

City Council Regular Meeting

Regular Meeting

Tuesday, December 5, 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

Human Resources Lisa Jenkins

Parks and Recreation Mark Leyman

Police Chief Rachel Johnson

Fire Chief Michael Lang

Community Development Director Talyn Mirzakhonian

Public Works Director Erick Lee

Information Technology Director Miguel Guardado

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, December 5, 2023 (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or
- 2) Email to cityclerk@manhattanbeach.gov

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, November 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

Ezra Handman, Robinson Elementary School

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, December 5, 2023 (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or
- 2) Email to cityclerk@manhattanbeach.gov

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: [23-0467](#)

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

a) City Council Adjourned Regular Meeting Minutes of November 21, 2023

b) City Council Regular Meeting Minutes of November 21, 2023

(City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of November 21, 2023](#)

[City Council Regular Meeting Minutes of November 21, 2023](#)

2. Financial Reports: [23-0523](#)

a) Schedule of Demands for November 3, 2023, and November 9, 2023

b) Investment Portfolio for the Month Ending October 31, 2023

c) Financial Month End Report for October 31, 2023 (Finance Director Charelion).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for November 3, 2023 and November 9, 2023](#)

[Investment Portfolio for the Month Ending October 2023](#)

[Financial Month End Report October 2023](#)

3. Consideration of a Resolution Approving City Contributions to Medical [23-0529](#)

Insurance for the Manhattan Beach Mid-Management Employees

Association, Unrepresented Employees and Officials (Human Resources Director Jenkins).

ADOPT RESOLUTION NO. 23-0160

Attachments: [Resolution No. 23-0160](#)

4. Consideration of a Resolution to Accept a Grant of Easement Deed and [23-0473](#)

Temporary Construction Easement Deed for the Property at 1101 North Sepulveda Boulevard for the Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project (Public Works Director Lee).

ADOPT RESOLUTION NO. 23-0161

Attachments: [Resolution No. 23-0161](#)

[Grant of Easement Deed and Temporary Construction Easement Deed - 1101 N. Sepulveda Boulevard](#)

[Budget and Expenditures Summary](#)

[Location Map](#)

5. Consideration of Accepting as Complete the Marine Avenue at Cedar Avenue Traffic Signal and Intersection Improvements Project (Public Works Director Lee). [23-0441](#)
ACCEPT AND APPROVE
Attachments: [Location Map](#)
6. Consideration of Accepting as Complete the Rowell Avenue Sidewalk Gap Closure Between 1st Street and Curtis Avenue Project (Public Works Director Lee). [23-0392](#)
ACCEPT AND APPROVE
Attachments: [Location Map](#)
7. Consideration of a Resolution Adopting Caltrans Local Assistance Procedure Manual Chapter 10 for State and Federal Funded Transportation Projects Related to the Highway Safety Improvement Program (HSIP) Crosswalk Improvements Project (Public Works Director Lee). [23-0483](#)
A) ADOPT RESOLUTION NO. 23-0163
B) AUTHORIZE
Attachments: [Resolution No. 23-0163](#)
[Caltrans Local Assistance Procedure Manual Chapter 10](#)
[Location Map](#)
8. Consideration of a Resolution Approving a Three-Year Maintenance Services Agreement with Duthie Power Services for On-Call Auxiliary Generator Services in an Amount Not-to-Exceed \$300,000 (Public Works Director Lee). [23-0484](#)
ADOPT RESOLUTION NO. 23-0164
Attachments: [Resolution No. 23-0164](#)
[Agreement - Duthie Power Services](#)

9. Consideration of Resolutions Awarding a Professional Inspection Services Agreement to Faith Group, Inc. for the Citywide Security Cameras Project - Phases 1 and 2 in the Amount of \$159,680, and for On-Call Construction Management and Inspection for Phase 3 of the Citywide Security Cameras Program for \$100,000 for a Two-Year Term (Public Works Director Lee). [23-0435](#)
ADOPT RESOLUTION NOS. 23-0144 AND 23-0145
Attachments: [Resolution No. 23-0144](#)
[Agreement – Faith Group, Inc.](#)
[Resolution No. 23-0145](#)
[Agreement – Faith Group, Inc.](#)
[Budget Expenditure Summary](#)
[Location Map](#)
10. Consideration of Introducing an Ordinance Amending Section 7.28.100 of the Manhattan Beach Municipal Code (Municipal Code) Regarding the Responsibility of Property Owners within a Utility Undergrounding District, and Adoption of a Determination of Exemption Pursuant to 15302(d) and 15303(d) of the State CEQA Guidelines (Public Works Director Lee). [23-0494](#)
INTRODUCE ORDINANCE NO. 23-0013
Attachments: [Ordinance No. 23-0013](#)
[Ordinance No. 23-0013 \(Tracked Changes Version\)](#)
11. Consideration of Introducing an Ordinance to Establish Applicable Regulations Regarding Water System Cross-Connection Controls (Public Works Director Lee). [23-0337](#)
INTRODUCE ORDINANCE NO. 23-0011
Attachments: [Ordinance No. 23-0011](#)

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 for Consideration of Introduction of an Ordinance Amending Title 10 (Planning and Zoning) and Title 11 (Subdivisions) of the Manhattan Beach Municipal Code to Incorporate Proposed Regulations Related to Senate Bill 9 (SB 9) (Community Development Mirzakhonian). [23-0418](#)
(Estimated Time: 30 Mins.)

A) CONDUCT PUBLIC HEARING

B) INTRODUCE ORDINANCE NO. 23-0014

Attachments: [Ordinance No. 23-0014](#)

[November 8, 2023 - Planning Commission Staff Report \(Web-Link Provided\)](#)

[PowerPoint Presentation](#)

13. Conduct Public Hearing to Consider Revocation of the Use Permit (Resolution No. 6055) for Property Located at 1727 Artesia Boulevard Due to the Property Owner's Failure to Comply with Conditions of Approval (Community Development Director Mirzakhonian). [23-0428](#)
(Estimated Time: 30 Mins.)

A) CONDUCT PUBLIC HEARING

**B) DIRECT STAFF TO BRING FORWARD A RESOLUTION
REVOKING THE USE PERMIT ISSUED FOR THE SUBJECT
PROPERTY**

Attachments: [Resolution No. 6055](#)

[PowerPoint Presentation](#)

K. GENERAL BUSINESS

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

14. Consideration of a Juneteenth Community Celebration in 2024 and, if Approved, Appropriate \$30,000 from the General Fund (Parks and Recreation Director Leyman). [23-0409](#)
(Estimated Time: 75 Min.)

A) DISCUSS AND PROVIDE DIRECTION

B) APPROPRIATE FUNDS

Attachments: [Juneteenth Survey Results](#)

[PowerPoint Presentation](#)

15. Update Regarding Police Department and Citywide Staffing and Recruitment, and Consideration of a Resolution Approving Various Recruitment and Retention Incentives (Police Chief Johnson and Human Resources Director Jenkins). [23-0537](#)

(Estimated Time: 30 Mins.)

ADOPT RESOLUTION NO. 23-0165

Attachments: [Resolution No. 23-0165](#)
[PowerPoint Presentation](#)

16. Consideration of a Resolution Amending the City Manager's Employment Agreement to Provide The City Manager with the Ability to Accrue Additional Annual Leave of Up To 150 "Non-Cashable" Hours That Must Be Used Prior To December 31, 2024 (City Attorney Barrow). [23-0543](#)

(Estimated Time: 5 Mins.)

ADOPT RESOLUTION NO. 23-0159, APPROVING AMENDMENT NO. 4 TO THE CITY MANAGER EMPLOYMENT AGREEMENT

Attachments: [Resolution No. 23-0159](#)
[Amendment No. 4 - City Manager's Employment Agreement](#)

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.

17. Agenda Forecast (City Clerk Tamura). [23-0539](#)
INFORMATION ITEM ONLY

18. Commission Minutes:

[23-0544](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Planning Commission Action Meeting Minutes of August 9, 2023
(Cancelled) (Community Development Director Mirzakhania)
- b) Planning Commission Action Meeting Minutes of September 13, 2023
(Cancelled) (Community Development Director Mirzakhania).

INFORMATION ITEM ONLY

- Attachments:** [Planning Commission Action Meeting Minutes of August 9, 2023
\(Cancelled\)](#)
[Planning Commission Action Meeting Minutes of September 13, 2023
\(Cancelled\)](#)

Q. CLOSED SESSION

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

December 19, 2023 - Tuesday -- 6:00 PM - City Council Meeting
January 2, 2024 - Tuesday -- 6:00 PM - City Council Meeting (Canceled)
January 9, 2024 - Tuesday -- 6:00 PM - City Council Adjourned Regular Meeting (Reorganization)
January 16, 2024 - Tuesday -- 6:00 PM - City Council Meeting
February 6, 2024 - Tuesday -- 6:00 PM - City Council Meeting
February 20, 2024 - Tuesday -- 6:00 PM - City Council Meeting
March 5, 2024 - Tuesday -- 6:00 PM - City Council Meeting
March 19, 2024 - Tuesday -- 6:00 PM - City Council Meeting
April 2, 2024 - Tuesday -- 6:00 PM - City Council Meeting
April 16, 2024 - Tuesday -- 6:00 PM - City Council Meeting
April 24 - Tuesday - TBD - Boards and Commissions Interviews
May 7, 2024 - Tuesday -- 6:00 PM - City Council Meeting
May 14, 2024 - Tuesday -- 6:00 PM - Budget and Capital Improvements Program Study Session
May 21, 2024 - Tuesday -- 6:00 PM - City Council Meeting
May 28, 2024 - Tuesday -- 6:00 PM - Budget and Capital Improvements Program Study Session
June 4, 2024 - Tuesday -- 6:00 PM - City Council Meeting
June 18, 2024 - Tuesday -- 6:00 PM - City Council Meeting
July 2, 2024 - Tuesday -- 6:00 PM - City Council Meeting
July 16, 2024 - Tuesday -- 6:00 PM - City Council Meeting
August 6, 2024 - Tuesday -- 6:00 PM - City Council Meeting
August 20, 2024 - Tuesday -- 6:00 PM - City Council Meeting
September 3, 2024 - Tuesday -- 6:00 PM - City Council Meeting
September 17, 2024 - Tuesday -- 6:00 PM - City Council Meeting
October 1, 2024 - Tuesday -- 6:00 PM - City Council Meeting
October 15, 2024 - Tuesday -- 6:00 PM - City Council Meeting
November 5, 2024 - Tuesday -- 6:00 PM - City Council Meeting
November 19, 2024 - Tuesday -- 6:00 PM - City Council Meeting
December 3, 2024 - Tuesday -- 6:00 PM - City Council Meeting
December 17, 2024 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

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:

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

October 14, 2024 – Monday – Columbus Day

November 11, 2024 – Monday – Veterans Day

November 28-29, 2024 - Thursday & Friday - Thanksgiving Holiday