

City Council Regular Meeting

Regular Meeting

Tuesday, February 6, 2024

6:00 PM

City Council Chambers and Zoom



ELECTED OFFICIALS

Mayor Joe Franklin

Mayor Pro Tem Amy Howorth

Councilmember David Lesser

Councilmember Steve Napolitano

Councilmember Richard Montgomery

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, February 6, 2024 (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, January 31, 2024, 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

Leighton Sullivan, Manhattan Beach Middle 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, February 6, 2024 (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

- 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: [24-0031](#)
This Item Contains Minutes of the Following City Council Meeting(s):
 - a) City Council Special Meeting Minutes of January 9, 2024
 - b) City Council Adjourned Regular Meeting Minutes of January 9, 2024
 - c) City Council Adjourned Regular Meeting Minutes of January 16, 2024
 - d) City Council Regular Meeting Minutes of January 16, 2024
(City Clerk Tamura).**APPROVE**

Attachments: [City Council Special Meeting Minutes of January 9, 2024](#)
[City Council Adjourned Regular Meeting Minutes of January 9, 2024](#)
[City Council Adjourned Regular Meeting Minutes of January 16, 2024](#)
[City Council Regular Meeting Minutes of January 16, 2024](#)

2. Financial Reports: [24-0084](#)
Schedule of Demands December 29, 2023, and January 5, 2024 (Finance Director Charelian).
ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for December 29, 2023 and January 5, 2024](#)

3. Declaration of Proclamations for the Following: [24-0032](#)
 - a) February 2024, as Black History Month
 - b) February 18 - February 24, 2024, as National Engineers Week**PROCLAIM**

Attachments: [Proclamation - Black History Month](#)
[Proclamation - National Engineers Week](#)

4. Status Update on Fiscal Year 2023 - 2024 Chamber of Commerce Work Plan Contract (City Manager Moe). [24-0073](#)
RECEIVE REPORT

Attachments: [Semi Annual Work Plan Progress/Update \(Provided by Chamber of Commerce\)](#)
[Agreement - Chamber of Commerce \(2023\)](#)

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5. Consideration of a Resolution Approving Amendments to the Compensation Plan for Full-Time Unrepresented Employees (Human Resources Director Jenkins). [24-0077](#)
ADOPT RESOLUTION NO. 24-0006
Attachments: [Resolution No. 24-0006](#)
[Compensation Plan - Full-time Unrepresented Employees \(Tracked Changes\)](#)
[Compensation Plan - Full-time Unrepresented Employees \(Final\)](#)
6. Fiscal Year 2022-2023 Annual Comprehensive Financial Report (Finance Director Charelian). [24-0009](#)
RECEIVE AND FILE
Attachments: [Fiscal Year 2022-2023 Annual Comprehensive Financial Report \(ACFR\)](#)
[Report on Internal Control \(Management Letter\)](#)
[Audit Communication Letter](#)
7. Consideration of a Resolution Approving a Confidentiality Agreement with Economic & Planning Systems, Inc. ("EPS") Regarding Sales Tax Information Required in Connection with Outdoor Dining Program Consulting Services for the City (Community Development Director Mirzakhani). [24-0087](#)
ADOPT RESOLUTION NO. 24-0007
Attachments: [Resolution No. 24-0007](#)
[Draft Confidentiality Agreement](#)
8. Consideration of a Resolution Approving an Agreement with Control Automation Design, Inc. for the Purchase and Installation of the Control Integration System for the Voorhees Sewer Lift Station Upgrade Project in an Amount Not-To-Exceed \$105,407.06 in the Wastewater Fund (Public Works Director Lee). [24-0018](#)
A) WAIVE FORMAL BIDDING DUE TO SINGLE SOURCE
B) ADOPT RESOLUTION NO. 24-0008
Attachments: [Resolution No. 24-0008](#)
[Agreement - Control Automation Design, Inc.](#)
[Budget and Expenditures Summary](#)
[Location Map](#)

9. Formally Accept as Complete the Cycle 2 Street Resurfacing Project Encompassing Agnes Road, 27th and 29th Streets; Authorize Filing a Notice of Completion with the County Recorder; Release Retention of \$174,471.24 (Public Works Director Lee). [24-0012](#)

ACCEPT AND AUTHORIZE

Attachments: [Location Map](#)

10. Consideration of a Resolution Approving the Updated 2023 Title VI Program for the City of Manhattan Beach Pursuant to the Federal Transit Administration Circular 4702.1B for Federal Transit Administration Grant Recipients in Order to Remain Eligible to Receive Grant Program Funds (Parks and Recreation Director Leyman and Public Works Director Lee). [24-0061](#)

ADOPT RESOLUTION NO. 24-0009

Attachments: [Resolution No. 24-0009](#)
[2023 Title VI Program for City of Manhattan Beach](#)
[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.

11. Consideration of a Resolution Certifying the Results of Proposition 218 Special Mailed Ballot Election and Introducing an Ordinance to Adjust the Storm Drain Fees (Finance Director Charelian). [24-0024](#)

(Estimated Time: 30 Mins.)

A) ADOPT RESOLUTION NO. 24-0010

B) INTRODUCE ORDINANCE NO. 24-0003

Attachments: [Resolution No. 24-0010](#)
[Ordinance No. 24-0003](#)
[PowerPoint Presentation](#)

12. Consideration of the Parks and Recreation Commission Proposal for Establishing a 501(c)(3) Non-Profit Organization and Donation Policy Update, and if Approved, Appropriate \$104,900 from General Fund (Parks and Recreation Director Leyman).

[24-0028](#)

(Estimated time: 45 Mins.)

A) DISCUSS AND PROVIDE DIRECTION

B) APPROPRIATE FUNDS

Attachments: [Updated Donation Policy](#)
[LoveMB Proposed Budget](#)
[LoveMB Foundation Proposal](#)
[Municipal 501\(c\)\(3\) Website List](#)
[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.

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.

13. Agenda Forecast (City Clerk Tamura). [24-0033](#)
INFORMATION ITEM ONLY

Q. CLOSED SESSION

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

February 13, 2024 - Tuesday -- 6:00 PM - Work Plan 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, 2024 - 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 (Reorganization)
November 5, 2024 - Tuesday -- 6:00 PM - City Council Meeting (Rescheduled Due to General Municipal Elections)
November 6, 2024 - Wednesday -- 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

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:**

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

December 25, 2024 - Wednesday - Christmas Day Observed

January 1, 2025 – Wednesday – New Years Day Observed

January 20, 2025 – Monday – Martin Luther King Day