

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, October 5, 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 Stern 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 Certificates of Recognition In Honor of Mayor Stern's Kindness Initiative to Jeff and Peir Serota for Supporting Local Businesses During the Pandemic and Creating the "Local Love for MB" Campaign. [21-0271](#)
PRESENT

Mayor Stern, on behalf of the City Council, presented Certificates of Recognition to Jeff and Peir Serota for supporting local businesses during the pandemic and creating the "Local Love for MB" Campaign.

Maureen McBride, owner of Tabula Rasa, spoke on behalf of the small businesses that Jeff and Pier Serota assisted during the pandemic.

2. Presentation of a Proclamation Declaring the Month of October 2021, as National Breast Cancer Awareness Month. [21-0303](#)

PRESENT

Police Officer Christopher Iniguez provided information regarding the 2021 Pink Patch Project in honor of Breast Cancer Awareness Month.

Mayor Stern, on behalf of the City Council, presented Kelly Fogarty of Soroptimist International of Manhattan Beach, with a proclamation declaring the month of October 2021 as National Breast Cancer Awareness Month.

3. Presentation of a Commendation to Soroptimist International of Manhattan Beach in Recognition of Their 100th Anniversary. [21-0302](#)

PRESENT

Mayor Stern, on behalf of the City Council, presented a commendation to Soroptimist International of Manhattan Beach in recognition of their 100th Anniversary. Kelly Fogarty of Soroptimist International accepted the commendation on the organization's behalf.

4. Presentation of a Proclamation Declaring October 6, 2021 as Energy Efficiency Day. [21-0252](#)

PRESENT

Mayor Stern, on behalf of the City Council, presented Community Development Director Carrie Tai with a proclamation declaring October 6, 2021 as Energy Efficiency Day.

5. Presentation of a Proclamation Declaring the Month of October 2021, as National Community Planning Month. [21-0181](#)

PRESENT

Mayor Stern, on behalf of the City Council, presented Community Development Director Carrie Tai with a proclamation declaring the month of October 2021 as National Community Planning Month.

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

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to approve the agenda and waive full reading of ordinances. The motion carried by the following vote:

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

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

Councilmember Hadley recognized the Manhattan Beach Police Department and Councilmember Franklin for their work to raise money for the K-9 Foundation at the Downtown Manhattan Beach Car Show. She recognized the Hometown Fair Board and Board President Joe Marcy for their success in bringing back the fair this year and commented that next year will be the 50th Anniversary. She also recognized the success of the 10K Run and Race Director, Rachel Judson.

Mayor Stern congratulated Pennekamp Elementary school for being named a National Blue Ribbon School by the US Department of Education. Pennekamp has now joined Pacific, Robinson, and Grandview Elementary Schools as they hold the same designation.

Councilmember Montgomery announced the 13th annual Skechers Pier to Pier walk on Sunday, October 24, 2021 and encouraged residents to sign up at sneakersfriendshipwalk.com

Parks and Recreation Director Mark Leyman announced that the City is partnering with the Beach Cities Health District to provide a Pfizer booster vaccine clinic for older adults 65 and over at the Joslyn Community Center on Wednesday, October 20, 2021 from 9 AM - 12 PM. Interested parties can register at myturn.ca.gov or by calling the Senior Hotline at 310-802-5010. He then announced that a flu clinic will be held at the same time and space and will be open to all ages.

Sharon Shapiro-Fox of Waste Management announced the drive-thru shred event on October 9th and 10th from 9 AM-12 PM in the Mira Costa High School parking lot.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Fire Chief Michael Lang provided an update on the construction of Fire Station No. 2 and the Fire Department's response times.

Mayor Stern stated her disapproval of uncivil anonymous emails including threatening emails recently sent out by an anonymous source regarding the Manhattan Beach Unified School District (MBUSD) Boardmembers.

Councilmember Franklin read excerpts from the MBUSD Inclusion STAND UP Commitment to add to Mayor Stern's comments.

Mayor Pro Tem Napolitano and Councilmember Montgomery spoke in favor of Mayor Stern's condemnation of the anonymous emails.

Councilmember Hadley questioned why emails concerning the school district were brought up during a City Council meeting.

City Attorney Quinn Barrow recommended that the City Council continue with the Public Comment portion of the meeting.

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

Josh Murray

Kim Brant-Lucich

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

H. COVID-19**6. 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).

7. City Council Reconsideration of the Circumstances of the Declared COVID-19 Emergency to Determine Whether the City Council Should Continue to Hold Remote Meetings Pursuant to AB 361's Special Teleconferencing Requirements (City Attorney Barrow).

[21-0312](#)

ACCEPT STAFF RECOMMENDATION

City Attorney Quinn Barrow provided the Staff presentation and 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 Mayor Pro Tem Napolitano to accept staff's recommendation.

City Attorney Barrow and City Manager Bruce Moe responded to City Council questions.

A motion was made by Councilmember Montgomery, seconded by Mayor Pro Tem Napolitano, to accept the staff recommendation that the City Council find that state or local officials continue to impose or recommend social distancing measures, and direct staff to place on the agenda a second reconsideration for the City Council meeting scheduled for November 2, 2021. The motion carried by the following vote:

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

A motion was made by Councilmember Hadley, seconded by Councilmember Montgomery, to hold the October 19, 2021 Regular City Council Meeting remotely via Zoom. The motion carried by the following vote:

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

I. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Stern, seconded by Mayor Pro Tem Napolitano, to approve the Consent Calendar. The motion carried by the following vote:

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

8. City Council Minutes: [21-0159](#)

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

a) City Council Adjourned Regular Meeting Minutes of September 21, 2021

b) City Council Regular Meeting Minutes of September 21, 2021 (City Clerk Tamura).

APPROVE

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

9. Financial Reports: [21-0310](#)

Schedule of Demands for September 9, 2021, and September 16, 2021 (Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

10. Consideration of a Resolution Confirming Emergency Order Nos. 26 and [21-0267](#)

27 Issued by the Director of Emergency Services During the Local Emergency Proclaimed to Address COVID-19 (City Attorney Barrow).

ADOPT RESOLUTION NO. 21-0088

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

11. Consideration of a Resolution Approving Amendment No. 1 to the [21-0245](#)

General Services Agreement with Hadronex dba SmartCover Systems for Sewer SmartCovers at a Cost Not-to-Exceed \$75,767.99 (Public Works Director Lee).

ADOPT RESOLUTION NO. 21-0083

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

J. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

K. PUBLIC HEARINGS

None.

L. GENERAL BUSINESS

12. Consider Request by Mayor Stern and Councilmember Montgomery to Postpone the Removal of the Peace Pole Pending the Cultural Arts Commission Review (Parks and Recreation Director Leyman). [21-0311](#)
DISCUSS AND PROVIDE DIRECTION

Parks and Recreation Director Mark Leyman provided that he was available for questions.

Mayor Stern provided background regarding the request.

Parks and Recreation Director Leyman responded to City Council questions.

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

*Heather Kim
Diane Wallace
Amy Howorth*

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

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Hadley, to move the Peace Pole to Veteran's Parkway catty-corner to the 9/11 Memorial and have the Peace Pole installed in the ground. The motion carried by the following vote:

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

13. Consideration of Reduction in Size of Temporary Encroachment Areas for Street Dining for COVID-19 Purposes, Effective November 1, 2021 (Community Development Director Tai).

[21-0309](#)

DISCUSS AND PROVIDE DIRECTION

Community Development Director Carrie Tai introduced the item and Community Development, City Traffic Engineer Erick Zandvliet provided the PowerPoint presentation.

City Traffic Engineer Zandvliet, Jill Lamkin, Executive Director of the Downtown Business and Professional Association (DBPA), and City Attorney Quinn Barrow responded to City Council questions.

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

*Don McPherson
Michael Zislis
Jim Burton
Andrew Goldstein
Dario Vullo
Jill Lamkin
Mike Simms
Dr. Amy Yetasook*

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

Community Development Director Tai, City Traffic Engineer Zandvliet, and DBPA Executive Director Lamkin responded to City Council questions.

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to adopt the proposal set forth by City Traffic Engineer Zandvliet to prohibit dining decks in front of retail businesses in order to restore approximately 15 parking spaces.

Community Development Director Tai clarified the motion, which was to approve a modified version of the DBPA proposal to reduce temporary encroachment areas to the business frontage if a dining deck is in front of another storefront, whether it is vacant or occupied. Businesses would be required to reduce their dining deck size by November 1, 2021.

A motion was made by Mayor Pro Tem Napolitano, seconded by Councilmember Montgomery, to approve a modified version of the DBPA proposal to require reduction of temporary encroachment areas (dining decks) to restaurant frontages by removing areas in front of storefronts, vacant or occupied by November 1, 2021. The motion carried by the following vote:

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

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

Mayor Stern clarified that the City Council would receive an oral report at the next meeting and a Staff Report on November 2, 2021 regarding the proposed fireworks show for this year.

At 9:27 PM, the City Council recessed and reconvened at 9:41 PM with all Councilmembers present.

- 14.** Discussion of a Proposed Work Plan Item For Long-Term Outdoor Business Use (Including Dining) in the Public Right-of-Way and Private Property (Community Development Director Tai).

[21-0306](#)

DISCUSS AND PROVIDE DIRECTION

Community Development Director Tai provided the PowerPoint presentation.

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

Don McPherson

Michael Zislis

Jim Burton

Mike Simms

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

Community Development Director Tai responded to City Council questions.

While still on Agenda Item No. 14 and due to the lateness of the meeting, the following motion was made regarding Agenda Item No. 15.

A motion was made by Councilmember Montgomery, seconded by Councilmember Hadley, to continue Agenda Item No. 15 regarding the update on the Fiscal Year 2021-2022 City Council Work Plan to the October 19, 2021 City Council Meeting . The motion carried by the following vote:

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

The City Council continued discussions regarding Agenda Item No. 14.

Community Development Director Tai responded to City Council questions.

The City Council accepted the report provided by Staff.

15. Update on Fiscal Year 2021-2022 City Council Work Plan Report (City Manager Moe). [21-0291](#)
RECEIVE REPORT

This item was continued to the October 19, 2021 City Council Meeting.

M. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

Mayor Stern, for the record, clarified her vote from the September 21, 2021 Regular City Council Meeting regarding the City's Homelessness Initiatives. She stated that the motion contained two topics, and while she registered a No vote, she did support the \$14,000 extension of the grant funds to extend the contract with Los Angeles County for Homeless Coordination services.

N. FUTURE AGENDA ITEMS

None.

O. CITY MANAGER REPORT

None.

P. CITY ATTORNEY REPORT

None.

Q. INFORMATIONAL ITEMS

16. Agenda Forecast (City Clerk Tamura). [21-0244](#)
INFORMATION ITEM ONLY

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

17. Commission Minutes:[21-0301](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Cultural Arts Commission Meeting Minutes of July 19, 2021 (Parks and Recreation Director Leyman)
- b) Parks and Recreation Commission Meeting Minutes of July 26, 2021 (Parks and Recreation Director Leyman)
- c) Planning Commission Action Meeting Minutes of July 28, 2021 (Community Development Director Tai)
- d) Planning Commission Action Meeting Minutes of September 8, 2021 (Cancelled) (Community Development Director Tai)
- e) Planning Commission Action Meeting Minutes of September 22, 2021 (Cancelled) (Community Development Director Tai).

INFORMATION ITEM ONLY

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

R. CLOSED SESSION

None.

S. ADJOURNMENT

At 10:38 PM, Mayor Stern adjourned the meeting to the 4:30 PM Adjourned Regular Meeting on Tuesday, October 19, 2021.

Patricia Matson
Recording Secretary

Hildy Stern
Mayor

ATTEST:

Liza Tamura
City Clerk