

City Council Regular Meeting

Regular Meeting

Tuesday, August 6, 2024

6:00 PM

**Police/Fire Conference Room and Zoom
420 15th Street, Manhattan Beach, CA 90266
Teleconference by Councilmember Napolitano
(Per Government Code Section 54953(b))
777 Sutil Point Road, Mansons Landing,
British Columbia, V0P 1K0, Canada**



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

Interim Finance Director Onyx Jones

Human Resources Lisa Jenkins

Parks and Recreation Mark Leyman

Police Chief Rachel Johnson

Fire Chief Michael Lang

Community Development Director Talyn Mirzakhania

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, August 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, July 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**

Leah and Shannon Piehl

C. ROLL CALL

D. CEREMONIAL CALENDAR

1. Presentation of Certificates of Recognition to Vesta Sung and Nathalie Sung for Being Recognized by the American Red Cross During the 19th Annual Hometown Heroes Awards for Their Heroism and Humanitarian Services to the Maui Community During the 2023 Lahaina Wildfires.
PRESENT

[24-0257](#)

Attachments: [Vesta and Nathalie Sung Maui Fires](#)

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.

ANNOUNCEMENTS:

2. Introduction of Interim Finance Director Onyx Jones.
INTRODUCE

[24-0301](#)

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, August 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 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.

3. City Council Minutes: [24-0225](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Special Meeting Minutes of July 10, 2024
b) City Council Adjourned Regular Meeting Minutes of July 16, 2024
c) City Council Regular Meeting Minutes of July 16, 2024
(City Clerk Tamura).
APPROVE

Attachments: [City Council Special Meeting Minutes of July 10, 2024](#)
[City Council Adjourned Regular Meeting Minutes of July 16, 2024](#)
[City Council Regular Meeting Minutes of July 16, 2024](#)
5. Declaration of Proclamations for the Following: [24-0298](#)
a) August 6, 2024, as National Night Out
b) August 2024, as National Dog Month
PROCLAIM
4. Consideration of a Resolution Memorializing Previously Authorized Incentives, Discounts, and Recognition Programs for City Employees. [24-0299](#)
(Human Resources Director Jenkins).
ADOPT RESOLUTION NO. 24-0088

Attachments: [Resolution No. 24-0088](#)
6. Facility Reservations Policy Update (Parks and Recreation Director Leyman). [24-0281](#)
APPROVE

Attachments: [Facility Reservation Policy \(Redline\)](#)
7. Second Reading of Ordinance No. 24-0007, An Ordinance of the City of Manhattan Beach Extending the Term of an Existing Franchise Previously Granted to Zenith Energy West Coast Terminals LLC for an Additional Term of 25 years and Adopt a Finding of Exemption from CEQA under CEQA Guidelines Section 15301 (Public Works Director Lee). [24-0256](#)
ADOPT ORDINANCE NO. 24-0007

Attachments: [Ordinance No. 24-0007](#)
[Urgency Ordinance No. 24-0007-U](#)

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.

8. Consideration of Resolutions: [24-0248](#)

- a) Placing a Ballot Measure on the November 5, 2024, General Municipal Election to be Conducted by the Los Angeles County Registrar - Recorder/County Clerk that Would Establish a One-Half Cent Sales Tax;
- b) Providing for the Filing of Rebuttal Arguments for the City Measure; and
- c) Selection of a Ballot Letter Designation for the City's Ballot Measure Establishing a One-Half Cent Sales Tax (City Manager Moe).

(Estimated Time: 1 Hr.)

A) CONSIDER ADOPTING RESOLUTION NO. 24-0089

B) CONSIDER ADOPTING RESOLUTION NO. 24-0090

C) SELECT BALLOT LETTER DESIGNATION

Attachments: [Resolution No. 24-0089 – Ballot Measure Submission](#)
[Resolution No. 24-0090 – Filing of Rebuttal Arguments](#)
[Ballot Letter Designation Form](#)
[Arguments and Rebuttals Form](#)
[Staff Report - July 16, 2024, City Council Regular Meeting](#)

9. Consider Request by Mayor Franklin and Councilmember Montgomery for [24-0282](#)

a Waiver of Third-Party Public Safety Costs for the 2024 Manhattan Beach 10K (Parks and Recreation Director Leyman).

(Estimate Time: 30 Mins.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Special Events Policy](#)

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.

10. City Council AB 1234 Reports. [24-0224](#)

RECEIVE AND FILE

11. Request by Councilmember Montgomery and Councilmember Napolitano to Consider Waste Management's requests for an Extraordinary Rate Increase and Modifications to the Diversion Requirements Specified in the City's Contract at a Future Council meeting (City Manager Moe).

[24-0290](#)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Correspondence from Waste Management](#)

[Letter Dated June 26, 2024 Denying Waste Management's Request for an Extraordinary Rate Adjustment](#)

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.

12. Agenda Forecast (City Clerk Tamura).
INFORMATION ITEM ONLY

[24-0300](#)

13. Commission Minutes:[24-0297](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Planning Commission Meeting Minutes of January 10, 2024
(Community Development Director Mirzakhania)
- b) Planning Commission Meeting Minutes of January 24, 2024
(Community Development Director Mirzakhania)
- c) Planning Commission Meeting Minutes of February 14, 2024
(Community Development Director Mirzakhania)
- d) Planning Commission Meeting Minutes of February 28, 2024
(Community Development Director Mirzakhania)
- e) Planning Commission Meeting Minutes of March 13, 2024
(Community Development Director Mirzakhania)
- f) Planning Commission Meeting Minutes of March 27, 2024
(Community Development Director Mirzakhania)
- g) Planning Commission Meeting Minutes of April 10, 2024
(Community Development Director Mirzakhania)
- h) Planning Commission Meeting Minutes of April 24, 2024
(Community Development Director Mirzakhania)
- i) Library Commission Meeting Minutes of June 10, 2024
(Parks and Recreation Director Leyman)
- j) Cultural Arts Commission Meeting Minutes of June 17, 2024
(Parks and Recreation Director Leyman)
- k) Parks and Recreation Commission Meeting Minutes of June 24, 2024
(Parks and Recreation Director Leyman).

INFORMATION ITEM ONLY

Attachments: [Planning Commission Meeting Minutes of January 10, 2024](#)
[Planning Commission Meeting Minutes of January 24, 2024](#)
[Planning Commission Meeting Minutes of February 14, 2024](#)
[Planning Commission Meeting Minutes of February 28, 2024](#)
[Planning Commission Meeting Minutes of March 13, 2024](#)
[Planning Commission Meeting Minutes of March 27, 2024](#)
[Planning Commission Meeting Minutes of April 10, 2024](#)
[Planning Commission Meeting Minutes of April 24, 2024](#)
[Library Commission Meeting Minutes of June 10, 2024](#)
[Cultural Arts Commission Meeting Minutes of June 17, 2024](#)
[Parks and Recreation Commission Meeting Minutes of June 24, 2024](#)

**14. Recent Planning Commission Quasi-Judicial Decisions Regarding 401
Manhattan Beach Boulevard
(Community Development Director Mirzakhania).**[24-0287](#)**INFORMATION ITEM ONLY**

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

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 (Reorganization and General Municipal Election Results)

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

August 12, 2024 - Monday - 4:00 PM - Library Commission Meeting (Canceled)
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 (Canceled)
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:**

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
July 4, 2025 - Friday - Independence Day