

City Council Regular Meeting

Regular Meeting

Tuesday, December 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

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 19, 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, December 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

Knox Charelian

C. ROLL CALL

D. CEREMONIAL CALENDAR

1. Presentation of a Baby Passport to Arcie and Steve Charelian, Welcoming Manhattan Beach's Newest Resident Chase Steel Charelian. [23-0421](#)
PRESENT

2. Presentation of Certificates of Recognition to the Holiday Contest Winners. [23-0468](#)
PRESENT

3. Presentation of a Proclamation from the Beach Cities Health District Recognizing the City of Manhattan Beach for Being a "Partner in Health" as They Celebrate 25 Years of Preventive Health Success. [23-0469](#)
ACCEPT

Attachments: [Proclamation - Beach Cities Health District](#)

4. Presentation of a Certificate of Recognition to Heather Hoffman for Her Years of Dedicated Service to the Manhattan Beach Unified School District as Executive Assistant to the Superintendent. [23-0552](#)
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.

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 19, 2023 (the day of the meeting), via:

1) eComment

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.

5. City Council Minutes: [23-0496](#)
This Item Contains the City Council Adjourned Regular Meeting Minutes of December 5, 2023 (City Clerk Tamura).

APPROVE

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

6. Financial Reports: [23-0524](#)
Schedule of Demands November 17, 2023, and November 24, 2023
(Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for November 17, 2023 and November 24, 2023](#)

7. Consideration and Approval of the 2024 City Council Meeting Calendar [23-0470](#)
(City Clerk Tamura).

APPROVE

Attachments: [2024 City Council Meeting Calendar](#)

8. Consideration of a Second Reading and Adoption of an Ordinance [23-0495](#)
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 Director Mirzakhanian).

ADOPT ORDINANCE NO. 23-0014

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

9. Consideration of Accepting as Complete Work Performed by Hot Line [23-0530](#)
Construction Regarding Underground Utility Assessment Districts 19-12 and 19-14 (Continued from the November 15, 2022 City Council Meeting)
(Public Works Director Lee).

A) ACCEPT

B) AUTHORIZE

Attachments: [Location Map](#)

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10. Consideration of a Resolution to Apply for State Water Resources Control Board Financial Assistance in the Amount of \$3,500,000 for the El Porto Water Improvement Project to Improve Drinking Water Quality and Fire Flow (Public Works Director Lee). [23-0527](#)
ADOPT RESOLUTION NO. 23-0166
Attachments: [Resolution No. 23-0166](#)
[Application - State Water Resources Control Board Financial Assistance](#)
[Location Map](#)
11. Consideration of a Resolution Awarding a Construction Agreement to Aneen Construction, Inc. for the Joslyn Center Crosswalk Improvement Project for \$1,134,145, Including Contingency; Approving the Plans and Specifications; Re-Appropriating Funds Already Budgeted in the Amount of \$523,768; Appropriating Funds in the Amount of \$699,677; and Adoption of a Determination of Exemption Pursuant to Section 15301 Class 1(c) of the State CEQA Guidelines (Public Works Director Lee). [23-0342](#)
A) ADOPT RESOLUTION NO. 23-0167
B) APPROPRIATE FUNDS
Attachments: [Resolution No. 23-0167](#)
[Contract - Aneen Construction, Inc.](#)
[Plans and Specifications \(Web-Link\)](#)
[Budget and Expenditures Summary](#)
[Location Map](#)
12. Consideration of a Second Reading and Adoption of an Ordinance Amending Manhattan Beach Municipal Code Section 7.28.100 Regarding the Responsibility of Property Owners within Utility Undergrounding Districts (Public Works Director Lee). [23-0538](#)
ADOPT ORDINANCE NO. 23-0013
Attachments: [Ordinance No. 23-0013](#)

13. Consideration of a Resolution Approving Amendment No. 3 to the Design Services Agreement with Hazen and Sawyer, D.P.C. for \$501,046 for Additional Design Services for the Cycle 3 Water Infrastructure Improvement and Street Resurfacing Project; and Adoption of a Determination of Exemption Pursuant to Section 15301 Class 1(b) and (c) of the State CEQA Guidelines (Public Works Director Lee). [23-0306](#)
- ADOPT RESOLUTION NO. 23-0162**

Attachments: [Resolution No. 23-0162](#)
[Amendment No. 3 - Hazen and Sawyer](#)
[Agreement and Amendment Nos. 1 and 2 – Hazen and Sawyer, D.P.C.](#)
[Budget and Expenditure Summary](#)
[Location Map](#)

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.

14. Consideration of Resolutions Awarding Professional Services Agreements for On-Call Design Services for Storm Drain Improvement Projects to Three Consulting Firms for \$150,000 Per Firm for a Three-Year Term (Public Works Director Lee). [23-0534](#)
- (Estimated Time: 15 Mins.)**
- ADOPT RESOLUTION NOS. 23-0168, 23-0169, AND 23-0170**

Attachments: [Resolution No. 23-0168](#)
[Agreement - BKF Engineers](#)
[Resolution No.23-0169](#)
[Agreement - CWE](#)
[Resolution No.23-0170](#)
[Agreement - SA Associates](#)
[2021 Storm Drain Master Plan Update](#)
[PowerPoint Presentation](#)

15. Consideration of Options to Address City Council Legislative Priorities and Positions on Federal, State or County Legislation (City Manager Moe) [23-0477](#)
(Estimated Time: 20 Min.)
APPROVE

Attachments: [Legislative Approach Survey](#)
[Sample Legislative Platforms – City of El Segundo, City of Beverly Hills, City of Santa Clarita.pdf](#)
16. Consideration of a Second Reading and Adoption of an Ordinance Amending the Contract Between the Board of Administration California Public Employees Retirement System and the City of Manhattan Beach to Provide Provisions of Retirement Law Section 20516 - Employee Cost Sharing (Human Resources Director Jenkins). [23-0533](#)
(Estimated Time: 5 Mins.)
ADOPT ORDINANCE NO. 23-0012

Attachments: [Ordinance No. 23-012 \(& Exhibit\)](#)
[Certification of Compliance with Government Code Section 7507 \(CON12A\)](#)
[Certification of Employee Election \(CON15\)](#)
17. Consideration of a Resolution in Support of the Storm Drain Measure (City Manager Moe). [23-0555](#)
(Estimated Time: 20 Mins.)
DISCUSS AND CONSIDER TAKING ACTION

Attachments: [Resolution No. 23-0171](#)

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.

18. Agenda Forecast (City Clerk Tamura).

[23-0498](#)

INFORMATION ITEM ONLY

19. Commission Minutes:

[23-0488](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Cultural Arts Commission Meeting Minutes of July 17, 2023 (Parks and Recreation Director Leyman)
- b) Parks and Recreation Commission Meeting Minutes of July 24, 2023 (Parks and Recreation Director Leyman)
- c) Cultural Arts Commission Meeting Minutes of August 21, 2023 (Parks and Recreation Director Leyman)
- d) Parks and Recreation Commission Meeting Minutes of August 28, 2023 (Parks and Recreation Director Leyman)
- e) Library Commission Meeting Minutes of September 11, 2023 (Parks and Recreation Director Leyman)
- f) Cultural Arts Commission Meeting Minutes of September 18, 2023 (Parks and Recreation Director Leyman)
- g) Parks and Recreation Commission Meeting Minutes of September 26, 2023 (Parks and Recreation Director Leyman).

INFORMATION ITEM ONLY

Attachments: [Cultural Art Commission Meeting Minutes of July 17, 2023](#)
[Parks and Recreation Commission Meeting Minutes of July 24, 2023](#)
[Cultural Arts Commission Meeting Minutes of August 21, 2023](#)
[Parks and Recreation Commission Meeting Minutes of August 28, 2023](#)
[Library Commission Meeting Minutes of September 11, 2023](#)
[Cultural Art Commission Meeting Minutes of September 18, 2023](#)
[Parks and Recreation Commission Meeting Minutes of September 26, 2023](#)

Q. CLOSED SESSION

R. ADJOURNMENT

S. FUTURE MEETINGS**CITY COUNCIL MEETINGS**

January 2, 2024 - Tuesday -- 6:00 PM - City Council Meeting (Cancelled)
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 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
January 8, 2024 - Monday - 4:00 PM - Library Commission Meeting
January 10, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
January 15, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting (Rescheduled to January 17, 2024)
January 17, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting (Rescheduled from January 15, 2024)
January 22, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
January 24, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
January 25, 2024 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
February 12, 2024 - Monday - 4:00 PM - Library Commission Meeting
February 14, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
February 19, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting (Rescheduled to February 21, 2024)
February 21, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting (Rescheduled from February 19, 2024)
February 22, 2024 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
February 26, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
February 28, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
March 11, 2024 - Monday - 4:00 PM - Library Commission Meeting
March 13, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
March 18, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting
March 25, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
March 27, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
April 8, 2024 - Monday - 4:00 PM - Library Commission Meeting
April 10, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
April 15, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting
April 22, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
April 24, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting
April 25, 2024 - Thursday - 4:00 PM - Parking and Public Improvements 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