

City Council Regular Meeting

Regular Meeting

Tuesday, September 19, 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 Mirzakhonian

Finance Director Steve Charelian

Fire Chief Michael Lang

Human Resources Director Lisa Jenkins

Interim Information Technology Director Patrick Griffin

Parks and Recreation Director Mark Leyman

Police Chief Rachel Johnson

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!

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, September 19, 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, September 13, 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

Abigail Schoppe and Reese Tran

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 12:00 PM, September 19, 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.

ZOOM 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.

1. City Council Minutes: [23-0326](#)

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

a) City Council Adjourned Regular Meeting Minutes of September 5, 2023

b) City Council Regular Meeting Minutes of September 5, 2023

(City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of September 5, 2023](#)

[City Council Regular Meeting Minutes of September 5, 2023](#)

2. Financial Reports: [23-0320](#)

Schedule of Demands August 25, 2023, and September 1, 2023 (Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for August 25, 2023, and September 1, 2023](#)

3. Proclamation Declaring the Month of September 2023 as National Service [23-0399](#)

Dog Month.

PROCLAIM

Attachments: [Proclamation](#)

4. Consideration of Joining Various Cities or Associations in Filing an Amicus [23-0412](#)

Brief in Support of a Petition for a Writ of Certiorari with the United States Supreme Court Regarding Johnson v. City of Grants Pass (City Manager Moe).

AUTHORIZE**5. Consideration of a Resolution Approving the Proposed Fiscal Year [23-0280](#)**

2023-2024 Chamber of Commerce Work Plan Agreement in the Amount of \$36,585 (City Manager Moe).

ADOPT RESOLUTION NO. 23-0094

Attachments: [Resolution No. 23-0094](#)

[Agreement - Chamber of Commerce](#)

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6. Consideration of Introducing an Ordinance Amending Chapters 2.36 (Purchasing) of the Manhattan Beach Municipal Code to Modify the Purchasing Authority Limits (Finance Director Charelian). [23-0348](#)
INTRODUCE ORDINANCE NO. 23-0009
Attachments: [Ordinance No. 23-0009](#)
7. Consideration of Resolutions: [23-0366](#)
a) Approving Employee Additional Cost Share for Classic Full-Time Sworn Unrepresented Employees Pursuant to CalPERS Government Code Section 20516; and
b) Authorizing Compensation and Benefits Changes for the Classification of Division Chief in the Full-Time Unrepresented Employees Group (Human Resources Director Jenkins).
ADOPT RESOLUTION NOS. 23-0114 AND 23-0115
Attachments: [Resolution No. 23-0114](#)
[Resolution No. 23-0115](#)
8. Consideration of a Resolution Accepting the State of California Office of Traffic Safety Selective Traffic Enforcement Program (STEP) Grant in the Amount of \$75,000 (Police Chief Johnson). [23-0398](#)
A) ADOPT RESOLUTION NO. 23-0122
B) APPROPRIATE FUNDS
Attachments: [Resolution No. 23-0122](#)
[Agreement - California Office of Traffic Safety](#)
9. Consideration of a Resolution Approving an Agreement with Marc R. Cohen, MD, Professional Corporation, to Provide Emergency Medical Services (“EMS”) Medical Director Oversight Services with a Maximum Compensation of \$54,000 Annually (Fire Chief Lang). [23-0383](#)
ADOPT RESOLUTION NO. 23-0123
Attachments: [Resolution No. 23-0123](#)
[Agreement- Marc R. Cohen, Professional Corporation](#)
10. Consideration of a Resolution Awarding an Agreement to RLA Conservation, LLC for Comprehensive Public Art Assessment Not-to-Exceed \$25,000 (Parks and Recreation Director Leyman). [23-0303](#)
A) ADOPT RESOLUTION NO. 23-0105
B) ALLOCATE FUNDS
Attachments: [Resolution No. 23-0105](#)
[RLA Assessment Quote](#)
[Agreement - RLA Conservation, LLC.](#)

11. Consideration of a Resolution Accepting the State of California Natural Resources Agency Department of Parks and Recreation Proposition 68 (2018) Parks Bond Act Per Capita Grant Program Funds in the Amount of \$199,955 (Parks and Recreation Director Leyman). [23-0363](#)
- A) ADOPT RESOLUTION NO. 23-0112**
B) APPROVE REVENUE BUDGET ADJUSTMENT
- Attachments:** [Resolution No. 23-0112](#)
[Grant Contract No. C9801324](#)
[Grant Contract No. C9802122](#)
12. Consideration of a Resolution Awarding an Agreement to Environmental Science Associates (ESA) for the Completion of a Climate Action and Adaptation Plan (CAAP) for a Not-to-Exceed Amount of \$52,112.45 (Community Development Director Mirzakhaniyan). [23-0318](#)
- ADOPT RESOLUTION NO. 23-0106**
- Attachments:** [Resolution No. 23-0106](#)
[Agreement - Environmental Science Associates](#)
13. Consideration of Resolutions Awarding Professional Services Agreements for On-Call Construction Management and Inspection for Pavement Improvement Projects to Four Consulting Firms for \$150,000.00 Per Firm for a Three-Year Term (Public Works Director Lee). [23-0368](#)
- ADOPT RESOLUTION NOS. 23-0124, 23-0125, 23-0126, AND 23-0127**
- Attachments:** [Resolution No. 23-0124](#)
[Agreement - Quantum Quality Consulting, Inc.](#)
[Resolution No. 23-0125](#)
[Agreement - SA Associates](#)
[Resolution No. 23-0126](#)
[Agreement - Z&K Consultants, Inc.](#)
[Resolution No. 23-0127](#)
[Agreement - LAE Associates](#)
[2021 Pavement Management Program](#)
14. Consideration of a Purchase of One Budgeted NAUTILUS High Dump Rider Scrubber / Sweeper from Total Clean in the Amount of \$98,365.55 (Public Works Director Lee). [23-0376](#)
- A) WAIVE FORMAL BIDDING**
B) AUTHORIZE PURCHASE
- Attachments:** [Total Clean Quote](#)
[Total Clean Sole/Single Source 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.

- 15.** Consideration of a Resolution Awarding a Construction Agreement to BlueViolet Networks for the Citywide Security Cameras Project - Phases 1 and 2 for \$523,820.17, Including Contingency and a Maintenance Contract; and Adoption of a Determination of Exemption Pursuant to Sections 15302(b)(3) and 15301 of the State California Environmental Quality Act (CEQA) Guidelines (Continued from the September 5, 2023, City Council Meeting) (Public Works Director Lee).

[23-0400](#)

(Estimated Time: 30 Mins.)

ADOPT RESOLUTION NO. 23-0113

Attachments: [Resolution No. 23-0113](#)
[Agreement - BlueViolet Networks](#)
[Bid Proposal](#)
[Plans and Specifications \(Web-Link Provided\)](#)
[Budget Expenditure Summary Report](#)
[Location Map](#)
[City Response to Bid Protest](#)
[PowerPoint Presentation](#)

- 16.** Consideration of Police Department Incident Notification Protocols to City Council and the Community (Police Chief Johnson).

[23-0388](#)

(Estimated Time: 30 Mins.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Police Department Communication Protocol Memorandum](#)
[Police Department Standing Order 23-01](#)
[Major Incident Notification – City Policy P-32](#)
[Public Alerts – Police Department Policy 316](#)
[Major Incident Notification – Police Department Policy 327](#)

17. Cultural Arts Commission Recommendations for Sculpture Garden Options (Parks and Recreation Director Leyman). [23-0379](#)

(Estimated Time: 30 Mins.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [PowerPoint Presentation](#)

18. Consideration of the Cultural Arts Commission Recommendations for Mural Artwork Proposals, Locations, and Cost and Disbursement of up to \$253,950.66 from the Public Art Trust Fund (Parks and Recreation Director Leyman). [23-0377](#)

(Estimated Time: 45 Mins.)

A) APPROVE ARTISTS, LOCATIONS, AND COST

B) DISBURSE FUNDS

Attachments: [Artist Agreement Template](#)

[Artist Proposals Details](#)

[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.

19. City Council AB 1234 Reports. [23-0360](#)
RECEIVE AND FILE

20. Consider Request by Councilmember Howorth and Councilmember Lesser to Discuss Adding the Camellia as a Second City Flower (City Manager Moe). [23-0359](#)
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.

21. Agenda Forecast (City Clerk Tamura). [23-0327](#)
INFORMATION ITEM ONLY

22. Commission Minutes:[23-0411](#)

This Item Contains Minutes of the following City Commission Meeting:

- a) Library Commission Meeting Minutes of June 12, 2023 (Parks and Recreation Director Leyman)
- b) Library Commission Meeting Minutes of July 10, 2023 (Parks and Recreation Director Leyman)
- c) Cultural Arts Commission Meeting Minutes of July 17, 2023 (Parks and Recreation Director Leyman).

INFORMATION ITEM ONLY

Attachments: [Library Commission Meeting Minutes of June 12, 2023](#)
[Library Commission Meeting Minutes of July 10, 2023](#)
[Cultural Arts Commission Meeting Minutes of July 17, 2023](#)

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

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

September 25, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
September 27, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
September 28, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
October 9, 2023 - Monday - 4:00 PM - Library Commission Meeting
October 11, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
October 16, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting
October 23, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
October 25, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
October 26, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
November 8, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
November 13, 2023 - Monday - 4:00 PM - Library Commission Meeting
November 20, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting
November 22, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
November 24, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting (Rescheduled to December 7, 2023)
November 27, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
December 7, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting (Rescheduled from November 24, 2023)
December 11, 2023 - Monday - 4:00 PM - Library Commission Meeting
December 13, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
December 21, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting
December 27, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
December 28, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting

T. CITY OFFICES CLOSED**CITY HOLIDAYS:**

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
May 27, 2024 – Monday – Memorial Day
July 4, 2024 - Thursday - Independence Day
September 2, 2024 - Monday - Labor Day