

City Council Regular Meeting

Regular Meeting

Tuesday, November 7, 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

Finance Director Steve Charelian

Human Resources Lisa Jenkins

Parks and Recreation Mark Leyman

Police Chief Rachel Johnson

Fire Chief Michael Lang

Community Development Director Talyn Mirzakhanian

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, November 7, 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 November 1, 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

Parker Seib, Meadows Elementary School

C. ROLL CALL

D. CEREMONIAL CALENDAR

1. Presentation of Certificates of Recognition to the 2023 Fire Department Annual, "Home Escape Plan" Contest Winners.

[23-0333](#)

(Estimated Time: 10 Mins.)

PRESENT

Attachments: [Certificates](#)

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, November 7, 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.

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: [23-0334](#)

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

a) City Council Adjourned Regular Meeting Minutes of October 17, 2023

b) City Council Regular Meeting Minutes of October 17, 2023

(City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of October 17, 2023](#)

[City Council Regular Meeting Minutes of October 17, 2023](#)

3. Financial Reports: [23-0471](#)

a) Schedule of Demands for October 6, 2023, and October 13, 2023

b) Investment Portfolio for the Month Ending September 30, 2023

c) Month End Report for September 30, 2023 (Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for October 6, 2023 and October 13, 2023](#)

[Investment Portfolio September 2023](#)

[Financial Month End Report September 2023](#)

4. Declaration of Proclamations for the Following: [23-0335](#)

a) November 2023, as National Family Caregivers Month

b) November 12 - November 18, 2023, as United Against Hate Week

PROCLAIM

Attachments: [Proclamation - 2023 National Family Caregiver Month](#)

5. Quarterly Update on Fiscal Year 2023-2024 City Council Work Plan (City Manager Moe). [23-0371](#)**RECEIVE AND FILE**

Attachments: [Fiscal Year 2023-2024 City Council Work Plan \(24 Items\)](#)

[Work Plan Summary](#)

[Department Work Plan Items](#)

[Departmental Involvement Matrix](#)

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6. Consideration of a Resolution Amending the Conflict of Interest Code for the City of Manhattan Beach; and Adopting a Resolution Ratifying the Conflict of Interest Code for the Manhattan Beach Capital Improvements Corporation (City Clerk Tamura). [23-0385](#)
ADOPT RESOLUTION NOS. 23-0136 AND 23-0137
Attachments: [Resolution No. 23-0136](#)
[Resolution No. 23-0137](#)
[2020 Conflict of Interest Code](#)
7. Fiscal Year 2023-2024 Quarterly Budget Update (Finance Director Charelian). [23-0459](#)
A) RECEIVE REPORT
B) APPROPRIATE FUNDS
C) APPROVE STAFFING ADJUSTMENTS
Attachments: [Fiscal Year 2023-2024 Quarter 1 Comparison](#)
8. Consideration of Ratification of Purchase from South Bay Regional Public Communications Authority to Provide Electronics and Equipment for Seven Budgeted Patrol Utility Interceptors Vehicles for the Police Department in the Amount of \$129,124.02 and Appropriate \$129,124.02 from the Fleet Management Fund (Finance Director Charelian). [23-0480](#)
A) RATIFY PURCHASE
B) APPROPRIATE FUNDS
Attachments: [Staff Report – January 17, 2023](#)
9. Consideration of a Resolution Approving a Comprehensive Citywide Salary Schedule for all City Positions and Adjustments to Salary Ranges (Human Resources Director Jenkins). [23-0384](#)
ADOPT RESOLUTION NO. 23-0116
Attachments: [Resolution No. 23-0116](#)
[City of Manhattan Beach Salary Schedule](#)
10. Consideration of a Resolution Authorizing Continued Dental and Vision Insurance for the Survivors of Officer Chad Swanson (Human Resources Director Jenkins). [23-0474](#)
ADOPT RESOLUTION NO. 23-0138
Attachments: [Resolution No. 23-0138](#)

11. Consideration of a Resolution Approving an Agreement for Renewal of Subscription Based Fire/Emergency Medical Service (EMS) Incident and Fire Inspection Reporting Services with Locality Media, Inc. dba First Due, Extending the Term and Increasing the Maximum Compensation to an Estimated Value of \$86,656 (Fire Chief Lang). [23-0464](#)
- A) WAIVE FORMAL BIDDING (SOLE SOURCE)**
B) ADOPT RESOLUTION NO. 23-0139
- Attachments:** [Resolution No. 23-0139](#)
[Renewal Agreement - Locality Media, Inc dba First Due](#)
[Locality Media, Inc. dba First Due \(2022\)](#)
[Sole Source Letter](#)
12. Consideration of a Second Reading and Adoption of an Ordinance Amending the Zoning Code Text in Title 10, Part V, Chapter 10.86 (Historic Preservation) of the Manhattan Beach Municipal Code (Community Development Director Mirzakhaniyan). [23-0466](#)
- ADOPT ORDINANCE NO. 23-0010**
- Attachments:** [Ordinance No. 23-0010](#)
[Staff Report - October 17, 2023](#)
13. Consideration of a Resolution Approving the Professional Design Services Agreement with PACE Inc. for Final Design Services for the Poinsettia Ave Sewer Lift Station Improvement Project at a Cost Not-to-Exceed \$450,215 and Making a Determination of Exemption Pursuant to Sections 15302 Class 2 of the State CEQA Guidelines (Public Works Director Lee). [23-0395](#)
- ADOPT RESOLUTION NO. 23-0140**
- Attachments:** [Resolution No. 23-0140](#)
[Design Report \(Web-Links Provided\)](#)
[Design Agreement - PACE Inc \(2023\)](#)
[Budget and Expenditures Summary](#)
[Location Map](#)
14. Consideration of Accepting as Complete the Cycle 1 Water Infrastructure Improvement Project (Public Works Director Lee). [23-0056](#)
- A) ACCEPT**
B) APPROVE
- Attachments:** [Location Map](#)

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15. Consideration of Resolutions Approving On-Call Maintenance Services Agreements for Electrical and Plumbing Services with Various Contractors in the Amount of \$300,000 per Agreement (Public Works Director Lee). [23-0404](#)
ADOPT RESOLUTION NOS. 23-0141 AND 23-0142
Attachments: [Resolution No. 23-0141](#)
[Agreement – Amtek Construction](#)
[Resolution No. 23-0142](#)
[Agreement – ACCO Engineered Systems](#)
16. Consideration of a Resolution Authorizing Submittal of Application(s) for Cal Recycle Grants (Public Works Director Lee). [23-0437](#)
ADOPT RESOLUTION NO. 23-0146
Attachments: [Resolution No. 23-0146](#)
17. Consideration of a Resolution Approving Amendment No. 3 to the Construction Management and Inspection Professional Services Agreement with Ardurra Group for the Polliwog Lower Playground Replacement Project in the Amount of \$49,128.06 (Public Works Director Lee). [23-0446](#)
ADOPT RESOLUTION NO. 23-0147
Attachments: [Resolution No. 23-0147](#)
[Amendment No. 3 - Ardurra Group, Inc.](#)
[Agreement and Amendment Nos. 1 and 2 - Ardurra Group, Inc.](#)
[Budget and Expenditure Summary](#)
18. Formally Accept as Complete the Manhattan Beach Boulevard and Peck Avenue Traffic Signal Improvement Project; Authorize Filing a Notice of Completion with the County Recorder; and Release Retention (Public Works Director Lee). [23-0440](#)
A) APPROVE
B) ACCEPT
Attachments: [Location Map](#)

19. Consideration of a Resolution Approving an Agreement With Savant Solutions, Inc. for Management Detection and Response Services for a Not-to-Exceed Amount of \$264,709 (Information Technology Director Guardado).

[23-0463](#)

- A) **WAIVE FORMAL BIDDING DUE TO COOPERATIVE PURCHASING**
B) **ADOPT RESOLUTION NO. 23-0148**

Attachments: [Resolution No. 23-0148](#)
[Agreement – Savant Solutions, Inc. \(Redacted\)](#)
[Provider Preferred Reseller Letter \(Redacted\)](#)

I. ITEMS REMOVED FROM THE CONSENT CALENDAR

Each speaker may speak for up to 2 minutes on each item pulled from the agenda.

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

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PUBLIC COMMENT ON CAPITAL IMPROVEMENT CORPORATION

IV. GENERAL BUSINESS

20. Consideration of a Resolution Adopting a Conflict of Interest Code for the Manhattan Beach Capital Improvements Corporation (City Clerk Tamura).
ADOPT RESOLUTION NO. CIC-12

[CIC-14](#)

Attachments: [Resolution No. CIC-12](#)

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

L. PUBLIC HEARINGS

At the discretion of the Mayor, each speaker may speak for up to 3 minutes on each public hearing item.

21. Conduct Public Hearing for the Storm Drain Fee Increase and Tabulate the Protest Notices (Finance Director Charelian).

[23-0403](#)

(Estimated Time: 30 Mins.)

A) CONDUCT PUBLIC HEARING AND TABULATION

B) ADOPT RESOLUTION 23-0149 CALLING A SPECIAL MAIL BALLOT ELECTION, SET BALLOT DEADLINE TO JANUARY 5, 2024, AND ADOPT PROCEDURES FOR CONDUCT OF ELECTION

Attachments: [Resolution No. 23-0149](#)
[Procedures for Conduct of an Election - Increase of Storm Drain Fees](#)
[Stormwater Fund Projects](#)
[PowerPoint Presentation](#)

M. GENERAL BUSINESS

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

22. Consideration of a Resolution Approving an Amendment to the Existing Legal Services Agreement with Richards, Watson & Gershon to Add Prosecution Services (City Manager Moe). [23-0458](#)

(Estimated Time: 30 Mins.)

ADOPT RESOLUTION NO. 23-0150

Attachments: [Resolution No. 23-0150](#)
[Amendment No. 5 - Richards, Watson & Gershon](#)
[Agreement and Amendment Nos. 1-4 - Richards, Watson & Gershon](#)

23. Consideration of Holiday Event Enhancements (Parks and Recreation Director Leyman). [23-0448](#)

(Estimated Time: 30 Mins.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Pier Light Schedule](#)
[Power Point Presentation](#)

24. Consideration of Insourcing Pressure Washing and Other Related Services for Maintenance of the Downtown Manhattan Beach and the North Manhattan Beach Business Improvement Districts (Public Works Director Lee). [23-0434](#)

(Estimated Time: 30 Mins.)

A) ADOPT RESOLUTION NO. 23-0152**B) APPROPRIATE FUNDS****C) APPROVE POSITIONS**

Attachments: [Resolution No. 23-0152](#)
[PowerPoint Presentation](#)

N. 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.

25. City Council AB 1234 Reports. [23-0444](#)
RECEIVE AND FILE

26. Consider Request by Councilmember Lesser and Councilmember Howorth to Discuss Extending Recycled Water (i.e. Purple Pipe) Capacity from Polliwog Park to the Median on Manhattan Beach Boulevard (City Manager Moe). [23-0475](#)

DISCUSS AND PROVIDE DIRECTION

O. FUTURE AGENDA ITEMS

Councilmembers may request that items be placed on a future agenda with the concurrence of one other Councilmember.

P. CITY MANAGER REPORT

Q. CITY ATTORNEY REPORT

R. INFORMATIONAL ITEMS

This section is for items that do not require City Council action.

- 27. Agenda Forecast (City Clerk Tamura).
INFORMATION ITEM ONLY**

[23-0343](#)

28. Commission Minutes: [23-0462](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Parking and Public Improvements Commission Meeting Minutes of May 25, 2023 (Community Development Director Mirzakhania)
- b) Parking and Public Improvements Commission Meeting Minutes of June 22, 2023 (Community Development Director Mirzakhania)
- c) Parking and Public Improvements Commission Meeting Minutes of July 27, 2023 (Cancelled) (Community Development Director Mirzakhania)
- d) Planning Commission Meeting Minutes of August 23, 2023 (Community Development Director Mirzakhania)
- e) Parking and Public Improvements Commission Meeting Minutes of August 24, 2023 (Community Development Director Mirzakhania)
- f) Planning Commission Meeting Minutes of September 27, 2023 (Community Development Director Mirzakhania)
- g) Parking and Public Improvements Commission Meeting Minutes of September 28, 2023 (Cancelled) (Community Development Director Mirzakhania)
- h) Planning Commission Meeting Minutes of October 11, 2023 (Community Development Director Mirzakhania).

INFORMATION ITEM ONLY

Attachments: [Parking and Public Improvements Commission Meeting Minutes of May 25, 2023](#)
[Parking and Public Improvements Commission Meeting Minutes of June 22, 2023](#)
[Parking and Public Improvements Commission Meeting Minutes of July 27, 2023 \(Cancelled\)](#)
[Planning Commission Meeting Minutes of August 23, 2023](#)
[Parking and Public Improvements Commission Meeting Minutes of August 24, 2023](#)
[Planning Commission Meeting Minutes of September 27, 2023](#)
[Parking and Public Improvements Commission Meeting Minutes of September 28, 2023 \(Cancelled\)](#)
[Planning Commission Meeting Minutes of October 11, 2023](#)

29. Recent Planning Commission Quasi-Judicial Decisions: [23-0479](#)

Master Use Permit Amendment for a Medical Office Use Located at 1000 North Sepulveda Boulevard, Suite #150; and Adoption of an Environmental Determination for the Project in accordance with the California Environmental Quality Act (CEQA).
(Community Development Director Mirzakhania)

INFORMATION ITEM ONLY**S. CLOSED SESSION**

T. ADJOURNMENT**U. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

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
January 2, 2024 - Tuesday -- 6:00 PM - City Council Meeting (Canceled)
January 9, 2024 - Tuesday -- 6:00 PM - City Council Adjourned Regular Meeting (Reorganization)
January 16, 2024 - Tuesday -- 6:00 PM - City Council Meeting
February 6, 2024 - Tuesday -- 6:00 PM - City Council Meeting
February 20, 2024 - Tuesday -- 6:00 PM - City Council Meeting
March 5, 2024 - Tuesday -- 6:00 PM - City Council Meeting
March 19, 2024 - Tuesday -- 6:00 PM - City Council Meeting
April 2, 2024 - Tuesday -- 6:00 PM - City Council Meeting
April 16, 2024 - Tuesday -- 6:00 PM - City Council Meeting
April 24 - Tuesday - TBD - Boards and Commissions Interviews
May 7, 2024 - Tuesday -- 6:00 PM - City Council Meeting
May 14, 2024 - Tuesday -- 6:00 PM - Budget and Capital Improvements Corporation Study Session
May 21, 2024 - Tuesday -- 6:00 PM - City Council Meeting
May 28, 2024 - Tuesday -- 6:00 PM - Budget and Capital Improvements Corporation Study Session
June 4, 2024 - Tuesday -- 6:00 PM - City Council Meeting
June 18, 2024 - Tuesday -- 6:00 PM - City Council Meeting
July 2, 2024 - Tuesday -- 6:00 PM - City Council Meeting
July 16, 2024 - Tuesday -- 6:00 PM - City Council Meeting
August 6, 2024 - Tuesday -- 6:00 PM - City Council Meeting
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
November 5, 2024 - Tuesday -- 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

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

November 8, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting

November 13, 2023 - Monday - 4:00 PM - Library Commission Meeting

November 20, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting

November 22, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting

November 24, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting (Rescheduled to December 7, 2023)

November 27, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting

December 7, 2023 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting (Rescheduled from November 24, 2023)

December 11, 2023 - Monday - 4:00 PM - Library Commission Meeting

December 13, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting

December 21, 2023 - Monday - 4:00 PM - Cultural Arts Commission Meeting

December 27, 2023 - Wednesday - 3:00 PM - Planning Commission Meeting

December 28, 2023 - Monday - 4:00 PM - Parks and Recreation Commission Meeting

V. CITY OFFICES CLOSED**CITY HOLIDAYS:**

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

September 2, 2024 - Monday - Labor Day

October 14, 2024 – Monday – Columbus Day