

**CITY OF MANHATTAN BEACH**

1400 Highland Avenue Manhattan Beach, CA 90266  
www.manhattanbeach.gov • (310) 802-5000

# AGENDA

## City Council Regular Meeting

### Regular Meeting

**Tuesday, August 20, 2024**

**6:00 PM**

**Police/Fire Conference Room and Zoom**

**400/420 15th Street**

**Manhattan Beach, CA 90266**



#### **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**

**Acting City Manager Talyn Mirzakhanian**

**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**

**Acting Community Development Director Ryan Heise**

**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, August 20, 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, August 14, 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**

*Tucker Family*

**C. ROLL CALL**

**D. CEREMONIAL CALENDAR**

1. Presentation of a Certificate of Recognition to Jack Segil as the Founder and CEO of Code to Grow and Helping Send Underprivileged Kids to Coding Camp.  
**PRESENT**

[24-0305](#)

Attachments: [Certificate - Jack Segil](#)

**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, August 20, 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.*

2. City Council Minutes: [24-0306](#)

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

- a) City Council Special Meeting Minutes of August 6, 2024
- b) City Council Regular Meeting Minutes of August 6, 2024  
(City Clerk Tamura).

**APPROVE**

**Attachments:** [City Council Special Meeting Minutes of August 6, 2024](#)  
[City Council Regular Meeting Minutes of August 6, 2024](#)

3. Financial Reports: [24-0262](#)

- a) Schedule of Demands for July 2024
- b) Investment Portfolio for the Month Ending June 30, 2024
- c) Preliminary Month End Report for June 30, 2024 (Interim Finance Director Jones).

**ACCEPT REPORTS AND DEMANDS**

**Attachments:** [Schedule of Demands for July 2024](#)  
[Investment Portfolio June 2024](#)  
[Financial Month End Report June 2024 Prelim](#)

4. Consideration of a Resolution Designating Talyn Mirzakhian Acting City Manager and Providing Compensation for the Duration of the Acting Assignment (City Attorney Barrow and Human Resources Director Jenkins). [24-0315](#)

**ADOPT RESOLUTION NO. 24-0095**

**Attachments:** [Resolution No. 24-0095](#)

5. Consideration of a Commercial Encroachment Permit for an Existing Commercial Establishment Located at 401 Manhattan Beach Boulevard (Great White) and Associated Determination of Exemption Pursuant to the California Environmental Quality Act (CEQA) (Acting Community Development Director Heise). [24-0258](#)

**ADOPT RESOLUTION NO. 24-0091**

**Attachments:** [Resolution No. 24-0091](#)  
[Encroachment Plans](#)  
[Planning Commission Staff Report \(Web-Link Provided\)](#)

6. Consideration of a Resolution Awarding a Construction Agreement to DBX, Inc. for the Manhattan Beach Boulevard Eastbound Left-Turn Improvement at Aviation Boulevard Project for \$679,507, Including Contingency; Approving the Plans and Specifications; and Adoption of a Determination of Exemption Pursuant to Section 15301 Class 1(c) of the State CEQA Guidelines (Public Works Director Lee).

[24-0176](#)**ADOPT RESOLUTION NO. 24-0092**

**Attachments:** [Resolution No. 24-0092](#)  
[Agreement - DBX, Inc.](#)  
[Plans and Specifications \(Web-Link Provided\)](#)  
[Budget and Expenditures Summary Report](#)  
[Location Map](#)

7. Consideration of a Resolution Approving Amendment No. 2 to the Professional Services Agreement with Z&K Consultants, Inc. for \$132,194 for Project Management Consulting Services for the Engineering Division (Public Works Director Lee).

[24-0286](#)

- A) **ADOPT RESOLUTION NO. 24-0093**  
B) **AUTHORIZE**

**Attachments:** [Resolution No. 24-0093](#)  
[Amendment No. 2 – Z&K Consultants, Inc.](#)  
[Agreement and Amendment No. 1 - Z&K Consultants Inc.](#)

**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. Discussion of Options for City Identity Monument, Street Identity Post-Mounted, Parking Identity Freestanding, and Vehicle Direction Signs within the Signage and Wayfinding Program (Public Works Director Lee).

[24-0234](#)

**(Estimated Time: 45 Mins.)**

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Signage and Wayfinding Master Plan](#)  
[Location Map](#)  
[PowerPoint Presentation](#)

9. Discussion of Waste Management's Requests for an Extraordinary Rate Increase and for Modifications to the Diversion Requirements Specified in the City's Franchise Agreement for Integrated Solid Waste Management Services (Public Works Director Lee). [24-0280](#)

(Estimated Time: 30 Mins.)

**DISCUSS AND PROVIDE DIRECTION**

Attachments: [WM Letter Dated March 22, 2024](#)

[City Letter Dated June 26, 2024](#)

[WM Letter Dated July 15, 2024](#)

10. Update Regarding the City's Legislative Positions on Bills from the Current Statewide Legislative Cycle (Acting City Manager Mirzakhonian). [24-0276](#)

(Estimated Time: 30 Mins.)

**RECEIVE AND FILE**

Attachments: [AB 2309 \(Amended as of July 3, 2024\)](#)

[AB 2234 - Letter of Support](#)

[AB 1886 - Letter of Opposition](#)

[AB 2560 - Letters of Opposition](#)

[AB 3093 - Letter of Opposition](#)

[SB 951 - Letter of Opposition](#)

[SB 1037 - Letter of Opposition](#)

11. Consideration of a Resolution Approving a Memorandum of Understanding with the Bay Club Company Regarding Constructing and Operating an Aquatic Facility and Related Project in Cooperation with the City (Acting City Manager Mirzakhonian). [24-0303](#)

(Estimated Time: 30 Min.)

**ADOPT RESOLUTION NO. 24-0094**

Attachments: [Resolution No. 24-0094](#)

[Memorandum of Understanding - Bay Club Company](#)

**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.*

12. Agenda Forecast (City Clerk Tamura). [24-0307](#)  
**INFORMATION ITEM ONLY**

13. Commission Minutes: [24-0312](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Planning Commission Meeting Minutes of May 8, 2024 (Acting Community Development Director Heise)
- b) Planning Commission Meeting Minutes of May 22, 2024 (Acting Community Development Director Heise)
- c) Planning Commission Meeting Minutes of June 12, 2024 (Acting Community Development Director Heise)
- d) Planning Commission Meeting Minutes of June 26, 2024 (Acting Community Development Director Heise)

**INFORMATION ITEM ONLY**

Attachments: [Planning Commission Meeting Minutes of May 8, 2024](#)  
[Planning Commission Meeting Minutes of May 22, 2024](#)  
[Planning Commission Meeting Minutes of June 12, 2024](#)  
[Planning Commission Meeting Minutes of June 26, 2024](#)

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

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 (General Municipal Election Results)



**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS**

*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:**

*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*