

Martha Alvarez

From: dmcphersonla@gmail.com
Sent: Thursday, August 1, 2019 7:37 AM
To: Hildy Stern; Nancy Hersman; Richard Montgomery; Steve Napolitano; Suzanne Hadley; List - City Council
Cc: Bruce Moe; Liza Tamura
Subject: Unresolved Issues, 900 Club August 6 Public Hearing
Attachments: 190801-McP-CC-Critique-Compiled-Final.pdf

Mayor Nancy Hersman
Manhattan Beach City Council
City of Manhattan Beach

Via Personal Delivery and Email: CityCouncil@citymb.info

Mayor Hersman and Councilmembers,

This letter raises issues regarding the continued 900 Club public-hearing on August 6, for reviewing compliance with the nightclub's use-permit modification, Resolution No. 18-0075. The attachment summarizes my issues.

Apologies for missing the July 2 hearing. The city mailed our notice to a vacant rental unit, rather than to the address on the Los Angeles County tax rolls. This violated Manhattan Beach Municipal Code ["MBMC"] §10.84.040(B)(1).

At the July 2 hearing, after public comment, the council did not discuss the agenda item. As result, no information exists regarding councilmember opinions whether the 900 Club complies with its use permit. For whatever the council decides at the August 6 hearing, councilmembers must address the following issues:

- Per municipal code, the city council may not consider the 900 Club request for increased hours;
- At the July 2 hearing, staff presented reasonable grounds for revoking or modifying the use permit;
- The public-hearing record does not disclose the Superior Court case of *Donald McPherson and Coastal Defender v. City of Manhattan Beach*, which challenges Resolution No. 18-0075;
- 900 Club operates with unapproved structural modifications to fire- and life-safety exits; and,
- Invoices totaling \$25,939 filed with the city by Mr. David Caskey, for 900 Club attorney fees.

Attorney Beverly Palmer has expressed her opinions regarding the July 2 hearing, in a separate letter to the city council, dated July 29.

Regrettably, neither Ms. Palmer nor I can attend your August 6 hearing, because of long-standing commitments at that time to our respective families.

Thanks for your consideration of my issues,

Don McPherson
1014 1st St, Manhattan Beach CA 90266
Cell: 310 487 0383
dmcphersonla@gmail.com

Attachment via email only.

Distribution: City Clerk

Distribution via email only: 900 Club neighbors, Strumwasser & Woocher, Media

Subject: Unresolved Issues, August 6 900 Club Public Hearing

Mayor Nancy Hersman
Manhattan Beach City Council
City of Manhattan Beach

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1 August 2019

Mayor Nancy Hersman
Manhattan Beach City Council
City of Manhattan Beach

Via Personal Delivery and Email: CityCouncil@citymb.info

Mayor Hersman and Councilmembers,

This letter raises issues regarding the continued 900 Club public-hearing on August 6, for reviewing compliance with the nightclub's use-permit modification, Resolution No. 18-0075.

Apologies for missing the July 2 hearing. The city mailed our notice to a vacant rental unit, rather than to the address on the Los Angeles County tax rolls. This violated Manhattan Beach Municipal Code ["MBMC"] §10.84.040(B)(1). Please see Exhibits 1 and 2.

At the July 2 hearing, after public comment, the council did not discuss the agenda item. As result, no information exists regarding councilmember opinions whether the 900 Club complies with its use permit. For whatever the council decides at the August 6 hearing, councilmembers must address the following issues:

- Per code, the city council may not consider the 900 Club request for increased hours;
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Attorney Beverly Palmer has expressed her opinions regarding the July 2 hearing, in a separate letter to the city council, dated July 29. [Exhibit 3]

FACTS, OMISSIONS AND DEFICIENCIES REGARDING JULY 2 HEARING.

The following issues substantiated in the July 2 transcript, Exhibit 4, and the record.

1. City Council May Not Approve Requested Extended Hours.

The July 29 letter from attorney Beverly Palmer to the city council cites municipal-code provisions that mandate any increase in property rights must initiate with the planning commission. No provision in the municipal code exists, for the city council to initiate the use-permit extensions proposed by 900 Club. Therefore, it improper for the council to consider the letter from Mr. David Rohrbacher to the planning commission, dated 30 May 2019, that requests modifications to Resolution No. 18-0075.

2. City Testimony Established Grounds to Revoke or Modify the 900 Club Use Permit.

Planning Manager Laurie Jester testified, "*So, in conclusion, the applicant has not complied with the majority of the conditions in the 2018 or the 2014 resolution.*" Based on this testimony that reasonable grounds exist, the city council may make the required findings for revocation or modification of the 900 Club use permit, pursuant to MBMC §10.104.030.

3. City Withholds Disclosure from the Public of *Coastal Defender v. MB.*

During the 2018 use-permit hearings, city staff testified that the 900 Club operated in compliance with city and state law. The city council concurred and approved Resolution No. 18-0075, which extended property rights for the 900 Club.

On July 2, however, staff testified that grounds exist to revoke or modify the 900 Club use permit. Nothing has changed in the 900 Club operation that justifies this change of opinion.

It appears that staff now claims the 900 Club violates city and state law, in response to *Coastal Defender v. MB*, which the city withholds from public disclosure in the current hearings.

4. Building-Code Nonenforcement of Bootleg Structural-Modifications.

Per the record, the approved building permit for 900 Club corresponds to that in effect since 1997, with plans prepared by architect Louis Tomaro. The city withheld those approved plans from the 2014 revocation hearings and again in the 2018 hearings.

At the 1 May 2018 appeal hearing, expert opinion established that the current building configuration includes unauthorized structural modifications to the fire- and life-safety exits.

These modifications also preclude restricting the downstairs-bar access to Manhattan Ave, rather than use of the 9th St door, which fronts on residences. Therefore, these bootleg structures obviate one of the most effective ways to mitigate noise disturbances.

The city nonenforcement of the building code constitutes a daily misdemeanor, subject to a \$1,000 fine and six months in jail for each count, applicable to both the city and 900 Club.

5. The 900 Club Filed Invoices with the City, Totaling \$25,939 for Attorney Fees

Shortly before the 1 May 2018 appeal hearing, on behalf of the 900 Club, Mr. David Caskey filed with the city, invoices that totaled \$25,939 for attorney fees. [Exhibit 5] The 900 Club paid these fees to their attorney, Albro Lundy, for processing the application, which resulted in Resolution No. 18-0075.

Councilmembers must determine whether the city compensated the 900 Club for their attorney fees to process the application, and if so, for what reason the expenditure.

CONCLUSIONS.

Per Ms. Palmer's letter, the city council may not consider the request by 900 Club for later closing times and relaxation of other conditions in Resolution No. 18-0075. Only the planning commission can initiate that action.

The city council may revoke or modify the 900 Club use permit, however, if they make the finding, "*That the terms or conditions of approval of the permit have been violated or that other laws or regulations have been violated;*" [MBMC §10.104.030(D)(2)]

Staff testimony at the July 2 hearing established that reasonable grounds exist for the city council to revoke or modify the 900 Club use permit.

Thanks for your consideration of my issues,

Don McPherson

1014 1st St, Manhattan Beach CA 90266

Cell: 310 487 0383

dmcphersonla@gmail.com

CITY OF MANHATTAN BEACH
CITY HALL
1400 HIGHLAND AVENUE
MANHATTAN BEACH, CA 90266-4795

LOS ANGELES
CA 90033
30 JUN '19
PM 8 L

DONALD & JEANNE MCPHERSON
213 10TH ST
MANHATTAN BEACH CA 90266-5401

**IMPORTANT
PUBLIC NOTICE**

90266-5401 13





NOTICE OF A PUBLIC HEARING BEFORE THE MANHATTAN
BEACH CITY COUNCIL FOR A ONE YEAR REVIEW OF AN EXISTING
USE PERMIT AND TO CONSIDER AMENDMENTS TO EXTEND
OPERATING HOURS AND OTHER CONDITIONS FOR AN EXISTING
RESTAURANT/BAR (900 CLUB/DOWNSTAIRS BAR)
LOCATED AT 900 MANHATTAN AVENUE

A public hearing will be held before City Council for the project described below.

Property Owner: David Rohrbacher (900 Club/Downstairs Bar)

Property Location: 900 Manhattan Avenue

Project Description: Resolution No. 18-0075 requires a Public Hearing to be held for a one-year review of the Use Permit for the 900 Club to ensure compliance with required conditions of approval. Also, the applicant is asking to amend the following conditions in Resolution No. 14-0063 and Resolution No. 18-0075:

- 1) Extend operating hours by one hour, to 1:00 am on Thursdays, only for the Downstairs (Resolution No. 18-0075, Condition No. 1),
- 2) Request to remove the security guard on Thursday nights (Resolution No. 14-0063, Condition No. 3),
- 3) Request to remove written notification of immediate residents prior to entertainment events (Resolution No. 18-0075, Condition No. 3), and
- 4) Other possible revisions as determined by the City Council.

Environmental Determination: The Use Permit Review is Categorically Exempt, Class 3, Section 15303, California Environmental Quality Act (CEQA) Guidelines.

Project Planner: Angelica Ochoa, Associate Planner (310) 802-5517, aocchoa@citymb.info

Public Hearing: **Tuesday, July 2nd, 2019 at 6:00 p.m.**
Council Chambers, City Hall, 1400 Highland Avenue, Manhattan Beach, CA 90266

Further Information: For further information contact the project Planner. Project files are available for review at the Community Development Department at City Hall. A Staff Report will be available for review at the Manhattan Beach Police Department, Public Library, Community Development Department, and the City Clerk's Office, or on the City Website (<http://www.citymb.info>), after Wednesday, June 26, 2019.

Public Comments: Oral and written testimony will be received prior to and during the public hearing. Anyone may provide written comments that will be forwarded to the City Council.

If you challenge the proposed actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this Notice, or in correspondence delivered to the City Council at, or prior to, the public hearing.

LIZA TAMURA
City Clerk

Mailed: June 18, 2019
Publish: June 20, 2019 – Beach Reporter Legal Size Ad

ANNUAL SECURED PROPERTY TAX BILL

CITIES, COUNTY, SCHOOLS AND ALL OTHER TAXING AGENCIES IN LOS ANGELES COUNTY

SECURED PROPERTY TAX FOR FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019

JOSEPH KELLY, TREASURER AND TAX COLLECTOR

FOR ASSISTANCE CALL 1(213) 974-2111 OR 1(888) 807-2111, ON THE WEB AT lacountypropertytax.com

ASSESSOR'S ID. NO. YR SEQ CK

PROPERTY IDENTIFICATION

ASSESSOR'S ID. NO.: 4179 017 006 18 000

OWNER OF RECORD AS OF JANUARY 1, 2018
SAME AS BELOW

MAILING ADDRESS

0200652-0200652 SNGL 004 1234-- 737857



MCPHERSON, DONALD AND JEANNE TRS
D AND J MCPHERSON TRUST
1014 1ST ST
MANHATTAN BEACH CA 90266-6708



ELECTRONIC FUND TRANSFER (EFT) NUMBER

ID#: 19 4179 017 006 4 YEAR: 18 SEQUENCE: 000 0
PIN: 3NNTT2

SPECIAL INFORMATION

Check 4467
11/7/2018

DETAIL OF TAXES DUE FOR

4179 017 006 18 000 50

AGENCY	AGENCY PHONE NO.	RATE	AMOUNT
GENERAL TAX LEVY			
ALL AGENCIES		1.000000 \$	796.66
VOTED INDEBTEDNESS			
METRO WATER DIST		.003500 \$	2.78
COMMNTY COLLEGE		.022229	17.71
UNIFIED SCHOOLS		.092838	73.96
DIRECT ASSESSMENTS			
FLOOD CONTROL	(626) 458-5165	\$	5.35
COUNTY PARK DIST	(833) 265-2600		7.94
LIGHT/LNDSOPE	(310) 802-5563		27.25
RPOSD MEASURE A	(833) 265-2600		21.07
MEASURE MB TAX	(800) 676-7516		225.00
STORMDRAIN ASMT	(310) 802-5563		4.52
WB MWD STDBY CHG	(800) 676-7516		24.00
SBC SAN DIST	(562) 908-4288		158.40
TRAUMA/EMERG SRV	(866) 587-2862		59.57
LA WEST MOSQ AB	(310) 915-7370		10.81

PROPERTY LOCATION AND/OR PROPERTY DESCRIPTION

213 10TH ST MANHATTAN
MANHATTAN BEACH NE 37 FT MEASURED ON NW
AND SE LINES OF LOT 6 BLK 68

TOTAL TAXES DUE

FIRST INSTALLMENT TAXES	DUE NOV. 1, 2018	\$717.52
SECOND INSTALLMENT TAXES	DUE FEB. 1, 2019	\$717.50
TOTAL		\$1,435.02

VALUATION INFORMATION

ROLL YEAR 18-19	CURRENT ASSESSED VALUE	TAXABLE VALUE
LAND	48,236	48,236
IMPROVEMENTS	31,430	31,430

ASSESSOR'S REGIONAL OFFICE

REGION #14 INDEX: TRA:06174
SOUTH DISTRICT OFFICE
1401 E WILLOW STREET
SIGNAL HILL CA 90755
(562)256-1701

TOTAL 79,666
LESS EXEMPTION:

ACCT. NO.: PRINT NO.: 375284 BILL ID.:

NET TAXABLE VALUE 79,666

ANY RETURNED PAYMENT MAY BE SUBJECT TO A FEE UP TO \$50.00.



STRUMWASSER & WOOCHELLP

ATTORNEYS AT LAW

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LOS ANGELES, CALIFORNIA 90024FREDRIC D. WOOCHELL
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FACSIMILE: (310) 319-0156
WWW.STRUMWOOCHELL.COMANDREA SHERIDAN ORDIN
SENIOR COUNSEL

July 29, 2019

Manhattan Beach City Council
1400 Highland Avenue
Manhattan Beach, CA 90266**Re: August 6, 2019 900 Club Agenda Item**

To the Honorable City Council of the City of Manhattan Beach:

We write on behalf of Don McPherson and Coastal Defender regarding the City Council's review of the 900 Club and the 900 Club's request for additional hours and the revocation of certain conditions imposed just one year ago in City Council Resolution 18-0075. The 900 Club's request for any additional privileges should by no means be granted at this time. The City Council should instead initiate proceedings to revoke the 900 Club's permit entirely. The record before the City reveals that this business consistently refuses to adhere to the requirements placed upon it by the City and is a continuing source of disturbance for the neighborhood.

To begin with, the procedure that the Council has followed to consider the requested additional hours and permit modification is improper in several respects. First, the City Council is not the proper body to consider permit modification. Manhattan Beach Municipal Code chapter 10.84 regarding use permits makes clear that the Planning Commission must review such permits in the first instance. The applicant's request for extended hours and relief from the conditions of the permit is also directed (properly) at the Planning Commission. If the City Council considers any changes to the permit it must proceed through the Planning Commission, as it has done in the past.

Second, notice was not properly provided of the City Council's July 2 action and has not been provided in the interim. Manhattan Beach Municipal Code section 10.84.040 requires notice to property owners within 500 feet of the premises at the address "shown on the last equalized property tax assessment role or the records of the County Assessor, Tax Collector, or the City's contractor for such records." The notice for the July 2 hearing was not provided to the address of record with the Los Angeles County tax assessor for Dr. McPherson, but was rather sent to Dr. McPherson at a location on Bayview which is *not* the mailing address for the property owner.

In addition to the improper procedure, the current request is deficient in several critical respects. It lacks plans as required by Manhattan Beach Municipal Code 10.84.030(A). Per the record, the City last approved plans for the property in 1997. Since then, changes have been made to the layout of the premises that must be reviewed to ensure compliance with building code and life/safety requirements. In apparent violation of state and city codes, however, it appears that for the 900 Club, the City approved Resolutions 14-0063 and 18-0075, without having accurate plans per Manhattan Beach Municipal Code 10.84.030(A).

Finally, as the Council is certainly aware, Resolution 18-0075 is the subject of pending litigation in the Los Angeles Superior Court, *McPherson v. City of Manhattan Beach* (BS174550). A critical issue in that litigation is whether the City was legally authorized to expand entitlements when it was acknowledged by the City that the business was not in compliance with legal requirements of the zoning code.

The identical issue would be presented if the Council acts to modify the permit on August 6. As Planning Director Jester testified on July 2:

“So, staff has been monitoring the club for compliance with the conditions during the past year. We've done a number of inspections, and we've been in contact with the police department and our code enforcement staff to evaluate where the club is in compliance with the conditions. There are several pages in your staff report that go into detail about each condition of approval of the 2018, as well as the 2014, conditions related to hours off... of operation, access, the windows being closed, their entertainment permits, um, floor plans, which then they could set the occupancy limit. Signage, noise mitigation to be installed on the site. Having a manager and employee handbook, a recording of a covenant. Having a licensed, bonded, certified security guard on site. The use of the back door and the storage and utility room. The, uh, amplified sound background music and noise. Their entertainment permit and their special events, uh, some additional noise mitigation measures that were to be installed within 45 days. Policing the surrounding area to make sure there's not any noise impacts, and other impacts to the surrounding area. And the access code and inspections for the fire and police department.

“So, if you look at your report, you'll see that, sort of in a nutshell, the applicant has not been in compliance with any of these conditions, or only in partial compliance with the conditions. . . .

“So, in conclusion, the applicant has not complied with the majority of the conditions in the 2018 or the 2014 resolution. The police department has responded to several complaints that are violations of the conditions related to noise, after-hours operation and such. And staff does have concerns about

Manhattan Beach City Council
July 29, 2019
Page 3

super... sup... about future compliance... and modification of the current conditions. We would not recommend granting the applicant's request at this time due to the outstanding issues. If those issues are resolved, we think it's something the... the council could consider in the future.”

Not only does this finding plainly disqualify the 900 Club from receiving additional privileges or being relieved of existing requirements, it instead compels the conclusion that the City Council should initiate proceedings to *revoke* the permit. Staff reports that six complaints were received by the Manhattan Beach police department regarding excessive noise at the premises. This is not reflective of a good operator who is adhering to existing requirements.

Because the evidence presented to the City Council indicates that the 900 Club is not complying with Resolution 18-0075, the Council should modify Resolution 18-0075 pursuant to Manhattan Beach Municipal Code 10.104.030, to eliminate the additional privileges afforded to the 900 Club in that action (increased closing time on Thursday and increased special events). The protective modifications in Resolution 18-0075 should remain in effect, of course, as long as the business continues to operate.

If the Council does decide to modify the conditions of Resolution 18-0075 by granting additional privileges and revoking requirements intended to protect the neighborhood, Dr. McPherson and Coastal Defender will be required to seek leave from the Court to file a Supplemental Petition to bring this additional illegal expansion of authority into the existing litigation.

Yours very truly,
STRUMWASSER & WOOCHELL LLP



Beverly Grossman Palmer

cc: *via email only*

Ginetta Giovinco (ggiovinco@rwglaw.com)
Sherri Bonstelle (sbonstelle@jmbm.com)

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Speaker 1: [00:00](#) That'd be our target.

Nancy Hersman: [00:00](#) OK.

Speaker 2: [00:02](#) Do we move for that, or...?`

Nancy Hersman: [00:03](#) Uh, no. No. That's... that's good.

All right. So moving on number eight, public hearings. So, conduct a public hearing regarding the one year review of use permit as required by city council resolution number eighteen dash zero, zero, seven, five for an existing restaurant/bar, and consider a request to amend the use permit to extend operating hours and other conditions at nine hundred Manhattan Avenue.

So, I'm going to open the public hearing... and Community Development Director MacIntosh. Do you have a report?

MacIntosh: [00:34](#) Yes, good evening Mayor and members of the city council. I'm going to have, um, Laurie Jester our planning manager, provide you with a staff report on this side.

Laurie Jester: [00:47](#) Good evening, it's a pleasure to be here tonight. So, this is a public hearing, a one-year review, regarding the Nine Hundred Club at nine hundred Manhattan Avenue.

This is a public hearing that was required by the last update that was done in 2018. So, as a little bit of background, um, you'll see in 1995, the first use permit was approved for this site for a bar and restaurant. In 2014, the city went through a revocation process, because there were a number of substantial complaints about noise, after hours operations, a number of issues on the site.

At that time, the city council adopted a resolution. Um, that provided for some additional conditions. And then there were additional hearings throughout the coming years, and then in 2018 there was another resolution that the city council adopted that had some... as well as some requests that the business owner had. And so there was a new resolution that adopted. So really we're acting under both of those resolutions, the 2014, and then the 2018 amended, uh, several of the conditions.

So the 2018 resolutions, uh, conditionally approved one additional hour of operation for the club, upstairs on Thursday nights from midnight to one. And an increase in the yearly

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special events from 18 to 24. And then it also required this one-year review through a public hearing.

So, staff has been monitoring the club for compliance with the conditions during the past year. We've done number of inspections, and we've been in contact with the police department and our code enforcement staff to evaluate where the club is in compliance with the conditions. There are several pages in your staff report that go into detail about each condition of approval of the 2018, as well as the 2014, conditions related to hours off... of operation, access, the windows being closed, their entertainment permits, um, floor plans, which then they could set the occupancy limit. Signage, noise mitigation to be installed on the site. Having a manager and employee handbook, a recording of a covenant. Having a licensed, bonded, certified security guard on site. The use of the back door and the storage and utility room. The, uh, amplified sound background music and noise. Their entertainment permit and their special events, uh, some additional noise mitigation measures that were to be installed within 45 days. Policing the surrounding area to make sure there's not any noise impacts, and other impacts to the surrounding area. And the access code and inspections for the fire and police department.

So, if you look at your report, you'll see that, sort of in a nutshell, the applicant has not been in compliance with any of these conditions, or only in partial compliance with the conditions.

The applicant is requesting some modifications to the application and the 2018 resolution did provide for that opportunity. So, they are requesting that the hours be extended by one hour to 1:00 AM on Thursdays, and that is for the downstairs only. They are requesting that the requirement, uh, for security guard be removed on Thursday nights. And they are requesting that the written notification to the residents prior to entertainment and special events also be removed.

So, in conclusion, the applicant has not complied with the majority of the conditions in the 2018 or the 2014 resolution. The police department has responded to several complaints that are violations of the conditions related to noise, after hours operation and such. And staff does have concerns about super... sup... about future compliance... and modification of the current conditions. We would not recommend granting the applicant's request at this time due to the outstanding issues. If those issues are resolved, we think it's something the... the

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council could consider in the future. I'd be happy to answer any questions for you?

Nancy Hersman: [05:39](#) Thank you.

Laurie Jester: [05:42](#) Mm-hmm (affirmative).

Nancy Hersman: [05:42](#) [inaudible 00:05:42].

Speaker 4: [05:42](#) Thank you.

Nancy Hersman: [05:42](#) [inaudible 00:05:42].

Speaker 4: [05:43](#) And Laurie, one question. Are the six calls, that ten-month time period...

Laurie Jester: [05:45](#) Yes.

Speaker 4: [05:45](#) Were they for the same person?

Laurie Jester: [05:48](#) Um, I do not know that. It doesn't appear... it doesn't appear to be. I'm not sure if there's a representative from the police department that could address that...

Speaker 4: [06:00](#) No, we can address it later. I wanna make sure that questions was asked, that's all.

Laurie Jester: [06:03](#) OK.

Nancy Hersman: [06:03](#) Do we have other questions? Uh, we're not discussing at this time, we're just asking questions of staff. Anyone have questions of staff before we open for public comments? No? Okay.

Laurie Jester: [06:03](#) Thank you.

Nancy Hersman: [06:16](#) Thank you very much.

Laurie Jester: [06:16](#) Mm-hmm (affirmative).

Nancy Hersman: [06:19](#) So, we now will open for, uh, public comments. And I see a great many people here. I'm wondering how many are planning to speak, because we normally have a three-minute. But if we've got... a significant number of people who wanna speak, we're gonna limit it to two.

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So, can you raise your hand if you're willing... if you're wanting to speak?

Speaker 5: [06:40](#) On the side, um, just on the...

Nancy Hersman: [06:42](#) Just on this, this side...

Dave: [06:43](#) [crosstalk 00:06:43].

Nancy Hersman: [06:43](#) OK. Just a couple. OK, great.

So, be sure to fill out, uh, a form, and present it to the city clerk. And, um, first person who would like to speak, please come down.

Dave: [06:56](#) Me?

Nancy Hersman: [06:56](#) Mm-hmm (affirmative).

Dave: [07:00](#) Good evening Mayor, council members, I'm Dave from Nine Hundred. And I feel, once again, that, uh, we all have been trying for the last few years to do all this stuff. Uh... the door, I sent pictures right away. I did my planning... Richard, from [inaudible 00:07:18] Blind got me new blinds for downstairs...uh, I mean, every day we try to make that street a little bit better. And it just seems like I can't get ahead because of my own city. It just hurts a little bit sometimes, really.

I'm here backed up by some friends and members from downstairs, most of my employees, some of my kitchen guys, and we've all worked there for a long time. So, it just hurts a little, that's all. I mean, I don't... the boys work on the door. We work on the back door, we pick up cigarette butts from other people, we close our windows at ten with the ocean breeze, we can't feel... I mean, I just don't know what else that we can do. To be judged on six phone calls, or to have a code enforcement person come in one time... I didn't even know the cops came by. We haven't had a police officer in our building in a year and a half. And on Thursday of last week, I was sent a notice saying that they've come. Well, we don't know that. The girls will stand up, each person will, uh, we'd like to meet the officer that came in the building. Because, uh, we have not had one. I have never received a ticket.

I received one last June, via the mail, for a noise complaint, from [Jackie Harris 00:08:39]. But that was two weeks after... no one

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came even... even in that evening. We got it two weeks later, in the mail, so...

I'm just here to make it a better spot. That's all a wanna do, every day, for twenty-two years in the same building. To make Manhattan Beach a great spot. And, it needs to be done or the girls... are treated fairly. That's it. And right now, it's not fair. It's like, you gotta tell a guy to leave at midnight down below, but it's the same building, and the girls upstairs... so we're all sort of in this, little bit of a cross-roads.

So we would like the whole building to be a one o'clock on Thursday. That's it. And I'll keep doing whatever they ask. I mean, I think I turned my plans in, cost me five thousand. I turned in my window... I drilled a screw in it because I waited six months for someone from the city to tell me if it was legal to make that window one piece of glass. We just got that about three weeks ago. So, Roy, I think he's here, he's gonna fix it in a couple of weeks. That fast.

Uh, all the other violations, I'm not sure, I just... we haven't received any except 'til last Thursday. So... if anybody wants to speak, we're just here, just to make that building on that corner one hour on Thursdays so we can laugh, and have conversation, 'til one o'clock. And we'll do anything it takes to get that hour. Thank you.

- Nancy Hersman: [10:17](#) I... thank you. I appreciate your enthusiasm for the speaker. However, when we have a public comment, we tend... we don't like to have applause.
- Crowd: [10:28](#) (laughing)
- Nancy Hersman: [10:28](#) No. Or boos. Right, because both of those can stifle other public comment. Because if somebody wants to stand up and say something different, they're going to feel like they can't do that. Right. Because they're gonna be afraid they're gonna be booed by the same people that just applauded. So, I just ask the rest of the public comments, please, uh, hold that...
- Dave: [10:52](#) [crosstalk 00:10:52] the same time, I only asked a few people on ninth street, some members and non-members, to speak.
- Nancy Hersman: [10:56](#) OK, thank you.
- Dave: [10:57](#) And everybody else, they are here to support...

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Nancy Hersman: [10:58](#) I got that.

Dave: [10:59](#) Obviously we don't need to be repetitive tonight, so...

Nancy Hersman: [10:59](#) OK, thank you.

Dave: [11:02](#) We have a young lady that lives, uh...

Nancy Hersman: [11:04](#) Uh, they can come down...

Dave: [11:04](#) Yeah, that's it.

Nancy Hersman: [11:06](#) ... one at a time.

Dave: [11:07](#) [crosstalk 00:11:07].

Nancy Hersman: [11:06](#) That's... whoever would like to speak, please fill out the, um, the yellow sheet, and come on down.

Speaker 6: [11:16](#) Hi.

Nancy Hersman: [11:16](#) That to the city clerk. Thank you. [crosstalk 00:11:19].

Speaker 6: [11:19](#) Hello. My name is Denise [Ardondo-Apeneder 00:11:22]. We live, pretty much the closest to Nine Hundred Club. Uh, my husband and one of my daughters and my other son is here. And my youngest is not here, otherwise she'd be terrorizing the place. So we had a baby-sitter tonight.

So, we, uh, I call the police department all the time. Never for Nine Hundred. I mean, I'll call... you can look up my records, and I'm constantly calling. I'm the block captain of the area. And, in speaking to a few other neighbors that, uh, live directly behind the club, um, the previous owners they sold the new ones moved in. And I spoke to both of them, and they're actually, they don't live... they're not here now, but they wanted... they sent me emails that I can leave with you. They asked that I read them before you guys tonight.

One of them, here go. So this is from Shelby: "We owned the property at two-one-seven Ninth Street, directly behind the Nine Hundred Club, for five years until November of 2018. When we first bought our home, our children were ages ten, eight, six. So... so, to suffice, uh, sorry, suffice to say, we considered it a family-oriented street. We valued the property specifically, not in spite of, it's convenient downtown location.

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In Dave [Roerbacker 00:12:29] we could not have asked for a better neighbor. He is friendly, helpful, and respectful. And that attitude extends to his staff, as well. Dave helped us jumpstart a dead car, he helped us fix a broken garage door, he has emptied out and attended our trash cans, uh, which are alley-facing. And he has always invited us to the events. Even though we weren't officially members. We've never had an occasion to complain about his establishment, patrons, or his employees. Specific to the point about the downstairs bar, we were never disturbed by evening activity there. I would eas... easily support an extension of his current hours of operation." That's Andy and [Cho-lee Cambien 00:13:05].

And, this one is from [Maria 00:13:10] and Trent [Kitch 00:13:10]. "To whom it may concern. My husband, two children and I have resided behind Nine Hundred Club since January of this year, 2019. Dave welcomed us warmly, and as new residents in the area, we felt very grateful to have such an inclusive and family-friendly place to go. While there are some evenings with loud, or with live or loud music, we haven't seen this as an issue, as it never goes beyond the allowable time. And we feel that having such events is an important part of the lively culture. Having Dave and the Nine Hundred Club nearby also has given us this great sense of community and security. The... it's like, like there's always having someone keeping an eye out to the neighborhood. The Kitch family supports the application of Dave and the Nine Hundred Club, and values its presence in the community. Warm Regards, Maria and Trent Kitch."

And lastly...

Nancy Hersman:	14:01	You only have twenty seconds left.
Speaker 6:	14:03	OK.
Nancy Hersman:	14:03	So if you wanna wrap up...
Speaker 6:	14:03	Um...
Nancy Hersman:	14:04	... what you wanna say.
Speaker 6:	14:06	I just wanna say...
Nancy Hersman:	14:07	[crosstalk 00:14:07] provided those to that clerk...

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Speaker 6: [14:07](#) ... that if any of you, again, I've invited them before, new... I see some new faces... but you're more than welcome to come to our home. You can lay in our bedroom and you can hear that...

Crowd: [14:15](#) (laughing)

Speaker 6: [14:16](#) ... there (laughs). We sleep just fine, and... you know, cigarette butts, from other people, you know, that are coming up from, not just Nine Hundred. So we deal with other things, it not stemmed from this bar...

Nancy Hersman: [14:27](#) Thank you.

Speaker 6: [14:27](#) ... And so we love the community, we love where we live, and we're gonna continue to support. Thank you.

Nancy Hersman: [14:30](#) Thank you. Thank you.

I know you're excited, but... [crosstalk 00:14:37]. What?

Speaker 4: [14:37](#) Millennials again.

Nancy Hersman: [14:38](#) Yes, those Millennials.

Chad: [14:47](#) Hi, uh, my name's Chad Epeneder. Uh, that was my lovely wife that just spoke. Um, I just wanted to take a couple minutes to... just to kinda reiterate what Dave said, what my wife said. Just that, it is... it is about the community. And... and Dave and his staff have done an unbelievable just of trying to, not only make the business a better place, uh, but also make the community a better place.

I mean, he's constantly helping, uh, we're helping him. I mean, it just, it kinda goes back and forth, and... and I... and it's really a special place. It really is. I mean, there's a... look at all the people here in support, and I mean it just... they... it's, it's more than just bar, you know. And I think, I think it extends down to the downstairs bar. It's, it's, it's an entire... um, you know, community, you know that really... um, goes beyond just being a bar, right?

And so, I think, um, just, I just wanted to say, you know, we, we value that. And that's one reason why we've lived across the street for 14 years. Like, we love the community, we love the energy, we love the people that we live around. Uh, we've never had any issues, and we... we, you know, continue to

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always help wherever we can. So, um, yeah, no issues, as you can obviously hear. I don't need to reiterate, um, over and over again. But, I just wanna thank you very much for the consideration, and... and thank you for allowing the Nine Hundred Club to have that extra hour, too. So, thank you very much.

Nancy Hersman: [16:17](#) Thank you.

Speaker 7: [16:19](#) Madam Mayor. Madam Mayor, up here.

Nancy Hersman: [16:21](#) Where am I? Oh, there we are.

Speaker 7: [16:21](#) We have a speaker up here.

Nancy Hersman: [16:23](#) Oh, I'm sorry. Yes. Thank you.

Jan: [16:27](#) Uh, thank you. Uh, my name is, uh, [Jan A. Corey 00:16:29]. I've been a member at Nine Hundred now for, uh, fifteen years. And first, I just wanna reiterate what everybody said here. Um, it is a... it is a community restaurant/bar, that's why I like being a member there. Um... it's one of the few places that I go in Manhattan Beach for business meetings. And where I bring my family, because it is quiet for dinner. Somewhere I can actually have a conversation with my business colleagues and with my family. Where it's not too loud. And I absolutely mean that.

Um, and then secondly, um, I run a non-profit organization. And Dave and his... Dave has been extremely supportive of my organization. As has the entire Nine Hundred staff, for the past ten years since we started. We held an annual benefit there. But Dave has never charged me a penny, he also donates all the... all the food to it, and helps get different, um, auction items and whatnot. So, he's made an incredible impact on my charity, through Nine Hundred Club and being so supportive of it. That's made a direct impact in the lives of people living with disabilities in the South Bay. So, he's an extremely giving person, and... all these noise violations that I hear about, I just... being... I've been going there for 15 years. I just don't see it.

Maybe on a Saturday night when there's live music, it might be loud, but... I just don't see that issue being an issue there. And I've never seen it. I wouldn't take business colleagues or my, you know, family members there for dinner to have a quiet conversation, if it was that loud. And, you know, like every... the other folks said that, it is really such a great piece of this community.

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There are very, very few places that you can go into and you know everybody that's in there. I think that's just something wonderful to have here, and uh, I'm just fully in support of Dave and...um, the club. And hopefully you guys are too. And also on a side note, I just wanna thank you guys so much for resolving the issue on our [inaudible 00:18:18]. Uh, everybody on our street really appreciates it, so thank you.

Nancy Hersman: [18:21](#) Thank you. Another... any? OK.

Speaker 8: [18:23](#) All right, I'm gonna hope we have a couple of sport fans here. Anyone a basketball fan.

Speaker 4: [18:36](#) Course.

Nancy Hersman: [18:37](#) Yes.

Speaker 8: [18:37](#) You guys basketball fans?

Nancy Hersman: [18:38](#) Yeah.

Speaker 8: [18:39](#) So, Lakers, Clippers. Think about it. You're a Laker fan, you're rooting for [inaudible 00:18:45] to come. Right? You want him to come here. He's gonna change what's gonna happen here for the Lakers. You're that one miserable Clipper fan that's bitching and moaning, calling six, seven times, to a radio station hoping that he doesn't come.

We're the Lakers. Let that Clipper guy that keeps calling ya and busting your chops, you know how simple this seems and sounds. It's true. Clipper fan isn't needed right now. Lakers are winning the championship. Nine Hundred Club. Thank you.

Crowd: [19:17](#) (laughing)

Nancy Hersman: [19:18](#) Thank you.

Morgan: [19:18](#) Hello.

Nancy Hersman: [19:28](#) Hello.

Morgan: [19:29](#) My name is Morgan Brown. I'm a Hermosa local and I bartend with many of these ladies in the audience. Um, we just wanted to thank you for giving us the opportunity to improve, and to implement noise control standards this past year that we've really been trying to diligently follow.

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We love being part of this community, and we really love being locals hanging out. We truly wanna make the city and the resident both happy and respected, and will continue to do everything we can to make that possible.

We're part of a small business, and we are competing with everybody else. And this extra hour wouldn't just help our owner, but as bartenders that rely on that income from patrons it would also really help us, too. Thank you.

Nancy Hersman: [20:07](#)

Thank you.

Speaker 9: [20:17](#)

Hi. Sorry, I get nervous.

Nancy Hersman: [20:19](#)

That's OK.

Speaker 4: [20:20](#)

[inaudible 00:20:20].

Speaker 9: [20:20](#)

I work there as well. I work Thursday nights, specifically. I am a single mom, so... nobody wants to leave early more than me. But, the most awkward thing about Thursdays, is when a couple comes in from [inaudible 00:20:35] to have one last drink, and at eleven fifty, I have to say, "Drink it in five minutes, or go somewhere else." 'Cause it's early for a Thursday night, but it's late for a... a night, you know what I mean? And so, for us, we're not asking... the clientele that comes in on Thursday isn't crazy. This hour isn't gonna make us blow up and, we're gonna have DJ's and door guy... it's just gonna be, letting people finish their drinks without aggressively asking them to leave at 11:50 PM. I don't think it's gonna change much. It's gonna be better for us.

Nancy Hersman: [21:13](#)

Thank you.

Chris: [21:20](#)

Hi. I'm Chris [inaudible 00:21:23], a nearby neighbor of, uh, Nine Hundred Club. And, I'm gonna highlight more, a little, downstairs bar, 'cause that's the one that I tend to go to more. And, I would say, I mean, it's a, it's a great part of the community, and it is something that I would love to see extended on a Thursday night, that we can all enjoy another beverage there, versus hanging out some of the other establishments that can. Thank you.

Nancy Hersman: [21:20](#)

Thank you.

Allison: [22:00](#)

Hi. My names [Allison Bath 00:22:02], and I live two doors up from the Nine Hundred Club and the downstairs bar.

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Um, I live with my mother, my eighty-two year-old mother, um, and she's lived there for about... 12 years? And I've been there for about six years. Um, and... there's not been any, like, noise disturbance with us. We haven't, you know, no complaints here. Um, we go... we've been to the club and the downstairs bar a few times. My mother escapes down there sometimes. She finds the bar.

- Crowd: [22:32](#) (laughing)
- Allison: [22:34](#) And they... and, and Dave and them take good care of her. But, um, I just wanna say it's a great restaurant, I think it's family-orientated, mostly... yeah, there's some... always gonna be an issue sometimes, but... I support it. Thank you.
- Nancy Hersman: [22:48](#) Thank you. Do we have any additional public comments?
- Speaker 10: [22:53](#) Yes.
- Nancy Hersman: [22:53](#) Oh? I think this is our youngest, uh... resident. Giving comments.
- Speaker 11: [23:00](#) She needs that extra hour, yeah.
- Nancy Hersman: [23:04](#) (laughs)
- Speaker 10: [23:04](#) Hi. Thank you so much for listening. I am, I'm Kim [inaudible 00:23:07], I live at one-twenty-four Ninth Street with my nine week-old daughter and my husband.
- So we are very concerned with noise, but we have to say that, um, we don't hear anything. We, uh, go to bed early, and, we never hear anything in our bedrooms, we never have any noise issues, keeping our daughter up. We've never had any, um, public disturbance, or you know, people leaving trash in our yard or brawls outside our place... oh.
- Nancy Hersman: [23:30](#) Mm-hmm (affirmative).
- Speaker 10: [23:31](#) Um, and... really, you know, Dave has done such a great job of adding to the community, and that's one of the reasons we've chosen to raise our family here in Manhattan Beach, is the local business and all the great things that you guys have done for our community in that, that really that strong sense. So, you know, we have no opposition to it staying up later, we've never

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had any issue, and just wanted to make sure that you guys knew.

Nancy Hersman: [23:50](#) Thank you.

Speaker 10: [23:50](#) Thank you.

Crowd: [23:50](#) (laughing)

Nancy Hersman: [23:51](#) Don't forget your bottle.

Speaker 4: [23:54](#) [inaudible 00:23:54].

Nancy Hersman: [23:53](#) Oh, you have it. Thought you put it on the ledge, there.

OK, do we have any more? Any [crosstalk 00:24:01].

Bill Victor: [24:00](#) Good evening. My name's [Bill Victor 00:24:04]. I own property on Ninth Street. And, um, I really am very fond of Dave Roerbacker, and most of the members there. However, uh, we, we've had some sound as it gets warmer, it's much, uh, more evident. If we pick this hearing a month later, you'd have a lot more written comments. Some people are shy about coming against... and you know, even if I had a foundation that was sponsored by Dave, I still would come here and say what I'm going to.

Um, I wish that my dog would get an extra three minutes. I brought her, but I understand that won't happen, so... I have to limit my comments to three minutes. Um, I don't think that little baby there would really benefit much for being up an hour later, OK? And I don't think that, um, I don't... I think there has been noise. And I, uh, and it gets louder as the weather gets warmer. Now this is a ritzy club and I think that's wonderful. But they can afford air conditioning and keeping windows closed in the up and downstairs, uh, operations. It's a simple thing.

I've been known as a solution lawyer, and I don't think I can patent this idea. But, what about air condition and closed windows? OK? That would help a lot. The windows open wider and wider as the weather gets warmer, and the noise ricochets off, many of the newer... my building is not new one, so it absorbs a lot of sound. But all the ones around me are quite, uh, beautiful with lots of glass and stone. And the sound ricochets off. And because, uh, I don't have a baby, uh... my baby might drown out some of the sounds. But I, I do hear them. And

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sometimes I have relatives who are... um, like to go to bed early who come to visit. And this affects them, too.

And we just spent a lot of time on, uh, being concerned about short... short-term rentals. This is sort of like having three hundred and sixty-five days a year, three to eight hundred members in the household with beds and everything, um, having a great time, but of course, their voices raise... rise more the drinks they have and so forth. And I don't think it's in... in the interests of the community, OK, to have... And some of the people who testify, or speak, have moved away from, uh, the area where the club is.

And I don't know, but I suspect, maybe one of the incentives to move away was to not to hear the sounds that they claim they don't hear now. On [Blanche 00:26:26] and other streets that are much further away.

Bless you, God bless you.

And uh, so that's... uh, I donate thirty-one seconds of my time to anyone else, but, I know it's an unpopulist... 'cause I didn't get offered a drink to come here. Um, I just want to tell you, I think it's, uh... I also, um, have... I speak for some people who, actually, uh, moved away for the part of this... for this part of the summer. But when they come back, it may be much louder. I think there's been some comments in the staff report that says that things still need to be improved. I don't want them to go away, I want them to have a wonderful time. But I want them also not to [inaudible 00:27:05] people. Thank you.

Nancy Hersman:	24:00	Thank you Mr. Victor.
Bill Victor:	27:06	I have to take my donation back [inaudible 00:27:08].
Nancy Hersman:	27:09	OK. OK.
		Do we have any other, uh...
Bill Victor:	27:12	That's yours.
Nancy Hersman:	27:14	Any additional public comments?
Bill Victor:	27:20	This is mine...
Nancy Hersman:	27:20	No? [inaudible 00:27:21] good?

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OK. We understand you... uh, your positions there.

So, uh, I will then close the public comments. Um, I'm... going to be taking the, um, position to... by order of the chair, that this public hearing, will be continued to the August 6, 2019 City Council Meeting, in order to provide the club an opportunity to demonstrate compliance with the conditions.

So we hope that you will take that time, uh, 'til August 6th, and, um, we will open up the public yet... again at that point. The attorney...

City Attorney
Quinn Barrow

Speaker 12: [28:08](#) Yeah, so I think it's best to, um, keep the public hearing open.

Nancy Hersman: [28:10](#) Keep it open, OK.

Speaker 12: [28:11](#) And then this matter will be continued to August 6.

Nancy Hersman: [28:15](#) OK.

Speaker 12: [28:16](#) And this will be the only notice provided to everyone, so put it on your calendars for August 6.

Nancy Hersman: [28:23](#) OK, so the public hearing will continue... 'til August 6.

All right, thank you very much.

Martha Alvarez

From: dave@caskeyandcaskey.com
Sent: Monday, April 30, 2018 4:56 PM
To: Jason Masters; Anne McIntosh; Martha Alvarez
Subject: FW: Support Petition - One more hour
Attachments: Attorney Bills.pdf

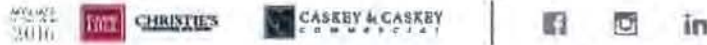
Here is a copy of the Attorney Bills. We would like to also have this entered into the staff report.



Dave Caskey

ASSOCIATE BROKER

t (310) 200-1960 / e Dave@CaskeyAndCaskey.com / w www.CaskeyAndCaskey.com
1117 5th Street Ste A, Manhattan Beach CA 90266 CALIFORNIA LICENSE # 0186294



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I have not verified any of the information contained in documents that were prepared by other people

From: dave@caskeyandcaskey.com
Sent: Monday, April 30, 2018 4:34 PM
To: Jmasters@citymb.info; amcintosh@citymb.info; malvarez@citymb.info
Cc: 'Chandra Shaw' <chandra@trilogyspa.com>; dave@900Manhattan.com
Subject: Support Petition - One more hour

Jason and Ann and Martha,

Regarding the City Council/900 Manhattan Ave meeting tomorrow night, we would like to have these support petitions included in the staff report.

Attached is the 900 Manhattan digital online petition with 313 supporters and a copy of the Down Stairs Bar written petition with an additional 182 supporters.

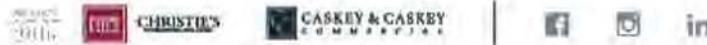
Thank you for your attention to this matter.



Dave Caskey

ASSOCIATE BROKER

t (310) 200-1960 / e Dave@CaskeyAndCaskey.com / w www.CaskeyAndCaskey.com
1117 5th Street Ste A, Manhattan Beach CA 90266 CALIFORNIA LICENSE # 0186294



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(310) 376-9893**

April 30, 2016

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
4/19/2016 AL-	INTER OFFICE CONF WITH S.S.; REVIEW AND RESPOND TO E-MAIL FROM A OCHOA AT CITY OF MB; REVIEW RESOLUTIONS; LEGAL RESEARCH AND INTER OFFICE CONF WITH S.S RE STATUS AND STRATEGY	0.50 450.00/hr	225.00
SS	TELE CONFERENCE WITH CITY PLANNER AND MEMO RE CUP AND PROCEDURE TO AMEND; MEMO AND INTER OFFICE CONF WITH AL REGARDING COMPLIANCE; RESEARCH ON CASE HISTORY	1.20 225.00/hr	270.00
	For professional services rendered	1.70	\$495.00
	Previous balance		(\$1,210.50)
	Balance due		(\$715.50)

CREDIT BALANCE

**BAKER, BURTON & LUNDY
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HERMOSA BEACH, CA 90254
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May 31, 2016

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
5/9/2016 AL- CONFERENCE WITH CLIENT	0.20 450.00/hr	90.00
5/16/2016 AL- INTER OFFICE CONF WITH JW AND SS	0.25 450.00/hr	112.50
5/17/2016 AL- INTER OFFICE CONF WITH S.S.; CONFERENCE WITH CLIENT'S KZ AND DR; LEGAL RESEARCH; REVIEW DOCUMENTS	1.50 450.00/hr	675.00
For professional services rendered	1.95	\$877.50
Previous balance		(\$715.50)
Balance due		\$162.00

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
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515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

June 30, 2016

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
5/16/2016	SS E-MAIL AND MEMO TO AL AND JW	0.20 225.00/hr	45.00
	AL- REVIEW, REVISE, AND FINALIZE MEMO TO CITY OF MANHATTAN BEACH	0.20 450.00/hr	90.00
6/1/2016	SS TELE CONFERENCE WITH ASSISTANT PLANNER; MEMO AND E-MAIL	0.40 225.00/hr	90.00
6/6/2016	SS LETTER TO CITY PLANNER; MEMO TO AL	3.10 225.00/hr	697.50
6/8/2016	AL- REVIEW AND REVISE LETTER TO CITY OF MANHATTAN BEACH	0.40 450.00/hr	180.00
	SS MEMO AND E-MAILS	0.20 225.00/hr	45.00
6/24/2016	SS E-MAIL TO AL; REVIEW STATUS	0.10 225.00/hr	22.50
6/27/2016	SS E-MAILS; INTER OFFICE CONF WITH AL; PREPARE LETTER	0.50 225.00/hr	112.50

KEN ZIEGLER & DAVID
ROHRBACHER

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
6/28/2016 AL- INTER OFFICE CONF WITH S.S.; REVIEW LETTER TO CITY OF MANHATTAN BEACH	0.50 450.00/hr	225.00
6/29/2016 SS E-MAIL TO CITY PLANNER	0.30 225.00/hr	67.50
AL- INTER OFFICE CONF WITH S.S. RE APPLICATION; REVIEW DOCUMENTS RE FORMAT AND CITY REG	0.50 450.00/hr	225.00
For professional services rendered	6.40	\$1,800.00
Previous balance		\$162.00
Balance due		\$1,962.00

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S
STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893

August 31, 2016

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
8/1/2016	SS TELE CONF WITH JASON MASTERS	0.10 225.00/hr	22.50
8/17/2016	SS TELE CONFERENCE WITH CITY	0.20 225.00/hr	45.00
8/19/2016	SS TELE CONFERENCE WITH J MASTERS (TWO)	0.10 225.00/hr	22.50
8/22/2016	SS TELE CONFERENCE WITH CITY	0.20 225.00/hr	45.00
8/24/2016	AL- INTER OFFICE CONF WITH S.S.; MULTIPLE E-MAILS; COMMUNICATION WITH CITY; LEGAL RESEARCH	1.10 450.00/hr	495.00
	SS TELE CONFERENCE WITH J MASTERS (TWO); MEMO TO AL	0.70 225.00/hr	157.50
8/25/2016	SS E-MAIL TO J MASTERS; TELE CONFERENCE; DOCUMENT REVIEW OF CITY FILE ON CLIENT PROPERTY	0.80 225.00/hr	180.00

KEN ZIEGLER & DAVID
ROHRBACHER

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	3.20	\$967.50
Previous balance		\$1,962.00
		<hr/>
Balance due		\$2,929.50
		<hr/>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S
STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

September 30, 2016

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
9/16/2016 SS	TELE CONF WITH CLIENT AND E-MAIL	0.10 225.00/hr	22.50
9/17/2016 SS	E-MAIL; TELE CONFERENCE WITH CITY; INTER OFFICE CONF WITH AL	0.30 225.00/hr	67.50
	AL- CONFERENCE WITH ATTORNEY S.S. RE STATUS AND STRATEGY RE HOURS	0.10 450.00/hr	45.00
9/30/2016 AL-	CONFERENCE WITH CLIENT RE STATUS AND STRATEGY	0.20 450.00/hr	90.00
	For professional services rendered	0.70	\$225.00
	Previous balance		\$2,929.50
	Balance due		\$3,154.50

BAKER, BURTON & LUNDY
 A PROFESSIONAL CORPORATION
 515 PIER AVENUE
 HERMOSA BEACH, CA 90254
 (310) 376-9893

October 31, 2016

KEN ZIEGLER & DAVID
 ROHRBACHER
 900 MANHATTAN AVENUE
 MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
 TUSCANY AVENUE, PLAYA DEL REY, CA 90293
 Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
10/3/2016	SS RESEARCH FOR JASON MASTERS AND TWO PHONE CALLS	0.40 225.00/hr	90.00
10/13/2016	SS TELE CONFERENCE WITH JASON MASTERS (TWO)	0.10 225.00/hr	22.50
10/17/2016	SS TELE CONFERENCE WITH JASON MASTERS (THREE)	0.10 225.00/hr	22.50
AL-	INTER OFFICE CONF WITH SS	0.10 450.00/hr	NO CHARGE
	For professional services rendered	0.70	\$135.00
	Previous balance		\$3,154.50
	Balance due		\$3,289.50

Paid
12/29/16
HH

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

November 30, 2016

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
11/4/2016	SS TELE CONFERENCE WITH CITY PLANNER ASSISTANT (TWO)	0.10 225.00/hr	22.50
11/8/2016	AL- INTER OFFICE CONF WITH S.S.; REVIEW DOCUMENTS	0.25 450.00/hr	112.50
	SS EMAILING; TELE CONFERENCE WITH CITY; SCHEDULING	0.30 225.00/hr	67.50
11/14/2016	SS SCHEDULING WITH PLANNER; TELE CONF	0.05 225.00/hr	11.25
11/15/2016	SS RESCHEDULING MEET WITH CITY; TELE CONFERENCE WITH CITY	0.20 225.00/hr	45.00
11/16/2016	AL- INTER OFFICE CONF WITH SS	0.10 450.00/hr	45.00

KEN ZIEGLER & DAVID
ROHRBACHER

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
11/29/2016 KB- TELE CONF WITH CLIENT KZ RE 900 MANHATTAN INCIDENT; TELE CONF WITH ATTORNEY SB; TELE CONFERENCE WITH DR; TELE CONFERENCE WITH INSURANCE AGREEMENT KE; TELE CONFERENCE WITH INSURANCE ADJUSTER; DOCUMENTS (LEASE) TO INSURANCE ADJUSTER	0.80 500.00/hr	400.00
For professional services rendered	<hr/> 2.40	<hr/> \$951.25
Previous balance		\$3,289.50
Balance due		<hr/> <hr/> \$4,240.75

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

December 31, 2016

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
12/2/2016 AL- INTER OFFICE CONF WITH SS	0.25 450.00/hr	112.50
SS PHONE CALLS (TWO) J MASTERS	0.10 225.00/hr	22.50
12/12/2016 AL- CONFERENCE WITH CLIENT; LEGAL RESEARCH	1.40 450.00/hr	630.00
12/13/2016 AL- REVIEW E-MAIL FROM J MASTERS	0.30 450.00/hr	135.00
12/21/2016 KB- TELE CONFERENCE WITH INSURANCE CO RE INSPECTION OF 900 MANHATTAN AVE; TELE CONFERENCE WITH D ROHRBACHER; MESSAGE TO INSURANCE ADJUSTER TO CONFIRM INSPECTION	0.30 500.00/hr	150.00
For professional services rendered	2.35	\$1,050.00
Previous balance		\$4,240.75
12/29/2016 Payment - Thank You		(\$3,289.50)

KEN ZIEGLER & DAVID
ROHRBACHER

Page 2

	<u>Amount</u>
Total payments and adjustments	(\$3,289.50)
Balance due	<u>\$2,001.25</u>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

BAKER, BURTON & LUNDY
 A PROFESSIONAL CORPORATION
 515 PIER AVENUE
 HERMOSA BEACH, CA 90254
 (310) 376-9893

January 31, 2017

KEN ZIEGLER & DAVID
 ROHRBACHER
 900 MANHATTAN AVENUE
 MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
 TUSCANY AVENUE, PLAYA DEL REY, CA 90293
 Professional services

		Hrs Rate	Amount
1/4/2017 AL-	REVIEW E-MAIL FROM J MASTERS; INTER OFFICE CONF WITH SS	0.25 450.00/hr	112.50
1/6/2017 AL-	REVIEW AND REVISE LETTER TO CLIENTS	0.50 450.00/hr	225.00
SS	CLIENT LETTERS; EMAILING AND MEMO	0.60 250.00/hr	150.00
	For professional services rendered	1.35	\$487.50
	Previous balance		\$2,001.25
	Balance due		<u>\$2,488.75</u>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S
 STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893

February 28, 2017

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

			<u>Hrs/Rate</u>	<u>Amount</u>
2/1/2017	AL-	INTER OFFICE CONF WITH S.S.; LEGAL RESEARCH RE STATUTORY TIMING	0.40 450.00/hr	180.00
	SS	TELE CONFERENCE WITH J MASTERS (TWO); E-MAIL TO MASTERS; MEMO TO AL	0.45 250.00/hr	112.50
2/2/2017	AL-	TELE CONF WITH CLIENT DR; INTER OFFICE CONF WITH S.S.; REVIEW DOCUMENTS; REVIEW AND RESPOND TO E-MAILS	0.50 450.00/hr	225.00
		For professional services rendered	1.35	\$517.50
		Previous balance		\$2,488.75
		Balance due		\$3,006.25

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

March 31, 2017

KEN ZIEGLER & DAVID
ROHRBACHER
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
3/3/2017	SS TELE CONFERENCE WITH JASON MASTERS	0.05 250.00/hr	12.50
3/9/2017	SS TELE CONFERENCE WITH CITY (TWO)	0.05 250.00/hr	12.50
3/21/2017	SS TELE CONFERENCE WITH CITY PLANNER; MEMO	0.15 250.00/hr	37.50
	AL- INTER OFFICE CONF WITH S.S. RE STATUS AND STRATEGY	0.20 450.00/hr	90.00
X 3/22/2017	AL- REVIEW AND RESPOND TO E-MAILS; LEGAL RESEARCH RE HOURS; INTER OFFICE CONF WITH S.S RE STRATEGY	0.25 450.00/hr	112.50
X 3/28/2017	SS NEIGHBOR CONTACT RESEARCH AND RECORD REVIEW; TELE CONFERENCE WITH MASTERS	0.10 250.00/hr	25.00
	AL- INTER OFFICE CONF WITH SS	0.15 450.00/hr	67.50

KEN ZIEGLER & DAVID
ROHRBACHER

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
3/29/2017 SS TELE CONFERENCE WITH CITY PLANNER; MEMO RE COMPLAINTS; RESEARCH RE COMPARATIVE HOURS	0.55 250.00/hr	137.50
AL- INTER OFFICE CONF WITH SS	0.25 450.00/hr	112.50
For professional services rendered	<hr/> 1.75	<hr/> \$607.50
Additional charges:		
	<u>Qty/Price</u>	
3/30/2017 JANNEY & JANNEY ATTORNEY SERVICE	1 85.00	85.00
Total costs		<hr/> \$85.00
Total amount of this bill		<hr/> \$692.50
Previous balance		\$3,006.25
Balance due		<hr/> <hr/> \$3,698.75

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

BAKER, BURTON & LUNDY
 A PROFESSIONAL CORPORATION
 515 PIER AVENUE
 HERMOSA BEACH, CA 90254
 (310) 376-9893

April 30, 2017

KEN ZIEGLER & DAVID
 ROHRBACHER
 900 MANHATTAN AVENUE
 MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
 TUSCANY AVENUE, PLAYA DEL REY, CA 90293
 Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
4/27/2017 AL- INTER OFFICE CONF WITH S.S. RE CITY ACTION	0.10 450.00/hr	45.00
For professional services rendered	<hr/> 0.10	<hr/> \$45.00
Previous balance		\$3,698.75
Balance due		<hr/> <hr/> \$3,743.75

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

May 31, 2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
5/11/2017	AL- INTER OFFICE CONF WITH W.W; REVIEW AND RESPOND TO E-MAILS RE CITY/INVESTIGATION	0.25 450.00/hr	112.50
	SS TELE CONFERENCE WITH PLANNER; E-MAIL; FORWARD MATERIAL FOR INTERVIEWS	0.05 250.00/hr	12.50
5/12/2017	AL- INTER OFFICE CONF WITH SS RE STATUS AND STRATEGY ; REVIEW DOCUMENTS RE HEARING	0.20 450.00/hr	90.00
5/15/2017	SS TELE CONFERENCE WITH J MASTERS RE RECOMMENDATION FOR NEW HOURS; E-MAIL AL	0.60 250.00/hr	150.00
	AL- INTER OFFICE CONF WITH S.S. RE PLANNING SSS; REVIEW AND RESPOND TO E-MAILS RE STATEMENT	0.30 450.00/hr	135.00
5/19/2017	SS TELE CONFERENCE WITH PLANNER	0.05 250.00/hr	12.50

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	1.45	\$512.50
Previous balance		\$3,743.75
5/31/2017 Credit - TRANSFER CREDIT FROM ACCOUNT 8798.200		(\$50.00)
Total payments and adjustments		(\$50.00)
Balance due		<u>\$4,206.25</u>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

October 31, 2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
10/2/2017 AL-	INTER OFFICE CONF WITH S.S RE SSA ND PROCEDURAL POSTURE; LEGAL RESEARCH RE COMPLAINT	0.40 450.00/hr	180.00
SS	TELE CONFERENCE WITH PLANNING OFFICE RE STATUS	0.05 250.00/hr	12.50
10/11/2017 AL-	TELE CONF WITH CLIENT KZ	0.20 450.00/hr	90.00
10/25/2017 SS	TELE CONFERENCE WITH CITY PLANNING RE STATUS	0.05 250.00/hr	12.50
10/31/2017 SS	TELE CONFERENCE WITH MASTERS	0.05 250.00/hr	12.50
	For professional services rendered	0.75	\$307.50
	Previous balance		\$10,543.75
	Balance due		\$10,851.25

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

June 30, 2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
6/13/2017	SS TELE CONFERENCE WITH PLANNER AND SCHEDULING	0.10 250.00/hr	25.00
6/22/2017	SS TELE CONFERENCE AND MEMO	0.05 250.00/hr	12.50
	AL- TELE CONF WITH CLIENT RE MEETING; REVIEW AND RESPOND TO E-MAILS FROM CLIENT RE STATUS AND STRATEGY; INTER OFFICE CONF WITH S.S. RE STATUS AND STRATEGY	0.25 450.00/hr	112.50
6/29/2017	SS MEMO TO AL; INTER OFFICE CONF WITH AL; CLIENT MEETING	1.55 250.00/hr	387.50
	AL- CONFERENCE WITH CLIENTS	0.50 450.00/hr	225.00

For professional services rendered
Previous balance

2.45 \$762.50
\$4,206.25

6/30/2017 Payment - Thank You

David paid (\$4,206.25)

\$2103.13 ck# 2544

MH reimbursed David

July 2017
7/17/2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

Page 2

	<u>Amount</u>
Total payments and adjustments	<u>(\$4,206.25)</u>
Balance due	<u>\$762.50</u>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

July 31, 2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
7/5/2017	AL- INTER OFFICE CONF WITH SS	0.20 450.00/hr	90.00
	SS PHONE CALLS AND E-MAIL WITH ASSISTANT PLANNER AND CLERK RE REQS' FOR APPLICATION	0.10 250.00/hr	25.00
7/10/2017	AL- REVIEW E-MAILS FROM SS	0.10 450.00/hr	45.00
	SS TELE CONFERENCE WITH PLANNING CLERK AND MEMO	0.15 250.00/hr	37.50
7/12/2017	SS TELE CONFERENCE WITH SROUR AND ASSOCIATES RE MAP PACKET	0.05 250.00/hr	12.50
7/14/2017	AL- REVIEW AND RESPOND TO E-MAILS LEGAL RESEARCH AND INTER OFFICE CONF WITH S.S. RE PROCEDURAL PROCESS FINANCING, PERMIT APPLICATIONS	1.00 450.00/hr	450.00

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

Page 2

		<u>Hrs/Rate</u>	<u>Amount</u>
7/19/2017	SS E-MAIL AND FAX SROUR RE MAP PACKET	0.20 250.00/hr	50.00
7/21/2017	SS INTER OFFICE CONF WITH MC RE SROUR MATERIALS	0.03 250.00/hr	6.25
7/24/2017	SS APPLICATION FOR CUP MODIFICATION	1.35 250.00/hr	337.50
7/25/2017	SS INTER OFFICE CONF WITH BB; INTER OFFICE CONF WITH JH; APPLICATOIN; E-MAIL JH	2.20 250.00/hr	550.00
7/26/2017	JK REVIEW 900 CLUB APPLICATION FOR CUP AMENDMENT; REVIEW EXISTING CUP APPLICATION; REVISE APPLICATION AND PREPARE MEMORANDUM TO JM AND SS REGARDING SAME	1.70 275.00/hr	467.50
7/27/2017	EK TELE CONFERENCE WITH QUINN BARROW, CITY ATTORNEY RE APPLICATION FOR CHANGES TO CUP; E-MAIL AND CONFERENCE WITH SS	1.20 325.00/hr	390.00
For professional services rendered		8.28	\$2,461.25
Additional charges:			
		<u>Qty/Price</u>	
7/21/2017	SROUR & ASSOCIATES, LLC	1 375.00	375.00
Total costs			\$375.00
Total amount of this bill			\$2,836.25
Previous balance			\$762.50

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

Page 3

Amount

Balance due

\$3,598.75

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S
STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

August 31, 2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
7/26/2017	SS E-MAIL JULIE; INTER OFFICE CONF WITH EK	0.15 250.00/hr	37.50
7/28/2017	SS TELE CONFERENCE WITH ANNE M RE SCHEDULING (TWO)	0.10 250.00/hr	25.00
8/1/2017	SS TELE CONFERENCE WITH PLANNER; E-MAIL	0.15 250.00/hr	37.50
8/4/2017	AL- REVIEW DOCUMENTS RE APPLICATION	0.40 450.00/hr	180.00
8/8/2017	AL- INTER OFFICE CONF WITH SS	0.20 450.00/hr	90.00
	SS TELE CONFERENCE WITH LAURIE JESTER (TWO); E-MAIL LAURIE	0.20 250.00/hr	50.00
8/10/2017	SS APPLICATION PACKET	0.70 250.00/hr	175.00

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

		<u>Hrs/Rate</u>	<u>Amount</u>
8/16/2017	SS TELE CONFERENCE WITH KZ; INTER OFFICE CONF WITH W RICE; CONFERENCE; NOTARIZATION WITH KZ	0.45 250.00/hr	112.50
8/17/2017	AL- INTER OFFICE CONF WITH SS	0.20 450.00/hr	90.00
	AL- INTER OFFICE CONF WITH S.S. RE APPLICATION; REVIEW AND RESPOND TO E-MAILS RE APPLICATIONS	0.40 450.00/hr	180.00
	SS TELE CONFERENCE WITH MASTERS; INTER OFFICE CONF WITH AL; FILING AT PLANNER; CONFERENCE WITH PLANNING OFFICE	2.50 250.00/hr	625.00

For professional services rendered
Additional charges:

5.45 \$1,602.50

Qty/Price

8/17/2017	MILEAGE	1 1.00	1.00
	CITY OF MANHATTAN BEACH	1 5,149.00	5,149.00

Total costs \$5,150.00

Total amount of this bill \$6,752.50

Previous balance \$3,598.75

Balance due \$10,351.25

BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893

September 30, 2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

*per Ken
pay full
bill 50% to
David*

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		Hrs/Rate	Amount
9/7/2017	SS TELE CONFERENCE WITH RHORBACHER AND MEMO	0.05 250.00/hr	12.50
9/21/2017	AL- TELE CONF WITH ATTORNEY RE STATUS AND PROCEDURAL POSTURE; INTER OFFICE CONF WITH S.S. RE SAME	0.40 450.00/hr	180.00

For professional services rendered
Previous balance

0.45

\$192.50
\$10,351.25

Balance due

\$10,543.75

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

MH paid \$10543.75

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

December 31, 2017

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
12/4/2017	AL- TELE CONFERENCE WITH KEN AND MIKE ZIELGER RE STATUS AND STRATEGY ON 900 CLUB APPLICATION	0.25 450.00/hr	112.50
12/12/2017	AL- TELE CONF WITH CLIENT; INTER OFFICE CONF WITH SS	0.30 450.00/hr	135.00
	SS E-MAIL; BILLING INQUIRY; INTER OFFICE CONF WITH AL RE STATUS AND STRATEGY	0.30 250.00/hr	NO CHARGE
12/14/2017	SS TELE CONFERENCE WITH MASTERS; E-MAIL; TELE CONFERENCE WITH CLIENT	0.35 250.00/hr	87.50
	AL- REVIEW AND RESPOND TO E-MAILS RE CITY PLANNING HEARING DATE	0.25 450.00/hr	112.50
12/19/2017	SS RESEARCH ON HEARING SCHEDULE; TELE CONF WITH CLIENT; SCHEDULE AL	0.20 250.00/hr	50.00
	For professional services rendered	1.65	\$497.50

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

Page 2

	<u>Amount</u>
Previous balance	\$760.00
Balance due	<u>\$1,257.50</u>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S
STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

January 31, 2018

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
1/10/2018	SS E-MAIL AL	0.05 250.00/hr	12.50
	AL- INTER OFFICE CONF WITH S.S. RE CITY HEARING; REVIEW AND RESPOND TO E-MAILS	0.20 450.00/hr	90.00
1/12/2018	AL- REVIEW MEMO FROM SS	0.40 450.00/hr	180.00
	SS MASTERS MASTERS (TWO); TELE CONF WITH CLIENT; MEMO	0.80 250.00/hr	200.00
1/15/2018	AL- INTER OFFICE CONF WITH S.S., J.W.	0.20 450.00/hr	90.00
1/16/2018	AL- TELE CONF WITH CLIENT DR; TELE CONF WITH CLIENT KZ;	0.40 450.00/hr	180.00
1/18/2018	SS TELE CONFERENCE WITH AL RE MEETING; E-MAIL	0.15 250.00/hr	37.50

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

Page 2

		<u>Hrs/Rate</u>	<u>Amount</u>
1/18/2018	AL- REVIEW AND PREPARE FOR CONFERENCE WITH CLIENTS; TRAVEL TO AND FROM AND MEET WITH CLIENTS; LEGAL RESEARCH RE HEARING	1.40 450.00/hr	630.00
1/19/2018	SS REVIEW RECOMMENDATION	0.10 250.00/hr	25.00
1/22/2018	SS REVIEW RECOMMENDATION AND MEMO	0.15 250.00/hr	37.50
	AL- INTER OFFICE CONF WITH S.S. RE MEETING STATUS AND STRATEGY; REVIEW FILE RE CODE COMPLIANCE; REVIEW AND RESPOND TO E-MAILS RE PD OPPOSITION	0.50 450.00/hr	225.00
1/23/2018	SS TELE CONFERENCE WITH MASTERS AND E-MAIL	0.20 250.00/hr	50.00
	AL- INTER OFFICE CONF WITH S.S.; E-MAIL TO AND FROM CLIENT KZ	0.30 450.00/hr	135.00
1/24/2018	SS EVIDENCE REVIEW; COMPLAINT REVIEW; INTER OFFICE CONF WITH AL RE HEARING	1.55 250.00/hr	387.50
	AL- INTER OFFICE CONF WITH S.S.; REVIEW E-MAILS FROM CITY PLANNER; E-MAIL TO CLIENTS; REVIEW DOCUMENTS AND PREPARE FOR HEARING; TRAVEL TO AND FROM AND APPEAR AT CITY PLANNING COMMISSION MEETING; TELE CONFERENCE WITH COMMISSIONERS AND OBJECTORS	7.80 450.00/hr	3,510.00
1/25/2018	AL- REVIEW E-MAIL FROM CLIENT	0.10 450.00/hr	45.00
1/30/2018	SS INTER OFFICE CONF WITH JW AND AL RE FEBRUARY HEARING AND PROCEDURE	0.25 250.00/hr	62.50

KEN ZIEGLER & DAVID
 ROHRBACHER (E-MAIL)

Page 3

	<u>Hrs/Rate</u>	<u>Amount</u>
1/31/2018 AL- TELE CONF WITH CLIENT RE STATUS AND STRATEGY	0.20 450.00/hr	90.00
For professional services rendered	<u>14.75</u>	<u>\$5,987.50</u>
Previous balance		\$1,257.50
Balance due		<u><u>\$7,245.00</u></u>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S
 STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

**BAKER, BURTON & LUNDY
A PROFESSIONAL CORPORATION
515 PIER AVENUE
HERMOSA BEACH, CA 90254
(310) 376-9893**

February 28, 2018

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)
900 MANHATTAN AVENUE
MANHATTAN BEACH, CA 90266

In Reference To: 8798.400 - 900 MANHATTAN AVENUE

SEND COPY TO: DAVID ROHRBACHER, 8201
TUSCANY AVENUE, PLAYA DEL REY, CA 90293
Professional services

		<u>Hrs/Rate</u>	<u>Amount</u>
2/13/2018	SS INTER OFFICE CONF WITH AL; REVIEW NOTES FROM HEARING FOR BRIEF	0.30 250.00/hr	75.00
2/14/2018	AL- INTER OFFICE CONF WITH S.S. RE FOLLOW UP STATUS ON COMMITTEE DIRECTIVES; LEGAL RESEARCH RE CITY HEARING	0.20 450.00/hr	90.00
2/26/2018	AL- TEXTS RE MEETING WITH NEIGHBOR; REVIEW AND RESPOND TO E-MAILS FROM CLIENT KZ RE HEARING AND STATUS AND STRATEGY	0.40 450.00/hr	180.00
	SS INTER OFFICE CONF WITH AL; RESEARCH FOR AL	0.20 250.00/hr	50.00
2/27/2018	AL- TEXTS RE STATUS AND STRATEGY	0.25 450.00/hr	112.50
2/28/2018	AL- INTER OFFICE CONF WITH S.S.; E-MAILS TO CLIENT KZ; REVIEW STAFF REPORT; TRAVEL TO AND FROM AND APPEAR AT PLANNING COMMISSION MEETING	4.00 450.00/hr	1,800.00

KEN ZIEGLER & DAVID
ROHRBACHER (E-MAIL)

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
2/28/2018 AL- CONFERENCE WITH DR AND SUPPORTERS @ 900; STRATEGIZE AND PLAN FOR CITY COUNCIL MEETING; REVIEW PLANNING HEARING; MEMO TO FILE RE STATUS AND STRATEGY AND PROCEDURAL POSTURE	2.00 450.00/hr	NO CHARGE
SS REVIEW REPORT FROM PC; INTER OFFICE CONF WITH AL AND MEMO	1.00 250.00/hr	NO CHARGE
For professional services rendered	<u>8.35</u>	<u>\$2,307.50</u>
Previous balance		\$7,245.00
Balance due		<u><u>\$9,552.50</u></u>

PAYMENTS RECEIVED AFTER THE END OF THE MONTH WILL BE ON NEXT MONTH'S
STATEMENT

WE NOW ACCEPT VISA AND MASTERCARD PAYMENTS

Martha Alvarez

From: Martha Andreani
Sent: Wednesday, July 31, 2019 8:26 PM
To: Anne McIntosh
Cc: Bruce Moe; Nancy Hersman; List - City Council
Subject: You're on the Agenda

Hey Anne,

It wasn't surprising to see your name up for a "Commendation" on next Tuesday's City Council Agenda, but because you're leaving? Why do we commend you for leaving? There's been a mistake. Don't go!

Seriously, thank you so much for what you've accomplished within Community Development and for the City. A special thank you for seeing the MB Conservancy and implementation of the Mills Act through to fruition. You've been a pleasure to work with!

Here's wishing you the very best!

Sincerely,
Martha Andreani

Martha Alvarez

From: B Neitz <srfnsgr8@yahoo.com>
Sent: Saturday, July 13, 2019 7:33 PM
To: List - City Council; Suzanne Hadley; Nancy Hersman; Steve Napolitano; Hildy Stern; Richard Montgomery
Subject: Brian Neitz Comment for 16 July Council Meeting

Major Hershman, Major Pro Tem Richardson, council members greetings.

First let me thank you for your understanding and support of our request to deny AT&T's efforts to further burden the corner of 19th and Highland.

It is my hope to appear before you on 16 July 2019 to discuss with you the larger picture of the impending Telecom tidal wave appearing on our horizon.

I am going to write to you today because I might not make it to council for open remarks at 6:00 pm.

Side Bar ---

I am sure Julie made you aware of my recent leukemia diagnosis. It has been a bit of a tidal wave in itself. To see me you would not know I was ill. I have been progressing well on chemo therapy, and I have borne the side effects well. Fatigue is my major issue. I will need a bone marrow transplant and no match has been found. There are other transplant options like Unmatched Cord Blood, and half matches from our children.

We are moving my medical care to City of Hope (COH) from UCLA. The new doctor is world renown and as done over 14,000 transplants.

All good, except on Tuesday the 16th I will need to be in Duarte at COH to have bone marrow extracted from the left side of my pelvis at 5:00 pm to confirm my leukemia is in remission prior to transplant and for further genetic testing. Oh, they also take a small sliver of bone for testing too. Yes, it is about as wonderful as it sounds. Maybe not crazy painful but definitely crazy uncomfortable. I have had one already.

I am hoping to go early to the procedure and see if I can make it back to speak when the telecom discussions comes up on the agenda.

I will attend future council meetings and speak during general comments if I can't make this one.

I know as a council you are barraged with items but this maybe one of the biggest policies you handle and create the largest lasting legacy of your terms going forward.

In advance thank you again. I am not angry, just passionate.

Manhattan Beach the Telecom Tidal Wave

Let us talk about struggle, battle, war, and perseverance.

I have been a resident for 53 years now. I have had to work my whole life to achieve. I have had to work even harder to do things the right and honorable way.

I had to work hard as a teen to graduate at top of my Police Explorer Class and serve the City of Manhattan Beach as a police explorer under Andy Harrod. I worked my way through El Camino, and UC Irvine. I was commissioned an officer in the US Air Force. Pilot Training, 23 Years flying KC-135 tankers, 28 years total service. I earned a Distinguished Flying Cross for actions over Iraq and I also have 5 Air Medals.

To me this is just how my path progressed. Many of the paths we take are not chosen but do come to as a result of the choices we have made. Sometimes we have to make hard choices based on our positions and responsibilities. I did not choose to go to war, but by choosing the Air Force I made our countries priorities mine. When on April 3rd 2003 over Iraq at 16,000' I made a hard choice and took a tanker with 65,000 gallons of Jet fuel into the super missile engagement zone over Tikrit Iraq, with 3 of my comrades to aid recovery of a downed F-15E. KC-135 has no defensive systems. I drew upon experience and training and a belief I was doing the right thing. Luck was on our side. There was no thought

of glory, only of taking the best shot to get my downed comrades home. Now I have this impending / on-going fight with leukemia, my next great struggle.

You members have similar stories. There are easy and hard choices you made that have gotten you to your positions. To serve the public is to sacrifice.

Let's talk battle. Let us be clear this is a Telecom battle. On a macro perspective we are battling for self-governance. Increasingly you as the council are seeing your ability to govern diminished, by federal, state, and county decisions.

Homeless

Undocumented Aliens

Telecom

Zoning law changes.

Every battle we concede, or walk away from WE LOSE. I know that special interests, and lobbies have lots of money and seem quite the goliaths. Do not underestimate the power of UNITY.

I like analogies. In war you avoid hard targets. You find soft targets. A burglar does not want to break in a house but wants to go in the open garage.

We know it is not in the corporate financial interest to be good citizens because that costs money. They are always going to take path of least resistance, the soft target. They will not bring you their best products, or in the best locations unless we insist.

The green belt is a perfect example. When I was a little boy there were trains on it. Now it is a giant open space that could be used to improve telecom coverage to a large segment of Manhattan Beach. With a unified front the telecoms WILL come to the table with aesthetically pleasing options. The telecoms only want you to permit Ardmore and Valley light poles because they are cheapest.

AT&T wants to have 5G coverage by 2026. This will require cell antennas approximately every 500' and hundreds of miles of fiber-optic cable, and in ground support vaults. That is just AT&T. What about Crown -Castle, T-Mobile, and Sprint? They already do not share poles. When we grid Manhattan Beach every 500' feet with 5 or 6 carriers every corner will have an antenna on it, including the corner you live on and mine.

So far south bay cities in large part have been saying "no" to the telecoms. I understand there is concern about the legal cost of defending in a legal battle we may lose. Again, you lose every battle you concede. The first city that concedes will become the soft target (the open garage) for every telecom company to follow.

Every time you approve a plan that does not require the best equipment at the best locations you give AT&T, and all the companies to follow, legal president to argue for equal access with poor equipment and locations.

AT&T is already arguing about competitive advantage where none exist.

AT&T Telecommunication Facilities Findings
SW Corner of Highland Avenue and 19th Street (MBCH06)
April 3, 2019

Pursuant to Manhattan Beach Municipal Code Section 13.02.100, the proposed facility is approved by the Community Development Director as the following findings can be made:

- A. That installation of the facilities will not have significant negative impacts to the extent that they substantially interfere with the use of other properties, because the proposed antennas will be mounted on an existing wood utility pole with a street light;
- B. That feasible alternative non-residential sites are not available for the proposed facilities, because in order for the applicant to provide the desired level of coverage, the proposed locations are generally located in residential districts, where the nearest non-residential site would not provide an adequate level of coverage;
- C. That denial of the proposed facilities will result in a competitive disadvantage to the applicant, as it will not enable them to meet their level of coverage;
- D. That the denial does discriminate against the applicant in favor of similarly situated competitors;
- E. That the denial would preclude the applicant from proposing an alternate location for the facility, as such locations do not exist.

This is an excerpt from the plan on 19th and Highland. Bullets "C" and "D" show where the Telecoms will gain president once these approvals start going through. They were arguing about discrimination and competitive advantage when they were the only company seeking approval with no competitors in place. When there are competitors in-place they will have a legal argument.

OPTICS

Let us revisit Nov 2017. AT&T came up with about 20 proposals. These were all addresses in one city council meeting. Hundreds of people, standing room only, meeting ran till midnight. That looked horrible on its face. A small community united against a telecom giant. Now the proposals are coming in small batches two or three. AT&T is not stupid, they learned, we need to also. The optics and subliminal perceptions of you and the closed-circuit audience are vastly different. They want to slip these by you and establish president. The percentage against is no different but it loses that air of unity. Remember, cell installations, 5 carriers, 500' apart on a grid of our city. Please think of all those homes when you decide on every single one of these votes. I remember when Manhattan was a forest of TV antennas. We will have those forest again but private corporations will reap the profits.

How much is enough?

Does everyone need 5G? Does everyone need wireless streaming? I would bet if we collectively showed the citizens of Manhattan Beach an image of our city with or without antennas they would opt for cable.

How much is adequate service?

AT&T has their desires but what is adequate for public safety? People complain they can't call 911. They need to get a hard-wired line or a satellite phones because all networks go down or are overwhelmed in a major disaster. Hard wires are far more resilient in disaster situations. The telecoms have propagation maps on file with their proposals showing current and proposed coverage. At my corner they were showing no or poor coverage. I got 5 bars and LTE in my house and we were AT&T users. I know the propagation maps to be inaccurate. In order to see what is adequate we need them to install their best products in aesthetically best locations and have them demonstrate the accuracy of their new coverage to verify they have a need for more antenna. We need to make this requirement of all telecoms to follow. We need to be a hard target. If we are a hard target they will go elsewhere first. We do not want to be the first ones to have 5G.

Health (I know this is not a legal argument but a common sense one)

Fire departments will not permit cell phone installations on their roof. Fire departments, who have the greatest need for communication, will not permit them for health reasons. There is a reason there are warning signs associated with these installations. Imagine more persistent emitted radiation 24/7 every 500' in a grid throughout city then multiply by multiple carriers.

Area wide plan

There needs to be discussion (if there has not been already) to have an area wide plan with the other beach cities. Unified we present an even harder, albeit larger, target. We can't hide under our beach towels and hope the wave hits everywhere but here.

Money

I have attended multiple meetings of the council and I have been impressed with the effort and thought you put into keeping cost down. We need to spend money when and where needed. We need to spend money now for help.

I refer to organizations like "The Center for Municipal Solutions" they specialize in providing cities help in dealing with the telecoms

<http://www.telecomsol.com/www2/>

There are two lenses we can view this problem through.

One is that "this is the federal government and we can't fight them alone."

Yet we have "sanctuary cities" and legal "recreational marijuana" both against federal law.

Another view is that this is a national problem:

<https://www.govtech.com/fs/Will-Property-Rights-Control-the-Future-of-Telecommunications-Infrastructure.html>

<https://publicintegrity.org/business/5g-wireless-pits-cities-against-telecoms-and-their-friends-in-the-fcc/>

<https://www.nwnewsnetwork.org/post/pushback-against-superfast-5g-wireless-spreads-least-7-pacific-northwest-cities>

<https://www.citylab.com/life/2018/10/fcc-5g-wireless-broadband-regulations-city-government/571921/>

These articles show we are not alone and there is a growing ground swell against these companies. Do not piss Americans off or try to limit our rights. We are not alone. Stalling will aid us in our battle as support grows against these installations OR technology overtakes the need for them. While the Trump administration has enabled the telecoms greater latitude, he has also appointed a conservative court that does not look kindly on the federal government overreaching, be it citizenship questions on the census or local rights. This will come to a head, and again being the first to cede the fight will only hurt us.

If the cost is still an issue. I will start. I will start by donating \$5,000.00 to be allocated where you want. Be it go fund me, legal aid, or just getting the word out to our residents as to what is coming. It can be objective and fair. We need to spread the word. If the 35,000 Manhattan residents knew what was coming, I bet they ask you to maintain that unified front.

I am asking you do not walk away from this fight but demand the best from the telecoms and fight a delaying tactic till the wave passes us by. Experience shows us that technology will bypass this need. It does not need to be here; it does not need to be now.

You work hard to serve us. You worked hard to achieve a place in life that allows you to serve us. We need to fight for and maintain local control. We need to engage at higher political levels (state and congressional). Op-eds in the paper. We need civic unity at local, county and state levels. As Californians we thumb our nose at the federal government all the time. We need to be a hard target. The telecoms will fight the easiest battles first, because

ultimately it is the cheapest for them OR they will bring the right product. Imagine our city full of installations like on fourth street, or Valley and Pacific.

I want you all to know how much Julie and I respect you and your opinions on this. If your thoughts are different or deeper reaching than ours you still have my respect. I really want you most to know that you will find support if you decide to stand your ground on our behalf. This will not be a cell tower here or there but everywhere. I firmly believe the residents of Manhattan will have your back. I now have a lot of time on my hands by no choice of my own and plan to engage on this. I do not want to work against your efforts and try to restrain till I understand your plans. I really ask you demand more of the telecoms, stay unified, and be the "Hard Target".

Respectfully Submitted, I will try to be there Tuesday

Thank you

Brian Neitz

Sent from [Mail](#) for Windows 10

Martha Alvarez

From: Whitney Burrell <drwhit@gmail.com>
Sent: Saturday, July 6, 2019 11:01 AM
To: Anne McIntosh; Jason Masters; List - City Council
Cc: Daniel Murillo
Subject: Re: ATT Mobility Towers

I would like each of you to imagine that I am the surgeon that is on call when you have a serious health emergency that requires me to come into the ER to perform a life saving operation and yet the hospital is unable to get a hold of me because I am walking around in my neighborhood without any mobile phone reception. How would you feel about the fact that you were unable to push a plan through to get mobile phone towers installed?

It is an absolute health & safety embarrassment that we allow a small number of NIMBYs to make decisions that can lead to life or death outcomes. It is the moral equivalent of allowing a small groups of NIMBYs to prevent the installation of a traffic light or stop sign because they don't like what it looks like or because it will alter the "character" of their neighborhood or some other frivolous point that completely ignores the critical health issues that must carry the day. None of the "concerns" raised by residents matter when evaluated against this backdrop - none.

Given the recent earthquakes, you can only imagine that chaos that would ensue if we had a real public health crisis due to a major earthquake, fire, etc., in the city and nobody was able to communicate because of a lack of mobile coverage.

Do please keep in mind the personal example above and hopefully this will inspire strong leadership to emerge that will lead to finally getting this issue resolved.

Thank you,

-Dr. Whitney Burrell

On Fri, Jul 5, 2019 at 7:17 PM Daniel Murillo <daniel@aqp.capital> wrote:

Hi City Council, Anne and Jason,

We live at 541 4th St in the Sand section. We are extremely disappointed to see that the City Council denied these two permits.

As a real estate developer myself, my impression when I see something like this over a high priority, high visibility project is that the city is simply not feeling the urgency here to proactively work with ATT to arrive at a viable solution and is simply stalling as a way to get around what is both a federal requirement and a deeply important health and safety issue.

I would urge the City to take a real leadership role in working with ATT to identify a location that meets all requirements, provide appropriately fast feedback and fast track this to completion. My wife who is a doctor cannot walk around in much of the neighborhood when she is on call and I have had a couple of incidents when walking around with my 8 month old son where mobile phone reception is critical. In some situations it could be the difference between life or death. It is shameful that we have been living here for 5 years and get the city cannot get Towers approved.

Thanks,

Daniel

Martha Alvarez

From: Daniel Murillo <daniel@aqp.capital>
Sent: Friday, July 5, 2019 7:17 PM
To: Jason Masters; Anne McIntosh; List - City Council
Cc: Whitney Burrell
Subject: ATT Mobility Towers
Attachments: ATT Towers.pdf; ATT00001.txt

Hi City Council, Anne and Jason,

We live at 541 4th St in the Sand section. We are extremely disappointed to see that the City Council denied these two permits.

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I would urge the City to take a real leadership role in working with ATT to identify a location that meets all requirements, provide appropriately fast feedback and fast track this to completion. My wife who is a doctor cannot walk around in much of the neighborhood when she is on call and I have had a couple of incidents when walking around with my 8 month old son where mobile phone reception is critical. In some situations it could be the difference between life or death. It is shameful that we have been living here for 5 years and get the city cannot get Towers approved.

Thanks,
Daniel



Community Development Department
City Hall 1400 Highland Avenue Manhattan Beach, CA 90266-4795
Telephone: (310) 802-5000 FAX: (310) 802-5001

**CITY OF MANHATTAN BEACH - NOTICE OF PUBLIC MEETING
FOR ALTERNATIVE DESIGN AND LOCATION REVISIONS TO PROPOSED
TELECOMMUNICATIONS FACILITIES WITHIN THE VETERANS PARKWAY**

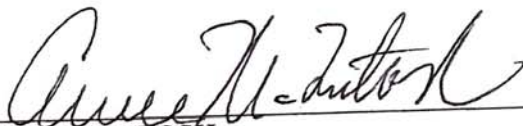
In accordance with Chapter 13.02 of the Manhattan Beach Municipal Code, on June 18, 2019, the Manhattan Beach City Council, **moved to deny** the following two (2) Telecom Permits, submitted by **AT&T Mobility**. The City Council also directed the applicant to work with Staff to identify alternative designs and locations within the Veterans Parkway to present at the City Council meeting on July 16, 2019. At the June 18, 2019 meeting the City Council considered a total of five (5) **AT&T Mobility** Telecom Permits. The City will hold a public meeting to consider all five locations, as well as both of these alternative locations and designs on **Tuesday, July 16, 2019, 6:00 PM**, City Council Chambers, City Hall, 1400 Highland Avenue, Manhattan Beach, CA. Oral and written testimony will be received prior to and during the public meeting. An agenda and staff report will be posted on the City website prior to the City Council meeting, and be available at the City Clerk's office at City Hall and at the Civic Center Library on or before Friday July 12, 2019.

The alternative facilities consist of: 1) new free-standing utility poles; 2) below ground pull boxes; and 3) pole mounted equipment cabinets, located on the Veterans Parkway near the intersections specified below.

TWO (2) REVISED oDAS APPLICATIONS: (ORIGINAL LOCATION AND DESIGN)	
TCP#18-11 2 nd Street / N. Ardmore Avenue NE corner (MBCH17)	Replacement Light Pole
TCP#18-09 N. Ardmore Avenue. / 9 th Street SE corner (MBCH16)	Existing Utility Pole

Additional information on the facilities is available for review at the Community Development Department at City Hall, 1400 Highland Avenue; contact Jason Masters, Assistant Planner at (310) 802-5515 or jmasters@citymb.info. Information is also on the city Website: <https://www.citymb.info/departments/community-development/planning-zoning/current-projects-programs/telecommunication-cell-site-information>.

If you challenge the proposed actions in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in correspondence delivered to the City Council at or prior to the public meeting.


ANNE MCINTOSH
Director of Community Development

6/28/19
Dated: 7/3/2019

CC: New Owners beyond original 500 foot notice

Interested Parties

Martha Alvarez

From: robertbush dslextreme.com <robertbush@dslextreme.com>
Sent: Monday, August 5, 2019 5:51 PM
To: robertbush @dslextreme.com
Cc: Steve Napolitano; Bruce Moe; Richard Montgomery; Quinn Barrow; Nancy Hersman; Hildy Stern; Suzanne Hadley; List - City Council; mmatthews; kkomatinsky; bfournell; jfenton; speel
Subject: Death & Taxes - Undergrounding

Death & Taxes – Undergrounding by Robert Bush

In this world nothing can be said to be certain, except death and taxes. Benjamin Franklin. Déjà Vu - Utility *Undergrounding*

Taking a page from former City Manager Mark Danaj’s playbook, City Council will hire an engineer for Undergrounding at \$168,000 annually.

Undergrounding is the most devise (neighbor against neighbor), evil, despicable, immoral, unfair, controversial and unethical program ever proposed by Manhattan Beach City Council. Residents that don’t need or want Undergrounding are forced to pay \$75,000 - \$100,000. (Paid up front – cash) Bonds and Parcel Taxes are paid by all residents.

Undergrounding Survey A survey would be sent out to the residents to ask if they approve or disapprove of Utility Undergrounding. City Council proceeded to manipulate the voting procedure, accepted a \$80,000 bribe for one district, scare tactics and Gerrymandered another district. Southern California Edison doubled the assessment costs on two districts, because they had made an error in measurement.

Both Montgomery and Tell in their following statements are not telling the truth about Undergrounding as stated by Edison Electric Institute and were part of the City Council described above that forced Undergrounding on residents. The City Council is PRO UNDERGROUNDING and UNDERGROUNDING is City Council - Driven Venture.

Councilman Richard Montgomery “Undergrounding is purely a resident-driven venture. The city is not saying we’re pro or con. All council is doing is saying here’s what’s going on and this is what’s going to happen.”

Former Mayor Nick Tell “It makes a safer, more secure and reliable electrical system.”

Truth About Undergrounding Edison Electric Institute says Undergrounding Costs Outweigh Benefits. Undergrounded wires are not more reliable. Repairing overhead lines is easy and can sometimes be done by one worker. The costs of undergrounding are prohibitive. Only justification for Undergrounding is “intangible, unquantifiable benefits.”

The Edison Electric Institute is the association that represents all **U.S. investor-owned electric companies**.

Its members provide electricity for 220 million Americans, operate in 50 states and the **District of Columbia**, and directly employ more than one million workers.^[1]

EEI has 70 international electric companies as Affiliate Members, and 250 industry suppliers and related organizations as Associate Members.

Manhattan Beach residents don’t have a choice for an electricity provider (Edison), but we do have a choice not to use the incompetent, fraudulent Edison for Utility Undergrounding.

Fraudulent Edison . Edison was charged with Fraudulent Activity and fined \$30 million and ordered to refund \$81 million to customers. Ratepayer-funded incentive program.

Nuclear Edison Edison-run San Onofre Nuclear Generation Station disciplined the employees that reported problems at the plant. Of course, these problems were real and the plant has been shut-down.

Alleged Fire - Breathing Dragon Edison Edison was involved in the Thomas Fire and Woolsey Fire. Unsafe equipment, aging infrastructure, ineffective vegetation management system and electrical infrastructure.

Incompetent Edison Outrage Over Outages

Assemblymember Al Muratsuchi's Assembly Bill 66, which addresses the frequent power outages affecting South Bay communities, was effective Jan. 1, 2014 after Gov. Jerry Brown on Saturday signed it into law.

The new law will give the California Public Utilities Commission (PUC) the authority to direct utility companies to remediate persistent outages and to report those outages based on frequency and duration.

"This law is providing South Bay residents and businesses with greater information and transparency so that we can hold Southern California Edison accountable," Muratsuchi said.

Martha Alvarez

From: dmcphersonla@gmail.com
Sent: Monday, August 5, 2019 5:48 PM
To: Hildy Stern; Nancy Hersman; Richard Montgomery; Steve Napolitano; Suzanne Hadley; List - City Council
Cc: Bruce Moe; Liza Tamura
Subject: 900 Club Aug 6 Records Withheld from the Public

Mayor Nancy Hersman
Manhattan Beach City Council
City of Manhattan Beach

Via Email: CityCouncil@citymb.info

Mayor Hersman and Councilmembers,

On Monday July 29, attorney Beverly Palmer filed with the city council her opinions, regarding the 900 Club continued public-hearing, August 6. On Thursday August 1, I filed my opinions regarding the subject hearing. As of this email on August 5, per the agenda report, the city has improperly withheld our submittals from the public.

The city has no justification to withhold this information from the public, regardless of the case, *Donald McPherson and Coastal Defender v. City of Manhattan Beach*.

Thanks for your consideration of my issues,
Don McPherson
1014 1st St, Manhattan Beach CA 90266
Cell: 310 487 0383
dmcphersonla@gmail.com

Distribution: 900 Club neighbors, Strumwasser & Woocher, Media

From: dmcphersonla@gmail.com <dmcphersonla@gmail.com>
Sent: Thursday, 1 August, 2019 07:37
To: Hildy Stern <hstern@citymb.info>; Nancy Hersman <nhersman@citymb.info>; Richard Montgomery <rmontgomery@citymb.info>; Steve Napolitano <snapolitano@citymb.info>; Suzanne Hadley <shadley@citymb.info>; CityCouncil@citymb.info
Cc: Bruce Moe <bmoeb@citymb.info>; Liza Tamura <LTamura@citymb.info>
Subject: Unresolved Issues, 900 Club August 6 Public Hearing

Mayor Nancy Hersman
Manhattan Beach City Council
City of Manhattan Beach

Via Personal Delivery and Email: CityCouncil@citymb.info

Mayor Hersman and Councilmembers,

This letter raises issues regarding the continued 900 Club public-hearing on August 6, for reviewing compliance with the nightclub's use-permit modification, Resolution No. 18-0075. The attachment summarizes my issues.

Apologies for missing the July 2 hearing. The city mailed our notice to a vacant rental unit, rather than to the address on the Los Angeles County tax rolls. This violated Manhattan Beach Municipal Code ["MBMC"] §10.84.040(B)(1).

At the July 2 hearing, after public comment, the council did not discuss the agenda item. As result, no information exists regarding councilmember opinions whether the 900 Club complies with its use permit. For whatever the council decides at the August 6 hearing, councilmembers must address the following issues:

- Per municipal code, the city council may not consider the 900 Club request for increased hours;
- At the July 2 hearing, staff presented reasonable grounds for revoking or modifying the use permit;
- The public-hearing record does not disclose the Superior Court case of *Donald McPherson and Coastal Defender v. City of Manhattan Beach*, which challenges Resolution No. 18-0075;
- 900 Club operates with unapproved structural modifications to fire- and life-safety exits; and,
- Invoices totaling \$25,939 filed with the city by Mr. David Caskey, for 900 Club attorney fees.

Attorney Beverly Palmer has expressed her opinions regarding the July 2 hearing, in a separate letter to the city council, dated July 29.

Regrettably, neither Ms. Palmer nor I can attend your August 6 hearing, because of long-standing commitments at that time to our respective families.

Thanks for your consideration of my issues,

Don McPherson

1014 1st St, Manhattan Beach CA 90266

Cell: 310 487 0383

dmcphersonla@gmail.com

Attachment via email only.

Distribution: City Clerk

Distribution via email only: 900 Club neighbors, Strumwasser & Woocher, Media

Martha Alvarez

From: robertbush dslextreme.com <robertbush@dslextreme.com>
Sent: Monday, August 5, 2019 11:17 AM
To: robertbush @dslextreme.com
Cc: Steve Napolitano; Richard Montgomery; Quinn Barrow; Suzanne Hadley; Hildy Stern; Nancy Hersman; Bruce Moe; mmatthews; kkomatinsky; bfournell; List - City Council; jfenton; speel
Subject: 900 Club/Downstairs Bar - Bad Short-term Rentals on Steroids

900 Club/Downstairs Bar – Bad Short-term Rentals on Steroids by Robert Bush

900 Club/Downstairs Bar – Bad Short-term Rentals on Steroids The City Council ban Short-term Rentals because they encroached on the neighborhood.

People come to Manhattan Beach for the Ocean, beach, parks, schools and tranquility of a small beach town. Not for noisy Shady Hotel and 900 Club/Downstairs Bar.

What do the Shady Hotel and 900 Club have in common ? The residents hate the noise, but City Council loves the revenue (property and sales taxes). That’s why the City Council always favors the businesses instead of residents.

900 Club has plagued the neighborhood with noise and disorderly conduct over the last 15 years. Instead of beginning a permit revocation process, the 900 Club was given an extension of hours, nixing the requirement for a security officer and mandate that the club provide written notice to residents prior to entertainment and special events and an uptick in the annual number of special events at the venue from 18 to 24 days per year.

And yet, there are still complaints that are violations of the conditions related to noise and after-hours operation.

The 900 Club has until August 6 (City Council Meeting) to show it is in compliance with its use and entertainment permits.

There should be a law - 900th Constitutional Amendment that protects the public health, safety or welfare of persons residing near businesses like Shady Hotel and 900 Club/Downstairs Bar.

Martha Alvarez

From: robertbush dslextreme.com <robertbush@dslextreme.com>
Sent: Tuesday, August 6, 2019 8:57 AM
To: robertbush @dslextreme.com
Cc: Steve Napolitano; Richard Montgomery; Quinn Barrow; Bruce Moe; Hildy Stern; Suzanne Hadley; Nancy Hersman; mmatthews; kkomatinsky; bfournell; jfenton; speel; vic law1; rideformbef; List - City Council
Subject: Southern California Edison's Power Reliability

City Council Meeting Aug. 6, 2019 (Southern California Edison's Power Reliability)

11. Report on Southern California Edison's Power Reliability in the City of 19-0285 Manhattan Beach (Public Works Director Katsouleas). RECEIVE REPORT Attachments: 2019 Circuit Reliability Review.

Southern California Edison's Power Reliability by Robert Bush

Don't ever use Southern California Edison and the word Reliability in the same sentence, because they have frequent power outages affecting South Bay communities, Monday, August 5 (day before City Council Meeting) @ 2:00 pm , the stop lights at intersection of Manhattan Beach Blvd and Sepulveda Blvd were not working causing a massive traffic jam.

City Council ask the Residents to contact Edison and voice their complaints about their "Outrage over Outages" Contacting Edison was hopeless, because the problem was the President of California Public Utilities Commission (CPUC) Michael Peevey. Appointed by the California Governor for 2 – 6 year terms and as President he controlled all of the Utilities (Gas and Electric), Transportation and Nuclear Energy with an iron, dictatorial fist. There was a conflict of interest because he also had held the position as President of Southern California Edison. Like a story out of a spy novel with all the secrecy and intrigue, Peevey finally got caught meeting members of Edison in Europe, therefore creating a conflict of interest. Governor Jerry Brown didn't renew his position as President of CPUC for another six years.

(Finally, Assemblymember Al Muratsuchi's Assembly Bill 66)

Incompetent Edison Outrage Over Outages

Assemblymember Al Muratsuchi's Assembly Bill 66, which addresses the frequent power outages affecting South Bay communities, was effective Jan. 1, 2014 after Gov. Jerry Brown signed it into law.

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"This law is providing South Bay residents and businesses with greater information and transparency so that we can hold Southern California Edison accountable," Muratsuchi said.

Manhattan Beach residents don't have a choice for an electricity provider (Edison), but we do have a choice not to use the incompetent, fraudulent Edison for Utility Undergrounding.

Fraudulent Edison . Edison was charged with Fraudulent Activity and fined \$30 million and ordered to refund \$81 million to customers. Ratepayer-funded incentive program.

Nuclear Edison Edison-run San Onofre Nuclear Generation Station disciplined the employees that reported problems at the plant. Of course, these problems were real and the plant has been shut-down.

Alleged Fire - Breathing Dragon Edison Edison was involved in the Thomas Fire and Woolsey Fire. Unsafe equipment, aging infrastructure, ineffective vegetation management system and electrical infrastructure.

Martha Alvarez

From: vicky.purvis@yahoo.com
Sent: Tuesday, August 6, 2019 9:32 AM
To: List - City Council; City Manager
Subject: New law eliminates appeals for new Navigation Centers

In case you do not know navigation centers are shelters

<https://www.sfchronicle.com/bayarea/article/New-law-eliminates-appeals-for-new-Navigation-14282395.php>

Martha Alvarez

From: vicky.purvis@yahoo.com
Sent: Tuesday, August 6, 2019 9:38 AM
To: List - City Council; City Manager
Subject: Twitter post about MB homeless
Attachments: EBPpe93LU4AEBxkl.jpg; EBPpe-HGUIAAnVDg.jpg; EBPpe-YbU4AEA9b.jpg; EBPge0yUYAA1-Pe.jpg; EBPgepJUIAAbPSP.jpg; EBPgeZjUYAEuK1t.jpg

MB becoming famous on Twitter and not for the emoji house, but for the number of homeless

Manhattan Bch Pt. 1: There r hard rumors in other surrounding towns that "Manhattan Beach is the place to go" if you don't want vagrants and/or addicts on your streets, in your trash or outside your windows.

I'm here to tell ya':

PDI

Manhattan Bch Pt. 2: The land of \$2M - \$21M homes is struggling too. No town is safe fr: the effects of [#prop47](#) & the cruelty of LRI's "hands-off" policy in favor of radicals. Hard-working homeowners suffer & those who need help suffer the most





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