

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, February 6, 2024

6:00 PM

Regular Meeting

City Council Chambers and Zoom

## City Council Regular Meeting

### ***ELECTED OFFICIALS***

***Mayor Joe Franklin***

***Mayor Pro Tem Amy Howorth***

***Councilmember David Lesser***

***Councilmember Steve Napolitano***

***Councilmember Richard Montgomery***

**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:**

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**A. CALL MEETING TO ORDER**

*Mayor Franklin called the meeting to order.*

**B. PLEDGE TO THE FLAG**

*Leighton Sullivan of Manhattan Beach Middle School led the Pledge of Allegiance.*

**C. ROLL CALL**

*Roll Call led by Assistant City Clerk Martha Alvarez.*

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

*Mayor Franklin asked any veterans or active military in the audience to stand and be recognized for their service.*

**D. CEREMONIAL CALENDAR**

*None.*

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

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

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

**Nay:** 0

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

*Library Manager Josh Murray announced a binary code bracelet workshop for teens on February 20, 2024, from 4:00 PM - 5:00 PM; and a "Make Your Own Button: Jean-Michel Basquiat" workshop on February 22, 2024, from 12:00 PM - 1:00 PM.*

*An unknown speaker spoke about the importance of renewing Manhattan Beach Unified School District's Measure MB that would appear on the March 5, 2024 ballot.*

*Manhattan Beach Middle School Student Nora Maynard spoke in favor of renewing Measure MB and encouraged voters to vote, yes, on March 5, 2024.*

*An unknown speaker spoke in favor of renewing Measure MB and encouraged the community to vote on March 5, 2024.*

*Emma Markolf and Police Chief Rachel Johnson, members of the Leadership Manhattan Beach Class of 2024, announced that the class project will be to raise funds to provide book zones at Ralph Bunche High School in Los Angeles, which will allow for reading areas in six of the classrooms since they do not have their own library.*

*Nina Tarnay spoke in favor of renewing Measure MB.*

*Senior Civil Engineer Jeff Fijalka announced a community meeting regarding the 28th Street Stormwater Infiltration Project at 6:00 PM on February 15, 2024, at the Manhattan Heights Community Center.*

*Finance Director Steve Charelian announced the Community Budget Meeting being held via Zoom on February 15, 2024, at 5:00 PM.*

*Mayor Franklin announced that the City Council will be reviewing a resolution of support for Measure MB at the February 20, 2024 City Council Meeting; and announced his Coffee with the Mayor Events on the 2nd and 4th Tuesday of every month from 3:30 PM - 4:30 PM, with the next one occurring on February 13, 2024, at the Coffee Bean and Tea Leaf.*

*City Manager Bruce Moe announced that the City was looking to replace the stolen Bruce's Beach plaque. They have been in touch with the manufacturer and will be looking into better ways to secure the new plaque along with other plaques located around the City.*

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

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

*Stefan Kampe  
Artist Evelyn Schmidt, who presented a canvas photo of the Manhattan Beach Pier to the City Council.  
Chris Knowles*

*Mayor Franklin thanked the City’s Public Works team for their hard work during the several days of rain.*

*Public comments continued with the following individual(s):*

*Jim Burton*

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

**H. CONSENT CALENDAR (APPROVE)**

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Howorth, to approve the Consent Calendar. The motion carried by the following vote:**

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

**Nay:** 0

- 1. City Council Minutes: [24-0031](#)

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

- a) City Council Special Meeting Minutes of January 9, 2024
- b) City Council Adjourned Regular Meeting Minutes of January 9, 2024
- c) City Council Adjourned Regular Meeting Minutes of January 16, 2024
- d) City Council Regular Meeting Minutes of January 16, 2024  
(City Clerk Tamura).

**APPROVE**

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

- 2. Financial Reports: [24-0084](#)

Schedule of Demands December 29, 2023, and January 5, 2024  
(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

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

3. Declaration of Proclamations for the Following: [24-0032](#)  
a) February 2024, as Black History Month  
b) February 18 - February 24, 2024, as National Engineers Week

**PROCLAIM**

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

4. Status Update on Fiscal Year 2023 - 2024 Chamber of Commerce Work Plan Contract (City Manager Moe). [24-0073](#)

**RECEIVE REPORT**

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

5. Consideration of a Resolution Approving Amendments to the Compensation Plan for Full-Time Unrepresented Employees (Human Resources Director Jenkins). [24-0077](#)

**ADOPT RESOLUTION NO. 24-0006**

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

6. Fiscal Year 2022-2023 Annual Comprehensive Financial Report (Finance Director Charelian). [24-0009](#)

**RECEIVE AND FILE**

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

7. Consideration of a Resolution Approving a Confidentiality Agreement with Economic & Planning Systems, Inc. ("EPS") Regarding Sales Tax Information Required in Connection with Outdoor Dining Program Consulting Services for the City (Community Development Director Mirzakhonian). [24-0087](#)

**ADOPT RESOLUTION NO. 24-0007**

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

8. Consideration of a Resolution Approving an Agreement with Control Automation Design, Inc. for the Purchase and Installation of the Control Integration System for the Voorhees Sewer Lift Station Upgrade Project in an Amount Not-To-Exceed \$105,407.06 in the Wastewater Fund (Public Works Director Lee). [24-0018](#)

**A) WAIVE FORMAL BIDDING DUE TO SINGLE SOURCE**

**B) ADOPT RESOLUTION NO. 24-0008**

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

- 9. Formally Accept as Complete the Cycle 2 Street Resurfacing Project Encompassing Agnes Road, 27th and 29th Streets; Authorize Filing a Notice of Completion with the County Recorder; Release Retention of \$174,471.24 (Public Works Director Lee). [24-0012](#)

**ACCEPT AND AUTHORIZE**

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

- 10. Consideration of a Resolution Approving the Updated 2023 Title VI Program for the City of Manhattan Beach Pursuant to the Federal Transit Administration Circular 4702.1B for Federal Transit Administration Grant Recipients in Order to Remain Eligible to Receive Grant Program Funds (Parks and Recreation Director Leyman and Public Works Director Lee). [24-0061](#)

**ADOPT RESOLUTION NO. 24-0009**

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

**I. ITEMS REMOVED FROM THE CONSENT CALENDAR**

*None.*

**J. PUBLIC HEARINGS**

*None.*

**K. GENERAL BUSINESS**

- 11. Consideration of a Resolution Certifying the Results of Proposition 218 [24-0024](#)  
 Special Mailed Ballot Election and Introducing an Ordinance to Adjust the Storm Drain Fees (Finance Director Charelian).

*(Estimated Time: 30 Mins.)*

**A) ADOPT RESOLUTION NO. 24-0010**

**B) INTRODUCE ORDINANCE NO. 24-0003**

*Finance Director Steve Charelian thanked all of those involved with the Proposition 218 process and introduced Financial Controller Julie Bondarchuk who provided the PowerPoint presentation.*

*Mayor Franklin opened the floor to public comments.*

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

*A motion was made by Councilmember Montgomery to adopt Resolution No. 24-0010 and introduce Ordinance No. 24-0003.*

*Finance Director Charelian responded to City Council questions.*

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Howorth, to adopt Resolution No. 24-0010, a resolution of the Manhattan Beach City Council declaring the results of a mail ballot election relating to a proposed storm drain fee increase in the City of Manhattan Beach. The motion carried by the following vote:**

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

**Nay:** 0

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Howorth to introduce Ordinance No. 24-0003.**

**City Attorney Quinn Barrow read the title of Ordinance No. 24-0003 into the record:**

**AN ORDINANCE OF THE CITY OF MANHATTAN BEACH TO INCREASE STORM DRAIN FEE RATES BEGINNING IN FISCAL YEAR 2024-2025 AND PROVIDING FOR AN ANNUAL INFLATION ADJUSTMENT**

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

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

**Nay:** 0

*City Attorney Barrow provided that the ordinance would return for adoption at the next City Council meeting.*

*City Manager Bruce Moe thanked all of those involved with the Proposition 218 effort.*

12. Consideration of the Parks and Recreation Commission Proposal for Establishing a 501(c)(3) Non-Profit Organization and Donation Policy Update, and if Approved, Appropriate \$104,900 from General Fund (Parks and Recreation Director Leyman).

[24-0028](#)

*(Estimated time: 45 Mins.)*

**A) DISCUSS AND PROVIDE DIRECTION**

**B) APPROPRIATE FUNDS**

*Parks and Recreation Director Mark Leyman provided the PowerPoint presentation.*

*City Manager Bruce Moe, City Attorney Quinn Barrow, CPA Gary Wayland, Parks and Recreation Director Leyman, and Parks and Recreation Chair Karen Komatinsky responded to City Council questions.*

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

*Stefan Kampe  
Gary Wayland  
Karen Komatinsky*

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

*City Attorney Barrow provided clarification regarding art in public places per the Manhattan Beach Municipal Code and provided that if two councilmembers joined the LoveMB Board, the group would be subject to Brown Act requirements.*

*Parks and Recreation Commission Chair Komatinsky responded to City Council questions.*

*A motion was made by Mayor Pro Tem Howorth to approve the Parks and Recreation Commission's proposal for establishing a 501(c)(3) that will focus on a community pool; appropriate \$50,000 for the first year to get the non-profit started; have staff return in 6 months with a status report to see what has been raised; and have the City Attorney assist with establishing the 501(c)(3).*

*City Attorney Barrow provided that a portion of the \$50,000 appropriation could go towards having a separate party assist in forming the 501(c)(3).*

*Mayor Pro Tem Howorth removed her request to have the City Attorney assist with establishing the 501(c)(3).*

*City Attorney Barrow summarized the motion, which was to support the Parks and Recreation Commission's proposal to establish the 501(c)(3) with a focus on a community pool, appropriate \$50,000, and return with a 6 month report.*

**A motion was made by Mayor Pro Tem Howorth, seconded by Councilmember Napolitano, to support the Parks and Recreation Commission's proposal to establish a 501(c)(3); have the first project focus on the community pool; appropriate \$50,000 for the first year; and have staff return with a 6 month report. The motion carried by the following vote:**

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

**Nay:** 0

*Parks and Recreation Director Leyman responded to City Council questions.*

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

*Councilmember Montgomery provided that he attended the Independent Cities Association (ICA) Conference in Santa Barbara over the weekend. He reported that Police Chief Rachel Johnson sat on a panel regarding recruitment and that there were presentations regarding the no bail issue, technology and law enforcement, and a discussion on fentanyl.*

*Councilmember Napolitano provided that he attended the ICA Conference as well, thanked Councilmember Montgomery for his work as ICA President, and provided that the conference was well attended.*

*Mayor Franklin provided that he attended the ICA Conference for the first time and that he found the experience to be very valuable. He also reported that he attended the United States Council of Mayors Conference in January where they had several sessions including ones regarding lithium ion battery safety and one regarding policing.*

## **M. FUTURE AGENDA ITEMS**

*Councilmember Montgomery requested to agendize a discussion regarding missing parking signs on Rowell Avenue from 9th Street to Marine Avenue. Mayor Pro Tem Howorth provided that she would second the request.*

*City Attorney Barrow provided that the item would come back as a report since this was a previous request made by the City Council.*

**N. CITY MANAGER REPORT**

*City Manager Bruce Moe provided his thanks to Public Works, the Communications Team, Emergency Preparedness Administrator Amanda MacLennan, and Technology Systems Engineer Manny Chavez for all of their work during the last several days of heavy rain.*

*City Manager Moe provided that he was proud of the City's response to these types of weather events.*

*Public Works Director Erick Lee responded to City Council questions.*

**O. CITY ATTORNEY REPORT**

*None.*

**P. INFORMATIONAL ITEMS**

- 13. Agenda Forecast (City Clerk Tamura). [24-0033](#)  
**INFORMATION ITEM ONLY**

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

**Q. CLOSED SESSION**

*None.*

**R. ADJOURNMENT**

*At 8:15 PM, Mayor Franklin adjourned the meeting to the 6:00 PM Work Plan meeting on February 13, 2024.*

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

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**Joe Franklin**  
**Mayor**

**ATTEST:**

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