

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, December 17, 2024

6:00 PM

City Council Chambers

City Council Regular Meeting

ELECTED OFFICIALS

Mayor Amy Thomas Howorth

Mayor Pro Tem David Lesser

Councilmember Steve Napolitano

Councilmember Richard Montgomery

Councilmember Joe Franklin

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

A. CALL MEETING TO ORDER

Mayor Howorth called the meeting to order.

B. PLEDGE TO THE FLAG

Councilmember Napolitano led the Pledge of Allegiance.

C. ROLL CALL

Roll Call led by City Clerk Liza Tamura.

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

D. CEREMONIAL CALENDAR

None.

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

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

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

Nay: 0

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

Councilmember Montgomery expressed gratitude to the Parks and Recreation, Police, and Fire Departments, as well as the Fireworks Association, for organizing a successful Holiday Fireworks Festival on December 8, 2024; and invited the community to donate unwrapped toys to the 32nd Annual Beach Cities Toy Drive at the Hermosa Beach Community Center on December 21, 2024, starting at 11:00 AM.

Library Manager Josh Murray announced that the library will be opening its meeting room for teens and study space from December 17 to December 19, 2024. Snacks will be provided, but attendees are welcome to bring their own as well.

Waste Management Recycling Education Representative Bobby Bell reminded the community that services will be delayed by one day for the Christmas Holiday; and holiday tree recycling and material collection will take place from December 26, 2024, through January 11, 2025.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

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

- Jacqueline Tarnay*
- Chris Tarnay*
- Collin Tarnay*
- Wayne Powell*
- Julie Justus McGinity*
- Tom Williams*
- Jim Burton*
- Christine Daviduk*
- Fred Taylor*
- Heather Kim*

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

H. REORGANIZATION

1. City Council Minutes: [24-0447](#)

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

- a) City Council Adjourned Regular Meeting Minutes of December 3, 2024
- b) City Council Regular Meeting Minutes of December 3, 2024
- c) City Council Special Meeting Minutes of December 9, 2024
- d) City Council Adjourned Regular Meeting Minutes of December 9, 2024
(City Clerk Tamura).

APPROVE

A motion was made by Mayor Pro Tem Lesser, seconded by Councilmember Franklin, to approve the City Council Adjourned and Regular Meeting Minutes of December 3, 2024, and the City Council Special and Adjourned Regular Meeting Minutes of December 9, 2024. The motion carried by the following vote:

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

Nay: 0

2. Consideration of a Resolution Citing the Facts of the November 5, 2024, [24-0422](#)

General Election (City Clerk Tamura).

A) ADOPT RESOLUTION NO. 24-0138

B) DIRECT THE CITY CLERK TO CODIFY ORDINANCE NO. 24-0009 AS ADOPTED BY THE VOTERS

City Attorney Quinn Barrow read the title of Ordinance No. 24-0009:

AN ORDINANCE ADOPTED BY THE VOTERS OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, IMPOSING A 0.5% TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

A motion was made by Councilmember Montgomery, seconded by Councilmember Napolitano, to adopt Resolution No. 24-0138, a resolution of the Manhattan Beach City Council, reciting the facts of the General Municipal Election held on November 5, 2024, declaring the result and statement of the vote; and to direct the City Clerk to codify Ordinance No. 24-0009 as adopted by the voters. The motion carried by the following vote:

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

Nay: 0

3. City Council Reorganization:[24-0420](#)

- a) Recognition of Outgoing City Councilmember Steve Napolitano
- b) Recognition of Outgoing City Councilmember Richard Montgomery
- c) Oath of Office to Re-Elected City Councilmember Joe Franklin
- d) Oath of Office to Newly Elected City Councilmember Nina Tarnay
- e) Oath of Office to Newly Elected City Councilmember Steve Charelian
- f) Oath of Office to Re-Elected City Treasurer Tim Lilligren
(City Clerk Tamura).

PRESENT AND ACCEPT

Mayor Howorth recognized former Mayors and dignitaries in the audience.

Recognition of Councilmember Richard Montgomery by City Council

Councilmember Franklin presented Councilmember Montgomery with an American flag that had flown over City Hall.

Mayor Pro Tem Lesser presented Councilmember Montgomery with a Commendation in appreciation of his years of service as a Councilmember and Mayor.

Councilmember Napolitano presented Councilmember Montgomery with a City logo beach towel.

Mayor Howorth presented Councilmember Montgomery with a Manhattan Beach Street Sign.

Recognition of Councilmember Steve Napolitano by City Council

Councilmember Franklin presented Councilmember Napolitano with an American Flag which flew over City Hall.

Mayor Pro Tem Lesser presented Councilmember Napolitano with a Commendation in appreciation of his years of service as a Councilmember and Mayor.

Councilmember Montgomery presented Councilmember Napolitano with a City logo beach towel.

Mayor Howorth presented Councilmember Napolitano with a Manhattan Beach Street Sign.

Recognition of Councilmember Napolitano and Councilmember Montgomery by Other Agencies

Mayor Howorth opened the floor to other agencies in attendance. The following individual(s) spoke:

State Assemblymember Al Muratsuchi Field Representative Chloe Tachibana presented certificates of recognition to Councilmembers Napolitano and Montgomery.

Hermosa Beach Mayor Dean Francois, Mayor Pro Tem Rob Saemann, and Councilmember Ray Jackson presented plaques to Councilmembers Napolitano and Montgomery.

Seeing no further representatives, Mayor Howorth closed the floor.

Councilmember Montgomery and Councilmember Napolitano each provided their own comments regarding their terms as a City Councilmember and Mayor.

Oath of Office

Mayor Howorth issued the Oath of Office to re-elected City Councilmember Joe Franklin and newly elected City Councilmembers Nina Tarnay, Steve Charelian, and re-elected City Treasurer Tim Lilligren.

City Treasurer Lilligren provided comments regarding his upcoming terms as City Treasurer.

Councilmember Franklin, Councilmember Tarnay and Councilmember Charelian each provided their own comments regarding their upcoming terms as City Councilmembers.

I. RECESS AND RECONVENE

At 8:04 PM, the City Council recessed and reconvened at 8:23 PM with all City Councilmembers present.

J. ROLL CALL

Roll Call led by City Clerk Liza Tamura.

Present: 5 - Mayor Howorth, Mayor Pro Tem Lesser, Councilmember Franklin, Councilmember Tarnay and Councilmember Charelian

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

A motion was made by Councilmember Franklin, seconded by Mayor Pro Tem Lesser, to approve the agenda as amended, to pull Agenda Item Nos. 5 and 6 from the Consent Calendar for individual consideration, and waive full reading of ordinances. The motion carried by the following vote:

Aye: 5 - Howorth, Lesser, Franklin, Tarnay and Charelian

Nay: 0

L. RECESS CITY COUNCIL MEETING TO A MEETING OF THE MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATION

At 8:25 PM, the City Council recessed to the Capital Improvements Corporation Board Meeting.

I. CALL MEETING TO ORDER

At 8:25 PM, President Howorth called the Capital Improvements Board Meeting to order.

II. ROLL CALL

Roll call led by Secretary Liza Tamura.

Present: 5 - President Howorth, Vice President Lesser, Boardmember Franklin, Councilmember Tarnay and Councilmember Charelian

III. PUBLIC COMMENTS ON THE CAPITAL IMPROVEMENTS CORPORATION

President Howorth opened the floor to public comments.

Seeing no requests to speak, President Howorth closed the floor to public comments.

IV. GENERAL BUSINESS

- 4.** Reorganization of the Manhattan Beach Capital Improvements Corporation to Fill the Seats Occupied by Steve Napolitano and Richard Montgomery (Finance Director/Chief Financial Officer Jones). [24-0419](#)
APPROVE

A motion as made by Councilmember Charelian, seconded by Boardmember Franklin, to remove Boardmembers Napolitano and Montgomery and appoint Councilmembers Tarnay and Charelian as Boardmembers to the Capital Improvements Corporation. The motion carried by the following vote:

Aye: 5 - Howorth, Lesser, Franklin, Tarnay and Charelian

Nay: 0

M. ADJOURN THE MANHATTAN BEACH CAPITAL IMPROVEMENTS CORPORATION AND RECONVENE THE CITY COUNCIL MEETING

At 8:26 PM, President Howorth adjourned the Capital Improvements Corporation Meeting and reconvened the City Council Meeting, with all City Councilmembers present.

N. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Pro Tem Lesser, seconded by Councilmember Tarnay, to approve the Consent Calendar with Agenda Item Nos. 5 and 6 being removed to be heard under Section O - Items Removed From the Consent Calendar. The motion carried by the following vote:

Aye: 5 - Howorth, Lesser, Franklin, Tarnay and Charelian

Nay: 0

5. Consideration of the Approval of City Council Assignments (City Clerk Tamura). [24-0421](#)
APPROVE

This item was removed from the Consent Calendar and heard under Section O - Items Removed from the Consent Calendar.

6. Consideration and Approval of the 2025 City Council Meeting Calendar (City Clerk Tamura). [24-0417](#)
APPROVE

This item was removed from the Consent Calendar and heard under Section O - Items Removed from the Consent Calendar.

7. Consideration of List of Appointments Made by the City Council to All Regular and Ongoing Boards and Commissions (Maddy Act) (City Clerk Tamura). [24-0451](#)
APPROVE

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

8. Consideration of a Resignation from Library Commissioner Millea, Declaration of a Vacancy for Library Commission Member-At-Large Seat No. 3 (Millea), and Direction to the City Clerk to Conduct Public Outreach for the Vacant Library Commission Seat No. 3. (City Clerk Tamura). [24-0457](#)
- A) ACCEPT RESIGNATION**
B) DECLARE VACANCY
C) DIRECT THE CITY CLERK TO CONDUCT PUBLIC OUTREACH

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

9. Financial Report: [24-0452](#)
- a) Schedule of Demands: November 2024
b) Investment Portfolio Report: October 2024
c) Month End Financial Reports: October 2024 (Interim Finance Director Jones).
- ACCEPT REPORT AND DEMANDS**

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

10. Consideration of a Resolution Approving the Preparatory and Administrative Agreements with the California Department of Tax and Fee Administration (CDTFA) for Implementation of the City's Local Transactions and Use Tax; Consideration of a Resolution Authorizing the Examination of Confidential Records; and Appropriation of Unbudgeted Funds from the Unreserved General Fund Balance (Interim Finance Director Jones). [24-0400](#)
- A) ADOPT RESOLUTION NOS. 24-0141 AND 24-0142**
B) APPROPRIATE FUNDS

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

11. Consideration of a Resolution to Approve an Agreement with M.S. Tours, Inc. DBA Main Street Tours for Charter Bus Services in an Amount up to \$100,000 Per Year and Not-to-Exceed \$300,000 over Three Years (Parks and Recreation Director Leyman). [24-0458](#)
- ADOPT RESOLUTION NO. 24-0140**

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

12. Consideration of Accepting as Complete Work Performed by Oppenheimer National for the Polliwog Park Fitness Station Replacement Project (Public Works Director Lee). [24-0442](#)
- A) ACCEPT**
B) AUTHORIZE

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

13. Lot 3 Parking Structure Local Emergency Update (Public Works Director Lee).

[24-0346](#)

DETERMINE THAT THERE IS A NEED TO CONTINUE THE EMERGENCY ACTION

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

O. ITEMS REMOVED FROM THE CONSENT CALENDAR

5. Consideration of the Approval of City Council Assignments (City Clerk Tamura).

APPROVE

[24-0421](#)

Mayor Pro Tem Lesser provided that he pulled the item because one assignment on the Manhattan Beach Community Emergency Response Team had not been identified and wanted to give his colleagues the opportunity to discuss the City Council assignments.

Mayor Howorth provided that she inadvertently left Mayor Pro Tem Lesser's name off the assignment and clarified that he would be the primary contact and asked if anyone else would like to be the alternate.

Councilmember Charelian provided that he will serve as the alternate.

City Attorney Quinn Barrow stated that Mayor Howorth can adopt the entire list with an amendment including the new Manhattan Beach Community Emergency Response Team assignments.

A motion was made by Councilmember Tarnay, seconded by Councilmember Franklin, to approve the City Council Assignments as amended with Mayor Pro Tem Lesser appointed as the delegate and Councilmember Charelian appointed as the alternate to the Manhattan Beach Community Emergency Response Team. The motion carried by the following vote:

Aye: 5 - Howorth, Lesser, Franklin, Tarnay and Charelian

Nay: 0

6. Consideration and Approval of the 2025 City Council Meeting Calendar (City Clerk Tamura).

[24-0417](#)

APPROVE

Mayor Pro Tem Lesser provided that he pulled the item because the proposed 2025 City Council Meeting Calendar listed a meeting on January 28, 2025, instead of January 21, 2025.

A motion was made by Councilmember Franklin, seconded by Councilmember Tarnay, to approve the 2025 City Council Meeting Calendar as amended to correct January 21, 2025, as the regular City Council Meeting date in January. The motion carried by the following vote:

Aye: 5 - Howorth, Lesser, Franklin, Tarnay and Charelian

Nay: 0

P. PUBLIC HEARINGS

None.

Q. GENERAL BUSINESS

- 14. Consideration of a Resolution Appointing Michael Lang as Interim Fire 24-0437

Chief and Approval of an Employment Agreement with Michael Lang (Human Resources Director Jenkins).

ADOPT RESOLUTION NO. 24-0139

Human Resources Director Lisa Jenkins provided the staff presentation.

Mayor Howorth read an oral report on behalf of the legislative body regarding this item:

"Fire Chief Michael Lang has announced his retirement, effective December 30, 2024. We are fortunate that he has agreed to serve as Interim Fire Chief while we proceed with the recruitment for his successor. The attached resolution and employment agreement meet CalPERS requirements for his Interim appointment. In compliance with government code, I am providing an oral report on the hourly rate for this appointment. Fire Chief Lang will receive an hourly rate of \$152 and will not receive any additional benefits from the City as a retiree."

Human Resources Director Jenkins responded to City Council questions.

Mayor Howorth opened the floor to public comments.

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

A motion was made by Mayor Howorth, seconded by Councilmember Tarnay, to appoint Michael Lang as Interim Fire Chief and approve the corresponding employment agreement. The motion carried with the following vote:

Aye: 5 - Howorth, Lesser, Franklin, Tarnay and Charelian

Nay: 0

R. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

None.

S. FUTURE AGENDA ITEMS

None.

T. CITY MANAGER REPORT

City Manager Talyn Mirzakhanian warmly welcomed and congratulated new City Councilmember Tarnay and City Councilmember Charelian.

U. CITY ATTORNEY REPORT

City Attorney Quinn Barrow congratulated City Councilmember Tarnay and City Councilmember Charelian and expressed looking forward to working with them.

V. INFORMATIONAL ITEMS

15. Agenda Forecast (City Clerk Tamura). [24-0449](#)
INFORMATION ITEM ONLY

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

16. Commission Minutes: [24-0450](#)
This Item Contains Minutes of the following City Commission Meetings:
a) Parks and Recreation Commission Meeting Minutes of October 17, 2024
(Parks and Recreation Director Leyman)
b) Parks and Recreation Commission Meeting Minutes of October 28, 2024
(Parks and Recreation Director Leyman).
INFORMATION ITEM ONLY

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

17. Recent Planning Commission Quasi-Judicial Decisions Regarding 1305 Highland Avenue (Uncle Bill's Pancake House) (Acting Community Development Director Heise). [24-0466](#)
INFORMATION ITEM ONLY

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

W. CLOSED SESSION

None.

X. ADJOURNMENT

At 8:37 PM, Mayor Howorth adjourned the regular City Council Meeting.

Breana Contreras
Recording Secretary

Amy Thomas Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk