

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, July 18, 2023

6:00 PM

Regular Meeting

City Council Chambers and Zoom

## City Council Regular Meeting

### *ELECTED OFFICIALS*

*Mayor Richard Montgomery  
Mayor Pro Tem Joe Franklin  
Councilmember Amy Howorth  
Councilmember David Lesser  
Councilmember Steve Napolitano*

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**A. CALL MEETING TO ORDER**

*Mayor Montgomery called the meeting to order.*

**B. PLEDGE TO THE FLAG**

*Bella Jacobson led the Pledge of Allegiance.*

*Mayor Montgomery requested that all veterans and active military in the audience stand to be recognized.*

**C. ROLL CALL**

*Roll Call by City Clerk Liza Tamura.*

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

**D. CEREMONIAL CALENDAR**

*None.*

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

*Mayor Montgomery provided that Agenda Item No. 12 would be continued to a later date.*

*Councilmember Lesser requested to pull Agenda Item No. 4.*

*Councilmember Napolitano requested to pull Agenda Item No. 6.*

*City Manager Bruce Moe provided that Agenda Item No. 1 was being postponed until the August 1, 2023 meeting.*

**A motion was made by Mayor Pro Tem Franklin, seconded by Councilmember Lesser, to approve the agenda as amended, to pull Agenda Item Nos. 4 and 6 from the Consent Calendar for individual consideration, and waive full reading of ordinances. The motion carried by the following vote:**

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

**Nay:** 0

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

*Recreation Supervisor Michael Hudak announced the Manhattan Beach Open Tennis Tournament starting on July 20, 2023, and responded to City Council questions.*

*Cultural Arts Supervisor Erick Brinkman announced Shakespeare by the Sea on July 20, 2023 and July 21, 2023, from 7:00-9:30 PM in Polliwog Park; and the opening reception at the Manhattan Beach Art Center on July 28, 2023, from 6:00 PM - 9:00 PM, in celebration of the 6th Annual Community Exhibition. Cultural Arts Supervisor Brinkman responded to City Council questions.*

*Dency Nelson, Shakespeare by the Sea Boardmember, announced their upcoming performances in Polliwog Park on July 20, 2023 and July 21, 2023, starting at 7:00 PM.*

*Senior Recreation Manager Melissa McCollum announced a Juneteenth listening session at the Manhattan Beach Library Community Room on July 22, 2023, at 10:30 AM; provided that there is a community survey regarding a 2024 Juneteenth celebration available at [manhattanbeach.gov/survey](http://manhattanbeach.gov/survey); and responded to City Council questions.*

*Jennifer Oyama, on behalf of the Manhattan Beach Library, announced a show on July 19, 2023, with Magician Zany Zoe; and a Vietnamese Street Food Cooking Demo on July 22, 2023, from 1:00 PM - 2:00 PM.*

*Councilmember Franklin announced the Chevron Grand Prix on July 23, 2023.*

*Mayor Montgomery announced that his next Coffee with the Mayor event would take place on July 25, 2023, at Coffee Bean and Tea Leaf at the Manhattan Village Mall and August 8, 2023, at Peet's Coffee in the Downtown Area. He also encouraged any interested residents to sign-up to receive a ceremonial Baby Passport at an upcoming City Council meeting.*

**G. PUBLIC COMMENTS (3 MINUTES PER PERSON)**

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

*Dr. Myrtle  
Jim Burton*

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

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

**DISCUSS AND PROVIDE DIRECTION**

The agenda item was continued to the August 1, 2023 City Council Meeting.

**H. CONSENT CALENDAR (APPROVE)**

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Franklin, to approve the Consent Calendar with Agenda Item Nos. 4 and 6 being removed to be heard under Section I - Items Removed from the Consent Calendar. The motion carried by the following vote:

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

**Nay:** 0

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**

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

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**

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

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

**ADOPT RESOLUTION NOS. 23-0083 AND 23-0084**

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

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**

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

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**

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

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**

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

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**

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

## I. ITEMS REMOVED FROM THE CONSENT CALENDAR

4. Consideration of Resolutions Approving an Amended and Restated 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). [23-0241](#)
- ADOPT RESOLUTION NOS. 23-0083 AND 23-0084**

*Councilmember Lesser provided that he pulled the item to receive a brief summary of the item from the Parks and Recreation Director for the benefit of the public.*

*Parks and Recreation Director Mark Leyman provided a brief staff presentation and responded to City Council questions.*

*Mayor Montgomery opened the floor to public comments.*

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

**A motion was made by Councilmember Howorth, seconded by Councilmember Lesser to adopt:**

**Resolution No. 23-0083, a resolution of the Manhattan Beach City Council approving the amended and restated agreement between the City of Manhattan Beach and Manhattan Beach Unified School District Regarding Public Use of School District Fields and Facilities; and**

**Resolution No. 23-0084, a resolution of the Manhattan Beach City Council approving the agreement between the City of Manhattan Beach and Manhattan Beach Unified School District for the provision, use and maintenance of the lower playground are in Polliwog Park.**

**The motion carried by the following vote:**

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

**Nay:** 0

*Mayor Montgomery provided that he was reopening public comment to announce that Dunkin' was now open on Manhattan Beach Boulevard and Sepulveda Boulevard.*

*Seeing no further requests to speak, Mayor Montgomery closed public comment.*

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**

*Councilmember Napolitano provided that he pulled the item to receive more background regarding the plan and to find out when the plan was originally written.*

*Public Works Director Erick Lee provided background regarding the item and responded to City Council questions.*

*City Manager Bruce Moe provided that future discussions could be held to potentially add updates to the Urban Forest Master Plan to the City Council Work Plan and provided information as to why the item was placed on the agenda.*

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

*Rita Crabtree-Kampe*

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

*A motion was made by Councilmember Lesser to have staff return to City Council to confirm that the current inventory in the plan is valid or bring it up to date, discuss the tree replacement policy to ensure it is consistent with the plan, and to provide an update regarding the tree replacement process.*

*The City Council also requested that staff ensure that information regarding the importance of having trees is still on the City's website and to consider drought tolerant vegetation when replacing trees.*

*City Manager Moe inquired if the adoption of Resolution No. 23-0092 was included in the motion.*

*Councilmember Lesser amended the motion to include the adoption of Resolution No. 23-0092.*

A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Franklin, to have staff return to City Council to confirm that the current inventory in the plan is valid or bring it up to date; discuss the tree replacement policy to ensure it is consistent with the plan; provide an update regarding the tree replacement process; ensure that information regarding the importance of having trees is still on the City's website; consider drought tolerant vegetation when replacing trees; and adopt Resolution No. 23-0092, a resolution of the Manhattan Beach City Council approving the entire Urban Forest Master Plan. The motion carried by the following vote:

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

**Nay:** 0

## J. PUBLIC HEARINGS

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

*Acting Finance Director Julie Bondarchuk introduced Financial Services Manager Libby Bretthauer who provided the staff presentation.*

*Mayor Montgomery opened the public hearing. The following individual(s) spoke:*

*Rita Crabtree-Kampe*

*Jim Burton*

*Seeing no further requests to speak, Mayor Montgomery closed the public hearing.*

A motion was made by Councilmember Napolitano, seconded by Mayor Montgomery, to adopt Resolution No. 23-0098, a resolution of the Manhattan Beach City Council approving a report in connection with the City's storm water service charge and ordering that such charge be collected on the tax roll. The motion carried by the following vote:

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

**Nay:** 0

*City Manager Moe provided that the fee appears on Property Tax bills in two installments.*

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

*Financial Services Manager Libby Bretthauer provided the staff presentation.*

*Mayor Montgomery opened the public hearing. The following individual(s) spoke:*

*Jill Lamkin*

*Seeing no further requests to speak, Mayor Montgomery closed the public hearing.*

**A motion was made by Councilmember Napolitano, seconded by Councilmember Howorth, to:**

**Adopt Resolution No. 23-0081, a resolution of the Manhattan Beach City Council overruling protests and providing for the annual levy and collection of assessments for the existing Downtown Manhattan Beach Business Improvement District, pursuant to California Streets and Highways Code Section 36500 Et. Seq. (The Parking & Business Improvement Law of 1989);**

**Adopt Resolution No. 23-0082, a resolution of the Manhattan Beach City Council approving an agreement between the City of Manhattan Beach and the Downtown Manhattan Beach Business Improvement District and the Downtown Manhattan Beach Business and Professional Association;**

**To ratify the board; and authorize the disbursement of assessments collected through June 30, 2023. The motion carried by the following vote:**

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

**Nay:** 0

**K. GENERAL BUSINESS**

11. Consideration of an Appointment to the Vacant Library Commission Seat No. 3 (City Clerk Tamura). [23-0273](#)  
*(Estimated Time: 5 Mins.)*  
**APPOINT**

*City Clerk Liza Tamura introduced Deputy City Clerk Patricia Matson who provided the staff presentation.*

*Mayor Montgomery opened the floor to public comments.*

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

**The City Council unanimously voted to appoint Mike Millea to Library Commission Seat No. 3.**

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**

**The agenda item was continued to a future City Council meeting.**

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**

*Public Works Director Erick Lee introduced City Engineer Katie Doherty who provided the PowerPoint presentation.*

*City Engineer Doherty and Downtown Manhattan Beach Business and Professional Association Executive Director Jill Lamkin responded to City Council questions.*

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

*Rita Crabtree-Kampe  
Jim Burton*

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

*City Engineer Doherty responded to City Council questions.*

*A motion was made by Councilmember Lesser to approve the proposed "Futura PT Cond Medium" revised font and logo for street signs.*

*Councilmember Lesser withdrew the motion.*

**A motion was made by Mayor Pro Tem Franklin, seconded by Mayor Montgomery, to keep the existing font as Spartan MB. The motion carried by the following vote:**

**Aye:** 4 - Montgomery, Franklin, Howorth and Napolitano

**Nay:** 1 - Lesser

**A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to replace the pier symbol with the replacement symbol identified in the PowerPoint presentation for brand consistency and to make street signs that are illuminated two-sided:**

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

**Nay:** 0

*City Engineer Doherty and Public Works Director Lee responded to City Council questions.*

**A motion was made by Councilmember Lesser, seconded by Mayor Pro Tem Franklin, to keep the street signs blue. The motion failed by the following vote:**

**Aye:** 2 - Franklin and Lesser

**Nay:** 3 - Montgomery, Howorth and Napolitano

*A motion was made by Councilmember Howorth to approve the business district directory signs in the Downtown and North Manhattan Beach Business Improvement Districts.*

*Mayor Montgomery proposed an amendment to have staff review the feasibility of a digital directory in the North End.*

*City Engineer Doherty responded to City Council questions.*

*Mayor Montgomery withdrew his proposed amendment.*

**A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Franklin, to approve the business district directory signs in the Downtown and North Manhattan Beach Business Improvement Districts. The motion carried by the following vote:**

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

**Nay:** 0

*City Engineer Doherty responded to City Council questions.*

**A motion was made by Councilmember Napolitano, seconded by Councilmember Howorth, that the size of the signage should be like for like from what is currently installed and requested that staff bring back revised designs for the monument and identity signs for the entrances of the City. The motion carried by the following vote:**

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

**Nay:** 0

*A motion was made by Mayor Montgomery to move forward with the Spartan MB font, the white signs, and to remove the block numbers from the street signs.*

*City Engineer Doherty and City Traffic Engineer Erik Zandvliet responded to City Council questions.*

*Mayor Montgomery withdrew the motion.*

*City Engineer Doherty and City Attorney Quinn Barrow responded to City Council questions.*

**A motion was made by Councilmember Lesser, seconded by Councilmember Howorth, to make the determination that this activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines. The motion carried by the following vote:**

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

**Nay:** 0

*At 8:21 PM, the City Council recessed and reconvened at 8:34 PM with all City Councilmembers present.*

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**

*Community Development Director Talyn Mirzakhonian introduced City Traffic Engineer Erik Zandvliet and South Bay Cities Council Of Governments (SBCCOG) Project Manager David Leger.*

*City Traffic Engineer Zandvliet provided the PowerPoint presentation and responded to City Council questions.*

*City Traffic Engineer Zandvliet and SBCCOG Project Manager Leger responded to City Council questions.*

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

*Rita Crabtree-Kampe*

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

*City Traffic Engineer Zandvliet and Public Works Director Erick Lee responded to City Council questions.*

*A motion was made by Councilmember Lesser to support the concept of the Local Travel Network for regional connectivity, with no support for signage or sharrows; to have staff research how the City can utilize the available grant funds for other purposes; and to bring the item back for further review.*

*City Traffic Engineer Zandvliet, City Attorney Quinn Barrow, and SBCCOG Project Manager Leger responded to City Council questions.*

A motion was made by Councilmember Lesser, seconded by Mayor Montgomery, to support the concept of a regional Local Travel Network, with no support for signage or sharrows; have staff return to the City Council with refined routes; research how the City can apply available grant funds to other local purposes such as transportation or an app; and adopt a determination of exemption pursuant to Section 15301(c) of the State CEQA Guidelines. The motion carried by the following vote:

**Aye:** 4 - Montgomery, Franklin, Howorth and Lesser

**Nay:** 1 - Napolitano

## **L. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS**

15. City Council AB 1234 Reports. [23-0295](#)  
**RECEIVE AND FILE**

*None.*

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**

*City Manager Bruce Moe provided that staff would be looking for a third vote in order to have staff draft a letter to send on the City Council's behalf.*

*Mayor Montgomery provided that he would be the third vote.*

## **M. FUTURE AGENDA ITEMS**

*Mayor Montgomery requested to agendize a discussion to send a letter to Senator Ben Allen and Assemblymember Al Muratsuchi to propose a bill regarding ebike safety which would include: raising the age of ebike riders to 16, a requirement for a license and a helmet, and providing cities the ability to impound. Councilmember Howorth concurred.*

*City Attorney Quinn Barrow stated that the item would appear on the next agenda in order to receive a third City Council vote.*

## **N. CITY MANAGER REPORT**

*None.*

## **O. CITY ATTORNEY REPORT**

*None.*

**P. INFORMATIONAL ITEMS**

- 17. Agenda Forecast (City Clerk Tamura). [23-0203](#)  
**INFORMATION ITEM ONLY**

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

- 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**

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

**Q. CLOSED SESSION**

*None.*

**R. ADJOURNMENT**

*Mayor Montgomery adjourned the meeting in memory of resident and Founder of Dietz Brothers Music, Pat Dietz. A moment of silence was held.*

*At 9:45 PM, Mayor Montgomery adjourned the meeting to the 6:00 PM Regular City Council Meeting on August 1, 2023.*

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**Patricia Matson**  
**Recording Secretary**

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**Richard Montgomery**  
**Mayor**

**ATTEST:**

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**Liza Tamura**  
**City Clerk**