

## City Council Regular Meeting

### Regular Meeting

**Tuesday, June 18, 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

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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, June 18, 2024 (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or
- 2) Email to [cityclerk@manhattanbeach.gov](mailto: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](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, June 12, 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**

*Hadley Baker*

**C. ROLL CALL**

**D. CEREMONIAL CALENDAR**

1. Presentation of Certificates of Recognition for Being One of Richstone's Family Center "50 Heart Menders" on Their 50th Anniversary. [24-0193](#)  
**PRESENT**
  
2. Presentation of a Certificate of Recognition to Emre Taner from Mira Costa High School for Being One of Thirty High School Seniors to be Awarded a \$50,000 Scholarship (STEM: Science, Technology, Engineering, and Math) from Southern California Edison as Part of their Annual Edison International Award. [24-0229](#)  
**PRESENT**
  
3. Presentation of Certificates of Recognition to Local AYSO Teams for Placing in the Soccer Western States Championship. [24-0227](#)  
**PRESENT**

Attachments: [Certificates - AYSO 10UG Mambas](#)  
[Certificates - AYSO 14UG Legends](#)

**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, June 18, 2024 (the day of the meeting), via:*

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or
- 2) Email to [cityclerk@manhattanbeach.gov](mailto: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 web*

## 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.*

4. City Council Minutes: [24-0194](#)

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

a) City Council Adjourned Regular Meeting Minutes of June 4, 2024

b) City Council Regular Meeting Minutes of June 4, 2024

(City Clerk Tamura).

**APPROVE**

Attachments: [City Council Adjourned Regular Meeting Minutes of June 4, 2024](#)

[City Council Regular Meeting Minutes of June 4, 2024](#)

5. Financial Reports: [24-0213](#)

a) Schedule of Demands for May 2024

b) Investment Portfolio for the Month April 30, 2024

c) Financial Month End Report for April 30, 2024

(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

Attachments: [Schedule of Demands for May 3, 2024 through May 31, 2024](#)

[Investment Portfolio April 2024](#)

[Financial Month End Report April 2024](#)

6. Declaration Proclaiming June 30, 2024, as Salute to the Troops Day. [24-0204](#)

**PROCLAIM**

Attachments: [Proclamation - Salute to the Troops Day 2024](#)

7. Consideration of Resolutions Calling and Giving Notice Pertaining to the [24-0158](#)

November 5, 2024 General Municipal Election to be Conducted by the Los

Angeles County Registrar - Recorder/County Clerk (City Clerk Tamura and

City Attorney Barrow).

**ADOPT RESOLUTION NOS. 24-0058, 24-0059, AND 24-0060**

Attachments: [Resolution No. 24-0058](#)

[Resolution No. 24-0059](#)

[Resolution No. 24-0060](#)

8. Consideration of a Resolution Declaring Intention to Provide for Annual Levy and Collection of Assessments for the Downtown Business Improvement District and Setting a Public Hearing for July 16, 2024 (Finance Director Charelian). [24-0044](#)
- A) ADOPT RESOLUTION NO. 24-0069**  
**B) SCHEDULE PUBLIC HEARING DATE TO CONSIDER ASSESSMENTS ON JULY 16, 2024**
- Attachments:** [Resolution No. 24-0069](#)  
[Letter from BID Advisory Board to City Council 2024](#)  
[DMBBID FY 2024-2025 Business Improvement and Activity Plan](#)
9. Consideration of a Resolution Approving Amendment No. 3 to the Professional Services Agreement with History Associates Incorporated Which Adds Not-to-Exceed \$28,000 for Historic Archiving Services (Parks and Recreation Director Leyman). [24-0236](#)
- A) ADOPT RESOLUTION NO. 24-0076**  
**B) ALLOCATE FUNDS**
- Attachments:** [Resolution No. 24-0076](#)  
[Amendment No. 3 - History Associates Incorporated](#)  
[Agreement and Amendment Nos. 1 and 2 - History Associates Incorporated](#)
10. Consideration of a Resolution Approving a Portal-to-Portal Compensation for the City of Manhattan Beach to Continue Portal-to-Portal Reimbursements from the California Office of Emergency Management (Fire Chief Lang). [24-0219](#)
- ADOPT RESOLUTION NO. 24-0070**
- Attachments:** [Resolution No. 24-0070](#)
11. Consideration of a Resolution Approving Amendment No. 7 to the Landscaping Services Agreement with Merchants Landscape Services Inc. for an Additional Year of Landscaping Services at a Total Annual Cost Not-to-Exceed \$804,745 (Public Works Director Lee). [24-0156](#)
- ADOPT RESOLUTION NO. 24-0071**
- Attachments:** [Resolution No. 24-0071](#)  
[Amendment No. 7 – Merchants Landscape Services, Inc](#)  
[Agreement and Amendment Nos. 1 - 6 – Merchants Landscape Services, Inc](#)
12. Consideration of the Annual Water Supply and Demand Assessment Pursuant to Water Code Section 10635 (Public Works Director Lee). [24-0197](#)
- RECEIVE AND FILE ASSESSMENT**
- Attachments:** [Annual Water Supply and Demand Assessment](#)

13. Consideration of a Resolution Accepting a Right of Entry and Access Agreement for the Property at 1360 Voorhees Avenue for the Voorhees Sewer Lift Station Improvements Project (Public Works Director Lee). [24-0222](#)

**A) ACCEPT AND AUTHORIZE**

**B) ADOPT RESOLUTION NO. 24-0072**

Attachments: [Resolution No. 24-0072](#)  
[Right of Entry Agreement - 1360 Voorhees Avenue](#)  
[Location Map](#)

14. Consideration of a Resolution Declaring an Intention to Adopt an Ordinance Granting an Extension of an Existing Franchise to Zenith Energy West Coast Terminals LLC and Setting the Public Hearing on the Adoption of the Ordinance for July 16, 2024 (Public Works Director Lee). [24-0190](#)

**ADOPT RESOLUTION NO. 24-0077**

Attachments: [Resolution No. 24-0077](#)  
[Ordinance No. 2002](#)  
[Pacific Terminals LLC Notice of Assignment as SCE's Authorized Successor](#)  
[Plains West Coast Terminals LLC Name Change Form](#)  
[Zenith Energy West Coast Terminals LLC Name Change Form](#)

**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.*

15. Conduct Public Hearing and Consideration of a Resolution Providing for Annual Levy and Collection of Street Lighting and Landscaping District Maintenance Assessments for Fiscal Year 2024-2025 (Finance Director Charelian). [24-0058](#)

*(Estimated Time: 15 Mins.)*

**A) CONDUCT PUBLIC HEARING**

**B) ADOPT RESOLUTION NO. 24-0073 PROVIDING FOR ANNUAL LEVY AND COLLECTION OF FISCAL YEAR 2024-2025 MAINTENANCE ASSESSMENTS**

Attachments: [Resolution No. 24-0073](#)  
[Engineer's Report Landscaping and Street Lighting Maintenance Assessment District Fiscal Year 2024-2025 \(including District Map\)](#)

16. Conduct Public Hearing and Consideration of a Resolution Regarding the Annual Storm Drain Service Fee for Fiscal Year 2024-2025 (Finance Director Charelion). [24-0085](#)  
(Estimated Time: 15 Mins.)  
**A) CONDUCT PUBLIC HEARING**  
**B) ADOPT RESOLUTION NO. 24-0074**

Attachments: [Resolution No. 24-0074](#)

## K. GENERAL BUSINESS

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

17. Consideration of a Resolution Rejecting All Bids Received for the Digital Art Wall at the Manhattan Beach City Hall Project and Provide Direction to Re-Bid the Project or Consider Project Alternatives (Public Works Director Lee). [24-0160](#)  
(Estimated Time: 15 Mins.)  
**A) ADOPT RESOLUTION NO. 24-0075 REJECTING ALL BIDS RECEIVED**  
**B) DISCUSS AND PROVIDE DIRECTION**

Attachments: [Resolution No. 24-0075](#)

[Location Map](#)

[PowerPoint Presentation](#)

18. Consideration of Options Related to the City's Utilization of the Board of Building Appeals (Community Development Director Mirzakhonian). [24-0126](#)  
(Estimated Time: 15 Mins.)  
**DISCUSS AND PROVIDE DIRECTION**

Attachments: [Applicable Building and Fire Code Sections](#)

[Power Point Presentation](#)

19. Consideration of Introducing and Conducting the First Reading of an Ordinance Requiring a Parking Permit for Oversized Vehicles (City Manager Moe). [24-0159](#)  
(Estimated Time: 30 Mins.)  
**INTRODUCE ORDINANCE NO. 24-0006**

Attachments: [Ordinance No. 24-0006](#)

[Resolution No. 24-0035 \(For Review\)](#)

[Resolution No. 24-0036 \(For Review\)](#)

[April 2, 2024 - Staff Report and Associated Attachments](#)



**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.*

20. City Council AB 1234 Reports. [24-0239](#)  
**RECEIVE AND FILE**
21. Consideration of a Request by Councilmember Lesser and Mayor Pro Tem Howorth to Obtain a Third Vote to Enable the Council to Discuss Rear Yard Setback Regulations for Accessory Structures in Residential Single-Family (RS) Zones at a Future City Council Meeting (City Manager Moe). [24-0243](#)  
(Estimated Time: 5 Mins.)  
**DISCUSS AND PROVIDE DIRECTION**  
*Attachments:* [MBMC 10.52.050](#)
21. Consideration of a Request by Councilmember Montgomery and Mayor Pro Tem Howorth to Obtain a Third Vote to Enable the Council to Discuss Options for a Voluntary E-Bike Registration Program in the City at a Future City Council Meeting (City Manager Moe). [24-0244](#)  
(Estimated Time: 5 Mins.)  
**DISCUSS AND PROVIDE DIRECTION**
23. Consideration of a Request by Mayor Franklin and Councilmember Montgomery to Obtain a Third Vote to Enable the Council to Discuss a Waiver of Fees Associated with a Use Permit Amendment Application and Code Enforcement Administrative Citations for Uncle Bill's Pancake House at a Future City Council Meeting (City Manager Moe). [24-0245](#)  
(Estimated Time: 5 Mins.)  
**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.*

24. Agenda Forecast (City Clerk Tamura). [24-0180](#)  
**INFORMATION ITEM ONLY**

**25. Commission Minutes:**[24-0181](#)

- a) This Item Contains Minutes of the following City Commission Meetings:  
Parks and Recreation Commission Meeting Minutes of March 25, 2024  
(Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting Minutes of April 15, 2024 (Parks and Recreation Director Leyman)
- c) Library Commission Meeting Minutes of May 13, 2024 (Parks and Recreation Director Leyman).

**INFORMATION ITEM ONLY**

**Attachments:** [Parks and Recreation Commission Meeting Minutes of March 25, 2024](#)  
[Cultural Arts Commission Meeting Minutes of April 15, 2024](#)  
[Library Commission Meeting Minutes May 13, 2024](#)

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

*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 (City Council Reorganization and General Municipal Election Results)*

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

*June 24, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting*  
*June 26, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*June 27, 2024 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting*  
*July 8, 2024 - Monday - 4:00 PM - Library Commission Meeting*  
*July 10, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*July 15, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting*  
*July 22, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting*  
*July 24, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*July 25, 2024 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting*  
*August 12, 2024 - Monday - 4:00 PM - Library Commission Meeting*  
*August 14, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*August 19, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting*  
*August 22, 2024 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting*  
*August 26, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting*  
*August 28, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*September 9, 2024 - Monday - 4:00 PM - Library Commission Meeting*  
*September 11, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*September 16, 2024 - Monday - 4:00 PM - Cultural Arts Commission Meeting*  
*September 23, 2024 - Monday - 4:00 PM - Parks and Recreation Commission Meeting*  
*September 25, 2024 - Wednesday - 3:00 PM - Planning Commission Meeting*  
*September 26, 2024 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting*

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

*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*  
*February 17, 2025 - Monday - Presidents Day*  
*May 26, 2025 – Monday – Memorial Day*