

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, September 21, 2021

6:00 PM

Regular Meeting

Zoom Meeting

## 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 Hadley 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 Proclamation Declaring September 21, 2021, as the International Day of Peace. [21-0286](#)

##### **PRESENT**

*Mayor Stern, on behalf of the City Council, presented a Proclamation declaring September 21, 2021 as the International Day of Peace.*

2. Presentation of Certificates of Recognition In Honor Of Mayor Stern's Kindness Initiative to Karen Wooldridge and Donna Barney for Their Peace Initiative, stand4peace. [21-0251](#)

##### **PRESENT**

*Mayor Stern, on behalf of the City Council, presented Certificates of Recognition to Karen Wooldridge and Donna Barney for Their Peace Initiative, stand4peace. Donna Barney accepted the certificates on their behalf.*

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

A motion was made by Councilmember Franklin, seconded by Mayor Stern, to approve the agenda as amended, and waive full reading of ordinances with Councilmember Hadley removing Agenda Item No. 12 from the consent calendar for individual consideration. Councilmember Hadley also requested to move Item No. 17 to be discussed after Item No. 14.

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

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

*Dylan Kircher of Mira Costa's Drama Tech Department announced that Mira Costa High School's fall play will be Alice in Wonderland which will open on October 14, 2021 and have additional shows on October 15, 22 & 23.*

*Christina Holman spoke regarding mandatory vaccinations.*

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

*Management Services, Assistant City Clerk Martha Alvarez confirmed that the following public comments were received by the City prior to the September 21, 2021, City Council Regular Meeting.*

*Agenda Item No. 3 - COVID-19  
3 emails*

*Agenda Item No. 14 - Fee for the Use of Public Right-of-Way  
2 eComments  
7 emails*

*Agenda Item No. 15 - Licensing of the City Logo  
1 eComment*

*Agenda Item No. 16 - 6th Cycle Housing Element Update  
2 eComments*

*Agenda Item No. 17 - Mandatory COVID-19 Vaccination Policy for City Employees  
2 eComments  
5 emails*

*Other Items Not on the Agenda  
18 emails*

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

*Angela Nelson  
Alexis  
Fred Taylor  
Charlene Harding  
Christina Holman  
Britney Nucci  
Cindy Bond  
Mahlone Becker  
Laurie Garcia  
Michael Zislis*

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

**H. COVID-19****3. 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) and responded to City Council questions.*

*City Attorney Quinn Barrow gave a brief introduction on AB 361 and responded to City Council questions. City Attorney Barrow will provide a full report on AB 361 at the October 5, 2021 City Council Meeting.*

*City Manager Moe sought direction on how the City Council would like to hold the October 5, 2021 City Council Meeting.*

*The City Council provided direction that the Tuesday, October 5, 2021 City Council Meeting will be held via Zoom.*

**I. CONSENT CALENDAR (APPROVE)**

**A motion was made by Councilmember Montgomery, seconded by Councilmember Hadley, to approve the Consent Calendar, with the exception of Agenda Item No. 12, 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

**4. City Council Minutes: [21-0101](#)**

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

- a) City Council Regular Meeting Minutes of September 9, 2021
- b) City Council Adjourned Regular Meeting Minutes of September 13, 2021

(City Clerk Tamura).

**APPROVE**

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

**5. Financial Reports: [21-0264](#)**

Schedule of Demands for August 26, 2021, and September 2, 2021  
(Finance Director Charelian).

**ACCEPT REPORT AND DEMANDS**

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

**6. Consideration of the Approval of City Council Assignments (City Clerk Tamura). [21-0248](#)****APPROVE**

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

7. Consideration of a Resolution Approving a Sub-Recipient Agreement with Los Angeles County Regarding the State Homeland Security Program and Authorizing Acceptance of a Grant in the Amount of \$51,789 for the Purchase of Equipment to Enhance Regional Communication Capabilities (Police Chief Abell). [21-0232](#)  
**a) ADOPT RESOLUTION NO. 21-0070**  
**b) APPROPRIATE FUNDS**

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

8. Consideration of a Resolution Accepting the State of California Office of Traffic Safety Selective Traffic Enforcement Program (STEP) Grant in the Amount of \$50,000 (Police Chief Abell). [21-0292](#)  
**a) ADOPT RESOLUTION NO. 21-0080**  
**b) APPROPRIATE FUNDS**

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

9. Update on Police Recruitment and Information Regarding Police Officer Recruitment Incentive Programs (Human Resources Director Jenkins and Police Chief Derrick Abell). [21-0298](#)  
**RECEIVE AND FILE**

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

10. Consideration of a Resolution Approving Amendment No. 2 in the Amount of \$172,046 to Onward Engineering's Existing Professional Services Agreement for Additional Design and Right-Of-Way Services for the Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project (Public Works Director Lee). [21-0229](#)  
**ADOPT RESOLUTION NO. 21-0082**

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

11. Consideration of a Resolution Approving an Agreement with Honeywell International, Inc. for Citywide HVAC Maintenance, Repair and Replacement Services (Public Works Director Lee). [21-0191](#)  
**ADOPT RESOLUTION NO. 21-0084**

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

12. Consideration of the Following for Cycle 1 Water Infrastructure Improvement Project: [21-0269](#)

- a) A Resolution Awarding a Construction Agreement to Stephen Doreck Equipment Rentals, Inc. for the Cycle 1 Water Infrastructure Improvement Project for \$2,210,484.30; Approving the Plans and Specifications for the Project; and Authorizing the City Manager to Approve Additional Work, if Necessary, for up to \$221,048; and
- b) A Resolution Approving an Inspection Services Agreement with Onward Engineering, Inc. in the Amount of \$204,930 (Public Works Director Lee).

**ADOPT RESOLUTION NOS. 21-0085 AND 21-0086**

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

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

12. Consideration of the Following for Cycle 1 Water Infrastructure Improvement Project: [21-0269](#)

- a) A Resolution Awarding a Construction Agreement to Stephen Doreck Equipment Rentals, Inc. for the Cycle 1 Water Infrastructure Improvement Project for \$2,210,484.30; Approving the Plans and Specifications for the Project; and Authorizing the City Manager to Approve Additional Work, if Necessary, for up to \$221,048; and
- b) A Resolution Approving an Inspection Services Agreement with Onward Engineering, Inc. in the Amount of \$204,930 (Public Works Director Lee).

**ADOPT RESOLUTION NOS. 21-0085 AND 21-0086**

*Councilmember Hadley requested a breakdown for the \$2,210,484.30 that is being allocated for the Cycle 1 Water Infrastructure Improvement Project.*

*Public Works Director Erick Lee 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 Mayor Pro Tem Napolitano, to adopt Resolution Nos. 21-0085 and 21-0086. The motion carried by the following vote:**

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

**K. PUBLIC HEARINGS**

*None.*

## L. GENERAL BUSINESS

13. Update on the City's Homelessness Initiatives Including: [21-0289](#)
- A) A Cost Estimate for Contracting with the City of Redondo Beach for Homeless Court and Prosecution Services;
  - B) Possible Engagement with Los Angeles County to Develop a Regional County-Run Homeless Court;
  - C) Grant Applications with the South Bay Cities Council of Governments (SBCCOG) for Measure H Grant Funding for Homeless Services;
  - D) Amendment No. 2 to an Agreement with Los Angeles County for an Additional \$14,519 of Grant Funds for Homeless Services Provided by Measure H; and
  - E) Appropriate the Amount of \$14,519 (City Manager Moe).
- a) **DISCUSS AND PROVIDE DIRECTION**
  - b) **ADOPT RESOLUTION NO. 21-0087 APPROVING AMENDMENT NO. 2**
  - c) **APPROPRIATE FUNDS**

*City Manager Moe introduced Assistant to the City Manager George Gabriel who provided the Powerpoint presentation.*

*City Manager Moe, City Attorney Barrow and Assistant to the City Manager 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 Montgomery, seconded by Councilmember Hadley to authorize staff to negotiate a contract with Redondo Beach for prosecution services, seek the Los Angeles County D.A.'s consent to prosecute state misdemeanors, explore options with the City of Hawthorne and private firms during the period of negotiations, adopt Resolution No. 21-0087 approving Amendment No. 2, and appropriate funds in the amount of \$14,519 for homeless services. A friendly amendment was proposed by Mayor Stern to allow staff two more meetings to gather information on contracting prosecutorial services and to get a more firm understanding when we will hear from the County about the proposal for creating a regional homeless court. The friendly amendment was not accepted. The motion carried by the following vote:**

**Aye:** 3 - Montgomery, Franklin and Hadley

**Nay:** 2 - Stern and Napolitano

*At 8:17 PM City Council recessed and reconvened at 8:30 PM with all Councilmembers present.*



14. Consideration of a Fee for the Use of Temporary Street Encroachment Areas of the Public Right-of-Way (PROW) for COVID-19 Purposes (Community Development Director Tai).

[21-0287](#)

**APPROVE**

*Community Development Director Carrie Tai introduced Community Development, City Traffic Engineer Erik Zandvliet who provided the Powerpoint presentation.*

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

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

*Jim Burton*

*Dario Vullo*

*Andrew Goldstein*

*Mike Simms*

*Mayor Stern closed the floor to public comments.*

**A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Napolitano to approve a monthly \$1.00 per square foot fee for the use of temporary street encroachment areas of the public right-of-way. The motion carried by the following vote:**

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

17. Request by Councilmember Montgomery and Mayor Pro Tem Napolitano to Discuss Implementing a Mandatory COVID-19 Vaccination Policy for City Employees (Human Resources Director Jenkins).

[21-0297](#)

**DISCUSS AND PROVIDE DIRECTION**

*Human Resources Director Lisa Jenkins provided the Staff presentation.*

*Human Resources Director Jenkins 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.*

*Councilmember Hadley expressed concern about the current Manhattan Beach Police Department recruitment and whether implementing mandatory COVID-19 vaccinations will have a negative effect.*

*Police Chief Derrick Abell responded that he was pleased with the current recruitment and responded to City Council questions.*

**A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, for all City employees to show proof of vaccination by December 1, 2021 or claim an exemption. If an employee claims an exemption, they must get tested weekly. The motion carried by the following vote:**

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

**Nay:** 1 - Hadley

15. Consideration of Licensing the City of Manhattan Beach Logo (Parks and Recreation Director Leyman).

[21-0219](#)

**APPROVE LICENSE AGREEMENT TEMPLATE**

*Parks and Recreation Director Mark Leyman introduced Management Services, Communications and Civic Engagement Manager Jessica Vincent who provided the Staff presentation.*

*City Attorney Barrow and Communications and Civic Engagement Manager Vincent 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.*

*Mayor Pro Tem Napolitano made a motion to approve the License Agreement Template for the use of the Manhattan Beach Logo.*

*Councilmember Hadley requested that "Section 6. Advertising" of the License Agreement reflect ten days instead of twenty-one days from the date of receipt for the Licensor to approve or disapprove the material.*

*City Attorney Barrow and Communications and Civic Engagement Manager Vincent responded to City Council questions.*

*Mayor Stern requested clarification regarding limiting the first round of licenses to local businesses.*

**A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery to approve the License Agreement Template as amended to reflect the change in "Section 6. Advertising," to ten days instead of twenty-one days, excluding social media content; allow 90 days for local businesses to apply for the first round of licenses; and direct staff through the City Manager to negotiate terms and conditions with licensees to use the City of Manhattan Beach logo. The motion carried by the following vote:**

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

16. Discussion of the 6th Cycle Housing Element Update (Community Development Director Tai).

[21-0288](#)

**DISCUSS AND PROVIDE INPUT**

*Community Development Director Carrie Tai introduced Community Development, Planning Manager Talyn Mirzakhian who provided the PowerPoint presentation.*

*At 10:27 PM, Mayor Stern requested a motion to extend the meeting.*

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

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

*Community Development, Planning Manager Talyn Mirzakhianian 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.*

*Community Development, Planning Manager Talyn Mirzakhianian stated a draft Housing Element is being prepared and is required to be submitted to the State of California Department of Housing and Community Development by October 1, 2021.*

17. Request by Councilmember Montgomery and Mayor Pro Tem Napolitano to Discuss Implementing a Mandatory COVID-19 Vaccination Policy for City Employees (Human Resources Director Jenkins). [21-0297](#)  
**DISCUSS AND PROVIDE DIRECTION**

**This item was taken out of order and heard after Agenda Item No. 14.**

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

*Councilmember Montgomery provided a brief report on the California Contract Cities Association Fall Educational Summit that he attended from September 16, 2021 – September 19, 2021 in Indian Wells, CA.*

#### **N. FUTURE AGENDA ITEMS**

*Councilmember Hadley requested to agendaize a discussion on the Downtown Manhattan Beach Business and Professional Association's proposal to cut dining decks back to storefront. Mayor Stern concurred.*

*Mayor Stern requested to postpone removing the peace pole until a presentation to the Cultural Arts Commission can be made in mid-November and the Commission can make a recommendation on where the peace pole can be placed. Councilmember Montgomery concurred.*

#### **O. CITY MANAGER REPORT**

*None.*

#### **P. CITY ATTORNEY REPORT**

*None.*

**Q. INFORMATIONAL ITEMS**

18. Agenda Forecast (City Clerk Tamura). [21-0239](#)  
**INFORMATION ITEM ONLY**

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

19. Commission Minutes: [21-0250](#)  
This Item Contains the Following Commission Minutes:  
a) Library Commission Meeting Minutes of July 12, 2021 (Parks and Recreation Director Leyman)  
b) Planning Commission Action Meeting Minutes of July 14, 2021 (Community Development Director Tai)  
c) Library Commission Meeting Minutes of August 9, 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 11:00 PM, Mayor Stern adjourned the meeting to the 4:30 PM Adjourned Regular Meeting on Tuesday, October 5, 2021.*

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**Caroline Choi**  
**Recording Secretary**

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**Hildy Stern**  
**Mayor**

**ATTEST:**

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