

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, January 17, 2023

6:00 PM

Regular Meeting

City Council Chambers and Zoom

City Council Regular Meeting

ELECTED OFFICIALS

Mayor Steve Napolitano

Mayor Pro Tem Richard Montgomery

Councilmember Joe Franklin

Councilmember Amy Howorth

Councilmember David Lesser

PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO:

www.manhattanbeach.gov/departments/city-clerk/city-council-meetings-agendas-and-minutes

A. CALL MEETING TO ORDER

Mayor Napolitano called the meeting to order.

B. PLEDGE TO THE FLAG

Local business owner, Peter Kim, led the Pledge of Allegiance.

C. ROLL CALL

Roll Call by City Clerk Liza Tamura.

Present: 5 - Mayor Napolitano, Mayor Pro Tem Montgomery, Councilmember Franklin, Councilmember Howorth and Councilmember Lesser

D. CEREMONIAL CALENDAR

1. Presentation of Recognition Awards for Longstanding Local Businesses
(Finance Director Charelian).

[23-0037](#)

PRESENT

Finance Director Steve Charelian provided a PowerPoint presentation showcasing the following longstanding local businesses:

Celebrating 5 years in business:

1. 4 Corners Deposition Summaries Inc
2. Andrika King Design LLC
3. AR & F LLC
4. Artistic Endeavors
5. Balanced By Julie
6. Bayview Pediatric Dental Group
7. Beach Cities Orthopedic Surgery Center LLC
8. Beach Cities Shave Spa
9. Blackacre Law Group
10. Blue Skies Aviation Services Inc
11. Breathe Center
12. Brown Clinic for Attention and Related Disorders
13. Cafe Wild, LLC
14. Christine Kumiko Calligraphy
15. Coastal Pacific Landscapes Services Inc
16. Commerce Commercial Properties
17. Cookie Cutters
18. Edible Arrangements
19. El Porto Surfboards
20. Ernst & Co Wealth Management LLC
21. First Light Development Inc
22. Frontier California, Inc
23. Greene-Holenstein Homes, Inc @ Sotheby's
24. Heavy Iron Studios, Inc
25. Matern Law Group P.C.
26. Mb Nails & Spa
27. Motorsports World LLC
28. Musette LLC
29. Optic-Mistic Outlook Optometry
30. Pasich LLP
31. Periodontics & Oral Surgery of Manhattan Beach
32. Sass Hair Salon
33. South Bay Automation
34. South Bay Spinal Decompression
35. Strand Hill/Christie's Int'l Real Estate
36. Suite 6
37. Taylor & Ring, LLP
38. The Complete Real Estate Solution LLC
39. The Garden Thai
40. The Knowlton Group
41. The Pilates Nook
42. Threehands Beauty Company, LLC
43. Tomaro Custom Homes
44. Turning Point Properties LLC
45. Wolf Glass Corp

Celebrating 10 years in business:

1. Amy's Hallmark #443
2. Beach Cities Accounting Inc
3. Champ Camp LLC
4. Clothing From Heaven, Inc.
5. David Watson, Architect
6. Erick Bartolome DDS, Inc.
7. Evolution Construction
8. Fifth Row Center Performing Arts
9. Hmr Life Center, LLC
10. James Thomas Productions Events & Entertainment, Inc
11. Kiehl's Since 1851
12. Kreation Juicery
13. Law Office of R. Brian Kramer
14. Lemonade Restaurant
15. Manhattan Beach Covenant Church
16. Manhattan Beach Surgery Center LLC
17. Manhattan Beach Watch Repair & Vintage Watches
18. Manhattan Torah Center
19. Marcia A. Matika Dpm, Inc
20. Nikau Kai Waterman Shop
21. Pale Blue Design, Inc.
22. Philippe H. Lemoine, MD, APC
23. Pitfire Artisan Pizza
24. R Friend Financial
25. Rice
26. Richard J. Cordes, CPA, JD, LLM
27. Saks Of Manhattan
28. Salon Mar
29. Simplify Your Life Referral Agency Inc
30. Skylar Orthopedics
31. Super Mario Mobile Detail
32. Torrance Memorial Physician Network
33. Waterfront Sound
34. White House Pilates

Celebrating 15 years in business:

1. American Hearing & Balance
2. B.R. Nail Spa
3. Bubbles Pet Spa LLC
4. Cami
5. Chex Usa, Inc
6. Citizens Business Bank
7. Family Orthodontics
8. Jenny Craig Weight Loss Center #142
9. Law Offices of Joel D Ruben
10. Law Offices of Keith F Simpson, APC
11. Lisz Dom Salon
12. Manhattan Beach Dermatology
13. Massage Envy
14. Michelle Ehrlich MD Inc
15. My Gym Children's Fitness

16. *Nathan, Terry & Company, Inc.*
17. *Office Depot Inc #2740*
18. *Planet Beauty Manhattan Beach*
19. *Posh Nails*
20. *Premier Business Centers*
21. *Robert V. Masenga*
22. *Schlee Intellectual Property International P.C.*
23. *Sepulveda Treats, Inc.*
24. *Silver Scissors*
25. *South Bay Business Management Inc*
26. *Study Hut Tutoring*
27. *The Dragon And Phoenix Healer*
28. *West Coast Sports Physical Therapy*

Celebrating 20 years in business:

1. *American Martyrs Preschool*
2. *Bear Imagination*
3. *Chevron #1959*
4. *Dennis P Levine*
5. *Manhattan Beach Creamery*
6. *Manhattan Pizzeria*
7. *Manhattan Village Dental Group Inc*
8. *Michele Dugan*
9. *Origins - Elc Beauty LLC*
10. *P C Help? Professionals*
11. *Palm Consulting Services, Inc*
12. *Studio 5 Hair Designs*
13. *Torrance Memorial Physicians Network*
14. *Wallender & Associates*
15. *Williams-Sonoma #218*

Celebrating 25 years in business:

1. *Artwork Conversion Software*
2. *Check The Do! Hair Salon*
3. *Custom Quality Construction Inc*
4. *David J. Lesser, Attorney At Law*
5. *Int'l Cosmetics & Regulatory Specialists LLC*
6. *Joyce G Flood & Associates*
7. *Money Matters Tax Service*
8. *Noah's Bagels #2546*
9. *Orbit Satellite Service*
10. *Pacific Acupuncture & Healing Center*
11. *Peet's Coffee & Tea*
12. *Power Karate MbK, Inc.*
13. *R M Davis/Mike Davis*
14. *Reback, McAndrews, & Blessey*
15. *West Coast Orthopedic Design*

Celebrating 30 years in business:

1. *Bank Of America #1081*
2. *City Wide Property Mgt.*
3. *Downtown Manhattan Beach Business + Professional Association*
4. *Fino Manhattan*
5. *Manhattan Beach Chamber of Commerce*

- 6. *Nick's Tailor*
- 7. *Skechers USA, Inc*

Celebrating 40 years in business:

- 1. *Hennessey's Tavern*
- 2. *Kinecta Federal Credit Union*
- 3. *Montage Skincare*
- 4. *Salvatore's Shoe Repair*

Celebrating 50 years in business:

- 1. *Sloopy's Beach Cafe*
- 2. *The Copy Shop*

Mayor Napolitano, on behalf of the City Council, presented Plaques of Recognition to the longstanding businesses in the City of Manhattan Beach that had reached the 20, 25, 30, 40, and 50 year milestones.

E. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

A motion was made by Councilmember Lesser, seconded by Councilmember Franklin, to approve the agenda and waive full reading of ordinances. The motion carried by the following vote:

Aye: 5 - Napolitano, Montgomery, Franklin, Howorth and Lesser

F. CITY COUNCIL AND COMMUNITY ORGANIZATION ANNOUNCEMENTS OF UPCOMING EVENTS (1 MINUTE PER PERSON)

Library Manager Josh Murray announced the Author Talk with Belinda Tang in the library's Community Room on January 21, 2023, at 2:00 PM.

Cultural Arts Manager Eilen Stewart announced the opening reception of the "Metamorphosis" exhibit at the Manhattan Beach Art Center on January 20, 2023, from 5:00 PM -7:00 PM. The exhibit will remain open until April 2, 2023.

Assistant to the City Manager George Gabriel announced the Annual Homeless Count on January 25, 2023, beginning at 8:00 PM at the Joslyn Community Center.

President and CEO of the Chamber of Commerce David Archer announced a mixer at Fish Bar on January 18, 2023, at 5:30 PM; a Ribbon Cutting at The Studio MDR on January 21, 2023, at 12:00 PM; a virtual Unity in the Community event on February 2, 2023; a February mixer at Tin Roof Bistro; and the State of the City at the Westdrift Hotel on March 16, 2023.

Councilmember Franklin announced that Pacific, Pennekamp, and Meadows Elementary schools were selected as California Distinguished School Award winners. He also announced that an e-bike safety training took place at Manhattan Beach Middle School last Thursday where they trained 1,200 students.

Councilmember Howorth announced the start of the Lunar New Year on January 22, 2023, and wished everyone a happy New Year.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Mayor Napolitano opened the floor to public comments. The following individual(s) spoke:

*Rosalie Rapas
Gail Fortis
Suzanne Lerner
Heidi Rayden Tobias
Jim Burton
Michael Zislis
Jackson Zawacki
Emma Schleifer
Lucia La Rosa Ames*

Seeing no further requests to speak, Mayor Napolitano closed the floor to public comments.

Councilmember Howorth provided comments in response to a previous speaker.

Police Chief Rachel Johnson spoke regarding recent crime activity and how calls are responded to by the Police Department.

H. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Lesser, seconded by Councilmember Franklin, to approve the Consent Calendar.

City Attorney Quinn Barrow read the title of Urgency Ordinance No. 23-0003-U into the record:

AN URGENCY ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING TITLE 1 (GENERAL PROVISIONS) OF THE MANHATTAN BEACH MUNICIPAL CODE TO ADD CHAPTER 1.14 REGARDING REHEARINGS AND DECLARING THE URGENCY THEREOF

The motion carried by the following vote:

Aye: 5 - Napolitano, Montgomery, Franklin, Howorth and Lesser

- 2. City Council Minutes: [23-0002](#)
 This Item Contains the City Council Regular Meeting Minutes of January 3, 2023 (Cancelled) (City Clerk Tamura).
APPROVE

The recommendation for this item was approved on the Consent Calendar.

- 3. Financial Reports: [23-0003](#)
 - a) Schedule of Demands December 8, 2022, December 15, 2022, December 22, 2022, December 29, 2022
 - b) Investment Portfolio for the Month Ending November 30, 2022
 - c) Month End Report for November 30, 2022 (Finance Director Charelian).**ACCEPT REPORTS AND DEMANDS**

The recommendation for this item was approved on the Consent Calendar.

- 4. Status Update on Fiscal Year 2022 - 2023 Chamber of Commerce Work Plan Contract (City Manager Moe). [23-0004](#)
RECEIVE REPORT

The recommendation for this item was approved on the Consent Calendar.

5. a. Second Reading and Adoption of Ordinance No. 23-0002: [23-0054](#)
An Ordinance of the City of Manhattan Beach Amending Title 1 (General Provisions) of the Manhattan Beach Municipal Code to add Chapter 1.14 Regarding Rehearings
- b. Adoption of Urgency Ordinance No. 23-0003-U:
An Urgency Ordinance of The City of Manhattan Beach Amending Title 1 (General Provisions) of the Manhattan Beach Municipal Code to add Chapter 1.14 Regarding Rehearings and Declaring the Urgency Thereof
- c. Making a Determination of Exemption under the California Environmental Quality Act (City Manager Moe).

ADOPT ORDINANCE NOS. 23-0002 AND 23-0003-U

The recommendation for this item was approved on the Consent Calendar.

6. Consideration of a Resolution Declaring an Intention to Provide for Annual Levy and Collection of Assessments for the North Manhattan Beach Business Improvement District and Setting February 21, 2023, for a Public Hearing (Finance Director Charelian). [23-0039](#)

ADOPT RESOLUTION NO. 23-0011

The recommendation for this item was approved on the Consent Calendar.

7. Consider Awarding Bid No. 1290-23 to McGovern Commercial for the Purchase of Seven Patrol Vehicles for the Police Department in the Amount of \$289,691 and Approving an Additional Appropriation of \$178,043 from the Fleet Management Fund (Finance Director Charelian). [23-0042](#)

A) APPROVE

B) APPROPRIATE FUNDS

The recommendation for this item was approved on the Consent Calendar.

8. Fiscal Year 2021-2022 Annual Comprehensive Financial Report (Finance Director Charelian). [23-0005](#)

RECEIVE AND FILE

The recommendation for this item was approved on the Consent Calendar.

9. Consideration of a Resolution Accepting 2021 State Homeland Security Program Grant Funds in the Amount of \$72,000 for the Purchase of Law Enforcement Equipment (Police Chief Johnson). [23-0007](#)

A) ADOPT RESOLUTION NO. 23-0002

B) APPROPRIATE FUNDS

The recommendation for this item was approved on the Consent Calendar.

10. Approval of a Purchase of "Circles" Sculpture by CJ Rench, and Allocate \$25,000 from the Public Art Trust Fund (Parks and Recreation Director Leyman). [23-0008](#)

A) APPROVE

B) ALLOCATE FUNDS FROM PUBLIC ART TRUST FUND

The recommendation for this item was approved on the Consent Calendar.

11. Consideration of a Resolution Approving Amendment No. 2 to the Professional Services Agreement with Pacific Advanced Civil Engineering, Inc. for \$96,480 for Additional Design Services for the Larsson 2nd Street Booster Pump Station Upgrade Project (Public Works Director Lee). [23-0010](#)

ADOPT RESOLUTION NO. 23-0005

The recommendation for this item was approved on the Consent Calendar.

12. Consideration of a Resolution Approving Amendment No. 2 to the Professional Services Agreement with Butier Engineering, Inc. for Additional Construction Management and Inspection Services in the Amount of \$435,537 for the Peck Reservoir Replacement Project (Public Works Director Lee). [23-0012](#)

ADOPT RESOLUTION NO. 23-0006

The recommendation for this item was approved on the Consent Calendar.

13. Consideration of a Resolution Approving an Agreement with HF&H Consultants, LLC to Perform Up to Five Biennial Compliance Audits on the City's Franchise Agreement with Waste Management During the Agreement Term and Appropriate \$100,000 in Mostly-Reimbursable Funds from the General Fund (Public Works Director Lee). [23-0014](#)

A) ADOPT RESOLUTION NO. 23-0008

B) APPROPRIATE FUNDS

The recommendation for this item was approved on the Consent Calendar.

14. Consideration of Resolution Approving an Agreement with HF&H Consultants, LLC. in the Amount of \$25,000 to Conduct a Senate Bill (SB) 1383 Grant-Funded Gap Analysis Regarding New Statewide Organic Waste Regulations and Appropriating \$50,347 in Grant-Reimbursable Funds for the Analysis and Other Reimbursable Expenditures (Public Works Director Lee). [23-0015](#)

A) ADOPT RESOLUTION NO. 23-0009

B) APPROPRIATE FUNDS

The recommendation for this item was approved on the Consent Calendar.

15. Consideration of Resolutions to Accept Agreements of Easement Dedication and Covenants and Temporary Construction Easement Deeds for Properties at 1100 and 1120 N. Sepulveda Boulevard for the Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project (Public Works Director Lee). [23-0016](#)
- A) **ACCEPT**
 - B) **AUTHORIZE**
 - C) **ADOPT RESOLUTION NOS. 23-0012 AND 23-0013**

The recommendation for this item was approved on the Consent Calendar.

I. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

J. PUBLIC HEARINGS

16. Urgency Ordinance No. 23-0001-U: [23-0017](#)

An Interim Ordinance Of The City Of Manhattan Beach Extending Urgency Ordinance No. 22-0002-U, Which Amended The Manhattan Beach Municipal Code To Clarify Provisions For The Preservation Of Historic Resources (Acting Community Development Director Mirzakhonian).

(Estimated Time: 15 Mins.)

A) CONDUCT PUBLIC HEARING

B) ADOPT URGENCY ORDINANCE NO. 23-0001-U EXTENDING THE INTERIM ZONING ORDINANCE FOR A MAXIMUM OF ONE YEAR

Acting Community Development Director Talyn Mirzakhonian provided the PowerPoint presentation and responded to City Council questions.

Mayor Napolitano opened the public hearing.

Seeing no requests to speak, Mayor Napolitano closed the public hearing.

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to adopt Urgency Ordinance No. 23-0001-U.

City Attorney Quinn Barrow read the title of Urgency Ordinance No. 23-0001-U into the record:

AN INTERIM ORDINANCE OF THE CITY OF MANHATTAN BEACH EXTENDING URGENCY ORDINANCE NO. 22-0002-U, WHICH AMENDED THE MANHATTAN BEACH MUNICIPAL CODE TO CLARIFY PROVISIONS FOR THE PRESERVATION OF HISTORIC RESOURCES, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

The motion carried by the following vote:

Aye: 5 - Napolitano, Montgomery, Franklin, Howorth and Lesser

K. GENERAL BUSINESS

17. Consideration of Final Design for Bruce’s Beach Plaque Monument [23-0048](#)
Landscaping (City Manager Moe).
(Estimated Time: 30 Mins.)

APPROVE

City Manager Bruce Moe introduced Policy & Management Analyst Alexandria Latragna, who provided the PowerPoint presentation and responded to City Council questions.

Mayor Napolitano opened the floor to public comments.

Seeing no requests to speak, Mayor Napolitano closed the floor to public comments.

Policy & Management Analyst Latragna and City Manager Moe responded to City Council questions.

A motion was made by Mayor Napolitano, seconded by Councilmember Franklin, to move forward with the installation of the plaque, pedestal, and the cement circle walkway only. The motion carried by the following vote:

Aye: 5 - Napolitano, Montgomery, Franklin, Howorth and Lesser

At 7:29 PM, the City Council recessed and reconvened at 7:37 PM with all City Councilmembers present.

18. Discussion of Options for Temporary Encroachment Permits for Street Dining and Business Uses and Outdoor Facilities Permits for Outdoor Uses on Private Property After Expiration of COVID-19 Emergency Orders (Acting Community Development Director Mirzakhonian).

[23-0021](#)

(Estimated Time: 60 min.)

DISCUSS AND PROVIDE DIRECTION

Acting Community Development Director Talyn Mirzakhonian provided background regarding the item and introduced City Traffic Engineer Erik Zandvliet, who provided the PowerPoint presentation.

City Traffic Engineer Zandvliet and Acting Community Development Director Mirzakhonian responded to City Council questions.

Mayor Napolitano opened the floor to public comments. The following individual(s) spoke:

*Martha Andreani
Steve
David Slay
Jim Burton
Ron Guidone
Austin Anderson
Dr. Paul Kokorowski
Mike Simms
Dario Vullo
Jim S
Leanne Meyers
Debbie Van Ness
Sylvie
Zac
Heather Kim
Gary McAulay
Phil
Jill Lamkin*

Seeing no further requests to speak, Mayor Napolitano closed the floor to public comments.

Acting Community Development Director Mirzakhonian and City Manager Bruce Moe responded to City Council questions.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Montgomery, to move forward with Alternative 1 as proposed by staff in which no further action is taken. At the expiration of the Governor's State of Emergency, and by March 10, 2023, businesses would need to remove existing temporary encroachment areas in the public right-of-way in accordance with their Temporary Encroachment Agreements. Outdoor areas on private property would need to follow the regulations of the City's Outdoor Facilities Permits, using the provisions of AB 61 to address the parking requirements and alcohol service limitations. Businesses could apply for sidewalk dining permits subject to existing regulations, restrictions and relaxed alcohol service provisions of AB 61. Separately, the long-term outdoor dining effort would proceed. The motion carried by the following vote:

Aye: 5 - Napolitano, Montgomery, Franklin, Howorth and Lesser

19. Discussion Regarding Placing Cameras at Public Facilities, Public Areas and Parks (Public Works Director Lee).

[23-0019](#)

(Estimated Time: 45 Mins.)

DISCUSS AND PROVIDE DIRECTION

Public Works Director Erick Lee provided the PowerPoint presentation.

Public Works Director Lee, City Manager Bruce Moe, and Police Chief Rachel Johnson responded to City Council questions.

Mayor Napolitano opened the floor to public comments.

Seeing no requests to speak, Mayor Napolitano closed the floor to public comments.

City Manager Moe, Public Works Director Lee, and City Attorney Quinn Barrow responded to City Council questions.

The City Council provided direction to have staff return with recommendations to expand the current City Security Camera System Project scope and provide alternatives for additional public safety monitoring within the City.

20. Consideration of Resolutions Awarding a Construction Agreement to Pavement Coatings Co. for the Slurry Seal Project Encompassing the North Area of the Sand Section (Area 7) for \$1,188,249; Approving a Construction Inspection Professional Services Agreement with Z & K Consultants, Inc. for \$52,224; and Approving an Additional Appropriation of \$177,448 from the Capital Improvements Program (CIP) Fund and a Public Arts Trust Fund Allocation of \$326,822 for the Project (Public Works Director Lee).

[23-0030](#)

(Estimated Time: 15 Mins.)

A) ADOPT RESOLUTION NOS. 23-0003 AND 23-0004

B) APPROPRIATE FUNDS

C) DISCUSS AND PROVIDE DIRECTION

Associate Engineer Bianca Cardenas provided the PowerPoint presentation and responded to City Council questions.

Mayor Napolitano opened the floor to public comments. The following individual(s) spoke:

*Jim Burton
Craig Cadwallader
Debbie Van Ness*

Seeing no further requests to speak, Mayor Napolitano closed the floor to public comments.

Associate Engineer Cardenas and Cultural Arts Manager Eilen Stewart responded to City Council questions.

A motion was made by Mayor Pro Tem Montgomery to approve the item.

Cultural Arts Manager Stewart responded to City Council questions.

City Manager Bruce Moe provided that staff could return at a future date with different proposed logos.

Public Works Director Erick Lee clarified the direction sought by staff.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Howorth, to adopt Resolution Nos. 23-0003 and 23-0004, appropriate funds, and have staff return with a different logo design.

City Attorney Quinn Barrow clarified the motion.

Cultural Arts Manager Stewart requested clarification regarding the logo.

Public Works Director Lee requested that the City Council adopt staff recommendations A-D.

Councilmember Howorth withdrew her second as she did not want the Public Art Trust Fund utilized for the logo.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Lesser, to adopt staff recommendations A-D and to have staff return with a different logo.

City Attorney Barrow clarified the motion and responded to City Council questions.

Public Works Director Lee responded to City Council questions.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Lesser, to adopt staff recommendations A-D and have staff return with alternative logo designs for the decorative crosswalks.

Recommendations A-D are as follows:

- a) Adopt Resolution No. 23-0003, a resolution of the Manhattan Beach City Council awarding a construction contract to Pavement Coatings Co. for the Slurry Seal Project encompassing the north area of the Sand Section (Area 7); authorizing the City Manager to approve additional work, if necessary; approving the final plans and specifications for the Slurry Seal Project encompassing the north area of the Sand Section (Area 7); and appropriating \$177,448.00 from the Unreserved CIP Fund balance for the project;**
- b) Adopt Resolution No. 23-0004, a resolution of the Manhattan Beach City Council approving an inspection services agreement between the City of Manhattan Beach and Z&K Consultants, Inc. for the Slurry Seal Project encompassing the north area of the Sand Section (Area 7);**
- c) Appropriate an additional \$177,448 from the CIP Fund for the Project;**
- d) Allocate \$326,822 from the Public Arts Trust Fund to reapply decorative crosswalks.**

The motion carried by the following vote:

Aye: 5 - Napolitano, Montgomery, Franklin, Howorth and Lesser

L. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

None.

M. FUTURE AGENDA ITEMS

None.

N. CITY MANAGER REPORT

None.

O. CITY ATTORNEY REPORT

None.

P. INFORMATIONAL ITEMS

21. Agenda Forecast (City Clerk Tamura). [23-0022](#)
INFORMATION ITEM ONLY

This item was received and filed by order of the Chair.

Q. CLOSED SESSION

At 10:14 PM, Mayor Napolitano announced that the City Council would be conducting a Closed Session.

I. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

City Attorney Quinn Barrow announced the following Closed Session:

**CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9(d)(1))**

**Name of Case: Highrose El Porto, LLC. v City of Manhattan Beach
Los Angeles County Superior Court
Case No: 22STCP03962**

This lawsuit challenges the City Council’s decision regarding the Highrose El Porto project.

II. RECESS INTO CLOSED SESSION

At 10:14 PM, the City Council recessed into Closed Session.

III. RECONVENE INTO OPEN SESSION

At 10:41 PM, the City Council reconvened into Open Session with all City Councilmembers present.

IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Attorney Barrow announced that the City Council went into Closed Session to discuss the item identified on the agenda and that there was no reportable action taken.

R. ADJOURNMENT

At 10:42 PM, Mayor Napolitano adjourned the meeting.

Patricia Matson
Recording Secretary

Steve Napolitano
Mayor

ATTEST:

Liza Tamura
City Clerk