

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, November 2, 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

Keira McCracken from Meadows Elementary School, 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

At the request of Mayor Stern, Agenda Item No. 2 was taken out of order.

2. Presentation of Certificates of Recognition In Honor of Mayor Stern's Kindness Initiative to Diana Skaar and Madeline Kaplan for their Efforts in Supporting Manhattan Beach Families by Condemning Acts of Hate Against Asian American and Pacific Islander Community Members Through Sidewalk Chalk Art. [21-0257](#)

PRESENT

Mayor Stern, on behalf of the City Council, presented a Certificate of Recognition to Diana Skaar and Madeline Kaplan for their efforts in supporting Manhattan Beach families, by condemning acts of hate against Asian American and Pacific Islander community members through sidewalk chalk art.

Betty Wan, resident of Manhattan Beach, shared her appreciation for Diana Skaar and Madeline Kaplan for organizing the sidewalk chalk art event.

Assemblymember Al Muratsuchi presented certificates to Diana Skaar and Madeline Kaplan and thanked them for their work uniting the community through their sidewalk chalk art event.

1. Presentation of a Proclamation Declaring the Week of November 14 - November 20, 2021, as United Against Hate Week. [21-0233](#)

PRESENT

Mayor Stern, on behalf of the City Council, presented Diana Skaar with a proclamation declaring the week of November 14 - November 20, 2021, as United Against Hate Week.

3. Presentation of Certificates of Recognition to the 2021 Fire Department Annual, "Home Escape Plan" Contest Winners and the Two Recipients of 10 Years of Outstanding Leadership for Fire Prevention Week. [21-0165](#)

PRESENT

Mayor Stern, on behalf of the City Council, along with Fire Department, Engineer/Paramedic Brian Yount, presented certificates of recognition to the winners of the 2021 Fire Department Annual "Home Escape Plan" Contest:

*Sophia Hucul, American Martyrs Catholic School
Kathryn Hovivian, Grand View Elementary School
Charlotte Rosenfeld, Meadows Elementary School
Casey Diep, Pacific Elementary School
Porter Stell, Robinson Elementary School*

Fire Engineer/Paramedic Yount also presented plaques to two previous winners from 10 years ago for Outstanding Leadership 2011 - 2021:

*Kirra Troeger
Hatcher Johnson*

4. Presentation of a Proclamation Declaring the Month of November 2021, [21-0162](#)
as National Family Caregivers Month.

PRESENT

Mayor Stern, on behalf of the City Council, presented a proclamation to Parks and Recreation Department, Recreation Manager Jan Buike declaring the Month of November 2021 as "National Family Caregivers Month."

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

A motion was made by Councilmember Montgomery, seconded by Mayor Stern, 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)

Mayor Stern announced the next step in her Kindness Initiative in coordination with Beach Cities Health District called Kindness Counts. Kindness Counts is an online portal that will collect and display stories of acts of kindness through personal submission. To share an act of kindness, go to www.bchd.org/kindnesscounts.

Councilmember Montgomery thanked Parks and Recreation Director Mark Leyman and his staff for their work organizing and holding the Annual Pumpkin Race. He also thanked Skechers for their fundraising efforts through the annual Pier to Pier walk.

Councilmember Hadley thanked the Manhattan Beach Police Department and volunteers for holding the Trunk or Treat.

Parks and Recreation Director Leyman congratulated Councilmember Franklin for winning the City Council and Commissions pumpkin race. He thanked the community for their support of the Halloween Carnival at Manhattan Heights. He also announced the following upcoming events -

Veterans Day Event on Thursday, November 11, 2021 at 11:00 AM at the Veterans Memorial, Pier Lighting and Holiday Open House on Wednesday, November 17, 2021 from 5:00 PM to 9:00 PM, Holiday Crafts Night, which is being held on two nights - Saturday, December 11, 2021 from 4:00 PM to 7:00 PM or Sunday, December 12, 2021 from 9:00 AM to 12:00 PM and the last event which is the Holiday Fireworks on Sunday, December 12, 2021.

Heather announced Rally for Freedom on Wednesday, November 3, 2021 at 4:00 PM at Mira Costa High School.

Josh Murray of the Manhattan Beach Library, announced the Book Club will meet virtually on Monday, December 6, 2021 at 6:30 PM. For information and to sign up, contact Librarian Claire Moore at cmoore@library.lacounty.gov. Community members are welcome to sign up for their virtual online programs, such as Easy Native Plants for Urban Spaces which will be held on Tuesday, November 9, 2021 at 6:00 PM at www.lacountylibrary.org/events.

G. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Assistant City Clerk, Martha Alvarez, confirmed that the City received the following public comments prior to the start of the November 2, 2021, City Council Regular Meeting:

*Agenda Item No. 2
8 eComments
1 email*

*Agenda Item No. 11
2 eComments
1 email*

*Agenda Item No. 17
30 eComments
106 emails*

*Agenda Item No. 21
1 eComment
23 emails*

*Adjournment
1 eComment*

*Other Items Not on the Agenda
29 emails*

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

*John Altamura
T Nina Tarnay
David Archer
Jacquelyne May
Lauren Harger
Roy
Fred Taylor
Tina Shivpuri
Elizabeth Heatherton
Ray Joseph
Laura Kainsinger*

*Lana Rizika
April Waylan
Isla Garraway
Karynne Thim
Kim Brant-Lucich
Christa Lyons
Heather
Diana Skaar
Julia Lynn Birkel
Michael Jenkins
Jim Burton
Mags Ng*

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

H. COVID-19

5. 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).

The City Council provided direction to hold the November 16, 2021 Regular City Council Meeting remotely via Zoom.

Mayor Stern requested the City Manager issue an Emergency Order requiring City contractors and volunteers to be included in the employee vaccination mandate.

City Attorney Quinn Barrow responded to City Council questions.

Mayor Stern requested to place this item on the November 16, 2021 agenda for further discussion. Mayor Pro Tem Napolitano concurred.

I. CONSENT CALENDAR (APPROVE)

A motion was made by Councilmember Montgomery, 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

6. City Council Minutes: [21-0166](#)

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

a) City Council Adjourned Regular Meeting Minutes of October 19, 2021

b) City Council Regular Meeting Minutes of October 19, 2021

(City Clerk Tamura).

APPROVE

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

7. Financial Reports: [21-0332](#)

Schedule of Demands for October 7, 2021, and October 14, 2021

(Finance Director Charelian).

ACCEPT REPORT AND DEMANDS

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

8. City Council Reconsideration of the Circumstances of the Declared COVID-19 Emergency to Facilitate Remote Attendance at Public Meetings by Councilmembers and Other City Legislators Pursuant to AB 361's Special Teleconferencing Requirements (City Attorney Barrow). [21-0367](#)

ACCEPT STAFF RECOMMENDATION

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

9. Update on Fiscal Year 2021-2022 City Council Work Plan Report (Continued from the October 19, 2021, City Council Meeting) (City Manager Moe). [21-0335](#)

RECEIVE REPORT

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

10. Adoption of Annual Investment Policy for Fiscal Year 2021-2022 and Delegation of Responsibility for Investing Funds to the City Treasurer (Finance Director Charelian). [21-0192](#)

ADOPT

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

11. Consideration of a Resolution Approving Amendment No. 2 with Laz Parking California LLC and Conditionally Authorizing the City Manager to Negotiate and Execute a One-Year Agreement with Laz Parking for Supplemental Parking Enforcement Services at a Total Cost Not-to-Exceed \$350,000 (Police Chief Abell and Human Resources Director Jenkins). [21-0295](#)

ADOPT RESOLUTION NO. 21-0078

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

12. Second Reading and Adoption of an Ordinance Amending the Manhattan Beach Municipal Code by Adding Chapter 5.25 (Mandatory Organic Waste Disposal Reduction) to Title 5 (Sanitation and Health) and Making a Determination of Exemption Under CEQA (Public Works Director Lee). [21-0343](#)

ADOPT ORDINANCE NO. 21-0006

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

13. Consideration of the Following Regarding the Rosecrans Avenue Street Resurfacing Project: [21-0324](#)
- a) Formally Accepting as Complete the Construction Contract for the Rosecrans Avenue Street Resurfacing Project;
 - b) Authorizing the Filing of the Notice of Completion with the County Recorder; and
 - c) Releasing the Retention of \$36,564.72 (Public Works Director Lee).
- ACCEPT AND AUTHORIZE**

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

14. Consideration of a Resolution Approving Amendment No. 1 to the Professional Services Agreement with McGowan Consulting, LLC for Environmental Consulting Services Under the Requirements of the Federal Clean Water Act at a Cost Not-to-Exceed \$78,551 (Public Works Director Lee). [21-0296](#)
- ADOPT RESOLUTION NO. 21-0079**

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

15. Consideration of the Following Regarding Parking Structure Lot 3 Repairs Project: [21-0313](#)
- a) Adopting a Resolution Awarding a Construction Agreement to Pro Finish Painting, Inc., dba Pro Finish Construction Services, Inc., for the Parking Structure Lot 3 Repairs Project for \$372,762.50; Approving the Plans and Specifications for the Project; and Authorizing the City Manager to Approve Additional Work, if Necessary, Not-to-Exceed \$55,837.50; and
 - b) Adopting a Resolution Awarding an Inspection Services Agreement to Ardurra for \$61,400 (Public Works Director Lee).
- ADOPT RESOLUTION NOS. 21-0097 AND 21-0098**

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

J. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

K. PUBLIC HEARINGS

16. Public Hearing for the Draft 2020 Urban Water Management Plan/Water Shortage Contingency Plan and Consideration of Adoption of a Resolution for the 2020 Urban Water Management Plan and Adoption of a Resolution for the Water Shortage Contingency Plan (Public Works Director Lee). [21-0263](#)

A) CONDUCT PUBLIC HEARING**B) ADOPT RESOLUTION NOS. 21-0099 AND 21-0100**

Public Works Director Erick Lee introduced the item and Engineering Supervisor, Jeff Helsley and Project Engineer, Stan Chen of Stetson Engineers, provided the Powerpoint presentation.

Public Works Director Lee and Engineering Supervisor Helsley 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 Franklin to adopt Resolution No. 21-0099 and Resolution No. 21-0100. The motion carried by the following vote:

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

At 8:22 PM, the City Council recessed and reconvened at 8:30 PM with all Councilmembers present.

L. GENERAL BUSINESS

17. Presentation from the History Advisory Board Regarding the Proposed Language for Plaques to be Placed at Bruce's Beach Park and the County Lifeguard Administration Building (City Manager Moe). [21-0331](#)
- A) APPROVE LANGUAGE**
- B) ALLOCATE FUNDING FROM THE PUBLIC ARTS TRUST FUND**
- C) AUTHORIZE THE CITY MANAGER TO AWARD CONTRACTS NOT-TO-EXCEED \$20,000 TOTAL IN ACCORDANCE WITH THE MUNICIPAL CODE PURCHASING REQUIREMENTS**

City Manager Moe introduced Policy and Management Analyst, Alexandria Latragna who provided a PowerPoint presentation and brief overview of the item. Policy and Management Analyst Latragna introduced the History Advisory Board members Lindsey Fox, Kristin Long and Tyler St. Bernard, who presented the recommendation for the plaque language.

Kristin Long and Lindsey Fox 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 Franklin to disband the History Advisory Board and assign two members of the City Council to form a subcommittee to compile the proposed language and design for the plaques. The motion carried by the following vote:

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

City Attorney Barrow stated that the Mayor can select the two Councilmembers who will serve on the subcommittee with the concurrence of the City Council.

Mayor Stern announced that she will share her decision regarding the subcommittee at the November 16, 2021 City Council meeting.

Mayor Stern asked for direction on Agenda Item No. 17 b) and c) and whether it needed to be voted on or if it should wait until after the subcommittee presentation.

City Attorney Barrow suggested it would be best to defer until after the subcommittee presents their recommendation. City Manager Moe concurred.

18. Update on the Draft 6th Cycle Housing Element (Community Development Director Tai).

[21-0321](#)

RECEIVE AND FILE

Community Development Director Carrie Tai introduced Planning Manager, Talyn Mirzakhanian who provided a PowerPoint presentation.

Mayor Stern opened the floor to public comments.

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

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

At 10:24 PM, a motion was made by Councilmember Montgomery, seconded by Councilmember Franklin, to extend the meeting past 11:00 PM. The motion carried by the following vote:

Aye: 4 - Stern, Montgomery, Franklin and Hadley

Nay: 1 - Napolitano

19. Update on the Continued Placement of Temporary Encroachment Areas (Outdoor Dining Areas) in the Public Right-of-Way (COVID-19 Purposes) during the Holiday Fireworks Event (Community Development Director Tai and Parks and Recreation Director Leyman).

[21-0336](#)

RECEIVE AND FILE

Community Development Director Carrie Tai provided background and an update regarding this item.

Community Development Director Tai responded to City Council questions as well as thanked and acknowledged the Special Events committee for their hard work.

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

Jill Lamkin

Jim Burton

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

M. CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB 1234 REPORTS

20. City Council AB 1234 Reports.

None.

21. Consider Request by Mayor Pro Tem Napolitano and Councilmember Franklin to Discuss the City's Historic Preservation Regulations (City Manager Moe).

[21-0338](#)

DISCUSS AND PROVIDE DIRECTION

City Manager Moe clarified that this item required a third vote to proceed with staff research and requested City Council to provide direction.

City Manager Moe responded to City Council questions and reminded City Council this item was regarding the City's Historical Preservation Ordinance and the issues residents face when they sell their home.

Councilmember Montgomery provided a third vote.

City Attorney Barrow and Community Development Director Tai responded to City Council questions.

Community Development Director Tai stated that staff is aware that some of the language in the ordinance does not fulfill its intent; therefore, they are working on immediate and intermediate solutions to try and carry out the understood intent of the ordinance and will return for direction at a future City Council meeting.

N. FUTURE AGENDA ITEMS

Mayor Stern requested to reconsider adding Camellia as a second City Flower. The request was seconded by Mayor Pro Tem Napolitano.

O. CITY MANAGER REPORT

None.

P. CITY ATTORNEY REPORT

None.

Q. INFORMATIONAL ITEMS

22. Agenda Forecast (City Clerk Tamura).
INFORMATION ITEM ONLY

[21-0268](#)

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

23. Commission Minutes:[21-0326](#)

This Item Contains Minutes of the following City Commission Meetings:

- a) Cultural Arts Commission Meeting Minutes of August 30, 2021 (Parks and Recreation Director Leyman)
- b) Library Commission Meeting Minutes of September 13, 2021 (Parks and Recreation Director Leyman)
- c) Parks and Recreation Commission Meeting Minutes of September 27, 2021 (Parks and Recreation Director Leyman)
- c) Planning Commission Meeting Minutes of October 27, 2021 (Cancelled) (Community Development Director Tai)
- d) Parking and Public Improvements Commission Meeting Minutes of October 28, 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 10:57 PM, Mayor Stern adjourned the meeting in memory of Former City of Manhattan Beach Mayor, Walt Dougher and City of Duarte Mayor, Bryan Urias.

The meeting was adjourned to a 4:30 PM Adjourned Regular Meeting on Tuesday, November 9, 2021 which will be held via Zoom.

Caroline Choi
Recording Secretary

Hildy Stern
Mayor

ATTEST:

Liza Tamura
City Clerk