

# City of Manhattan Beach

*1400 Highland Avenue  
Manhattan Beach, CA 90266*



## Meeting Minutes - Draft

**Tuesday, December 21, 2021**

**6:00 PM**

**Amended Agenda**

**City Council Chambers and Zoom**

## **City Council Regular Meeting**

### ***ELECTED OFFICIALS***

***Mayor Hildy Stern***

***Mayor Pro Tem Steve Napolitano***

***Councilmember Richard Montgomery***

***Councilmember Joe Franklin***

***Councilmember Suzanne Hadley***

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#### **A. CALL MEETING TO ORDER**

*Mayor Stern called the meeting to order.*

#### **B. PLEDGE TO THE FLAG**

*Mayor Stern led the Pledge of Allegiance.*

#### **C. ROLL CALL**

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

#### **D. CEREMONIAL CALENDAR**

1. Presentation of a Commendation to Retiring Police Captain Tim Hageman for 30 Years of Dedicated Service to the Manhattan Beach Police Department and the City of Manhattan Beach. [21-0414](#)  
**PRESENT**

*Mayor Stern and Interim Police Chief Derrick Abell, on behalf of the City Council, presented a commendation to Police Captain Tim Hageman for his 30 years of dedicated service to the Manhattan Beach Police Department and to the community.*

*Mayor Stern, Mayor Pro Tem Napolitano, Councilmember Montgomery, Councilmember Hadley, and Councilmember Franklin each thanked Captain Hageman for his service to the City.*

2. Presentation of Certificates of Recognition to Manhattan Beach Athletes Isabelle Connor (Rhythmic Gymnastics) and Gavin Hoover (Track Cycling) for Participating in the Tokyo 2020 Olympics. [21-0347](#)  
**PRESENT**

*Mayor Stern, on behalf of the City Council, presented certificates of recognition to Isabelle Connor and Gavin Hoover for their participation in the Tokyo 2020 Olympics.*

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

A motion was made by Councilmember Hadley, seconded by Councilmember Franklin, to approve the agenda and waive full reading of ordinances, with Councilmember Franklin pulling Agenda Item No. 8 from the Consent Calendar for individual consideration. The motion carried by the following vote:

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

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

*Library Manager, Josh Murray, announced the virtual Book Club at 6:30 PM on January 3, 2022 and encouraged the community to sign up for the other virtual programs that the library offers including: "Work Ready Career Advice for Recent Grads." Sign-ups can be completed at [lacountylibrary.org](http://lacountylibrary.org).*

*Councilmember Franklin announced that he attended the James Webb Space Telescope pre-launch celebration at Northrop Grumman in Redondo Beach last Friday. The telescope will launch on December 24, 2021. He congratulated the employees that worked on this project and wished them well with the launch.*

*Councilmember Montgomery announced that the 33rd Annual Skechers Manhattan Beach Holiday Fireworks Festival went well. He thanked Skechers, Chevron, all of the sponsors and all of those involved. He also thanked all those involved with the success of the 29th Annual Beach Cities Toy Drive.*

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

*Assistant City Clerk Martha Alvarez confirmed that the City received the following public comments prior to the start of the December 21, 2021, City Council Regular Meeting and that the comments were available to view online:*

*Agenda Item No. 3*

*1 voice mail*

*6 eComments*

*312 emails*

*Agenda Item No. 10*

*1 eComment*

*Agenda Item No. 14*

*1 email*

*Other Items Not on the Agenda*

*1 eComment*

*1 email*

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

*Nina Tarnay*

*Elyse Gura*

*Kapil Singh*

*Sandesha Singh*

*Suzanne Lerner*

*Adam Goldberg*

*Allen Kirschenbaum*

*Hannah Law*

*Donald McPherson*

*Andrew Goldstein*

*Stephanie Stehling*

*Rio P*

*Kristiane Thompson*

*Cheryl Wolcott*

*Bill Matthews*

*Raul Dwan*

*Robert Kalouch*

*Kartik Garg*

*Michael Zislis*

*David LeFevre*

*David Slay*

*Unknown Speaker*

*Golnar Judge*

*Devon Bream*

*Dario Vullo*

*Unknown Speaker*

*Richard Elden*

*Paul Kogrowski*

*Unknown Speaker*  
*Jim Burton*  
*Kelly Ifergan*  
*TJ McNulty*  
*Lori Ford*  
*Chandra*  
*Matthew Niemann*  
*Kris Derrico*  
*Jim Orland*  
*Linda McLoughlin Figel*  
*Jim S*  
*Heather Venegas*

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

## **H. COVID-19**

### **3. Discussion to Extend the Current Deadline for Outdoor Dining Due to Expire January 3, 2022. DISCUSS AND PROVIDE DIRECTION**

*Mayor Stern provided background regarding the item.*

*Public Works Director Erick Lee provided information regarding the work that needs to occur in the Downtown area and responded to City Council questions.*

*City Manager Bruce Moe responded to City Council questions.*

*Mayor Stern opened the floor to public comments.*

*Seeing no requests to speak from new speakers, Mayor Stern closed the floor to public comment.*

**A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to extend the outdoor dining deck program through the duration of the state's State of Emergency and to increase the monthly fee to \$3.00 per square foot for the use of temporary outdoor dining decks on the public street right-of-way. The motion carried by the following vote:**

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

*City Attorney Quinn Barrow clarified that the City Manager will issue a new emergency order to extend the period of the program to coincide with the emergency declared by the State and that the City will start charging \$3.00 per square foot for the dining decks beginning January 3, 2022.*

*City Manager Moe and Community Development Director Carrie Tai responded to City Council questions.*

**A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to have staff conduct a survey to find the appropriate market rate for outdoor dining fees for the use of the public right-of-way including sidewalks. The motion carried by the following vote:**

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

#### **4. City Manager Update on COVID-19 Response.**

*City Manager Bruce Moe reported on the EOC (Emergency Operations Center) and responded to City Council questions.*

***The City Council provided direction to hold all City Council meetings in January via Zoom.***

#### **5. Consideration of Including Contractors and Volunteers in a COVID-19 Vaccine Mandate (Human Resources Director Jenkins). [21-0378](#)**

**DISCUSS AND PROVIDE DIRECTION**

*Councilmember Hadley requested to postpone the agenda item until January.*

*City Manager Moe responded to City Council questions.*

***The City Council provided direction to postpone the agenda item until the January 18, 2022 or February 1, 2022 City Council Meeting.***

*At 9:06 PM, the City Council recessed and reconvened at 9:16 PM with all Councilmembers present.*

### **I. CONSENT CALENDAR (APPROVE)**

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Napolitano, to approve the Consent Calendar with the exception of Agenda Item No. 8, which was individually considered under Section J – Items Removed from the Consent Calendar. The motion carried by the following vote:**

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

6. City Council Minutes: [21-0174](#)

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

a) City Council Adjourned Regular Meeting Minutes of December 7, 2021

b) City Council Regular Meeting Minutes of December 7, 2021

(City Clerk Tamura).

**APPROVE**

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

7. Financial Reports: Schedule of Demands November 18, 2021, [21-0352](#)

November 24, 2021, and December 2, 2021 (Finance Director

Charelian).

**ACCEPT REPORTS AND DEMANDS**

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

8. Update on Homelessness Initiatives and Consideration of the Following [21-0412](#)

Initiatives:

a) A Resolution Approving a Memorandum of Understanding in the Amount of \$216,000 with the South Bay Cities Council of Governments for Measure H Grant Funding to Provide Homelessness Case Management Services to the Cities of Manhattan Beach, Hermosa Beach, El Segundo and Redondo Beach;

b) A Resolution Approving Amendment No. 2 to the Professional Services Agreement with Harbor Interfaith Services for Measure H Grant Funded Homeless Case Management and Housing Navigation Services at a Cost Not-to-Exceed \$70,000 (City Manager Moe).

**A) ADOPT RESOLUTION NOS. 21-0118 AND 21-0119**

**B) AUTHORIZE THE CITY MANAGER TO NEGOTIATE TERMS  
AND EXECUTE AGREEMENTS**

**C) APPROPRIATE FUNDS**

This item was removed from the Consent Calendar and heard under Section J -  
Items Removed from the Consent Calendar.

9. City Council Reconsideration of the Circumstances of the Declared [21-0428](#)

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**

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

10. Consideration of the Grant-Funded Purchase of Four Mobile Automated License Plate Reader Systems from Vigilant Solutions, Inc. in an Amount Not-to-Exceed \$60,000 (Police Chief Abell). [21-0387](#)

**A) WAIVE FORMAL BIDDING**

**B) AUTHORIZE PURCHASE**

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

11. Consideration of a Resolution Approving the Transfer Agreement with Los Angeles County Flood Control District for the South Santa Monica Bay Water Quality Enhancement 28th Street Storm Drain Infiltration Project (Public Works Director Lee). [21-0399](#)

**A) ADOPT RESOLUTION NO. 21-0116**

**B) APPROVE APPROPRIATION AND BUDGET ADJUSTMENTS  
FOR MEASURE W FUNDS**

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

12. Consideration of a Resolution Approving a Three-Year Broadcast Services Agreement with PEGasus Studios for a Not-to-Exceed Three-Year Cost of \$180,000 (Information Technology Director Hackelman). [21-0334](#)

**ADOPT RESOLUTION NO. 21-0113**

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



## J. ITEMS REMOVED FROM THE CONSENT CALENDAR

8. Update on Homelessness Initiatives and Consideration of the Following Initiatives: [21-0412](#)

- a) A Resolution Approving a Memorandum of Understanding in the Amount of \$216,000 with the South Bay Cities Council of Governments for Measure H Grant Funding to Provide Homelessness Case Management Services to the Cities of Manhattan Beach, Hermosa Beach, El Segundo and Redondo Beach;
- b) A Resolution Approving Amendment No. 2 to the Professional Services Agreement with Harbor Interfaith Services for Measure H Grant Funded Homeless Case Management and Housing Navigation Services at a Cost Not-to-Exceed \$70,000 (City Manager Moe).

**A) ADOPT RESOLUTION NOS. 21-0118 AND 21-0119**

**B) AUTHORIZE THE CITY MANAGER TO NEGOTIATE TERMS AND EXECUTE AGREEMENTS**

**C) APPROPRIATE FUNDS**

*Councilmember Franklin provided that he pulled the item to announce that the City had its first successful placement into the SHARE! housing program.*

*Assistant to the City Manager, George Gabriel, responded to City Council questions.*

*Mayor Stern opened the floor to public comments.*

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

**A motion was made by Councilmember Hadley, seconded by Councilmember Montgomery, to adopt Resolution No. 21-0118, approving a memorandum of understanding with the South Bay Cities Council of Governments (SBCCOG) under which the SBCCOG provides to the City \$216,000 for homelessness case management services; to adopt Resolution No. 21-0119, approving Amendment No. 2 to the agreement with Harbor Interfaith Services for grant funded homeless case management and housing navigation services; to authorize the City Manager to negotiate terms and execute both agreements; and to appropriate \$216,000 from unreserved General Fund balance and approve a budget adjustment for grant reimbursement funds. The motion carried by the following vote:**

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

## K. PUBLIC HEARINGS

*None.*

**L. GENERAL BUSINESS**

13. Consideration of a Resolution Expressing Support for the [21-0404](#)  
“Brand-Huang-Mendoza Tripartisan Land Use Initiative” to Amend Article  
XI of the Constitution of the State of California to Ensure that All  
Decisions Regarding Local Land Use Controls, Including Zoning Law and  
Regulations, are Made by the Affected Communities (City Manager  
Moe).

**ADOPT RESOLUTION NO. 21-0117**

*City Manager Bruce Moe introduced Assistant to the City Manager, George Gabriel, who provided the Staff presentation.*

*Mayor Stern opened the floor to public comments.*

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

**A motion was made by Councilmember Montgomery, seconded by Councilmember Franklin, to adopt Resolution No. 21-0117, expressing support for the “Brand-Huang-Mendoza Tripartisan Land Use Initiative” to amend article XI of the Constitution of the State of California to ensure that all decisions regarding local land use controls, including zoning law and regulations, are made by the affected communities. The motion carried by the following vote:**

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

14. Consideration of Introducing Ordinance No. 21-0008 Amending Urgency Ordinance No. 20-0012-U, as Subsequently Amended, to Rescind Residential Eviction Regulations (City Attorney Barrow). [21-0411](#)

**INTRODUCE ORDINANCE NO. 21-0008**

*City Attorney Quinn Barrow provided the PowerPoint presentation and responded to City Council questions.*

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

*David Archer*

*City Attorney Barrow responded to Mr. Archer's question.*

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

**A motion was made by Councilmember Hadley, seconded by Mayor Pro Tem Napolitano, to introduce Ordinance No. 21-0008.**

**City Attorney Barrow read the title of the ordinance into the record:**

**AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING URGENCY ORDINANCE NO. 20-0012-U, AS SUBSEQUENTLY AMENDED, TO RESCIND CERTAIN REGULATIONS PERTAINING TO RESIDENTIAL TENANTS AND RESTATE THE ORDINANCE'S EXISTING PROTECTIONS OF COMMERCIAL TENANTS**

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

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

*City Attorney Barrow stated that the ordinance would return for adoption on the January 18, 2022 City Council Meetings' Consent Calendar.*

15. Consideration of an Urgency Interim Zoning Ordinance Adding Objective Standards for SB 9 Development Projects, and Adopt a Fee Resolution Approving an SB 9 Development Review Application Fee (Community Development Director Tai).

[21-0426](#)

**A) ADOPT URGENCY ORDINANCE NO. 21-0009-U**

**B) ADOPT RESOLUTION NO. 21-0120 TO ESTABLISH A FEE  
FOR REVIEW OF SB 9 PROJECTS**

*Community Development, Planning Manager Talyn Mirzakhanian, provided the PowerPoint presentation and responded to City Council questions.*

*City Attorney Quinn Barrow responded to City Council questions.*

*Mayor Stern opened the floor to public comments.*

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

**A motion was made by Councilmember Hadley, seconded by Councilmember Montgomery, to adopt Urgency Ordinance No. 21-0009-U and Resolution No. 21-0120, establishing new fees and charges for services provided by the City of Manhattan Beach related to urban lot splits and housing units built in accordance with Senate Bill 9.**

**City Attorney Barrow read the title of Urgency Ordinance No. 21-0009-U into the record:**

**AN INTERIM ORDINANCE OF THE CITY OF MANHATTAN BEACH ADOPTING  
EMERGENCY REGULATIONS RELATED TO URBAN LOT SPLITS AND HOUSING  
UNITS BUILT IN ACCORDANCE WITH SENATE BILL 9 AND DECLARING THE  
URGENCY THEREOF**

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

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

*City Attorney Barrow stated that the urgency ordinance would be effective immediately and that staff would put together an extension ordinance that would appear on the February 1, 2022 agenda as well as a report for the January 18, 2022 agenda.*

**M. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS**

*None.*

## N. FUTURE AGENDA ITEMS

*Councilmember Franklin inquired about having a conversation regarding the specifications for outdoor dining private decks.*

*City Manager Bruce Moe and City Attorney Quinn Barrow responded to City Council questions.*

*The City Council directed staff to agendize a discussion regarding the Community Development Work Plan at the January 18, 2022 City Council meeting.*

*Councilmember Montgomery inquired about the status of the slurry seal project in the Downtown area.*

*City Manager Moe stated that the agenda item pertaining to the slurry seal project is returning at the January 18, 2022 City Council meeting.*

## O. CITY MANAGER REPORT

*City Manager Bruce Moe, introduced Assistant to the City Manager, George Gabriel, who provided an update regarding recent changes to the County's political districts, as well as congressional and state senate changes.*

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

*City Manager Moe wished everyone a happy holiday and a happy new year.*

## P. CITY ATTORNEY REPORT

*City Attorney Quinn Barrow wished everyone a happy holiday.*

## Q. INFORMATIONAL ITEMS

16. Agenda Forecast (City Clerk Tamura). [21-0393](#)  
**INFORMATION ITEM ONLY**

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

17. Commission Minutes: [21-0427](#)  
This Item Contains Minutes of the following City Commission Meetings:  
a) Library Commission Meeting Minutes of November 8, 2021 (Parks and Recreation Director Leyman)  
b) Parks and Recreation Commission Meeting Minutes of November 29, 2021 (Parks and Recreation Director Leyman).  
**INFORMATION ITEM ONLY**

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

**R. CLOSED SESSION**

*None.*

**S. ADJOURNMENT**

*At 10:24 PM, Mayor Stern adjourned the meeting to the 6:00 PM Adjourned Regular Meeting on January 11, 2022.*

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**Patricia Matson**  
**Recording Secretary**

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**Hildy Stern**  
**Mayor**

**ATTEST:**

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