

**Martha Alvarez**

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**From:** Robert Case <rcase.law@aol.com>  
**Sent:** Tuesday, June 1, 2021 4:12 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Rental fee for outside seating

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

The agreement with the restaurants to use our parking should come to an end. Enough is enough. These restaurant people have been less than honest throughout this whole ordeal. They seem to stretch and take advantage of everything the city does to help them. For temporary use the going rate is \$5.00 -to \$10.00 a square foot downtown. NO MORE HANDOUTS. Please no gift of public funds. R. Case

## Martha Alvarez

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**From:** Maureen Leral-Denitz <modenitz@yahoo.com>  
**Sent:** Tuesday, June 1, 2021 4:49 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Support

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Council

Just wanted to quickly write that we support the zoning bill AC 7.

Best

Mo and David Denitz

## Martha Alvarez

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**From:** Bob Beverly <bob.beverly@ymail.com>  
**Sent:** Tuesday, June 1, 2021 3:40 PM  
**To:** List - City Council  
**Cc:** Derrick Abell; City Manager; Carrie Tai, AICP; Erik Zandvliet  
**Subject:** [EXTERNAL] Council outdoor dining fee's discussion

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Hello all. I hope everyone had a chance to relax and reflect on how fortunate we all are on this Memorial weekend, while remembering our fallen heroes. I was just notified of tonight's pending discussion. I keep wondering why we are making decisions ahead of the June 15th 2021 announcement. If we are being given back full occupancy then certainly the city should start charging for outdoor space right away. As much as I am opposed to outdoor seating in parking places, if that is what is decided, we must participate. Without the required table distancing, we would not need as much room as we currently have. I saw comments that outdoor dining doesn't add to litter. Absurd. Just go downtown on a windy afternoon. More seating means more people. More people means more cars. More cars with less parking means more intrusions into our downtown adjacent neighborhoods and their quiet enjoyment. Sure outdoor dining is great in the right locations. Larger lots along Sepulveda and the Village are ideal. If you open Pandora's box of reduced parking and higher occupancy we will lose our charm and character for good. And for what, a few operators greed? Let's not mess with what we have built Manhattan Beach to be over the last 60 years. Our past leaders made tough decisions to build our wonderful community downtown. Let's not blow it. Good luck with this and thank you to all for your support during the bad times of the last year. Bob Beverly Shellback Tavern

## Martha Alvarez

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**From:** Grant Kirkpatrick <gkirkpatrick@kaadesigngroup.com>  
**Sent:** Tuesday, June 1, 2021 1:26 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Please Support ACA 7 Tommorrow

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear City Council Members,

This bill makes so much sense. Blanket zoning and land use laws are upending our planning department and staff, not to mention the Planning Commission. Please consider this.

Respectfully,

Grant Kirkpatrick FAIA

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Grant C. Kirkpatrick, FAIA  
Founding Partner | KAA DESIGN  
(310) 821-1400 ext 238  
[www.kaadesigngroup.com](http://www.kaadesigngroup.com)

## Martha Alvarez

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**From:** Kevin Barry <kpbarry@mac.com>  
**Sent:** Tuesday, June 1, 2021 11:22 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Support of ACA - 7

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Council,  
I am writing in support of ACA - 7 and am urging council to support this bill.  
Thank you,  
Kevin Barry, Resident

2603 Maple Ave.  
Manhattan Beach, CA 90266

## Martha Alvarez

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**From:** dave@caskeyandcaskey.com  
**Sent:** Tuesday, June 1, 2021 10:40 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] ACA-7

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

I urge every councilmember to support local control for zoning laws.

Please support this measure

Dave Caskey, Broker Associate  
EXP Realty  
Office: 310-374-1800  
Direct: 310-200-1960  
DRE#01198999  
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I have not and will not verify or investigate any information supplied by third parties.

## Martha Alvarez

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**From:** dmcphersonla@gmail.com  
**Sent:** Tuesday, June 1, 2021 10:18 AM  
**To:** List - City Council  
**Cc:** Bruce Moe; Liza Tamura; Martha Alvarez  
**Subject:** [EXTERNAL] Fees for Public Right of Way Encroachments  
**Attachments:** 210601-McP-CC-Testimony-Parklets.pdf

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

My testimony attached for Item K-11, parklet fees.

Don McPherson  
1014 1<sup>st</sup> St, Manhattan Beach CA 90266  
Cell 310 487 0383  
[dmcphersonla@gmail.com](mailto:dmcphersonla@gmail.com)

**CITY COUNCIL TESTIMONY, EAT & DRINK PARKLETS, 18 MAY 2021**

Don McPherson, 1014 1<sup>st</sup> St.

In my opinion, the city must review the entire issue of fees paid for money-making encroachments in public right of ways. They must all pay rent on the same financial basis. These include:

- 1) The pandemic outdoor parklets;
- 2) Farmers Market;
- 3) Pancake House, Ocean View, Fusion Sushi, Summers and especially the Strand House balconies, for which nothing paid.

How does Mr. Zislis get away with that?

To prepare such a fee review, make it simple. The staff report cites a monthly commercial leasing rate of \$8 per square-foot. This will be a gift to owners of restaurants, which have a much higher rate.

Forget about the complications of reimbursing city losses in meter fees, citations, trash, maintenance and parklet administration costs. Charge all encroachments \$8 per square foot, which presumably staff based on research. Restaurants have a higher rate, so the \$8 a gift to owners from the taxpayers.

The staff report states that the meter fees increased to \$2 per hour in August 2020 to offset the city revenue loss of nearly \$750,000. Walking in the Downtown almost every night, I see no increase in available parking, so the \$2 per hour still well below the market rate. The city should have increased the meter rates long ago.

Based on 'industry practice', staff recommends discounting the \$8 per square-foot by 50 %, because the encroachments not a property right. What 'industry practice'? Document it.

The restaurants have no capital investment in the parklets to depreciate. On June 15, when indoor full capacity permitted, their profits will soar. On Day 1, they must compensate taxpayers at \$8 per square foot. That's still a public gift.



## Martha Alvarez

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**From:** Maggie Gillespie <maggie.gillespie@vistasir.com>  
**Sent:** Tuesday, June 1, 2021 10:04 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] ACA-7

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear council,

I am writing to urge the councils support of ACA-7 Local government: police power: municipal affairs: land use and zoning. We need to maintain quality of life for our residents, business owners and visitors to enjoy our beautiful city. I work with Barry Host and we sell Manhattan Beach property and we maintain an office in downtown Manhattan Beach.

I know from firsthand experience (both growing up here and working here) how much the residents and visitors alike enjoy our town, beaches, school system and general quality of life provided in a safe and clean environment. You don't have to look very far to see the destruction that big government overreach is having our once beautiful and eclectic communities around our state. We must maintain local control of our government, support other communities that wish the same, and continue to strive to be the best run city in the state. Thank you

Maggie Gillespie-Wright

## Martha Alvarez

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**From:** Jack Gillespie <jack.gillespie@vistasir.com>  
**Sent:** Tuesday, June 1, 2021 10:03 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Please support ACA-7

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

It is important for our city to be able to make decisions that are specific to maintaining the local small town feel. Our business community must be able to exist with local control.

Please support ACA-7.

Sincerely,  
Jack Gillespie  
Local Businessman  
Resident for 51 years.

Sent from my iPhone

## Martha Alvarez

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**From:** Carol Perrin <cplaw28@gmail.com>  
**Sent:** Tuesday, June 1, 2021 9:49 AM  
**To:** List - City Council; Bruce Moe; Carrie Tai, AICP; Erik Zandvliet  
**Subject:** [EXTERNAL] Agenda Item Regarding Payment by Restaurants for their Private Use of Public Space

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Mayor Hadley and Council members,

It is now a fact that the restaurants will be able to go back to **100% occupancy, without any limitations, on June 15th**. This is a very changed circumstance that mandates this Council reversing its prior decision to allow the outdoor dining platforms to remain thru Labor Day. **This major change renders moot tonight's discussion regarding how much to charge the restaurants for their "emergency" outdoor dining platforms after June 15th.**

It also can't be ignored that each restaurant is permitted with a **maximum capacity limitation**, and you can't have 200% capacity - indoor and then outdoor! And how would the City **ever enforce such a structure** - would the **City have to pay** for a monitor at all these restaurants? Self policing by the restaurants has certainly not worked over the last few months.

But if there is any decision to continue to allow the dining platforms to remain thru Labor Day, the restaurants must pay full, fair market rent for their private use of City outdoor space. **This Council should no longer prioritize the restaurants over the residents, over other downtown businesses, and over the devastating effect the platforms are having on our MB culture.**

At the last Council meeting a comment was made that generally stated that the downtown shops that were failing is due to some natural selection, with people now shopping more on Amazon and like platforms. But as a resident who, like the other MB residents, shop online but also shopped downtown whenever possible, and who prefers to prioritize our MB character as a mixed use downtown serving residents but welcoming to guests, I and my fellow residents **continue, or would like to continue to shop downtown, if it were not made so difficult by the negative impacts of all these dining platforms.**

By taking away the downtown parking spaces, by the reduced sidewalk space, and then with the constant crowds completely blocking the sidewalks waiting for their tables, it is not possible for residents to take a stroll downtown, as we used to, and shop. And there is certainly no way to quickly park downtown to go to the downtown grocery, to the shoe repair, or run in to buy something in a shop. **So it is not natural selection for only the restaurants to survive, but a purposeful favoring of restaurants and reconfiguring of downtown that is the cause of failing businesses that serve the residents.**

So, back to tonight's Agenda decision, since I have no idea what the Council will decide. But if a decision is still to be made under these circumstances - which would not be justified - there are definite issues to address.

The **restaurants got a free rental ride** for a long time due to the emergency, and we the **residents supported it** - but now that the **emergency is 100% over** - if the restaurants are to stay thru labor day, they need to **pay the full cost to the City of having this additional space**, meaning, they must pay the full FMV square footage rent. This FMV needs to include the **cost the City has to pay for the extra trash, the crowd control, all the enforcement issues, the traffic issues, etc., that these platforms make necessary.** My understanding that

restaurant space - and outdoor restaurant space may even be more valuable - is in the \$20 per sq. ft. and plus range. Paying \$3 per square foot, which is a number that has been floated by the restaurants, which is an outdated number the City used many, many years ago, would be again proactively favoring the restaurants, and purposely changing the character of downtown, over the needs of the residents and many of the other businesses. At full fair market value, the restaurants would then make a reasoned business decision whether or not to keep any platforms this Council allows to remain after the emergency thru labor day, which is how it should be. **And by doing this, the negative impacts to the residents and to many other businesses would likely be reduced, since not all restaurants will likely decide to keep the platforms if they have to pay the fair rent and it is not a gift to them of our public space.**

Respectfully,  
Carol Perrin  
Downtown Residents Group

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Carol Perrin  
[cplaw28@gmail.com](mailto:cplaw28@gmail.com)

## Martha Alvarez

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**From:** Scott Griest <segriest@yahoo.com>  
**Sent:** Tuesday, June 1, 2021 9:47 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Resident Supporting ACA - 7

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Council,

I am writing in support of ACA - 7 and am urging council to support this bill.

Thank you,

Scott Griest  
444 27th St  
Manhattan Beach CA 90266

## Martha Alvarez

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**From:** Rex Sherman <ras@greenworldwide.com>  
**Sent:** Tuesday, June 1, 2021 8:40 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Support for ACA -7

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Council,

I am writing in support of ACA - 7 and am urging council to support this bill.

Thank you,

Rex A. Sherman  
Resident Manhattan Beach.

Best regards,



**Rex Sherman**

Vice President, LCHB  
Green Worldwide Shipping, LLC  
5777 W. Century Blvd. STE 1285 • Los Angeles, CA 90045 USA  
Main: +1 310 988 1550 • Direct: +1 310 912 6412

[www.greenworldwide.com](http://www.greenworldwide.com)



**Force Majeure - Covid-19 "Coronavirus" is causing flight and space availability issues from carriers from March 01, 2020 until (at least) July 01, 2021. This situation is affecting all origins and destinations at this time. If you are experiencing supply chain disruption, please contact your local [Green Worldwide Shipping office](#) for alternative shipping options.**

An advertisement for GreenX Supply Chain System. On the left, it says "innovative supply chain transparency" and "POWERED BY real freight xperts". In the center is a laptop displaying a software interface with a map and data tables. On the right, it says "Supply chain transparency THE GREEN WAY" and "Because behind every great technology are great people. Check it out at greenworldwide.com/greenx".

## Martha Alvarez

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**From:** Barry Host <barry.host@vistasir.com>  
**Sent:** Tuesday, June 1, 2021 7:30 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Support for ACA -7

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear council,

I am writing to urge the councils support of ACA-7 Local government: police power: municipal affairs: land use and zoning. Your consideration and support are necessary in maintaining the quality of life our residents, business owners and visitors enjoying our beautiful city expect.

As most you know, I sell Manhattan Beach property and maintain an office in downtown Manhattan Beach. I know from firsthand experience how much the residents and visitors alike enjoy our town, beaches, school system and general quality of life provided in a safe and clean environment. You don't have to look very far to see the destruction that big government overreach is having our once beautiful and eclectic communities around our state. We must maintain local control of our government, support other communities that wish the same, and continue to strive to be the best run city in the state. Thank you

[Bill Text - ACA-7 Local government: police power: municipal affairs: land use and zoning.](#)

[Bill Text - ACA-7 Local government: police power: municipal affairs: land use and zoning. - California](#)

(i) The purpose of this measure is to ensure that all decisions regarding local land use controls and zoning regulations are made within the affected communities in accordance with local law, while still allowing either local or state law to control, as it otherwise would, in those instances where state and local law conflict regarding the coastal zone, the siting of a power plant that can ...

[leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov)

Regards,  
Barry Host

Gillespie Host Group

Vista Sotheby's International Realty  
1144 Highland Ave.  
Manhattan Beach, CA 90266  
310-938-1613  
BRE 01427294  
[GillespieHostGroup.com](http://GillespieHostGroup.com)

## Martha Alvarez

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**From:** Mike Michalski <mike@realestateedge.com>  
**Sent:** Monday, May 31, 2021 11:55 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Resolution 21-0046

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

I fully support Resolution 21-0046 which seeks to retain local control over zoning and land use issues, rather than having that traditional municipal function usurped by Sacramento. To that end I believe Council is well-advised to support Assembly Member Muratsuchi's ACA 7, which specifies that local land use regulations will prevail over conflicting State regulations.

*Mike Michalski*

Michalski & Fujita



## Martha Alvarez

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**From:** Michael Zislis <mz@zislisgroup.com>  
**Sent:** Monday, May 24, 2021 11:11 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Fwd: Letter to the City  
**Attachments:** Parklet letter.pdf

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Please see attached letter.

Cheers,

Michael Zislis  
Owner





Dear Mayor Hadley and City Council Members,

I'd like to preface this letter by stating that I was never told by anyone connected to the City of MB that the "West of Ocean Drive" decks would be treated differently than all the other parklets in the city. Last Tuesday, I spoke during the general public comments section of the City Council meeting. I was blindsighted when the Council later discussed and made negative decisions about the "West of Ocean Drive" decks and I was subsequently prohibited from speaking again during public comments on the specifics of the topic. Therefore, I want to make a few written comments for the record and for the Council Members to consider.

The year of Covid was utter chaos and a once-in-a-century devastating disaster. It didn't have to be this way if the various branches of government were better prepared and worked together. Besides losing a fortune and being stressed out to the maximum every day, we had to terminate our entire staff, and then when we partially reopened, we had to make the heart wrenching decisions of who to rehire and who not to rehire. Now that we are headed toward normalization for the summer, we can't find workers and many of our long-time and senior employees are quitting and leaving the hospitality industry all together. The stress and challenges have not let up.

It took me a full year to convince the city to give my businesses located on MB Blvd the parklets west of Ocean Drive. My businesses did not receive their fair share of seating based on building size and occupancy (and remember that The Strand House had to give up a commensurate amount of seating on Ocean Drive). We spent over \$100,000 on an architect, structural engineering, permits, labor, materials, landscaping, furniture, heaters, flooring, umbrellas, deck rentals, handheld computers, etc., to build the parklets west of Ocean Drive (not to mention my considerable time and emotional capital). We have only used them since April 2<sup>nd</sup>, although we anticipated their use until the end of the summer. The City Council voted last Tuesday to require that we remove the parklets by July 5<sup>th</sup> so that the area is available to the police and fire departments in case there are public events approved to be held on the beach.

It's important to point out that when the city approved the parklets, the staff had already anticipated that the police and fire departments needed sufficient access to the area in front of the pier. The city only approved twelve-foot wide parklets for this reason. This left two lanes of traffic and a center area for emergency vehicles. The parklets east of Ocean Drive are sixteen-feet wide. In all the past summers, the police closed off the street below Ocean Drive with plastic barricades and didn't allow parking on MB Blvd. So, there will be no gain of parking spaces by forcing us to take down our parklets. Furthermore, Manhattan Beach doesn't need beach events during the summer. The city and businesses are maxed out during the summer, and it would be better to move these events to September and October when business slows down again and the weather is still hot and sunny. Both the Downtown Business

Association and the Chamber of Commerce are against beach events this summer (and maybe every summer in the future).

My businesses need the parklets to make up for the huge losses caused by Covid. Also consider that a substantial number of adults will not get vaccinated and children under 12 are not eligible for the vaccine and many families prefer to sit outside. I also believe that people will not sit at tables pushed close together as normal until Covid is a distant memory. It's also important to keep in mind that new variants could potentially cause another total or partial shutdown this winter. We need to maximize our revenue while we can. This is not over.

All the businesses in town need fair and consistent plans and policies. Please allow ALL the parklets to remain until September 7<sup>th</sup> at a minimum. It's the right thing to do.

Sincerely yours,

Michael A. Zislis