

City Council Regular Meeting

Regular Meeting

Tuesday, July 18, 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

Community Development Director Talyn
Mirzakhania

Finance Director Steve Charelian

Fire Chief Michael Lang

Human Resources Director Lisa Jenkins

Interim Information Technology Director Patrick Griffin

Parks and Recreation Director Mark Leyman

Police Chief Rachel Johnson

Public Works Director Erick Lee

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, July 18, 2023 (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or
- 2) Email to cityclerk@manhattanbeach.gov or
- 3) Telephone Message Recorded at (310) 802-5030

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 12, 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

Bella Jacobson

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, July 18, 2023 (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or
- 2) Email to cityclerk@manhattanbeach.gov or
- 3) Telephone Message Recorded at (310) 802-5030

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.

1. Discuss Electric Bike (E-Bike) Safety Update (Police Chief Johnson). [23-0293](#)
(Estimated Time: 30 Mins.)

DISCUSS AND PROVIDE DIRECTION

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: [23-0236](#)

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

- a) City Council Regular Meeting Minutes of March 17, 2020
- b) City Council Adjourned Regular Meeting Minutes of July 5, 2023
- c) City Council Regular Meeting Minutes of July 5, 2023
(City Clerk Tamura).

APPROVE

Attachments: [City Council Regular Meeting Minutes of March 17, 2020](#)
[City Council Adjourned Regular Meeting Minutes of July 5, 2023](#)
[City Council Regular Meeting Minutes of July 5, 2023](#)

3. Financial Reports: [23-0285](#)

Schedule of Demands June 23, 2023, June 30, 2023, and July 7, 2023
(Acting Finance Director Bondarchuk).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands June 23, June 30 and July 7, 2023](#)

4. Consideration of Resolutions Approving an Amended and Restated [23-0241](#)

Agreement with the Manhattan Beach Unified School District Regarding Use and Maintenance of School District Fields and Facilities and an Agreement with the Manhattan Beach Unified School District for the Provision, Use and Maintenance of the Lower Playground Area in Polliwog Park (Parks and Recreation Director Leyman).

ADOPT RESOLUTION NOS. 23-0083 AND 23-0084

Attachments: [Resolution No. 23-0083](#)
[Resolution No. 23-0084](#)
[Amended and Restated Agreement - MBUSD](#)
[Lower Playground Area in Polliwog Park Agreement - MBUSD](#)
[Master Agreement & Amendment Nos. 1-3 - MBUSD \(2013\)](#)
[Amended and Restated Agreement - MBUSD \(Tracked Changes Version\)](#)

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5. Consideration of a Resolution Approving Amendment No.1 to the Professional Services Agreement with Jeffrey Miller Architecture and Design for Architectural and Engineering Design Services in the Amount of \$273,157 for Additional City Facilities Remodeling Projects, and Determination that this Activity is Not Subject to CEQA Pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Public Works Director Lee). [23-0078](#)
- ADOPT RESOLUTION NO. 23-0095**
- Attachments:** [Resolution No 23-0095](#)
[Amendment No. 1 - Jeffrey Miller Architecture and Design Agreement -Jeffrey Miller Architecture and Design](#)
[Budget and Expenditures Summary](#)
[Location Map](#)
6. Consideration of a Resolution Adopting the Entire Urban Forest Master Plan and Adopting a Determination of Exemption Pursuant to Sections 15061(b)(3) and 15308 of the State CEQA Guidelines (Public Works Director Lee). [23-0168](#)
- ADOPT RESOLUTION NO. 23-0092**
- Attachments:** [Resolution No. 23-0092](#)
[Urban Forest Master Plan](#)
[July 7, 2020 - Staff Report](#)
7. Consideration of a Resolution Approving the Amended and Restated Joint Power Agreement Establishing the Los Angeles Area Integrated Waste Management Authority to Allow for the Reporting of Organics Recycling Data (Public Works Director Lee). [23-0269](#)
- ADOPT RESOLUTION NO. 23-0096**
- Attachments:** [Resolution No. 23-0096](#)
[Amended and Restated Agreement](#)
[Agreement \(Redline Version\)](#)
8. Consideration of a Resolution Approving a Three-Year Agreement with Dell for Microsoft Enterprise Software Licensing with a Total Value of \$649,326 (Interim Information Technology Director Griffin). [23-0141](#)
- A) WAIVE FORMAL BIDDING DUE TO COOPERATIVE PURCHASING**
- B) ADOPT RESOLUTION NO. 23-0097**
- Attachments:** [Resolution No. 23-0097](#)
[Agreement - Dell \(Microsoft Enterprise\)](#)
[Dell Quote](#)

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.

9. Conduct Public Hearing Regarding the Annual Stormwater Service Fee for Fiscal Year 2023-2024 (Julie Bondarchuk, Acting Finance Director). [23-0096](#)

(Estimated Time: 15 Mins.)

A) CONDUCT PUBLIC HEARING

B) ADOPT RESOLUTION NO. 23-0098

Attachments: [Resolution No. 23-0098](#)

10. Conduct Public Hearing for Consideration of Adopting Resolutions Regarding Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2023-2024 Including Authorization to Collect Assessments; Ratification of the District Advisory Board; Authorization to Enter Into an Agreement with the Downtown Manhattan Beach Business and Professional Association; and Authorization to Disburse Assessments Collected Through June 30, 2023 (Julie Bondarchuk, Acting Finance Director). [23-0188](#)

(Estimated Time: 10 Mins.)

A) CONDUCT PUBLIC HEARING

B) ADOPT RESOLUTION NOS. 23-0081 AND 23-0082

C) RATIFY BOARD

D) AUTHORIZE THE DISBURSEMENT OF ASSESSMENTS COLLECTED THROUGH JUNE 30, 2023

Attachments: [Resolution No. 23-0081](#)

[Resolution No. 23-0082](#)

[Agreement – DMBBID/DMBBPA \(2023-2024\)](#)

[BID Advisory Board of Directors to be Ratified \(FY 2023-2024\)](#)

[Business Improvement Budget & Activity Plan \(July 2023\)](#)

K. GENERAL BUSINESS

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

11. Consideration of an Appointment to the Vacant Library Commission Seat No. 3 (City Clerk Tamura). [23-0273](#)

(Estimated Time: 5 Mins.)

APPOINT

12. Consideration of a Resolution Approving an Agreement with Dapeer Rosenblit & Litvak LLP to Provide Prosecutorial Services As-Needed (City Manager Moe). [23-0287](#)
(Estimated Time: 30 Mins.)
ADOPT RESOLUTION NO. 23-0100
Attachments: [Resolution No. 23-0100](#)
[Agreement - Dapeer Rosenblit & Litvak LLP](#)
13. Consideration of Revisions to the Signage and Wayfinding Master Plan and Wayfinding Phase I Vehicle, Parking and Pedestrian Sign Improvement Project and Determination that this Activity is Not a “Project” as Defined Under Section 15378 of the State CEQA Guidelines (Public Works Director Lee). [23-0276](#)
(Estimated Time: 30 Mins.)
DISCUSS AND APPROVE
Attachments: [City Brand Guidelines](#)
[Manhattan Beach Street Signs](#)
[City of Manhattan Beach Signage and Wayfinding Master Plan \(2019\)](#)
[Business District Directories](#)
[PowerPoint Presentation](#)
14. Consideration of the South Bay Cities Council of Governments’ (SBCCOG) Request to Incorporate the SBCCOG Local Travel Network (LTN) into the City’s Wayfinding Sign Program, Authorization to Apply for Subregional Measure M Funds for the Project, and a Determination of Exemption Pursuant to the CEQA (Community Development Director Mirzakhonian). [23-0181](#)
(Estimated Time: 30 Mins.)
A) APPROVE INCORPORATION OF THE LTN INTO THE WAYFINDING SIGN PROGRAM
B) AUTHORIZE STAFF TO APPLY FOR MEASURE M MSP FUNDING FOR THE LTN PROJECT
C) ADOPT A DETERMINATION OF EXEMPTION PURSUANT TO SECTION 15301(c) OF THE STATE CEQA GUIDELINES
Attachments: [December 1, 2022 - PPIC Staff Report & Minutes \(Excerpts\)](#)
[Manhattan Beach LTN Location Maps](#)
[Mobility Plan Bicycle Pages](#)
[LTN Wayfinding Sign Samples](#)
[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.

15. City Council AB 1234 Reports. [23-0295](#)
RECEIVE AND FILE
16. Consider Request by Councilmember Napolitano and Mayor Pro Tem Franklin to Send a Letter Requesting a Change in the Government Code to Allow Cities to Prosecute State Misdemeanors When a County District Attorney Declines to Prosecute (City Manager Moe). [23-0294](#)
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.

17. Agenda Forecast (City Clerk Tamura). [23-0203](#)
INFORMATION ITEM ONLY
18. Commission Minutes: [23-0288](#)
This Item Contains the Parks and Recreation Commission Meeting Minutes of May 22, 2023 (Parks and Recreation Director Leyman).
INFORMATION ITEM ONLY

Attachments: [Parks and Recreation Commission Meeting Minutes of May 22, 2023](#)

Q. CLOSED SESSION**R. ADJOURNMENT**

S. FUTURE MEETINGS**CITY COUNCIL MEETINGS**

August 1, 2023 - Tuesday -- 6:00 PM - City Council Meeting
August 15, 2023 - Tuesday -- 6:00 PM - City Council Meeting (Canceled)
September 5, 2023 - Tuesday -- 6:00 PM - City Council Meeting
September 19, 2023 - Tuesday -- 6:00 PM - City Council Meeting
October 3, 2023 - Tuesday -- 6:00 PM - City Council Meeting
October 17, 2023 - Tuesday -- 6:00 PM - City Council Meeting
November 7, 2023 - Tuesday -- 6:00 PM - City Council Meeting
November 21, 2023 - Tuesday -- 6:00 PM - City Council Meeting
December 5, 2023 - Tuesday -- 6:00 PM - City Council Meeting
December 19, 2023 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

July 24, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting
July 26, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
July 27, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
August 9, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
August 14, 2023 - Monday - 4:00 PM - Library Commission Meeting
August 21, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting
August 23, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting
August 24, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
August 28, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting

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

September 4, 2023 - Monday - Labor Day
October 9, 2023 - Monday - Columbus Day
November 10, 2023 - Friday - Veterans Day (Observance of November 11, 2023)
November 23-24, 2023 - Thursday & Friday - Thanksgiving Holiday
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