

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, July 16, 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***

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**A. CALL MEETING TO ORDER**

*Mayor Franklin called the meeting to order.*

**B. PLEDGE TO THE FLAG AND NATIONAL ANTHEM**

*Teagan and Tenleigh Miller led the Pledge of Allegiance.*

*Teagan Miller performed the National Anthem.*

**C. ROLL CALL**

*Roll Call led by City Clerk Liza Tamura.*

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

**D. CEREMONIAL CALENDAR**

1. Presentation of Certificates of Commendation Recognizing Police Officer Chad Swanson as the 2023 Police Officer of the Year, Fire Engineer/Paramedic Joshua Kueng as the 2023 Firefighter of the Year, and Police Records Manager Barbara Rosenberger as the 2023 Police Professional Staff of the Year. [24-0175](#)

**PRESENT**

*On behalf of the City Council, Mayor Franklin, with the aid of Police Chief Rachel Johnson and Deputy Fire Chief Anthony Gomes, presented the following Certificates of Commendation to:*

*2023 Police Officer of the Year  
Police Officer Chad Swanson*

*2023 Police Professional Staff of the Year  
Police Records Manager Barbara Rosenberger*

*2023 Firefighter of the Year  
Fire Engineer/Paramedic Josh Kueng*

*On behalf of the City Council, Mayor Franklin presented a Certificate of Recognition to Police Records Manager Rosenberger for her Thirty-Two Years of Service to the City of Manhattan Beach. This item was not listed as an agenda item.*

2. Presentation of a Commendation to City Manager, Bruce Moe, on the Occasion of His Retirement After Thirty-Five Years of Services to the City of Manhattan Beach. [24-0161](#)

**PRESENT**

*On behalf of the City Council, Mayor Franklin presented a Certificate of Commendation to City Manager Bruce Moe on the Occasion of his Retirement after Thirty-Five Years of Service to the City of Manhattan Beach.*

*City Council shared reflections on City Manager Moe's thirty-five years of service with the City expressing gratitude for his invaluable contributions and dedicated service.*

*Beach Cities Health District Chief Executive Officer Tom Bakaly and City of Hermosa Beach City Manager Suja Lowenthal presented certificates to City Manager Moe.*

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

*Councilmember Napolitano requested to remove from the Consent Calendar, Agenda Item No. 9 - The Wayfinding Phase I Vehicle Parking and Pedestrian Sign Improvement Project.*

**A motion was made by Mayor Pro Tem Howorth, seconded by Councilmember Montgomery, to approve the agenda as amended, to pull Agenda Item No. 9 from the Consent Calendar for individual consideration, 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)**

*Mira Costa High School Cross Country Team representative Nina Tarnay invited the community to their upcoming fundraiser the "Two-Mile Sand Run," on August 3, 2024, at 8:00 AM.*

*Cultural Arts Supervisor Eric Brinkman invited the community to: "Shakespeare by the Sea" at Polliwog Park Amphitheater on July 18 and July 19, 2024, from 7:00 - 9:00 PM; the opening reception of the 6th Annual Community Exhibition at the Manhattan Beach Arts Center on July 26, 2024, from 5:00 - 7:00 PM and also stated the art will be displayed through October 6, 2024.*

*Waste Management representative Eric thanked City Manager Bruce Moe for his partnership throughout the years; reminded the community on their Hazardous Waste Disposal Program; and provided information on how to schedule a collection for hazardous waste.*

*Shakespeare by the Sea Board Member Dency Nelson invited the community to a couple of performances at Polliwog Park of Cardenio on July 18, 2024, at 7:00 PM and Henry IV on July 19, 2024, at 7:00 PM.*

*Sports Supervisor Archie Sherman invited the community to: the 56th Annual Manhattan Beach Open Tennis Tournament at Live Oak Park and Mira Costa High School on July 18 - July 21, 2024; the 61st International Surf Festival in Manhattan Beach on August 2, 2024; the 63rd Annual Manhattan Beach Open AVP on August 16 - August 18, 2024; and responded to City Council questions.*

*Communications and Civic Engagement Manager Alexandria Latragna announced to the public the City's temporary Park and Ride Shuttle Service in response to the closure of the top floor of Parking Lot Three; and responded to City Council questions.*

*Library representative Lauren Wubbels announced: the "One Book One County" program will continue through July 27, 2024; author Maria Amparo Escandón will visit the Manhattan Beach Library for a writing workshop and reception sponsored by the City on July 28, 2024; the Ocean Adventure is bringing their Marine Science Assembly to the library on July 24, 2024, at 3:00 PM; teens are invited to learn about the Art of Henna on July 25, 2024, at 3:00 PM; adults are invited to a Clay Sculpture class on July 17, 2024, at 5:00 PM; Yoga classes are offered for adults every Saturday in July starting at 10:30 AM; and responded to City Council questions.*

*Rita Crabtree-Kampe reminded the community that summer is a busy time and encouraged them to use the Reach Manhattan Beach app to submit notices if they see someone in need of help, ensuring they receive necessary resources; and that camping or tents are not permitted on the beach or within city limits.*

*Mayor Franklin announced to the community: the Reach Manhattan Beach app cards are available outside the City Council Chambers where they can download on Android or Apple to submit notifications for unhoused citizens, as well as other services, to ensure they receive the necessary resources; on behalf of David Archer the Mayor's Lunch and Chamber Board Installation Lunch at Tin Roof Bistro on August 7, 2024, from 11:30 - 1:00 PM; and that the City Council appointed Community Development Director Talyn Mirzakhanian as the Acting City Manager effective August 19, 2024.*

*City Manager Bruce Moe informed the community that due to remodeling in the City Council Chambers, City Council meetings will be held at the Police and Fire Conference Room from August 6, 2024, possibly until September 3 or September 17, 2024.*

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

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

*Scott Yanofsky  
Gail Fortis*

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

## **H. CONSENT CALENDAR (APPROVE)**

*Mayor Franklin announced, prior to the approval of the Consent Calendar, Agenda Item No. 6 which pertains to the staff recommendation to appoint Onyx Jones as Interim Finance Director while recruitment is conducted for a permanent replacement. He stated that Ms. Jones will be compensated at an hourly rate of \$111.00 with no additional benefits, meeting CalPERS requirements for the interim appointment of a CalPERS retiree to a vacant position.*

**A motion was made by Mayor Pro Tem Howorth, seconded by Councilmember Montgomery, to approve the Consent Calendar with Agenda Item No. 9 being removed to be heard under Section I - Items Removed From the Consent Calendar. The motion carried by the following vote:**

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

**Nay:** 0

3. City Council Minutes: [24-0162](#)

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

a) City Council Adjourned Regular Meeting Minutes of July 2, 2024

b) City Council Regular Meeting Minutes of July 2, 2024

(City Clerk Tamura).

**APPROVE**

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

4. Financial Reports: [24-0214](#)

a) Schedule of Demands for June 2024

b) Investment Portfolio for the May 31, 2024

c) Financial Month End Report for May 31, 2024

(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

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

5. Consideration of an Alternative Purchasing Process for the Acquisition of [24-0275](#)

Budgeted Vehicles and Related Equipment for Fiscal Year (FY)

2024-2025 (Finance Director Charelian).

**A) WAIVE FORMAL BIDDING FOR BUDGETED VEHICLES AND EQUIPMENT**

**B) AUTHORIZE CITY MANAGER TO APPROVE PURCHASE OF BUDGETED VEHICLES AND EQUIPMENT**

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

6. Consideration of a Resolution Appointing Onyx Jones as Interim Finance [24-0269](#)

Director and Approval of an Employment Agreement with Onyx Jones

(Human Resources Director Jenkins).

**ADOPT RESOLUTION NO. 24-0084**

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

7. Consideration of a Resolution Approving a Comprehensive Citywide [24-0268](#)

Salary Schedule for all City Positions and Adjustments to Salary Ranges

(Human Resources Director Jenkins).

**ADOPT RESOLUTION NO. 24-0085**

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

8. Consideration of a Resolution Approving Amendment No. 1 to the Professional Services Agreement with Commercial Transportation Services Inc., for Commercial Driver's License Training Services at a Cost Not-to-Exceed \$124,500 (Public Works Director Lee). [24-0189](#)

**ADOPT RESOLUTION NO. 24-0086**

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

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

9. Consideration of a Resolution Awarding a Construction Agreement to Square Signs LLC, dba Front Signs for the Wayfinding Phase I Vehicle Parking and Pedestrian Sign Improvement Project for \$241,805, Including Contingency; and a Determination that the Project is Categorically Exempt from Environmental Review Pursuant to the California Environmental Quality Act (CEQA) (Public Works Director Lee). [24-0232](#)

**ADOPT RESOLUTION NO. 24-0087**

*Councilmember Napolitano indicated that he pulled the item to allow the City Council to discuss and implement any necessary changes, as deemed appropriate.*

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

*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 Mayor Pro Tem Howorth, seconded by Councilmember Montgomery, to adopt Resolution No. 24-0087, a resolution of the City Council of the City of Manhattan Beach, awarding a Construction Contract to Square Signs LLC DBA Front Signs for the Vehicle, Parking, and Pedestrian Sign Improvements Project (Wayfinding Phase I); authorizing the City Manager to approve additional work, if necessary; and approving the plans and specifications. The motion carried by the following vote:**

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

**Nay:** 0



**J. PUBLIC HEARINGS**

- 10.** Conduct Public Hearing for Consideration of Adopting Resolutions Regarding Renewal of Downtown Business Improvement District (BID) for Fiscal Year 2024-2025 Including Authorization to Collect Assessments; Ratification of the District Advisory Board; Approval of the Signed Agreement by the Downtown Manhattan Beach Business and Professional Association and the City Manager; and Authorization to Disburse Assessments Collected Through June 30, 2024 (Finance Director Charelian). [24-0203](#)
- (Estimated Time: 10 Mins.)*
- A) CONDUCT PUBLIC HEARING**
- B) ADOPT RESOLUTION NOS. 24-0082 AND 24-0083**
- C) RATIFY BOARD**
- D) AUTHORIZE THE DISBURSEMENT OF ASSESSMENTS COLLECTED THROUGH JUNE 30, 2024**

*Finance Director Steve Charelian introduced Financial Services Manager Libby Bretthauer who provided the staff presentation.*

*Financial Services Manager Bretthauer and Manhattan Beach Downtown Business and Professional Association Executive Director Jill Lamkin responded to City Council questions.*

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

*Jim Burton  
Heather Kim*

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

**A motion was made by Mayor Franklin, seconded by Mayor Pro Tem Howorth, to adopt Resolution No. 24-0082, a resolution of the City Council of the City of Manhattan Beach, overruling protests and providing for an 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. 24-0083, a resolution of the City Council of the City of Manhattan Beach, 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; ratify the nominees for the Fiscal Year 24-25 Downtown Manhattan Beach Business Improvement District Advisory Board; and Authorize the Disbursement of Assessments collected through June 30, 2024. The motion carried by the following vote:**

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

**Nay:** 0

11. Conduct a Public Hearing to Consider: [24-0253](#)
- a) Adoption of Urgency Ordinance No. 24-0007-U and Introduction of Ordinance No. 24-0007 to Extend an Existing Franchise Agreement with Zenith Energy West Coast Terminals LLC for a 25-Year Term; and
  - b) Determination of Exemption from Environmental Review Pursuant to the California Environmental Quality Act (CEQA) (Public Works Director Lee).

*(Estimated Time: 15 Mins.)*

**A) CONDUCT PUBLIC HEARING**

**B) ADOPT URGENCY ORDINANCE NO. 24-0007-U**

**C) INTRODUCE ORDINANCE NO. 24-0007**

*Public Works Director Erick Lee provided the PowerPoint presentation.*

*Public Works Director Lee, Zenith Right-of-Way Manager Becky Sitton, Zenith Commercial Manager John Rifilato and City Attorney Quinn Barrow responded to City Council questions.*

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

*Craig Cadwallader  
Jim Burton  
Alita Rethmeyer*

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

**A motion was made by Mayor Pro Tem Howorth, seconded by Councilmember Montgomery, to find the Proposed Action Categorically Exempt from Environmental Review pursuant to the California Environmental Quality Act (CEQA). 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 Mayor Pro Tem Howorth, to adopt Urgency Ordinance No. 24-0007-U. Prior to the vote, City Attorney Barrow read the title of the Ordinance. 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 Mayor Pro Tem Howorth, to introduce Ordinance No. 24-0007. Prior to the vote, City Attorney Barrow read the title of the Ordinance. The motion carried by the following vote:**

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

**Nay:** 0

*At 8:00 PM, the City Council recessed and reconvened at 8:15 PM with all City Councilmembers present.*

**K. GENERAL BUSINESS**

12. Discussion of Whether to Consider Scheduling for the August 6, 2024, City Council Meeting Resolutions to Present to the Voters a Ballot Measure Establishing a One-Half Cent Sales Tax to Fund General City Services in Manhattan Beach, such as: Repairing/Upgrading Aging Community Facilities; Keeping Local Streets, Sidewalks, Infrastructure, and Parks Safe, Clean, and Well-Maintained; and Improving Parking Availability and Traffic Safety (City Manager Moe).

[24-0247](#)

(Estimated Time: 1 Hr.)

**A) PROVIDE DIRECTION****B) ESTABLISH SUBCOMMITTEE**

*City Manager Bruce Moe introduced Assistant to the City Manager George Gabriel who provided the staff presentation.*

*Assistant to the City Manager Gabriel introduced True North President & Co-Founder Tim McLarney who provided the PowerPoint presentation.*

*Finance Director Steve Charelian and True North President & Co-Founder McLarney responded to City Council questions.*

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

*Scott Yanofsky  
Rita Crabtree-Kampe  
Heather Kim  
Jim Burton*

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

**A motion was made by Councilmember Montgomery, seconded by Councilmember Napolitano, to direct staff to return at the August 6, 2024, City Council Meeting with the required resolutions to place a ballot measure establishing a one-half cent sales tax on the November 5, 2024, General Municipal Election; establish a subcommittee and assign members to assist with the developing the community and public outreach campaign. The motion carried by the following vote:**

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

**Nay:** 0

*Mayor Franklin assigned Mayor Pro Tem Howorth and Councilmember Montgomery to help with the development of a community-led public outreach campaign regarding the measure.*

*Finance Director Charelian responded to City Council questions.*

13. Discussion of Options for the Replacement of the Existing Escalators at the Metlox Parking Structure (Public Works Director Lee). [24-0231](#)  
(Estimated Time: 30 Mins.)

**DISCUSS AND PROVIDE DIRECTION**

*Public Works Director Erick Lee provided the PowerPoint Presentation and responded to City Council questions.*

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

*Scott Yanofsky  
Jill Lamkin  
Heather Kim  
Jim Burton*

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

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

***City Council directed staff to assess the feasibility of constructing an additional elevator, installing a staircase instead of replacing the escalators, and exploring the possibility of adding ADA parking around the perimeter of the structure.***

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

*Councilmember Montgomery reported that he attended the Independent Cities Association Conference last week in Coronado and provided that a couple highlights were learning that all charter cities are exempt from SB9 and discussed strategies that cities are employing to generate revenue during challenging economic periods.*

*Councilmember Napolitano reported that he also attended the Independent Cities Association Conference and highlighted that it was a great conference with valuable sessions, emphasizing the importance of relationships and knowing the right contacts when cities require assistance.*

**M. FUTURE AGENDA ITEMS**

*Councilmember Montgomery requested to agendaize a discussion requesting an update on Waste Management's requests for an Extraordinary Rate Increase and modifications to the diversion requirements outlined in the City's contract. Councilmember Napolitano concurred.*

*Mayor Franklin requested to agendaize a discussion regarding the City's fee waivers and fees associated with the Manhattan Beach 10k. Councilmember Montgomery concurred.*

**N. CITY MANAGER REPORT**

*None.*

**O. CITY ATTORNEY REPORT**

*None.*

**P. INFORMATIONAL ITEMS**

14. Agenda Forecast (City Clerk Tamura). [24-0212](#)  
**INFORMATION ITEM ONLY**

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

15. Recent Planning Commission Quasi-Judicial Decision(s): [24-0266](#)  
Consideration of a Coastal Development Permit, Use Permit, and Variance for the Demolition of an Existing Structure and the Construction of a New 4,494 Square-Foot, Nine-Room Hotel with In-Room Alcohol Cabinets at 1145 Highland Avenue (Community Development Director Mirzakanian).  
**INFORMATION ITEM ONLY**

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

**Q. CLOSED SESSION**

*None.*

**R. ADJOURNMENT**

*At 10:05 PM, Mayor Franklin adjourned the meeting to 4:30 PM on August 6, 2024.*

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**Breana Contreras**  
**Recording Secretary**

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**Joe Franklin**  
**Mayor**

**ATTEST:**

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