

City Council Regular Meeting

Regular Meeting

Tuesday, September 20, 2022

6:00 PM

City Council Chambers and Zoom



ELECTED OFFICIALS

Mayor Steve Napolitano

Mayor Pro Tem Richard Montgomery

Councilmember Joe Franklin

Councilmember Suzanne Hadley

Councilmember Hildy Stern

City Treasurer Tim Lilligren

EXECUTIVE TEAM

City Manager Bruce Moe

City Attorney Quinn Barrow

City Clerk Liza Tamura

Community Development Director Carrie Tai

Finance Director Steve Charelian

Fire Chief Michael Lang

Human Resources Director Lisa Jenkins

Information Technology Director Terry Hackelman

Parks and Recreation Director Mark Leyman

Police Chief Rachel Johnson

Public Works Director Erick Lee

MISSION STATEMENT:

Our mission is to provide excellent municipal services, preserve our small beach town character, and enhance the quality of life for our residents, businesses and visitors.

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

By participating in City Council meetings, you are participating in the process of representative government. To encourage that participation, the City Council provides an early opportunity for public comments under "Public Comments," at which time speakers may comment on any matter within the subject matter jurisdiction of the City Council, including items on the agenda.

The City continues to offer an opportunity to participate in Council meetings via Zoom. In the interest of maintaining appropriate social distancing, the City Council encourages the public to participate by submitting comments in advance of the meeting, no later than 5:30 PM, September 20, 2022 (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or*
- 2) Email to cityclerk@manhattanbeach.gov or*
- 3) Telephone Message Recorded at (310) 802-5030*

All of your comments provided by the deadlines above will be available to the City Council and the public prior to the meeting.

In addition, you may participate by joining Zoom during the meeting. Instructions are provided on item G (Public Comments).

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.manhattanbeach.gov, the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.

Meetings are broadcast live through Manhattan Beach Local Community Cable, Channel 8 (Spectrum), Channel 35 (Frontier), and live streaming via the City's website.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). Notification 36 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.

CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, September 14, 2022, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED. THE RECOMMENDED COUNCIL ACTION IS LISTED IMMEDIATELY AFTER THE TITLE OF EACH ITEM IN BOLD CAPITAL LETTERS.

PLEASE NOTE THAT THE CITY COUNCIL MAY ACT ON ANY ITEM LISTED ON THE AGENDA.

A. CALL MEETING TO ORDER

B. PLEDGE TO THE FLAG

C. ROLL CALL

D. CEREMONIAL CALENDAR

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

This is the time for the City Council to:

(a) notify the public of any changes to the agenda;

(b) remove items from the consent calendar for individual consideration; or

(c) rearrange the order of the agenda.

MOTION TO APPROVE AGENDA AND WAIVE FULL READING

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

City Councilmembers and community organization representatives may inform the public about upcoming events.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City Council. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda.

The City Council encourages the public to participate by submitting comments in advance of the meeting, no later than 5:30 PM, September 20, 2022 (the day of the meeting), via:

- 1) eComment at <http://www.manhattanbeach.gov/ecomment> or
- 2) Email to cityclerk@manhattanbeach.gov or
- 3) Telephone Message Recorded at (310) 802-5030

All of your comments provided by the deadlines above will be available to the City Council and the public prior to the meeting.

IN PERSON PUBLIC PARTICIPATION

Please complete the "Request to Address the City Council" card by filling out your name, city of residence, the item(s) you would like to offer public comment, and returning it to the City Clerk.

ZOOM PUBLIC PARTICIPATION

If you wish to speak on any item on the agenda, please register in advance by clicking the following link: <https://citymb.seamlessdocs.com/f/publiccomment>, even when submitting this request you will need to use the "raise hand" feature via Zoom during the presentation of that Agenda Item in order to confirm with the City Clerk's Office that you wish to provide comments.

- 1) Join Zoom Meeting via the internet:

Direct URL: <https://citymb-info.zoom.us/j/93376200363>, Meeting ID: 933 7620 0363

During the meeting you will need to use the "raise hand" button through Zoom at the time the Agenda Item is being presented for City Council consideration.

- 2) Join Zoom Meeting via Phone Conference (Voice Only):

Phone Number: (669) 900-6833, Meeting ID: 933 7620 0363

During the meeting you will need to enter *9 on the phone's dial pad at to activate the "raise hand" button at the time the Agenda Item is being presented for City Council consideration.

Please note, the City is not responsible for the public's use of Zoom as it relates to the software, configuration, and setting on a personal device. The public is encouraged to visit the Zoom website for information on use of this software. The City's use of Zoom is consistent with the platform features and functions as described on the Zoom website.

H. CONSENT CALENDAR (APPROVE)

Items on the Consent Calendar are routine and customary items and are enacted by a single motion with the exception of items previously removed by a member of the City Council during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

1. City Council Minutes: [22-0382](#)
This Item Contains Minutes of the Following City Council Meeting(s):
 - a) City Council Regular Meeting Minutes of September 6, 2022
 - b) City Council Special Meeting Minutes of September 12, 2022
(City Clerk Tamura).**APPROVE**

Attachments: [City Council Regular Meeting Minutes of September 6, 2022](#)
[City Council Special Meeting Minutes of September 12, 2022](#)

2. Financial Reports: [22-0364](#)
 - a) Schedule of Demands August 25, 2022 and September 1, 2022
 - b) Investment Portfolio for the Month Ending July 31, 2022
 - c) Preliminary Month End Report for July 31, 2022
(Finance Director Charelian).**ACCEPT REPORTS AND DEMANDS**

Attachments: [Schedule of Demands for August 25, 2022 and September 1, 2022](#)
[Investment Portfolio for the Month Ending July 31, 2022](#)
[Month End Report for July 31, 2022](#)

3. Proclamations Declaring the Following: [22-0196](#)
 - a) September 20, 2022, as National IT Professionals Day
 - b) September 21, 2022, as International Day of Peace**PROCLAIM**

Attachments: [Proclamation - National IT Professionals Day 2022](#)
[Proclamation - International Day of Peace](#)

4. Consideration of a Resolution Approving Amendment No. 1 to the [22-0386](#)
Agreement with WestMed Ambulance, Inc., dba McCormick Ambulance, for
Emergency Ambulance Transport Services (Fire Chief Lang).
ADOPT RESOLUTION NO. 22-0128

Attachments: [Resolution No. 22-0128](#)
[Amendment No. 1 - Westmed dba McCormick Ambulance](#)
[Agreement - WestMed Ambulance, Inc., dba McCormick Ambulance \(2020\)](#)

5. Consideration of a Resolution to Install Stop Signs on Pacific Avenue at 18th Street as Recommended by the Parking and Public Improvements Commission (Community Development Director Tai). [22-0335](#)
ADOPT RESOLUTION NO. 22-0133

Attachments: [Resolution No. 22-0133](#)
[PPIC Staff Report \(July 28, 2022\)](#)
[PPIC Draft Minutes \(July 28, 2022\)](#)
[Related Correspondence Received Prior to July 28, 2022](#)

6. Consideration of a Purchase of Programmable Logic Controllers for Various City Water Facilities from Control Automation Design, Inc. in the Amount of \$81,694.30 (Public Works Director Lee). [22-0293](#)
A) WAIVE FORMAL BIDDING
B) APPROVE

Attachments: [Quote Dated September 13, 2022](#)

7. Consideration of Accepting as Complete Work Performed by Asplundh Construction, LLC, Regarding the Underground Utility Assessment District 4 Project (Public Works Director Lee). [22-0358](#)
A) ACCEPT
B) AUTHORIZE

I. ITEMS REMOVED FROM THE CONSENT CALENDAR

Each speaker may speak for up to 2 minutes on each item pulled from the agenda.

J. PUBLIC HEARINGS

At the discretion of the Mayor, each speaker may speak for up to 3 minutes on each public hearing item.

8. Conduct Public Hearing Regarding the Impasse Between the City of Manhattan Beach and the Manhattan Beach Firefighters' Association (Human Resources Director Jenkins). [22-0401](#)
(Estimated Time: 1 Hr.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [City of Manhattan Beach Last, Best, and Final Offer \(April 10, 2022\)](#)
[Estimated Costs and Savings of Last, Best, and Final Offer](#)
[Declaration of Impasse \(April 27, 2022\)](#)
[Manhattan Beach Fire Association's Last, Best, and Final Proposal \(July 12, 2022\)](#)
[Factfinding Report \(September 9, 2022\)](#)
[Government Code Sections 3505.4 Through 3505.7 Inclusive](#)
[Resolution No. 4506](#)
[Resolution No. 22-0136](#)

K. GENERAL BUSINESS

Each speaker may speak for up to 2 minutes on each general business item.

9. Discussion of Restaurant Dining Occupancy Limits and Continuation of Temporary Encroachment Permits for Street Dining and Business Uses and Outdoor Facilities Permits for Outdoor Uses on Private Property Issued Under COVID-19 Emergency Orders (Community Development Director Tai). [22-0318](#)
(Estimated Time: 30 Mins.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Outdoor Street Dining/Business Use Encroachment Area Chronology](#)

10. Consideration of Resolutions Approving Four Three-Year Professional Service Agreements with Melad and Associates Inc., VCA Code, JAS Pacific and Transtech Engineers Inc. for Building and Fire Services (Amount Expended Determined by Services Provided) (Community Development Director Tai). [22-0292](#)
- (Estimated Time: 10 Mins.)
- ADOPT RESOLUTION NOS. 22-0129, 22-0130, 22-0131, AND 22-0132**

Attachments: [Resolution No. 22-0129](#)
[Agreement - Melad and Associates, Inc.](#)
[Resolution No. 22-0130](#)
[Agreement - The Code Group, Inc., DBA VCA Code](#)
[Resolution No. 22-0131](#)
[Agreement - Jason Addison Smith Consulting Services, Inc., DBA JAS Pacific7](#)
[Resolution No. 22-0132](#)
[Agreement - Transtech Engineers, Inc.](#)
[Request for Proposal Vendor Bid Comparison](#)

11. Consideration of a Resolution in Support of Measure V on the November 8, 2022 General Municipal Election Ballot Readopting the City's Commercial Cannabis Prohibition, and Against Cannabis Industry Measure MB on the Election Ballot (City Manager Moe). [22-0258](#)
- (Estimated Time: 10 Min.)
- DISCUSS AND CONSIDER TAKING ACTION**

Attachments: [Resolution No. 22-0135](#)

L. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

In addition to providing reports of meetings and conferences attended by Councilmembers in connection with their official duties at City expense as required by AB 1234, Councilmembers requested at a previous City Council meeting that the following item(s) be placed on the agenda for discussion.

M. FUTURE AGENDA ITEMS

Councilmembers may request that items be placed on a future agenda with the concurrence of one other Councilmember.

N. CITY MANAGER REPORT

O. CITY ATTORNEY REPORT

P. INFORMATIONAL ITEMS

This section is for items that do not require City Council action.

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

[22-0121](#)

13. Commission Minutes:[22-0392](#)

This Item Contains Minutes of the Following Finance Subcommittee Meeting and City Commission Meetings:

- a) Parking and Public Improvements Commission Meeting Minutes of April 28, 2022 (Community Development Director Tai)
- b) Cultural Arts Commission Meeting Minutes of May 16, 2022 (Parks and Recreation Director Leyman)
- c) Parks and Recreation Commission Meeting Minutes of May 23, 2022 (Parks and Recreation Director Leyman)
- d) Planning Commission Meeting Minutes of June 8, 2022 (Community Development Director Tai)
- e) Library Commission Meeting Minutes of June 13, 2022 (Parks and Recreation Director Leyman)
- f) Cultural Arts Commission Meeting Minutes of June 20, 2022 (Parks and Recreation Director Leyman)
- g) Parks and Recreation Commission Meeting Minutes of June 27, 2022 (Parks and Recreation Director Leyman)
- h) Library Commission Meeting Minutes of July 11, 2022 (Parks and Recreation Director Leyman)
- i) Planning Commission Meeting Minutes of July 13, 2022 (Cancelled) (Community Development Director Tai)
- j) Cultural Arts Commission Meeting Minutes of July 18, 2022 (Parks and Recreation Director Leyman)
- k) Parks and Recreation Commission Meeting Minutes of July 25, 2022 (Parks and Recreation Director Leyman)
- l) Planning Commission Meeting Minutes of July 27, 2022 (Cancelled) (Community Development Director Tai)
- m) Parking and Public Improvements Commission Meeting Minutes of July 28, 2022 (Community Development Director Tai)
- n) Finance Subcommittee Meeting Minutes of August 23, 2022 (Finance Director Charelian).

INFORMATION ITEM ONLY

Attachments: [Parking and Public Improvements Commission Meeting Minutes of April 28, 2022](#)
[Cultural Arts Commission Meeting Minutes of May 16, 2022](#)
[Parks and Recreation Commission Meeting Minutes of May 23, 2022](#)
[Planning Commission Meeting Minutes of June 8, 2022](#)
[Library Commission Meeting Minutes of June 13, 2022](#)
[Cultural Arts Commission Meeting Minutes of June 20, 2022](#)
[Parks and Recreation Commission Meeting Minutes of June 27, 2022](#)
[Library Commission Meeting Minutes of July 11, 2022](#)
[Planning Commission Meeting Minutes of July 13, 2022 \(Cancelled\)](#)
[Cultural Arts Commission Meeting Minutes of July 18, 2022](#)
[Parks and Recreation Commission Meeting Minutes of July 25, 2022](#)
[Planning Commission Meeting Minutes of July 27, 2022 \(Cancelled\)](#)
[Parking and Public Improvements Commission Meeting Minutes of July 28, 2022](#)
[Finance Subcommittee Meeting Minutes of August 23, 2022](#)

Q. CLOSED SESSION

R. ADJOURNMENT

S. FUTURE MEETINGS

CITY COUNCIL MEETINGS

September 23, 2022 - Friday -- 3:00 PM - City Council Zoom Meeting (6th Housing Element)

October 4, 2022 - Tuesday -- 6:00 PM - City Council Meeting

October 18, 2022 - Tuesday -- 6:00 PM - City Council Meeting

November 1, 2022 - Tuesday -- 6:00 PM - City Council Meeting

November 15, 2022 - Tuesday -- 6:00 PM - City Council Meeting

December 6, 2022 - Tuesday -- 6:00 PM - City Council Meeting

December 20, 2022 - Tuesday -- 6:00 PM - City Council Meeting

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

September 26, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
September 28, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
October 10, 2022 - Monday - 5:00 PM - Library Commission Meeting (Cancelled)
October 12, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
October 17, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
October 24, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
October 26, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
October 27, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
November 9, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
November 14, 2022 - Monday - 5:00 PM - Library Commission Meeting
November 21, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
November 23, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
November 24, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting (Rescheduled to December 1, 2022)
November 28, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
December 1, 2022 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting (Rescheduled from the November 24, 2022 and December 22, 2022)
December 12, 2022 - Monday - 5:00 PM - Library Commission Meeting
December 14, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
December 19, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
December 22, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting (Rescheduled to December 1, 2022)
December 26, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
December 28, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting

T. CITY OFFICES CLOSED**CITY HOLIDAYS:**

October 10, 2022 – Monday – Columbus Day
November 11, 2022 – Friday – Veterans Day
November 24-25, 2022 - Thursday & Friday - Thanksgiving Holiday
December 26, 2022 - Monday - Christmas Day Observed (Sunday, December 25, 2022)
January 2, 2023 – Monday – New Years Day Observed (Sunday, January 1, 2023)
January 16, 2023 – Monday – Martin Luther King Day
February 20, 2023 - Monday - Presidents Day
May 29, 2023 – Monday – Memorial Day
July 4, 2023 - Tuesday - Independence Day
September 4, 2023 - Monday - Labor Day