

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, July 21, 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*

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#### A. CALL MEETING TO ORDER

*At 6:00 PM, Mayor Montgomery called the meeting to order.*

#### B. ROLL CALL

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

#### C. CEREMONIAL CALENDAR

1. Presentation of Certificates of Recognition to the Mira Costa High School Girls Varsity Soccer Team for Winning the CIF Southern Section Division 2 Championship.

[20-0245](#)

##### **PRESENT**

*Mayor Montgomery, on behalf of the City Council, presented Coach Patty Perkinson with certificates of recognition to the Mira Costa High School Girls Varsity Soccer Team for winning the CIF Southern Section Division 2 championship.*

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

*Councilmember Stern requested to remove from the Consent Calendar, Agenda Item No. 6 - Urgency Ordinance amending Urgency Ordinance No. 20-0012-U.*

*Mayor Pro Tem Hadley requested to remove from the Consent Calendar, Agenda Item No. 9 - Southern California Edison's power reliability report.*

*Councilmember Napolitano requested to remove from the Consent Calendar, Agenda Item No. 11 - Adoption of Ordinances amending tree, shrub and plant regulations and private use of the public right-of-way.*

**A motion was made by Councilmember Hersman, seconded by Mayor Pro Tem Hadley, to approve the agenda, waive full reading of ordinances and remove from the Consent Calendar for individual consideration, Agenda Item Nos. 6, 9 and 11. The motion carried by the following vote:**

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

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

*Senior Deputy City Clerk Martha Alvarez confirmed that the following public comments were received by the City for the July 21, 2020, City Council Regular Meeting.*

*Yael Feder  
Peter Pham  
Pete Halvorsen  
Matthew Willens  
Kathy Sena  
Todd Serota  
Jamie Danis  
Robin Kaminsky  
Jennifer Salem  
Randy Feldman  
Kathryn Putnam  
Laura Kiely  
Alissa Marquis  
Susan Molyneux  
Kim Muller  
Gary Osterhout  
Allison Saba  
Mica Linsley  
Michelle Sporkin  
Steve and Paula Packwood  
Robert Bush  
John Dumond  
Residents - 200 Block of 8th Street  
Aimee Gallego-Cochran  
Gary McAulay  
Veronica Stahl  
Nancy Field*

*Roy Gonella  
Sarah Leonard Sheahan  
Patricia Lane  
Scott Clausen  
James Atkinson  
Ted Cohen  
Manhattan Beach Chamber of Commerce  
Carla Riley  
Michael Monaghan  
Lyn Fisher  
Kim Muller  
Cyndi Strand  
Elyse Gura  
Debra Templin  
Angelina  
Emily Meyer  
Patti  
Chris Primm  
Vicky Purvis  
Dr. Watanabe  
Brady Miller  
Karen Gabriel  
John Freutel  
John Blake  
Tracy Coe  
Michael Zislis*

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

*Todd Serota  
Jill Lamkin  
Stephen and Paula Packwood  
Michael Zislis  
Betty and Tom Freitag  
Michael Monaghan*

*At 6:31 PM, due to the smell of smoke in the city council chambers, City Manager Bruce Moe requested that the City Council recess the meeting while the Fire Department investigates the source of the smoke. City Council reconvened at 6:45 PM, with all Councilmembers present.*

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

*Kelly Stroman  
Heather Kim  
Jennifer Maher*

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

*Mayor Montgomery read a comment for the record from an unknown source.*

## **F. COVID-19**

### **2. City Manager Report on EOC (Emergency Operations Center) and Update on COVID-19 Response.**

*City Manager Bruce Moe reported on the EOC (Emergency Operations Center).*

#### **a) COVID-19 Beach Cities Health District Update.**

*City Manager Bruce Moe introduced Beach Cities Health District (BCHD), CEO Tom Bakaly.*

*BCHD, CEO Bakaly and BCHD, Senior Policy Analyst Jacqueline Sun, provided the PowerPoint presentation and responded to City Council questions.*

**b) Update on Outdoor Business Accommodations Including Dining.**

*Community Development Director Carrie Tai provided an update on outdoor business accommodations including dining.*

*Community Development Director Tai responded to City Council questions.*

*Police Chief Derrick Abell provided an update on enforcement activity this past weekend regarding facial coverings.*

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

*Jill Lamkin*

*Michael Monaghan*

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

*Public Works Director Stephanie Katsouleas and City Attorney Quinn Barrow responded to City Council questions.*

*City Council gave direction for staff to work with Councilmember Napolitano and Councilmember Hersman and the COVID-19 Long-Term Business Solutions Ad-Hoc Committee to obtain further direction.*

### 3. City Council to Consider Additional Measures to Address COVID-19.

*Mayor Montgomery inquired about the agreement and services from Contemporary Services Corporation (CSC) regarding facial coverings enforcement over the past weekend.*

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

*City Council discussed facial coverings enforcement in general and the language provided within the Executive Order.*

*City Manager Moe responded to City Council questions.*

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

*Stephen Packwood*

*Pete Halverson*

*Todd Serota*

*Heather Kim*

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

*City Attorney Quinn Barrow, Police Chief Derrick Abell and City Manager Moe responded to City Council questions.*

**A motion was made by Mayor Pro Tem Hadley, for staff to return with the Emergency Ordinance with the same guidelines as established by the Los Angeles County, change the facial coverings administrative citation fee from \$100 to \$53 and only enforce facial coverings in the Downtown area, Strand, beach and North End.**

*Councilmember Napolitano inquired about Los Angeles County recommending restrictions that facial coverings are required during tennis for single players.*

*Parks and Recreation Director Mark Leyman and City Attorney Quinn Barrow responded to City Council questions.*

*Councilmember Stern and Mayor Pro Tem Hadley volunteered to be part of the COVID-19 Facial Covering Ad-Hoc Committee.*

**A substitute motion was made by Councilmember Napolitano, seconded by Councilmember Hersman, to establish a COVID-19 Face Covering Ad-Hoc Committee, in which two Councilmembers will work with staff on potential clarifications to the Emergency Order regarding mandatory face coverings. In addition, effective immediately, to specify that all violations of that Order would be treated as administrative citations, in lieu of misdemeanors.**

*City Attorney Barrow clarified that a motion was not needed, only City Council direction.*

*At the order of the Mayor, City Council provided such direction to staff.*

*Councilmember Hersman inquired about allowing salons, hair salons, barbershops and gyms to conduct business outdoors.*

*With the concurrence of the City Council, the Mayor established a COVID-19 Face Covering Ad-Hoc Committee, in which two Councilmembers will work with staff on potential clarifications to the Emergency Order regarding mandatory face coverings. In addition the City Council directed staff, effective immediately, to specify that all violations of that Order would be treated as administrative citations, in lieu of misdemeanors.*

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

*City Attorney Quinn Barrow provided clarification.*

*City Council directed the City Manager to put together an Emergency Order where it establishes operating protocol process for salons, hair salons, barbershops and gyms to work outdoors.*

*Councilmember Stern inquired about progress or consideration for using parks for fitness studios.*

*Parks and Recreation Director Mark Leyman responded to City Council questions.*

*Mayor Pro Tem Hadley announced that there are still funds left for the EIDL loan and local businesses, non-profits, churches and places of worship can apply for these loans during COVID-19.*

*At 9:44 PM City Council recessed and reconvened at 10:00 PM with all Councilmembers present.*

*At 10:00 PM, Mayor Montgomery requested a motion to extend the meeting.*

**A motion was made by Councilmember Hersman, seconded by Councilmember Stern, to extend the meeting past 10:30 PM. The motion carried by the following vote:**

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

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

**A motion was made by Councilmember Hersman, seconded by Councilmember Napolitano, to approve the Consent Calendar, with the exception of Agenda Item Nos. 6, 9 and 11, which were individually considered under Section H - Items Removed from the Consent Calendar. The motion carried by the following vote:**

*City Attorney Quinn Barrow read the title for Urgency Ordinance No. 20-0006-U:*

*AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING MANHATTAN BEACH MUNICIPAL CODE CHAPTER 4.120 TO LIMIT THE USE OF CITY RESOURCES IN CAMPAIGNS AND PROVIDE FOR ADJUSTMENTS ON THE LIMITS FOR CAMPAIGN CONTRIBUTIONS IN MUNICIPAL ELECTIONS AND DECLARING THE URGENCY THEREOF*

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

**4. City Council Minutes:** [20-0114](#)

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

- a) City Council Adjourned Regular Meeting Minutes of July 7, 2020
- b) City Council Regular Meeting Minutes of July 7, 2020
- c) City Council Special Meeting Minutes (Community Forum) of July 9, 2020

(City Clerk Tamura).

**APPROVE**

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

**5. Financial Report:** [20-0233](#)

Schedule of Demands: July 2, 2020 (Finance Director Charelian).

**ACCEPT REPORT AND DEMANDS**

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

**6. An Urgency Ordinance of the City of Manhattan Beach Amending** [20-0250](#)

Urgency Ordinance No. 20-0012-U to Exclude Multi-location Companies from the Ordinance's Protections of Commercial Tenants and Declaring the Urgency Thereof (City Attorney Barrow).

**ADOPT URGENCY ORDINANCE NO. 20-0018-U**

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



7. Consider Adopting an Urgency Ordinance and Second Reading of Ordinance No. 20-0006 to Prohibit the Use of City Resources for Campaign Activity, Restrict use of City Facilities within 90 Days of an Election, Adjust the Donation Limit to \$300, and Make Campaign Finance Provisions and Definitions Consistent with Changes in State Law (City Attorney Barrow and City Clerk Tamura). [20-0230](#)
- a) **ADOPT URGENCY ORDINANCE NO. 20-0006-U**
- b) **ADOPT ORDINANCE NO. 20-0006**

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

8. Consider Adopting a Resolution Approving Amendment No. 2 to the Professional Services Agreement with Quick Caption, Inc. to Extend the Term of the Agreement for Two Years (Estimated Value \$108,970) (City Clerk Tamura) [20-0239](#)
- ADOPT RESOLUTION NO. 20-0086**

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

9. Receive and File Southern California Edison's Power Reliability Report for the City of Manhattan Beach (Public Works Director Katsouleas). [20-0226](#)
- RECEIVE REPORT**

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

10. Consider: 1) Appropriating \$41,250 from the Water Fund Balance to the Block 35 Elevated Tank Painting Project; 2) Awarding a Construction Contract to Unified Field Services Corporation for the Block 35 Elevated Tank Painting Project for \$1,411,389; 3) Authorizing the City Manager to Approve Additional Work if Necessary, for up to \$70,582; 4) Approving the Plans and Specifications for the Project; 5) Approving the Design, Layout, and Installation of the City Name and Logo on the Elevated Tank; and 6) Awarding an Inspection Services Agreement with Coating Specialists and Inspection Services, Inc. for the Block 35 Elevated Tank Painting Project for \$158,840 (Public Works Director Katsouleas). [20-0241](#)
- ADOPT RESOLUTION NOS. 20-0087 AND 20-0088**

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

11. Consider Second Reading to Adopt Ordinance No. 20-0009 Amending [20-0242](#)  
Manhattan Beach Municipal Code Chapter 7.32 - Tree, Shrub and Plant  
Regulations and Ordinance No. 20-0010 Amending Chapter 7.36 -  
Private Use of the Public Right of Way (Public Works Director  
Katsouleas).
- a) **ADOPT ORDINANCE NO. 20-0009 AMENDING 7.32**  
b) **ADOPT ORDINANCE NO. 20-0010 AMENDING 7.36**

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

## H. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. An Urgency Ordinance of the City of Manhattan Beach Amending [20-0250](#)  
Urgency Ordinance No. 20-0012-U to Exclude Multi-location Companies  
from the Ordinance's Protections of Commercial Tenants and Declaring  
the Urgency Thereof (City Attorney Barrow).  
**ADOPT URGENCY ORDINANCE NO. 20-0018-U**

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

*Mayor Montgomery opened the floor to public comment.*

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

*City Attorney Barrow responded to City Council questions.*

*City Attorney Quinn Barrow read the title of Urgency Ordinance No. 20-0018-U:*

*AN URGENCY ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING  
URGENCY ORDINANCE NO. 20-0012-U TO EXCLUDE MULTI-LOCATION  
COMPANIES FROM THE ORDINANCE'S PROTECTIONS OF COMMERCIAL  
TENANTS, AND DECLARING THE URGENCY THEREOF*

**A motion was made by Mayor Montgomery, seconded by Councilmember  
Napolitano, to adopt Urgency Ordinance No. 20-0018-U, amending Urgency  
Ordinance No. 20-0012-U, to exclude multi-location companies from the  
Ordinance's protections of commercial tenants. The motion carried by the  
following vote:**

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

9. Receive and File Southern California Edison's Power Reliability Report for the City of Manhattan Beach (Public Works Director Katsouleas). [20-0226](#)

**RECEIVE REPORT**

*Mayor Pro Tem Hadley introduced Southern California Edison (SCE), Government Relations Manager Vic Nol.*

*SCE Nol provided the PowerPoint presentation and responded to City Council questions.*

*Mayor Montgomery opened the floor to public comment.*

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

**A motion was made by Mayor Pro Tem Hadley, seconded by Mayor Montgomery, to receive and file the Southern California Edison's Power Reliability Report for the City of Manhattan Beach. The motion carried by the following vote:**

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

11. Consider Second Reading to Adopt Ordinance No. 20-0009 Amending Manhattan Beach Municipal Code Chapter 7.32 - Tree, Shrub and Plant Regulations and Ordinance No. 20-0010 Amending Chapter 7.36 - Private Use of the Public Right of Way (Public Works Director Katsouleas). [20-0242](#)

**a) ADOPT ORDINANCE NO. 20-0009 AMENDING 7.32**

**b) ADOPT ORDINANCE NO. 20-0010 AMENDING 7.36**

*Councilmember Napolitano introduced Downtown Manhattan Beach Business and Professional Association (DMBBPA), Executive Director Jill Lamkin.*

*DMBBPA, Jill Lamkin provided a brief update regarding her discussions with Public Works Director Stephanie Katsouleas.*

*Mayor Montgomery opened the floor to public comment.*

*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 adopt both Ordinance No. 20-0009, amending Municipal Code Chapter 7.32 of Title 7 regarding tree, shrub and plant regulations and Ordinance No. 20-0010, amending Municipal Code Chapter 7.36 of Title 7 regarding private use of the public right-of-way. The motion carried by the following vote:**

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

## I. PUBLIC HEARINGS

12. Conduct Public Hearing Regarding the Annual Stormwater Service Fee for Fiscal Year 2020-2021 (Finance Director Charelian). [20-0138](#)

**a) CONDUCT PUBLIC HEARING**

**b) ADOPT RESOLUTION NO. 20-0089**

*Finance Director Steve Charelian provided the staff presentation.*

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

*Stephen Packwood*

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

*Finance Director Charelian responded to City Council questions.*

**A motion was made by Councilmember Hersman, seconded by Mayor Pro Tem Hadley, to adopt Resolution No. 20-0089, approving a report in connection with the City's storm water services charge and ordering that such charge be collected on the tax roll. The motion carried by the following vote:**

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

## J. GENERAL BUSINESS

13. Consider Adopting a Resolution Declaring that a Temporary Construction Easement and an Eight Foot Area Over Portions of the Real Property Located at 1727 Artesia Blvd. are Necessary for Public Purposes and Authorizing the Acquisition Thereof, in Connection with the Aviation Blvd at Artesia Blvd. Southbound to Westbound Right Turn Lane Improvement Project (Public Works Director Katsouleas).

[20-0247](#)

**a) CONDUCT HEARING**

**b) ADOPT RESOLUTION NO. 20-0090**

*Public Works Director Stephanie Katsouleas provided the staff presentation.*

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

*Riza Gonzalez*

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

**A motion was made by Mayor Pro Tem Hadley, seconded by Councilmember Napolitano, to adopt Resolution No. 20-0090, declaring a temporary construction easement and an eight foot area over portions of the real property located at 1727 Aviation Boulevard in the City of Manhattan Beach, further identified as Los Angeles County tax assessor's parcel number 4163-008-044, are necessary for public purposes and authorizing the acquisition thereof, in connection with the Aviation Boulevard at Artesia Boulevard Southbound to Westbound right turn lane improvement project. The motion carried by the following vote:**

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

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

*None.*

## L. FUTURE AGENDA ITEMS

*Mayor Montgomery requested to discuss a possible traffic report on Fourth Street and Manhattan, Councilmember Hersman concurred.*

## M. CITY MANAGER REPORT

*City Manager Bruce Moe introduced Interim Fire Chief Wolfgang Knabe.*

## N. CITY ATTORNEY REPORT

*None.*

**O. INFORMATIONAL ITEMS****14. Commission Minutes:**[20-0115](#)

This Item Contains Minutes of the following City Commission Meetings:

a) Library Commission Meeting Minutes of March 9, 2020 (Parks and Recreation Director Leyman)

b) Finance Subcommittee Meeting Action Minutes of July 6, 2020 (Finance Director Charelian)

**INFORMATION ITEM ONLY**

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

**P. CLOSED SESSION**

*None.*

**Q. ADJOURNMENT**

*At 10:58 PM, Mayor Montgomery adjourned the meeting to a 6:00 PM, Regular Meeting on Tuesday, August 4, 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**