

# City of Manhattan Beach

*1400 Highland Avenue  
Manhattan Beach, CA 90266*



## Meeting Minutes - Draft

**Tuesday, August 2, 2022**

**6:00 PM**

**Regular Meeting**

**City Council Chambers and Zoom**

## **City Council Regular Meeting**

### ***ELECTED OFFICIALS***

***Mayor Steve Napolitano***

***Mayor Pro Tem Richard Montgomery***

***Councilmember Joe Franklin***

***Councilmember Suzanne Hadley***

***Councilmember Hildy Stern***

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

*Mayor Napolitano called the meeting to order.*

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

*Hermosa Beach City Councilmember, Stacey Armato, led the Pledge of Allegiance.*

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

*Roll Call by City Clerk Liza Tamura.*

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

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

1. Presentation of Commendations Recognizing Retiring Police Department City Employees: Police Chief Derrick Abell (30 Years), 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. [22-0303](#)

##### **PRESENT**

*The recognition of Police Lieutenant Ryan Small and Police Sergeant Tim Zins will take place at a future City Council meeting.*

*City Manager Bruce Moe and the City Council thanked Police Chief Derrick Abell for his years of service.*

*Mayor Napolitano, on behalf of the City Council, presented a Certificate of Commendation to Retiring Police Chief Abell.*

*Police Chief Abell shared a few words regarding his career in the City.*

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

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Stern, to approve the agenda, pull Agenda Item No. 6 from the Consent Calendar for individual consideration, register a "No" vote under Agenda Item No. 8 for Mayor Napolitano, and waive full reading of ordinances. The motion carried by the following vote:

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

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

*Library Manager Josh Murray announced Stories From Around the World on August 10, 2022, at 3:30 PM. Registration is available on the Library's website, [lacountylibrary.org](http://lacountylibrary.org), beginning tomorrow at 3:30 PM.*

*President and CEO of the Chamber of Commerce David Archer thanked the community for supporting local businesses and announced that they have initiated the MB Pier Review, a community based newsletter that will be sent out bimonthly.*

*Mayor Pro Tem Montgomery announced that the Chevron Grand Prix Bike Race was a success.*

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

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

*Logan Erickson  
Lesley Dunlap  
Kimberly Lenahan  
Melissa Yeager  
Massimo Armato  
Stacey Armato  
Tony Truyoo  
Gail Fortis  
Kelly Hamilton  
Audrey Kania  
Andy Milder*

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

## H. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Stern, to approve the Consent Calendar with Agenda Item No. 6 being removed to be heard under Section - I Items Removed from the Consent Calendar, and register a "No" vote for Agenda Item No. 8 for Mayor Napolitano. The motion carried by the following vote:

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

2. City Council Minutes: [22-0281](#)

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

- a) City Council Special Meeting Minutes of July 14, 2022
  - b) City Council Regular Meeting Minutes of July 19, 2022
- (City Clerk Tamura).

**APPROVE**

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

3. Financial Reports: [22-0309](#)

Schedule of Demands July 7, 2022, and July 14, 2022  
(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

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

4. Declaration Proclaiming the American Cancer Society's Beach Cities [22-0317](#)

Relay for Life on August 27, 2022.

**PROCLAIM**

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

5. City Council Reconsideration of the Circumstances of the Declared [22-0332](#)

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.

6. Consideration of a Resolution Awarding a Three-Year Crossing Guard [22-0289](#)

Services Contract to All City Management Services in an Amount Not-to-Exceed \$1,495,000 (Interim Police Chief Abell).

**ADOPT RESOLUTION NO. 22-0112**

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

7. Consideration of a Resolution Approving a Five-Year Agreement with Axon Enterprise, Inc. for Replacement of Patrol In-Car Video Camera Systems and Digital Evidence Management in an Amount Not-to-Exceed \$160,000 (Interim Police Chief Abell). [22-0311](#)

**A) WAIVE FORMAL BIDDING**

**B) ADOPT RESOLUTION NO. 22-0113**

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

8. Consideration of a Resolution Approving Amendment No. 2 to the Professional Services Agreement to S2 Engineering, Inc. for \$379,940 for Construction Management and Inspection Services for the Sepulveda Bridge Widening Project (Public Works Director Lee). [22-0302](#)

**ADOPT RESOLUTION NO. 22-0114**

The recommendation for this item was approved on the Consent Calendar with Mayor Napolitano registering a "No" vote.

## **I. ITEMS REMOVED FROM THE CONSENT CALENDAR**

6. Consideration of a Resolution Awarding a Three-Year Crossing Guard Services Contract to All City Management Services in an Amount Not-to-Exceed \$1,495,000 (Interim Police Chief Abell). [22-0289](#)

**ADOPT RESOLUTION NO. 22-0112**

*Councilmember Hadley provided that she pulled the item to state that the City Council supports schools and school safety as made evident by the services provided by All City Management Services.*

*Mayor Napolitano opened the floor to public comments.*

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

**A motion was made by Councilmember Hadley, seconded by Mayor Napolitano, to adopt Resolution No. 22-0112, approving an agreement between the City of Manhattan Beach and All City Management Services, Inc. for crossing guard services. The motion carried by the following vote:**

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

## **J. PUBLIC HEARINGS**

*None.*

**K. GENERAL BUSINESS**

9. Consideration of the Proposed Los Angeles County Department of Health Order Regarding Indoor Masking (City Manager Moe).

[22-0337](#)

(Estimated Time: 1 Hr.)

**DISCUSS AND PROVIDE DIRECTION**

*City Manager Bruce Moe provided an update regarding the item.*

*Mayor Napolitano opened the floor to public comments.*

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

*A motion was made by Councilmember Hadley to adopt the same language as the City of El Segundo regarding the non-devotion of City resources to enforce mask mandates related to COVID-19 for the foreseeable future.*

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

*A motion was made by Councilmember Hadley to direct the City Attorney to choose either the resolution language from the City of El Segundo or the City of Beverly Hills regarding the non-devotion of City resources for enforcing mask mandates.*

***The City Council provided direction to have staff return to City Council with the resolutions from El Segundo and Beverly Hills regarding the use of City resources to enforce mask mandates.***

*At 7:28 PM, the City Council recessed and reconvened at 7:39 PM with all City Councilmembers present.*

10. Status Report Regarding Bruce's Beach (City Attorney Barrow).  
(Estimated Time: 30 Min.)

[22-0331](#)

**RECEIVE REPORT**

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

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

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

*Unknown Speaker*

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

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

*Mayor Pro Tem Montgomery requested that Staff provide information regarding the assessed value and expected income that the City and School District would receive from the transfer tax.*

*City Attorney Barrow responded to City Council questions and provided that the request for information would be provided to the City Council by email.*

***By order of the chair, the report was received and filed.***

11. Consideration of Revising Regulations on Political Activity and the Use of City Facilities for Campaign Activity (City Attorney Barrow).  
(Estimated Time: 30 Min.)

[22-0320](#)

**DISCUSS AND PROVIDE DIRECTION**

*Policy & Management Analyst Alexandria Latragna provided the Staff presentation.*

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

*Mayor Napolitano opened the floor to public comments.*

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

**A motion was made by Councilmember Hadley, seconded by Councilmember Stern, to return to the City Council with the clarifications provided in the Staff Report regarding political activity and enforcement, and to include clarification regarding Union use of City resources. The motion carried by the following vote:**

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

*City Attorney Quinn Barrow provided clarifications regarding the inception of the ordinance, its revision in 2020, and electioneering.*

*City Manager Bruce Moe responded to City Council questions and provided that Marine Avenue Park would be added as one of the facilities that precludes political activity 90 days prior to an election.*

12. Discuss Building Code Regulations Pertaining to Building Permit Exemptions for Fences Over Six Feet High (Community Development Director Tai).

[22-0092](#)

**(Estimated Time: 30 Min.)**

**DISCUSS AND PROVIDE DIRECTION**

*A motion was made by Mayor Napolitano to accept Alternative 1 as provided in the Staff Report.*

*Mayor Napolitano opened the floor to public comments.*

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

*Community Development Director Carrie Tai provided background regarding the item.*

**A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Stern, to approve Alternative 1 provided in the Staff Report, which would maintain the local amendment for permit exemption of fences not over six feet high in the upcoming 2022 Code adoption that will become effective in January 2023. The motion carried by the following vote:**

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



13. Discussion on Reducing Water Usage at Medians (Public Works Director Lee).

[22-0316](#)

(Estimated Time: 30 Min.)

**DISCUSS AND PROVIDE DIRECTION**

*Public Works Director Erick Lee provided the Staff presentation and responded to City Council questions.*

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

*Craig Cadwallader  
Zac Dean*

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

*A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Stern, to direct staff to explore the use of recycled water and the use of drought tolerant plantings on Manhattan Beach Boulevard.*

*Public Works Director Lee responded to City Council questions.*

**A motion was made by Mayor Pro Tem Montgomery, seconded by Councilmember Stern, to direct staff to explore the use of recycled water and drought tolerant plantings on the medians of Manhattan Beach Boulevard and have staff continue the work with the West Basin Municipal Water District for the Public Agency Grass Replacement Rebate Program. The motion carried by the following vote:**

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

14. Discussion of Parking Restrictions Related to Street Sweeping on Rowell Avenue and Meadows Avenue (Public Works Director Lee). [22-0308](#)

(Estimated Time: 30 Min.)

**DISCUSS AND PROVIDE DIRECTION**

*Mayor Pro Tem Montgomery provided that he requested the item to have a discussion regarding the street sweeping on Rowell Avenue and Meadows Avenue.*

*Public Works Director Erick Lee provided the Staff presentation and responded to City Council questions.*

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

*Craig Cadwallader  
Steve DeBaets*

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

*A motion was made by Mayor Napolitano, seconded by Councilmember Hadley, to take no action and to maintain the existing parking restrictions according to the existing petition process.*

*Public Works Director Lee responded to City Council questions.*

**A motion was made by Mayor Napolitano, seconded by Councilmember Hadley, to maintain the existing parking restrictions according to the existing petition process and reinstall signs that may have been illegally removed within the last 5 years with notification to residents before reinstalling them. The motion carried by the following vote:**

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

15. Consideration of Fee Adjustment for Long-Term Commercial Usage of Public Right-of-Way on City Property (Finance Director Charelian).

[22-0162](#)

(Estimated Time: 30 Min.)

**ADOPT RESOLUTION NO. 22-0106**

*Finance Director Steve Charelian provided the PowerPoint presentation and responded to City Council questions.*

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

*Jim Burton*

*Neil*

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

*A motion was made by Councilmember Hadley to reject the raise of the commercial rates, take no action, and receive the report.*

***The City Council did not take any action and directed staff to include the proposed fee adjustments into the discussion of the long-term use of outdoor dining spaces.***

*City Manager Bruce Moe clarified the placement of the item on the agenda.*

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

*None.*

**M. FUTURE AGENDA ITEMS**

*Councilmember Montgomery requested to agendize a discussion regarding changing Sepulveda Boulevard to Pacific Coast Highway. Councilmember Franklin seconded the request.*

*Mayor Napolitano requested to agendize a discussion regarding the fee increase in the REC Afterschool Program. Councilmember Hadley seconded the request.*

*Councilmember Hadley requested to agendize a discussion restating City Council direction regarding coyote management.*

*City Manager Bruce Moe stated that staff will investigate and ensure that the contractor is following City Council direction and provided that an update regarding the item is already scheduled for the August 16, 2022 meeting.*

*Councilmember Franklin requested to agendize a discussion regarding the procedure to update the Bruce's Beach History Report. Councilmember Hadley seconded the request.*

**N. CITY MANAGER REPORT**

*City Manager Bruce Moe wished Assistant City Clerk Martha Alvarez a Happy Birthday.*

**O. CITY ATTORNEY REPORT**

*City Attorney Quinn Barrow wished Assistant City Clerk Martha Alvarez a Happy Birthday.*

**P. INFORMATIONAL ITEMS**

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

[22-0297](#)

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

**Q. CLOSED SESSION**

*None.*

## **R. ADJOURNMENT**

*At 9:22 PM, Mayor Napolitano adjourned the meeting in honor of Sports Commentator Vin Scully and retired Manhattan Beach Police Officer Bruce Powell.*

*The meeting was adjourned to the Adjourned Regular Meeting on Monday, August 15, 2022, at 5:00 PM.*

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

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**Steve Napolitano**  
**Mayor**

**ATTEST:**

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