attachments:** [Resolution No. 23-0054](#)  
[Sale Request by the Town of Pickens, Mississippi](#)
9. Consideration of a Resolution Amending an Agreement with Regents of the University of California for Emergency Medical Technician Continuing Education and Quality Improvement Services (Nurse Educator) for Three Years with Two Automatic Additional One-Year Extensions for \$35,302.64 Per Year (Fire Chief Lang). [23-0164](#)
- ADOPT RESOLUTION NO. 23-0048**
- Attachments:** [Resolution No. 23-0048](#)  
[Amendment No. 1 - Regents of the University of California Agreement- Regents of the University of California](#)
10. Consideration of a Resolution Approving an Agreement with Morningstar Productions LLC for a Three-Year Contract for Concerts in the Park Sound and Stage Rental Services with an Estimated Cost Not-to-Exceed \$325,850.90 for Five Years (Parks and Recreation Director Leyman). [23-0191](#)
- ADOPT RESOLUTION NO. 23-0053**
- Attachments:** [Resolution No. 23-0053](#)  
[Agreement - Morningstar Productions LLC](#)  
[Morningstar Concerts in the Park Proposal](#)

11. Consideration of Resolutions Approving Amendment No. 1 to the Professional Services Agreement with Geosyntec Consultants, Inc. and Amendment No. 1 to the Professional Services Agreement with McGowan Consulting, Inc. for Administration of the Coordinated Integrated Monitoring Plan on Behalf of the Beach Cities Watershed Management Group, Extending These Professional Services for One Year (Public Works Director Lee).

[23-0162](#)

**ADOPT RESOLUTION NOS. 23-0049 AND 23-0050**

**Attachments:** [Resolution No. 23-0049](#)  
[Amendment No. 1 – Geosyntec Consultants, Inc.](#)  
[Agreement - Geosyntec Consultants, Inc.](#)  
[Resolution No. 23-0050](#)  
[Amendment No. 1 – McGowan Consulting LLC](#)  
[Agreement - McGowan Consulting, LLC](#)  
[CIMP Implementation Annual Cost through June 30, 2024](#)  
[Beach Cities Consent Letters](#)  
[CIMP MOU and Amendment No. 1](#)

**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.*

12. Conduct Public Hearing and Consideration of a Resolution Adopting New Wastewater Rates and Charges Effective November 1, 2023, Through November 1, 2027, and All Protests to the Proposed Wastewater Rates (Public Works Director Lee).

[23-0117](#)

**(Estimated Time: 15 Mins.)**

**A) CONDUCT PUBLIC HEARING**

**B) ADOPT RESOLUTION NO. 23-0051**

**Attachments:** [Resolution No. 23-0051](#)  
[2023 Wastewater Rate Study \(Black & Veatch\) \(Web-Link Provided\)](#)  
[Copy of Proposition 218 Notice](#)  
[Proposition 218 Outreach Summary](#)  
[PowerPoint Presentation](#)

## K. GENERAL BUSINESS

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

13. Consideration of an Increase to Stormwater Assessments (Finance Director Charelian). [23-0197](#)  
(Estimated Time: 30 Mins.)  
**APPROVE**  
**Attachments:** [PowerPoint Presentation](#)
14. Consideration of a Resolution Appointing Patrick Griffin as Interim Information Technology Director and Approval of an Employment Agreement with Patrick Griffin (Acting Human Resources Director Swofford). [23-0220](#)  
**ADOPT RESOLUTION NO. 23-0052**  
**Attachments:** [Resolution 23-0052](#)  
[Employment Agreement - Patrick Griffin](#)
15. Presentation of the Proposed 5-Year Capital Improvement Program (Fiscal Years 2023-2024 Through 2027-2028) and Fiscal Year 2023-2024 Proposed Operating Budget (Public Works Director Lee and Finance Director Charelian). [23-0210](#)  
(Estimated Time: 30 Mins.)  
**DISCUSS AND PROVIDE DIRECTION**  
**Attachments:** [Budget - Links to Attachments](#)  
[CIP - Links to Attachments](#)

## 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.*

16. City Council AB 1234 Reports. [23-0219](#)  
**RECEIVE AND FILE**
17. Consider Request by Councilmember Howorth and Councilmember Lesser to Discuss Electric Bike (E-Bike) Safety (City Manager Moe). [23-0216](#)  
**DISCUSS AND PROVIDE DIRECTION**
18. Consider Request by Councilmember Lesser and Councilmember Napolitano to Discuss the Board of Building Appeals (City Manager Moe). [23-0217](#)  
**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.*

19. Agenda Forecast (City Clerk Tamura). [23-0110](#)  
**INFORMATION ITEM ONLY**

20. Commission Minutes: [23-0018](#)  
This Item Contains Minutes of the following City Commissions and Subcommittee Meetings:  
a) Library Commission Meeting Minutes of February 13, 2023 (Parks and Recreation Director Leyman)  
b) Library Commission Meeting Minutes of March 13, 2023 (Parks and Recreation Director Leyman)  
b) Finance Subcommittee Action Meeting Minutes of April 20, 2023 (Finance Director Charelian).  
**INFORMATION ITEM ONLY**

**Attachments:** [Library Commission Meeting Minutes of February 13, 2023](#)  
[Library Commission Meeting Minutes of March 13, 2023](#)  
[Finance Subcommittee Action Meeting Minutes of April 20, 2023](#)

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

**II. RECESS INTO CLOSED SESSION****III. RECONVENE INTO OPEN SESSION**

## IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

### R. ADJOURNMENT

### S. FUTURE MEETINGS

#### **CITY COUNCIL MEETINGS**

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 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