

## Martha Alvarez

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**From:** Amy Cooper <amybrewca@yahoo.com>  
**Sent:** Thursday, December 23, 2021 11:14 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Vote in Favor of Outdoor Dining

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

Please vote to extend the outdoor dining decks indefinitely. the people of Manhattan beach need fresh air and community at this time, not more pointless restrictions.

Thanks,

Amy Cooper and the Cooper Family

## Martha Alvarez

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**From:** City Clerk Admin  
**Sent:** Thursday, December 23, 2021 11:13 AM  
**To:** Martha Alvarez  
**Subject:** FW: [EXTERNAL] RE: Premises 100% Over-Occupied; No Impact from Patron Loss  
**Attachments:** 211220-Tai-McP-PermanentEncroachmentPermits.pdf; 211221-TaiRebuttal-Encroach.pdf; 211221-McP-CC-Testimony-Extension.docx; 211221-FileStatistics-Testimony-McP.pdf

**From:** dmcphersonla@gmail.com  
**Sent:** Tuesday, December 21, 2021 10:43 PM  
**To:** Hildy Stern ; Joe Franklin ; List - City Council ; Richard Montgomery ; Steve Napolitano ; Suzanne Hadley  
**Cc:** Bruce Moe ; Liza Tamura ; Martha Alvarez ; Erik Zandvliet ; Carrie Tai, AICP ; Quinn Barrow  
**Subject:** [EXTERNAL] RE: Premises 100% Over-Occupied; No Impact from Patron Loss

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

At the encroachment hearing tonight, the city council unlawfully prohibited me from testifying on Agenda Item H COVID 19.

Tonight, 21 December 2021, my testimony during Public Comment dealt strictly with rebutting the attached email from Director Tai, per Attch-1 and Attch-2. I did not address extension of the encroachment permits, the subject of Agenda Item H COVID 19.

Attch-3 provides my testimony for Agenda Item H Covid 19, revised in real time to include City Manager Moe's statement that sales tax revenues from primarily eat & drink premises greatly exceed pre-pandemic levels.

Attch-4 provides the statistics of my testimony file, being last amended 20:44 hh:mm 21 December 2021, before the council prohibited me from testifying.

My testimony would only have been a drop in the bucket of evidence. The city council unlawfully prohibiting my testimony makes the bucket overflow.

I demand that this email and its attachments included into the public record. You have no other choice.

Cheers! Let the great game start!

Donald McPherson, President  
CoastalDefender  
[coastaldefendermb@gmail.com](mailto:coastaldefendermb@gmail.com)

**From:** [Carrie Tai, AICP](#)  
**To:** ["dmcphersonla@gmail.com"](mailto:dmcphersonla@gmail.com)  
**Cc:** [Bruce Moe](#); [Liza Tamura](#); [Martha Alvarez](#); [Erik Zandvliet](#)  
**Subject:** RE: [EXTERNAL] Eat & Drink Sidewalk Encroachment Violations  
**Date:** Monday, 20 December, 2021 17:52:57

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Good evening, Don,

Thank you for reaching out to the City Council. The sidewalk dining encroachment permits are allowed through Chapter 7.36.160 of the Municipal Code. These permits come with minimum standards that staff reviews and customizes for their particular locations (such as sidewalk widths). Here is the link to the Code section. This section predated the pandemic and has been a pre-existing program in the City since 2003.

[https://library.municode.com/ca/manhattan\\_beach/codes/code\\_of\\_ordinances?nodeId=TIT7PUWO\\_CH7.36PRUSPURIWA\\_7.36.160SIDIENPE](https://library.municode.com/ca/manhattan_beach/codes/code_of_ordinances?nodeId=TIT7PUWO_CH7.36PRUSPURIWA_7.36.160SIDIENPE)

The City's Emergency Orders, as amended, did not create the sidewalk dining encroachment permits program, therefore, the January 3 expiration date does not apply to this program. I believe at some point, City Council clarified that it wished for businesses using dining in the street portion of the public right-of-way to also be able to benefit from sidewalk dining encroachment permits. (Initially, staff allowed one or the other, but not both).

I hope this clarifies your concern.

Carrie

Bcc: City Council



**CARRIE TAI, AICP**  
DIRECTOR OF COMMUNITY DEVELOPMENT

310-802-5503  
[ctai@manhattanbeach.gov](mailto:ctai@manhattanbeach.gov)

The City of Manhattan Beach continues to care about your health and safety. The [Citizen Self Service \(CSS\) Online Portal](#) is available for City permit and planning applications and inspections. Most Community Development services are available [online](#) and various divisions can be reached at (310) 802-5500 or [Email](#) during normal City business hours.

CITY OF MANHATTAN BEACH 1400 Highland Avenue Manhattan Beach, CA 90266

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**From:** dmcphersonla@gmail.com <dmcphersonla@gmail.com>

**Sent:** Monday, December 20, 2021 1:03 PM

**To:** Hildy Stern <hstern@manhattanbeach.gov>; Joe Franklin <jfranklin@manhattanbeach.gov>; List - City Council <CityCouncil@manhattanbeach.gov>; Richard Montgomery <rmontgomery@manhattanbeach.gov>; Steve Napolitano <snapolitano@manhattanbeach.gov>; Suzanne Hadley <shadley@manhattanbeach.gov>

**Cc:** Bruce Moe <bmoe@manhattanbeach.gov>; Liza Tamura <ltamura@manhattanbeach.gov>; Martha Alvarez <malvarez@manhattanbeach.gov>; Carrie Tai, AICP <ctai@manhattanbeach.gov>; Erik Zandvliet <ezandvliet@manhattanbeach.gov>

**Subject:** [EXTERNAL] Eat & Drink Sidewalk Encroachment Violations

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

20 December 2021

Hildy Stern, Mayor

City of Manhattan Beach

Via Email: [citycouncil@citymb.info](mailto:citycouncil@citymb.info)

Subject: Eat & Drink Encroachment Violations

Mayor Stern and Councilmembers.

This email shall serve to inform the city council that any implementation of sidewalk encroachments for eating and drinking use in the Downtown and North End will violate federal, state and city law, specifically, violations of the American Disability Act.

Most egregiously, at the end of the December 7 encroachment hearing, Community Development usurped the city-council authority, by declaring that sidewalk encroachments may remain and be expanded. This only minutes after the council had directed all encroachments removed.

At the forthcoming Tuesday December 21 hearing on eat & drink encroachments, the council must nullify Community Development's unlawful act to retain and expand sidewalk encroachments for eat& drink use.

The attached report provides substantial evidence to support the above arguments. The report itself encompasses less than three pages, with lots of white space. If short on time in the holiday season, please peruse the half-page conclusions on page 3.

Thanks for your consideration of my request,

Don McPherson, President

Coastal Defender

1014 1<sup>st</sup> St, Manhattan Beach CA 90266

Cell: 310 487 0383

[coastaldefendermb@gmail.com](mailto:coastaldefendermb@gmail.com)



# Info

Today: 21 December 2021

## 211221-McP-CC-Testimony-Extension

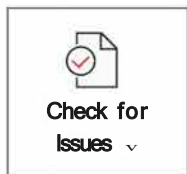
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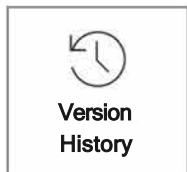
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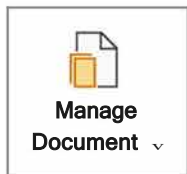
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Created	Today, 17:42
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**CITY COUNCIL TESTIMONY: EAT & DRINK ENCROACHMENTS, 07 DECEMBER 2021**

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

Tonight, the city council considers extending the eat & drink encroachments in the public right of way. Even if a valid reason to extend exists, not the case, any reduction by Omicron in patrons will merely reduce violations by premises owners of their occupancy limits.

City Emergency Order No. 10, which in June 2020 established the temporary encroachments, states, *“In no event shall the overall dining capacity for a restaurant exceed 100% of its approved capacity.”*

I have submitted photographic evidence that Simmzy’s, Brewco, Rock’N Fish and Rockefeller operate at full occupancy both indoors and outdoors, twice their limit. A stroll around Downtown reveals that few owners comply with their occupancy limits.

No reason exists to extend the temporary encroachments on decks and sidewalks. It would take a 50% reduction in patrons to bring the owners into occupancy compliance with their permits. That will not happen in Manhattan Beach.

Per City Manager Moe tonight, sales tax revenues from mostly eat & drink premises have greatly increased from pre-pandemic level, as the result of occupancy violations.

The council can bring compliance with use-permit occupancy limits by not extending the encroachments past January 3<sup>rd</sup>. If the owners complied their occupancy limits, which they will not, then extending the encroachments to March 31<sup>st</sup> would make sense.

Because the owners do not act responsibly, I request that the council does not extend the encroachments past January 3<sup>rd</sup>.

21 December 2021

Hildy Stern, Mayor

City of Manhattan Beach

Via Email: [citycouncil@citymb.info](mailto:citycouncil@citymb.info)

Subject: Rebuttal, Director Tai Sidewalk Encroachment Letter

Mayor Stern and Councilmembers.

Director Tai's letter below states that she has approved 26 permanent sidewalk encroachment permits in the Downtown and North End. The December 20 Coastal Defender report provides substantial evidence that these sidewalk encroachments variously violate the American Disabilities Act, the CA Building Code, Penal Code §370, CEQA and the Coastal Act.

Below, this letter identifies additional violations, such as the prohibition of walkstreet commercialization, Manhattan Beach Municipal Code ["MBMC"] § 7.36.170(B).

This letter shall serve as a demand, that at the meeting tonight during Agenda Item H. COVID 19, the council directs Director Tai to revoke the 26 encroachment permits, as provided for by MBMC § 7.36.140 Revocation.

#### **SIDEWALK ENCROACHMENT VIOLATIONS SUMMARY.**

##### **ADA Public Safety Violation.**

Among the more egregious infractions, violation by MB Blvd. encroachments of the ADA slope-standard for wheelchairs creates a public safety hazard. Director Tai has knowledge of this issue, because during the disastrous closing of Manhattan Ave last February, Community Development excluded MB Blvd. from the experiment because of its steep slope.

##### **Walkstreet Commercialization Violation.**

As result of the unlawful permits, Slay Italian Kitchen and the Uncorked wine store now have permanent permits for eat & drink use of the 10<sup>th</sup> St walkstreet. Uncorked serves full bottles of wine, in violation of their wine-tasting ABC license. In 2006, I protested the wine tasting license and had conditions imposed that the ABC will not amend, particularly the prohibition on use of the walkstreet

Possibly, Café Wild and North End Caffe have encroachment permits for the 35<sup>th</sup> St walkstreet. I protested the Café Wild ABC license as well, which prohibits walkstreet use.

The Local Coastal Program includes the MBMC Chapter 7 encroachment ordinance by reference, so the Coastal Commission has jurisdiction over commercial use of walkstreets.

##### **LCP Parking Violation**

The Coastal Defender report yesterday cites that in the coastal zone, the LCP limits businesses to two in-lieu parking spaces, which for thirty premises, results in a cumulative CEQA impact of a 60-space deficiency.

Because the sidewalk encroachments so narrow, the tables also narrow, but must have a 34-inch depth to comply with ADA wheelchair standards. This limits tables to two patrons.



No parking standards exist for sidewalk encroachments, but each two-person table approximately requires one parking space. Presumably, the unlawful encroachment permits allow many more tables than two for each business, so the parking deficiency runs into hundreds of spaces, impacting coastal access and the environment, both parking and traffic.

**PUBLIC RECORDS ACT VIOLATION.**

The attached records request provides evidence that Community Development violated the California Public Records Act [“CPRA”], by unlawfully withholding the 26 encroachment permits. By failing to provide the records in response to the CPRA request, Director Tai denied the public and the city council of knowledge that she had approved permanent permits.

The record shows that both councilmembers and the public believe the walkstreet encroachments temporary, not permanent.

Additionally, at the December 7 city council hearing on extension, Community Development withheld the true nature of the sidewalk encroachments as permanent, until after the council deliberation and decision to let Emergency Order No. 27 lapse without replacement.

Consequently, during the COVID 19 agenda item tonight, the council must direct Director Tai to revoke the 26 unlawful and ADA-violating sidewalk encroachment permits.

Failure to do so will violate Penal Code § 370, which prohibits blocking public right of ways, consequently a crime, albeit a misdemeanor.

Thanks for your concerns over this situation,

Donald McPherson, President  
Coastal Defender  
coastaldefendermb@gmail.com

## Martha Alvarez

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**From:** Staci Clark <stacimooreclark@yahoo.com>  
**Sent:** Wednesday, December 22, 2021 7:56 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Ercoles Bar

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

I want to thank the council for keeping the outdoor dining for a couple of months. I am in a bad position at this moment. Our customers have been emailing me asking for Ercoles to retain our patio, so they can come and have hamburgers or hot dogs with their family and dog. January, February and March are our slowest months and I am concerned of the fee per sq. ft. Ercoles does not even come close to make what the other restaurant make per meal due to our limited menu and I have always wanted to follow my Uncle's foot steps and have try to keep our beverages at a lower price than others in town, so that it is always affordable for our home town crowd. I was hoping you may discuss Ercoles and the possibilities to reduce sq ft. Price, since we are not quite the same as the other restaurants.

As a business owner I do understand if this is not feasible and we will possibly take down the patio , but I was hoping to do my best to make families welcome at Ercoles .

Thank you,

Staci Clark

Sent from my iPhone

Staci Clark

## Martha Alvarez

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**From:** Jennifer Levine <jenniferlevine92@gmail.com>  
**Sent:** Wednesday, December 22, 2021 6:46 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Do not take the outdoor decks down

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

Hi there,

With COVID on the rise again, specifically the Omicron variant, it is extremely insensitive to take these down. No other city in the entire country is doing this. Can you please reconsider given schools and other businesses are not going to be in-person come January. My family is directly effected by this given they own Mangiamo, a staple in the downtown area. These businesses have suffered enough these last two years and taking business away from them isn't right. I enjoy the amazing view at these restaurants and being able to sit outdoor should be apart of their spaces regardless of covid. I hope the council can reconsider their insensitive decision.

Sincerely,

Jenny Levine

## Martha Alvarez

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**From:** Heather De Felicis <heather.defelicis@gmail.com>  
**Sent:** Wednesday, December 22, 2021 5:21 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Request to Keep Outdoor Dining

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

Dear Ladies and Gentlemen,

I write to you on behalf of support of local sidewalk/parking dining.

The decks have been a welcomed place to dine, connect, and spend time with friends and family. Additionally, many young people at recovery centers are given a second chance and an opportunity to work at these local restaurants, truly impacting our community in a positive way.

As we all know, local restaurants have been hit hard over the past 20 months due to restrictions and limitations of guests. It's these local businesses and restaurants that bring flavor, personality, and visitors to our sleepy seaside towns, loss of these special eating areas would pose a challenge to businesses already so deeply affected.

Please keep these dining areas open.

Thank you,  
Heather De Felicis  
310.905.9923

## Martha Alvarez

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**From:** Ana Sulit <anasulit@gmail.com>  
**Sent:** Wednesday, December 22, 2021 3:38 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Keep Outdoor dining DT MB!!

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

Outdoor dining in DT MB is amazing!! It would be ridiculously stupid to get rid of it. Everybody loves the outdoor seating.

Ana Sulit

Sent from my iPhone

## Martha Alvarez

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**From:** Ktschweter <ktschweter@aol.com>  
**Sent:** Wednesday, December 22, 2021 12:57 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Re: Outdoor Dining

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

Thank you all for the decision to Extend!  
Happy Holidays!  
Karen Schweter

-----Original Message-----

From: Ktschweter <ktschweter@aol.com>  
To: citycouncil@manhattanbeach.gov <citycouncil@manhattanbeach.gov>  
Sent: Thu, Dec 16, 2021 7:35 pm  
Subject: Outdoor Dining

HI All!!

Just saying, now it **not the time** to close the outdoor patio Dining. According to the news stations we have an uptick in Covid in CA.

Winter is the Time when it spreads. I would think now is the time to let people sit outside to avoid close/warm area, the germ breeding grounds.

if people have been able to find parking during the Busy Summer Months, and during Christmas Holidays, then After Jan, when business slows down, it certainly should not be an issue.

It surely does not make sense to close Patio dining now.

Please reconsider. (Extra tax revenue for the city as well if the businesses are doing well. I am sure the City lost lots of Tax dollars when they were shut down)  
Thank you & Happy Holidays! Karen Schweter

## Martha Alvarez

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**From:** Mary Kirchwehm  
**Sent:** Wednesday, December 22, 2021 12:52 PM  
**To:** List - City Council  
**Subject:** Message from Employee of Retail Store Downtown

I received a call a few minutes ago and was asked to email you this message. She did not want to leave her name or number. Please note I typed this as she was speaking so they are all her words.

Know it's good for restaurants and understand that. We are small retail business and there was limited parking before and still won't have parking. We will probably lose our business now. It's not fair for the restaurants to have so much power. I know a lot of people when David Slay and Simms people were upset when they had to take down the decks, and I understand, but it's cost us a lot of money. Last year, David Slay had huge trucks parked which took over other parking. The signs on meter said it would be just for a couple of hours, but they were there for days. All that will be left are restaurants and this is sad. I understand the pandemic has changed everything for everyone but I feel like you are only concentrating on the restaurants. Feels like City Council is totally influenced by restaurant industry and you need to rethink this. It's just not fair.

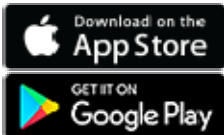
Customers have repeatedly said there is nowhere to park. She is a returning customer from out of the area and doesn't want to come anymore. Now anything after Christmas and with sales, the restaurants still have the parking.



**MARY KIRCHWEHM**  
EXECUTIVE ASSISTANT

(310) 802-5053  
mkirchwehm@manhattanbeach.gov

**CITY OF MANHATTAN BEACH** 1400 Highland Avenue Manhattan Beach, CA 90266  
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## Martha Alvarez

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**From:** Linda Malek <lindajmalek@gmail.com>  
**Sent:** Wednesday, December 22, 2021 10:04 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Outdoor Dining

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

I would like to add my comment about the outdoor dining decks to what I'm sure has been a wave of feedback. Don't do it. Your downtown restaurants will lose business to Hermosa and other cities that are retaining outdoor dining, and your residents, who were obviously not asked their options will be even more unsatisfied with your governance. Why not do what good businesses do which is wait until you have an alternative solution? Or at least wait a few months until the extent of Omicron etc. is better known so that we can dine inside with better safety.

As a long time resident who will now be outdoor dining in Hermosa and El Segundo, I'm really disappointed and disgusted in your actions.

Happy Holidays.

Linda Malek  
lindajmalek@gmail.com  
310.994.3484



## Martha Alvarez

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**From:** David Zislis <davidzislis@yahoo.com>  
**Sent:** Wednesday, December 22, 2021 9:15 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Thank you!

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

Dear Mayor Stern and Council Members:

Thank you for voting to extend the outdoor dining parklets beyond January 3. Public health and safety are everyone's priority and responsibility. This we all can agree on.

I've lost sleep over countless nights regarding Covid problems and concerns during the past 21 months. Nothing concerns me more than protecting the health of my employees and customers. Your wise (but complicated) decision last night will give me and many others some peace of mind during the Omicron surge. So, again, thank you.

Have a safe and merry Christmas and best wishes for a happy New Year.

Sincerely yours,

David Zislis  
[Sent from iPhone](#)

## Martha Alvarez

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**From:** Charles Jolley <charles@okito.net>  
**Sent:** Wednesday, December 22, 2021 8:10 AM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Outdoor Dining

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

I learned today that the city recently voted to remove the outdoor dining patios in downtown MB. These have been one of the few benefits of Covid. It made our city safer, more walkable, and enjoyable for the entire family. Please reconsider this decision. Now that we know what downtown could be like, it will be a huge step back to lose it.

Thank you,  
-Charles Jolley

425 26th St  
Manhattan Beach, CA 90266

## Martha Alvarez

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**From:** Kathy D'Orso <kathy@beachcitiesrealty.net>  
**Sent:** Tuesday, December 21, 2021 8:34 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Outdoor dining

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

I am requesting that you extend the outdoor dining in fact I would like it to stay permanently. Thank you

*Kathy D'Orso*

Broker, CRS, GRI, CREA, QSC

<mailto:Kathy@BeachCitiesRealty.net>

<http://www.BeachCitiesRealty.net>

Direct 310-546-3531

Cell 310-738-4543

BRE Lic. #00751571



A business card for Kathy D'Orso, a real estate broker. The card features a portrait of Kathy on the left, wearing a red jacket. To the right of the portrait is the Keller Williams logo (kw) and the text 'KELLERWILLIAMS. BEACH CITIES'. Below this, it lists her credentials: 'Broker, CRS, GRI, CREA, QSC' and 'DRE# 00751571'. At the bottom, contact information is provided: 'e: Kathy@beachcitiesrealty.net | d: 310.546.3531 | w: www.beachcitiesrealty.net'. The background of the card is dark with a subtle pattern.

## Martha Alvarez

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**From:** KIM RILEY <kriley555@yahoo.com>  
**Sent:** Tuesday, December 21, 2021 8:17 PM  
**To:** slernerla@aol.com; List - City Council; Quinn Barrow; Bruce Moe; Carrie Tai, AICP; Erik Zandvliet  
**Subject:** [EXTERNAL] Re: City Council Agenda - December 21, 2021 - Item 3 - COVID 19

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

This is excellent!!  
All points spot on!

[Sent from Yahoo Mail on Android](#)

On Tue, Dec 21, 2021 at 1:31 PM, SUZANNE LERNER <slernerla@aol.com> wrote:

Happy Holidays! City Council and City Staff:

As a member of the downtown residents group, we were happy to be on board with the city creating TEMPORARY outdoor dining spaces for restaurants who applied to help during COVID. We all wanted our restaurants to survive.

Two weeks ago you approved the study to look into permanent outdoor dining after requests from the restaurant owners.

You instructed the staff to start the process.

So i cannot believe i am seeing posters around town stating that the council had NO PLAN regarding outdoor dining.

Why would these owners do this? Trying to get residents upset with city council? Creating a new "Big Lie"?

We were involved with the Downtown Specific Plan a few year back.

This took millions of taxpayer dollars, lengthy studies - mapping, reports, input from residents and businesses... This took well over 2 years.

In the end, the Coastal Commission turned it down.

In order for the staff to do their job to investigate the possibility of permanent outdoor dining, here are some of the topics that need to be addressed:

Environmental Impact Study (must be done from the baseline which is empty space)

Coastal Commission Review and approval

Input from Businesses

Input from Residents

Input from Downtown residents specifically

Density, Traffic (pedestrian/car/bike) studies

Design - Various designs to choose from which take months

Review and decisions which take more months

Plus Who decides in the end who "gets" this public space?

Does it remain public property or is it grandfathered into the ownership of the building

How much is it valued at? Who pays it?

Who gets the benefit of these spaces and who “loses” out?

The poster also states “blissful” outdoor dining.

I am Reminding everyone that before COVID we were all “blissful” eating indoors at our restaurants.

Walking out of Manhattan Meats, turning right with bags of groceries, and being harassed, bullied and threatened by bar patrons just by me saying “excuse me” so i can get by is not a “blissful” experience.

Locals are avoiding shopping downtown altogether

We are not ADA (American Disabilities Act) compliant.

And that’s okay because its the way it has been?? And the city turns their heads and does nothing about it.

This “ableism” is unbecoming to our town.

Especially with the longterm support by Skechers Foundation which specifically supports children with special needs and their families. How ironic!

The restaurant owners need to just calm down.

Everyone needs to understand this is a long term process.

This is how democracy works.

Thank you.

**Suzanne Lerner**

124 Tenth Street

Manhattan Beach, CA. 90266

C. 310-422-1661

SuzanneLerner.com

Suzanne Lerner

12955 Chadron Av.

Hawthorne, CA. 90250

(310) 422-1661

## Martha Alvarez

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**From:** Kati Hyde <k80\_99@yahoo.com>  
**Sent:** Tuesday, December 21, 2021 7:50 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Outdoor dining

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

Please keep outdoor dining.

Covid numbers climbing.

Keep these businesses open so their patrons stay safe.

If these places don't stay open, nor reason for people to come to down town. The shopping is soo expensive, the variety of restaurants keep us appealing.

We are a beach city! We want to sit outside. Please please please please please keep outdoor dining!

Kati Hyde  
3rd st.  
Thi

## Martha Alvarez

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**From:** Marilyn Norrie <mkdavis123@msn.com>  
**Sent:** Tuesday, December 21, 2021 6:55 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Please Let Outdoor Dining Remain

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

Dear MB City Council,

I ask that you reconsider cancelling outdoor dining. We are not out of the woods with Covid. I feel safer dining outdoors. In addition, our restaurant owners have spent a great deal of money to create outdoor dining spaces we can enjoy. I was shocked to hear the cost of the outdoor decks came out of their own pockets. Please consider extending outdoor dining at least another year for these reasons.

Kind regards,

Marilyn Norrie  
MB Resident

Sent from my iPhone

## Martha Alvarez

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**From:** Ariana Caparelli <arianacaparelli@gmail.com>  
**Sent:** Tuesday, December 21, 2021 6:24 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Save Outdoor Dining in Manhattan Beach

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

To Whom It May Concern:

As a Manhattan Beach resident, I want to express my strong support for keeping temporary outdoor dining beyond January 3, 2022, and until we can transition to permanent outdoor dining in Downtown Manhattan Beach. The pandemic is far from over. Not only does outdoor dining help those at risk, it helps our downtown businesses continue to recover from the huge disruption caused by the pandemic.

I look forward to the feeling of community that meeting up with friends and family for an outdoor dining experience brings. I understand parking restraints, but efforts have been and will continue to be made to mitigate those concerns. We need to maintain a beautiful and vibrant space where Manhattan Beach residents and visitors can live and play for years to come. I ask the City Planning Commission & City Council to please support keeping temporary outdoor dining now, and quickly working toward permanent outdoor dining in Downtown Manhattan Beach.

Best,  
Ariana Caparelli, Manhattan Beach Resident

Sent from my iPhone



## Martha Alvarez

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**From:** Nicholas Stone <nick@bluestonelane.com>  
**Sent:** Tuesday, December 21, 2021 5:34 PM  
**To:** List - City Council  
**Subject:** [EXTERNAL] Outdoor dining removal

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

Dear Council Members,

I write to you with an urgent request to reconsider your proposal to remove outdoor dining parklets and enhanced outdoor dining areas.

This decision runs contrary to what the rest of the country and world are doing and is the opposite of what progressive towns and cities are and should be doing.

My brand owns and operates 55+ locations in either (8) markets. The only region where outdoor dining and parklets are being removed is - Manhattan Beach CA. This isn't happening in our local regions such as Venice and Santa Monica, let alone NYC announcing permanent parklets (not to mention Philadelphia, DC etc).

The reasons for parklets to remain is irrefutable:

1. With the Covid-19 surge, why would he want to expose workers and local residents to an increase likelihood of contracting Covid by pushing people inside a venue, when increased ventilation is scientifically proven to be one of the most effective ways to reduce covid transmission (by diluting aerosols)
2. It seems very strange to me that the city is not acting on its duty of care to ensure customers can visit establishments in the safest way possible and to enjoy being part of the MB community. Hundreds if not thousands of MB residents and visitors do not and will not dine inside an establishment due to the enhanced chance of catching or being exposed to Covid. This duty of care is also owed to the workers who courageously go to work in retail settings, serving thousands of people a week and all they ask is for it to be done in a safe and supportive environment, which outdoor dining provides. This is about quality of life.
3. Furthermore, why would a city want to encourage vehicular traffic when we are facing a climate-crisis. We should be doing everything we can as a community to reduce use of cars, to prioritize and incentivize people to use low carbon forms of transportation including walking, biking, public transport. Cities around the world are redesigning the urban landscape to specifically reduce car spaces, close streets (ie NYC city streets) and even imposed congestion taxes all to discourage people from driving automobiles to reduce pollution, carbon and vehicular congestion.
4. Why would we not want to encourage more human connection in cosmopolitan ways? We have been starved of interactions and socialization, leading to disastrous mental health issues, and therefore we should do all we can to encourage people to come together in a safe environment to socialize, connect and feel part of the community. Limiting outdoor dining makes this less possible as people will now undertake this in a more risky environment.
5. Hospitality businesses have faced the greatest existential threat in the last 100 years and continue to face Covid, but also disastrous supply chain the tightest labor market hiring conditions almost in

history. Why would be impact the support for hospitality businesses who have survived this crisis (just) and need continued help?

6. Why would MB want more vehicle traffic when it can actively reduce traffic by limiting parking? There is already loads of public parking structures? Why would a progressive town want more parking (especially given they are not equipped with EV charging stations), when we have a climate crisis and something MB residents seem very focused on. The impact of climate change in theirs and their families lives.
7. As it relates to lost revenue from parking meters, the retail proprietors are happy to rent these spaces from the city and make a financial contribution. Not only that, sales tax receipts will rise due to more customers dining and feeling safe to do so.

Could you kindly please read this and consider the broader impacts on the MB community and attractiveness to retail tenants to drive activity, employment and quality of life.

Best regards,

Nick

**Nicholas Stone**

Founder & Chief Executive Officer

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