

Martha Alvarez, MMC

From: Robert A. Maynez <robmaynez@aol.com>
Sent: Tuesday, October 18, 2022 4:57 PM
To: List - City Council
Cc: Quinn Barrow
Subject: [EXTERNAL]

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Honorable Members of the City Council (with cc to our City Attorney),

I submitted the following public comment today:

As to the referenced Appeals, due to community chatter surrounding potential conflicts of interest in this matter, I maintain that City Attorney Quinn Barrow should take a deeper dive into allegations that particular City Councilmembers may have a financial conflict of interest in the HighRose real estate development project. For the avoidance of doubt, closer scrutiny would seem in the best interest of Manhattan Beach, to ensure that no decision maker has a financial interest in the outcome of this matter pursuant to California law. <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/coi.pdf> (for guidance) Respectfully submitted, Robert A. Maynez, Manhattan Beach homeowner, resident, and voter.

Thank you.

Robert A. Maynez
(310) 987-1580

Martha Alvarez, MMC

From: Paolo Marescalchi <paologemini@hotmail.com>
Sent: Tuesday, October 18, 2022 4:45 PM
To: City Clerk; Steve Napolitano; Richard Montgomery; Joe Franklin; Suzanne Hadley; Hildy Stern; Hildy Stern
Subject: [EXTERNAL] HighRose - Please permit to proceed

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Dear City Council,

Back in February, I wrote to you expressing my objection to the Highrose build even signing the petition against it. However, after digging deeper into state mandate to increase low-income housing and understanding the consequences our city will face by defying this bonus density law, it is clear to me that proceeding with the Highrose project is in the best interest of the city. It would be reckless for the City Council to disallow this project to move forward opening up our city to hefty (and not winnable) lawsuits from Sacramento and watchdog groups, as well as provoking Sacramento to take control of our Manhattan Beach city building department as insurance that MB will "follow" their rules and law. This could have a huge negative impact on our city for years to come, outliving any the negative impact of the actual Highrose project. In addition, Highrose is the "highest and best use" for this lot, with the least traffic impact on our city and will help support the No. MB businesses.

I implore City Council to do your due diligence, understand ALL the laws/facts and consequence surrounding this issue as well as understand importance of your vote. As City Council, you can protect us from unnecessary litigation by approving Highrose AND you can make commenting to residents that we will join the fight help stop these laws that Sacramento is creating to override local building codes in cities across California and take back local control.

I am in favor of moving forward with Highrose and hope City Council votes for what is in the best of all the residents of Manhattan Beach and our cities. I have learned what is going on in Redondo Beach and Santa Monica and I do not want to see the same happen to Manhattan beach.

Thank you for listening!
Paolo Marescalchi

<https://www.youtube.com/watch?app=desktop&v=cd2LHLijbzo>



California Beach Community Fights Over Low-Income Housing

California's Redondo Beach community has been struggling to meet state low-income housing requirements. NBC News' Jake Ward reports on how the owner of a for...

www.youtube.com

Martha Alvarez, MMC

From: Matt Gelfand <admin@caforhomes.org> on behalf of Matt Gelfand <matt@caforhomes.org>
Sent: Tuesday, October 18, 2022 4:27 PM
To: Hildy Stern; Steve Napolitano; Richard Montgomery; Joe Franklin; Suzanne Hadley; List - City Council; City Clerk
Cc: Carrie Tai, AICP; Quinn Barrow (External); Brendan Kearns (External); 'Ginetta Giovinco'; 'Lanza, Tristan@HCD'; 'McDougall, Paul@HCD'
Subject: [EXTERNAL] Correspondence from Californians for Homeownership
Attachments: 2022-10-18 - Californians Letter to City Council.pdf

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

To the City Council,

Please see the attached correspondence regarding the City's failure to meet the October 15, 2022 deadline for rezoning under state housing element law.

All the best,

Matthew Gelfand

--

Matthew Gelfand
Counsel, Californians for Homeownership
525 S. Virgil Avenue
Los Angeles, CA 90020
matt@caforhomes.org
Tel: (213) 739-8206

Californians for Homeownership is a 501(c)(3) non-profit organization that works to address California's housing crisis through impact litigation and other legal tools.



October 18, 2022

VIA EMAIL

City Council
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

Email: hstern@manhattanbeach.gov; snapolitano@manhattanbeach.gov;
rmontgomery@manhattanbeach.gov; jfranklin@manhattanbeach.gov;
shadley@manhattanbeach.gov; citycouncil@manhattanbeach.gov;
cityclerk@manhattanbeach.gov

RE: *Rezoning Under Manhattan Beach's 6th Cycle Housing Element*

To the City Council:

As you know, our organization is currently engaged in litigation against the City over its failure to adopt a compliant sixth cycle housing element. That litigation remains pending, and we intend to amend our pleadings to account for the City's recent adoption of a new housing element that again fails to meet critical state law requirements.

This letter describes new litigation that we intend to initiate tomorrow, October 19, over the City's failure to complete the rezoning process required by state law. We understand that you have already discussed this new potential lawsuit in closed session and may plan to do so again today, based on our prior communications with the City's litigation counsel. This letter is simply intended to formally express our concern in writing and make a compromise offer.

Under Government Code Sections 65583(c)(1)(A), 65583.2(c), and 65588(e)(4)(C)(i), the City was required to complete all rezoning necessitated by its housing element by October 15, 2022.¹ The City did not meet that deadline. We therefore intend to initiate litigation against the City pursuant to Government Code Section 65587(d)(2) to obtain a judicial declaration that the City is subject to the penalty in Government Code Section 65583(g)(1) and to compel the City to complete the required rezoning.

We will agree not to proceed with the new litigation if the City agrees to enter into a tolling agreement with the following essential terms: (1) the City agrees to immediately withdraw its

¹ Because the City did not have an adopted housing element certified by HCD by October 15, 2022, it is not entitled to the extension provided in SB 197. *See* Gov. Code § 65583.4(a).



October 18, 2022

Page 2

housing element from review by HCD to allow for the development of a revised housing element; (2) the City agrees that it is currently prohibited from using the provisions in subdivision (d)(1) or (d)(5) of Government Code Section 65589.5 to disapprove a housing development project that qualifies for approval under subdivision (d) of that section; and (3) the City agrees that it is currently subject to the penalty for failure to rezone in Government Code Section 65583(g)(1). If the City would like to enter into such a tolling agreement, please let us know by 1:00 p.m. tomorrow, October 19, 2022. If we do not hear from you, we will proceed with litigation.

Sincerely,



Matthew Gelfand

cc: City of Manhattan Beach
Carrie Tai, Comm. Dev. Director (by email to ctai@manhattanbeach.gov)
Quinn Barrow, Esq., City Attorney (by email to qbarrow@rwglaw.com)
Brendan Kearns, Esq., Asst. City Attorney (by email to bkearns@rwglaw.com)
Ginetta L. Giovinco, Esq., Litigation Counsel (by email to ggiovinco@rwglaw.com)

California Department of Housing and Community Development

Tristan Lanza (by email to tristan.lanza@hcd.ca.gov)

Paul McDougall (by email to paul.mcdougall@hcd.ca.gov)

Martha Alvarez, MMC

From: Mark Burton <markfburton@gmail.com>
Sent: Monday, October 17, 2022 12:59 PM
To: Martha Alvarez, MMC
Cc: Liza Tamura, MMC
Subject: [EXTERNAL] Photo for Highrose Hearing
Attachments: IMG_1023.jpg

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Hello Martha! Attached is the photo that I would like to use for my two minute hearing. Thanks, Mark



STOP

SUMMER'S

State

WIND
VILLAGE

58th