

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, February 21, 2023

6:00 PM

Regular Meeting

City Council Chambers and Zoom

City Council Regular Meeting

ELECTED OFFICIALS

Mayor Steve Napolitano

Mayor Pro Tem Richard Montgomery

Councilmember Joe Franklin

Councilmember Amy Howorth

Councilmember David Lesser

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www.manhattanbeach.gov/departments/city-clerk/city-council-meetings-agendas-and-minutes

A. CALL MEETING TO ORDER

Mayor Napolitano called the meeting to order.

B. PLEDGE TO THE FLAG

Molly Keane of American Martyrs Catholic School led the Pledge of Allegiance.

C. ROLL CALL

Roll Call by City Clerk Liza Tamura.

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

D. CEREMONIAL CALENDAR

None.

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

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

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

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

Policy & Management Analyst Alexandria Latragna announced the Bruce's Beach Plaque unveiling at Bruce's Beach Park on February 25, 2023, at 10:00 AM.

Parks and Recreation Senior Management Analyst Linda Robb announced that the spring activities and summer camp registration will begin on February 27, 2023, at 6:00 AM online and 8:00 AM at City Hall for Manhattan Beach residents. Interested parties can view the Spring Manhappenings online at www.manhattanbeach.gov/manhappenings.

Library Manager Josh Murray announced the animal folklore storytelling program featuring a book by Ina Buckner-Barnette titled "Shake Your Tale Feathers" on February 22, 2023, at 10:15 AM.

Tiffany Barbara, member of the Leadership Manhattan Beach Class of 2023, announced the class project that would assist in building a pantry at the Richstone Family Center as part of the Single Mom's Nutrition Pantry Project.

Police Chief Rachel Johnson announced the Town Hall Meeting on March 1, 2023, from 6:00 PM - 7:30 PM. Questions can be submitted to askacop@manhattanbeach.gov prior to the event.

Jessalyn Waldron, representative from County Supervisor Holly Mitchell's Office, announced Supervisor Mitchell's Racial Justice Learning Exchange Series taking place on February 23, 2023, from 5:30 PM - 8:00 PM at the Manhattan Beach Library.

Heather Kim announced Enzo Ames' Eagle Project on February 25, 2023, from 9:00 AM - 3:00 PM at Sand Dune Park.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

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

*Jim Burton
Howard Darvey
Will Arvizo*

Councilmember Franklin encouraged the public to support the Richstone Family Center's Single Mom's Nutrition Pantry Project.

Public comments continued with the following individuals:

*Heather Kim
David Archer*

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

H. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to approve the Consent Calendar. The motion carried by the following vote:

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

1. City Council Minutes: [23-0093](#)
This Item Contains the City Council Regular Meeting Minutes of February 7, 2023 (City Clerk Tamura).

APPROVE

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

2. Financial Reports: [23-0081](#)
a) Schedule of Demands January 20, 2023, and January 27, 2023
b) Investment Portfolio for the Month Ending December 31, 2022
c) Month End Report for December 31, 2022
(Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

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

3. Presentation of a Proclamation Declaring the Month of February 2023, as Black History Month. [23-0103](#)

PROCLAIM

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

4. Consider Awarding Bid No. 1292-23 to Penske Chevrolet for the Purchase of One Budgeted Chevrolet Tahoe for the Fire Department in the Amount of \$72,513.78 (Finance Director Charelian). [23-0073](#)

APPROVE

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

5. Consider Awarding Bid No. 1288-23 to Dana Safety Supply, Inc. for the Purchase of Three Budgeted Wanco Message Boards for the Public Works Department in the Amount of \$58,239.87 (Finance Director Charelian). [23-0074](#)

APPROVE

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

6. Consideration of a Resolution Approving Police Officer Recruitment and Referral Bonuses (Human Resources Director Jenkins and Police Chief Rachel Johnson). [23-0100](#)

ADOPT RESOLUTION NO. 23-0021

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

7. Consideration of a Resolution Rejecting All Bids Received for the Cycle 2 Street Resurfacing Project (Public Works Director Lee). [23-0050](#)

ADOPT RESOLUTION NO. 23-0018

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

8. Consideration of the Preliminary Design Concept for the Manhattan Beach Boulevard Eastbound Left-Turn Improvement at Aviation Boulevard Project (Public Works Director Lee). [23-0070](#)

APPROVE

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

9. Consideration of a Resolution Approving Amendment No. 3 to the Funding Agreement with the Los Angeles County Metropolitan Transportation Authority for Additional Measure R Grant Funds for the Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project in the Amount of \$1,066,000 and Appropriating \$1,066,000 from the Proposition C Fund (Public Works Director Lee). [23-0071](#)

A) ADOPT RESOLUTION NO. 23-0019

B) APPROPRIATE FUNDS

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

I. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

J. PUBLIC HEARINGS

10. Conduct Public Hearing Renewing the North Manhattan Beach Business Improvement District and Approval of the Annual Collection of Assessments for Fiscal Year 2023-2024 (City Manager Moe). [23-0044](#)
(Estimated Time: 15 Mins.)

A) CONDUCT PUBLIC HEARING

B) ADOPT RESOLUTION NO. 23-0020

**C) RATIFY 2023 BUSINESS IMPROVEMENT DISTRICT
ADVISORY**

BOARD MEMBERS

D) CONSIDER THE PROPOSED 2023 ACTIVITY PLAN

Assistant to the City Manager George Gabriel provided the Staff presentation.

Mayor Napolitano opened the public hearing.

Seeing no requests to speak, Mayor Napolitano closed the public hearing.

A motion was made by Councilmember Franklin to adopt Resolution No. 23-0020; ratify the 2023 Business Improvement District Advisory Board members; and approve the proposed 2023 Activity Plan.

City Attorney Quinn Barrow responded to City Council questions.

A motion was made by Councilmember Franklin, seconded by Councilmember Howorth, to adopt Resolution No. 23-0020, a resolution of the Manhattan Beach City Council overruling protests and providing for the annual levy and collection of assessments for the existing North Manhattan Beach Business Improvement District, pursuant to California Streets and Highways Code Section 36500 Et. Seq. (SB 1424 – Parking & Business Improvement Law of 1989, Chapter 2); ratify the 2023 Business Improvement District Advisory Board Members; and approve the proposed 2023 Activity Plan. The motion carried by the following vote:

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

K. GENERAL BUSINESS

11. Consideration of Request for Proposal (RFP) for the Bruce's Beach Public Art Project as Recommended by the Art in Public Places Committee (APPC) and the Cultural Arts Commission (CAC); Allocation of an Additional \$15,000 from the Public Arts Trust Fund for the Construction of Maquettes and Travel Reimbursement for Five Semi-Finalists (Parks and Recreation Director Leyman). [23-0088](#)
(Estimated Time: 30 Mins.)

A) APPROVE

B) ALLOCATE FUNDS

Parks and Recreation Director Mark Leyman introduced Cultural Arts Manager Eilen Stewart who provided the PowerPoint presentation and responded to City Council questions.

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

Heather Kim

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

Cultural Arts Manager Stewart responded to City Council questions.

A motion was made by Councilmember Howorth to approve the process and recommendations with the exception of the request for the allocation of an additional \$15,000 for the maquettes and travel reimbursement for five semi-finalists; create a process to give a weighted rating for local California artists; and endeavor to have the project installed by the end of 2024.

Mayor Napolitano suggested that the City Council should approve the allocation of the additional \$15,000 and that there should not be a process for weighted ratings for local artists.

Councilmember Howorth, as the maker of the motion, accepted Mayor Napolitano's suggestions.

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to approve the RFP for the Bruce's Beach Public Art Project; allocate an additional \$15,000 from the Public Arts Trust Fund for the construction of maquettes and travel reimbursement for five semi-finalists; and endeavor to have the project installed by the end of 2024. The motion carried by the following vote:

Aye: 4 - Napolitano, Montgomery, Howorth and Lesser

Nay: 1 - Franklin

12. Six Month Review and Update on the City's Current Coyote Management Approach and Consideration of Draft Coyote Management and Response Plan (City Manager Moe). [23-0090](#)

(Estimated Time: 45 Mins.)

DISCUSS AND PROVIDE DIRECTION

Assistant to the City Manager George Gabriel provided the PowerPoint presentation.

Assistant to the City Manager Gabriel, City Attorney Quinn Barrow, and Acting Community Development Director Talyn Mirzakhania responded to City Council questions.

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

*Jim Burton
Will Arvizo
Rita Crabtree-Kampe*

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

Assistant to the City Manager Gabriel responded to City Council questions.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Lesser, to direct staff to maintain the status quo option detailed within the staff report and adopt the Coyote Management Plan as presented.

Councilmember Lesser suggested that the City conduct greater outreach regarding coyotes in advance of their active seasons and a more proactive approach from Animal Control to trap feral cats.

Mayor Pro Tem Montgomery, as the maker of the motion, accepted Councilmember Lesser's suggestions.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Lesser, to direct staff to maintain the status quo option detailed within the staff report and adopt the Coyote Management Plan as presented; conduct greater outreach regarding coyotes in advance of their active seasons; and have Animal Control take a more proactive approach to trap feral cats. The motion failed by the following vote:

Aye: 2 - Montgomery and Lesser

Nay: 3 - Napolitano, Franklin and Howorth

A motion was made by Councilmember Howorth to adjust the City's trapping approach to include selective trapping and return in 6-8 months with a report on the progress.

City Attorney Barrow requested clarification regarding the motion.

Assistant to the City Manager Gabriel responded to City Council questions.

A motion was made by Councilmember Howorth, seconded by Councilmember Franklin, to accept staff recommendation 2: to direct staff to adjust the City approach to coyote management including further exploration of a selective trapping program and return to City Council with a revised Coyote Management and Response Plan with further California Environmental Quality Act (CEQA) analysis conducted; return to City Council in 6-8 months with a report on progress; and continue to educate the community regarding coyotes. The motion carried by the following vote:

Aye: 4 - Napolitano, Montgomery, Franklin and Howorth

Nay: 1 - Lesser

At 8:14 PM, the City Council recessed and reconvened at 8:24 PM with all City Councilmembers present.

13. Consideration of Special Event Legacy Status for Tour de Pier and Catalina Classic, and Consideration of a New Special Event Application for Los Angeles (LA) Chargers Draft Event (Parks and Recreation Director Leyman).

[23-0067](#)

(Estimated Time: 45 Mins.)

A) DISCUSS AND PROVIDE DIRECTION

B) APPROVE

Parks and Recreation Director Mark Leyman introduced Senior Management Analyst Linda Robb who provided the Staff presentation and responded to City Council questions.

Co-Founder of the Tour de Pier, Heath Gregory, provided a PowerPoint presentation.

Senior Management Analyst Robb and Mr. Gregory responded to City Council questions.

Fire Engineer/Paramedic Steve Fairbrother spoke regarding the Catalina Classic.

Chief of Staff of the Los Angeles Chargers Fred Maas provided information and introduced the Director of Entertainment Teams & Programs Lisa Simmons who provided a PowerPoint presentation.

Ms. Simmons, Mr. Maas, and Police Chief Rachel Johnson responded to City Council questions.

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

*Jim Burton
Jill Lamkin
David Archer
Mike Simms*

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

A motion was made by Mayor Pro Tem Montgomery to grant legacy status with fee waivers to the Tour de Pier and Catalina Classic events.

Senior Management Analyst Robb requested clarification regarding the percentage of the fee waivers for the events.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Howorth, to grant legacy status with 100% fee waiver to the Tour de Pier and Catalina Classic events. The motion carried by the following vote:

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

Ms. Simmons, Senior Management Analyst Robb, and City Traffic Engineer Erik Zandvliet responded to City Council questions.

A motion was made by Mayor Napolitano to deny the application for the Los Angeles Chargers Draft Event.

Mr. Maas provided that they would withdraw their application at this time.

There was no further action by the City Council.

14. Consideration of Developing Fees to Recover Costs Related to Electric Vehicle Charging at City Facilities (Public Works Director Lee).

[23-0031](#)

(Estimated Time: 15 Mins.)

DISCUSS AND PROVIDE DIRECTION

Public Works Director Erick Lee provided the Staff presentation and responded to City Council questions.

A motion was made by Mayor Napolitano to have staff return to City Council with a plan to monetize Electric Vehicle charging at City facilities.

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

*Michael Zislis
Will Arvizo*

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

A motion was made by Mayor Napolitano, seconded by Mayor Pro Tem Montgomery, to have staff return to City Council with a plan to monetize Electric Vehicle charging at City facilities including information on available chargers, bundled payment options, grants, and public policy information. The motion carried by the following vote:

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

15. Fiscal Year 2022-2023 Mid-Year Budget Report, Including Funding Appropriations and Staffing Adjustments; Proposed Implementation of Voter Approved Measure A Increasing Transient Occupancy Tax to 14%; and Fiscal Year 2023-2024 Budget Development Calendar (Finance Director Charelian).

[23-0069](#)

(Estimated Time: 45 Min.)

A) RECEIVE REPORT

B) APPROPRIATE FUNDS

C) APPROVE STAFFING ADJUSTMENTS

**D) AUTHORIZE STAFF TO DRAFT ORDINANCE IMPLEMENTING
VOTER APPROVED MEASURE A THAT APPROVED AN
INCREASE IN THE TRANSIENT OCCUPANCY TAX TO 14%**

Finance Director Steve Charelian provided the PowerPoint presentation and responded to City Council questions.

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

Jeremie Saab

Michael Zislis

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

Public Works Director Erick Lee responded to City Council questions.

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Howorth, to receive the report; appropriate \$723,722 from the General Fund and approve other Fiscal Year 2022-2023 budget change requests; approve Fiscal Year 2022-2023 staffing adjustments identified in the staff report; and authorize staff to draft an ordinance implementing voter approved Measure A to increase the Transient Occupancy Tax from 12% to 14%. The motion carried by the following vote:

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

L. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

16. City Council AB 1234 Reports.
RECEIVE AND FILE

[23-0101](#)

None.

17. Consider Request by Councilmember Howorth and Mayor Pro Tem Montgomery to Discuss a Local Transportation Grant Opportunity (City Manager Moe).

[23-0097](#)

(Estimated Time: 15 Mins.)

DISCUSS AND PROVIDE DIRECTION

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

18. Consider Request by Councilmember Franklin and Mayor Pro Tem Montgomery to Discuss a Meeting with the Los Angeles County District Attorney's Office (City Manager Moe).

[23-0098](#)

(Estimated Time: 15 Mins.)

DISCUSS AND PROVIDE DIRECTION

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

M. FUTURE AGENDA ITEMS

None.

N. CITY MANAGER REPORT

None.

O. CITY ATTORNEY REPORT

None.

P. INFORMATIONAL ITEMS

19. Agenda Forecast (City Clerk Tamura).
INFORMATION ITEM ONLY

[23-0077](#)

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

Q. CLOSED SESSION

At 10:19 PM, Mayor Napolitano requested a motion to extend the meeting past 11:00 PM, if needed.

A motion was made by Councilmember Lesser, seconded by Councilmember Howorth, to extend the meeting past 11:00 PM, if needed. The motion carried by the following vote:

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

**I. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED
IN CLOSED SESSION**

City Attorney Quinn Barrow announced the following Closed Session:

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)**

Title: City Manager

II. RECESS INTO CLOSED SESSION

At 10:20 PM, the City Council recessed into Closed Session.

III. RECONVENE INTO OPEN SESSION

At 10:50 PM, the City Council reconvened into Open Session with all City Councilmembers present.

IV. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Attorney Barrow announced that the City Council went into Closed Session to discuss the item identified on the agenda and that it would be appropriate to adjourn the meeting to February 28, 2023.

R. ADJOURNMENT

Mayor Napolitano adjourned the meeting in memory of Manhattan Beach resident, employee and volunteer, Bob Woods and retired Manhattan Beach Police Department Executive Secretary Bernadette Gradney.

At 10:55 PM, Mayor Napolitano adjourned the meeting to February 28, 2023 at 4:00 PM.

Patricia Matson
Recording Secretary

ATTEST:

Steve Napolitano
Mayor

Liza Tamura
City Clerk