

ROUGHLY EDITED COPY
MANHATTAN BEACH CITY COUNCIL
REGULAR MEETING
REMOTE BROADCAST CAPTIONING
TUESDAY, APRIL 16, 2024

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CITY OF MANHATTAN

CITY COUNCIL REGULAR MEETING

TUESDAY, APRIL 16, 2024

MAYOR FRANKLIN: Ready? Okay. Great. So we're going to reconvene into open session from closed session, and City Attorney Barrow will make an announcement.

CITY ATTORNEY BARROW: Yes, Mayor. Pursuant to the Brown Act, the city council went into closed session to have a conference. A conference with its labor negotiators. The city council gave direction to its labor negotiators. There was no other reportable action taken.

MAYOR FRANKLIN: Okay, thank you. So we adjourn closed session and welcome you to the City Council regular meeting for April 16, 2024 and may we get Mr. Arya Panah to come up and lead the pledge?

ARYA PANAHA: Please stand and face the flag and place your right hand over your heart. Ready, begin. I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

MAYOR FRANKLIN: Thank you so much. We really appreciate it. So tell us a little bit about yourself. What school do you go to and what are your favorite subjects?

ARYA PANAH: I go to Pennekamp Elementary. I'm a fifth grader and some of my favorite subjects are math and reading.

MAYOR FRANKLIN: That's great. Now you've seen all that construction, right? All that new construction. So don't you wish you were in kindergarten again?

ARYA PANAH: Well, that playground does seem pretty fun. I would love to play on it.

MAYOR FRANKLIN: That's great. And who do we have here?

ARYA PANAH: This is Mrs. Witzansky. She's our principal.

MAYOR FRANKLIN: That's wonderful. Do you have a few words to say?

PRINCIPAL WITZANSKY: Yeah, no, I just, Arya is no stranger to a microphone. He's a very enthusiastic participant at school. I came to Pennekamp when he was in third grade and he was one of the warmest, most welcoming students. He's so

enthusiastic. He's happy all the time. He's motivated. He participates and I have a little something that your teacher wrote about you. She says, "Miss Hall, Arya is one of the outstanding leaders in fifth grade at Pennekamp. He is proud to be a member of the fifth grade ambassadors where he utilizes his outgoing spirit and creative ideas. Arya is a model for student collaboration. He is supportive to classmates and shows respect and kindness to others." So three cheers for Arya.

MAYOR FRANKLIN: Thank you so much. You know, it's always good to have the principal on your side, right? Great. Well, we want to give you this certificate. It's the City of, on behalf of all my colleagues here on City Council, the City of Manhattan Beach and the Manhattan Beach Unified School District recognize Arya Panah for, from Pennekamp Elementary School, for outstanding citizenship in the Manhattan Beach Unified School District.

ARYA PANAHA: Thank you so much.

MAYOR FRANKLIN: And then Mayor Pro Tem will give you a city pin.

MAYOR PRO TEM: I have a city pin for you. It's very special.

MAYOR FRANKLIN: All right, and let's get some pictures here with the whole City Council.

COUNCILMEMBER MONTGOMERY: Who do you want to announce?

ARYA PANAH: Thank you to mom and dad and my loving family.

MAYOR FRANKLIN: That's great. Thank you. Here, let's have you get in the middle here.

COUNCILMEMBER MONTHGOMERY: Good job.

MAYOR FRANKLIN: So for our ceremonial calendar, we are privileged to have in the audience here today the Circle Award for Excellence in Poetry Composition Presentation of Certificates of Recognition. And why don't you come on, come on down. I'll say the names as you come down. So Lily Boettcher, Gianna Goodman-Byatt, Bella Rowitz, and Violet Rice. And then, Mr. Grove, right?

MR. GROVE: That's correct.

MAYOR FRANKLIN: So why don't you say a few words about the competition and also your students.

MR. GROVE: They're actually Shannon Vaughn's students right up here. She's a young lady with the white sweater and the

camera. And I'm going to ask her to say something here in a little while. Actually I need her to take awards because we have two young ladies who couldn't make it tonight. But I'd like to introduce these young ladies. Lily is a high school senior and she wants to thank her left hand for writing her composition, Fish Food, which she will now present.

MAYOR FRANKLIN: I'm married to a left-hander, okay, and I'm continuously reminded of how inferior right-handed people are. So you're in good company.

LILY BOETTCHER: I sincerely believe, I will marry a right-handed person and be superior. So this is a poem I wrote titled Fish Food. "Don't touch me. Don't feel my skin tremble beneath your fingertips. Don't notice how weak I am. I breathe in salt like it's my last breath, the cold surrounding stealing all warmth from my already cold body. Don't disobey a woman's dying wish. Let me float amongst the fish, my body being useful for a change, swathed in scales. I can feel their nibbles tearing my flesh. I am loved. They praise me as I'm pulled apart. I'm fought over as they vie for my liver. I'm wanted here. They embrace me with teeth. They accept me with jaws, and I'm spread throughout the world through the creatures that consume me. Drifting in the sea, there's always someone who wants me here".

MR. GROVE: And our second awardee this evening is Giovanna Goodman-Byatt. Gianna is a 16-year-old high school student and an activist at Mira Costa, and she is the leader of Mira Costa's band book club. Her poem that was anthologized for us this year is Anticipation in Anticipation of the Scars You Will Leave Me With. It's really good, and it's featured in Onward, our book of poetry that Bella has right here, that Lily has right here. You know, dementia is a horrible thing, so let's be kind. The next two people are being awarded. One of them is out representing the Mustang track team right now. She's co-captain Go Mustangs, and her name is Bella Rowitz. She's a senior creative writer who cannot be here because she is running track right now, and her poem is called Narcissism. Lastly, we have Violet Rice, who's no longer attending Mira Costa, but she not only has a poem included here, Seasons of My Universe, but on the cover, she designed the cover work too. And for these awards, would it be possible to have Ms. Vaughn come on down here and accept them for them like they do at the Oscars? There were so many. Johnny Depp couldn't be here. He was filming in France.

MAYOR PRO TEM: Mr. Mayor, are there parents of the students here?

MAYOR FRANKLIN: I was going to invite the parents down. Do we have any parents who want to come down and join us? Thank you so much.

MR. GROVE: How are you?

MAYOR FRANKLIN: Hi, how are you doing? Good. Thanks for coming.

MAYOR PRO TEM HOWORTH: Proud parents.

MAYOR FRANKLIN: So, let me start and give the certificate of recognition on behalf of the City Council, along with the Parks and Recreation Department's Older Adults Program. We hereby proudly recognize Lily Boettcher for receiving the 2024 Circle Award for Excellence in Poetry Composition. We'll get you a pin too. And then, the same certificate of recognition goes to Gianna, right? See, I'm a quick learner. Great. Well, congratulations to you as well. And then if we can have your teacher come up here and talk a little bit about, well, we already heard about Bella and Violet. Okay, so on behalf of the City Council, also for Bella Rowits, we commend her for receiving the 2024 Circle Award for Excellence in Poetry.

SHANNON VAUGHN: Wonderful, she thanks you.

MAYOR FRANKLIN: Here you go. And also for Violet Rice.

SHANNON VAUGHN: Okay, thank you so much.

MAYOR FRANKLIN: Alright, thank you. You're not off the hook. How do you teach these great students?

SHANNON VAUGHN: I'm just a guide on the side. They are my little cornucopias of knowledge, and they take creative license and they do all the hard work. And they are already fully cooked when I get them, so I just sort of steer them in the right direction every once in a while. So, round of applause for you guys.

MAYOR PRO TEM HOWORTH: Ms. Vaughn is being very humble. My boy Jack had her, and you made a real difference for him, so thank you. I have the microphone, and I'm not giving it back.

MAYOR FRANKLIN: However you want to work this out, Mayor Pro Tem? Okay, one more proclamation. Oh, that's right, yeah. This is, be it resolved that I, Joe Franklin, Mayor of the City of Manhattan Beach, California, on behalf of the City Council, and the residents of Manhattan Beach, do hereby proclaim April 2024 as National Poetry Month. So we got that to go along with everything. And we'll give that to you. All right.

MARKETING AND COMMUNICATIONS COORDINATOR LOOMIS:
Everyone up here.

MAYOR PRO TEM HOWORTH: We got a copy of that. So, Mr. Mayor, was that done in conjunction with our older adults poetry?

MAYOR FRANKLIN: I don't know.

MAYOR PRO TEM HOWORTH: Just their own thing?

MAYOR FRANKLIN: I think it was.

MAYOR PRO TEM HOWORTH: Okay.

MAYOR FRANKLIN: We can ask Parks and Recreation Director Lehman.

MAYOR PRO TEM HOWORTH: Did you ever do the roll call, by the way? Thank you.

MAYOR FRANKLIN: Yes. I missed the roll call. No. I'm sorry.

MAYOR PRO TEM HOWORTH: Okay.

MAYOR FRANKLIN: Do the roll call, please.

CITY CLERK TAMURA: Councilmember Lesser.

COUNCILMEMBER LESSER: Here.

CITY CLERK TAMURA: Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Here.

CITY CLERK TAMURA: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Yes. Here.

CITY CLERK TAMURA: Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Here.

CITY CLERK TAMURA: Mayor Franklin.

MAYOR FRANKLIN: Here. Okay. We move on to the approval of the agenda and waiver of full reading of ordinances. So, we have a motion to accept that by Mayor Pro Tem Howorth and seconded by Councilmember Montgomery.

CITY CLERK TAMURA: Motion passes 5-0.

MAYOR FRANKLIN: Okay. We've got, at this point, we have City Council and community organization announcements of upcoming events. We have one minute.

WASTE MANAGEMENT RECYCLING EDUCATOR BELL: I see a lot of people here. I'm going to jump up first, all right? Good evening, Mayor, Mayor Pro Tem, City Councilmembers, City Council officials, Mr. Lee. My name is Bobby Bell. I am the WM Recycling Coach Rep dedicated to Manhattan Beach. I'm here tonight to announce the, in conjunction with the City of Manhattan Beach,

our upcoming compost event. It's going to take place Saturday, May 4th at 10 a.m. at Pollywog Park at the Manhattan Beach Botanical Gardens. That is on the corner of Manhattan Beach and, sorry, Peck. At this event, discounted compost bins, worm bins will be available for purchase, and just so everybody knows, they are available year-round by calling 310-830-7100. Once again, 310-830-7100. Everyone have a blessed evening. Thank you.

COUNCILMEMBER NAPOLITANO: Operators are standing by.

MAYOR FRANKLIN: Thank you.

COUNCILMEMBER MONTGOMERY: Your Honor, a shout-out to Waste Management for their shredding program they had.

MAYOR FRANKLIN: Oh, yes.

MAYOR PRO TEM HOWORTH: Saturday, right?

COUNCILMEMBER MONTGOMERY: 211 cars.

MAYOR FRANKLIN: 200? So, thank you, Bobby, and your company for the paper shredding event this past Saturday. Look for them. Are they every quarter?

WASTE MANAGEMENT RECYCLING EDUCATOR BELL: The paper shred event?

MAYOR FRANKLIN: Yeah.

WASTE MANAGEMENT RECYCLING EDUCATOR BELL: The paper will do four times a year, and it will be all held at Mira Costa High School, Artesia, and Peck.

MAYOR FRANKLIN: Okay, great. You can get two boxes of your important documents shredded professionally.

MAYOR PRO TEM HOWORTH: Maybe "you're unimportant".

MAYOR FRANKLIN: Oh, three boxes?

WASTE MANAGEMENT RECYCLING EDUCATOR BELL: Shred and recycle.

MAYOR FRANKLIN: Okay. Thank you.

CULTURAL ARTS SUPERVISOR BRINKMAN: Your Honor.

MAYOR FRANKLIN: Yes.

CULTURAL ARTS SUPERVISOR BRINKMAN: Good evening, Honorable Mayor, esteemed members of the City Council. I'm your Cultural Arts Supervisor, Eric Brinkman, and I'm here to invite everybody to our next art exhibition opening this Friday, April 19th, from 5 to 7 p.m. This exhibition features the work of 18 Southern California ceramic artists, some of whom have careers spanning over five decades. This exhibition, entitled Plus One, hones in on the mentor-mentee dynamic that's propelled ceramic

culture for millennia. Each participating artist was tasked with inviting their mentor to contribute a piece to the exhibition as well. The exhibition endeavors to illuminate some Southern California ceramics history and provide an array of entry points into thinking about clay. In addition to the artworks that will be on display, our education space will also be open, which features a free craft geared towards all ages. There will be light refreshments included at the exhibition, and a lot of the artists will be in attendance. So I hope to see everybody on Friday, April 19th, from 5 to 7 at the Manhattan Beach Arts Center. Thank you.

MAYOR FRANKLIN: Great. Thank you very much. Next? If we have some that are waiting, if you wouldn't mind coming down as well. Please.

LIBRARY MANAGER MURRAY: Hello. Good evening, Mayor and members of the Council. I'm Josh Murray. I'm here on behalf of Manhattan Beach Library. I'd like to invite the adults of the community to learn how to write and publish a book on Tuesday, April 23rd, from 6 to 7:15 p.m. Ready to write a memoir, but not sure how to start? Putting your finishing touches on your novel, but uncertain on how to get it published. Well, then come to the Manhattan Beach Library and learn how to do exactly that. Registration is available on our website, LACountyLibrary.org,

and I'd like to invite the teens of the community to our teen writing workshop on Tuesday, April 30th, from 4 to 5 p.m. Do you love to write? Come share your poem, short story, novel, screenplay, or whatever, in a safe and encouraging environment. Learn to give and receive feedback in a helpful way, and learn valuable creative writing tips. Registration for this is also available on our website, LACountyLibrary.org, and I thank you for your time.

MAYOR FRANKLIN: Great. Thank you, Josh.

LATRICE MCLAUGHLIN: Good evening, and thank you, Honorable Mayor, Mayor Pro Tem, and City Council members. I'm Latrice McLaughlin. I'm with Kinecta Federal Credit Union, and I'm also here tonight representing the Manhattan Beach Chamber of Commerce as the chairman of the board.

ABBY WADDELL: Hi, I'm Abby Waddell. I'm also a board member with the Manhattan Beach Chamber, and tomorrow night, we are having a very high-end mixer at Grunion's, and everybody's welcome. It starts at 5:30, goes to 7:30, so you're all welcome to join us at Grunion's.

MAYOR FRANKLIN: Great. Thank you.

ERIN FIORITO: Hello, everyone. My name is Erin Fiorito. I'm with Torrance Memorial Medical Center, also a

member of the chamber. There is another event that's happening. It's for our young and emerging leaders, and it's our spring kickoff mixer, and that's Thursday, April 17th, and that's at 5:30 at Palm Realty Boutique on the roof right across the street from here. Hope you can join us.

LATRICE MCLAUGHLIN: Thank you. And finally, our last announcement is the chamber is having a Power Lunch and Learn on Thursday, April 25th at 11:30 at UNITA in Manhattan Beach across from Gelson's. Since space is limited, we recommend registering on the chamber's website, manhattanbeachchamber.com. Thank you, and have a great evening.

MAYOR FRANKLIN: Great. Thank you.

MICHAEL BUTLER: Hello. My name is Michael Butler. We're here on behalf of Mira Costa ASB to announce upcoming events. Friday, April 12th, Drama Tech and Comedy Sports held a comedy sports match at Mira Costa High School. They went against Peninsula High School, and they had a successful match. Tomorrow, on April 17th, we'll hold our Mira Costa Spring Athlete Signing Day, which will be our second signing day of the year and include all of the seniors who have committed to college for sports this semester. This will take place at 11:47 at the Bay Gym.

TREY BUSH: Our next event is on Thursday, April 18th. Coast will hold our annual Costa Chela during office hours and will include multiple wellness activities and games. These activities also include prizes, music, and will be performed by various young bands and talents. Our second campus beautification of the school year will take place on Saturday, April 20th from 9 a.m. to 1 p.m. All the tools will be provided as well as snack and a water table. This cleanup will include jobs such as picking weeds, throwing away trash, getting rid of dead leaves, cleaning things such as water fountains, and also sweeping and more.

MAYOR FRANKLIN: Great, and what was your name?

TREY BUSH: Trey Bush.

MAYOR FRANKLIN: Okay, thank you.

MAYOR PRO TEM HOWORTH: And that's open to the public? If any volunteers can come?

TREY BUSH: Yes, ma'am.

MAYOR PRO TEM HOWORTH: Okay, thank you.

CASEY KERNICAN: My name is Casey Kernican and Drama and Tech will hold their spring musical, Footloose, in the Mira Costa Auditorium on April 26th at 7:30, April 27th at 2 and

7:30, May 2nd at 6:30, May 3rd at 7:30, and May 4th at 2 and 7:30. And then lastly, we have our second scholar breakfast coming up on Thursday, April 25th from 7:30 to 8:30 a.m. in the Mustang Mall. There, students who receive nominations from teachers and clubs for outstanding grades and behavior will receive a certificate and a breakfast. Thank you.

MAYOR FRANKLIN: Great. Thank you.

CAROL PATTERSON: Carol Patterson, Manhattan Beach Boulevard. First of all, I already have my ticket for Footloose, so I will see many of you there. But I'm here to invite you to another amazing theater production at Manhattan Beach Community Church. They played last weekend, Sunday's matinee. They had put up three extra rows of seats to accommodate the crowd that came without preordering tickets. And we do try to fit everybody in that comes. The show is The Drowsy Chaperone. It is a show within a show about the typical musical comedy of the 20s. And it's funny, it's fun, it's frantic. There's lots of dancing. Come and see it. It's Friday, Saturday, Sunday, 8 o'clock, 8 o'clock, 2 o'clock. Thank you.

MAYOR FRANKLIN: That's great. Thank you, Carol.
Anybody else for community announcements? Colleagues?

COUNCILMEMBER NAPOLITANO: Zoom?

MAYOR FRANKLIN: Nope. Okay.

COUNCILMEMBER NAPOLITANO: Anything on Zoom?

MAYOR FRANKLIN: Oh, yeah. Anybody on Zoom for community announcements?

ASSISTANT CITY CLERK ALVAREZ: There's no request in Zoom.

MAYOR FRANKLIN: Great. Thank you, Martha. Okay. So we move to public comments. And I have to make this announcement. It has come to our attention that people have been disrupting city council meetings in other cities with anti-Semitic and racially or racially based comments through Zoom. Such comments are disruptive and interfere with the people's business and are not within the subject matter jurisdiction of the city council. I'm instructing the city council's office to mute any speakers who attempt to disrupt the meeting with anti-Semitic or derogatory comments based upon race, gender, or other protected categories. And also, another reminder is that this is public comments, and then each of the items under discussion later on also has public comments. You can only comment at one, not both. Okay? Thank you. So first one? Anybody public comments here? And if you're planning to do it, if you can just come up and wait on those chairs down there.

JULIE JUSTICE MCGINNITY: Good evening. Mayor and Councilmembers, thank you for the opportunity to address you this evening. I'm Julie Justice McGinnity here as a representative of Friends of the Senior and Scout Community Center. As you know, we are the nonprofit organization partnering with the city to build a new intergenerational community center on the site of our old scout house in Live Oak Park. When not in use by the city's older adult program or scouts, this facility will provide much needed additional meeting space for all community organizations in our city. We did reach out to all the community organizations who had previously rented city facilities and asked them if they would be interested in meeting in the new building, and would they be interested in contributing towards the building of it. Those discussions included Rotary, Kiwanis and Sandpipers, but only Sandpipers had resources dedicated to community development projects and a need for a consistent and well-suited space for their membership meetings of 70 to 80 people. You already know all about Sandpipers and their distinguished history of community service with members dedicated to the lives of our young people and the needy. They are enthusiastic about making a \$50,000 donation to the project and naming the upstairs art room or maker space, which will support creativity and ingenuity and the mental health of our young and old alike. Sandpipers would

like to hold six meetings per year in the new community center. All of those would be in the evening during the time that the scouting programs have primary use. Our Boy Scout and Girl Scout volunteer leadership have been consulted and they are supportive of this agreement, which will allow Sandpipers to reserve the community center in advance for up to six meetings a year for 10 years at a reduced rental rate. We are seeking your general support for this agreement tonight and request that you direct the city council to work with Sandpipers to draft the specifics of the agreement. As you know, the council has previously agreed to a similar arrangement with Beach City's Health District, and so we appreciate your consideration of this Sandpipers agreement. I'll just quickly say thanks to all of your ongoing support, we are making great progress. We have submitted the 95% designed plans to Department of Public Works and they are now working forward on getting us ready for construction bidding in the fall and we're going to get this done. I have four seconds. So if you haven't contributed to this project, go to mbcommunitycenter.org and do so. Thank you.

MAYOR FRANKLIN: Thank you, Julie.

MAYOR PRO TEM HOWORTH: Well timed.

MAYOR FRANKLIN: Next, any public comments?

ANDRE MOORE: Thank you Mayor, City Council for having me here. On behalf of Local 323 Carpenters, my name is Andre Moore, I'm the PAC committee chairman, co-chair, which is the political action committee chairman. I'm here to talk about tax fraud. Tax fraud, April 13th through the 19th is a week-long series that we go and we speak and inform individuals about tax fraud and what the importance of it is. Tax fraud, prevalence of construction industry tax fraud has reached crisis level and must be stopped. Western State Carpenters Local 323 and United Brotherhood Carpenters are taking part in National Tax Fraud Days of Action, a week-long series of events to raise awareness about construction tax fraud. The Tax Fraud Days of Action grew out of widespread outrage about construction industry tax fraud, a range of practices where employers evade their taxes responsibilities in several ways. Often they intentionally misclassify workers as independent contractors or pay workers cash arrangements. As a result, these businesses significantly reduce their income tax and payroll tax responsibilities and defraud communities of much-needed tax revenue. As in the community of continuously facing budget shortfalls, it's more important than ever to crack down on these bad actor employees who are stealing from the residents of Manhattan Beach. What is wage theft, you ask? Yes, wage theft happens when workers aren't paid all parts of their wages that they've earned. Other forms

of wage theft is not paying legal mandated tax time and to have overtime premium hours for exceeding 40 hours in a week. It's wage theft when any worker, no matter the immigrant status, isn't paid their complete wages. Often wage theft is accompanied by tax fraud and insurance fraud and other crimes. Tax fraud isn't intentional. It isn't accidentally. It's intentional. It's a business model. Contractors often use crooked subcontractors and labor brokers, but they still hold themselves responsible as joint employees. And workers aren't the only ones who get hurt by it. Wage theft gives cheated contractors a leg up in bidding against law-abiding companies. This means that the legitimate companies and construction workers, they're fairly employed, they lose work. So I'm just here talking about specifically, oftentimes we have to travel two, three hours away just to work. You include time on the road and time traveling back, that exceeds more than 12 hours out away from our families. We're working hard taxpayers and we deserve to work local hires. So we encourage the city of Manhattan Beach to crack down on wage theft and stand tall with this tax fraud. That's all I have to say. Thank you.

MAYOR FRANKLIN: Thank you very much.

COUNCILMEMBER MONTGOMERY: Your Honor, can I ask a question? Can I ask you a question?

ANDRE MOORE: Yeah.

COUNCILMEMBER MONTGOMERY: Are you aware of any of that happening in Manhattan Beach? Have you heard of any cases involving wage theft here?

ANDRE MOORE: Yes.

COUNCILMEMBER MONTGOMERY: Yeah? Recently?

ANDRE MOORE: Currently and prior to, yes. We do a lot of research and standing tall on cracking down on contractors that are illegitimately doing fraudulent stuff. So we have individuals who go out and we talk to individuals who are on the work sites who are stating that they're receiving cash payments, their father's receiving cash payments, their uncle upstairs was receiving cash payments, and they're receiving that in lump sums on Fridays in an envelope. And we have documentation, and so there is definitely that's going on here.

COUNCILMEMBER MONTGOMERY: It's nice to know that. For your information, I'll hand it to that guy next to you. That's our city manager. Thank you very much.

ANDRE MOORE: Yes. Appreciate it.

COUNCILMEMBER MONTGOMERY: Thank you.

ANDRE MOORE: Thank you.

MAYOR FRANKLIN: Okay, next.

COUNCILMEMBER MONTGOMERY: I didn't know that.

MAYOR PRO TEM HOWORTH: Yeah, good question.

RONISHA ROBERSON: Good evening, Mayor. Good evening, Mayor Pro Tem. Good evening, City Council. My name is Ronisha Roberson, and I also would like to talk about the tax fraud. So tax fraud is harming some working families. When employers shift their tax burden onto their employees, employees must then pay their employers' employment taxes out of their pockets, which places a huge financial burden on working families. Also, when employees aren't on the books, they are on the hook if they get sick or injured on the job and cannot work. No health benefits or workers' comp. So this April 13th to the 19th, the Western States Carpenters, Local 323, United Brotherhood of Carpenters, we are taking part in National Tax Fraud Day of Action, a week-long series of events to raise awareness about construction industry tax fraud. The prevalence of construction industry tax fraud has reached a crisis level, and bad actor employees are preying on vulnerable workers. From taking advantage of our immigrant populations to undercutting the competition, these bad actors are defrauding our working families and our communities

by doing business that only fattens their wallets. Across all industries, workers and families are losing over \$8 billion a year in wage theft. Construction work is dangerous, and injuries do happen. Responsible contractors protect their employees by having workers' compensation insurance. Thank you.

MAYOR FRANKLIN: Great. Thank you.

LEE WILLIAMS: Good evening, Mayor, Mayor Pro Tem, councilmembers. My name is Lee Williams, and I'm also representing the Southwest Regional Carpenters. I'm here to talk about tax fraud as well. Tax fraud is estimated that construction fraud, construction tax fraud is responsible for cheating communities out of billions of dollars in tax revenue. These billions of dollars of tax revenue that could be used towards buildings and renovating schools, repairing roads, caring for veterans, sheltering the unhoused, and funding the essential public programs. Also, along with tax fraud, they're also doing wage theft and insurance fraud. The construction work is dangerous, and injuries happen. Responsible contractors protect their employees by having workers' compensation insurance. They shouldn't be punished for having it, but too often they are because of rampant insurance fraud. What is workers' compensation insurance fraud? A growing number of construction companies do not report their full payroll to their

workers' compensation insurers in order to illegally lower their premiums. The insurance fraud, regrettably, it does not stop at insurance fraud. Much of the time, insurance fraud is accompanied by tax fraud and construction, which robs our state and federal government of at least \$8.4 billion a year. Thank you.

MAYOR FRANKLIN: Thank you, Lee. Anybody else?

MICHAEL JENKINS: Good evening, Mayor, members of the Council, Michael Jenkins, resident since 1978. I want to thank you for directing staff to prepare that rough order of magnitude for the outdoor dining proposal. I read the staff report, and first, I just want to note that I like outdoor dining. Whenever it's offered, I prefer it to indoor dining. I do think it improves the ambiance of Manhattan Beach. Oh, and also, let me disclose, I don't live on 10th Street. I don't live anywhere near any of the proposed outdoor dining. That said, I just think that spending \$7.5 to \$12.5 million to build out sidewalks to improve outdoor dining for commercial private restaurants is, well, notwithstanding what all these people have to say, not a wise expenditure. I was going to use another word, but I'm just going to say it's not a wise expenditure of our money. You have an aquatic center that we want to build for the benefit of our residents. That's more important. We have a parking structure

downtown that may need to be replaced. The staff's report notes that we have a robust \$200 million capital improvement plan, which doesn't include this \$7.5 to \$12.5 million for outdoor dining. Frankly, if I had \$7.5 to \$12.5 million to spend, I would see if I could leverage that money to provide some workforce housing in this community so that these folks here who have to travel two and three hours to do their jobs could live closer to where they work right here in Manhattan Beach. That's what I would do with that money. As much as I think outdoor dining is a nice thing, I don't think it's an essential thing, and I really don't think it's a prudent or wise expenditure of funds. So notwithstanding all the folks who have written you and suggested that they want to eat outdoors more often, I would strongly urge you to abandon this proposal. If you want to send it back to the task force, fine. If you want to send it back with instructions to find a way to enhance outdoor dining without spending any city money, I'm all in favor of that. There are some other communities that are still doing outdoor dining. It may not be as aesthetically pleasing as this proposal, but they're doing it. I just don't think that we should be spending taxpayer funds on this particular project at this time. I think we should spend the money on projects that have already been prioritized for the city. With that, thank you for your hard work, and I'll conclude my comments.

MAYOR FRANKLIN: Thank you, Mr. Jenkins. Anybody else?

PETER KIM SLOOPYS: Good evening, Council, Mayor, Mayor Pro Tem. My name is Peter Kim Sloopys, North Manhattan Beach. I have sent an email over. I'm sure you've all read it regarding my opposition to outdoor dining in North Manhattan Beach for the reasons stated in the email, but basically the bottom line is to decrease the width of Highland by eight feet I think is ludicrous, and that's what the proposal is that's on the table. When we get to the item, I will speak more about it. I've got some stats that came from the city traffic controller that is outrageous as far as the traffic on Highland, and I think it would be detrimental to do something on Highland that would basically, and I know the city clerk is putting up some stats there, but to decrease the size of Highland would be detrimental to the businesses as well as who knows what. So that's all I have to say. I'll talk more about it when the issue comes up. Thank you.

MAYOR FRANKLIN: Great. Thank you, Mr. Kim. Anybody else in chambers? How about Zoom, Martha?

ASSISTANT CITY CLERK ALVAREZ: There are no requests on Zoom.

MAYOR FRANKLIN: Okay. We'll close public comments and we'll move on to the consent calendar. I have a motion to approve. Motion to approve by Councilmember Napolitano and seconded by Councilmember Lesser.

CITY CLERK TAMURA: Motion passes 5-0.

MAYOR FRANKLIN: Okay. We move on to public hearings, and the first one is agenda item number seven, conduct public hearing regarding proposed fees to recover costs related to electric vehicle charging at city facilities. Public Works Director Lee.

PUBLIC WORKS DIRECTOR LEE: Good evening, Honorable Mayor, members of City Council. Tonight, Senior Management Analyst Nicole Petroff will give the presentation.

SENIOR MANAGEMENT ANALYST PETROFF: Good evening, Honorable Mayor and members of the City Council. My name is Nicole Petroff and I will be presenting information on the proposed fees related to electric vehicle, or EV, charging at city facilities. All right. To start off, since 2013, the city has purchased and installed 32 EV chargers. Twenty-eight of them were through various grants. The amount of electricity that is distributed through these chargers on an annual basis is approximately, 353,000 kilowatt hours, and the city currently

bears a hundred percent of the costs associated with the electricity distributed by these chargers. It is estimated that approximately \$99,000 in direct electricity costs are not recovered by the city each year. The EV charging program is not directly supported by fees from those who utilize the service. Therefore, ongoing maintenance and eventual replacement of equipment are supported by general tax revenues. In February of last year, council directed staff to begin developing fees to recover costs related to EV charging. In July of the same year, the city contracted with Matrix Consulting Group to conduct a fee analysis based on information that was provided by the city. This map identifies the location of the EV chargers at the different city facilities. It's a little small, but you can see they're all around the city in different locations.

COUNCILMEMBER MONTGOMERY: East side gets no love. It's okay.

MAYOR PRO TEM HOWORTH: If only they had a council member.

SENIOR MANAGEMENT ANALYST PETROFF: There are three levels of charging available for EV charging vehicles. There's level one, two, and three. The city utilizes the most common form of public charging equipment, which is level two. While level three provides the quickest charge, it's also the most

expensive. As mentioned earlier, the city contracted with Matrix to conduct a fee analysis based on information that was provided by the city, and the following items were considered when developing the fee analysis. The cost breakdown associated with the fee analysis is represented in the table on this slide. The total direct and indirect cost equals \$181,976. Based on the calculation conducted, the full cost associated with the city's operation and maintenance of a level two charging station is 51 cents per kilowatt hour. Staff surveyed the surrounding cities to determine what rates they were charging. The fees vary, as you'll notice, as each city's rates are developed through its own fee analysis and processes. To compare a city that is charging lower per kilowatt than the city is proposing, the city of Beverly Hills is charging 25 cents per kilowatt hour, but if you look in the additional information column, they also assess a \$6 per hour station fee after two hours. The city's current infrastructure for 18 of the charging stations has equipment necessary to begin collecting fees immediately. The cost to retrofit the remaining 14 stations is \$30,000, and sufficient funding is available to begin retrofitting these stations. If the proposed rate of 51 cents per kilowatt hour were approved, the city would recover \$182,000 per year. Public outreach for the public hearing was published in the Beach Reporter on the dates shown above. Additional outreach messaging was placed

directly on the EV charger, and information cards were placed at various city facilities. In addition to notifying the public, the city labor groups were informed about this proposed fee. Staff recommends that the city council adopt resolution number 24-0037, adopting a fee of 51 cents per kilowatt hour effective July 1st, 2024. In summary, besides recovering the direct electricity costs, these fees could be used to maintain the equipment, replace the equipment when it reaches the end of its useful life, and assist with funding the expansion of the city's EV charging program into additional facilities, along with locations and improvements to current locations. This concludes my presentations. I will take any questions that you may have.

MAYOR FRANKLIN: Thank you. Councilmember Lesser?

COUNCILMEMBER LESSER: Thank you for your presentation, Nicole. A decade ago, when the city introduced these free EV charging stations, there was a policy rationale to encourage more EV drivers, owners, vehicles. And I'm just curious, I didn't see a reference to other cities that might underwrite a portion of the fare today in any of the cities that you surveyed with that policy rationale. In your research, did you find any other cities that have sought to lower the cost in some way based on that same policy objective?

SENIOR MANAGEMENT ANALYST PETROFF: We did not. When we did survey the cities, it was actually quite difficult to find cities that had this information available. So for us, no, we did not.

COUNCILMEMBER LESSER: With regard to grants, it's referenced in the staff report that we were able to pay for the installation of some of the chargers a decade ago through grants. Obviously, there's been the Inflation Reduction Act, and there are transportation department grants, as well as California grants. Wondering to what extent staff has explored that? I know I've had an exchange with the director about that. But to what extent could grants reduce some of our costs such that we might offer a lower rate?

SENIOR MANAGEMENT ANALYST PETROFF: The city is always looking for grants that are available to us. Lately, the grants that do become available, we do not qualify for based on a number of different reasons. But we are always looking for possible grants and the opportunity to lower the cost.

COUNCILMEMBER LESSER: And the last question is, those grants typically apply to the infrastructure itself, the chargers, not to the power itself?

SENIOR MANAGEMENT ANALYST PETROFF: I do not know the answer to that question, but I think based on just some of the grants that we have reviewed, that is correct.

COUNCILMEMBER LESSER: Thank you. Thank you sir.

MAYOR FRANKLIN: Thank you.

SENIOR MANAGEMENT ANALYST PETROFF: Of course.

MAYOR FRANKLIN: Any other questions, colleagues? No? We'll open up public comments. Thank you. Do we hear public comments about item number seven? Seeing none, how about Zoom?

ASSISTANT CITY CLERK ALVAREZ: There's no request on Zoom.

MAYOR FRANKLIN: Okay. Thank you. We'll close public comments. Colleagues? Any discussion?

COUNCILMEMBER MONTGOMERY: I'll start us off, Your Honor.

MAYOR FRANKLIN: Councilmember Montgomery.

Councilmember Montgomery: I actually was here the first time the staff installed. Remember those phase one chargers, Bruce, you put in? Because back then we had released the electric minis from B&W. We tried a fleet of 12, 12 of them

for a dollar for a year. We needed chargers. And the range of them was very small, maybe 50 miles if you were lucky. But the point was we knew it was coming. And we tried these minis out all over the place to see what would happen. And sure enough, we saw the need early on in 2000, was it seven, Bruce, or nine, we installed those, that we needed to get ahead of it. So staff put them installed right below the city hall. You saw those first row chargers. They're still there today. But we saw what was going to happen. We had no idea the boom it would cause and what would happen after that point. But nowhere 10 years later did we think that we'd still be worrying about paying for charging fees. Not only that, the enforcement to get cars to move after two, three, four hours, or else they'd camp out all night long, which wasn't the intention. The intention was to handle what we knew was there and then maybe a few more. And then in time, we'd go back to fee-based charging. If you go to the mall, it's not free to charge at the mall, folks. They may give you, what, 30 minutes or an hour, and they start charging you. You go to Kinetca, they give you an hour, and they start charging you from zero to \$5 an hour. That's how it works. Every place you go, you get some free minutes, and then they start charging you, which is exactly our point here. You saw the cost of the city. We can't keep subsidizing the free part of it. These are cheaper than the money we have to pay for people to actually drive. I'm

a hybrid user. I get it. I pay. Whatever that number is, charge here, charge at home, at the discount, right, at 8 o'clock, it drops. But at that point, you still want to be charging, and you're still going to pay for it, right, versus paying, what? \$6 a gallon for premium? So I think it's time that we make this move to do it and charge what we're charging ourselves, and not to recast what we lost in the past but going forward to make it fair. Not only that, as the price goes up, our cost goes up. And so that price to charge here, anyone in the city will go up with it. But it's fair across the board. There's no difference. So I'm always in favor of it. I'll make that motion as you get going to approve the item.

MAYOR PRO TEM HOWORTH: Shouldn't we take public comment first?

COUNCILMEMBER NAPOLITANO: We did.

MAYOR PRO TEM HOWORTH: Oh, we did? Oh, golly gee. That went fast.

MAYOR FRANKLIN: Councilmember Napolitano?

MAYOR PRO TEM HOWORTH: Sorry.

COUNCILMEMBER MONTGOMERY: How's your electric fan working for you there?

MAYOR PRO TEM HOWORTH: It's not. It's too cold.

COUNCILMEMBER NAPOLITANO: No comment. Thank you, Your Honor. Long COVID.

MAYOR PRO TEM HOWORTH: Poked him up again.

COUNCILMEMBER NAPOLITANO: No, but Your Honor, going on with what Councilmember Lesser said, you know, sometimes things make sense when they begin in trying to provide an incentive for folks to switch gears from something that they've done for years and years, and that's drive gasoline-powered cars. And we want to encourage cars that at that time were all electric, and now things are going hybrid, and their alternative fuels employ as well. And we don't know how things are going to shake out, but what made sense at that time I don't think makes sense anymore. A lot of these pure electric vehicles are expensive, so we're subsidizing a lot of cars that are much more expensive than the standard that a lot of other people buy. A lot of people park at these things overnight. They do here in the City Hall parking lot. You know, the residents cross the street, park overnight, because it's free to charge their car that way rather than doing it at home. At this point, I think the city should get out of the EV charger business because it's better served at their place of residence or on private property where businesses are, as we've seen. It's up at the mall. It's at Gelson's. It's at

different sites across. For the city to continue to pay for the maintenance of them, pay for the installation, yeah, we can recoup our costs, but it doesn't make sense to keep on doing that. We've got two or three down in the parking lot here. As things grow and become hybrid, we're not going to have enough for everybody. So people scrambling over one or two chargers doesn't make sense to me either. At some point, I think we need to get out of this business, let folks charge where it makes sense. I don't think the City Hall or city property is that for the future. Thank you.

MAYOR FRANKLIN: Okay, thank you. Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: It seems like get out of it altogether or charge for it is I think what Councilmember Montgomery was saying, right? And I also want to comment. I don't know if it was 2009, but I know Councilmember Lesser and I were here when Hermosa Beach resident Dency Nelson came to us to say, there are people out there, there are grants out there to install these chargers. So we were able to install I don't know how many chargers for free, which was just a shout out to Dency. And I think it was very innovative at the time. And the reason I wanted to do it at the time was to encourage, incentivize people to consider electric vehicles or hybrid as it turns out. So I

think it was a good decision at the time. And I think government has that role to play sometimes to help make changes. But I do see it's no longer necessary to do so. I have a hybrid, full disclosure. And I don't need free charging. I do have a home and I charge at home. I also have solar panels. So that kind of helps out. So I don't need the free charging, never did. So I don't know whether we get out of the business altogether or we charge for it. I think with getting out of it altogether, what you're saying is we're no longer on the hook for maintaining, for assessing, etcetera. That's an interesting concept. I hadn't really thought of that. I thought, okay, time to start charging for it. So I'm agnostic on that, but I do think that we do not need to subsidize in order to incentivize the societal change at this point.

MAYOR FRANKLIN: Okay. Thank you. Councilmember Lesser.

COUNCILMEMBER LESSER: I was proud to be part of a council that supported a number of environmental policies, including free EV chargers to encourage more people to buy EV. My family owns an all-electric vehicle as well as a hybrid. And I must say it's been a nice convenience to have. But with the growth and the number of EVs, with the additional availability of charging stations, I think the city can no longer underwrite the cost. And moving forward with this fee structure is

necessary. Where I might beg to differ with my esteemed colleague is I think there is a role for us to continue to offer underwritten costs with fees, chargers, because more and more people, including my family, have EV vehicles. And to come to City Hall to transact business, it's nice to be able to have an EV space. And I think more and more people will have EVs. But I nonetheless will be supporting the motion, even though it's been a wonderful convenience for me, but it should not be just on the city's dime.

MAYOR FRANKLIN: Great. Thank you. So I'll, so it's very interesting because my wife has been after me to get an EV for the last, I don't know, maybe three or four years. And I, you know, being conservative, I said, well, let's just wait. Let's just wait. And in a sense, I'm glad we waited because now hybrid is looking like it's taking over the market share from a pure EV vehicle. I saw the need for chargers though. There, because remember range anxiety. I mean, the early models of the car, of the EVs didn't have as great a distance that they could go. And so it sort of made sense to sort of help residents and visitors with a little gap, closing the gap there and giving them some peace of mind that they could go ahead. It basically launched the whole EV market. California leads that area. California leads, I think, in clean energy production. So it

makes sense to do that. But the technology is changing so rapidly. I don't think we need to be a technology leader in the sense of, you know, figuring out what's going to be the next wave out there and then accommodate that. And because there's private enterprises that will do that. You go over to Gelson's, you see electric chargers. You see, you go over to the mall, you see electric chargers. You go to those places where cars are congregating and standing, and it makes a good use of the time, right? You go shopping for an hour, you're charging your car for an hour. And as was mentioned before, they give a little bit free, but then you have to pay for it. So I, too, believe that we should have it. A base level maybe depends upon what's offered in the future in terms of adding chargers, but that we should go ahead and recoup our costs and charge the 51 cents. So...

COUNCILMEMBER LESSER: I have one question.

MAYOR FRANKLIN: Do you have a comment?

COUNCILMEMBER LESSER: One question for city staff, if I could, and maybe this is more of a community development question, but to what extent are chargers required beyond a certain square footage of certain new construction? I'm just curious. This is a separate side issue to what's before us, but I was just curious for information purposes.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: I was waiting for that question. Good evening, honorable mayor, council members, community development director, Talyn Mirzakhonian. The California green code does require that any new building and any remodel projects result in some provision of electric vehicle charging stations and future electric vehicle charging stations. That's also part of the new code. Sometimes you'll go, you'll see something says EVCS, but it doesn't necessarily have a charger yet. It's ready for installation of a charger in the future. So both of those are California green code requirements that cannot be avoided.

COUNCILMEMBER LESSER: And just one quick follow-up, if I may. Is there any provision as to whether or not that should be or must be free power?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: No.

COUNCILMEMBER LESSER: So it's the requirement for the inclusion of the charger.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Correct.

COUNCILMEMBER LESSER: But no restriction on whether or not it's free.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Correct.

COUNCILMEMBER LESSER: Thank you.

MAYOR FRANKLIN: Thank you for that, and Mayor Pro Tem?

MAYOR PRO TEM HOWORTH: Well, I see there's a motion. I want to hear your motion because I think it solved my problem.

COUNCILMEMBER MONTGOMERY: My motion is to support the fees to recover cost-related electric vehicle charging in city facilities.

MAYOR PRO TEM HOWORTH: Okay. So keep the chargers, but charge cost recovery. And we're not touching them around town or anything. We're not taking them out of.

COUNCILMEMBER MONTGOMERY: Correct.

MAYOR PRO TEM HOWORTH: But we're just, yeah, I support that motion.

COUNCILMEMBER MONTGOMERY: Wow.

MAYOR PRO TEM: Look at that.

MAYOR FRANKLIN: Okay.

COUNCILMEMBER NAPOLITANO: Lucky day.

MAYOR FRANKLIN: So as mentioned, we have a motion by Councilmember and seconded by Mayor Pro Tem Amy Howorth.

CITY ATTORNEY BARROW: And that's to adopt resolution number 24-0037.

MAYOR FRANKLIN: Thank you.

CITY CLERK TAMURA: Motion passes four to one.

MAYOR FRANKLIN: Thank you. So moving on to item general business and item number eight. This is to. All right. We'll give 30 seconds for people. Thank you, scouts.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Good evening. Talyn Mirzakhani, your community development director. Once again, the staff report for this item is the product of a truly collaborative effort amongst the community development department, finance department, and the public works department. Well, senior planner, Jaehee Yoon, and we'll provide the presentation for the city council this evening. We are accompanied by our finance director Charelian. Our city traffic engineer, Erik Zandvliet, our senior civil engineer, Jeff Fijalka and myself and Jaehee in order to answer any questions from the council, I would also like to note the unwavering commitment from the members of the outdoor dining task force whose time and effort has truly assisted us in getting to this point in the process. With that, I would like to turn it over to Jaehee for the presentation.

SENIOR PLANNER YOON: Thank you. Good evening, honorable mayor and city council members. I'm Jaehee Yoon city senior planner with the community development department. And the item before you is a status update report on the long term outdoor dining program development. Back in February, 2024, we presented the second status update report before the city council, which included community outreach efforts conducted to date the preferred program vision in the form of a conceptual plan that consisted of sidewalk widening, parking, reconfiguration, and outdoor dining area, as well as public flex space identification on the plan. And in order to further develop the conceptual plans into preliminary plans, the city council was asked to consider a potential contract amendment with our outdoor dining consultant, MIG. At the time, the city council directed staff to come back with a rough order of magnitude estimate to better understand the associated costs in implementing the preferred program vision. In the following weeks, staff prepared a ROM estimate based on the conceptual plans presented at the February city council meeting, which included six street segments throughout downtown and North Manhattan Beach. The ROM estimate assumes that sidewalk widening will occur in front of eating and drinking establishments only, as indicated on the conceptual plans, and blue sidewalk tiles will be eliminated from each block. That is modified as part of

the outdoor dining program vision planning plan implementation. Staff attempted to capture the work depicted on the conceptual plan as closely as possible, which resulted in a potential range between \$7.5 and \$12.5 million. The cost includes, but is not limited to, removal of parking meters, as that may be part of a different CIP project in the future, and protecting and replanting existing trees to the extent feasible, adding new street lights where there will be full sidewalk reconstruction, ADA-compliant pedestrian access improvements, and also necessary retaining walls and railings along the slope portions of Manhattan Beach Boulevard to create level pad areas with the eating and drinking establishments finish floor areas. Staff also looked at potential funding sources to build out and recover costs of the implementation. In terms of construction, the City may explore certificates of participation, similar to issuing bonds, and grant funding opportunities that MIG will be able to provide us in the form of recommendations as part of the preliminary work scope. In terms of cost recovery, our options include imposing outdoor dining permit fees for program participants, increasing parking meter fees and parking citation fines, and exploring revenue enhancement ballot measures, including local sales tax measures. If the City Council desires to move forward, the next step would be to develop preliminary plans by a civil engineer, which will allow us to look at the

technical and financial feasibility of the conceptual plan and prepare for construction documentation in the future. On a parallel track, this enables the City to proceed with the necessary regulatory process of establishing a long-term outdoor dining ordinance and also related amendments to the local coastal program. In other words, the preliminary design will enable us to demonstrate how we'll take an idea and bring it to fruition by demonstrating how we can comply with the necessary code requirements, policies, procedures, including the Coastal Act, to bring the vision into life. And if the City Council would desire to move forward, the amendment amount will require appropriating approximately \$91,727 to MIG's original contract. From here, I'll walk you through, we'll transition into a different topic related to the task force meeting outcomes in recent months. The first is live outdoor entertainment and amplified music. Based on discussions, the task force is recommending that we allow both activities with permits on public and private property from 9 a.m. to 10 p.m. However, they are recommending restricting live outdoor entertainment in the public right-of-way to special events only without further encroaching into the right-of-way, and also prohibiting both activities on second-floor dining areas that are not fully enclosed, with no exceptions to also with any form of permits. They also recommended placing speakers on private property only

and setting quantitative noise level standards for proper enforcement. Based on discussions with the Code Enforcement Division, as well as police departments, field observation and experience, establishing a set quantitative noise level standard is not recommended, since there are multiple external factors surrounding the environment that affects how noise levels are perceived versus how they are measured. Utilizing a quantitative parameter will be challenging from an enforcement standpoint. In addition, the City currently does not have the necessary sound level meters and the training or certified staff to effectively enforce noise issues through quantitative means. Instead, the City will continue to rely on the reasonable person test found in Title V of the Municipal Code, which largely consists of subjective criteria that looks at each individual complaint on a case-by-case basis. Given how difficult it is to enforce noise regulations, staff's recommendation differs from the task force in that we would like to continue to prohibit live outdoor entertainment and amplified music in the public outdoor dining areas, however, allowing the opportunity for businesses to apply for exceptions through Title V amplified sound permits. At a larger scale, the task force also discussed enforcing outdoor dining regulations for repeat violators and recommends that outdoor dining permits be revoked on the fourth enforcement action and prohibit them from reapplying for the same permit for

a one-year period. This slide illustrates the revocation process with a notice of violation starting the one-year clock, followed by three administrative citations when the permit would be revoked. The City Council may also consider adding a new part-time code enforcement staff for active patrol in the future, as there will likely be more violations occurring after the Code Enforcement Division staff's regular working hours, or as an alternative, authorized potential overtime of existing code enforcement staff with assistance from the Police Department as we continue to address complaints on a more reactive basis moving forward. In summary, staff tonight is seeking City Council's direction on one, potential amendment to MIG's Professional Services Agreement to develop the preliminary plans, and two, task force recommendations regarding, A, live outdoor entertainment and amplified music in outdoor dining areas, and B, code enforcement mechanism for outdoor dining permits. This concludes staff's presentation, and we also have representatives from MIG joining us via Zoom if you have any questions as well. Thank you.

MAYOR FRANKLIN: Thank you, Ms. Yoon. Councilmember Napolitano.

COUENCILMEMBER NAPOLITANO: Thank you. Just a couple of questions. I don't know who I'm directing this to, but Mr. City

Manager, I'll direct it to you. Metlox. The outdoor dining areas on Metlox. Metlox is a public plaza that's owned by and maintained by the City, correct?

CITY MANAGER MOE: Correct.

COUNCILMEMBER NAPOLITANO: And then the restaurants, though, they have outdoor dining that extends into that, correct, under agreement with the City?

CITY MANAGER MOE: There is outdoor dining.

SENIOR PLANNER YOON: Yes, if I may.

CITY MANAGER MOE: Okay.

SENIOR PLANNER YOON: We are issuing outdoor facilities permits for those encroaching into the plaza area, but for some establishments, such as the bakery, they also have an agreement built into the master use permit application that they submitted and we approved in the past.

COUNCILMEMBER NAPOLITANO: And they pay for that, though, right? The rent includes the cost of that.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: That's correct, and then separately, the ones that have the additional

space since COVID, they're paying the outdoor facilities fee to us annually.

COUNCILMEMBER NAPOLITANO: Okay, and then who paid for the railings at those facilities?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: They did, not us.

COUNCILMEMBER NAPOLITANO: They did.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Correct.

COUNCILMEMBER NAPOLITANO: So I'm trying to think of other situations. The walk streets. Now, walk streets, right, the City maintains the public right-of-way that the pedestrians use up and down the street, but there's a five to eight to ten foot encroachment on either side of that that is typically within what seems to be the boundaries of the homeowners associated adjacent to the walk street, correct?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Those are all public right-of-way, and they apply for the encroachment permit. There's a one-time fee associated with that when they apply for the encroachment permit.

COUNCILMEMBER NAPOLITANO: And then who builds all the improvements and pays for all the improvements within that right-of-way?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: They're responsible for that. They're the private contractor.

COUNCILMEMBER NAPOLITANO: We don't pay for the patios and the fountains?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Correct.

COUCNILMEMBER NAPOLITANO: Anything else? Okay, and then my understanding of the proposal as far as the cost goes is that we're only looking at changing and paying. This feels as bad as it sounds. We're only looking at redoing the sidewalks next to the restaurants, correct?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: In some segments, but other segments it extends the full length of the street.

COUNCILMEMBER NAPOLITANO: Well, on the south side of Manhattan Beach Boulevard between Morningside and Highland, is that going to be improved? In any way?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Not in the current conceptual plan.

COUNCILMEMBER NAPOLITANO: So there wouldn't be any money to redo the... So the north side of the street gets a nice new wide sidewalk. The south side keeps the crappy gray tiles that we have out there now that are broken and missing.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: What we did for, as a part of this exercise, is we had to establish certain parameters to be able to show the council exactly what it would cost under the guise of outdoor dining. However, if the council wanted us to extend that so that there could be the aesthetic improvement pulled forward to the other side of the street that would be an additional cost.

COUCNILMEMBER NAPOLITANO: Right.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Right, but because we had to establish some level of parameters without assuming that the council would want to...

COUNCILMEMBER NAPOLITANO: I understand why you did it, but it's just the end result is going to be, it's like, here's the pretty side of the street, and here's the shabby thing that we wish we could redo right now. But we're not going to hit them anytime soon because this is proposed to go first.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Unless directed otherwise by council.

COUNCILMEMBER NAPOLITANO: Okay, that's it for now.

Thank you.

MAYOR FRANKLIN: Okay, Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, Your Honor. Okay, a question for Senior Planner Yoon.

SENIOR PLANNER YOON: Yes

COUNCILMEMBER MONTGOMERY: And would you mind putting up slide number on page nine, enforcement of outdoor dining regulations, please? There it is. So I'm curious, was this regulation of the task force to give them four shots, I mean, three notices and then revoke the permit on fourth violation, or did that come from staff, or was it outdoor dining task force?

SENIOR PLANNER YOON: It was a collaborative effort between the building official, staff, and also the task force because we didn't want to be too restrictive, but also be more realistic on how these violations work.

COUNCILMEMBER MONTGOMERY: My fault for not saying this to you earlier, both of you. But I thought about this. I mean, I think we all know the rule, three strikes and you're out. And that applies here, not just baseball. But I mean, everybody growing up knows you get one warning, a second worst severe

warning, and you get a third. That's what DMV does. All of us understand the rules. So I was curious where it came from, because I'm not in favor of a fourth notice. If you can't get the rules changed by the first two, you shouldn't be in the game. So I'll stop there. Thank you, Your Honor.

MAYOR FRANKLIN: Thank you. Mayor Pro Tem.

MAYOR POR TEM HOWORTH: Thank you. With regards to the comments about from the business owner from the north end, was the traffic study, I mean, presented to the task force, because that is, you know, at times that is an incredibly busy thoroughfare. So you are widening the sidewalk, I guess, like down by Fish Bar and then by Ponchos, I think by seven feet and five feet. So does it reduce a lane of traffic? Look at that. He popped up. Wow. Put a map on the screen. Yeah, you want to put the map on the screen. I think its page 245-300. It's the north end outdoor dining conceptual plan. So there at the top of the image, we want to widen it to seven feet and then down. Well, you're not showing it on there, I don't think. Maybe you are. Widen sidewalk. Oh, yeah, you are. So the question is, is that going to take a lane of traffic? Is it going to narrow the traffic down?

CITY TRAFFIC ENGINEER ZANDVLIET: So there are, my name is Erik Zandvliet, city traffic engineer. Thank you very much

for the question, Mayor Pro Tem. There are many different things going on in the north end with regard to potentially widening the sidewalk. Most of the widened areas would be taking the place of a parking space area, seven or eight feet wide. It would be no different than having a parked car there as far as access is concerned. The lane widths wouldn't be narrowed in that sense. At the very north end of Highland Avenue at Rosecrans Avenue, there is the possibility of widening the sidewalk there along the east side of the street. That configuration would shift the lanes to the west, and you would have to make a choice whether or not we would have two through lanes there or one through lane in the left turn pocket. Either one could work in that area.

MAYOR POR TEM HOWORTH: And we received this in an email, too. There's also a question about, you know, and it's a future concern, but with High Rose going in right there, you know, in that area, was there any consideration to additional cars that will be as a result of that project?

CITY TRAFFIC ENGINEER ZANDVLIET: Right. And to embellish on the traffic volume question as well.

MAYOR POR TEM HOWORTH: Oh, yes, that's right. That's the thing I want to know. Is it a 100 cars a day? What is it?

CITY TRAFFIC ENGINEER ZANDVLIET: Yes. So the traffic volume on Highland Avenue is about 14,000 cars a day. It sounds a lot. When you break it down by hour, it's not as much. But it's still a high-volume street. It is also about 14,000 cars a day in downtown. And so the volume along Highland Avenue is fairly consistent that way. It's not going up. We did our last traffic survey last year and found that traffic volumes are not going up in the city. With regard to verandas or the High Rose project, the High Rose project, if it was left as is and it's verandas and the office buildings at occupancy or having a restaurant and office buildings would have a little bit more traffic volume from that kind of project than it does with the residential project. So the residential project traffic volumes will actually go down a little bit from a fully occupied site. So no additional traffic mitigation measures would be necessary.

MAYOR PRO TEM HOWORTH: Okay. Thank you. And then I have questions. I'm sorry for Jaehee again. Sorry. You might be getting with Councilmember Napolitano. That's all the questions I have for you, at least for me. But I do have a question for her too. Although maybe it's for Public Works with the rough order magnitude cost estimates. It does seem like a couple of the areas, it's Manhattan Beach Boulevard east and west, seem to

have much higher cost estimates than the other streets. That may be that. Sorry.

SENIOR PLANNER YOON: We'll defer to Jeff.

MAYOR PRO TEM HOWORTH: We have to get the right. Yes.

SENIOR CIVIL ENGINEER FIJALKA: Good evening, Mayor Franklin, members of the Council, Jeff Fijalka, Senior Civil Engineer. To answer your question about the cost breakdown or allocation amongst the different segments, the cost estimate was based on actual quantities. I mean, field verification, measuring in the field, using GPS to measure out the quantities. So some of the sheets of the concept plan will have higher costs, but there's more work being done there.

MAYOR POR TEM HOWORTH: Of course.

SENIOR CIVIL ENGINEER FIJALKA: So if you're looking specifically at some of them having more cost allocated, potentially there's more sidewalk being reconstructed, more dining decks created.

MAYOR POR TEM HOWORTH: And slopes, right? What I was looking at is it seems like with Manhattan Beach Boulevard east and west, it's a slope. Is that part of it?

SENIOR CIVIL ENGINEER FIJALKA: Not so much involved in the cost to account for the slope, with the exception of the dining areas. So on Manhattan Beach Boulevard, we would have to accommodate a level platform to build a dining area on, which would also require retaining railing, a retaining wall around the deck itself, and some type of railing to keep people from falling off the edge if there's a drop-off at the down-slope edge.

MAYOR POR TEM HOWORTH: So it's not just widening sidewalks. It's also, for some of those, and they're identified very clearly in the plan, the raised decks, which are cement decks, and the railings. Okay, great. Thank you.

SENIOR CIVIL ENGINEER FIJALKA: Yes, and in most cases, they wouldn't necessarily be raised at the high end, depending on where the door is for the business.

MAYOR POR TEM HOWORTH: Depending on the math, right?

SENIOR CIVIL ENGINEER FIJALKA: Yes.

MAYOR POR TEM HOWORTH: All right. Thank you.

SENIOR CIVIL ENGINEER FIJALKA: Anything else related to the estimate?

MAYOR POR TEM HOWORTH: No, I'm good. I'm good for now.

MAYOR FRANKLIN: Councilmember Lesser?

COUNCILMEMBER LESSER: I guess I have a policy question, either for the city manager or for Director Mirzakhanian, if I could. The city staff and our task force has really done exactly what council has asked, to explore and come up with this preferred program vision that has been explored. But now, with this rough order of magnitude, I'm taken back to the beginning, and sort of the foundational question about outdoor dining in our public right-of-way. And I would welcome your help in at least just framing what the policy argument would be in favor of it. Because we've all received many emails in favor of it, but we've also received some critical. And they would be summarized as, basically, this is a gift of public property for commercial purposes, for certain commercial purposes. And I guess my question that I'm left with and I'm struggling with is, so what is the public interest? Public interest could be said that we want more outdoor dining because that's part of the virtue of our community, and everyone benefits from it. But to the extent we're using taxpayer funds for this study, as well as potentially undertaking this project, how could one articulate what that public interest might be?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: I'll start by saying that the intent has always been and still is to

charge for the use of the public space for those establishments who choose to use it in the future. Aside from that, the way the proposal is set up right now, it expands the sidewalks and incorporates improvement in public flex spaces for the use of the general public, not just the restaurateurs. And what that means is we have to show to the Coastal Commission that this is not just a privatization of our public space, that it's a well-thought-out, holistic program that we're putting forward that incorporates the public flex spaces and the enhancements to those areas that will be able to be utilized by the general public who can't necessarily afford to go to some of the restaurants that will be able to use the outdoor dining areas. So that's one part of it. The other part of it is that with the expansion of the sidewalks on streets like Manhattan Avenue and Highland, where you don't have the sloped decks in place, if an establishment chooses not to use that or if an establishment moves their street furniture inside during the times when they're not using it. So, for example, if someone were to be utilizing it in the evenings for dinner service only, but it was cleared during the day, then the public just has wider sidewalks to utilize, which is a complaint that we hear often, and we definitely heard a lot as we were engaging the community in this effort. There's an overall sentiment that our sidewalks are not wide enough. So, differing times of the day, depending on when

the restaurant is using that space and when it gets cleared out, the public will have wider sidewalks overall.

COUNCILMEMBER LESSER: Is staff aware of other jurisdictions which have assessed the property owners that benefit the most, potentially, if Council goes forward with this proposal, for the improvements that directly benefit those pertinent properties?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Repeat the question one more time, please.

COUNCILMEMBER LESSER: I'm wondering if beyond just using our public taxpayer resources to undertake a proposal like this, starting with the overall plan, if other jurisdictions have assessed the property owners that directly would benefit from increased occupancy and increased revenue generation?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: I'm not sure about other jurisdictions, but I know that as a part of our stakeholder outreach, we are engaging with non-restaurant businesses, for example, to understand how retailers were affected during COVID when the dining decks were available and how they anticipate maybe being affected in the future if outdoor dining comes back in a larger form. We've heard both sides of the argument, including more foot traffic means more

people coming to our retail stores, and we would appreciate that. On the flip side, we also heard that the dining decks aesthetically and visibly blocked some of the retailers, so they had less foot traffic. We've heard both sides of that argument.

COUNCILMEMBER LESSER: Some quick questions for Public Works, Jaehee. I'm sorry to cut you out of the conversation, maybe for you as well. If other restaurants across the street later want to have an outdoor dining pad, is there flexibility in this plan, even though it's obviously in concrete, to add extended pads, or is it exclusive to the layout that's in the current plan?

SENIOR CIVIL ENGINEER FIJALKA: The way it's proposed, it's specific to this layout, but as far as expanding the future or if a business across the street wanted to add a deck, that would be more of something that would take into effect the traffic impacts and go to community development to see if it's achievable. If it's desired, Public Works could build it.

COUNCILMEMBER LESSER: I wanted to better understand the loss of the current tiles. I know some up here are not thrilled with those tiles, but they do provide an aesthetic treatment, which obviously needs a refresh, but I'm just wondering what the plan is here for how it might look

inconsistent throughout our downtown if the current plan were to be pursued.

COUCNILMEMBER NAPOLITANO: Put them on your driveway.

SENIOR CIVIL ENGINEER FIJALKA: With the current plan, we're not taking into account any improvements in those areas outside of the dining area improvements unless it was added to this project or included as a separate project later. I will point out that in front of the library, the tiles were removed during reconstruction. Granted, it's a slightly different situation because you don't have business frontages right there, but most people probably don't notice that it is the only gap on these main three thoroughfares where we have a span without the tiles.

COUNCILMEMBER LESSER: Thank you. I see others want to speak, but quickly, the width of the sidewalk, width, the expanded sidewalk, what would it be at its minimum? There was a representation that this was going to expand our sidewalks, but then you add the outdoor dining. I'm just wondering if there really will be a net benefit on some of our sidewalks.

CITY TRAFFIC ENGINEER ZANDVLIET: Yes, thank you very much. In the areas that will be expanded in front of eating and drinking establishments and the areas maybe between a few of

those restaurants, the segments that are widened are somewhere between 16 and 18 feet wide of sidewalk. Up to 8 feet of that could be used for sidewalk dining. So you'd have 10 feet of unobstructed sidewalk, which would not be obstructed by parking meters or anything else.

MAYOR FRANKLIN: Okay, thank you. And what are they now?

CITY TRAFFIC ENGINEER ZANDVLIET Right now they're 10 feet from curb to front of the establishment, but there's also street lighting in there and parking meters.

MAYOR FRANKLIN: And parking meters. So when you take that out, it's probably...

CITY TRAFFIC ENGINEER ZANDVLIET: Oh, 7 1/2 feet.

MAYOR FRANKLIN: 7 1/2 feet.

CITY TRAFFIC ENGINEER ZANDVLIET: Yeah, of usable sidewalk.

COUNCILMEMBER LESSER: And what is ADA compliance?

CITY TRAFFIC ENGINEER ZANDVLIET: ADA compliance nowadays is 48 inches, 4 feet.

MAYOR FRANKLIN: For sidewalk.

COUNCILMEMBER LESSER: I may have other questions. I don't want to hog everybody else's time.

MAYOR FRANKLIN: Yeah, I've got questions now. Let's see, because we're trying to get a handle on this. So you had, because of some questions, you produced a spreadsheet that showed... Well, my question was, per Councilmember Napolitano, is that you have now this old sidewalk infrastructure out there, and it's not included in the cost of this project, which we've made clear, but what would be the cost if we were to try to make all of that uniform? Not extending decks, but to just give the same look and aesthetic as the rest. And I believe you got it nicely down to some square footage, too.

SENIOR CIVIL ENGINEER FIJALKA: We did take a look at that. So essentially, Manhattan Avenue, Manhattan Beach Boulevard, and Highland Avenue have a 6-foot-wide path of gray tile, generally, all the way down. So Manhattan Avenue has it from 8th Street to 13th Street, Highland from 10th Street to 15th, and Manhattan Beach Boulevard from the Strand Path all the way to Valley Ardmore. So outside, as we discussed, outside of the areas of the dining deck improvements, that tile would remain. So we did cost out what it would cost to replace that just within that path. So we're not talking about reconstructing the sidewalks in these other areas, other than just removing

that 6-foot-wide path and all of the crosswalks and ramps associated with it. Because as I'm sure you're aware, the crosswalks are either tile or stamped asphalt with an overlay that have that same blue tile pattern. So the cost to do those improvements outside the areas already impacted with the proposed outdoor dining program is on the order of \$8 million. Our rough estimate, it comes in just under \$8 million.

MAYOR POR TEM HOWORTH: That's no dining, I'm sorry, can I? Go ahead.

MAYOR FRANKLIN: Yeah, I've got a bunch more, okay.

SENIOR CIVIL ENGINEER FIJALKA: We do have a map up there if that helps at all.

MAYOR FRANKLIN: Yeah, that's the one I wanted that you'd sent us. That was not included in the staff report, right?

SENIOR CIVIL ENGINEER FIJALKA: No, it's not in the original staff report.

MAYOR FRANKLIN: Okay, so if anybody is wondering, this was added afterwards. So can you explain this map, please?

SENIOR CIVIL ENGINEER FIJALKA: Yeah, so the blue lines are where we have the existing gray tile or blue tile and the crosswalks that I had mentioned. And as I indicated, they're

along those three roadways on both sides. And then the green areas is the green highlight over the blue, indicating those are the segments that would be reconstructed as part of the outdoor dining program. And to be clear, within the blocks that have maybe a restaurant, two restaurants in a row, and then no restaurant for the rest of the block, within the outdoor dining program, what we've costed out is replacing the tile in front of the non-restaurants, but we would not be widening the sidewalk in that area as that would impact parking further.

MAYOR FRANKLIN: Right, okay. And the process of removing the tile, I mean, they're about, what, a quarter inch thick?

SENIOR CIVIL ENGINEER FIJALKA: We're anticipating demolishing the concrete along that six foot wide path. So we would saw cut it and then put new concrete in place.

MAYOR FRANKLIN: Okay.

SENIOR CIVIL ENGINEER FIJALKA: Which is an opportunity to go back with something decorative or stamped if that was desired by the council.

MAYOR FRANKLIN: Okay. And what would you, when was this infrastructure put in and what do you think is the useful life of the existing infrastructure?

SENIOR CIVIL ENGINEER FIJALKA: You're referring to the tile?

MAYOR FRANKLIN: Well, just the downtown sidewalks and tile.

SENIOR CIVIL ENGINEER FIJALKA: Everybody here has some better information. I will say that public.. You may notice that the crosswalks, the original ones are actual tile on the crosswalk but decades ago, due to the availability of that tile, the crosswalks were transitioned to a stamped overlay in asphalt. Perhaps somebody from community development knows more of the history of these. I'm not too familiar with it.

COUNCILMEMBER NAPOLITANO: It was in the 80s.

MAYOR FRANKLIN: Yeah, okay, so in the 80s. So what is the typical useful life for that kind of.. In a hardscape.

SENIOR CIVIL ENGINEER FIJALKA: Hardscape? I mean, it can last centuries depending on how thick it is and how much it's used, but certainly 50 to 70 years would not be a typical for a concrete sidewalk.

MAYOR FRANKLIN: So we have 20... So we're 45 years into it? 44 years into it?

COUNCILMEMBER NAPOLITANO: Well, you can go down and see the broken tiles.

MAYOR FRANKLIN: Well, I know, I understand.

CITY TRAFFIC ENGINEER ZANDVLIET: ...but I would like to add that the city did investigate and took a look and made a study of the blue tiles or gray tiles and came up with some options, including stamped concrete and things like that, and there was some demonstration projects in front of the city hall, in fact, for that because we knew that the blue tiles or the gray tiles would not last forever, and those are the ones that are failing first. We have to replace those, and we don't have the tiles anymore, so we have to actually just fill it in with some kind of patch. Over time, that's going to look even more and more patchy. So with regard to the decorative tiles, that useful life is coming to its end.

MAYOR FRANKLIN: Okay. Mrs. Franklin would not like patchy. So, okay, so the point I'm trying to make here is that if we're going to do it one place, we're going to probably have to do it in the other places, and so we're adding \$8 million in?

SENIOR CIVIL ENGINEER FIJALKA: That's our estimate for the additional areas, yes.

MAYOR FRANKLIN: All right, just another question here. Is the number of outdoor dining seats? So can we get some clarification on that? How many we have now? How many? And then the other part of that question is occupancy limits and how it impacts that to what the existing occupancy limit is, or would that have to be adjusted?

SENIOR PLANNER YOON: So currently, our sidewalk dining ordinance does not allow any increase in their capacity, so anything indoor seating needs to be placed outdoors with no net increase. Currently, with the permitted sidewalk dining areas, we were able to observe that there is 156 seats available along the sidewalks, and with the conceptual plan, when we maxed out how many seats can be available along the sidewalks, it came out to be 610. And with the additional anticipated outdoor dining seating capacity, the outdoor dining consultant is taking that number and running their numbers and analysis to see what kind of parking alternatives including micro mobility opportunities, that we can propose.

MAYOR FRANKLIN: Okay. So the 610, the 156 are there now, is that correct?

SENIOR PLANNER YOON: Yes, that's correct.

MAYOR FRANKLIN: They're being used pretty much.

SENIOR PLANNER YOON: For the most part, yes.

MAYOR FRANKLIN: Sidewalk dining permits?

SENIOR PLANNER YOON: Yes, that's correct. Because we also did a field observation to count the seats.

MAYOR FRANKLIN: Okay. And because... And so if there's any outdoor seats provided, a restaurant has to take that amount, has to reduce the indoors.

SENIOR PLANNER YOON: Yes, that's how it should be.

MAYOR FRANKLIN: In a macro sense, would you say that just we're going to be serving the same amount of diners, but some of them can choose to sit outside?

SENIOR PLANNER YOON: With the current regulations, yes, that should be.

MAYOR FRANKLIN: That's not what's proposed, though.

SENIOR PLANNER YOON: Right now, we're allowing to propose an increase in outdoor dining capacity, as the investments wouldn't be as viable if we limited the numbers to a no net increase.

MAYOR FRANKLIN: So is that a Coastal Commission issue, too? We have to get their agreement? Or how do we go through increasing those occupancy limits? The occupancy limits.

SENIOR PLANNER YOON: So that's why we're looking at maybe putting a cap on the maximum number of seats that will be available for sidewalk dining. But the consultant team is taking the 610 anticipated seats into their analysis to see how much additional alternative parking solutions that can be provided.

MAYOR FRANKLIN: Right. Can you just explain that for people who haven't gone through that process about parking to the occupancy?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: So in other words, it's not necessarily the occupancy increase, but the parking impacts that are generated by the occupancy increase that the Coastal Commission would want to see that we are addressing. And so in an attempt to address the fact that we are suggesting that the restaurants are able to increase their occupancy as a result of this program, we would have to include corresponding solutions to that. And so that could include a combination of us showing them and demonstrating that we are increasing our bicycle facilities for both E-bikes and regular bicycles as they understand that not all people who travel to downtown Manhattan Beach are traveling by car. And we would

couple that with any other micro mobility options we are able to come up with and other public access improvements as well. So the flex spaces are serving multiple purposes in this program because as the Coastal Commission has described it to us, it doesn't have to be a one-to-one solution for the parking. We don't have to provide one parking space for the occupancy increases. It doesn't have to be a direct relation. It could be this holistic approach where we're showing them we're making other public access improvements such as the improved public flex spaces, the bicycle spaces, et cetera.

MAYOR FRANKLIN: Okay. And I also just want to thank you because I understand you and your staff are doing a great job walking hand-in-hand with the Coastal Commission in these plans so that there won't be any surprises at the end.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: They are informed every step of the way. We have regularly scheduled meetings with them. So far they understand our conceptual plan and have been very supportive. And we're starting to hear from them that other cities have started to go in the same direction, but we're further ahead.

MAYOR FRANKLIN: Okay. So I have some other questions, but I'll leave them for later. Thank you. So we have Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you. And to either City Manager Steve Charelian, what do we get in sales tax? When sales tax is paid to the state, what do we get back on a dollar?

FINANCE DIRECTOR CHARELIAN: We get 1%, and it's about \$11 million.

COUNCILMEMBER NAPOLITANO: What's that?

FINANCE DIRECTOR CHARELIAN: 1%.

COUNCILMEMBER NAPOLITANO: 1%?

FINANCE DIRECTOR CHARELIAN: Yeah, it's about \$11 million.

COUNCILMEMBER NAPOLITANO: A percent of a dollar.

FINANCE DIRECTOR CHARELIAN: Yeah.

COUNCILMEMBER NAPOLITANO: A penny.

FINANCE DIRECTOR CHARELIAN: No, we get \$11 million, and I believe it is 1%.

COUNCILMEMBER NAPOLITANO: 1% of -

FINANCE DIRECTOR CHARELIAN: of what the total collected is for the city.

COUNCILMEMBER NAPOLITANO: Okay. But I'm saying, right. Okay, same idea. So part-time code enforcement staff to enforce the rules, who's going to pay for that?

FINANCE DIRECTOR CHARELIAN: I would assume it would be coming out of the general fund and with the fees collected.

COUNCILMEMBER NAPOLITANO: Okay. Question to Director Mirzakhonian. You talked about the benefit of the wider sidewalks, which I'm all for. But when you say that you have an added benefit when they're not in use, say if a restaurant doesn't serve lunch that day, are we saying that they're not going to have a delineation? A railing in place throughout the entire time so that you know there's no spillover into the sidewalk from putting up the tables and chairs for dinner or anything like that?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: The idea is that there will be a temporary barrier, which would be put in place when they are serving outside and then taken inside.

COUNCILMEMBER NAPOLITANO: So like some chain or rope or something?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Correct.

COUNCILMEMBER NAPOLITANO: Okay. And then, right, get back. So the new capacity that we're talking about is in addition to the indoor dining that's already there because it was sounding like, "Oh, we're going to keep the same policy in the past", but that's not the idea at all.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: No, we discussed this with the task force and I believe it was unanimous that there, and it's clear from the businesses as well, if there is no increased occupancy.

COUNCILMEMBER NAPOLITANO: Right. We talked about that before. Why do it if it's the same? Micro mobility, I've heard about that for 20 years. Everyone's going to ride their bike downtown. I'll put that aside. It hasn't happened yet. What do we know about the number of restaurants that are really going to participate in this, though, given that we're going to be charging what's considered market rate per square foot?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: The restaurants who have either participated in the task force meetings or participated in the stakeholder engagement all understand that there will be some contribution from their part, just as there is today. Right now, the sidewalk dining permits they're paying about...

COUNCILMEMBER NAPOLITANO: I get that, but the question was, how many we know are guaranteed to participate, knowing that there's going to be a cost per square foot?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: We don't have a definitive answer and part of it is because they also want to know how much it is going to cost us to participate. So we're still trying to figure that out, but we do have to have a design in order to have a fee developed for the program.

COUNCILMEMBER NAPOLITANO: To that point, though, why is there nothing in the staff report regarding cost participation? Because that's my lead up on the encroachment, the cost, and who bears the improvements on the private side for the homes along Walk Streets. Same thing with the outdoor dining in the Metlox as well, is why would... I'm all for, like I said, wider sidewalks, and I understand the public good of redoing the sidewalks in general and creating a better pedestrian space, but when it comes to the build-out, especially, like Manhattan Beach Boulevard where you have the decks that are going to have to be level and on a slope, and even the spaces right in front of businesses. I mean, the vehicle part, the reason there is a downtown business association is because the business improvement district was the carryover from the vehicle parking districts that were created years ago where businesses paid into

this to create the parking lots that we have now in downtown, and yet there's no proposal here of that kind of participation. Even the space, I don't know what it is, four by whatever in front of the restaurants for their individual dining deck that would be for their benefit, we're not asking them to pay for that.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: The simple answer is that our consultant is still analyzing what that cost would be. So we don't have the answer yet to provide for the council, but they're taking into account the cost.

COUNCILMEMBER NAPOLITANO: How much was the consultant contract? They can't come up with that number yet?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: They're still assessing the sales tax data that they received not too long ago.

COUNCILMEMBER NAPOLITANO: I'm not sure what that has to do with what the cost of the construction would be, but okay. All right, thank you, Your Honor.

MAYOR FRANKLIN: Okay, Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, Your Honor. Can I see Jeff? Is he on the line for a second? Jeff, just a question

for you. The map you showed earlier, the blue and the green, is there one for the North end as well?

MAYOR PRO TEM HOWORTH: Yeah, conceptual.

SENIOR CIVIL ENGINEER FIJALKA: No, because we don't have the blue tiles up there. There is a conceptual map for the North end.

COUNCILMEMBER MONTGOMERY: I saw that one. I just wanted to see what it looked like on the North end as well. All right, thank you, Your Honor. Nothing else.

MAYOR FRANKLIN: Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: Yes, I think Jeff actually stay for a minute, please. I want to clarify a couple things. So the \$8 million when the mayor was asking about the blue tiles, I think it was the mayor. Blue tiles versus the areas where there aren't blue tiles, the \$8 million was additional above the estimate.

SENIOR CIVIL ENGINEER FIJALKA: Correct.

MAYOR PRO TEM HOWORTH: So the \$7.5 to \$12.5. In order to make things uniform, it would be that much more. Okay, that's number one. Number two, I believe Ms. Yoon did clarify that the

610 is above current capacity now. Okay. I think go ahead and you can sit for now.

SENIOR CIVIL ENGINEER FIJALKA: Thank you.

MAYOR PRO TEM HOWORTH: I don't know any more elegant. No, no, you're good. You can. Sorry, guys. I'm trying to, it is interesting to talk about cost participation. If you will, as my colleague said, a colleague Napolitano, because right now, if you subtract 156 from, which is the current number of sidewalk seats available from 610. I think it's about 500 and something, call it 94. I don't know, that doesn't seem right. But it's like 25,000 per seat with the current plan and the current estimate. Now, this is all a rough estimate. And one thing staff is asking for is additional money for civil engineering plans, which will give us a much more accurate cost. I do want to say for those who didn't see the staff report. I really appreciate how the department, I guess it's both public works and community development, created this spreadsheet that has, you know, for lighting, it would be this much for North Manhattan. And it's a very thorough estimate, I think. But the consulting analysis, you say it's also going to include cost recovery. Are we going to have to pay additional for that to be configured? Whomever is going to answer that, because what we were just talking about?

Like, what would be based on use of sales tax? My colleague said construction costs, you know, how are we determining that?

COUONCILMEMBER NAPOLITANO: Well, you wouldn't recover sales tax until way down the line once it's been placed.

MAYOR PRO TEM HOWORTH: Well, I know, but there was a mention of... Well, the consultant is, yeah, I know.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Yes, they are tasked with providing us a recommended program for what we would charge the participants.

MAYOR PRO TEM HOWORTH: Okay. Because there is something, you know, there are ideas in here from the city of how we could, let's say if we did a bond, how we could raise money to pay for that bond? But there is this notion that, you know, if the restaurant owners are interested, you know, they could contribute over time even. You know, over time it wouldn't have to be. You have to give us a million dollars up front or whatever it is. But let's decide, it's going to be seven years for cost recovery and, you know, they could pay into that based on their footage or whatnot. I mean, that would be one idea. I think that's all I have right now because I wanted to confirm the eight million was additional because I think we have to consider that because I can't imagine us saying, "Okay, let's

cherry pick and, you know, this piece of the sidewalk looks like this and that looks like that". So I think we need to be transparent and include that in our estimates. So thank you.

MAYOR FRANKLIN: So you reached out to the restaurants and businesses to get them to participate. Did I see something where you got 10 restaurants and five businesses? What was the number of restaurants and businesses?

SENIOR PLANNER YOON: For the stakeholder interviews, you were able to reach out to over 30 business owners throughout North End and downtown, and we received participants from ten in downtown and five from North Manhattan Beach.

MAYOR FRANKLIN: Okay. So I counted 34 restaurants in downtown, and only ten participated in any sort of - was it sort of an in-depth?

SENIOR PLANNER YOON: It was at least a 30-minute interview where they were given the same questions and had an opportunity to provide their input, and it was limited to two or three participants at a time. So they had ample time to provide their input and responses.

MAYOR FRANKLIN: And was one of the questions, are you interested, would you be interested if there's a direct cost recovery program?

SENIOR PLANNER YOON: There was a question asked about how much would be a reasonable square footage per month to be charged, and they were willing to pay what would be the market rate or something less than that, and they were very eager to participate and bring back outdoor dining because they did benefit significantly from the temporary program.

MAYOR FRANKLIN: Okay. And there were five such members from the north?

SENIOR PLANNER YOON: Yes. And it wasn't just limited to eating and drinking establishments. It also included food and beverage sales as well as retailers.

MAYOR FRANKLIN: Okay. So just reviewing on page 3 of the staff report, talking about servicing the debt on a 20-year certificate of participation bonds issued for \$10 million to \$15 million are roughly \$727,000 to \$1,083,000 per year.

FINANCE DIRECTOR CHARELIAN: Correct. Good evening.

MAYOR FRANKLIN: So if we can - if the city wants to strive to hit those numbers as much as possible from a combination of things, the majority of which would be from the fee, the outdoor dining fee, fees that we would charge, presumably.

FINANCE DIRECTOR CHARELIAN: Presumably, we don't know what those fees are, and that's what we want. That's what the necessity is for the extra cost is to get MIG to come up with those fees. So that's the unknown for tonight.

MAYOR FRANKLIN: Okay. So I understand that there was some analysis done of the sales tax revenue, sales tax..

SENIOR PLANNER YOON: That is still in the works.

FINANCE DIRECTOR CHARELIAN: It's still in the works, Your Honor.

MAYOR FRANKLIN: Okay. And the idea is that you get the sales tax of what the restaurants have paid or have generated?

FINANCE DIRECTOR CHARELIAN: Correct. And do an analysis to see what the extra seating would generate.

MAYOR FRANKLIN: Okay.

FINANCE DIRECTOR CHARELIAN: That has not been completed. It's under works.

MAYOR FRANKLIN: Okay. Why aren't we asking the restaurants directly, since they're the experts and they have historical numbers, as opposed to going to sales tax? We can just say how many - I mean, they do that analysis, right?

FINANCE DIRECTOR CHARELIAN: Yeah, and we have a sales tax consultant, Your Honor. And then, we... it kind of provides for a level playing ground instead of asking the businesses to provide that information. So we have that information. Our consultant has it, and they're analyzing it.

MAYOR FRANKLIN: Okay. Then what? We're going to extrapolate to the additional seats then?

FINANCE DIRECTOR CHARELIAN: Correct. That's the idea.

MAYOR FRANKLIN: And each one that generates? Okay. It just seems like, you know, they have a vested interest in this, and they would participate in that if asked, perhaps.

FINANCE DIRECTOR CHARELIAN: Correct. So it seems like it's just an unbiased approach, getting it from our consultants and utilizing that data.

MAYOR FRANKLIN: Okay. That's all for now.

FINANCE DIRECTOR CHARELIAN: If I may clarify, CouncilMember Napolitano, you asked about the sales tax collected by the city. Our sales and use tax rate is 9.5%, and we get 1% of that, which is about \$11 million a year.

COUNCILMEMBER NAPOLITANO: But that's citywide.

FINANCE DIRECTOR CHARELIAN: Citywide, yes.

COUNCILMEMBER NAPOLITANO: Right. I think we need to focus on North End and downtown just to understand.

FINANCE DIRECTOR CHARELIAN: Got you. Okay. Thank you.

MAYOR FRANKLIN: To GEO fencing.

MAYOR PRO TEM HOWORTH: Oh, look at you.

MAYOR FRANKLIN: Well, that and micro transit.

COUONCILMEMBER NAPOLITANO: We know the majority is from Sepulveda.

COUNCILMEMBER MONTGOMERY: PCH.

MAYOR FRANKLIN: All right. CouncilMember Lesser?

COUNCILMEMBER LESSER: Consistent with the Mayor's and the Mayor Pro Tem's concerns, I think all of us are concerned about the rough order of magnitude, and either for our senior planner, Yoon, or our senior engineer. What was not mentioned, other than just a brief note, is all of the parking meters in this area would be removed, would they not? So there would need to be added cost added onto the rough order of magnitude for another parking mechanism, another project. I want to make sure we're capturing the true rough order of magnitude here, and we

have what the mayor was getting at, which is the additional sidewalk, which if we wanted to refresh and update. So it's consistent, there would be that added cost, plus adding some form of parking meter supplement. Is that right?

SENIOR CIVIL ENGINEER FIJALKA: So parking meter removal is included in the estimate. It's assumed that new parking kiosks would be installed as part of a separate project, and that's why the cost we believe will move forward most likely independent of this project. So it's not accounted for in this cost estimate. So if other areas outside across the street from the dining areas had the sidewalk improvements, they would also receive the parking kiosk. Just like any other parts, once the city ultimately goes in that direction.

COUNCILMEMBER LESSER: So we should or should not be looking at that cost in terms of an added expenditure in undertaking this project?

CITY TRAFFIC ENGINEER ZANDVLIET: When you look at it, it really isn't an added expense because we have to replace our parking meters every six to eight years. This is in the normal cycle of things, and so instead of replacing them with individual meters, we take that cost and put it into a kiosk.

COUNCILMEMBER LESSER: Thank you. I guess then the larger question. Senior Planner Yoon, are there other costs that we should be considering in authorizing MIG to go forward with its estimate, with its projections, with its engineering drawings, that we should be aware of to the extent that we as fiduciaries. I want to make sure that we're understanding what we're getting ourselves into?

SENIOR PLANNER YOON: Right now we've scoped out the preliminary design to include a more detailed cost estimate and also how the construction will be phased, as well as other funding opportunities that we can tap into. So by and large, I believe that we did include a lot of the things that we wanted to include as part of this preliminary design. And if there are any other engineering needs that do arise, we will have Public Works and our traffic engineer available to assist us.

COUNCILMEMBER LESSER: Okay. That's it for now. Thank you.

MAYOR FRANKLIN: Okay, great. Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Thank you, Mr. Mayor, and I don't apologize, but there's a lot of questions. So that's why there's a lot going on. You were talking, Mr. Mayor, about imposing with cost recovery. You asked are the businesses willing to pay more, and it was alluded to that, yes, they are.

If we were to take out a bond or a COP, and the debt service would be up to a million dollars a year. But I do want to point out that there's additional suggestions from the Finance Department. For instance, increasing the parking meter rates for city lots, you know, if we raise them from \$2 an hour to \$2.50 per hour that would create an additional revenue of about a million dollars a year. If we increase parking citations from the current fee of \$53, for every \$1 increase, that's an additional revenue of \$60,000 per year. So by raising parking fees or parking fines by \$5 that would generate \$300,000. So there are, you know, and those are sort of appropriate, in my opinion, I guess I'm not giving an opinion now. But those would be interesting things to explore. The thing I want to go back to, and this may be for Director Mirzakhani. So on those sloped streets, is where we're talking about the raised concrete decks, correct? So, you know, what's interesting to me is, if those areas are not restaurants in the future, now they have a raised deck, or they have something that is part of their. It's a value to them that goes with the property. It's one thing to have a wide sidewalk because everybody on the block has that, but now these folks would have a raised, I'm calling it a raised deck, I almost say it as a ramp. And I'm not saying I'm opposed to it, but was there, was at the last time when we talked about this. So we asked the departments to cost us out with the raised

decks. I do remember that. But would we have the opportunity now to say, "Well, continue on", because one of the things you're asking is approve additional funding for the civil engineering. And we could say, "well, we want to do that", but take the North End. If we decided to, take the north end out, and we don't want to do these raised decks there. Now, we know that that means, and I see, I want to hear from you. But we know that means those restaurants that were on a slope wouldn't have the opportunity to participate, right? So that would not appeal to them. But if we wanted to take that out, A, would that save, would that be a cost reduction in terms of the entire project? And then B, what is it that our traffic engineer is waiting to say?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: I'll answer the other question. Yes, it would be a cost savings if we did not proceed with the raised deck.

MAYOR PRO TEM HOWORTH: Yes, okay.

CITY TRAFFIC ENGINEER ZANDVLIET: The way we have it envisioned is that on the sloped streets, if a restaurant was interested in doing outdoor sidewalk dining, then we would construct it at the time of the construction of the sidewalk. If a restaurant was not interested in it at the time, then we would construct it as a regular sidewalk, a widened sidewalk. At the time that someone was interested in it, then we may assess that

restaurant or differently in order to construct it. The difference in cost between just the flat sidewalk and the raised flat platform is the retaining walls. You still have to create a flat surface with concrete, and that would be either the flat surface or the sidewalk. It's still the same.

MAYOR PRO TEM HOWORTH: That's a great point. Thank you. Retaining wall, great.

CITY TRAFFIC ENGINEER ZANDVLIET: And at the time of removal, then we could potentially have a requirement in the encroachment permit that says you have to remove it if you're no longer interested in it.

MAYOR PRO TEM HOWORTH: Right. So what I'm hearing is, even though it may not be spelled out, this is all being considered as part of the cost recovery.

CITY TRAFFIC ENGINEER ZANDVLIET: Yes.

MAYOR PRO TEM HOWORTH: Okay. Thank you. Thank you.

MAYOR FRANKLIN: All right. Great. Any more questions? Okay. So I'm going to open up for public comment. Thank you, staff.

ALEXANDRA: Hello. Do I just start? I don't know if you wanted to take a break. You said you're opening for public

comment but I don't know if you want to take a break or are we just starting? Okay great. Thank you. Yes, hello. Thank you very much, council members. My name is Alexandra. I live on 10th Street. You know, when this task force started the whole concept was about dining throughout all of Manhattan Beach. But the last task force meeting I went to, it was exclusively about the downtown. And yet, there's only one resident on the entire task force who lives downtown, and yet we have a greater knowledge of the impact and the history of, you know, what things like this can do downtown. We pay more taxes than the downtown businesses, and yet we only have one voice on this task force, and you want us to pay parcel taxes for this project that essentially sort of erodes our way of life. This presentation that they gave here today said nothing of the increased vermin, the roaches, the rats, nothing about the increase of trash and trash trucks, nothing about the increase of congestion and just noise of people, whether they have music or not. As for, like, parking, I mean, there will be parking issues. Like you, I have never seen people dress up fancily to go to Slay or MB Post and then ride a bike down to downtown Manhattan Beach. That just doesn't happen. Like, what world do you live in? And on top of that, you know, this concept of enforcement. Like, that's not the police's job to enforce noise. I mean, I've called them for that before, during Six Man when one of the restaurateurs, their family

played Born to Be Alive by Pactor Hernandez all day on a loop two years in a row, and the cops come out and they turn it off or turn it down, and then the cops leave and they go right back to doing it again. That's not really a solution. And so I really just want to say that if you're going to continue with this, which I really hope you won't, I think this is an absurd project with a lot of expenditure and money, is that we need to have more voices on the task force because to only have two minutes to speak on something that we have a lot more knowledge about, it's really just not right. It's not democratic, and we need a greater voice. So thank you.

PETER KIM SLOOPYS: Again, Peter Kim, Sloopys. I'm only going to speak about North Manhattan Beach. So having owned a business and being a property owner in the North End, there's practicality and then there's conceptualization. The practicality is if you eliminate four parking spaces, you're creating a nightmare, number one. Number two, having parking spaces versus no parking spaces and widening sidewalks, if per se, as per my email, if there's an emergency, at least cars can move towards the parking spaces and emergency vehicles go down the center lane, which has happened all the time. If you widen that sidewalk, emergency vehicles will not be able to go down that center lane, which puts the city at risk. God forbid

something happens, because the emergency vehicle couldn't get there. Another part, and Traffic Engineer Zandvliet was gracious enough to send that. Highland from curb to curb is 40 feet, as opposed to Manhattan Beach Boulevard, which is 60, or Manhattan Avenue, which is 60 feet. By reducing 8 feet of curb to curb from 40 to 32 feet on Highland, I think it's detrimental to the businesses as well as to other traffic. And, of course, the X factor is Highrose. We have a judge who's going to make that Highrose happen, whether there's underground parking or not. You're eliminating parking spaces. By eliminating parking spaces, I mean, I'm looking into the future. There's going to be a lot of problems if Highrose ends can't get an underground parking space. So those are some of the things you want to consider for the North End. So I appreciate it. Thank you very much.

MAYOR FRANKLIN: Great, thank you. City Manager Moe, to his comment about emergency vehicles, has this been vetted with our fire chief?

CITY MANAGER MOE: I'd like to ask Talyn that question, or Eric.

CITY TRAFFIC ENGINEER ZANDVLIET: Thank you for the question. I mentioned it before, but any of the widening that are along Highland Avenue would be in place of the same width of

a parking space. And so moving over for an emergency vehicle wouldn't be any different than moving over for an emergency vehicle next to a parked car.

MAYOR FRANKLIN: Okay. Because it's occupying the same distance.

CITY TRAFFIC ENGINEER ZANDVLIET: It's occupying the same area.

MAYOR FRANKLIN: Okay, got you. Thank you, next.

UNIDENTIFIED SPEAKER: Evening, everybody. How are you? Well, I think some people have talked about things. I just want to say that I am really appreciative of your consideration of this, your deep consideration of it and figuring out what's best for downtown and for Manhattan Beach. I was kind of shocked about the amount, but I probably shouldn't. But we're talking about \$15 million, and going into the future, it will be \$20 million. A bond issue, we could barely get an education bond passed. I mean, it passed like by half of 1%. So I don't see anybody who's going to start paying because they want to dine outdoors to be able to have that kind of bond approved by the city, and I don't think we should be spending that kind of money ourselves. The amount of work is immense. It will damage all the sales of downtown businesses for I don't know how long. How long

are we talking about? Is it going to be two years, three years? Like the amount of work that's going to be done and what they're going to find once they dig it up. I think Mr. Montgomery said something about that, you know, what's going to happen when we open up those things and what's going to happen? It's going to be cost prohibitive. We're environmentally damaging more. We're going to pull up asphalt, pull up concrete. Where's that going? It's going into landfills, and it is Earth Month. I just want to remind you of that. So, I mean, fire hydrants, meters, valves, water valves, I can't imagine what kind of construction we're going to have. I'm worried about bikes riding down the street. There's tons of them now, E-bikes, and I think by narrowing the streets, it's going to be a problem. If these restaurants want to do it, charge a market rate. All these people are paying huge amounts of rent. Well, they're going to be getting the benefit of it if that's where you want to go with this, to consider that. And, you know, the truck deliveries nonstop, 500 more seats, 500 more people sitting down to eat at expensive restaurants. There's only El Sombrero and the pizza place that's left in Manhattan Beach that is anything reasonable for people here that want to sit. And the amplified music, it's going to be a nightmare. I agree with all the code enforcement issues that we would be having that we shouldn't be having to have the

police come out all the time for all that. So, that's it. Thank you.

MAYOR FRANKLIN: Great. Thank you.

CAROL PERRIN: Hi, Carol Perrin. Good evening. Whether it's 7.5, 12.5, 20.5, you know, in my law firm, we used to say it's just whack-a-doodle. And if anybody has ever been involved in a business where you try to recoup that amount, we will all be long gone before the city will ever be able to recoup anything close to that amount. And, you know, we live in the best place in the world. We are very, very lucky people. You know, there's reasons we have sayings, "If it's not broken, don't fix it". And certainly not at a cost of \$20 million. You know, we have the intensification of use, the negative impact on the character and balance of downtown, and all these enforcement issues everyone else is talking about. I don't want to talk about that. But I do want to reemphasize what was said before about the information or the suggestions you're getting from the task force. Because right now, we have 156 residential units in downtown, and we have 86 commercial units. And as was said, so the biggest and most of the dining recommendations are all about downtown. There are 15 people on the task force, seven of them are business people, two are city staff, five are residents who are not directly impacted, they don't live downtown, and poor

Jim Burton, what you guys did to him. Because when we're hearing that these things are unanimous, I'm there at every meeting, and Jim is always the no vote. Because he is trying to represent or even, you know, it's not only the vote. It's the discussion. If you have 14 people with one point of view and there's nothing wrong with their point of view, but it's not balanced. And you have one resident who is downtown affected who are the mostly impacted people, it's even the way the conversation goes, not only the vote. Thank you.

MARTHA ANDREANI: Good evening, Council. Martha Andreani, lifetime resident of the downtown. I was very encouraged when city council asked staff to come back with a cost estimate, like how can we decide what we want to do if we don't know how much it's going to cost. And now we have a cost estimate of 7.5 to 12.5 million, and we're still not certain what we're going to get with it. We're going to remove parking meters. We're going to increase parking fees. I think staff has done an excellent job for talking points, but we really now need to get down to more concrete items, as I think city council is asking for. Even though, it has been said that we will not be encroaching onto walk streets. I'm still concerned that we might be, and when we talk about encroachment or these public flex spaces. I hope that council will take action to say, "No, we are

not going to be moving out onto our walk streets and destroying the charm and the mixed use of the downtown". I and other residents of the downtown do not oppose outdoor dining, but we support outdoor dining that's like a patio, like the kettle, like Esperanza, like El Sombrero. And you'll remember that when we had outdoor dining on the sidewalks and the decks, outcome umbrellas, outcome heaters, and then so you have, in a way, covered outdoor dining. So I just don't see it as a true benefit for the cost that's here, and I thank you for the continuing discussion. I think Jim Burton is doing a great job. I want to give a shout out to him because he does seem balanced to me in his approach for looking at the residential and restaurant uses. Thank you.

MAYOT FRANKLIN: Great. Thank you.

PATRICIA GILBERT: Patricia Gilbert. I just wanted to say I've been sitting in the back listening. And what I've heard most is pro we want these outdoor dining areas, and I haven't seen the other side. I haven't seen the people that want to speak out against this and want to, you know, make their voices heard. With only one person on the committee, I find it shocking, and we're talking about \$20 million here. I can't imagine that there's something else in Manhattan Beach that we might benefit from for \$20 million, and it's shocking to me.

I've been a resident here for 40 years, and I've paid the bond measures for the schools, I've paid parcel taxes, actually, I'm exempt, but I haven't filed for my exemption, and I really don't see why this is worth \$20 million and with so little voice from the other side. Thank you.

MAYOR FRANKLIN: Thank you.

NICHOLAS: Hello. My name's Nicholas. I am a downtown resident, a fairly new member to the Manhattan Beach community, and I'm against the outdoor dining. First of all, I want to thank everybody from both sides of the parties here just to have open discussions. There's no way the community gets better without open discussions like this, so by keeping it civil, I mean everybody appreciates it, and that's how things get better. Second I want to say, Manhattan Beach has that small-town feel that you can't find anywhere else in Los Angeles, point and simple. Everybody knows that. Everybody who comes and visits knows that. And so, by just increasing traffic flow, people who are just coming in and dining outside, it just kind of gets rid of that homey feel that you get in Manhattan Beach. I want to say that restaurants should be planning for the indoor-outdoor dining experience, such as hook-and-plow is a perfect example of that. 500 spots is a lot of additional people who are just going to be dining out. And there needs to be a serious look into the

utilities, such as fish and parking, restrooms in the restaurants, kitchen space in the restaurants, dishwashing stations, trash containment, passive egress, et cetera. I also want to point out that the fire marshal should definitely be brought on board with this just to see about the occupancy levels of the restaurants and also the paths of egress, to make sure that they're not being impeded on. I work in construction, and I know that \$12 million is absolutely crazy. There's going to be things that are uncovered that we dig up from 40, 50 years ago, and it's just going to cause a lot more headache than anything else. There was no mention of the schedule, by the way. Construction schedules go on for very long, so hey, if this could be done in a week, there's one story, but this is years and years. I also want to say that if 1% of the tax dollars gets allocated to it, 1% of 9.5, just rounding up to 0.1%, say four occupants per day in each spot, \$100,000 of revenue, 0.1%, \$100 a day, \$12 million divided by \$100 per day of tax revenue. I mean, that's going to be out of my lifetime as far as when we'll see return on investment of actual any outdoor dining. Overall, I'm against it, but I appreciate everybody's open discussions about this and for hearing me out. Thank you.

MAYOR FRANKLIN: Thank you, Nicholas.

MIA: Hi, everyone. My name is Mia, and I'm a pretty recent Manhattan Beach downtown resident. First of all, I've never thought that the sidewalks are too narrow to walk. I've walked with friends and never had a problem other than just getting around outdoor dining tables. And so I don't buy that this is a net positive for the public at all, especially considering its \$20 million that could be used for so many other beneficial projects, it's crazy. Second, I work for SpaceX and have very long hours at work, and this will absolutely affect my commute every day, especially with, like, the added construction that's going to go on for years. And I'm especially worried about Highland Avenue because that is, like, the most trafficked area on my way to work. And, like, yeah, there is that lane of cars on the side, but, like, in the early morning, that lane or that area of cars becomes kind of an extra lane of traffic that, like, you won't be able to have if there's a sidewalk right there. And I also want to echo, like, I am really concerned about, like, emergency vehicles not being able to get past because, like, there's a difference between a sidewalk being there. A car cannot pull over on top of a sidewalk, but if there's parking spots, there can be some parking spots that are not occupied at that time, and you can still pull over, and the emergency vehicle can get through. There is a difference between those two things. Second of all, if I'm, like, stuck behind a

bicycle, they can usually pull off into a parking spot so that a car can get around. If there's a sidewalk there, they can't pull off anywhere else. You're kind of stuck behind the bicycle, which is dangerous and not convenient for the cars either. And then, also, I just, I don't buy the extra parking at all, and I worry about, like, where my sister is going to park when she visits me for a week. Is she going to have to pay, like, the super expensive parking meters all week that she's visiting me? Yeah, thank you.

MAYOR FRANKLING: Okay, thank you. Anybody else? How about Zoom?

ASSISTANT CITY CLERK ALVAREZ: There's no request on Zoom.

MAYOR FRANKLIN: Okay. So, did we want to take a break before we come back for discussion?

MAYOR PRO TEM HOWORTH: Yeah, close public comment.

COUNCILMEMBER MONTGOMERY: Close public comment.

MAYOR FRANKLIN: Yeah, so I'm going to close public comment, and then we're just going to take about a, get back at 8.30? Yeah, get back at 8.30? Thanks for your patience.

[CITY COUNCIL IN RECESS]

MAYOR FRANKLIN: Thank you, thank you for indulging us in a break. So we are at the point where council is going to have a discussion about item number eight, outdoor dining rough order of magnitude. So who would like to start off?

COUNCILMEMBER NAPOLITANO: Oh fine. I'll do it. Someone's got to do it. Yes, thank you your honor. Discussion time, but there are directions that we're talking about going to as well. There are things just to put into record right now, in terms of task force recommendations and some of the live outdoor entertainment amplified music. I'm a no at this time, I think there we didn't talk about that, I didn't get into that in terms of questions. But you know who would have is it permissible, because right now we have very limited CUPS downtown that allow live entertainment or dancing or amplified music things like that. And at this point, I think it's too early to say that I don't think we want a bunch of outside decks with live entertainment on them. There's just all because then we're talking about additional costs with having to have code enforcement folks out there on the weekends. It just you know, that's not going to pay for itself. It's just an added cost, you're talking about a whole lot of mischief that can happen and subjectivity with it. Right now, I would put that on the far back burner, not go forward with that at this time not give that

any approval. That goes proper enforcement regulations, you know, there's a lot of things it's a very dynamic issue and I've got all the emails from everybody in favor, I get that. It's, you know, people love eating outside, I get that I do too. There are ways to do it. There are restaurants that allowed that for now because they built that into their private property and this would be in addition to that. And we're really talking about changing the face of downtown and change isn't always bad, I get that but I think there's still a lot of unknowns. I'm going to say that I want to hear from my colleagues here. I'm not necessarily opposed to spending the extra money to get a more refined set of numbers here because we need to make some final decisions with what those real numbers are. We've got the rough order of magnitude, but it's not enough to make final decisions on I think that there's so much going on here. You know, we talked about the extended sidewalks, only in some areas not others. I think it really we have to be looking at all areas. Otherwise, we're looking at the haves and have-nots of downtown, we're looking at shabby one side new on the next. I think we need to look at all that. And I also think, we need to ask ourselves, okay is just cement enough every other downtown that redo's themselves. You got Hermosa with the perimeter, pavers along with concrete to have an enhanced aesthetic. There's plenty of other places downtown LA others that have that, do we

want to do that? Because right now what we're talked about is the concrete with a brush treatment. So not particularly exciting or aesthetically pleasing, but it gets the job done. Enforcement of issues again, we're talking about making sure the whack-a-mole situation we had in the past with our dining decks over, you know, our people outside and said we don't have to deal with that anymore. But making sure that they stay within the envelope making sure that those aren't overcrowded. There's a maximum number of folks that can be on there at any given time. Maintenance issues on there, but you know participation very well could be limited. We don't know who's going to actually participate in this. You know, folks like Elson Barrow they dialed back their dine deck when they couldn't afford. Michael Greenberg stepped up, you know, bless Michael Greenberg, but he's can't step up for everybody all the time. He did for a period of time during COVID and kept Ellison Burroughs dine deck open, but are they going to go for do it? We don't have any indication, you know selling \$10 burritos, you're not going to be able to afford and we need affordable places for people to go downtown to eat not just the high-end. We need to be able to serve all folks who come there Erkley's they already dialed back and their owners indicated me before that they are unlikely to participate in the future shell back Manhattan pizzeria, you know, can these people afford the market rate per square foot

additional? And then you know in terms of, the whole picture and the whole project. I think you know the issue of context and that's the difference right because we get all these emails, that's great. But do folks know the context of everything here and what we have to deal with and the other projects that we're talking about there's a whole set of folks who want to pull and we've embarked on that and getting designs for that. We'll be talking about that. But that's anywhere from \$35-\$40 million. This we're talking about, anywhere from seven and a half to twelve and a half to even 20 million or plus. But at the end of the day, if we do all the sidewalks and when how is that phased in? This is hugely impactful folks. I was here for the redo of downtown when we put the tiles in, not I, I'm not responsible for that. But other people did and it was hugely disruptive to the businesses some businesses went out because of disruption the lack of access to them. It throws parking and disarray you dig up you've got ramps to try and access the businesses. It's dirty. It's crowded, you've got the construction crews there. It is very impactful. So phasing is going to be very important. But as I said the pool parking lot three, that's you know in need of replacement actually, you know, we've done Band-Aids for years. That's on the docket to replace the senior Scout house. We've got \$200 million dollars in CIP projects how this fits in that's where I go to this idea of participation cost, participation

from the business themselves. You know, we're not going to get cost recovery if we rely on sales tax or anything else for years down the road. The upfront money paying for that's that deck right in front of their businesses just like the encroachments on the walk streets that makes sense to me, paying for the railings things like that. To me, the benefit gets the burden. We take care of the public aesthetic the public widening of the sidewalks but those spaces are going to be used by the restaurants. They should really consider stepping on saying, "Okay, we'll pay for that to help kick start these changes", because if we don't have a kick starter here, you're competing with all these other projects and they're just as concerned and enthusiastic people for the pool. Maybe not as much for parking lot three, but that's a necessity. But the senior Scout house is a lot of other things. So there's a lot of moving parts here. And if this seems like it were inching forward or it's very incremental because it's true, we are. We have to be judicious. We have to be smart about it. We have to take in all considerations including the concerns of the residents' downtown. So this isn't done. There's no final decision. This isn't a final decision tonight either in any way shape or form. It might come back to what? Mr. Jenkins said earlier is like, you know what if we just got a couple people who want to participate and maybe we give that parking up one or two spots

here there let them have it and call it a day because I'm really going to be interested to see at the end a day how many restaurants. It's going to be the haves versus the ones charging the \$80 pastas versus the \$10 burrito. There's going to be a difference there and equity, you know, there's a term that is misaligned a lot but in support of our downtown businesses in support of all restaurants. This is why I've talked about before it's like well, how can we make it work for everybody? It can't just work for some and not others. I know it's a choice at the end of the day, but these are all the moving parts that I see going into this. There's a lot going on, no final decisions, but I'm fine with spending the money to get better numbers that we can move forward and that's where I'm in right now. But I'm interested to hear what my colleagues have to say. Thank you, you're honor.

MAYOR FRANKLIN: Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Thank You, Mr. Mayor, thank you Councilmember Napolitano for going first. Thank you to all the residents who have let us know their opinions both for and against. And, you know, I should start by saying I love outdoor dining, I loved it during COVID, I love it when I travel, I love it now, and I don't think it has to be just an intensification of use. I think it can be charming and wonderful. So but as my

colleague mentioned we have to make decisions within context and within, you know, there's so many other things to consider or so many things to consider. You know, you mentioned parking garage three and when all of this is being discussed, I think you know, it's brilliant. Our staff has done a brilliant job and the task force who has been through months and months and months of staff reports and research and have really, really tried to come to something that works. But when you talk about okay, we haven't taken away much parking. You know, maybe there's four spots from the north end, which is actually pretty heavy on them but if you're adding 500 seats to your dining plan, where are those people going to park? And so, you know, let's not forget parking lot three, which is probably going to be \$30 million, too. And as Councilmember Napolitano said we also are talking about a pool. I'm just concerned that with the amount of money, however, I also know the restaurants, a lot of the restaurant owners really want this and so I would say that I also would want to get a better cost estimate by item C, which is an amendment to the professional services agreement for civil engineering. But also to start working out with some preliminary discussions with the restaurant owners to find out how much they're willing to pay, for how they're willing to pay for it. Because again, we should get a revised scope and revised estimates as says, "Okay, we think it's 10 million for X Y & Z", but we still don't know.

What are people willing? You know, what owners are willing to pay for. I agree with everything you said Steve, except for, and I don't think I'll get support for it. I don't mind the music. Sorry. I'm not going to look over there. I think that there is a real place in downtown for music whether it's a farmer's market, maybe you know that whole Metlox area. I think that there is, you know, acoustic music. I think there's a way to do it, but we can talk about it later, I get that. I want to also point out that we do have some CIP projects coming to improve Metlox itself, which is a good thing because that is really shabby and here we are talking about spending all this money to maybe widen sidewalks and we need to spend money on Metlox and we need to spend money on the stairwell and everything like that. So I just, I don't see how we can spend this much money now. Not to mention the small businesses that would be incredibly negatively impacted by the long-term projects of widening the sidewalks again, that doesn't mean it can't be done. But if we don't mitigate this now, if we don't put in in our plans ways to help them whether it's financial incentives, whether it's signage, whether it's, you know, we're going to further lose our retail and I'd hate to see that happen to some of our long long-term businesses. So I would support appropriating \$91,000 for MIG to do some more civil engineering and I would like to make it happen, but we have a lot of considerations here.

MAYOR FRANKLIN: Okay, great. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, your honor. I'll start by saying I appreciate senior planner Yoon and Jeff civil engineer, telling us know what is out there as best you could today. I think the additional shock of the extra \$8 million. We need to know that, that's important, we all hear the same thing at same time. As you all know most, it's very rare for government projects to end on time. And under budget, whether it's local whether it's state anybody the county they rarely end at the numbers you think they are or will be. So, you know what going in you added 20%, 30% of your numbers to cover what might happen is contingency. But even then we don't know. We are taking the cautious approach as Steve mentioned. Because if we don't, and I'll know there may be a lot bigger than \$12 million or \$15 million or \$20 million, we don't know yet. So we're trying to guess in a vacuum here where we're going to end up numbers wise and we can't do that. Not with Director Charelian reminding us every month that we outside challenges. Not just the pool issue where it will be, what will happen with that the community center? What will happen with their old Scout house going forward? That will be trainer Kaye we're paying right now for a streetlight landscaping fund that we're eating that cause folks, out of our own pocket. And the Sacramento also could

change the rules on what we just passed on our bounty did it. They go back and wipe that out. Guess what? We're paying all that money back again internally. Free spending the money, you know, so we have I mean Steve and Bruce and I were all here and I was a lucky guy to be mayor during the Great Recession. I know what it was like to not have any money coming in and then again during COVID. We saw what would happen with no money coming in. What do you do? And now you're worried about, do we spend it all? We're going to assume, we're going to have rainy days or we're going to have sunny days? The rest of the next 20 years to pay this off. It's just because we're making the step to look at the next review does not mean we're approving it. It means, we're looking at all the variables first. Before you say yes, you have to, what it will cost us? Now first of good arguments about why we shouldn't do anything at all? Let's say the way it is don't change a thing. Well, you've heard the vast majority don't want to leave it the way it is. What it's just widening the sidewalks and stopping or fixing the infrastructure hasn't been touched in 50 years? We saw what happens folks, you don't touch in 50 years. A lot more cave-ins a lot more potholes, we didn't do diligence and fix it. And I for one and, they'll laugh at this, but I used to get the Pirate Council's a hard time blowing money on studies ,never went anywhere. But the same token, how do I know what the number is? He'll actually find out

what it is. So that's a final choice for us. Do you want to have this going forward or you don't want to have it going forward? And I'm with Steve, I think that the restaurant, those maybe ten of them, in my head Steve that may pay for this. They got any partnership with us if they want to have this as an option for themselves. And remember not all these seats are going to be used by restaurant dining if I only serve lunch and dinner, I don't serve breakfast. I mean, when the public could use those seats does not mean they're reserved for dining. Anyone can use them, who are on the beach that day. It's open for everyone. The Coastal Commission is watching every step we're doing. I mean, she said it right, we're the first group to lead this way forward. Let's see, they're going to follow us, see how we're going to do it, how we do it the right way? And we come back except and we won't do it because it's too expensive. They'll see why it's too expensive for us with so many of the challenges that we have. We can't make decision to win the exact, you know, what it will cost the time frame. I think was two years, if I remember it correctly, construction. Maybe Director Lee will confirm that, a two-year time frame for construction. We don't know, I can't imagine what downtown would look like in two years of your construction. Not just getting out to get to Highland and going north and my other concern, I heard you heard in Peter Kim, this loop he's talking about what Highland would be like if

you if you squeeze Highland. As you know, we all hate road diets here from day one we didn't like road diets when it happened to us getting out on Vista Del Mar, we threw rocks bricks of the people that were promoting road diets. To do it to ourselves is wrong. So I need to look at other options on the north end. I'm not sold on the north end yet at all, I'm more favorable to the downtown area only. And that will happen, but let's see what numbers come through then I'll decide then, because right now I'm not in favor of spending twelve and a half, twenty million dollars to move it forward unless you're a partnership with everybody else going forward. We find out only five restaurants going to do it. You're going to sit back, was it worth this for twelve million dollars to get five restaurants are going to use it? Or did we just go back to the idea of widening the sidewalks and see what happens. So as from holding for now, I do support Mayor Pro Tem's idea. Let us go the next step and have these consultants. I'm sorry, contractors bring us back more numbers and details so we can make a better informed decision. Thank you, your honor.

MAYOR FRANKLIN: Great Councilmember Lesser.

COUNCILMEMBER LESSER: I'm learning leaning towards the out the emerging consensus here, but I have some questions. First and foremost, I want to thank everyone who's taking their

time to be here. Who's taking their time to write to us?

Appreciated that that input. We're here because of two primary issues, the first is whether or not we should endorse what the outdoor dining taskforce is recommended, which is more outdoor entertainment and amplified sound. And whether we should go forward with this engagement with an outside contractor to refine what the costs actually are, because again, we're using numbers here that we had asked our city staff to come up, with as a rough order of magnitude. But the purpose of this engagement of this perspective engagement of this firm is to refine these numbers to come up with actual costs. So we know what we're really talking about with regard to outdoor entertainment and outdoor amplified sound. I'm with my colleagues, I think it's too early. We need to come up with a broader concept of what our downtown is going to be? What our vision is? And moreover, want to build trust, continue the trust with our downtown residents that this is not going to be our first step towards whatever this future vision might entail. We have to first come up with, what is our plan going forward? I am in favor of moving forward with this firm, but for the fact that we have all raised questions tonight. Asking very specific practical issues about the functionality of the preferred program vision. I'm concerned about that and that's an open question for me, which I want to talk about a little bit further

as to, what comes next if we're in favor of engaging MIG to flesh out these issues? And I frankly welcome Council deliberations and maybe confirming with staff on how we go from here, if we are concerned about the width of the roadway on Highland in North Manhattan Beach? Is this something which our outside engineering firm? Can really flesh out for us or is this a policy decision, which we need perhaps more input on before we hand this over to the firm? Downtown, I am concerned that they're going to be winners and losers and I want to better understand how we might engage the property owners who will benefit from this a pertinent extension into the public right-of-way, which would benefit their property. Not just for the current users, but for the users down the road. So, I think we have to better understand what options we would have to share the cost? So why don't I stop there and see if anybody has some more ideas on those open questions?

MAYOR FRANKLIN: Thank you. So I'm going to pitch in here. First of all, the live entertainment, I don't think there's a place for it. I've been downtown 10:00, 11 o'clock at night, it's roiling. I don't think you need, if we have extra and that's being contained by a building, by the restaurant and this will be out in the air, and we don't allow it on any rooftop type of situation. And I just don't think we should have

it on the on any open outdoor dining. There's just so many unknowns in this and I got a kind of admit a lot of hard work went into this. I mean, the taskforce ran meetings like this with public comment. So, if you felt like you wanted to have your voice, you can go there and participate and have a public comment. You've got the email addresses of all the participants, you can go ahead and express yourselves, that way. I think, well, where I'm disappointed is where the restaurants at this meeting? Where the restaurants when they met with staff? That's why I asked those questions. I have a list here 10 downtown businesses of which, when you count multiple restaurant owners like David's sleigh and Mike Sims and David and then, let me see, so they're representing multiple restaurants. We got 11 restaurants. Okay, I counted. Particularly take away the north had a list here of all the restaurants. I think there was 26 in downtown and the rest were on the north side end. No 26 and 8, so 34 total. Am I counting no that? No that's not counting the north. So, 34 restaurants, I mean we're talking about a pretty deep, deep far-reaching relationship. We're going to have them to create this kind of havoc downtown. To re-essentially rebuild Manhattan Beach and we need to get their input, we need to get their numbers. I mean you heard me talk about the sales tax. I don't know what they're going to hide. I don't know what, you know, you can get the sales tax numbers, to see if they're hyper

inflating their business. But partner with them, NDAs we can use NDAs, but let's get the numbers. How much do you basically get per seat? And then once you get that per seat, then we got to sort of get the really final. How many additional seats you're going to be getting? And then, they can make a business decision. Then, we can make a business decision, about whether or not this makes sense to do it. I believe the burden should go to those who benefit. I asked about raising meter fees, but why should we raise them in non-downtown areas to pay for improvements that are going on downtown? There's a way that we can make that number, I mean, if you're talking about a million dollars a year, I think there's a way to make that number. But I'm not sure, I'd love to see some of the empty seats here with some of those restaurant owners or at least conversing with us and say "Yeah, we're behind that" or "We can only go up to this much and then, we don't see it feasible". You know, they have challenges of their own. We got this inflation, this nagging inflation. That's hurting everything and then the cost of labor is going up and things like that. So those challenges they have to kind of factor in. But I'm even thinking I don't want to proceed with the extra money because I felt we should have gotten some of that. I mean, we got the number. We kind of got a number tonight on the number of seats. It wasn't in the original staff report, but by questioning on how much you know how many

extra seats we're going to be getting down there? A capacity for 610, there's a 156 sidewalk dining permitted seats, and then during the height of the decks there was 980 seats. So we're going a third less. But they have the numbers on how much they made on those extra seats that were outside. So, we need more finite and accurate data before I think we're, you know, we should proceed. I don't know if we can get that for the \$400,000 that we've already paid. But to go ahead and give more when the foundation of the numbers we have now, I can't trust and without the feed feedback from the businesses and from the restaurants. Like you know again, I'm optimistic. I think there's a way to get to that number, but we need that commitment before going forward. The construction phasing, I mean, there should be some sort of idea about what's going on here? We can talk to some contractors and the like which I think we do and we're sort of talking about. I mean, how long this will take, if it takes two years and then it ends up being four? That's going to be disaster to so many businesses does it make sense to do one part of it first. Either, well probably not to completion, but just something how to optimize the construction. Those are really big decisions to make and I really don't get, I don't get a sense here from the information that we have of what that looks like. Got a lot of information, which is great. We have a lot more than we had before and I really want to thank the taskforce.

It's not easy they're there, they got to do their work, we always encourage participation, and you hear us all the time asking for participation. So I'm just going to go ahead and leave it that right now and Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Thank You Mr. Mayor. I want to clarify, I have a few other comments or questions, but you said where's the back the feedback from the businesses? Did you mean about how much they would be willing to contribute or whether they want this?

MAYOR FRANKLIN: Given, what information we have and knowing that we've got a bond to pay at a million dollars. I just did some quick... You know, I got a list of all the restaurants.

MAYOR PRO TEM HOWORTH: I got it. I just didn't understand. I was going to say, they have given feedback through the task force that they want this I get what you're saying. I totally get what you're asking. Right because, I mean, I wouldn't want the people out who are watching to not think that the restaurant owners don't want outdoor dining. They absolutely do. It's how much, are they, you know, do are they willing to participate, you know. I also want to clarify earlier, I wasn't, I don't think so clear when I was talking about Metlox and why did I bring up Metlox and all of this? Because we are budgeting

to make improvements in Metlox and Metlox is not nearly as old as the size of the beautiful blue-gray tiles that have mentioned. And ever since I was first on council in 2011, we were talking about, "Oh the downtown Streetscape really needs improvement", "the downtown streets..." And we really haven't done much. You know, to your point Steve about how pretty, you know, Hermosa looks, right? So, the bringing up Metlox was we are going to have to spend money there and tonight we're talking about this extra \$8 million to make surfaces consistent. Even those surfaces or sidewalks that aren't being widened. So that would be like an \$8 million estimate. We're going to have to spend that kind of money at some point soon anyway. Our downtown needs to be beautiful. We have really nice restaurants. We have resident to buy into a house here in Manhattan Beach starts at \$4 million. We need to keep ourselves spiffy. We're going to have to spend money on streetscapes and design scapes. We're going to have to make improvements, not just in downtown. So I think about that. The other thought I had is we talked about and it's really just a concept at this point. We haven't even had the community meeting on parking lot three, right? There's a planned meeting on that. Well, you know, maybe some sort, there's some sort of putting parking lot three together with this project, right? In terms of funding it or finding resources for it or bonding it. Because there's some synergy there. Just

an idea, I mean, we're not making this decision tonight. But I want to think about it because that serves the downtown area, right? And so there could be real synergy there. I do think we should spend the money to keep in getting a sharpening the pencil, if you will, it's an expensive pencil sharpener. But I think, we should do it. I would consider, I think we should. Well, I would like to ask the civil engineer s firm or however you want to call it, to really carve out say like the retaining walls. So it's clear, if you are Mangianos and you want to put in that retaining wall, it would cost extra amount of money. So maybe we're taking care of the sidewalks, and we're doing this and that. But if you're a restaurant, you want to do a deck this is how much it's going to cost you for that. I think we should kind of assume that, right? Because it's a Steve's point like we didn't pay for Petro's railing. We didn't pay for the Panko to the end and Nick's stuff. And so..

COUNCILMEMBER NAPOLITANO: We didn't pay for the dining decks.

MAYOR PRO TEM HOWORTH: Or the dining decks or my patio. But I love on a walk street, but so I think it would be, you know, that way we can actually see so then those restaurants get a chance to see, "Oh, it's going to cost that much?" "No, I'm not interested." Or "Of course. I'm interested in doing

that", right? That's another way of asking them to participate without, you know. So, consider that we're going to need to spend money on streetscape improvements regardless whether we do widen sidewalks and do a downtown dining program or not.

Consider that we're going to have this parking garage that if people want to do we're going to think about that, consider bundling some of this. Consider carving out the retaining walls and I kind of feel like taking North Manhattan out of it. I think it's just a couple of restaurants and there's so many small businesses up there. And if Highland, if it's true that that's 40 feet wide and the other streets are 60 feet wide that does not compute. So I say, I mean, maybe we get the civil engineering cost just so we know. But that's where I'm kind of headed right now.

MAYOR FRANKLIN: Okay councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, your honor. I think someone asked a question if we hit all this that we see. Just all in favor of downtown dining. No, take out the non-residents. Residents spend money here too, non-residents that money here visitors a lot. All this is pro, a lot of them are anti and they don't show up here tonight, they use email. Some actually call me, believe it or not. Some actually use text and say we're against. Here's the reason why, "I can't show up at

the meeting tonight, but I'm a no." "This is why I'm a no." And one of them really struck me is about one comments, Richard, do you remember 2020? And I go, yes I remember very well. She does what? This is the largest City expenditure the \$18 - \$20 million. She's talking about the city will ever have or nothing to show for except maybe sidewalks. It's not a water reservoir. Not a police station, fire station, new City Hall. It's paving, concrete. Do you want to spend \$20 million on a bunch of concrete? Question. So the reason why again when we've been so slow to answer Councilmember Lesser's comments. There's a lot of people here that don't want to do anything at all. Others that are okay with widening the streets the sidewalks, but not the expense on North End. I mean, I actually like El Sombrero. Is to go there and Sloopy's and maybe pizzeria by the slice. I don't want to lose them on two years of construction. We saw what happened people couldn't survive COVID. They barely hung on and that was one year. When you're a little over a year and they almost went out of business. How do you survive as a local business if you can't even get to your place customers for two years, you imagine? So those people that are emailing in the Nos, understand we're not making the decision except to whether to go the next step and have someone study it and then we can make a real decision. But to make a decision in the dark doesn't do anybody service. We should wait and see what it is, because I

don't know what the answer is. All we know is time frame and maybe seven and a half to \$12 million, twelve and a half million dollars. That's a big huge difference between seven and a half and twelve and a half million dollars. And I appreciate staffs work on it because you gave us the right road map. Now the next step is, can we refine it even more and get us down to that final edge? So we can decide. And then, is the impact of two years really a time frame that we can live with? And do you want to include the North End, yes or no? Because after you talk with and out things almost said your numbers start changing. So I'll stop there your honor.

MAYOR FRANKLIN: Okay. Thank you. Councilmember Lesser?

COUNCILMEMBER LESSER: I have a question for staff and maybe I go through the city manager. And that is, given the concerns that all of us are expressing about the project and proposed revisions. Is this still in a position to be handed off to our outside consultant MIG? Have we not raised some fundamental questions about what the scope of work would be? I'm just looking at the scope of work exhibit A. It's to assist the city in developing preliminary plans for the long-term outdoor dining program in addition to the original work scope, which at its core as described in the staff report is this program vision that the task force has developed? But you're hearing lots of

reservations and concerns about it. Would we not need to refine those before we really can hand this over to the outside consultant?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Hearing all the different perspectives from City Council, I would still recommend moving forward with the analysis and that way you'll have more information to make definitive decisions based on.

COUNCILMEMBER MONTGOMERY: Your honor, could I follow that up with a question?

MAYOR FRANKLIN: Yes.

COUNCILMEMBER MONTGOMERY: Any idea a time frame for they can bring? If they say, "We say yes tonight" to lean how long would it be before the company comes back and says?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: 16 weeks.

COUNCILMEMBER MONTGOMERY: From today?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Correct.

COUNCILMEMBER MONTGOMERY: 16 weeks six. One, six?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Correct.

COUNCILMEMBER MONTGOMERY: Thank you.

MAYOR FRANKLIN: Four months.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: And that's mostly because the civil engineered plans have to be prepared.

COUNCILMEMBER LESSER: I'm trying to flesh out some of the practical issues that my colleagues have raised, including whether or not we include North Manhattan Beach. I mean, obviously the scope of work could still include it and we could always decide to exclude it later but nonetheless that's cost in the outset. You've heard concerns about the stepped decks, the built up decks. How are they referred to whether they should be included or not? Obviously we can remove them later. Fundamental questions though, on a project that would only impact the north side of Manhattan Beach Boulevard on certain blocks versus the south. Any further comments, but it are really policy judgments.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: About the raised decks, I think it would be helpful to have a general understanding of the cost so we can engage in those discussions with those particular establishments and then we would have that feedback available for the council. Are they interested in taking that cost on? In addition to the per square footage fee per square foot fee in the future and then we'll get gain a general sense of, how much is it going to cost the city versus

the establishment? And in terms of North End, I think we can take a look at that chart to understand because we did segment the cost out for the City Council and different sections. So we can take a look and have a general estimate of how much we might be saving if we were to take North End out. And I can reconnect with the team to see what that number was for North End specifically but if the council would like to take North End out before we move forward with the professional services and the civil engineering plans that that's absolutely fine. But if the staff can help me out and tell me how much the North End segment was...

UNIDENTIFIED SPEAKER: Little bit over a million.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Little bit over a million.

COUNCILMEMBER LESSER: Thank you

MAYOR FRANKLIN: Okay, and if you stay there Director Mirzakhani. I noticed that some of the newer restaurants like hook and plow for example. I mean, granted they had a lot of the structure there, but it was basically the street side of the restaurant is open. I mean, I've heard, I can't remember where I heard but where that studio is now or the studio that's now

closed They're thinking of developing a restaurant there and it's going to have an open element and also dining on the roof?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN:

Potentially that might...

MAYOR FRANKLIN: I mean, but still so the desire the desirability of the outdoor dining is being presented now in the in the construction of these kind of sites. I'm just thinking that as we we're going to be doing some work at Metlox. As these buildings get retrofitted and brought in... the other one would, the other one be for the Zistless group where Bruko is? Is that going to have some open-air element to it?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Maybe considering an open-air element as well.

MAYOR FRANKLIN: You know, and then you already have it at rock and fish. Oh, shoot! Too many lists. But Esperanza to some degree has that right and EL sombrero has an outdoor deck and Sleigh we know has those open areas. Tacolicious has an open-air feeling and Simsies and Hennessy's, the kettle has that open side on Manhattan Beach Boulevard and rock and fish. I think, I mentioned that earlier. When we see like an evolution of this happening again and again to where the need of outdoor

dining or the desire of outdoor dining is being met organically, right? The building owner...

Councilmember Napolitano: Question is do you see that?

MAYOR FRANKLIN: I see the...

COUNCILMEMBER NAPOLITANO: Director, I mean you see it right? And the answer is it depends.

MAYOR FRANKLIN: Yeah. So and those, and they may not want to participate in this because they have already made that investment. So, yes, I see it. That's what I... it occurred to me as I walked around. I kind of looked at him and Mr. Zistless, this was took me through, you know, the plans, you know to Brew Co and what the plans were there. He said everybody wants open, we want this open. So there's just another sort of Avenue to explore I guess. But I'd be inclined to spend the money if we, I think develop really specific data points that we want. So that we can make a really good and informed decision. So I'm going to go ahead and leave it at that. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. I have made a motion. I'm going to move to adopt resolution 24-0038 approving amendment number one to the PSA with MIG and the amount of ninety one thousand seven hundred twenty six dollars and thirty three cents. To assist the city in developing a

preliminary plan for the preferred program vision. I'm doing this because I don't think we can answer all the questions. We've had until we get that information. We need that information the restaurants need that information because I want to hear as well, your honor from the restaurants as to, who is really going to go forward and if it's five or six? Now, it's not worth it to go beyond that. I'm going to say that right now. So we're going to really get the information to have people put money where their mouths is and say, "Okay, are you going to go for us? But we can't do that until we tell them what it's going to cost them. We need this information telling what's going to cost them and I think it's premature at this point to kick the north end out. Unilaterally, they're not here to say, "Whoa! Wait a minute." We were under the impression that this was going to be studied like the rest of everything and had we known that was even a possibility that would be taken off. We'd be down here saying to it might not make sense and none of this might make sense. That's what we all said and having reservations that with everything that's going on all the moving parts it might not make sense at the end of the day. But to make sure about that, because this is important to a lot of folks out there, both pro and con we need accurate numbers and accurate information to go off. So, that's why I support and I'm making this motion to spend that money, which I normally wouldn't do

but then I also... Right? Staff knows and then as far as item B provide direction related to the task force for information. No, take live outdoor entertainment amplified music out for now. We don't need to consider that now and because of that we don't need to consider code enforcement mechanism for outdoor dining permits either. That's my motion your honor.

MAYOR PRO TEM HOWORTH: Can I clarify? So the outdoor, the code enforcement is does not relate to the amplified music.

COUNCILMEMBER NAPOLITANO: Doesn't matter. I'm taking out right now. We don't need to talk about it. We need to spend the money to get the numbers to be able to...

MAYOR PRO TEM HOWORTH: Okay gotcha.

COUNCILMEMBER NAPOLITANO: There's no need to go...

MAYOR PRO TEM HOWORTH: Got it. I seconded it.

COUNCILMEMBER NAPOLITANO: Irrelevant digression.

MAYOR FRANKLIN: I just have one more question is the original \$400,000. Are they considered complete?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: No. We're still utilizing those funds. We are still utilizing those funds.

MAYOR FRANKLIN: Okay to what degree, do we know?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: All of the work that the consultant is doing for us has done for us up until this point and continues to do for us. That includes the financial analysis that the EPS is doing for us right now with the sales tax data.

COUNCILMEMBER NAPOLITANO: My colleagues are trying to kill my 10 p.m. prediction, call for the question your honor.

MAYOR FRANKLIN: Okay, so we have a motion to accept from Councilmember Steve Napolitano and seconded by Mayor Pro Tem Amy Howorth. Vote.

CITY CLERK TAMURA: Motion passes 5-0.

COUNCILMEMBER LESSER: Your honor, I have one quick follow-up question of the director without disrupting the 10 o'clock and time. What is the role of the taskforce going forward? At present, as staffs understanding.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: We are still making regulatory decisions some of which we've presented to you today. But not all of them have been addressed with a task force yet. We are working through the second floor outdoor dining guidelines the redevelopment of those essentially. Right now, we have some guidelines that stemmed from the downtown specific plan process that staff has been utilizing. We were

asked by the council to revisit those we had already planned on revisiting those as a part of this process. We're working on those now. We're working on trash regulations vehicle loading regulations. Design things heaters awnings things like that, could be associated and of course the regulatory part of it too, the code enforcement actions, etc.

COUNCILMEMBER LESSER: Thank you.

MAYOR PRO TEM HOWORTH: Why do you guys hate music?

MAYOR FRANKLIN: Okay, thank you on to item number nine. Request from sandpipers for dedicated use of a room at a discounted rate in exchange for a \$50,000 donation.

PARKS AND RECREATION DIRECTOR LEYMAN: Good evening honorable mayor members of City Council. Mark Leyman, your parks and Recreation director. Not sure if it's over under, so I will make this brief. At the March 19th City Council meeting you directed us to bring this item for your consideration and the sandpipers proposed a \$50,000 contribution to the friends of the senior and Scout Community Center. This \$50,000 contribution will be used for funds for their friends can tap contractual obligations, which include paying the civil and structural engineers lighting consultants and interior designers. This contribution would enable the sandpipers to name the second

floor artist maker space have a 50% reduction to the rental rate for a 10-year term. Provided guaranteed three-hour weeknight evening reservations six times per year during the men's months of September, October, February, March, April, and May. And this equates to \$9,450 over ten years. And we found out when after the staff report launch, they'd also like to include at the kitchen so that is an additional \$10 per hour so that equates to \$11,250 over ten years. There have been similar contribution agreements made by youth sports organizations for turf replacement projects in Manhattan Village and Marine Avenue soccer fields to offset capital costs. This contribution model changed with the most recent Marine Avenue turf replacement project. In which, City Council elected to fund the project through capital improvement project funds as well as grant funds. Instead of accepting contributions from the user groups for a dedicated field time. The friends understand that the contribution model has changed. But believe that this partnership is unique because there are a number of additional considerations. These considerations include the requested time would be utilized of off-peak hours of Scout scheduled time identified in the MOU. The city entered into a contribution agreement and use agreement with Beach City's Health District providing 92 hours for older adult programming events and support groups services in exchange for \$150,000 contribution.

Although these would be open to the general public. The friends have an existing partnership with the Sandpipers collaborating on projects and would already be sharing the space for shared programming. All other community based nonprofits in Manhattan Beach were given the opportunity to participate in the project but only Sandpipers expressed interest. And finally, the Boy Scouts troop 849 and Manhattan Beach Girl Scouts are in support of this agreement. So with that overview that concludes my presentation. Staff recommends the City Council discuss and provide direction on this item. I'm available for questions as well as the Sandpipers and friend representatives.

MAYOR FRANKLIN: Great. Thank you Director Leyman.
Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you your honor. I see Counselor Montgomery has made a motion. So my first question is what's that motion? Since I already seconded.

Councilmember Montgomery: To request the Sandpipers dedicated use of a room at discounted rate the senior and Scout House Community Center for 10 years. That's my motion.

COUNCILMEMBER NAPOLITANO: That's the motion. Julia is this the last carve-out we're going to hear about? All right.
Thank you, honor.

MAYOR FRANKLIN: Okay, any other questions
Councilmember Lesser?

COUNCILMEMBER LESSER: Want to get it in the record,
Director Leyman. You and I had an exchange with regard to the
value of having this money now at this stage of the project.
Obviously, it's value for the friends in doing some of the
preliminary work to get this project going. But can you
articulate that or should I really ask the friends? I?

PARKS AND RECREATION DIRECTOR LEYMAN: I know the
friends can provide a greater level of deep detail but it really
is to pay for the design phase, which they are obligated to do.

COUNCILMEMBER LESSER: They're obligated to do it. And
thus this is something that's critical for the project to move
forward as a whole. Okay helpful. Thank you.

MAYOR FRANKLIN: Joe Franklin. Oh, yeah. So I'd like to
just ask a question. So when we relate it to the soccer field.
Those soccer teams that are actually now going to be using the
field they're charging, it's a money-making enterprise for them,
right? Because they're charging their players. So the soccer
teams pay for the use of the field and then they're charging
their players that come in. So it's like a business.

PARKS AND RECREATION DIRECTOR LEYMAN: With the new model.

MAYOR FRANKLIN: Yeah.

PARKS AND RECREATION DIRECTOR LEYMAN: Yes, with the exception of AYSO, it's a per player fee for the community-based organizations, but for the adult groups they are paying \$180 an hour for a resident or \$200 an hour for non-residents.

MAYOR FRANKLIN: Okay, great. Got you. No, no more questions.

MAYOR PRO TEM HOWORTH: I'm waiting for public comments.

MAYOR FRANKLIN: Okay, so I'll open up public comments to those in the audience.

BETH GESSNER: Good evening honorable mayor and City Council members. My name is Beth Gessner. I'm a 40 year resident plus of Manhattan Beach and the vice chair and treasurer of friends of senior and Scout Community Center. As you all know, we have friends have contributed nearly \$2.3 million to the city for the construction of the New Community Center. But what you may not know is that, we have been funding the entire design process from the beginning. Including the city's fees and

permits or fees for the permits. Developing the plans is not part of the construction budget. So, in order to provide the city with completed construction ready plans in the coming months. It will cost us approximately \$360,000. We have contracted with 18 separate entities, including architect, a surveyor, civil engineers, structural engineer, mechanical, electrical, plumbing engineers, the lighting consultant, the fire sprinkler system consultant, interior designers, the list goes on. To date we have expended \$215,000 towards the plans and permits, leaving us a balance of \$145,000. This \$50,000 contribution from sandpipers will go a long way to meeting those remaining obligations. So sandpipers, as you know, is an outstanding organization that does so much good for our community and the surrounding areas. They are asking very little in exchange for their gift. They would just like an affordable place to call home. So, please support this agreement with the sandpipers and thank you so much for your contribution.

JOANNE HUNTER: It's was very hard not to come up as a restaurant owner. I'm Joanne Hunter and I've lived in our wonderful city for 30 years. I'm proud to be a significant donor to the New Community Center. And I'm also proud to be a past president of sandpipers. Sandpipers with the membership of 750 is an organization started during the depression with the goal

of helping those less fortunate. These families are referred to us by local social service, churches, synagogues, school nurses and our two local hospitals. One of our strongest programs is providing college scholarships for high school seniors. Our annual budget for this program alone is \$310,000. Our scholarship program is the oldest and largest in the South Bay and also very unique as we'll follow the recipients for all four years. We have a strong relationship with high school counselors across the South Bay, who refer these students who have financial needs. Refer them to us. What brought me here today are two things. One, sandpipers cannot afford to pay for rental space at other facilities without having to tighten our belts and reduce the size of our scholarship expenditure. Secondly, sandpipers has had a building fund for the last 20 years, which we have never had the opportunity to dip into it. The fund cannot help us with scholarship because the donors to this fund have put limitations on its use. So we feel the New Community Center is the perfect fit to support turning over the fund's total of \$50,000. Thank you so much for your consideration.

LAURA PARIKH: Good evening. I apologize if I repeat some of the information but, good evening mayor and esteemed council members. I extend my gratitude for the opportunity to address you tonight. My name is the Laura Parikh and I'm a

representative sandpipers. An organization very close to my heart. I've been proudly serving within its ranks for the last two decades and that includes the term as president in 2018. Sandpipers we uphold a proud tradition of being entirely volunteer driven dedicated to raising funds to support those in the community who need a helping hand to regain their footing. And within the membership, exceeding 750 individuals of which 175 are currently active and proudly operate without any paid staff. Every dollar we raise circulates directly back to into our community. Our members predominantly residing in the South Bay area not only champion our initiatives but also invest significantly in the betterment of the communities they call home. Personally, I currently serve as a scholarship advisor tasked with guiding the students have been awarded the scholarships and ensuring the equitable distribution of funds among with those 54 students, currently enrolled in our four-year program. Our scholarship program functions as a gap scholarship supporting students throughout their four-years and striving to meet their unmet financial requirements thereby reducing their debt upon graduation. While our commitment to distributing \$310,000 among these deserving students is substantial and unfortunately falls short. For meeting their full financial needs with escalating expenses in tuition, accommodation and daily living expenses. Many of our scholars

still find themselves grappling with financial challenges often resorting to loans to bridge the gap. Securing the community centers meeting space in advance would immensely benefit Sandpipers. The funds saved on rental expenses could be redirected towards crucial programs like scholarship and significantly alleviate the financial burdens faced by our students. So once again, I appreciate your attention for our cause and your consideration of our requests. Thank you.

MAYOR FRANKLIN: Thank you. Anybody else public comment and chambers. How about online zoom?

ASSISTANT CITY CLERK ALVAREZ: There's no request on zoom.

MAYOR FRANKLIN: Okay, I'm going to close public comments. Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Thank you. Well, we've had a motion to accept by Councilmember Montgomery and a second by Councilmember Napolitano and I didn't ask any questions in the beginning. So I just wanted to make a comment of gratitude. First to the Sandpipers and Joanne, I really thought you were here as a business owner. Yeah, but you know what you all have done and continue to do is remarkable and it's really a hallmark of this community, right? This public services, you know,

public, you know, participation and Beth and Julie and Michael and all the people who've involved in the Senior Scout Community Center. Oh my goodness, talk about dedication and not giving up right it takes people like this to get something like this over the finish line. And so this is such a great partnership. How smart for both, you know, benefits the Sandpipers it benefits your community ultimately benefits it all of us. So I'm very grateful to all of you. So, thank you.

COUNCILMEMBER LESSER: I just want to thank the representatives of the Sandpipers for one sitting through our last discussion topic, which was short and efficient and to the point. But more importantly, thank you for your dedication to this project. It's been a joy to watch as this project evolved over the last 15-20 years when I first tagged along with some of the leaders of this project to begin with. Particularly the man of each property owners and Tim Lilligran and others who really led the charge for this idea. They had a basic concept of an intergenerational facility that could serve our community and to watch how this building this project has really blossomed by bringing in community, organizations of different types like the Sandpipers has been really wonderful. Thank you for your generosity. Thank you for your time. Thank you for your commitment and I will reiterate the answer that we just received

to a question that was asked about, the value of these funds to why dedicate time later on when in theory that's lost revenue. It's because these funds are critical to get this project built. Thank you, and I'll be supporting the motion.

MAYOR FRANKLIN: Councilmember Napolitano, can I have one word first?

COUNCILMEMBER NAPOLITANO: And I'm going to say, thank you by not making you listen to us anymore and call for the question.

MAYOR FRANKLIN: We have a motion everything..

COUNCILMEMBER LESSER: We're waiting on about councilmember Napolitano to vote.

COUNCILMEMBER NAPOLITANO: Done.

CITY CLERK TAMURA: Motion passes 5-0.

MAYOR FRANKLIN: Okay, so item..

COUNCILMEMBER MONTGOMERY: Mr. Mayor, this is your item number 10.

MAYOR FRANKLIN: Item number 10. Consideration of a resolution expressing support for actions to further strengthen

local democracy authority and control as related to local zoning and housing issues. City manager Moe also known...

CITY MANAGER MOE: George Gabriel.

ASSISTANT TO THE CITY MANAGER GABRIEL: George Gabriel, assistant to the city manager.

COUNCILMEMBER NAPOLITANO: I was looking over there.

ASSISTANT TO THE CITY MANAGER GABRIEL: I'll keep this short sweet.

COUNCILMEMBER LESSER: Why would you do that?

COUNCILMEMBER NAPOLITANO: Nobody else is.

ASSISTANT TO THE CITY MANAGER GABRIEL: This action comes before you because a similar action was taken by the City of Hermosa Beach, it's largely a ceremonial resolution to express support for actions to further strengthen local democracy authority and control as it relates to local zoning and housing issues, it's also consistent with our recently adopted and approved legislative platform document as well. And this item comes before you at the suggestion of a city council member and therefore it's up for council consideration and adoption. Thank you

MAYOR FRANKLIN: Thank you, questions?

COUNCILMEMBER NAPOLITANO: No questions your honor.

MAYOR FRANKLIN: No questions. Move on to public comments. Any in the chambers public comments on this? On zoom?

ASSISTANT CITY CLERK ALVAREZ: No requests.

MAYOR FRANKLIN: Okay. We have a call for... so the motion was forwarded by myself Mayor Franklin and seconded by Mayor Pro Tem Amy Howorth. There we go.

COUNCILMEMBER NAPOLITANO: Oh! I didn't get a chance to vote.

COUNCILMEMBER LESSER: It's something you said.

COUNCILMEMBER NAPOLITANO: I want to push...

COUNCILMEMBER LESSER: they checked you out of the meeting you want to push.

COUNCILMEMBER NAPOLITANO: My name isn't even on there.

MAYOR PRO TEM HOWORTH: You checked out of the meeting.

COUNCILMEMBER NAPOLITANO: I'm not even an extension.

MAYOR PRO TEM HOWORTH: You checked out of the meeting.

COUNCILMEMBER LESSER: They wanted to get you out.

COUNCILMEMBER NAPOLITANO: What are they doing to me?

MAYOR PRO TEM HOWORTH: You're taking longer. This is great.

MAYOR FRANKLIN: Says motion fails.

MAYOR PRO TEM HOWORTH: Okay. All right.

MAYOR FRANKLIN: We're doing it again?

CITY CLERK TAMURA: Yes.

MAYOR PRO TEM HOWORTH: They're trying.

COUNCILMEMBER NAPOLITANO: Okay.

MAYOR PRO TEM HOWORTH: Do you have it?

COUNCILMEMBER NAPOLITANO: There you go.

CITY CLERK TAMURA: Motion passes 5-0.

MAYOR FRANKLIN: We move on to City Council requests and reports AB1234.

COUNCILMEMBER MONTGOMERY: None for me your honor.

MAYOR FRANKLIN: Okay future agenda items? None?

MAYOR PRO TEM HOWORTH: None, that's another time.

MAYOR FRANKLIN: City manager report.

CITY MANAGER MOE: Yes, I have one brief report tonight, and that is as council's aware earlier today I announced my retirement. To the staff here in town and I will have been with the city for 35 years come May and it's been a great experience. I'm very grateful for everything the city has given me. I love working here at the city and I'm just again very thankful. My date will be sometime in August likely beginning of August. But I remain available with for the City Council to help with the transition and I look forward to helping acclimate my successors. So thank you again for a great career here. I've appreciated every moment of it.

MAYOR FRANKLIN: Of course will allow time for Council comments Councilmember...

COUNCILMEMBER NAPOLITANO: Thank you, and I'm going to save all the accolades for later. I'm not going to get into that now. I want to make very clear though, that since we have had a couple of meetings closed sessions where it was review simulator that he was letting us know what his plans. Where his plans are no reflection of anything on this council that pushed him out, asked him leave or gave him an option. We don't want him to but

we understand why he is because he has spent his time, he served his time and he's allowed to be released back into the wild at some point. His choosing and this is his entirely his choosing and I want to make sure that anyone who's reporting on this understands. This is the city manager's choice to do this and it was with the support of Council because we wish him the best. Again, accolades come later, but I just want to make sure that any reporting of this. There's no pushing out. There's no firing there's, no anything other than the best for Bruce Moe going forward. Thank you

MAYOR PRO TEM HOWORTH: Really appreciate you saying that.

MAYOR FRANKLIN: Councilmember LesSer.

COUNCILMEMBER LESSER: I was going to begin the accolades, but I wanted to say something along the lines of the Councilmember Napolitano. Just said by just simply saying, thank you. Thank you Bruce for your 35 years of service to our community through our city and I haven't been around with the city as long as some of my colleagues I've only been around for about 20 years. This is a bittersweet moment and I look forward to extending this these comments later, but not tonight, but simply to say thank you.

MAYOR FRANKLIN: Thank you, and I'd like to take the liberty of, you are known in the in the city, in the halls here is a great poet. Okay, you're famous for that so I wrote a little limerick for your news. There once was a man named Bruce Moe who decided it was now time to go. After 35 years, he'll ditch his ties for some beers. Now it's sandals and shorts. Yeah, bro! Thank you very much. Thanks for all your service.

MAYOR PRO TEM HOWORTH: I'll save all my comments for later because I'm too mad right now.

COUNCILMEMBER MONTGOMERY: Ditto.

MAYOR PRO TEM HOWORTH: No I'm not mad.

MAYOR FRANKLIN: City attorney report

COUNCILMEMBER NAPOLITANO: You going anywhere?

CITY ATTORNEY BARROW: Unfortunately, no. Yeah, I'll have a lot to say about Bruce when the time comes. No, I we're going to miss Bruce, of course, and I have no report tonight.

MAYOR FRANKLIN: Okay and informational items? We are going to adjourn to a closed session on Tuesday April 23rd 2024 at 5 p.m. In City Council chambers. Thank you all.