

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, March 17, 2020

6:00 PM

Regular Meeting

City Council Chambers

## City Council Regular Meeting

### *ELECTED OFFICIALS*

*Mayor Richard Montgomery*

*Mayor Pro Tem Suzanne Hadley*

*Councilmember Hildy Stern*

*Councilmember Steve Napolitano*

*Councilmember Nancy Hersman*

Pursuant to Governor Newsom's Executive Order N-25-20, members of the City Council, staff, and the public were participating in this meeting via teleconference. In the interest of maintaining appropriate social distancing, the City Council encouraged the public to participate by calling in or by attending in person at the City's Police/Fire Conference Room located at 400/420 15th Street, Manhattan Beach, CA 90266.

#### **A. PLEDGE TO THE FLAG**

Due to Governor Newsom's Executive Order N-25-20, the Pledge to the Flag conducted by Mira Costa High School student, Sam Whitney, and by a Manhattan Beach Veteran, will be rescheduled to a future meeting.

Management Services, Senior Deputy City Clerk Martha Alvarez led the Pledge of Allegiance.

#### **B. ROLL CALL**

**Present:** 5 - Mayor Montgomery, Mayor Pro Tem Hadley, Councilmember Stern, Councilmember Napolitano and Councilmember Hersman

Mayor Montgomery is participating via teleconference stated that he flew last week to Washington, DC and due to the current circumstances he will be conducting this meeting via teleconference and asked for the public's patience and support during these times.

Councilmember Hersman participating via teleconference stated that she is participating from home due to the categorical safety of needing to isolate.

#### **C. CEREMONIAL CALENDAR**

1. Presentation of a Baby Passport, to Charlene and Todd Dipaola, Welcoming Manhattan Beach's Newest Resident.

[20-0125](#)

##### **PRESENT**

Due to Governor Newsom's Executive Order N-25-20, the presentation of a Baby Passport, to Charlene and Todd Dipaola welcoming Manhattan Beach's newest resident, will be rescheduled to a future meeting.

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

City Attorney Quinn Barrow stated for the record that he is requesting to add three proposed ordinances to the agenda for City Council consideration at a later time during General Business. City Council needs to make two findings in order to add items to the agenda. The following findings were made; 1) this came to the attention of City Council after the agenda posting, and 2) a requires immediate action.

**A motion was made by Councilmember Napolitano, seconded by Councilmember Stern, to approve the addition and the addition of the item as stated for the record regarding an addition of three Ordinances for City Council consideration. The motion carried by the following vote:**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

City Attorney Barrow further noted that the three Ordinances consisted of: a) anti-eviction ordinance for commercial and residential properties, b) anti-gauging ordinance, and c) ordinance that incorporates by reference the County prohibitions that were adopted last week and additional measures that will be considered by City Council. In addition there is a resolution for the City Council to consider. The ordinances and resolution are all related to the COVID-19 Emergency Order adopted by the City Council on Friday, March 13, 2020.

Mayor Pro Tem Hadley requested for Agenda Item No. 4 - Consider Approving Letters of Support Regarding Senate Bill 54 (Allen) and Assembly Bill 1080 (Gonzalez) - California Circular Economy and Plastic Pollution Reduction Act and Agenda Item No. 5 - Consider Adopting a Resolution Supporting the National League of Cities' Leading Together Cities Agenda for the 2020 United States Presidential Election, to be pulled for individual consideration under Section H - Items Removed from the Consent Calendar.

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

None.

**F. PUBLIC COMMENTS (3 MINUTES PER PERSON)**

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

Samantha Flores, Sophomore at Mira Costa High School

Councilmember Napolitano asked for the number to be provided to the public on where they can call in to provide public comments and to be displayed during the meeting.

Management Services, Senior Deputy City Clerk Martha Alvarez confirmed the call number of 310-802-5030.

City Manager Bruce Moe also asked that those calling mute their phones to avoid the feedback being heard in City Council Chambers and the difficulty it is to hear those providing public comments.

Councilmember Stern asked for any members of the public providing public comments if they can send City Council and email with their comments.

Erik Harkness on behalf of Indira Montejo

Kelly Stroman, Chamber of Commerce, CEO

Linda Marshall - Smith, United States Census Bureau, Partnership Specialist and provided a PowerPoint presentation regarding the 2020 census.

Sheri Weir, 350 South Bay Los Angeles, Co-Organizer and Greater So Cal 350 Legislative, Team Member

Councilmember Napolitano read his post from Facebook regarding the current nationwide circumstances of COVID-19. Provided information that will be provided to the public regarding services and assistance.

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

Mayor Montgomery asked for a brief report from City Manager and Parks and Recreation Director.

City Manager Moe reported that staff is taking steps regarding the current circumstances. The Fire Chief has developed a Task Force comprised of Department Heads, Risk Manager, and other key staff members that are assisting in communicating internally and externally regarding COVID-19.

Also encouraged for the public to sign up for social media, eNotifications, and Nixle. Staff has received direction from the City Council to take certain steps to assist the business community such as extend the business license tax deadline from April 30, 2020, to June 30, 2020, notices will be sent in the mail and a press release has been prepared. City Council also delayed the implementation of User Fees that would be taking effect this week have been delayed to July 1, 2020. The City is following the State of California Governor Newsom's declaration from Sunday, March 15, 2020, and City Council will be discussing some of those items later such as closures of restaurants, bars, and limits on gathering that the City is promoting. The Los Angeles County, Department of Public and Health is providing data regarding COVID-19 cases. As of today, there is a total of 4 and last week there were 2, in Manhattan Beach. There is no street sweeping at this time. The City's EOC (Emergency Operating Center) has been activated and is currently at a level 3, tomorrow it will be moved to level 2, and it will move depending on the spread and activity of COVID-19. Currently essential staff is working onsite and others are working from home to support the City. Wanted to remind the public that staff is fully engaged and is doing everything needed to address the state of emergency.

Parks and Recreation Director Mark Leyman reported that an Older Adult Hotline (310-802-5010) has been established. It is staffed from Monday through Friday from 6:30 AM - 5:30 PM, and Saturdays and Sundays from 8:00 AM - 5:00 PM. In addition to the City's Hotline, staff is working in partnership with the BCHD (Beach Cities Health District) they have their own Hotline (310-374-3426 x256), Monday through Friday from 9:00 AM - 5:00 PM. Charlotte Barnett (BCHD), Jan Buike (City of Manhattan Beach), and Manhattan Beach Firefighter Matt Simkins are working together to provide assistance to the older adult population. Meal delivery and other essentials for seniors are also in partnership with BCHD. Rotary Club, Neighborhood Watch, and restaurants are assisting in rolling out the meal deliveries for older adults within the community. Currently Mother's is open for older adults on Wednesday's only from 6:00 AM - 8:00 AM, Grow from 8:00 AM - 9:00 AM daily, and Gelson's from 7:00 AM - 8:00 AM daily. Additionally noted, that this information is being distributed via mail and email from the City's lists and also provided to the BCHD subscribers.

Councilmember Napolitano asked for the information to be available for the public on the City's website and send through social media, eNotifications, and Nixle.

Parks and Recreation Director Leyman responded to the City Council questions.

City Manager Moe also noted that the City is in constant contact on a daily basis with neighboring Cities regarding COVID-19.

City Attorney Quinn Barrow noted that the three ordinances are available for the public to review at the Police/Fire Conference Room and the resolution will be available shortly.

**G. CONSENT CALENDAR (APPROVE)**

A motion was made by Mayor Pro Tem Hadley, seconded by Councilmember Napolitano, to approve the Consent Calendar, with the exception of Agenda Item Nos. 4 and 5, to be individually considered under Section H - Items Removed from the Consent Calendar. The motion carried by the following vote:

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

2. City Council Minutes: [20-0108](#)

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

- a) City Council Regular Meeting Minutes of February 18, 2020
- b) City Council Adjourned Regular Meeting Minutes (Closed Session) of March 3, 2020
- c) City Council Regular Meeting Minutes of March 3, 2020 (City Clerk Tamura).

**APPROVE**

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

3. Financial Report: [20-0073](#)

Schedule of Demands: February 27, 2020 (Finance Director Charelian).

**ACCEPT REPORT AND DEMANDS**

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

4. Consider Approving Letters of Support Regarding Senate Bill 54 (Allen) [20-0140](#)

and Assembly Bill 1080 (Gonzalez) - California Circular Economy and Plastic Pollution Reduction Act (City Manager Moe).

**AUTHORIZE LETTERS OF SUPPORT**

This item was removed from the Consent Calendar and heard under Section H - Items Remove from the Consent Calendar.

5. **Consider Adopting a Resolution Supporting the National League of Cities' Leading Together Cities Agenda for the 2020 United States Presidential Election.**

**ADOPT RESOLUTION NO. 20-0038**

This item was removed from the Consent Calendar and heard under Section H - Items Remove from the Consent Calendar.

6. Consider Approving the City Council Assignments (City Clerk Tamura). [20-0131](#)

**APPROVE**

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

7. Consider Adopting a Resolution Approving the Budgeted Purchase of Proposition A Transportation Funds from the City of Maywood (Finance Director Charelian and Parks and Recreation Director Leyman). [20-0041](#)  
**ADOPT RESOLUTION NO. 20-0019**

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

8. Consider Adopting a Resolution Approving a Comprehensive Citywide Salary Schedule for all City Positions and Adjustments to Salary Ranges (Human Resources Director Jenkins). [20-0122](#)  
**ADOPT RESOLUTION NO. 20-0030**

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

9. Consider Adopting a Resolution Approving a Three-Year Agreement with McCormick Ambulance for Emergency Ambulance Transport Services with an Amount Not to Exceed \$935,000 (Fire Chief Drum and Finance Director Charelian). [20-0061](#)  
**ADOPT RESOLUTION NO. 20-0018 APPROVING AN AGREEMENT**

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

10. Consider Adopting a Resolution Approving an Agreement to Vigilant Solutions, Inc. to Install Additional Fixed License Plate Readers for an Amount Not-to-Exceed \$280,000 and Appropriate \$180,000 from the Unreserved Asset Forfeiture Fund Balance (Police Chief Abell). [20-0003](#)  
a) **WAIVE FORMAL BIDDING AND APPROVE**  
b) **ADOPT RESOLUTION NO. 20-0001 APPROVING AN AGREEMENT**  
c) **APPROPRIATE FUNDS**

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

11. Consider Adopting a Resolution: 1) Awarding a \$254,600 Construction Contract to Best Contracting Services, Inc. for Roof Replacements at Recreation Hall and Recreation Center in Live Oak Park, and the Community Building at Marine Avenue Park; 2) Authorizing the City Manager to Execute the Agreement; 3) Authorizing the City Manager to Approve Additional Work, if Necessary, for up to \$50,920; and 4) Approving the Plans and Specifications for the Project (Public Works Director Katsouleas). [20-0083](#)  
**APPROVE RESOLUTION NO. 20-0032**

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

12. Consider Approving a Budget Adjustment of Estimated Revenues for \$6,504,781 and Appropriating \$6,504,781 from the Utility Underground Assessment District Fund for the Underground Utility Assessment District 19-4 Project; and Adopting a Resolution Awarding a Professional Services Agreement to NV5, Inc. for Construction Management and Inspection Services for \$336,950 for Underground Utility Assessment District 19-4 (Public Works Director Katsouleas and Finance Director Charelian). [20-0084](#)

**ADOPT RESOLUTION NO. 20-0033**

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

13. Consider Approving the 2019 Annual Progress Report as Required by the California Department of Housing and Community Development (Community Development Director Tai). [20-0091](#)

**APPROVE**

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

14. Consider Approving Contract Amendment No.1 to an Agreement with General Pump Company, Inc. for \$21,719 for the Repair of Booster Pump No. 4 at Peck Reservoir (Public Works Director Katsouleas). [20-0121](#)

**ADOPT RESOLUTION NO. 20-0034**

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

15. Consider Adopting a Resolution Establishing Sole Source Exception Findings Pursuant to Public Contract Code Section 3400(c)(2) for Specific Materials, Products, Systems and Services for City-Related Water, Sewer, and Storm Water Capital Projects (Public Works Director Katsouleas). [20-0129](#)

**ADOPT RESOLUTION NO. 20-0035**

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

16. Ratification of a Resolution of the City Council of the City of Manhattan Beach Proclaiming the Existence of a Local Emergency. On March 13, 2020, the City Council adopted Resolution No. 20-0039, a resolution of the City Council of the City of Manhattan Beach proclaiming the existence of a local emergency.

**RATIFY**

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



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

4. Consider Approving Letters of Support Regarding Senate Bill 54 (Allen) and Assembly Bill 1080 (Gonzalez) - California Circular Economy and Plastic Pollution Reduction Act (City Manager Moe). [20-0140](#)

**AUTHORIZE LETTERS OF SUPPORT**

Mayor Pro Tem Hadley stated that there is additional time needed to research information and wanted a no vote for the record.

City Manager Bruce Moe and Management Analyst Alexandria Latragna responded to City Council questions.

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

Craig Cadwallader

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

City Attorney Quinn Barrow provided clarification.

**A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Hadley, to table the item and return at a later date. The motion carried by the following vote:**

**Aye:** 3 - Montgomery, Hadley Hersman, and Napolitano

**Nay:** 2 - Stern

**5. Consider Adopting a Resolution Supporting the National League of Cities' Leading Together Cities Agenda for the 2020 United States Presidential Election.**

**ADOPT RESOLUTION NO. 20-0038**

Mayor Pro Tem Hadley stated for the record that she is a no vote, due to the current events with COVID-19 in comparison with the US Presidential Elections and there is no urgency at this time.

Councilmember Hersman stated that this item is important and it shows that the City is in alignment with other states and countries.

Mayor Montgomery opened the floor to public comments.

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

**A motion was made by Councilmember Hersman, seconded by Mayor Montgomery, to adopt Resolution No. 20-0038, supporting the National League of Cities' leading together cities agenda for the 2020 United States Presidential Election. The motion carried by the following vote:**

**Aye:** 3 - Montgomery, Stern, Hersman, and Napolitano

**Nay:** 2 - Hadley

## I. PUBLIC HEARINGS

17. Consider Adopting Resolutions Approving: a Coastal Development Permit for the 2020-2022 Manhattan Beach Open Volleyball Tournaments; Request from EAS Enterprises, LLC. For Special Permit and Making an Exemption Determination Under the California Environmental Quality Act; and an Agreement with EAS Enterprises, LLC to Operate the Manhattan Beach Open for 2020-2022 (Parks and Recreation Director Leyman). [20-0060](#)
- a) **CONDUCT PUBLIC HEARING**
  - b) **ADOPT RESOLUTION NO. 20-0036 APPROVING COASTAL PERMIT**
  - d) **ADOPT RESOLUTION NO. 20-0037 APPROVING AN AGREEMENT**

City Manager Bruce Moe provided clarification that the approval of the Consent Calendar include Agenda Item Nos. 1-16, Agenda Item No. 16 was part of the amended agenda.

Parks and Recreation Department, Senior Recreation Manager Jessica Vincent provided the staff presentation and responded to City Council questions.

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

AI (AVP)

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

Senior Recreation Manager Vincent responded to City Council questions.

**A motion was made by Councilmember Napolitano, seconded by Councilmember Hersoman, to adopt Resolution No. 20-0036, approving a Coastal Development Permit approving the 2020, 2021, and 2022 Manhattan Beach Open on property located at the South Side of the Manhattan Beach Pier, and adjacent parking lots and making an exemption determination under the California Environmental Quality Act (CA 18-04), and adopt Resolution No. 20-0037, approving an agreement between Manhattan Beach and EAS Enterprises, a California Limited Company DBA Association of Volleyball Professionals to host the Manhattan Beach Open Volleyball tournament. The motion carried by the following vote:**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

**J. GENERAL BUSINESS**

18. Request by the Manhattan Beach Education Foundation (MBEF) to Place a Donor Appreciation Community Recognition Wall in Metlox Plaza, and If Approved, Delegate Authority to the City Manager to Execute Agreement (Parks and Recreation Director Leyman).

[20-0097](#)

**DISCUSS AND PROVIDE DIRECTION**

Parks and Recreation Director Mark Leyman introduced MBEF, Executive Director Hilary Mahan.

Executive Director Mahan provided the staff presentation.

Mayor Montgomery opened the floor to public comments.

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

**A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Hadley, to approve the placement of a donor appreciation community recognition wall in Metlox Plaza. The motion carried by the following vote**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

19. Consider Increasing the Default Renewable Energy Tier for Power Customers in the City to 100% Renewable Energy Under the Clean Power Alliance of Southern California (Community Development Director Tai).

[20-0148](#)

**DISCUSS AND PROVIDE DIRECTION**

Community Development Department, Environmental Sustainability Manager Dana Murray, provided the PowerPoint presentation and responded to City Council questions.

Clean Power Alliance, CEO Ted Bardacke continued to provide the staff presentation and responded to City Council questions.

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

Craig Cadwallader  
Michelle Allison  
Betty Friedtag  
Steve Debaetz  
Unknown Speaker  
Wayne Powell

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

**A motion was made by Councilmember Hersman, seconded by Councilmember Stern, to approve an increase in tier for Power Customers in the City to 100% renewable energy under the Clean Power Alliance of Southern California.**

**A substitute motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Hadley, to reach out to the community for the next year and return next April, 2021, to City Council for consideration of the 100% renewable energy tier and direct staff to have an outreach program for the community regarding the changes prior to City Council consideration. The motion carried by the following vote:**

**Aye:** 3 - Montgomery, Hersman, and Napolitano

**Nay:** 2 - Hadley and Stern

20. Consider Introducing Ordinances Amending Manhattan Beach Municipal Code 7.32 - Tree, Shrub and Plan Regulations and 7.36 - Private Use of the Public Right of Way, Approving the City of Manhattan Beach Urban Forest Master Plan and Making a Determination of Exemption Under the California Environmental Quality Act (Public Works Director Katsouleas).

[20-0050](#)

- a) **INTRODUCE ORDINANCE NOS. 20-0009 AND 20-0010**
- b) **APPROVE URBAN FOREST MASTER PLAN**

Councilmember Napolitano inquired if the item needed to be presented tonight due to the lengthy discussion by City Council regarding the subject presentation.

**A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Hadley, to continue the item to a future City Council Meeting. The motion carried by the following vote:**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

City Attorney Quinn Barrow provided the following details regarding each ordinance and resolution.

Urgency Ordinance No. 20-0011-U:

Amending the Manhattan Beach Municipal Code to establish restrictions on excessive and unjustified increases in consumer prices during a declared emergency and declaring the urgency thereof. (Anti-Gauging)

City Attorney Barrow 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.

**A motion was made by Mayor Pro Tem Hadley, seconded by Councilmember Stern, to adopt Urgency Ordinance No. 20-0011-U, amending the Manhattan Beach Municipal Code to establish restrictions on excessive and unjustified increases in consumer prices during a declared emergency and declaring the urgency thereof, as amended to include Section 4 add 0011 and Section 7 will read, "This ordinance shall be punishable as set forth in Manhattan Beach Municipal Code Chapters 1.04 and 1.06."**

*City Attorney Barrow read the title of Urgency Ordinance No. 20-0011-U:*

***AN URGENCY ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE MANHATTAN BEACH MUNICIPAL CODE TO ESTABLISH RESTRICTIONS ON EXCESSIVE AND UNJUSTIFIED INCREASES IN CONSUMER PRICES DURING A DECLARED EMERGENCY AND DECLARING THE URGENCY THEREOF***

**The motion carried by the following vote:**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

City Attorney Quinn Barrow provided the following details regarding Urgency Ordinance No. 20-0012-U.

Urgency Ordinance No. 20-0012-U:

Adopting emergency regulations related to evictions and declaring the urgency thereof and will only be in effect during the duration of the emergency. (Anti-Eviction)

Mayor Montgomery opened the floor to public comments.

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

**A motion was made by Councilmember Napolitano, seconded by Councilmember Stern, to adopt Urgency Ordinance No. 20-0012-U, adopting emergency regulations related to evictions and declaring the urgency thereof and will only be in effect during the duration of the emergency.**

*City Attorney Barrow read the title of Urgency Ordinance No. 20-0012-U:*

*AN URGENCY ORDINANCE OF THE CITY OF MANHATTAN BEACH  
ADOPTING EMERGENCY REGULATIONS RELATED TO  
EVICTIONS AND DECLARING THE URGENCY THEREOF*

**The motion carried by the following vote:**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman



City Attorney Quinn Barrow provided the following details regarding Urgency Ordinance No. 20-0013-U.

Urgency Ordinance No. 20-0013-U:

Adopting emergency regulations related to closure of certain establishments within the City, and other measures. (Closures of Certain Establishments)

Mayor Montgomery opened the floor to public comments.

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

**A motion was made by Councilmember Napolitano, seconded by Councilmember Stern, to adopt Urgency Ordinance No. 20-0013-U, adopting emergency regulations related to closure of certain establishments within the City, and other measures and declaring the emergency thereof.**

*City Attorney Barrow read the title of Urgency Ordinance No. 20-0013-U:*

***AN URGENCY ORDINANCE OF THE CITY OF MANHATTAN BEACH  
ADOPTING EMERGENCY REGULATIONS RELATED TO CLOSURE  
OF CERTAIN ESTABLISHMENTS WITHIN THE CITY, AND OTHER  
MEASURES AND DECLARING THE URGENCY THEREOF***

**The motion carried by the following vote:**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

City Attorney Quinn Barrow provided the following details regarding Resolution No. 20-0040.

Resolution No. 20-0040:

A resolution adding additional measures related to the local emergency.

City Attorney Barrow 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.

**A motion was made by Councilmember Napolitano, seconded by Councilmember Stern, to adopt Resolution No. 20-0040, adding additional measures related to the local emergency, as amended to include additional language of "people follow social distancing practices and refrain." The motion carried by the following vote:**

**Aye:** 5 - Montgomery, Hadley, Stern, Napolitano and Hersman

City Manager Bruce Moe confirmed that outreach will be provided to the public starting tomorrow morning and provide an update on those efforts.

## **K. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS**

Mayor Pro Tem Hadley reported to have participated in the Manhattan Beach Police Department, Community Police Academy.

Mayor Montgomery reported to have attended the National League of Cities Conference.

Councilmember Napolitano thanked staff for their work and how well this City Council Meeting went despite all obstacles and modifications in such short notice.

**L. FUTURE AGENDA ITEMS**

21. Agenda Forecast (City Clerk Tamura). [20-0105](#)  
**DISCUSS AND PROVIDE DIRECTION**

Mayor Pro Tem Hadley inquired about appealing the Planning Commission's finding regarding MB Post.

City Attorney Quinn Barrow provided clarification.

**M. CITY MANAGER REPORT**

City Manager Bruce Moe thanked IT staff and City Clerk's Office for this meeting and also thanked all of staff for the quick response.

**N. CITY ATTORNEY REPORT**

None.

## O. INFORMATIONAL ITEMS

22. Commission Minutes: [20-0134](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Library Commission Meeting Minutes of December 9, 2019 (Parks and Recreation Director Leyman)
- b) Cultural Arts Commission Meeting Minute of January 14, 2020 (Parks and Recreation Director Leyman)
- c) Parking and Public Improvements Commission Meeting Minutes of January 23, 2020 (Cancelled) (Community Development Director Tai)
- d) Parks and Recreation Commission Meeting Minutes of January 27, 2020 (Parks and Recreation Director Leyman)
- e) Parking and Public Improvements Commission Meeting Minutes of February 27, 2020 (Cancelled) (Community Development Director Tai).

### **INFORMATION ITEM ONLY**

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

23. Recent Planning Commission Quasi-Judicial Decisions: [20-0150](#)

Proposed Use Permit Amendment for an Existing Restaurant with Full Alcohol Service (Manhattan Beach Post) to Allow: An Expansion of the Use into an Adjacent Vacant Restaurant Space (Formerly Subway); and an Extension of Operating Hours at 1142 and 1144 Manhattan Avenue (Simms Restaurants/Simms)  
(Community Development Director Tai).

### **INFORMATION ITEM ONLY**

Mayor Pro Tem Hadley and Councilmember Napolitano requested the form to complete to request review of the Planning Commission decision regarding Manhattan Beach Post.

City Attorney Quinn Barrow provided clarification and confirmed that the request must be filed with the City Clerk's Office. Additionally, responded to City Council questions.

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

## P. CLOSED SESSION

None.

**Q. ADJOURNMENT**

At 9:08 PM, Mayor Montgomery adjourned the meeting to a 5:00 PM, Closed Session meeting, on Wednesday, March 18, 2020, in the City Council Chambers.

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**Martha Alvarez**  
**Recording Secretary**

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**Richard Montgomery**  
**Mayor**

**ATTEST:**

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