



Legislation Details (With Text)

File #: 21-0336 **Version:** 1
Type: Gen. Bus. - Staff Report **Status:** Agenda Ready
In control: City Council Regular Meeting
On agenda: 11/2/2021 **Final action:**
Title: 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).
RECEIVE AND FILE

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Date	Ver.	Action By	Action	Result
11/2/2021	1	City Council Regular Meeting		

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Carrie Tai, AICP, Community Development Director
Mark Leyman, Parks and Recreation Director

SUBJECT:

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).

RECEIVE AND FILE

RECOMMENDATION:

Receive an update on the continued placement of temporary encroachment areas in the public right-of-way (COVID-19 Purposes) during the Holiday Fireworks Event.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with receiving this update. However, there are likely added costs associated with the modified operations plan to accommodate the temporary encroachment areas during the Holiday Fireworks Event. The City Council approved a 100% fee waiver for City services, with direction that any increase in costs exceeding 10% over prior years would need to be reviewed by the City Council. At this time, staff is in the process of determining costs.

BACKGROUND:

During the October 5, 2021, City Council agenda item to consider the reduction of temporary encroachment areas by November 1, staff indicated that the previous configuration of the Holiday Fireworks Event necessitated removal of those areas to accommodate spectators and public safety. At that time, the City staff Special Events Committee had met internally on the pending Fireworks Event and not yet engaged the event organizer and other stakeholders. The City Council requested that staff return with a verbal update on October 19 and a more detailed update on November 2 on the potential effects of temporary encroachment areas on the Holiday Fireworks Event after conducting additional coordination.

DISCUSSION:

The Holiday Fireworks Event is scheduled for Sunday, December 12. Currently, Emergency Order No. 27 allows for temporary encroachment areas, because of COVID-19 restrictions, to remain until January 3, 2022. There are four restaurants with constructed dining decks on the 100 block of Manhattan Beach Boulevard (between Ocean Drive and Manhattan Avenue) that have temporary encroachment areas. Due to the slope of Manhattan Beach Boulevard, these dining decks required building permits and structural engineering to ensure compliance with building codes and accessibility regulations. The restaurant owners and the event organizers have expressed a desire to allow the decks to remain in place during the Holiday Fireworks Event, citing the complexity of removal and re-installation. The decks would be completely closed for occupancy during the Holiday Fireworks Event.

To date, the City's staff Special Events Committee has met twice with the organizers of the Holiday Fireworks Event. To accommodate the continued placement of the dining decks in the temporary encroachment areas, modifications to the previous configuration will be required. Specifically, the event organizers propose to shift spectator areas previously on the 100 block of Manhattan Beach Boulevard to the beach, along with additional signage and information directing people to the beach areas. It is anticipated that additional security staff and fencing will be needed to manage the additional beach areas. Notable components of the Holiday Fireworks Event, such as the snow park and sponsor seating areas, are not impacted by the dining decks. However, the bounce park is being omitted this year due to COVID-19 concerns. Sidewalk access for pedestrians, and public safety ingress/egress are maintained. Spectator seating areas on Manhattan Beach Boulevard east of Manhattan Avenue would also be available.

CONCLUSION:

The City staff Special Events Committee and event organizers concur that with some shifting of spectator seating areas to the beach, the dining decks along Manhattan Beach Boulevard between Ocean Drive and Manhattan Avenue may remain during the Holiday Fireworks Show without compromising public safety. The dining decks would need to be completely closed to all occupants (customers, staff, the public, etc.) during the event.

PUBLIC OUTREACH:

The City staff Special Events Committee meets with all internal stakeholders and event organizers during the planning effort for the event. Prior to the event, the event organizers and the City advertise and convey to the public any service or roadway disruptions due to the event.

ENVIRONMENTAL REVIEW:

The City has reviewed this update for compliance with the California Environmental Quality Act

(CEQA) and has determined that the update is not a “Project” as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

LEGAL REVIEW:

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.