

# City of Manhattan Beach

*1400 Highland Avenue  
Manhattan Beach, CA 90266*



## Meeting Minutes - Draft

**Tuesday, May 18, 2021**

**6:00 PM**

**Regular Meeting**

**Zoom Meeting**

## **City Council Regular Meeting**

### ***ELECTED OFFICIALS***

***Mayor Suzanne Hadley***

***Mayor Pro Tem Hildy Stern***

***Councilmember Steve Napolitano***

***Councilmember Richard Montgomery***

***Councilmember Joe Franklin***

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

*Mayor Hadley called the meeting to order.*

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

*Mayor Hadley led the Pledge of Allegiance.*

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

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

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

1. Presentation of a Commendation to Camille Jorenby of Scouts BSA Girls Troop 860, for Attaining the Rank of Eagle Scout. [21-0150](#)

##### **PRESENT**

*Mayor Hadley, on behalf of the City Council, presented a Commendation to Camille Jorenby of Scouts BSA Girls Troop 860, for Attaining the Rank of Eagle Scout.*

2. Presentation of a Certificate of Recognition to Teen Entrepreneur, Kendal Steller, Custom Charcuterie Boards and Dessert Boxes. [21-0158](#)

##### **PRESENT**

*Mayor Hadley, on behalf of the City Council, presented a Certificate of Recognition to Kendal Steller as a Teen Entrepreneur who creates and sells custom charcuterie and dessert boxes.*

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

*Mayor Pro Tem Stern requested to remove from the Consent Calendar, for individual consideration, Agenda Item No. 6 – Consideration of a Resolution Affirming the City's Commitment to the Safety and Well-Being of our Asian American and Pacific Islander Community Members and Denouncing Xenophobia.*

*For the record, Councilmember Napolitano commented that Joe Ahn was a great choice for the position on the South Bay Workforce Investment Board, in regard to Agenda Item No. 9.*

**A motion was made by Councilmember Montgomery, seconded by Councilmember Napolitano, to approve the agenda, waive full reading of ordinances, and remove Agenda Item No. 6 from the Consent Calendar for individual consideration. The motion carried by the following vote:**

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

## F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

*Management Services, Senior Management Analyst George Gabriel provided a public service announcement and video regarding the new scrambled crosswalks in Downtown Manhattan Beach.*

*Senior Management Analyst Gabriel provided an update regarding homelessness in the City and responded to City Council questions.*

*Management Services, Senior Deputy City Clerk Martha Alvarez provided that the following public comments were received by the City for the May 18, 2021 City Council Regular Meeting:*

*Agenda Item No. 3a  
5 eComments  
149 emails*

*Agenda Item No. 6  
11 eComments  
4 emails*

*Agenda Item No. 12  
1 eComment  
1 email*

*Agenda Item No. 13  
73 eComments  
216 emails  
6 Voicemails*

*Agenda Item No. 15  
4 emails*

*Agenda Item No. 16*

*5 emails*

*Other Items Not On the Agenda*

*3 emails*

*Mayor Hadley opened the floor to public comments. The following individuals spoke:*

*Donna Thomas*

*Zac Dean*

*Josh Murray*

*Karen Roseberry*

*Paul Mullin*

*Eileen O'Connor*

*Marta Price*

*Tiffany Wright*

*Michael Zislis*

*Matthew Kimm*

*Taylor Coco*

*George Kaufman*

*Timothy Miley*

*Robert Ambrose*

*Fred Taylor*

*Heather Kim*

*Alita Rethmeyer*

*Joseph Trevizu*

*Jeffrey*

*Francis Hardiman*

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

## **G. COVID-19**

### **3. City Manager Report on EOC (Emergency Operations Center), Update on COVID-19 Response and Outdoor Dining.**

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

- a) Update on Outdoor Dining and Discussion on Extending Expiration Date  
(Community Development Director Tai).

[21-0149](#)

**DISCUSS AND PROVIDE DIRECTION**

*Community Development Director Carrie Tai introduced the item and Community Development, City Traffic Engineer Erik Zandvliet provided the staff presentation.*

*City Traffic Engineer Zandvliet, Community Development Director Tai, and Police Chief Derrick Abell responded to City Council questions.*

*Mayor Hadley thanked Community Development Director Tai, City Traffic Engineer Zandvliet, and all City staff members that were involved in making outdoor dining a success.*

*Mayor Hadley opened the floor to public comments. The following individuals spoke:*

*Neil Leventhal  
Carol Perrin  
Donald McPherson  
Jill Lamkin  
Kelly Stroman  
John Schmitt  
Jim Burton  
Mike Simms  
Heather Kim  
Rod Stoddard  
Jacque May  
Elyse Gura*

*Mayor Hadley announced that the City Council would take a break and upon their return, Laura Leventhal would be the last individual to provide public comment in order to accommodate a technical issue that Ms. Leventhal was having.*

*At 8:24 PM, City Council recessed and reconvened at 8:40 PM with all Councilmembers present.*

*Laura Leventhal provided public comment.*

*Mayor Hadley closed the floor to public comments.*

*Community Development Director Tai, City Traffic Engineer Zandvliet, Police Chief Abell, and Interim Fire Chief Wolfgang Knabe responded to City Council questions.*

*A motion was made by Councilmember Montgomery, to extend outdoor dining Citywide through Labor Day weekend.*

*Mayor Hadley inquired if Councilmember Montgomery would consider extending outdoor dining until the end of September. Councilmember Montgomery declined.*

*Community Development Director Tai received clarification of City Council's direction regarding the dining decks and locations west of Ocean Drive.*

*Police Chief Abell responded to City Council questions.*

*Community Development Director Tai received further clarification regarding the dining decks and locations west of Ocean Drive.*

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Stern, to extend outdoor dining Citywide through Labor Day weekend with service to cease on September 7, 2021, and for all outdoor dining decks to be removed by September 10, 2021; the locations west of Ocean Drive including the 4 dining decks, Shellback Tavern, and the half deck being utilized by the Strand House for space heater storage were excluded and would be considered in a separate discussion by the City Council. The motion carried by the following vote:**

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

*A motion was made by Mayor Hadley, seconded by Mayor Pro Tem Stern, to extend outdoor dining to July 5, 2021 for the locations west of Ocean Drive.*

*City Traffic Engineer Zandvliet, City Manager Moe, and Community Development Director Tai responded to City Council questions.*

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Stern, to extend outdoor dining to July 5, 2021 for the locations west of Ocean Drive.**

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

*The City Council clarified that the maker of the motion was Councilmember Montgomery.*

*Community Development Director Tai provided information regarding Staff Recommendation 3 from the staff report which included recouping some of the revenue from parking meter spaces used for street dining.*

*City Manager Moe and City Traffic Engineer Zandvliet responded to City Council questions.*

*A motion was made by Councilmember Montgomery to have the City allocate \$50,000 a month during the summer months for public safety enforcement and cleanliness in the downtown area, with no new revenue source.*

*City Attorney Quinn Barrow clarified that the authorization of the City to pay \$50,000 a month was not part of the agenda, but could come back at the next City Council meeting for discussion.*

*Councilmember Montgomery withdrew his motion.*

*City Attorney Barrow responded to City Council questions.*

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

**A motion was made by Councilmember Napolitano, seconded by Mayor Pro Tem Stern, to extend the meeting past 11:00 PM. The motion carried by the following vote:**

**Aye:** 4 - Hadley, Stern, Napolitano and Franklin

**Nay:** 1 - Montgomery

## H. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Stern, to approve the Consent Calendar with the exception of Agenda Item No. 6, which was individually considered under Section I – Items Removed from the Consent Calendar.

*City Attorney Quinn Barrow read the title of Ordinance No. 21-0004:*

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH REPEALING SECTION 14.36.070 OF CHAPTER 14.36 OF TITLE 14 OF THE MANHATTAN BEACH MUNICIPAL CODE, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

*City Attorney Barrow read the title of Urgency Ordinance No. 21-0005-U:*

AN URGENCY ORDINANCE OF THE CITY OF MANHATTAN BEACH REPEALING URGENCY ORDINANCE NOS. 20-0014-U AND 20-0015-U, DECLARING THE URGENCY THEREOF, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

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

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

**4.** City Council Minutes: [21-0096](#)

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

- a) City Council Adjourned Regular Meeting Minutes of May 4, 2021
- b) City Council Regular Meeting Minutes of May 4, 2021  
(City Clerk Tamura).

**APPROVE**

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

**5.** Financial Reports: [21-0124](#)

- a) Schedules of Demands April 22, 2021, and April 29, 2021
- b) Investment Portfolio for the Month Ending March 31, 2021
- c) Month End Report for March 31, 2021  
(Finance Director Charelian).

**ACCEPT REPORTS AND DEMANDS**

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

**6.** Consideration of a Resolution Affirming the City of Manhattan Beach's [21-0153](#)

Commitment to the Safety and Well-Being of our Asian American and Pacific Islander Community Members and Denouncing Xenophobia (City Manager Moe).

**ADOPT RESOLUTION NO. 21-0043**

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

7. Second Reading and Adoption of an Ordinance Repealing Manhattan Beach Municipal Code Section 14.36.070 - Parking for Demonstration (City Manager Moe). [21-0157](#)

**ADOPT ORDINANCE NO. 21-0004**

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

8. Consideration of Urgency Ordinance No. 21-0005-U Repealing Urgency Ordinance Nos. 20-0014-U and 20-0015-U Regarding Facial Coverings; and Resolution No. 21-0038 Confirming Emergency Order Nos. 21 Through 25 Issued by the Director of Emergency Services During the Local Emergency Proclaimed to Address COVID-19 (City Attorney Barrow). [21-0137](#)

**a) ADOPT URGENCY ORDINANCE NO. 21-0005-U**

**b) ADOPT RESOLUTION NO. 21-0038**

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

9. Consideration of the Re-Appointment of Joe Ahn of Northrop Grumman to the South Bay Workforce Investment Board's Manhattan Beach Business Private Sector Seat (City Clerk Tamura). [21-0144](#)

**APPOINT**

*For the record, Councilmember Napolitano commented that Joe Ahn was a great choice for the position on the South Bay Workforce Investment Board.*

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

10. Consideration of Approving Assessment Engineer's Report for Annual Levy of Street Lighting Assessments for Fiscal Year 2021-2022 (Finance Director Charelian). [21-0048](#)

**ADOPT RESOLUTION NO. 21-0039**

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

11. Declaration of Intention to Provide for Annual Levy and Collection of Assessments for Street Lighting Maintenance and Setting of Public Hearing for June 15, 2021 (Finance Director Charelian). [21-0049](#)

**a) ADOPT RESOLUTION NO. 21-0040**

**b) SET PUBLIC HEARING DATE FOR JUNE 15, 2021**

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

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

6. Consideration of a Resolution Affirming the City of Manhattan Beach's Commitment to the Safety and Well-Being of our Asian American and Pacific Islander Community Members and Denouncing Xenophobia (City Manager Moe).

[21-0153](#)**ADOPT RESOLUTION NO. 21-0043**

*Mayor Pro Tem Stern explained why she pulled the agenda item.*

*Mayor Hadley opened the floor to public comments. The following individuals spoke:*

*Brooklyn Chan  
Armaan Shivpuri  
Madeline Kaplan  
Diana Skaar  
Mags Ng  
Joseph Ungoco  
Grace Lou  
Jennifer Lin  
Heather Kim*

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

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Stern to adopt Resolution No. 21-0043 affirming the City of Manhattan Beach's commitment to the safety and well-being of our Asian American and Pacific Islander community members and denouncing xenophobia. The motion carried by the following vote:**

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

## J. PUBLIC HEARINGS

12. Conduct Public Hearing to Consider Approval of a Coastal Development Permit to Expand the Overnight Residential Permit Parking Program on 45th Street Between Ocean Drive and Highland Avenue (Community Development Director Tai). [21-0136](#)
- a) CONDUCT PUBLIC HEARING**
- b) ADOPT RESOLUTION NO. 21-0041**

*Community Development Director Carrie Tai introduced the item and City Traffic Engineer Erik Zandvliet provided the staff presentation and responded to City Council questions.*

*Mayor Hadley opened the public hearing.*

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

*City Traffic Engineer Zandvliet responded to City Council questions.*

**A motion was made by Councilmember Montgomery, seconded by Councilmember Napolitano, to adopt Resolution No. 21-0041 as amended approving a Coastal Development Permit to expand the overnight residential permit parking program on 45th Street between Ocean Drive and Highland Avenue within the appealable portion of the City's Coastal Zone – CDP-21-0024 with overnight parking permit hours to be limited between 7:00 pm and 9:00 am. The motion carried by the following vote:**

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

**K. GENERAL BUSINESS**

*Mayor Hadley announced that Agenda Item Nos. 16 and 17 would be postponed and heard at a future City Council meeting.*

13. Consideration of Resolution Expressing a “Vote of No Confidence” in Los Angeles County District Attorney, George Gascón (City Manager Moe). [21-0140](#)

**CONSIDER ADOPTING RESOLUTION NO. 21-0042**

*City Manager Moe provided a brief introduction of the item.*

*Mayor Hadley opened the floor to public comments. The following individuals spoke:*

*Lucia La Rosa Ames  
Kim Brant-Lucich  
Tiffany Blacknell  
Megan Singer  
Heather Kim  
Desiree Andrade*

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

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

**A motion was made by Mayor Hadley, seconded by Councilmember Montgomery, to adopt Resolution No. 21-0042 expressing a Vote of No Confidence in Los Angeles County District Attorney George Gascón as amended to incorporate the language in the resolution adopted by the City of Beverly Hills. The motion carried by the following vote:**

**Aye:** 4 - Hadley, Napolitano, Montgomery and Franklin

**Nay:** 1 - Stern

14. Report on the Use of Homeless Court Services and Funding Sources for Homeless Services (City Manager Moe). [21-0130](#)

**DISCUSS AND PROVIDE DIRECTION**

*Mayor Hadley announced that this item was postponed to the June 1, 2021 City Council meeting.*

15. Consideration of Allowing Indoor Construction and Outdoor Construction Staging at 1200 North Sepulveda Boulevard After Hours (May 24, 2021 - September 17, 2021 from 10:00 p.m. - 7:30 a.m.) (Community Development Director Tai). [21-0142](#)

**APPROVE**

*Community Development Director Carrie Tai introduced Community Development, Building Official Ryan Heise, who presented the PowerPoint presentation and responded to City Council questions.*

*Construction Superintendent Errol Needham and Assistant Project Manager DeMarcus Fullington of BAC Consulting responded to City Council questions.*

*Mayor Hadley opened the floor to public comments. The following individuals spoke:*

*Madeline Kaplan  
Paul Mullin*

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

*Assistant Project Manager Fullington and Building Official Heise responded to City Council questions.*

*The City Council provided direction that a phone number for the Project Manager should appear on the next notice going out to the residents affected by the construction site. The City Council also directed that the contractors would be required to use the west side entrances instead of the ones on the south side of the store, and that heavy equipment should be moved during the day instead of at night.*

*A motion was made by Mayor Hadley, seconded by Councilmember Napolitano, to approve the request to allow indoor construction and outdoor construction staging at 1200 North Sepulveda Blvd for a trial period and to have the City Council review the request at the July 6, 2021 City Council meeting.*

*City Attorney Quinn Barrow clarified that staff has the ability to revoke the after hours construction request, if necessary, without an emergency meeting with the City Council.*

**A motion was made by Mayor Hadley, seconded by Councilmember Napolitano, to approve the request to allow indoor construction and outdoor construction staging at 1200 North Sepulveda Blvd for a trial period and to have the City Council review the request at the July 6, 2021 City Council meeting. The motion carried by the following vote:**

**Aye:** 4 - Hadley, Stern, Napolitano and Franklin

**Nay:** 1 - Montgomery

16. Presentation of the Proposed 5-Year Capital Improvement Program (CIP) for Fiscal Year 2021-2022 Through Fiscal Year 2025-2026 (Acting Public Works Director Tai). [21-0148](#)

a) **DISCUSS AND PROVIDE DIRECTION**

b) **APPROVE**

*This item was postponed to a future City Council meeting.*

17. Discussion of the Fiscal Year 2021-2022 Proposed Operating Budget (Finance Director Charelian). [21-0160](#)

**DISCUSS AND PROVIDE DIRECTION**

*This item was postponed to a future City Council meeting.*

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

*None.*

#### **M. FUTURE AGENDA ITEMS**

*A request was made by Councilmember Montgomery, seconded by Mayor Hadley, to agendaize a discussion expressing support of Assembly Constitutional Amendment ACA-7, introduced by Assembly Member Al Muratsuchi as it relates to local control of land use.*

#### **N. CITY MANAGER REPORT**

*City Manager Moe introduced the City's new Interim Public Works Director, Erick Lee.*

#### **O. CITY ATTORNEY REPORT**

*None.*

**P. INFORMATIONAL ITEMS****18. Commission Minutes:**[21-0151](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Parking and Public Improvements Commission Meeting Minutes of March 2020-October 2020 (Cancelled) (Community Development Director Tai)
- b) Parking and Public Improvements Commission Meeting Minutes of December 3, 2020 (Community Development Director Tai)
- c) Cultural Arts Commission Meeting Minutes of December 21, 2020 (Parks and Recreation Director Leyman)
- d) Planning Commission Meeting Minutes of January 13, 2021 (Cancelled) (Community Development Director Tai)
- e) Planning Commission Meeting Minutes of January 27, 2021 (Cancelled) (Community Development Director Tai)
- f) Parking and Public Improvements Commission Meeting Minutes of January 28, 2021 (Community Development Director Tai)
- g) Planning Commission Meeting Minutes of February 10, 2021 (Cancelled) (Community Development Director Tai)
- h) Planning Commission Meeting Minutes of February 24, 2021 (Cancelled) (Community Development Director Tai)
- i) Parking and Public Improvements Commission Meeting Minutes of February 25, 2021 (Cancelled) (Community Development Director Tai)
- j) Parking and Public Improvements Commission Meeting Minutes of March 25, 2021 (Cancelled) (Community Development Director Tai)
- k) Planning Commission Meeting Minutes of April 14, 2021 (Cancelled) (Community Development Director Tai)
- l) Planning Commission Meeting Minutes of April 28, 2021 (Cancelled) (Community Development Director Tai)
- m) Planning Commission Meeting Minutes of May 12, 2021 (Cancelled) (Community Development Director Tai)

**INFORMATION ITEM ONLY**

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

**Q. CLOSED SESSION**

*None.*

## **R. ADJOURNMENT**

*At 12:45 AM, Mayor Hadley adjourned the meeting to the 4:30 PM, Adjourned Regular Meeting on Tuesday, May 25, 2021.*

*City Attorney Quinn Barrow clarified that postponed Agenda Item No. 16 regarding the 5-year Capital Improvement Program (CIP) would be heard at the 6:00 PM, Budget Study Session on Tuesday, May 25, 2021.*

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

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**Suzanne Hadley**  
**Mayor**

**ATTEST:**

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