

AMENDED
City Council Special Meeting
CALL AND NOTICE OF A SPECIAL MEETING
Monday, May 25, 2020
1:30 PM
City Council Chambers



ELECTED OFFICIALS

Mayor Richard Montgomery
Mayor Pro Tem Suzanne Hadley
Councilmember Hildy Stern
Councilmember Steve Napolitano
Councilmember Nancy Hersman
Treasurer Tim Lilligren

EXECUTIVE TEAM

City Manager Bruce Moe
City Attorney Quinn Barrow

City Clerk Liza Tamura

Community Development Director Carrie Tai

Finance Director Steve Charelian

Fire Chief Daryn Drum

Human Resources Director Lisa Jenkins

Interim Information Technology Director Patrick Griffin

Parks and Recreation Director Mark Leyman

Police Chief Derrick Abell

Public Works Director Stephanie Katsouleas

MISSION STATEMENT:

Our mission is to provide excellent municipal services,
preserve our small beach town character, and enhance the quality of life for our
residents, businesses and visitors.

CALL AND NOTICE OF A SPECIAL CITY COUNCIL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH: NOTICE IS HEREBY GIVEN that the Mayor has called a Special Meeting of the City Council of the City of Manhattan Beach, California, to be held at Manhattan Beach City Hall, in the City Council Chambers, 1400 Highland Avenue, Manhattan Beach, California, 90266, at 1:30 PM on Monday, May 25, 2020, for the purpose of convening a meeting of the City Council. The agenda for the meeting is set forth below.

/s/ Richard Montgomery
Richard Montgomery, Mayor

/s/ Liza Tamura
Liza Tamura, City Clerk

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.

CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this amended notice/agenda was posted on Tuesday, May 24, 2020, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED.**A. CALL MEETING TO ORDER****B. ROLL CALL****C. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES**

This is the time for the City Council to: (a) notify the public of any changes to the agenda and (b) rearrange the order of the agenda.

MOTION TO APPROVE AGENDA AND WAIVE FULL READING

D. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Please note that members of the public will be provided the opportunity to directly address the City Council concerning the item(s) described below before the City Council considers such item(s). No other business shall be considered.

Pursuant to Governor Newsom's Executive Orders No. N-25-20 and No. N-29-20, City Council Chambers is not open to the public. In the interest of maintaining appropriate social distancing, the City Council encourages the public to participate by submitting comments in advance of the meeting, no later than 1:00 PM, May 25, 2020 (the day of the meeting), via:

- 1) eComment at <http://www.citymb.info/ecomment>;
- 2) email to cityclerk@citymb.info; or
- 3) telephone message recorded at (310) 802-5030.

All of your comments provided by the deadlines above will be available to the City Council and the public prior to the meeting.

In addition, you may participate by joining Zoom during the meeting:

If you wish to speak on any item on the agenda, please register in advance by clicking the following link:
<https://citymb.seamlessdocs.com/f/publiccomment>

- 1) Join Zoom Meeting via the internet:
Direct URL: <https://comb.zoom.us/j/95794431091>, Meeting ID: 957-9443-1091

During the meeting you will need to use the "raise hand" button through Zoom at the time the Mayor invites the public to provide comments.

- 2) Join Zoom Meeting via Phone Conference (Voice Only):
Phone Number: (669) 900-6833, Meeting ID: 957-9443-1091

During the meeting you will need to enter *9 on the phone's dial pad at the time the Mayor invites the public to provide comments.

E. GENERAL BUSINESS

Each speaker may speak for up to 2 minutes on each general business item.

1. Request from L.A. County Supervisor Hahn to Support the Granting of Variances to The County's Health Officer Orders for Individual Cities and Consideration of a Letter to the Los Angeles County Board of Supervisors Advocating for South Bay Businesses and Restaurants to Re-Open Under State and County Phase 3 Guidelines.

DISCUSS AND PROVIDE DIRECTION

Attachments: [Motion by LA County Supervisors](#)
[Draft Motion - Support for "Safer at Work and Safer in Our Communities"](#)
[Draft Letter of Request for Restaurant Exemption](#)

F. ADJOURNMENT



CITY OF MANHATTAN BEACH CITY HALL

1400 Highland Avenue, Manhattan Beach, CA 90266

WEBSITE: www.citymb.info • **PHONE:** (310) 802-5000

AGENDA ITEM NO. 1

Request from L.A. County Supervisor Hahn to Support the Granting of Variances to The County's Health Officer Orders for Individual Cities and Consideration of a Letter to the Los Angeles County Board of Supervisors Advocating for South Bay Businesses and Restaurants to Re-Open Under State and County Phase 3 Guidelines.

DISCUSS AND PROVIDE DIRECTION

ATTACHMENT NAME: Motion by LA County Supervisors

LINK: <https://www.citymb.info/Home/ShowDocument?id=42603>

ATTACHMENT NAME: Draft Motion - Support for Safer at Work and Safer in Our Communities

LINK: <https://www.citymb.info/Home/ShowDocument?id=42601>

ATTACHMENT NAME: Draft Letter of Request for Restaurant Exemption

LINK: <https://www.citymb.info/Home/ShowDocument?id=42599>

MOTION BY SUPERVISORS KATHRYN BARGER
AND JANICE HAHN

MAY 26, 2020

SAFER AT WORK AND SAFER IN OUR COMMUNITIES

On May 4, Governor Gavin Newsom signed Executive Order N-60-20 which, among other things, instructed the State Public Health Officer to “establish criteria and procedures—determine whether or how particular local jurisdictions may implement public health measures that depart from statewide directives.” The executive order states that, “California law promotes the preservation of public health by providing for local health officers—appointed by county boards of supervisors and other local authorities—in addition to providing for statewide authority by a State Public Health Officer; and... these local health officers, working in consultation with county boards of supervisors and other local authorities, are well positioned to understand the local needs of their communities.”

The State Public Health Officer has since issued guidelines regarding the Roadmap to Modify the Stay-at-Home Order Guidance to County Governments.

To apply for a variance from the State, a number of readiness data is required, including:

1. No more than 25 new cases per 100,000 residents in the past 14 days or less than 8% testing positive in the past 7 days.
2. Stable hospitalization of COVID-19 individuals on a 7-day average of daily percent change of less than 5% or no more than 20 COVID-19 hospitalizations on any single day in the past 14 days.

-MORE-

MOTION

SOLIS _____

RIDLEY-THOMAS _____

KUEHL _____

HAHN _____

BARGER _____

3. Daily testing volume of 1.5 per 1,000 residents per day.
4. Testing availability for at least 75% of residents within 30 minutes driving time in urban areas, and 60 minutes in rural areas.
5. For counties that have no cases, at least 15 staff per 100,000 county residents trained and available for contact tracing.
6. Hospital capacity to accommodate a 35% surge in COVID-19 cases while maintaining care to non-COVID-19 cases.
7. Sufficient protective supplies for essential workers, including having more than a 14-day supply of PPE for Skilled Nursing Facilities.
8. Temporary housing for 15% of homeless residents.

This action by the Governor acknowledges and appreciates the urban and rural diversity of California and distinct impacts of the spread of COVID-19. Similarly, Los Angeles County, covering over 4,000 square miles, is made up of vast urban and rural communities, broken up across seven valleys, several coastal regions and multiple urban centers. The 88 cities in Los Angeles County also range in density from less than 1,000 citizens per square mile to more than 40,000 citizens per square mile. Less dense areas of the county, state, and country have shown lower degrees of transmission. The Fifth District alone has incorporated cities with as few as 1,000 residents, and as many as nearly 200,000 residents. This virus is impacting each city in our County differently; some cities have zero reported cases while others have case rates greater than 700 per 100,000 residents.

The County of Los Angeles has invested heavily in PPE, testing, hospital capacity and other measures over the past sixty days to flatten the curve. Accordingly, over the last week, the average rate of hospitalization has declined 1.6% per day, and testing capacity was over 1.6 per 1000 residents per day. The County's positive test rate has dropped to 9%, down 5% in the last few weeks. Many of these data points meet or exceed the state criteria.

As the largest driver of the State's economy, the once thriving Los Angeles County economic health must be restored while simultaneously maintaining and preserving the health and safety of our residents. Current economic projections paint a dire picture. There have already been over one million unemployment claims in Los Angeles County since mid-March. Furthermore, experts predict that over 750,000 jobs will be lost from the retail and food-service industries alone, and that 75% of the total jobs lost will be those earning \$50,000 or less.

-MORE-

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Several cities in the County have expressed interest in a city or regional variance. All cities who believe they meet the state's variance criteria, and wish to be considered for a partial variance, should send their request initially to the County's Chief Executive Officer for submission to the County's Public Health Officer. Such submissions may include the surrounding unincorporated areas with concurrence from the respective County Supervisor.

WE, THEREFORE, MOVE that the Board of Supervisors instruct the County Health Officer, working in collaboration with the CEO and County Counsel, to:

- A. Work with the State to obtain a partial variance on behalf of interested cities and/or regions within the County; and,
- B. Immediately upon readiness under the State's variance criteria, take all steps required to pursue a variance on behalf of the County of Los Angeles as a whole.

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KB:aco

SAFER AT WORK AND SAFER IN OUR COMMUNITIES

CATEGORIES: (Please check those that apply)

- 1. Child Welfare
- 2. Community and Youth Empowerment
- 3. County Services
- 4. Economic Justice
- 5. Economic and Workforce Development
- 6. Education
- 7. Environment
- 8. Fiscal
- 9. Governance
- 10. Health
- 11. Homelessness
- 12. Immigration
- 13. Public Safety
- 14. Social Justice and Human Rights
- 15. Technology and Data
- 16. Arts, Culture, and the Creative Economy
- 17. Legislation
- 18. Parks and Open Space
- 19. Planning/Land Use
- 20. Transportation
- 21. Veterans



CITY COUNCIL

Richard Montgomery
Mayor

Suzanne Hadley
Mayor Pro Tem

Hildy Stern
Councilmember

Steve Napolitano
Councilmember

Nancy Hersman
Councilmember

May 25, 2020

**Chair Kathryn Barger and Honorable Members
of the County of Los Angeles Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012**

**RE: Support for “Safer at Work and Safer in our Communities” Motion by
Supervisors Kathryn Barger and Janice Hahn to Allow Cities to Pursue
Variance from Public Health Orders**

Dear Honorable Supervisors:

Thank you for your ongoing support and continued efforts on behalf of our communities. We understand the tough choices every elected leader has to make during this unprecedented time.

On behalf of the City Council of the City of Manhattan Beach, I am writing to support the “Safer at Work and Safer in our Communities” motion by Supervisors Kathryn Barger and Janice Hahn to allow cities within LA County to pursue variances from the Public Health Orders, which is agendaized for the May 26, 2020, County Board of Supervisors meeting.

On May 20, 2020, the City of Manhattan Beach wrote to Supervisor Hahn requesting immediate action to eliminate retail curbside-only restrictions and allow Manhattan Beach retail businesses to fully open under State and County guidelines. That same day, Supervisor Hahn responded and proposed a plan to allow retail businesses to reopen with safety protocols, and asked Governor Newsom to level the playing field for “non-essential” and “essential” retail businesses.

In accordance with this previous request, the City of Manhattan Beach would like to continue on the path of economic recovery and reopen our local economy by pursuing a variance from the Public Health Orders. The City recognizes that the entire region of Los Angeles County is grappling with similar economic concerns and the County must balance those with addressing our collective public health. However, the City recognizes that the Coronavirus will continue to exist for the foreseeable year. As a region, we must learn to live with the virus and manage it by taking the appropriate safety measures to minimize the risk of transmission, while also allowing

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businesses that meet State and County health protocols to reopen to assist with our economic recovery.

Additionally, while we take pride in being Los Angeles County residents, we recognize that the County covers over 4,000 square miles, is made up of vast urban and rural communities, broken up across seven valleys, several coastal regions and multiple urban centers. COVID-19 is impacting each city in our County differently.

The rate of infection in Manhattan Beach remains very low. Since Public Health began tracking COVID-19 cases, the City has only 76 positive confirmations. In context, this means Manhattan Beach has less than one quarter of one percent of all positive cases in Los Angeles County. More recently, the number of new daily positive cases has dramatically decreased in Manhattan Beach. Since the beginning of May, the City is averaging an increase of 0.4 cases, while LA County is averaging 937 cases per day.

Manhattan Beach falls under the South Region of LA County EMS reporting area for hospital availability. Over the past two weeks, the South Region hospitals have had an average of 245 beds available for surge and also maintained an average of 45 ICU beds over the past 14 days. The South Bay can accommodate a minimum surge of 35% due to COVID-19 patients within the existing infrastructure. In addition, hospital facilities have robust plans to protect hospital workers, both clinical and non-clinical with PPE, while simultaneously maintaining plans to grow surge capacity, if needed.

Therefore, the City of Manhattan Beach firmly supports the “Safer at Work and Safer in our Communities” motion by Supervisors Kathryn Barger and Janice Hahn, and respectfully urges the Board of Supervisors to approve the same. The City of Manhattan Beach has a strong interest in a City variance and looks forward to submitting a request to the County so our local economy can begin to reopen.

I thank you and express the City Council’s appreciation for your efforts on placing this motion before the County Board of Supervisors. Should you have any questions or would like follow-up information on this matter, please contact our City Manager, Bruce Moe at bmoe@citymb.info or 310-802-5053.

Sincerely,

Richard Montgomery
Mayor, City of Manhattan Beach

CC: Honorable Governor Gavin Newsom
Honorable State Senator Ben Allen
Honorable State Assemblyman Al Muratsuchi



CITY COUNCIL

Richard Montgomery
Mayor

Suzanne Hadley
Mayor Pro Tem

Hildy Stern
Councilmember

Steve Napolitano
Councilmember

Nancy Hersman
Councilmember

May 25, 2020

**Honorable Supervisor Janice Hahn
County of Los Angeles Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012**

RE: Request to Allow South Bay Restaurants to Reopen under State and County Phase 3 Guidelines in Support of the City of El Segundo's Request

Honorable Supervisor Hahn:

Thank you for your ongoing support and continued efforts on behalf of our communities.

On May 20, 2020, the City of Manhattan Beach wrote to you requesting immediate action to eliminate retail curbside-only restrictions and allow Manhattan Beach retail businesses to fully open under State and County guidelines. That same day, you responded and proposed a plan to allow all retail businesses to fully open with safety protocols and asked Governor Newsom to level the playing field for "non-essential" and "essential" retail businesses.

The City applauds your efforts and appreciates your advocacy on behalf of the entire South Bay and specifically Manhattan Beach residents. While this was a positive step toward recovery for our local Manhattan Beach economy, the City must continue to move forward and advocate for our restaurants as well.

In a letter dated May 21, 2020, the City of El Segundo City Council issued a request for all South Bay retail and restaurants to be allowed to open immediately within the Phase 3 guidelines.

Manhattan Beach City Council joins the City of El Segundo in making this request and respectfully advocates for the immediate reopening of all South Bay restaurants within the Phase 3 guideline.

Given the size and diversity of Los Angeles, it is not surprising that the impact of COVID-19 has differed across the County. While Los Angeles County has entered Stage 2 of the Los Angeles County Department of Public Health

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Recovery Framework, there are areas within the County that are less affected by the pandemic, such as the South Bay in general, and Manhattan Beach in particular. If Manhattan Beach and other South Bay cities can demonstrate an ability to protect the public and essential workers, we should be allowed to forge ahead into the less restrictive aspects of Stage 3. A similar variance concept has already been authorized at the State level for counties that are able to attest that they are able to protect the public and essential workers.

Manhattan Beach has provided clear guidance and necessary resources to ensure the safety of critical infrastructure workers that work within the City. In fact, the City is preparing an analysis to allow restaurants to utilize outdoor space in creative ways to ensure the safety of our community during the pandemic.

Simultaneously, there is an ample amount of supplies, including disinfectant, hand sanitizer, and essential protective gear. All public safety organizations are fully staffed and ready to respond to any incident that may occur including any report of pandemic surge.

Manhattan Beach falls under the South Region of LA County EMS reporting area for hospital availability. Over the past two weeks, the South Region hospitals have had an average of 245 beds available for surge and also maintained an average of 45 ICU beds over the past 14 days. The South Bay can accommodate a minimum surge of 35% due to COVID-19 patients within the existing infrastructure. In addition, hospital facilities have robust plans to protect hospital workers, both clinical and non-clinical with PPE, while simultaneously maintaining plans to grow surge capacity, if needed.

For these reasons, Manhattan Beach is prepared and ready to move into the less restrictive portions of the Los Angeles County Public Health Recovery Framework.

As a result, the Manhattan Beach City Council supports the City of El Segundo's request and respectfully advocates for the immediate reopening of all South Bay restaurants within the Phase 3 guideline.

Supervisor Hahn, you have always been a great champion of business. Now more than ever, we need your help to save them, and we respectfully ask that you allow them to reopen immediately so their recovery can begin.

Sincerely,

Richard Montgomery
Mayor, City of Manhattan Beach

CC: Honorable Governor Gavin Newsom
Honorable State Senator Ben Allen
Honorable State Assemblyman Al Muratsuchi
Manhattan Beach City Council
Los Angeles County Board of Supervisors
Mayors, South Bay Cities

**Manhattan Beach City Council
Mayors, South Bay Cities**