

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, April 4, 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

Johnny Gosser of American Martyrs Catholic School 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

D. CEREMONIAL CALENDAR

1. Presentation of Baby Passports to Cooper and Oliver Pasquali, [23-0152](#)
Welcoming Manhattan Beach's Newest Residents.

PRESENT

On behalf of the City Council, Mayor Montgomery presented Baby Passports to Cooper and Oliver Pasquali as Manhattan Beach's newest residents.

2. Presentation of a Commendation to Outgoing Communications and Civic Engagement Manager, Jessica Vincent. [23-0159](#)

PRESENT

City Manager Bruce Moe and the City Council presented a commendation to outgoing Communications and Civic Engagement Manager Jessica Vincent.

Communications and Civic Engagement Manager Vincent provided her thanks to the City.

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

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

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

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

City Manager Bruce Moe announced that the City had been having intermittent email service outages and that a solution had been identified and would be implemented over the next several days.

Library Manager Josh Murray announced the Evening Book Club on May 1, 2023, from 6:30-7:30 PM.

Val Pagett, member of the Leadership Manhattan Beach Class of 2023, along with her fellow classmate Carol Patterson, 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.

Waste Management Liaison Eric Quintero announced a free Shred Event on April 8, 2023, from 9:00-11:00 AM at the Mira Costa High School parking lot.

President and CEO of the Chamber of Commerce David Archer announced an event for the South Bay Community Coalition Against Hate regarding a Community Conversation with Frank Meeink on April 20, 2023, at 6:30 PM at American Martyrs O'Donnell Hall. He also announced the Phenomenal Women event on May 11, 2023, from 10:00 AM - 2:00 PM at the Kinecta Campus.

Mayor Montgomery announced his Coffee with the Mayor events and that the next one would take place on April 25, 2023, at the Coffee Bean and Tea Leaf at the Manhattan Village Shopping Center.

Councilmember Howorth also announced the Community Conversation with Frank Meeink on behalf of the South Bay Community Coalition Against Hate taking place on April 20, 2023, at 6:30 PM at American Martyrs O'Donnell Hall. She encouraged everyone to attend.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

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

*Kristin Long Drew
Adam Goldston
Gabriel Greenberg
Carrie Wetsch
Julie Birkel
Laura Kiely
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 Mayor Pro Tem Franklin, to approve the Consent Calendar. The motion carried by the following vote:

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

3. City Council Minutes: [23-0153](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Adjourned Regular Meeting (Work Plan Meeting) Minutes of March 14, 2023
b) City Council Regular Meeting Minutes of March 21, 2023 (City Clerk Tamura).
APPROVE
The recommendation for this item was approved on the Consent Calendar.
4. Financial Reports: [23-0094](#)
Schedule of Demands March 3, 2023, and March 10, 2023 (Finance Director Charelian).
ACCEPT REPORTS AND DEMANDS
The recommendation for this item was approved on the Consent Calendar.
5. Declaration of Proclamations for the Following: [23-0155](#)
a) Month of April 2023 as Earth Month
b) Month of April 2023 as DMV/Donate Life Month.
PROCLAIM
The recommendation for this item was approved on the Consent Calendar.

6. Consideration of the Approval of City Council Assignments (City Clerk Tamura). [23-0144](#)
APPROVE

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

7. Consideration of a Resolution Granting a Special Permit to Allow Alcoholic Beverage Use on Public Property (City Manager Moe). [23-0057](#)
ADOPT RESOLUTION NO. 23-0017

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

8. Consideration of a Resolution Opposing State Ballot Initiative No. 21-0042A1 Titled the "Taxpayer Protection and Government Accountability Act" (City Manager Moe). [23-0099](#)
ADOPT RESOLUTION NO. 23-0036

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

9. Consideration of a Resolution Ordering Plans, Specifications, Cost Estimates, and Engineer's Report for Annual Street Lighting and Landscaping Assessments (Finance Director Charelian). [23-0084](#)
ADOPT RESOLUTION NO. 23-0032

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

10. Consideration of Second Reading and Adoption of Ordinance No. 23-0007 Amending Section 8.20.020 of the Manhattan Beach Municipal Code to Increase the Rate of the City's Transient Occupancy Tax to 14% in Accordance with Measure A (Finance Director Charelian). [23-0157](#)
ADOPT ORDINANCE NO. 23-0007

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

11. Update on the City's Traffic Signal Battery Backup Systems (Acting Community Development Director Mirzakhani). [23-0122](#)
RECEIVE AND FILE

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

12. Consideration of a Resolution Awarding a Construction Agreement to Gentry General Engineering, Inc. for \$439,475.25 for the Annual Citywide Concrete Repairs Cycle 2 Project which Qualifies for a Categorical Exemption Pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) State Guidelines (Public Works Director Lee). [23-0026](#)
ADOPT RESOLUTION NO. 23-0033

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

13. Consideration of a Resolution Approving an Inspection Services Agreement with Ardurra Group, Inc. with a Not-to-Exceed Amount of \$592,856 for Various Capital Improvement Projects, 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). [23-0052](#)
ADOPT RESOLUTION NO. 23-0034

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

14. Consideration of a Resolution Approving an Increase in the Construction Contingency Amount for the Sepulveda Bridge Widening Project by \$148,775 (Public Works Director Lee). [23-0116](#)
ADOPT RESOLUTION NO. 23-0035

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

I. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

J. PUBLIC HEARINGS

None.

K. GENERAL BUSINESS

15. Selection of Long-Term Outdoor Dining Ad Hoc Task Force Members [23-0135](#)
(Acting Community Development Director Mirzakhaniah).
(Estimated Time: 1 Hr 15 Mins.)

APPOINT MEMBERS TO THE OUTDOOR DINING TASK FORCE

Mayor Montgomery clarified the selection process for the Outdoor Dining Task Force.

Acting Community Development Director Talyn Mirzakhaniah provided the PowerPoint presentation and responded to City Council questions.

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

*Jennifer Julius
Audrey Judson
Jim Burton
Brenda O'Leary*

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

The following appointments were made through the voting process and were approved by the City Council:

*Seat No.6 - Downtown Resident: Jim Burton
Seat No.8 - North Manhattan Beach Resident: Kimberlee Kelly
Seat No. 10 - Commercial (Non-Manhattan Village Shopping Center): Harout Ashikian
Seat No. 11 - At-Large Resident: Paul Mullin
Seat No. 12 - At-Large Resident: Bridgette Goodman
Seat No. 13 - At-Large Resident or Business: Faith Lyons
Seat No. 14 - At-Large Resident or Business: Peir Serota
Seat No. 15 - At-Large Resident or Business: Audrey Judson*

Alternates:

*Seat No.6 - Downtown Resident: Carol Perrin
Seat No.8 - North Manhattan Beach Resident: Michael Cohen
Seat No. 10 - Commercial (Non-Manhattan Village Shopping Center): Peter Kim
Seat No. 11 - At-Large Resident: Brenda O'Leary
Seat No. 12 - At-Large Resident: Loretta Raftery
Seat No. 13 - At-Large Resident or Business: Rachel Vandenberg
Seat No. 14 - At-Large Resident or Business: Gerry Morton
Seat No. 15 - At-Large Resident or Business: George Wright*

Acting Community Development Director Mirzakhaniah responded to City Council questions.

City Manager Bruce Moe thanked Acting Community Development Director Mirzakhaniah and her staff for their hard work.

At 7:53 PM, the City Council recessed and reconvened at 8:09 PM with all City Councilmembers present.

16. Consideration of a Resolution of Apology for the City's Role in the Racially Motivated Condemnation of Properties at Bruce's Beach (City Manager Moe).

[23-0158](#)

(Estimated Time: 1 Hr.)

A) DISCUSS AND PROVIDE DIRECTION

B) ADOPT RESOLUTION NO. 23-0037

City Manager Bruce Moe introduced Policy & Management Analyst Alexandria Latragna who provided the staff presentation.

Policy & Management Analyst Latragna and City Attorney Quinn Barrow responded to City Council questions.

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

*Tim Jones
Hildy Stern
Michael Jenkins
Christi Hogin*

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

A motion was made by Councilmember Howorth to adopt Resolution No. 23-0037 as amended, a resolution of the City Council of the City of Manhattan Beach acknowledging and apologizing for the City's role in the racially motivated condemnation of properties in the area known as Bruce's Beach.

The following revisions to Resolution No. 23-0037 were proposed:

Recital a) During the years from 1912 to 1927, in and around the area bordered by Highland Avenue, the Strand, 26th Street, and 27th Street, five Black families purchased property as residences or visitor-serving businesses, including Willa and Charles A. Bruce, Major George Prioleau and Mrs. Ethel Prioleau, Elizabeth Patterson, Mary R. Sanders, and Milton and Anna Johnson.

Recital c-ii) Remove section.

Recital c-iii) Remove section.

Recital c-iv) The City Council enacting ordinances sharply limiting the creation of new bathhouses and other visitor-serving facilities, creating obstacles for traditional beachgoing experiences i.e. changing into bathing suits and making parking difficult in the area around Bruce's Beach, in direct response to the popularity of Bruce's Beach among the Black American community; and

Recital d) Add the word "Some" to the beginning of the second sentence.

Recital e) When the acts of intimidation and harassment prior to 1924 did not have the

desired effect of excluding Black Americans from the community, some white residents, including realtors and civic leaders, pressured and persuaded the Board of Trustees, the precursor to the City Council, to exercise its power of eminent domain to acquire the land for use as a public park.

Section 2) The role that the City played by tolerating racial discrimination and harassment by City residents that went unpunished, causing terror and intimidation among the Black community, including other nearby Black property owners John McCaskill, Elzia Irvin, James and Lula Slaughter, and James and Anna Janet Leggett, as well as the Black visitors who sought beach access here.

Lastly, add the following sentence to the end of the resolution: "It is long overdue."

Policy & Management Analyst Latragna and City Attorney Barrow responded to City Council questions.

Policy & Management Analyst Latragna requested clarification regarding the revisions to the resolution.

A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, to adopt Resolution No. 23-0037 as amended, a resolution of the City Council of the City of Manhattan Beach acknowledging and apologizing for the City's role in the racially motivated condemnation of properties in the area known as Bruce's Beach. The motion carried by the following vote:

Aye: 4 - Montgomery, Howorth, Lesser and Napolitano

Nay: 1 - Franklin

17. Consideration of the Coyote Management and Response Plan (City Manager Moe).

[23-0119](#)

(Estimated Time: 30 Mins.)

APPROVE

City Manager Bruce Moe introduced Assistant to the City Manager George Gabriel who provided the staff presentation.

Police Chief Rachel Johnson and Assistant to the City Manager Gabriel 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.

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

A motion was made by Councilmember Howorth to conceptually approve the Coyote Management and Response Plan pending preparation of environmental documentation.

City Manager Moe responded to City Council questions.

The City Council directed staff to return with the CEQA analysis and trapping management contracts regardless of the dollar amount.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Franklin, to conceptually approve the Coyote Management and Response Plan pending preparation of environmental documentation. The motion carried by the following vote:

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

18. Consideration of a Resolution Approving a One-Year Loan Agreement of the “Surf Ascension” Sculpture by Artist Domisi Keven Parham and Allocate Funding from the Public Arts Trust Fund in the Amount Not-to-Exceed \$12,000 (Parks and Recreation Director Leyman). [23-0020](#)

(Estimated Time: 30 Mins.)

DISCUSS AND PROVIDE DIRECTION

A) ADOPT RESOLUTION NO. 23-0038

B) APPROVE LOCATION

C) ALLOCATE FUNDS

Parks and Recreation Manager Mark Leyman introduced Cultural Arts Manager Eilen Stewart who provided background regarding the item.

Former Executive Coordinator for the North Manhattan Beach Business Improvement District (NMBBID) Danica Dusevic read a statement on behalf of NMBBID Chair Mike Simms.

Artist Domisi Keven Parham provided the PowerPoint presentation.

Cultural Arts Manager Stewart and Public Works Director Erick Lee 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.

Cultural Arts Manager Stewart responded to City Council questions.

A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Franklin, to adopt Resolution No. 23-0038, a resolution of the Manhattan Beach City Council approving an agreement between the City of Manhattan Beach and Domisi Keven Parham for the loan of the City artwork entitled “Surf Ascension”; and allocate funds from the Public Arts Trust Fund not-to-exceed \$12,000 for the one-year loan period. The motion carried by the following vote:

Aye: 4 - Montgomery, Franklin, Howorth and Lesser

Nay: 1 - Napolitano

L. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

Mayor Pro Tem Franklin and Mayor Montgomery reported that they attended the National League of Cities Conference and each presented an oral report about the conference and contacts with other public officials.

M. FUTURE AGENDA ITEMS

None.

N. CITY MANAGER REPORT

City Manager Bruce Moe announced that the Police Department participated in the Baker to Vegas Race over the past weekend and that they came in seventh place out of the twenty-two teams in their category.

City Manager Moe also requested that the City Council select two members to be on a website redesign team.

Councilmember Lesser and Councilmember Howorth volunteered to be a part of the team.

O. CITY ATTORNEY REPORT

None.

P. INFORMATIONAL ITEMS

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

[23-0154](#)

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

Q. CLOSED SESSION

None.

R. ADJOURNMENT

At 9:56 PM, Mayor Montgomery adjourned the meeting and announced that the next Regular City Council meeting would take place at 6:00 PM on April 18, 2023.

Patricia Matson
Recording Secretary

Richard Montgomery
Mayor

ATTEST:

Liza Tamura
City Clerk