

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Wednesday, July 5, 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

Dale Keldrauk led the Pledge of Allegiance.

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

Mayor Montgomery asked all veterans in the audience to stand up to 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 Howorth, seconded by Mayor Pro Tem Franklin, to approve the agenda as amended, to pull Agenda Item Nos. 4, 5, and 9 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)

Library Manager Josh Murray announced Summer Songs and Stories on July 11, 2023, from 10:15 AM - 10:45 AM; and a sushi making demonstration for teens on July 18, 2023, from 4:00 PM - 5:00 PM.

Parks and Recreation Commissioner Daniel Greenberg announced the opening of the Manhattan Beach Parks Photography Contest to celebrate National Parks and Recreation Month. Interested parties can visit www.manhattanbeach.gov/photocontest for more information and to submit photographs.

Cultural Arts Manager Eilen Stewart announced the Concerts in the Park series at Polliwog Park. The season began with the Satin Dollz and the Salute to the Troops Concert. The series will run every Sunday from 5:00 PM - 7:00 PM until September 3, 2023.

Principal Engineer Gil Gamboa announced that there would be two opportunities for the public to provide feedback on upcoming business directory signage from 11:00 AM - 1:00 PM on July 11, 2023, at the Farmers' Market and on July 15, 2023, in the North Manhattan Beach area at Highland Avenue and Rosecrans Avenue. More information can be found at www.manhattanbeach.gov/wayfinding.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Mayor Montgomery provided information regarding two armed robberies that occurred recently.

City Manager Bruce Moe stated that the City will be looking at other Police Department's policies on communication and will be reviewing the City's own policies.

Police Chief Rachel Johnson provided comments regarding the incidents and that she will be participating in the review of the City's policies to communicate crime to the public.

Mayor Montgomery spoke regarding the dangers of fireworks and that they are illegal in the City, the Salute to the Troops Event, the Police Department's Cone with a Cop event, and that the pre-programmed red, white and blue lighting sequence at the Pier did not work on the 4th of July.

Public Works Director Erick Lee provided information regarding the programming of holiday lights on the pier.

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

Enzo Ames

Mike Michalski

Joe Costa

Lieutenant Colonel Charlene Harding

Heather Kim

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

H. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Lesser, seconded by Councilmember Howorth, to approve the Consent Calendar with Agenda Item Nos. 4, 5, and 9 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

1. City Council Minutes: [23-0267](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Adjourned Regular Meeting Minutes of June 20, 2023
b) City Council Regular Meeting Minutes of June 20, 2023
(City Clerk Tamura).
APPROVE

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

2. Financial Reports: [23-0274](#)
a) Schedule of Demands June 2, 2023, and June 9, 2023, and June 16, 2023 (Finance Director Charelian).
b) Investment Portfolio for the Month Ending May 31, 2023
c) Month End Report for May 31, 2023
(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: [23-0250](#)
a) July 5, 2023, as Salute to the Troops Day
b) Month of July 2023, as Parks and Recreation Month.
PROCLAIM

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

4. Consideration of a Resolution Approving a Pilot Agreement with the Chamber of Commerce in the Amount of \$67,300 for North Manhattan Beach Business Improvement District Management and Executive Coordination Services (City Manager Moe). [23-0254](#)
A) ADOPT RESOLUTION NO. 23-0085
B) APPROPRIATE FUNDS

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

5. Consideration of Resignation from Library Commissioner Newell, Declare Vacant Library Commission Seat No. 3 (Newell), and Direct the City Clerk to Return with a List of Interested Applicants (City Clerk Tamura). [23-0272](#)
A) ACCEPT RESIGNATION
B) DECLARE VACANCY
C) DIRECT THE CITY CLERK TO RETURN WITH A LIST OF INTERESTED APPLICANTS

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

6. Consideration of an Alternative Purchasing Process for the Acquisition of Budgeted Vehicles and Related Equipment for Fiscal Year (FY) 2023-2024 (Finance Director Charelian). [23-0270](#)

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.

7. Consideration of a Resolution Acknowledging Compliance with Senate Bill 1205 and California Health & Safety Code Section 13146.4 for State Mandated Fire Inspections (Fire Chief Lang). [23-0235](#)

ADOPT RESOLUTION NO. 23-0086

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

8. Consideration of a Resolution Approving an Agreement with South Coast, LLC, DBA South Coast Emergency Vehicle Service for Emergency Vehicle Maintenance and Repair Services for Fire Apparatus Not-to-Exceed \$100,000 Per Year (Fire Chief Lang). [23-0239](#)

ADOPT RESOLUTION NO. 23-0087

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

9. Consideration of the Preliminary Design Concept for the Manhattan Beach Boulevard at Pacific Avenue Improvements Project; and a Determination of Exemption Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines (Public Works Director Lee). [23-0256](#)

APPROVE

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

10. Consideration of a Resolution Awarding a Construction Agreement to Sprinturf, LLC for the Marine Avenue Park Synthetic Field Turf Replacement Project for \$541,350 Including Contingency; and Determination Pursuant to the California Environmental Quality Act (CEQA) that this Activity is Categorically Exempt Pursuant to the State CEQA Guidelines (Public Works Director Lee). [23-0228](#)

ADOPT RESOLUTION NO. 23-0088

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

11. Consideration of a Resolution Approving an Agreement with the County of Los Angeles to Continue Participation in the Los Angeles Urban County Community Development Block Grant (CDBG) Program (Public Works Director Lee). [23-0215](#)

ADOPT RESOLUTION NO. 23-0078

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

12. Enterprise Project Implementation Update of Enterprise Resource Planning (ERP) and Enterprise Permitting & Licensing (EPL) Systems; Consideration of Adopting a Resolution Approving Amendment No. 7 for a Two-Year Term Extension of the ERP and Tyler System Management (TSM) Agreements with Tyler Technologies with a Not-To-Exceed Amount of \$508,976; and Consideration of Adopting a Resolution Approving Amendment No. 2 for a Two-Year Term Extension of the EPL Agreement with Tyler Technologies with a Not-To-Exceed Amount of \$124,022 (Interim Information Technology Director Griffin). [23-0140](#)

A) RECEIVE REPORT

B) ADOPT RESOLUTIONS NOS. 23-0089 AND 23-0090

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

I. ITEMS REMOVED FROM THE CONSENT CALENDAR

4. Consideration of a Resolution Approving a Pilot Agreement with the Chamber of Commerce in the Amount of \$67,300 for North Manhattan Beach Business Improvement District Management and Executive Coordination Services (City Manager Moe). [23-0254](#)

A) ADOPT RESOLUTION NO. 23-0085**B) APPROPRIATE FUNDS**

Councilmember Napolitano provided that he pulled the item to discuss where the funds would come from if the agreement with the Chamber of Commerce extends beyond the pilot project.

Assistant to the City Manager Gabriel and City Manager Bruce Moe 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.

City Attorney Quinn Barrow provided that the motion should include the appropriation of funds.

A motion was made by Mayor Pro Tem Franklin, seconded by Councilmember Howorth, to adopt Resolution No. 23-0085, a resolution of the Manhattan Beach City Council approving an agreement between the City of Manhattan Beach and Manhattan Beach Chamber of Commerce for North Manhattan Beach Business Improvement District Management and Executive Coordination Services; and appropriate \$67,300.00 from the North Manhattan Beach Business Improvement District's balance within the Parking Fund and adjust corresponding revenues. The motion carried by the following vote:

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

Nay: 0

5. Consideration of Resignation from Library Commissioner Newell, Declare Vacant Library Commission Seat No. 3 (Newell), and Direct the City Clerk to Return with a List of Interested Applicants (City Clerk Tamura).

[23-0272](#)

A) ACCEPT RESIGNATION

B) DECLARE VACANCY

C) DIRECT THE CITY CLERK TO RETURN WITH A LIST OF INTERESTED APPLICANTS

Councilmember Napolitano provided that he pulled the item in case the City Council wanted to discuss advertising the vacancy instead of appointing from a list of interested applicants from the most recent interview and appointment process.

City Clerk Liza Tamura responded to City Council questions.

A motion by Councilmember Howorth, seconded by Mayor Pro Tem Franklin, to accept the resignation from Library Commissioner, Sadie Newell; declare vacant Library Commission Seat No. 3; and direct the City Clerk to return with a list of interested applicants that participated in the 2023 annual Boards and Commissions interview and appointment process. The motion carried by the following vote:

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

Nay: 0

9. Consideration of the Preliminary Design Concept for the Manhattan Beach Boulevard at Pacific Avenue Improvements Project; and a Determination of Exemption Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines (Public Works Director Lee).

[23-0256](#)

APPROVE

Councilmember Napolitano provided that he pulled the item as he was looking for consistency in the City's traffic approach and had additional questions regarding the proposed Preliminary Design Concept as identified in the staff report.

Public Works Director Erick Lee introduced Senior Civil Engineer Helen Shi who responded to City Council questions.

City Traffic Engineer Erik Zandvliet responded to City Council questions.

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

*Jim Burton
Charlene Harding*

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

The City Council continued the item and directed staff to return at a future City Council meeting with other design alternatives.

Public Works Director Erick Lee responded to City Council questions.

J. PUBLIC HEARINGS

None.

K. GENERAL BUSINESS

13. Consideration of Recommendations from the Parking and Public Improvements Commission for Traffic Calming Measures on Valley Drive Between 27th Street and Sepulveda Boulevard; Consideration of a Resolution for Stop Signs in All Directions at the Intersection of Valley Drive and Pine Avenue; and Adoption of a Determination of Exemption Pursuant to Section 15301(c) of the California Environmental Quality Act (CEQA) (Community Development Director Mirzakhianian).

[23-0218](#)

(Estimated Time: 45 Mins.)

A) APPROVE**B) ADOPT RESOLUTION NO. 23-0091**

Community Development Director Talyn Mirzakhianian introduced City Traffic Engineer Erik Zandvliet who provided the staff presentation and responded to City Council questions.

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

*Chad Feilke
Amber Yang
Allen Kirschenbaum
Unknown Speaker
Dale Keldrauk
Erin Feldman
Katherine Kramer*

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

A motion was made by Councilmember Howorth to approve the Parking and Public Improvements Commission's recommendations and adopt Resolution No. 23-0091.

The City Council requested public education regarding the new changes to the area, to potentially consider adding road striping or text on the road encouraging drivers to slow down, and to have traffic enforcement in the area.

City Manager Bruce Moe clarified that staff would return in 6 months from the date of installation of the traffic calming measures to discuss future improvements or modifications.

City Traffic Engineer Zandvliet responded to City Council questions.

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to approve the following Parking and Public Improvements Commission's recommendations for traffic calming measures on Valley Drive between 27th Street and Sepulveda Boulevard:

1. Install a double yellow centerline on Valley Drive between 27th Street and Oak Avenue;
2. Install a speed activated flashing speed limit sign on Valley Drive west of Oak Avenue;
3. Construct a temporary landscaped center median, an eastbound left turn pocket, and a curb extension on Valley Drive between Oak Avenue and Sepulveda Boulevard on a trial basis, to be reviewed at least six months after installation;
4. Install two painted crosswalks across Valley Drive at Walnut Avenue and Elm Avenue to be reconstructed in the future with raised crosswalks, bulb-outs and accessible curb ramps on Valley Drive at Walnut Avenue and on Valley Drive at Elm Avenue through a capital improvement project; and
5. Adopt Resolution No. 23-0091, a resolution of the Manhattan Beach City Council amending Section 21 (Through Streets and Stop Intersections) of Resolution No. 2715 (The Traffic Resolution).

The motion carried by the following vote:

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

Nay: 0

At 8:05 PM, the City Council recessed and reconvened at 8:17 PM with all City Councilmembers present.

14. Update on the City's Coyote Management Approach and Consideration of a Resolution Approving an Agreement with Michael Baker International to Provide Environmental Consulting Services for the Coyote Management and Response Plan with a Not-to-Exceed Amount of \$35,970 (City Manager Moe). [23-0255](#)
(Estimated Time: 30 Mins.)
A) RECEIVE UPADTE
B) ADOPT RESOLUTION NO. 23-0093
C) APPROPRIATE FUNDS

City Manager Bruce Moe introduced Assistant to the City Manager George Gabriel who provided the staff presentation and responded to City Council questions.

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

Shauna Sinay

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

Councilmember Lesser wanted to ensure that the City is proactive in educating the community regarding removing food sources and the habitats of coyotes.

A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Franklin, to receive the update; adopt Resolution No. 23-0093, a resolution of the Manhattan Beach City Council approving an agreement between the City of Manhattan Beach and Michael Baker International for environmental consulting services for the Coyote Management and Response Plan; and appropriate \$35,970.00 from the unreserved General Fund balance toward the agreement. The motion carried by the following vote:

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

Nay: 0

L. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

15. City Council AB 1234 Reports. [23-0284](#)
RECEIVE AND FILE

None.

16. Consider Request by Mayor Pro Tem Franklin and Councilmember Lesser to Discuss the Logos on Police Vehicles (City Manager Moe). [23-0281](#)

DISCUSS AND PROVIDE DIRECTION

City Manager Bruce Moe provided that staff was looking for a third vote from a Councilmember in order to bring the item back.

Councilmember Howorth provided that she would be the third vote in order to have the item placed on a future agenda.

17. Consider Request by Councilmember Lesser and Councilmember Howorth to Discuss Trademarking the Manhattan Beach Pier (City Manager Moe). [23-0282](#)

DISCUSS AND PROVIDE DIRECTION

Councilmember Lesser stated that he would like to withdraw the request.

There were no objections from the remaining City Councilmembers.

M. FUTURE AGENDA ITEMS

Councilmember Lesser requested to agendize a discussion regarding future City celebrations for Memorial Day and the 4th of July.

Councilmember Napolitano stated that he would like the item to go to the Parks and Recreation Commission, to include the Juneteenth celebration as well, and have them develop a checklist for the events that are held on a yearly basis.

City Manager Bruce Moe responded to City Council questions.

City Attorney Quinn Barrow provided that the City Council could provide direction to have the request go to the Parks and Recreation Commission.

City Manager Moe responded to City Council questions.

The request was revised to include all major holidays for the year.

The City Council directed the Parks and Recreation Commission to discuss how the City celebrates all major holidays in the City and to develop a checklist for annual holiday traditions.

Councilmember Napolitano requested to agendize a discussion to request that local legislators seek a change in the law to allow cities to prosecute state misdemeanors when a County District Attorney decides not to. Mayor Pro Tem Franklin concurred.

N. CITY MANAGER REPORT

None.

O. CITY ATTORNEY REPORT

None.

P. INFORMATIONAL ITEMS

18. Agenda Forecast (City Clerk Tamura). [23-0257](#)
INFORMATION ITEM ONLY

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

19. Commission Minutes: [23-0271](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Cultural Arts Commission Meeting Minutes of November 21, 2022 (Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting Minutes of December 19, 2022 (Parks and Recreation Director Leyman)
- c) Cultural Arts Commission Meeting Minutes of January 16, 2023 (Rescheduled) (Parks and Recreation Director Leyman)
- d) Cultural Arts Commission Meeting Minutes of January 30, 2023 (Parks and Recreation Director Leyman)
- e) Cultural Arts Commission Meeting Minutes of February 8, 2023 (Parks and Recreation Director Leyman)
- f) Cultural Arts Commission Meeting Minutes of February 20, 2023 (Rescheduled) (Parks and Recreation Director Leyman)
- g) Cultural Arts Commission Meeting Minutes of March 20, 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 retired Manhattan Beach Police Officer Jim Ruiz. A moment of silence was held.

At 8:49 PM, Mayor Montgomery adjourned the meeting to a 5:00 PM Adjourned Regular Meeting on Tuesday, July 18, 2023.

Patricia Matson
Recording Secretary

Richard Montgomery
Mayor

ATTEST:

Liza Tamura
City Clerk