

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, October 6, 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 6:05 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 a Baby Passport to Libby Bretthauer-Long and Tim Long, [20-0281](#)  
Welcoming Manhattan Beach's Newest Resident, Simon Franklin Long.

### PRESENT

*Mayor Montgomery, on behalf of the City Council, presented Libby Bretthauer-Long and Tim Long, with a Baby Passport for Manhattan Beach's newest resident, Simon Franklin Long.*

2. Presentation of Certificates of Recognition to Retiring City Employees [20-0192](#)  
Matt Simkins, Michael Rosenberger and Verdesiah Nasralla.

### PRESENT

*Mayor Montgomery, on behalf of the City Council, along with Interim Fire Chief Wolfgang Knabe, presented retiree Firefighter/Paramedic Matt Simkins with a certificate of recognition for his 31 years of service to the City of Manhattan Beach.*

*Mayor Montgomery, on behalf of the City Council, along with Police Chief Derrick Abell, presented retiree Detective Michael Rosenberger with a certificate of recognition for his 29 years of service to the City of Manhattan Beach.*

*Mayor Montgomery, on behalf of the City Council, along with Police Chief Derrick Abell, presented retiree Police Records Manager Verdesiah Nasralla with a certificate of recognition for her 14 years of service to the City of Manhattan Beach.*

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

*Mayor Pro Tem Hadley requested to remove from the Consent Calendar, Agenda Item No. 12 - Allowing Construction at 330 South Sepulveda Boulevard on Columbus Day.*

*City Attorney Quinn Barrow provided clarification.*

**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 No. 12. 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 October 6, 2020, City Council Regular Meeting.*

*Agenda Item No. 3 - Elections  
1 email*

*Agenda Item No. 15 - Proposed Pallet Shelter in Redondo Beach  
1 email*

*Agenda Item No. 16 - Pension  
1 email*

*Agenda Item No. 18 - Community Forum Regarding Policing  
26 eComments  
42 emails*

*Covid Related Topics  
8 emails*

*MBUSD Re-Opening Schools  
19 emails*

*Other Items Not on the Agenda  
4 emails*

**3. Presentation of a PowerPoint by the Los Angeles County Registrar-Recorder/County Clerk's Office Outlining "November 3, 2020 Presidential Election: Voting in the Time of a Pandemic" (City Clerk Tamura).**

*City Clerk Liza Tamura introduced Los Angeles County, Manager of Civic Engagement, Community Relations & Legislation Jeff Klein.*

*Los Angeles County Manager Klein provided the PowerPoint presentation and responded to City Council questions.*

*City Council thanked Los Angeles County Manager Klein for his presentation.*

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

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

*Grace Adams  
Josh Murray  
Mike Michalski  
Heather Kim  
Joe Franklin  
Greg Cichinno  
Karen Komatinsky*

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

*Mayor Pro Tem Hadley as they relocate thanked Linda and Louis LeRoy for their years as Manhattan Beach residents and their involvement in the community.*

*Mayor Montgomery reminded the public that they should be respectful of others opinions and not steal campaign signs.*

**F. COVID-19**

**4. 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).*

*Parks and Recreation Director Mark Leyman provided an update on athletic fields, parks and virtual events.*

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

*City Attorney Quinn Barrow provided clarification.*

**5. City Council to Consider Additional Measures to Address COVID-19.**

*Mayor Montgomery requested for consideration to open two fields, Mayor Pro Tem Hadley concurred.*

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

*City Council directed City Council/MBUSD Ad Hoc Subcommittee discuss the School District re-opening fields on Manhattan Beach Unified School District property Monday through Friday during the hours of 3:00 PM to 6:00 PM.*

*City Manager Bruce Moe provided clarification regarding gym's being strictly outdoor use only, per Los Angeles County guidelines.*

*Mayor Pro Tem Hadley requested that the City consider allowing fitness businesses that have individual stationary workout stations to open outdoors in accordance with Health Order Guidelines by allowing optional mask during heavy exertion when social distancing can be maintained, Councilmember Napolitano and Councilmember Stern concurred.*

*Parks and Recreation Director Leyman and City Manager Bruce Moe responded to City Council questions.*

*City Council directed the Director of Emergency Services to amend the City's Emergency Order regarding face coverings to allow stationary exercise (i.e. pilates/yoga/cycling) users of permitted outdoor fitness the option to not wear a face covering during exercise but must wear face covering when away from the stationary station. The amendment to the City's Emergency Order will not be in effect until the Executive Order is published in a couple of days.*

*Mayor Montgomery requested an update on the citation appeals received by the City.*

*City Attorney Quinn Barrow provided an update regarding the appeal process for the current face covering citations, stating that, so far, the independent hearing officer has ruled in favor of the City in all appeals.*

*Mayor Pro Tem Hadley requested for City Council consideration to have a discussion with Manhattan Beach Unified School District regarding the re-opening of schools.*

*City Council directed the City Manager to reach out to the City Council/MBUSD Ad Hoc Subcommittee to receive an update on the status of the Manhattan Beach Unified School District re-opening of schools.*

*Councilmember Hersman suggested that it was time to inform the public whether the December Fireworks event would take place in 2020. Councilmember Napolitano concurred.*

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

*City Council directed staff to inform event organizers that the City will not issue a*

*permit for the December fireworks event due to gathering restrictions imposed by the County Health Officer Order.*

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

**A motion was made by Councilmember Hersman, seconded by Mayor Pro Tem Hadley, to approve the Consent Calendar, with the exception of Agenda Item No. 12, which was 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

**6.** City Council Minutes: [20-0186](#)

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

- a) City Council Regular Meeting Minutes of June 2, 2020
- b) City Council Adjourned Regular Meeting Minutes of June 4, 2020
- c) City Council Adjourned Regular Meeting Minutes of June 9, 2020
- d) City Council Adjourned Regular Meeting Minutes of June 11, 2020
- e) City Council Regular Meeting Minutes of June 16, 2020
- f) City Council Regular Meeting Minutes of September 1, 2020  
(Continued from the September 15, 2020 Meeting)
- g) City Council Adjourned Regular Meeting Minutes of September 11, 2020
- h) City Council Adjourned Regular Meeting Minutes of September 15, 2020
- i) City Council Regular Meeting Minutes of September 15, 2020  
(City Clerk Tamura).

### **APPROVE**

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

**7.** Financial Reports: [20-0274](#)

- a) Schedule of Demands September 3, 2020, and September 17, 2020
- b) Investment Portfolio for the Month Ending August 31, 2020
- c) Month End Report for August 31, 2020  
(Finance Director Charelian).

### **ACCEPT REPORTS AND DEMANDS**

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

**8.** Consideration of a Resolution Approving Second Amended and [20-0293](#)

Restated Joint Powers Agreement for the South Bay Regional Public Communications Authority (City Manager Moe).

### **ADOPT RESOLUTION NO. 20-0116 APPROVING SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT**

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

9. Consideration of Municipal Advisory Services Agreement with KNN Public Finance (Finance Director Charelian). [20-0289](#)

**ADOPT RESOLUTION NO. 20-0117 APPROVING AN AGREEMENT**

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

10. Consideration of an Agreement for Bond and Disclosure Counsel Services with Stradling, Yocca, Carlson & Rauth (Finance Director Charelian). [20-0288](#)

**ADOPT RESOLUTION NO. 20-0118 APPROVING AN AGREEMENT**

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

11. Consideration of a Resolution to Increase the Liability Claim Settlement Authority of the City Manager (or Designee) from \$25,000 to \$50,000 (Human Resources Director Jenkins). [20-0259](#)

**ADOPT RESOLUTION NO. 20-0119 INCREASING THE LIABILITY CLAIM SETTLEMENT AUTHORITY**

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

12. Consideration of Allowing Construction at 330 South Sepulveda Boulevard on City Recognized Holiday (Columbus Day) (Community Development Director Tai). [20-0299](#)

**APPROVE**

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

13. Consideration of a Resolution Approving an Increase to the Authorized Contingency with Commercial Cleaning Services for Additional Janitorial Services Due to COVID-19 for a New Not-to-Exceed Amount of \$100,000 (Public Works Director Katsouleas). [20-0285](#)

**ADOPT RESOLUTION NO. 20-0120 APPROVING AN INCREASE IN THE CONTINGENCY**

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

14. Consideration of: [20-0295](#)
- a. A Resolution Awarding a Professional Design Services Agreement to Stantec Consulting Services Inc., for the 2020 Water Master Plan Update Project for \$241,792;
  - b. A Resolution Awarding a Professional Services Agreement to Raftelis Financial Consultants Inc., for the 2020 Water Rate Study for \$74,682; and
  - c. Appropriating an Additional \$20,000 from the Water Fund to the Project
- (Public Works Director Katsouleas).
- a) **ADOPT RESOLUTION NOS. 20-0121 AND 20-0122**
  - b) **APPROVE APPROPRIATION**

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

## H. ITEMS REMOVED FROM THE CONSENT CALENDAR

12. Consideration of Allowing Construction at 330 South Sepulveda Boulevard on City Recognized Holiday (Columbus Day) (Community Development Director Tai). [20-0299](#)
- APPROVE**

*Mayor Pro Tem Hadley stated for the record that she will be voting "nay" on this Agenda Item.*

*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 Councilmember Stern, to approve the request to allow construction at 330 South Sepulveda Boulevard to continue on Columbus Day. The motion carried by the following vote:**

**Aye:** 4 - Montgomery, Stern, Napolitano and Hersman

**Nay:** 1 - Hadley

## I. PUBLIC HEARINGS

*None.*

*At 8:45 PM City Council recessed and reconvened at 8:57 PM with all Councilmembers present.*



**J. GENERAL BUSINESS**

15. Report on City of Redondo Beach's Exploration of Pallet Shelter Transitional Housing at Locations in Redondo Beach Including Aviation Park (City Manager Moe). [20-0294](#)

**DISCUSS AND PROVIDE DIRECTION**

*Management Services, Senior Management Analyst George Gabriel provided the staff presentation and 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.*

**By order of the Chair this report was received and filed.**

16. Consider the Issuance of Pension Obligation Bonds for Long-Term CalPERS Pension Liabilities and Adopt a Pension Policy (Finance Director Charelian). [20-0014](#)

**APPROVE**

*Finance Director Steve Charelian and KNN, Managing Director Mark Young provided the PowerPoint presentation.*

*Managing Director Young 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.*

*Finance Director Charelian and Managing Director Young responded to City Council questions.*

*City Manager Bruce Moe provided clarification.*

*At 10:27 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 11:00 PM. The motion carried by the following vote:**

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

*Finance Director Charelian and Managing Director Young responded to City Council questions.*

*City Council directed staff to bring the agenda item at a later date for a continued discussion regarding the issuance of pension obligation bonds for long-term CalPERS pension liabilities and a pension policy.*

17. Consider Introducing Ordinances Amending Manhattan Beach Municipal Code Chapter 7.16 - Excavations - Street, Alleys, Sidewalks and Public Places; Chapter 7.40 - Construction Site Temporary Encroachment Permit; and Chapter 9.72 - Street Improvements (Public Works Director Katsouleas).

[20-0298](#)

**INTRODUCE ORDINANCE NOS. 20-0020, 20-0021 AND 20-0022**

*Public Works Director Stephanie Katsouleas 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 Councilmember Hersman, to approve introduction of; a) Ordinance No. 20-0020, amending sections 7.16.060, 7.16.070, 7.16.080, 7.16.100, 7.16.110 and 7.16.210 of Municipal Code Chapter 7.16 of T 7 regarding excavations - streets, alleys, sidewalks and public places; b) Ordinance No. 20-0021, amending sections 7.40.040 and 7.40.070 of Municipal Code Chapter 7.40 of Title 7 regarding construction site temporary encroachment permit; and c) Ordinance No. 20-0022, amending sections 9.72.010, 9.72.020, 9.72.040 and 9.72.050 of Municipal Code Chapter 9.72 of Title 9 regarding street improvements.**

*City Attorney Quinn Barrow read the title for Ordinance No. 20-0020:*

*AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING SECTIONS 7.16.060, 7.16.070, 7.16.080, 7.16.100, 7.16.110 AND 7.16.210 OF MUNICIPAL CODE CHAPTER 7.16 OF TITLE 7 REGARDING EXCAVATIONS - STREETS, ALLEYS, SIDEWALKS AND PUBLIC PLACES*

*City Attorney Barrow read the title for Ordinance No. 20-0021:*

*AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING SECTIONS 7.40.040 AND 7.40.070 OF MUNICIPAL CODE CHAPTER 7.40 OF TITLE 7 REGARDING CONSTRUCTION SITE TEMPORARY ENCROACHMENT PERMIT*

*City Attorney Barrow read the title for Ordinance No. 20-0022:*

*AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING SECTIONS 9.72.010, 9.72.020, 9.72.040 AND 9.72.050 OF MUNICIPAL CODE CHAPTER 9.72 OF TITLE 9 REGARDING STREET IMPROVEMENTS*

**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

18. Consider Request by Councilmember Stern and Councilmember Hersman to Consider Conducting an Additional Community Forum: Policing and Partnerships in Manhattan Beach (City Manager Moe).

[20-0297](#)

### DISCUSS AND PROVIDE DIRECTION

*Councilmember Stern provided a statement regarding the purpose of the proposed additional Community Forum stating that the forum focus on the stories and experiences.*

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

*Joe Franklin  
Heather Kim  
Nicole Burke  
Heidi*

*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 conduct another community forum as a follow up to the prior Community Forum on Partnerships in Manhattan Beach and assigned the topic to the Bruce's Beach Task Force. The motion carried by the following vote:**

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

## L. FUTURE AGENDA ITEMS

*Councilmember Hersman requested for consideration that staff provide an update on regulations addressing bees, Councilmember Montgomery and Mayor Pro Tem Hadley concurred.*

*City Attorney Quinn Barrow provided clarification.*

## M. CITY MANAGER REPORT

19. **Update on the Process of Formation of the Bruce's Beach Task Force (Appointments Scheduled for October 20, 2020).**

*Management Services, Management Analyst Alexandria Latragna provided an update.*

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

*City Council directed staff to conduct the Bruce's Beach Task Force Interviews on Tuesday, October 13, 2020, from 12:00 PM - 6:00 PM.*

**N. CITY ATTORNEY REPORT**

*None.*

**O. INFORMATIONAL ITEMS**

*None.*

**P. CLOSED SESSION**

*None.*

**Q. ADJOURNMENT**

*At 11:29 PM, Mayor Montgomery adjourned the meeting in memory of Neighborhood Watch Founder and MBPD Volunteer, Millie Newton and Former Manhattan Beach City Manager, David Thompson.*

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

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**Richard Montgomery**  
**Mayor**

**ATTEST:**

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