

City Council Regular Meeting

Tuesday, September 6, 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 6, 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, August 31, 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

1. Presentation of Commendations Recognizing Retired Police Department City Employees: Police Lieutenant Ryan Small (31 Years) and Police Sergeant Tim Zins (29 Years) for their Years of Dedicated Service to the City of Manhattan Beach.

[22-0338](#)

PRESENT

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. GENERAL BUSINESS (CONTINUED)

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

2. Continued General Business Item to Consider Five Appeals of the Planning Commission's Decision to Affirm the Community Development Director's Approval of a Precise Development Plan, Coastal Development Permit, and Tentative Parcel Map for the Development of a 96,217 Square-Foot Multi-Family Residential Building Ranging 37 to 50 Feet in Height and Including 79 Rental Dwelling Units with the Developer Utilizing a Density Bonus Pursuant to State Law, Inclusive of Waivers and Concessions, at 401 Rosecrans Avenue and 3770 Highland Avenue (Continued from the August 16, 2022, City Council Meeting) (Community Development Director Tai).

[22-0380](#)

(Estimated Time: 2 Hrs.)

A) RESUME GENERAL BUSINESS ITEM**B) AFFIRM THE DECISION OF THE PLANNING COMMISSION**

Attachments: [Draft Resolution No. 22-0124](#)

[Staff Report with Attachments \(August 16, 2022\) \(Web-Link Provided\)](#)

[Public Comments Received for the August 16, 2022 City Council Meeting](#)

[Synopsis of Staff and Applicant Responses to City Council Questions](#)

[City Responses to Additional Public Comments](#)

[Public Comments Received from August 17, 2022 - August 31, 2022](#)

H. 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 6, 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.

I. 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.

3. City Council Minutes: [22-0235](#)

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

a) City Council Adjourned Regular Meeting Minutes of August 15, 2022

b) City Council Regular Meeting Minutes of August 16, 2022

(City Clerk Tamura).

APPROVE

Attachments: [City Council Adjourned Regular Meeting Minutes of August 15, 2022](#)
[City Council Regular Meeting Minutes of August 16, 2022](#)

4. Financial Reports: [22-0363](#)

Schedule of Demands August 4, 2022, August 11, 2022, and August 18, 2022 (Finance Director Charelian).

ACCEPT REPORTS AND DEMANDS

Attachments: [Schedule of Demands for August 4, 2022, August 11, 2022, August 18, 2022](#)

5. City Council Reconsideration of the Circumstances of the Declared [22-0327](#)

COVID-19 Emergency to Facilitate Remote Attendance at Public Meetings by Councilmembers and Other City Legislators Pursuant to AB 361's Special Teleconferencing Requirements (City Attorney Barrow).

ACCEPT STAFF RECOMMENDATION

6. Consideration of a Resolution Approving Amendment No. 2 to the [22-0378](#)

Professional Services Agreement with Hanson Bridgett, LLP to Conduct Independent Investigations of Confidential Matters for \$100,000; and Appropriate \$50,000 from the General Fund (Human Resources Director Jenkins).

A) ADOPT RESOLUTION NO. 22-0127

B) APPROPRIATE FUNDS

Attachments: [Resolution No. 22-0127](#)
[Amendment No. 2 -Hanson Bridgett, LLP.](#)
[Agreement and Amendment No. 1 - Hanson Bridgett, LLP.](#)

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7. Consideration of the Purchase of Three Budgeted Police Motorcycles from Long Beach BMW Motorcycles in the Amount of \$109,535.97 (Finance Director Charelian). [22-0357](#)
- A) WAIVE FORMAL BIDDING DUE TO COOPERATIVE PURCHASING**
- B) AUTHORIZE PURCHASE**
- Attachments:** [Price Quote from Long Beach BMW Motorcycles](#)
[Los Angeles County Sheriff Department Motorcycle RFP](#)
[Piggyback Approval Letter from Long Beach BMW Motorcycles](#)
[Los Angeles County Sheriff Purchase Order](#)
8. Adoption of Annual Investment Policy for Fiscal Year 2022-2023 and Delegation of Responsibility for Investing Funds to the City Treasurer (Finance Director Charelian). [22-0379](#)
- ADOPT**
- Attachments:** [FY 2022-2023 Investment Policy](#)
9. Consideration of a Resolution Awarding RFP No. 1278-22 to Code 3 Technology for 29 Patrol Vehicle Mobile Data Computers and Hardware in an Amount Not-to-Exceed \$134,915.11 (Police Chief Johnson). [22-0326](#)
- ADOPT RESOLUTION NO. 22-0115**
- Attachments:** [Resolution No. 22-0115](#)
[Bid Comparison](#)
10. Consideration of a Resolution Adopting the 2017 Updated Greater Los Angeles County Region Integrated Regional Water Management Plan to Enable the City to Apply for Proposition 1 Integrated Regional Water Management Implementation Grant Funding for the Total Maximum Daily Load Trash Treatment Project (Public Works Director Lee). [22-0321](#)
- ADOPT RESOLUTION NO. 22-0123**
- Attachments:** [Resolution No. 22-0123](#)
[2017 Amendment to the Greater Los Angeles County IRWM Plan](#)
[2014 Greater Los Angeles County IRWM Plan](#)
[Prop 1 Implementation Grant Agreement Template](#)

11. Consideration of a Resolution Approving Amendment No. 1 to the Professional Services Agreement with KOA Corporation for Additional Design Services for the Slurry Seal Project Encompassing the North Area of the Sand Section (Area 7) at a Cost Not-to-Exceed \$31,920 (Public Works Director Lee). [22-0340](#)

ADOPT RESOLUTION NO. 22-0126

Attachments: [Resolution No. 22-0126](#)
[Amendment No. 1 - KOA Corporation](#)
[Agreement - KOA Corporation](#)
[Location Map](#)

12. Consideration of Accepting as Complete Work Performed by Pro Finish Painting, Inc., dba Pro Finish Construction Services, Inc., Regarding the Parking Structure Lot 3 Repairs Project (Public Works Director Lee). [22-0329](#)

ACCEPT AND AUTHORIZE

13. Consideration of a Resolution Approving Amendment No. 8 for \$160,739 to the Professional Services Agreement with HDR Engineering, Inc. for Continued Engineering Design Support Services for the Sepulveda Bridge Widening Project (Public Works Director Lee). [22-0339](#)

ADOPT RESOLUTION NO. 22-0125

Attachments: [Resolution No. 22-0125](#)
[Amendment No. 8 - HDR Engineering, Inc.](#)
[Agreement and Amendment Nos. 1-7 - HDR Engineering, Inc.](#)
[Budget and Expenditures Summary](#)
[Location Map](#)

J. ITEMS REMOVED FROM THE CONSENT CALENDAR

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

K. PUBLIC HEARINGS

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

L. GENERAL BUSINESS

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

14. Consideration of Assessment on Coyote Population and Activity [22-0366](#)
(Continued from the August 16, 2022, City Council Meeting) (Police Chief Johnson).
(Estimated Time: 45 Min.)

DISCUSS AND PROVIDE DIRECTION

Attachments: [Manhattan Beach Coyote Survey: Humane Wildlife Control, Inc. \(August 5, 2022\)](#)
[Manhattan Beach Coyote Management Plan](#)
[PowerPoint Presentation \(Humane Wildlife Control, Inc.\)](#)

15. Consideration of Adopting an Urgency Ordinance and Introducing an Ordinance to Amend the Existing Prohibition on the Use of City Resources for Political Activity in and on City Facilities (Continued from the August 16, 2022, City Council Meeting) (City Attorney Barrow). [22-0367](#)
(Estimated Time: 30 Min.)

A) ADOPT URGENCY ORDINANCE NO. 22-0007-U

B) INTRODUCE ORDINANCE NO. 22-0007

Attachments: [Urgency Ordinance No. 22-0007-U](#)
[Ordinance No. 22-0007](#)

16. Consider Request by Councilmember Franklin and Mayor Napolitano to Discuss the Request of Esperanza to Use their Rooftop Deck for Outdoor Dining During the COVID-19 Emergency (Community Development Director Tai). [22-0373](#)
(Estimated Time: 15 Min.)

ACCEPT REPORT

17. Consider Request by Councilmember Stern and Councilmember Hadley to Discuss the City's Measure on the Ballot for the November 8, 2022, General Municipal Election Maintaining the City's Current Ban on Commercial Cannabis Activity (City Attorney Barrow). [22-0374](#)
(Estimated Time: 10 Min.)

ACCEPT REPORT

M. 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.

18. City Council AB 1234 Reports. [22-0028](#)
RECEIVE AND FILE

19. Consider Request by Mayor Pro Tem Montgomery and Councilmember Franklin to Discuss Changing the Name of Sepulveda Boulevard to Pacific Coast Highway (City Manager Moe). [22-0352](#)
(Estimated Time: 5 Min.)
DISCUSS AND PROVIDE DIRECTION
Attachments: [Staff Report - December 4, 2018](#)
20. Consider Request by Mayor Napolitano and Mayor Pro Tem Montgomery to Discuss the Expansion of the Public Parking at Lot 4 on Rosecrans Avenue and Highland Avenue (Public Works Director Lee). [22-0369](#)
(Estimated Time: 5 Min.)
DISCUSS AND PROVIDE DIRECTION
21. Consider Request by Mayor Napolitano and Mayor Pro Tem Montgomery to Discuss Bringing All Street Configuration Changes for City Council Consideration and Approval (Public Works Director Lee). [22-0370](#)
(Estimated Time: 5 Min.)
DISCUSS AND PROVIDE DIRECTION
22. Consider Request by Mayor Napolitano and Councilmember Hadley to Discuss the Sand Dune Park Redesign (Public Works Director Lee and Parks and Recreation Director Leyman). [22-0371](#)
(Estimated Time: 5 Min.)
DISCUSS AND PROVIDE DIRECTION
23. Consider Request by Councilmember Hadley and Mayor Pro Tem Montgomery to Discuss Hiring Armed Security to Patrol Downtown (Police Chief Johnson). [22-0372](#)
(Estimated Time: 5 Min.)
DISCUSS AND PROVIDE DIRECTION
24. Consider Request by Mayor Napolitano and Mayor Pro Tem Montgomery to Discuss Review Processes for Residential Projects in Commercial Zones (Community Development Director Tai). [22-0368](#)
(Estimated Time: 5 Mins.)
DISCUSS AND PROVIDE DIRECTION

N. FUTURE AGENDA ITEMS

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

O. CITY MANAGER REPORT

P. CITY ATTORNEY REPORT

Q. INFORMATIONAL ITEMS

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

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

[22-0228](#)

R. CLOSED SESSION**S. ADJOURNMENT****T. FUTURE MEETINGS****CITY COUNCIL MEETINGS**

September 20, 2022 - Tuesday -- 6:00 PM - City Council Meeting
September 23, 2022 - Friday -- 3:00 PM - City Council Meeting (6th Housing Element) (Zoom Only)
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 12, 2022 - Monday - 5:00 PM - Library Commission Meeting
September 14, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting
September 19, 2022 - Monday - 5:00 PM - Cultural Arts Commission Meeting
September 22, 2021 - Thursday - 4:00 PM - Parking and Public Improvements Commission Meeting
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
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
November 28, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
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
December 26, 2022 - Monday - 6:00 PM - Parks and Recreation Commission Meeting
December 28, 2022 - Wednesday - 3:00 PM - Planning Commission Meeting

U. CITY OFFICES CLOSED**CITY HOLIDAYS:**

September 5, 2022 - Monday - Labor Day

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