

## City Council Regular Meeting

### Regular Meeting

**Tuesday, October 3, 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

**Information Technology Director** Miguel Guardado

**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, October 3, 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, 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**

**C. ROLL CALL**

**D. CEREMONIAL CALENDAR**

1. Presentation of Certificates of Recognition to the 2023 “Where Community Grows” Parks Photo Contest Winners.

[23-0408](#)

**PRESENT**

**Attachments:** [Certificates of Recognition](#)

**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, October 3, 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.*

**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.*

**UPDATES AND PRESENTATIONS**

2. Emergency Preparedness Plan (Fire Chief Lang). [23-0406](#)  
(Estimated Time: 5 Mins.)  
**RECEIVE AND FILE**
3. Fire Prevention Report (Fire Chief Lang). [23-0407](#)  
(Estimated Time: 5 Mins.)  
**RECEIVE AND FILE**
4. Public Safety Updates (Police Chief Johnson). [23-0419](#)  
(Estimated Time: 5 Mins.)  
**RECEIVE AND FILE**

**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.*

5. City Council Minutes: [23-0328](#)  
This Item Contains Minutes of the Following City Council Meeting(s):  
a) City Council Adjourned Regular Meeting Minutes of September 19, 2023  
b) City Council Regular Meeting Minutes of September 19, 2023  
(City Clerk Tamura).  
**APPROVE**
- Attachments: [City Council Adjourned Regular Meeting Minutes of September 19, 2023](#)  
[City Council Regular Meeting Minutes of September 19, 2023](#)
6. Financial Reports: [23-0393](#)  
a) Schedule of Demands for September 8, 2023, and September 15, 2023  
b) Investment Portfolio for the Month Ending August 31, 2023  
c) Month End Report for August 31, 2023 (Finance Director Charelian).  
**ACCEPT REPORTS AND DEMANDS**
- Attachments: [Warrant Report September 8, 2023 and September 15, 2023](#)  
[Investment Portfolio August 2023.pdf](#)  
[Financial Month End Report August 2023](#)

7. Declaration of Proclamations for the Following: [23-0405](#)  
a) Month of October 2023, as National Community Planning Month  
b) Month of October 2023, as National Arts and Humanities Month  
c) October 8 - October 14, 2023, as Fire Prevention Week  
d) October 4, 2023, as Energy Efficiency Day  
**PROCLAIM**  
**Attachments:** [Proclamation - October 2023, National Community Planning Month](#)  
[Proclamation - October 2023, National Arts and Humanities Month](#)  
[Proclamation - October 8 - 14, 2023, Fire Prevention Week](#)  
[Proclamation - October 4, 2023, Energy Efficiency Day](#)
8. Consideration of Second Reading and Adoption of an Ordinance [23-0349](#)  
Amending Chapter 2.36 (Purchasing) of the Manhattan Beach Municipal Code to Modify the Purchasing Authority Limits (Finance Director Charelian).  
**ADOPT ORDINANCE NO. 23-0009**  
**Attachments:** [Ordinance No. 23-0009](#)
9. Consideration of a Resolution Approving an Amended and Restated [23-0425](#)  
Compensation Plan for Full-Time Unrepresented Employees (Human Resources Director Jenkins).  
**ADOPT RESOLUTION NO. 23-0128**  
**Attachments:** [Resolution No. 23-0128](#)  
[Compensation Plan - Full-time Unrepresented Employees](#)  
[Compensation Plan - Full-time Unrepresented Employees \(Tracked Changed\)](#)
10. Consideration of a Resolution Approving Amendment No. 1 to the [23-0374](#)  
Professional Services Agreement with DocuLynx Operations, LLC for Professional Scanning and Digitization Services for the Community Development Department at a Cost Not-to-Exceed \$134,875 (Community Development Director Mirzakhianian).  
**ADOPT RESOLUTION NO. 23-0129**  
**Attachments:** [Resolution No. 23-0129](#)  
[Amendment No. 1 - DocuLynx Operations, LLC](#)  
[Agreement - DocuLynx Operations, LLC \(2020\)](#)

## 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. Consideration of a Resolution Appropriating Funds and Awarding a Construction Agreement to Asplundh Construction, LLC in the Amount of \$131,625 for Work Within the Right-of-Way in Underground Utility Assessment District 19-12 (District 12) and Private Utility Conversion Work in Underground Utility Assessment District 19-14 (District 14) (Public Works Director Lee). [23-0414](#)

*(Estimated Time: 20 Mins.)*

**A) ADOPT RESOLUTION NO. 23-0130**

**B) APPROPRIATE FUNDS**

**Attachments:** [Resolution 23-0130](#)  
[Agreement - Asplundh Construction, LLC](#)  
[Bid Proposal](#)  
[Specifications](#)  
[Budget and Expenditure Report](#)  
[Location Map](#)  
[PowerPoint Presentation](#)

12. Update on Parks and Recreation Department Projects (Parks and Recreation Director Leyman). [23-0426](#)

*(Estimated Time: 45 Mins.)*

**RECEIVE AND FILE**

**Attachments:** [PowerPoint Presentation](#)

13. Consideration of Resolution Adding the Camellia as the Second City Flower (City Manager Moe). [23-0424](#)

*(Estimated Time: 10 Mins.)*

**ADOPT RESOLUTION NO. 23-0131**

**Attachments:** [Resolution No. 23-0131](#)  
[Staff Report - February 15, 2011](#)

**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.*

14. City Council AB 1234 Reports. [23-0420](#)  
**RECEIVE AND FILE**

15. Consider Request by Councilmember Lesser and Councilmember Howorth to Discuss the Replacement of the Exercise Equipment on Veteran's Parkway (City Manager Moe). [23-0429](#)  
**DISCUSS AND PROVIDE DIRECTION**
16. Consider Request by Councilmember Howorth and Councilmember Lesser to Discuss a Potential Event And Proclamation Regarding, "Stand Up Against Hate Week - November 12-18, 2023 (City Manager Moe). [23-0430](#)  
**DISCUSS AND PROVIDE DIRECTION**
17. Consider Request by Mayor Montgomery and Mayor Pro Tem Franklin to Discuss Utilizing the General Fund in Lieu of Grant Funds to Resurface the Roadway going Westbound on Manhattan Beach Boulevard beginning at Sepulveda Boulevard (City Manager Moe). [23-0431](#)  
**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.*

18. Agenda Forecast (City Clerk Tamura). [23-0330](#)  
**INFORMATION ITEM ONLY**

#### **Q. CLOSED SESSION**

#### **R. ADJOURNMENT**

#### **S. FUTURE MEETINGS**

#### **CITY COUNCIL MEETINGS**

*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**

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